

Insurgent Acts of Being-in-Common and Housing in Spain: Making Urban Commons?

Melissa García Lamarca

In M. Dellenbaugh, M. Kip, M. Bieniok, A.K. Müller & M. Schwegmann (Eds.), *Urban Commons: Moving Beyond State and Market* (pp. 165-177). Berlin, Basel: Birkhäuser. 2015.

Introduction

In the second decade of the twenty-first century, it is clear that the urban is no longer merely a site of contentious politics, but one of its primary stakes.¹ Indeed, the urban has (re)emerged across the world as ground zero for insurgent struggles over democracy, capitalism and urban space itself. Shaped by context-specific social, political and economic factors, those engaged in occupying public spaces seek to universalize principles of equality and demand their voices be heard at the same level as those that constitute the order that maintains the status quo.² At the same time, these oppositional movements face a pressing need to develop long-term im/material infrastructures towards building real and lasting alternatives.³

These struggles, furthermore, rub uneasily against the dynamics of urbanization, embedded in a system with a perpetual need to find profitable terrains for economic surplus production, appropriation and absorption.⁴ The capitalist mode of production is rooted in the commons that necessarily become part of the urban through the production of space in the city. Urban real estate thus acts as a key mechanism through

1 Neil Brenner, "Theses on Urbanization," *Public Culture* 25, no. 1 (2013): 89.

2 Erik Swyngedouw, "'Every revolution has its square': politicizing the post-political city," in *Urban constellations*, ed. Matthew Gandy (Berlin: Jovis, 2011): 22-25.

3 Jeff Shantz, *Commonist Tendencies: Mutual Aid Beyond Communism* (brooklyn: punctum books, 2013), 1.

4 David Harvey, *The Urbanization of Capital* (Oxford: Basil Blackwell Ltd., 1985).

which the common wealth of the metropolis is privatized,⁵ feeding an economic sector founded on credit and rent that facilitates a fundamental redistribution of value. In such a context, what possibilities do insurgent⁶ acts of being-in-common have to make urban commons as emancipatory configurations, as processes towards offering a real and durable alternative?

This chapter unfolds three paths to address this question, developed in three sections. Towards defining the urban commons, the first section unpacks "the commons" and "the common" as socio-historically produced configurations, highlighting how both are material and immaterial as well as natural and historical, with both emancipatory and repressive potential. The second section unravels how urban real estate encloses commons at multiple scales, while the third and final section explores how emancipatory urban political activities, specifically acts of being-in-common, relate to making urban commons. These last two sections are grounded in the Spanish urban political economic context of the country's 1997-2007 speculative real estate boom and the forms of being-in-common of Spain's most extensive housing rights movement, the Platform for Mortgage Affected People (PAH), respectively. The conclusion reflects on the question driving this paper, namely, the potential of acts of being-in-common in building emancipatory urban commons.

5 Michael Hardt and Antonio Negri, *Commonwealth* (Cambridge: Harvard University Press, 2009), 154.

6 Insurgency is understood here as "a provocation, a forceful intervention that aims not to constitute a singular new order from whole cloth but to radically destabilize authorized forms of power, knowledge and organization and, in so doing, to create the space necessary for new acts of constitution" (Juris and Khasnabish, 2013: 7).

Urban commons: conceptualizing the commons and the common

Early modern European social theorists conceived of “the commons” as the bounty of nature available to humanity, such as air, water, and land, elements often posed in religious terms as the inheritance of humanity as a whole.⁷ Hardin’s *Tragedy of the Commons* (1968) was crucial in popularizing, and grossly oversimplifying, the idea of the commons through a neo-Malthusian approach; his influence has endured in creating a false dichotomy between public and private property forms as the only solutions. While the extensive work of Elinor Ostrom and her colleagues⁸ has disrupted some of Hardin’s thinking through attempts to empirically understand how complex systems of collective management operate, they tend to focus on the internal dynamics of so-called ‘natural’ commons while neither contextualizing nor questioning the larger political economic structures (e.g. the dynamics of capital accumulation and expansion) of which they are a part.

This raises a larger point regarding much of this ‘natural resource’ commons literature based on Ostrom and her colleagues’ work: it is either conservative or apolitical, neither addressing nor questioning the socio-natural relations of capitalism underlying property relations and the organization of social life, and operates uncritically within liberal-democratic capitalist frameworks. Capitalist development is compatible

7 Ibid., viii.

8 For example see Elinor Ostrom, *Governing the Commons: The Evolution of Institutions for Collective Action* (Cambridge, UK: The University of Cambridge, 1990); Elinor Ostrom, “Coping with Tragedies of the Commons,” *Annual review of political science* 2 (1999): 493–535; Thomas Dietz, Elinor Ostrom and Paul C. Stern, “The Struggle to Govern the Commons,” *Science* 302 (2003): 1907–1912.

with many common property systems of resource management,⁹ just as the common, discussed below, is an integral part of the capitalist mode of production. Yet if one seeks to ascertain how commons can contribute to a more emancipatory political configuration, it is critical to embed explorations of commons in their historical and current political economic dynamics.

