

SOCIAL HOUSING 2021: IS HOUSING A COMMODITY OR A RIGHT?



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On the cover: Ms. Gladys June and Mr. George Jackson, residents of Willow Oaks, a Greensboro, North Carolina mixed-income-mixed-tenure community opened in 2006 under the federal HOPE VI program to replace the Morningside Homes, a public housing development suffering from crime and neglect and the site of the 1979 Greensboro massacre.

Introduction: Vienna

Housing advocates look to Vienna as if it were the Promised Land. That city's social housing program is the world leader – the “[international gold standard when it comes to public housing](#).” For them, housing is a social commitment, not a product to be sold for the highest price. Their municipal government counts housing, along with water, roads, and public safety, as one of the human needs whose fulfillment is the fundamental aim of civil society.

[Begun in the 1920s](#) as part of a reform initiative of the social democratic party – a brief period of progressive governance sneaked in between the collapse of empire and the rise of fascism – and revived in the late 1940s to rebuild housing destroyed in war, the social housing program has grown to become Vienna's primary housing provider. Over [60% of the city's residents](#) live in apartments they rent at controlled rates in buildings owned by the city or by subsidized nonprofit housing associations. The program is equally aimed at protecting low-income residents and building a strong middle

class: families with incomes of up to around [170% of the country median income](#) are eligible. Green common spaces, access to services, and high-quality architecture are hallmarks of the Vienna system. Whereas market housing is subject to supply and demand forces that bid up prices, social housing is permanently protected from price pressures.

Can social housing succeed in America? The outlook hasn't been good. U.S. public housing ¹ has seen as many failures as Vienna's has seen successes. Compared to Vienna's 60%, public housing accommodates not even five percent of the population in most U.S. cities, and public support is at a low ebb. But social housing is back on the agenda in the United States. In this paper, we will review the state of social housing today. We'll examine the ideological underpinnings of the failed housing market of the past forty years. We'll survey today's revival of social housing in all its forms, from ambitious new proposals for federal reinvestment in social housing on the scale of a housing new deal, to the many different

ownership models being tried in city and rural neighborhoods across the world, as part of a broad effort to wrest housing from the landlords and speculators and the harsh imperatives of capital markets. We will look at some of the more radical forms of housing advocacy that have gained in importance, including strategies of occupation and resistance to eviction. Finally, we will consider whether the revival of social housing carries with it the potential to re-politicize the housing sector, and reintroduce local democracy and community solidarity to the quest for safe and affordable housing in our city and rural neighborhoods.

Commodification of Housing

The move to privatization of public housing was part of a much larger shift in political economic policy in the United States and much of the developed world – not excluding Austria, where policy changes have threatened to weaken social housing even there. A political and ideological program, which we call “neoliberal,”

operationalized an increasingly stubborn belief that anything government could do, anything people need, the market could provide better and more efficiently. Taking as its rallying cry Ronald Reagan’s declaration in his first inaugural address – that “government is not the solution to our problem; government is the problem”² – this program sought to free the economy from unwanted state interference. In the name of this laudable-sounding goal, though, the neoliberal governing power scorched the earth, dismantling the very institutions of the national postwar settlement – the social welfare safety net, economic and environmental regulation, federal civil rights enforcement, the partnership of industrial production and labor organization, and the whole infrastructure of progressive taxation that had enabled communities to govern themselves. It adopted a program of extreme austerity, repudiating the state’s role as guarantor of basic income, health, education, and housing, and devolving many of the central government’s

former responsibilities to local communities – to the constellation of underfunded local governments, nonprofit organizations, academic institutions and philanthropists that operate today [under the rubric of community development](#).

[Housing played a key role](#) in this epic transfer of wealth and power and the ensuing struggle of people against the ravages of the marketplace. Arrayed against the abstract declarations of economists and politicians were the moral claims of homeless and precariously housed people. But so long as housing was a commodity to be traded on the open market, such moral claims, or any non-monetary claim to use-value or the right to be housed, were [incommensurable with the price assigned to the asset](#). And this subjecting of housing to market forces guaranteed [inequality of access to housing](#). Lower-income residents would experience worse housing conditions or even be deprived of housing altogether. The capitalist may be tempted to see this as an example of the market allocating goods to winners

and losers in the way that it should, but for the social housing advocate, and even on the neoliberal's own terms, its failure to allocate housing to those who need it was obvious. It's always been obvious, all the way back to the 19th century period of laissez-faire capitalism to which the neoliberal yearned to return. It was then that social democrats in Austria and elsewhere turned to social housing to meet the crisis of overcrowded and unsafe housing growing out of industrialization and urbanization. Even the Americans, much farther rightward on the social democratic spectrum, were forced to adopt public housing models, eventually forming one of the pillars of the social compact which would later be [destroyed by the neoliberal program](#). And the failure is more spectacular now as the neoliberal period ends – if indeed as many observers say we are [witnessing its end](#) – with a string of catastrophic housing crises. The financialization of home ownership and the propensity to [asset inflation](#) that mark the neoliberal economy brought on the financial crisis of 2008-2009, and now the pandemic

has featured the collapse of the rental economy among its defining characteristics. In 2009 and again in 2020 and 2021, massive national relief packages have signaled a neo-Keynesian approach to fiscal management, underscoring the inability of austerity policies and depleted government institutions to manage economic life.