Furthermore, references to the commons as resources, or ‘natural’ resources, reflects a utilitarian and static conceptualization that sweeps their political and socio-natural reality under the table.¹⁰ This emerges in much of the writing around the ‘new commons,’¹¹ where the urban commons, defined flatly as collectively shared urban resources, is a growing field. Urban studies and planning¹² and legal studies¹³ are just two fields where these (largely depoliticized) explorations are emerging. Conceptualizing the commons instead as an activity – as relational, not static – is fundamental to unpack the dynamic relationships in society that are inseparable from relations to our

9 George Caffentzis, “A Tale of Two Conferences: the Crisis of Neoliberalism and Question of the Commons” *the Commoner*, December, 2010, http://www.commoner.org.uk/wp-content/uploads/2010/12/caffentzis_a-tale-of-two-conferences.pdf (accessed August 20, 2013).

10 It is important to recognize that “resources can be defined only in relationship to the mode of production which seeks to make use of them and which simultaneously ‘produces’ them through both the physical and mental activity of the users” (David Harvey as cited in Erik Swyngedouw, “The City as a Hybrid: On Nature, Society and Cyborg Urbanization,” *Capitalism Nature Socialism* 7, no. 2 (1996): 65).

11 See for example Frank Van Laerhoven and Elinor Ostrom, “Traditions and Trends in the Study of the Commons,” *International Journal of the Commons* 1, no. 1 (2007): 3–28.

12 For example Shin Lee and Chris Webster, “Enclosure of the Urban Commons,” *Geojournal* 66, no. 1/2 (2006): 27–42; Ian McShane, “Trojan Horse or Adaptive Institutions? Some Reflections on Urban Commons in Australia,” *Urban Policy and Research* 28, no. 1 (2010): 101–116; Jeremy Németh, “Controlling the Commons: How Public Is Public Space?” *Urban Affairs Review* 48, no. 6 (2012): 811–835.

13 For example Sheila R. Foster, “Collective Action and the Urban Commons,” *Notre Dame Law Review* 87, no. 1 (2011): 57–134; Nichole Stelle Garnett, “Managing the Urban Commons” *University of Pennsylvania Law Review* 160 (2012): 1995–2027.

environment.¹⁴

The common, intimately connected to the commons, refers to language, affect, knowledge, creativity and thought; in other words, “immaterial” dynamics collectively shared through networks of social relations. A shifting importance from the commons to the common has been increasingly recognized. Agamben¹⁵ highlights how capitalism has been directed not only towards expropriating productive activity but also to the alienation of the very linguistic and communicative nature of humans. Hardt and Negri discuss how the figure of immaterial labor-power occupies an increasingly central position in capitalist production, where the common is the basis of economic production both as a productive force and as the form in which wealth is produced.¹⁶ Much of this writing on the common focuses on how the neoliberal assault is subsuming people into the equation through its seizure of knowledge, language and affect, among others,¹⁷ in what Jodi Dean¹⁸ defines as communicative capitalism.

The common plays a key role in one of the contradictions of capitalism identified by Marx, namely between productive *forces* and the social *relations* of production, which generates crises and conflicts that provide potential openings for a transition to socialism. The common, and the commons, are thus clearly embedded in the forces of

14 Peter Linebaugh, *The Magna Carta Manifesto: Liberties and Commons for All* (Berkeley: University of California Press, 2008), 279. From here onward, the commons is understood as a dynamic social relation configured and reconfigured through socio-historical relations and socio-spatial practices, a contested, collective terrain that is under constant transformation, holding both emancipatory and repressive potential.

15 Giorgio Agamben, *The Coming Community* (Minneapolis: University of Minnesota Press, 1993), 79.

16 Hardt and Negri, *Commonwealth*, 280.

17 See Michael Hardt, “The Common in Communism” in *The Idea of Communism*, ed. Costas Douzinas and Slavoj Žižek (London: Verso, 2010), 134.

18 Jodi Dean, *The Communist Horizon* (London: Verso, 2012), 124.

production through socio-historical processes, and indeed the common is generated through labor's inherently collective process such as pooling resources and the social cooperation of labor.¹⁹ Hardt and Negri²⁰ envision that the contradiction Marx invokes between the *social* nature of capitalist production and the *private* character of capitalist accumulation will result in capitalism sowing the seeds of its own downfall.

While the common is, without a doubt, transforming capitalism in new and unforeseen ways, I posit that it is fundamental to understand how such processes feed into and interact with social struggles over access to, control over, and enclosures of the commons. Following Dean,²¹ I believe that the commons must be conceived as equally material and immaterial, as well as relational and historical. The commons is often considered only in material terms, characterized by scarcity, but they also have an important immaterial component in their relational meaning that emerges through affect, knowledge, and language. As long as such elements are contextualized in the commons, such thinking can open up ways of instituting politically being-in-common and making commons beyond debates around property regimes and institutional formations. Similarly, while the common is infinite and characterized by surplus, it is embedded within and constitutive of material production and, especially, relationships. So while the common plays a fundamental role in the new frontier of capitalism, the material basis that enables the production of the common is deeply intertwined in the commons.

19 Massimo De Angelis, "The Tragedy of the Capitalist Commons," *Turbulence*, <http://turbulence.org.uk/turbulence-5/capitalist-commons/> (accessed September 19, 2014).

20 Hardt and Negri, *Commonwealth*, 288.

21 Dean, *The Communist Horizon*, 135.

I thus conceptualize urban commons as a dynamic social relationship that is configured and reconfigured through time and struggle, through socio-historical relations and urban socio-spatial practices; they are a contested, collective material and immaterial terrain. As these dynamics have both repressive and emancipatory potential, politicizing commons is fundamental in order to question how and who creates what kinds of commons. Towards this end, employing the enclosure-commons dialectic can be used to think through processes of exclusion and alterity,²² as explored in the following section in the case of Spain.

Enclosing commons: Spain's urban political economic condition

The enclosure of the commons has become the modus operandi of neoliberal urbanism today, a process aimed at finding new outlets for capital accumulation through controlling the use and exchange value of urban space or shutting down access to any urban space or sociality that creates non-commodified means of reproduction and a challenge to capitalist social relations.²³ Enclosure speaks not only to original accumulation²⁴ or the resurgence of statist violence, but also to a messy, practical and highly conflicted claiming of the commons.²⁵ It forcibly incorporates dynamics that were

22 Alex Jeffrey, Colin McFarlane, and Alex Vasudevan, "Rethinking Enclosure: Space, Subjectivity and the Commons," *Antipode* 44, no. 4 (2012): 1247.

23 Stuart Hodkinson, "The New Urban Enclosures," *City: analysis of urban trends, culture, theory, policy, action* 16, no. 5 (2012): 515.

24 Karl Marx, *Capital: A Critique of Political Economy, Volume I* 1867 (New York: Penguin Books, 1982), 873.

25 Alex Vasudevan, Colin McFarlane and Alex Jeffrey, "Spaces of Enclosure," *Geoforum* 39, no. 5 (2008): 1642.

outside capital accumulation into capitalist production and circulation,²⁶ as capital acts as a life-colonizing force seeking endless growth and self-reproduction.²⁷

Urban real estate acts as a key mechanism through which the common wealth of the metropolis is privatized.²⁸ This process occurred both at the scale of the urban and at the scale of the body in Spain's third real estate cycle (Figure 1) from 1997 to 2007, the most extensive and profitable boom in the country's history. In terms of the first scale, the construction of housing was embedded in a process where the expanding built environment transformed 'public' wealth and wealth held socially in common into private property. During this period, the compound annual growth rate in nominal house prices was over 10%²⁹ and the total housing stock increased by over 6 million units.³⁰ With almost 900,000 housing starts in 2006 alone – exceeding those of France, Germany and Italy combined³¹ – the country's built area expanded by almost a quarter of total built area during the boom.³² In 2006, Spain held the dubious position as the European leader in its use of cement, and stood fifth globally.

26 Isaac Kamola and Eli Meyerhoff, "Creating Commons: Divided Governance, Participatory Management, and Struggles Against Enclosure in the University," *Polygraph* 21 (2009): 6.

27 Massimo De Angelis, *The Beginning of History: Value Struggles and Global Capital* (London: Pluto Press, 2007), 6.

28 Michael Hardt and Antonio Negri, *Commonwealth*, 156.

29 European Mortgage Federation, *2010 EMF Study on the Cost of Housing in Europe* (Brussels, 2010), 11.

30 European Mortgage Federation, *Hypostat 2010: A Review of Europe's Mortgage and Housing Markets* (Brussels, 2011), 73.

31 Isidro López and Emmanuel Rodríguez, "The Spanish Model" *New Left Review* 69 (2011): 20.

32 José Manuel Naredo, Óscar Carpintero and Carmen Marcos, *Patrimonio Inmobiliario y Balance Nacional de La Economía Española (1995-2007)* (Madrid: Fundación de las Cajas de Ahorros, 2008), 57

Figure 1: Spanish real estate cycles, 1970-2007

Source: Naredo et. al. (2008: 184) from National Statistics Institute (INE), Ministry of Development and Ministry of Housing

While the construction sector has traditionally held a central role in the process of capital accumulation in Spain,³³ the built environment extended far further and deeper than it had previously, both mediated and compounded by the liberalization of housing, mortgage and land markets as well as various phases of EU integration.³⁴ By 2008, Spain ranked next to the United States in the league of countries with the largest net import of capital, with most private foreign investment fuelling the real estate sector.³⁵

The political and ideological project of homeownership, on the other hand, has a long history as a vaccine against social instability during Spain's dictatorship.³⁶ This project has shifted strategy since democracy was introduced but has by and large continued, with almost 85% of Spanish households becoming homeowners by 2007, one of the highest rates in Europe. Despite real average wages falling 10% during the

33 Daniel Coq-Huelva, "Urbanisation and Financialisation in the Context of a Rescaling State: The Case of Spain," *Antipode* 45, no. 5 (2013): 1220.

34 See for example Isidro López and Emmanuel Rodríguez, *ibid.*; María-Teresa Sánchez Martínez, "The Spanish Financial System: Facing up to the Real Estate Crisis and Credit Crunch," *European Journal of Housing Policy* 8, no. 2 (2008): 181–196; and Josep Roca Cladera and Malcolm C. Burns, "The Liberalization of the Land Market in Spain: The 1998 Reform of Urban Planning Legislation," *European Planning Studies* 8, no. 5 (2000): 547–564.

35 Marisol García, "The Breakdown of the Spanish Urban Growth Model: Social and Territorial Effects of the Global Crisis," *International Journal of Urban and Regional Research* 34, no. 4 (2010): 969.

36 As illustrated by the first Minister of Housing in his inaugural 1957 speech: "we want a country of homeowners, not proletarians" – see José Manuel Naredo, "El Modelo Inmobiliario Español y Sus Consecuencias." *Boletín CF+ S* 44 (2010): 18.

boom,³⁷ over 820,000 mortgages were signed each year as people repeatedly heard from real estate agents, developers, builders, financial entities, public administrations and news media alike that “the price of housing never falls” or “housing is a safe investment”.³⁸

This process of enclosure also occurred at the scale of the body in urban space, as people were a fundamental piece of the puzzle furthering the enclosure of the commons and urban capital accumulation. The enormous increase in the ‘wealth’ of Spanish households – from 480% of Gross Domestic Investment (GDI) in 1995 to 800% in 2006, of which 540% corresponded to property wealth³⁹ – occurred at the expense of massive indebtedness, as total outstanding residential loans increased over fourfold from 155 billion euros in 1999 to 647 billion euros in 2007.⁴⁰ Mortgages tied an ever-greater portion of the population into homeownership, plugging them into the financial sector’s rent extraction mechanisms.⁴¹ In this way, mortgages can be conceived as another strategy by capital to act as a life-colonizing force. They aid in the enclosure of commons into private property, providing an income stream to financial institutions as land and housing titles are given to ‘homeowners’ as claims on their future labor.

Between 1997 and 2006, household indebtedness increased from 55% to 130%

37 López and Rodríguez, “The Spanish Model,” 12.

38 Ada Colau and Adrià Alemany, *Vidas Hipotecadas: De La Burbuja Inmobiliaria Al Derecho a La Vivienda* (Barcelona: Cuadrilátero de Libros, 2012), 29.

39 Sánchez Martínez, “The Spanish Financial System: Facing up to the Real Estate Crisis and Credit Crunch,” 189.

40 European Mortgage Federation, *Hypostat 2010: A Review of Europe’s Mortgage and Housing Markets*, 81.

41 Isidro López and Emmanuel Rodríguez, *Fin de Ciclo: Financiarización, Territorio y Sociedad de Propietarios En La Onda Larga Del Capitalismo Hispano (1959-2010)* (Madrid: Traficantes de Sueños, 2010).

of disposable income,⁴² placing Spain first worldwide for the highest percentage of long-term household mortgage debt with respect to disposable income.⁴³ This expanding enclosure of the commons, in its extreme, can also be thought of as a process of proletarianization of those who are thereby excluded from their own substance,⁴⁴ in other words, as the dynamic creation of a social group (homeowners) through the way in which capitalism produces, uses up and discards those it needs.⁴⁵ This is particularly true as Spain's Mortgage Act obliges those who default on their mortgage payments to continue paying if, once foreclosed and evicted, the bank's confiscation and sale of their house does not cover all outstanding costs.⁴⁶

Since the bust of Spain's boom in 2007, such dynamics have become piercingly acute; unemployment has skyrocketed to over 25% and housing has become a massive point of contention as people are increasingly unable to meet their mortgage payments. More than half a million foreclosures and 250,000 evictions have occurred between 2008 and 2013 according to Spain's justice department, leaving hundreds of thousands with no place to live and a debt to pay for life. At the same time, at least 3.5 million units of housing are empty and banks have been bailed out with tens of billions of euros of public funds. Working and middle class people are bearing the brunt of austerity, debt,

42 Albert Puig Gómez, "El Modelo Productivo Español En El Período Expansivo de 1997-2007: Insostenibilidad y Ausencia de Políticas de Cambio," *Revista de Economía Crítica* 12 (2011): 69.

43 Naredo et. al., *Patrimonio Inmobiliario y Balance Nacional de La Economía Española (1995-2007)*, 151.

44 Slavoj Žižek, "How to Begin From the Beginning" in *The Idea of Communism*, ed. Costas Douzinas and Slavoj Žižek (London: Verso, 2010): 220.

45 Jodi Dean, *The Communist Horizon*, 75.

46 Jesús Castillo, "Current Reform of Spain's Mortgage Law," *Natixis special report* 47 (2013): 3.

foreclosures and evictions in Spain, dynamics that have instigated and fed into a politics of forms and insurgent acts of being-in-common through housing rights platforms, amidst countless other mobilizations, in cities across the country. The final section of this paper provides some preliminary thoughts on how such forms and acts relate to the (emancipatory) making of urban commons.

Making urban commons? Forms and insurgent acts of being-in-common

Considering the dominant tendencies of capitalist urbanization illustrated by the Spanish case and echoed in dozens of others across the world, the construction of being-in-common is intimately related to struggles over urban commons. Resisting enclosures of the commons is not new;⁴⁷ indeed, enclosures happen all the time, as does constant commoning.⁴⁸ Following Harvey, commoning is understood here as a social practice that establishes a dynamic, collective and non-commodified social relationship between a self-defined social group and aspects of the existing or to-be-created social and/or physical environment that is crucial to its life and livelihood.⁴⁹

Being-in-common is a subjectivity produced from a reconfiguration of the field of experience⁵⁰ when engaged in collective struggles over modes of urbanization and urban life. It is the substance and the essence of the political, aligned with De Angelis'

47 Peter Linebaugh, "Enclosures from the Bottom Up," *Radical History Review* 108 (2010): 11–27.

48 An Architektur, "On the Commons: A Public Interview with Massimo De Angelis and Stavros Stavrides," *e-flux* June-August (2010): 1–17.

49 David Harvey, *Rebel Cities: From the Right to the City to the Urban Revolution* (London: Verso, 2012), 73.

50 Jacques Rancière, *Disagreement: Politics and Philosophy* (Minneapolis: University of Minnesota Press, 1999), 36

depiction of forces that reclaim life from the privatizing and alienating dynamics of capital accumulation to rearrange social relations according to their own terms.⁵¹ It also sides with Jodi Dean's concept of the "people as the rest of us"⁵² – the 99% – as well as with Jacques Rancière's notion of "the part of no part." This idea designates the *interruption* of a given order by those who have no part in it, illustrating exactly this gap between the existing order and other possible futures.⁵³

Those who constitute housing rights platforms in Spain were people who allegedly "had a part," who obtained the credential of "first-class citizens" through being property owners,⁵⁴ but are now the part with no part as they have been foreclosed, evicted and often indebted for life. The Platform for Mortgage Affected People (PAH), the most active housing rights movement in the country, was founded in Barcelona in 2009 for the right to housing and has since mushroomed to over 200 branches across Spain. Their three basic, non-negotiable demands include the cancellation of mortgage debt upon handover of the property to the bank (*dation in payment*), an immediate stop to all evictions where it is the family home and sole property, and the creation of a public park of social housing from empty housing held by financial institutions.

The PAH's method of organization is rooted in various forms of being-in-common, grounded first and foremost in weekly assemblies where people who can no longer pay their mortgage and/or are facing eviction and other solidarity activists come together to coordinate actions and carry out collective advising for mortgage-affected families.

51 De Angelis, *The Beginning of History*, 6.

52 Dean, *The Communist Horizon*, 69.

53 Rancière, *Disagreement*, 11-12.

54 Colau and Alemany, *Vidas hipotecadas*, 74.

Assemblies are fundamental spaces where collective knowledge on how to stall or counteract foreclosure and eviction processes is shared and expanded, and where individuals' fear and shame are shed; it is a place of collective support and support of the collective. Aside from coordinating broader campaigns and actions, here people organize to accompany people seeking mortgage debt forgiveness on visits to their bank branch to demand a response from the director, or to occupy the bank if negotiations are stalled, to mobilize to stop an eviction by placing their bodies in front of the entrance so that the police and the judicial committee carrying out the eviction order cannot enter, or to support empty bank-owned flat occupations for mortgaged/evicted families with no housing alternative, among many others. Commoning is ever-present through the PAH's ways of speaking and acting, where a collective – and conflictive – struggle and response is built from individually experienced housing problems.

On the one hand, the PAH fights for and demands that the state fulfill its role as a universal provider of welfare, in particular housing, to all of Spain's residents. But since the state has been too slow or unable/unwilling to provide political and practical solutions, the PAH acts through a collective, horizontal, non-violent, assembly-based and non-party affiliated process, creating a dynamic and non-commodified social relationship between the group and its social and/or physical environment. They generate tools and knowledge based on experience and actions that are shared with all, not only homeowners facing mortgage or eviction problems.⁵⁵

In response to urgent needs, the PAH reclaims the material and symbolic use

55 These collective tools are available at <http://afectadosporlahipoteca.com/documentos-utiles/>

value of the city, appropriating conceived space and time⁵⁶ to simultaneously challenge the hegemony and to rupture the consensus that such spaces hold. Some of these insurgent acts of being-in-common include blocking evictions of mortgaged households and occupying empty bank-owned buildings for mortgaged evicted families. The former involves dozens upon dozens of bodies physically blocking the entrance to properties as eviction orders are being delivered, a tactic first used in November 2009 in Catalonia. Since this time over 1,130 evictions have been blocked across Spain, and banks have been forced to negotiate social rent (30% of a family's income). Building occupations target those vacant dwellings owned by banks that were bailed out by public purses. PAH members have recuperated over 30 buildings across the country, most concentrated in the Barcelona Metropolitan Region and in Madrid, rehousing over 1,150 people. Once occupied, the PAH enters into negotiations with the bank that owns the building for occupying families to pay a social rent.

The relation of such actions to making urban commons as emancipatory configurations is by no means stable, but is rather undergoing constant temporal and spatial change. For example, the im/material combination of bodies, the gathering of support, solidarity and affect when the PAH acts in common to block evictions can be understood as a process of commoning. Yet what happens to these im/material dynamics once the eviction is blocked? How is the collective and non-commodified relationship between the social and physical environment sustained, for example through assembly spaces and further collective actions? Commoning can be seen in a

56 Henri Lefebvre, *The Production of Space* [1974] (Oxford: Blackwell, 1991).

more sustained fashion in the PAH's collective recuperation of housing, through the relationships built between the occupying group and their social and physical environment as they dwell together and organize themselves. The PAH's occupation manual⁵⁷ advises building recuperators to hold regular collective meetings, to legitimize the social value of the occupation by distributing information sheets and talking to neighbors, and to create a neighborhood association for the building to normalize their status, for example. While these give some sense of the urban commons being created, and how they might traverse outside the building, it remains to be seen how and if they can be sustained towards a long-term enactment of realizing other possible futures that transform the existing order.

Closing thoughts

Regarding thinking through the role of forms and insurgent acts of being-in-common in making emancipatory urban commons, this paper began by theoretically unpacking the commons and the common, defining the urban commons as social relationship continuously (re)configured through socio-historical relations and socio-spatial practices, a contested, conflictive im/material terrain with both emancipatory and repressive potential. The case of Spain was used to illustrate how the enclosure of commons through urban real estate development during the 1997-2007 boom was

57 See La Plataforma de Afectados por la Hipoteca, *Manual de Obra Social*, available at <http://afectadosporlahipoteca.com/wp-content/uploads/2013/07/MANUAL-OBRA-SOCIAL-WEB-ALTA.pdf>.

deeply intertwined with the rent extraction processes embedded in urbanization, and how this operated at the urban scale with the building boom and at the scale of the body through the provision of mortgages. Countering capital as a life-colonizing force, the life-reclaiming forces that emerge through being-in-common were explored theoretically and through the actions of the Platform for Mortgage Affected People (PAH) in Spain, thinking through the connections that some of their forms and acts of being-in-common rupturing the current order might have to making urban commons.

Critically thinking through urban commons opens up a possibility to rethink neoliberalized urban political economic and ecological orders, opening another window to assess who participates in and who benefits from how built environments are produced and reproduced. Due to the emancipatory and repressive potential of urban commons, their creation in itself does not necessarily lead to a real or durable alternative to capitalism and/or the dominant 'police' order. While they offer valuable potential to think through other configurations that are inherently contested and problematic, this exploration, grounded in the urban struggles over housing in Spain, illustrated the importance of understanding the spatial and temporal dimensions of urban commons, highlighting the need to unpack them through a sustained experience that, in this case, is still in the making. Actions of politically being-in-common might only create dynamic, temporally limited urban commons that enact equality for those who have no part, although – depending on their spatial extension, reception and impact – in the long-term they could have a profound impact on capitalist social relations and the production of urban space. Nonetheless, sustaining these insurgent activities remains

one of the central components of an emancipatory politics, for those who do not form part of the system – the 99% – to be-in-common and enact equality on their (our) own terms.

Literature

Agamben, Giorgio, *The Coming Community*. Minneapolis: University of Minnesota Press, 1993.

An Architektur. "On the Commons: A Public Interview with Massimo De Angelis and Stavros Stavrides." *e-flux* 17 (2010): 1–17.

Brenner, Neil. "Theses on Urbanization." *Public Culture* 25, no. 1 (2013): 85–114.

Caffentzis, George. "A Tale of Two Conferences : the Crisis of Neoliberalism and Question of the Commons," *the Commoner*, December, 2010, http://www.commoner.org.uk/wp-content/uploads/2010/12/caffentzis_a-tale-of-two-conferences.pdf (accessed September 19, 2014).

Castillo, Jesús. "Current Reform of Spain's Mortgage Law," *Natixis special report* 47 (2013): 1-5.

Colau, Ada, and Adrià Alemany. *Vidas Hipotecadas: De La Burbuja Inmobiliaria Al Derecho a La Vivienda*. Barcelona: Cuadrilátero de Libros, 2012.

Coq-Huelva, Daniel. "Urbanisation and Financialisation in the Context of a Rescaling State: The Case of Spain." *Antipode* 45, no. 3 (2013): 1213-1231.

De Angelis, Massimo. "The Tragedy of the Capitalist Commons." *Turbulence*, <http://turbulence.org.uk/turbulence-5/capitalist-commons/> (accessed September 19, 2014).

De Angelis, Massimo. *The Beginning of History: Value Struggles and Global Capital*. London: Pluto Press, 2007.

Dean, Jodi. *The Communist Horizon*. London: Verso, 2012.

Dietz, Thomas, Elinor Ostrom, and Paul C. Stern. "The Struggle to Govern the Commons." *Science* 302 (2003): 1907–1912.

- European Mortgage Federation. *2010 EMF Study on the Cost of Housing in Europe*. Brussels, 2010.
- European Mortgage Federation. *Hypostat 2010: A Review of Europe's Mortgage and Housing Markets*. Brussels, 2011.
- Foster, Sheila R. "Collective Action and the Urban Commons." *Notre Dame Law Review* 87, no. 1 (2011): 57–134.
- García, Marisol. "The Breakdown of the Spanish Urban Growth Model: Social and Territorial Effects of the Global Crisis." *International Journal of Urban and Regional Research* 34, no. 4 (2010): 978–980.
- Garnett, Nicole Stelle. "Managing the Urban Commons." *University of Pennsylvania Law Review* 160 (2012): 1995–2027.
- Hardin, Garret. "The Tragedy of the Commons." *Science*, 162 (1968): 1243–1248.
- Hardt, Michael, and Antonio Negri. *Commonwealth*. Cambridge, MA: Harvard University Press, 2009.
- Hardt, Michael. "The Common in Communism." In *The Idea of Communism*, edited by Costas Douzinas and Slavoj Žižek, 131-144. London: Verso, 2010.
- Harvey, David. *Rebel Cities: From the Right to the City to the Urban Revolution*. London: Verso, 2012.
- Harvey, David. *The Urbanization of Capital*. Oxford: Basil Blackwell Ltd., 1985.
- Hodkinson, Stuart. "The New Urban Enclosures." *City: analysis of urban trends, culture, theory, policy, action* 16, no. 5 (2012): 500–518.
- Isin, Engin, and Greg Nielsen. "Introduction: Acts of Citizenship." In *Acts of Citizenship*, edited by Engin Isin and Greg Nielsen, 1-12. London: Zed Books Ltd., 2008.
- Jeffrey, Alex, Colin McFarlane, and Alex Vasudevan. "Rethinking Enclosure: Space, Subjectivity and the Commons." *Antipode* 44, no. 4 (2012): 1247–1267.
- Juris, Jeffrey S. and Alex Khasnabish. "Introduction: Ethnography and Activism within Networked Spaces of Transnational Encounter." In *Insurgent Encounters: Transnational Activism, Ethnography, and the Political*, edited by Jeffrey S. Juris and Alex Khasnabish, 1-36. Durham: Duke University Press, 2013.

- Kamola, Isaac, and Eli Meyerhoff. "Creating Commons: Divided Governance, Participatory Management, and Struggles Against Enclosure in the University." *Polygraph* 21 (2009): 5–27.
- La Plataforma de Afectados por la Hipoteca. "Manual "Obra Social La PAH." <http://afectadosporlahipoteca.com/wp-content/uploads/2013/07/MANUAL-OBRA-SOCIAL-WEB-ALTA.pdf> (accessed September 19, 2014).
- Lee, Shin, and Chris Webster. "Enclosure of the Urban Commons." *Geojournal* 66, no. 1/2 (2006): 27–42.
- Lefebvre, Henri. *The Production of Space*. [1974] ed. Oxford: Blackwell, 1991.
- Linebaugh, Peter. "Enclosures from the Bottom Up." *Radical History Review* 108 (2010): 11–27.
- Linebaugh, Peter. *The Magna Carta Manifesto: Liberties and Commons for All*. Berkeley: University of California Press, 2008.
- López, Isidro, and Emmanuel Rodríguez. *Fin de Ciclo: Financiarización, Territorio y Sociedad de Propietarios En La Onda Larga Del Capitalismo Hispano (1959-2010)*. Madrid: Traficantes de Sueños, 2010.
- López, Isidro, and Emmanuel Rodríguez. "The Spanish Model." *New Left Review* 69, no. May-June (2011): 5–29.
- Marx, Karl. *Capital: A Critique of Political Economy, Volume I* 1867. Fourth ed. New York: Penguin Books, 1982.
- May, Todd. *Contemporary Political Movements and the Thought of Jacques Rancière: Equality in Action*. Edinburgh: Edinburgh University Press, 2010.
- May, Todd. *The Political Thought of Jacques Rancière: Creating Equality*. Edinburgh: Edinburgh University Press, 2008. Print.
- McShane, Ian. "Trojan Horse or Adaptive Institutions? Some Reflections on Urban Commons in Australia*." *Urban Policy and Research* 28, no. 1 (2010): 101–116.
- Naredo, José Manuel. "El Modelo Inmobiliario Español y Sus Consecuencias." *Boletín CF+ S 44* (2010): 13–27.
- Naredo, Manuel, Óscar Carpintero, and Carmen Marcos. *Patrimonio Inmobiliario y Balance Nacional de La Economía Española (1995-2007)*. Madrid: Fundación de las Cajas de Ahorros, 2008.

- Németh, J. "Controlling the Commons: How Public Is Public Space?" *Urban Affairs Review* 48, no. 6 (2012): 811–835.
- Ostrom, Elinor. "Coping with Tragedies of the Commons." *Annual review of political science* 2 (1999): 493–535.
- Ostrom, Elinor. *Governing the Commons: The Evolution of Institutions for Collective Action*. Cambridge, UK: The University of Cambridge, 1990.
- Puig Gómez, Albert. "El Modelo Productivo Español En El Período Expansivo de 1997-2007: Insostenibilidad y Ausencia de Políticas de Cambio." *Revista de Economía Crítica* 12 (2011): 64–81.
- Rancière, Jacques. *Disagreement: Politics and Philosophy*. Minneapolis: University of Minnesota Press, 1999.
- Rancière, Jacques. "Ten Theses on Politics." *Theory and Event* 5, no. 3 (2001): n. pag.
- Roca Cladera, Josep, and Malcolm C. Burns. "The Liberalization of the Land Market in Spain: The 1998 Reform of Urban Planning Legislation." *European Planning Studies* 8, no. 5 (2000): 547–564.
- Sánchez Martínez, María-Teresa. "The Spanish Financial System: Facing up to the Real Estate Crisis and Credit Crunch." *European Journal of Housing Policy* 8, no. 2 (2008): 181–196.
- Shantz, J. *Commonist Tendencies: Mutual Aid Beyond Communism*. Brooklyn, NY: punctum books, 2013.
- Swyngedouw, Erik. "'Every revolution has its square': politicizing the post-political city." In *Urban constellations*, edited by Matthew Gandy, 22-25. Berlin: Jovis, 2011.
- Swyngedouw, Erik. "The City as a Hybrid: On Nature, Society and Cyborg Urbanization." *Capitalism Nature Socialism* 7, no. 2 (1996): 65–80.
- Van Laerhoven, Frank, and Elinor Ostrom. "Traditions and Trends in the Study of the Commons." *International Journal of the Commons* 1, no. 1 (2007): 3–28.
- Vasudevan, Alex, Colin McFarlane, and Alex Jeffrey. "Spaces of Enclosure." *Geoforum* 39, no. 5 (2008): 1641–1646.
- Žižek, Slavoj. "How to Begin From the Beginning." In *The Idea of Communism*, edited by Costas Douzinas and Slavoj Žižek, 209–226. London: Verso, 2010.