Home Ownership

Our inquiry into the forms of social housing is really an inquiry into home ownership – what is it, who does it, and what forms it takes. As we noted, the current housing crisis is largely one of rentership, with mass unemployment leaving low- and middle-income workers unable to meet rent payments and facing [the risk of large-scale evictions](#). Rentership is the norm among lower-income groups in American cities. The institution of summary eviction of renters illustrates both the weakness of the state to restrain landowners’ harshest impulses and the powerlessness of people against the vagaries of housing

markets. In relation to a property, the landowner’s fundamental right is to [exclude others from entry](#); on the community scale, that translates into the right to exclude, to alienate, entire populations [“from the spaces of everyday life.”](#)

The key structural objective of the social housing models is to create an alternative tenure to the private landlord, protecting housing from the capitalist’s drive to maximize rents. Public housing in the U.S. and social housing in social democratic Europe place ownership in the state, or in nonprofit organizations, who lack a profit motive and can impose rules shielding tenants from market fluctuations. Other alternatives to capitalist ownership to be explored in this paper – forms of collective ownership to be [distinguished from the norm of private property](#) – include the co-operative, where ownership is placed in a corporation in which the residents hold shares and which is managed in their common interest; the community land trust, where the land is owned by a trust, which in turn

leases the home to the resident under restrictions as to transfer; and occupation, in which residents interpose [human rights claims to housing](#) against the naked legal claims of landowners to be the sole arbiter of who may and who may not be housed.

But not to be lost among these inventive ways of *besting* the landowner is that most common form of home ownership by far – *being* the landowner. [67.4% of U.S. housing units are owner-occupied](#). The renters we mentioned who are so chronically vulnerable to the landowner's whims are thus offered a simple solution: own your own home and be master of your fate.

To own one's own home is an American dream, though as we will see it can be an [American disaster](#). It's a widely-shared aspiration, and for good reason. Ownership, whether of a detached single-family house or apartment, has [clear advantages](#) over other forms of tenure. In addition to the rights to occupy the dwelling and to exclude others from entry, which renters also enjoy, [it offers](#) the right to make

changes to the premises to accommodate the owner's architectural and aesthetic preferences, it offers security of tenure, permitting the owner to remain in occupation indefinitely, and finally it carries with it the right to sell at a profit. Of course, it owes a good deal of its popularity and its advantages to the long history of [government policies](#) encouraging home ownership: the deductibility of mortgage interest, the exemption of capital gains from home sales, the federal highway and mortgage insurance programs that [transported white Americans](#) into the home ownerships mecca of post war suburbia.

The silver lining of home ownership always had a cloud inside. Enclaves of single-family houses protected by rigid zoning schemes were exclusionary, environmentally costly and [politically regressive](#). The owner who lacks the resources to repair and maintain the home may fail to satisfy their aesthetic preferences and may actually [lose the home](#) to code enforcement and foreclosure. Finally, the logic of

governmental support as it played out in the last quarter of the twentieth century, as lax regulation encouraged banks' easy lending practices, brought unqualified borrowers into the market and [drove prices up](#). The resulting mass foreclosures of 2008-09 called into question whether homeowners are masters of their fate after all. Home ownership as a tool of wealth creation proved an illusion when home prices collapsed. Security of tenure proved an illusion, with the predatory banker easily slipping into the customary role of the predatory landlord.

The foreclosure crisis laid bare a contradiction inherent in the dream of home ownership. The appeal of ownership was founded on the traditional norms of ["shelter, safety, comfort, a place to rest, to eat, to entertain, to enjoy."](#) The owner held the home for its use value, in economic terms. But home ownership was never exempt from the forces of commodification, wholly inconsistent with comfort and rest. As owners increasingly perceived the home as an asset through which they might

achieve financial gains – a phenomenon reaching its apotheosis in the first decade of this century – the home's exchange value became more important than its use value. The ["essential contradiction between use-value and the market price"](#) was revealed. Today, ten years later, in cities across the country, homes are traded like commodities – "product," in the parlance of the home building industry – and with median home prices reaching \$200,000 and beyond, fewer and fewer low- and middle-income Americans even dare to aspire to home ownership as their parents and grandparents did.

But as we will see, security of tenure and affordable cost may be achievable through other means [less risky than home ownership](#) and, if so, we may see people's aspirations shift to new, more innovative housing forms.

[Public Housing in the U.S.](#)

We have said that in contrast to the Viennese social housing system, American public housing has seen many failures, and that's no doubt

accurate but we will ask, is it really a failure, or is it doing what it was meant to do? Seeing that this “proclamation of the failure” has been regularly repeated for the past fifty years without it ever being fixed, we will suggest that [“one should reverse the problem and ask oneself what is served by the failure?”](#)

American cities confronted the same unsafe, unsanitary and overcrowded housing districts as did Vienna at the peak of the early 20th century industrial period. Rather than a long-term investment in attractive, high-quality public housing, though, the U.S. response was to adopt building codes to improve the condition of housing and, at the same time, [zoning codes to stigmatize and exclude multifamily housing](#); federal highway and home mortgage policies encouraging white suburban homeownership; and urban renewal plans that claimed the most advantageous urban districts for government, business and [academic and cultural institutions](#). Then, with existing inner city communities

destroyed through “blight removal,” the remaining predominantly minority residents were corralled into public housing blocks that would serve as [tools for the segregation](#) of the lowest-income urban Black and Latinx populations. Over the next years, public housing programs remained underfunded, with badly-designed buildings suffering from neglect. Rents rose. The negative stereotypes took hold and popular and political support collapsed for public housing. Beginning in the early 1970s, the federal government reduced and finally ended support for new construction. Demolitions and privatizations followed. Public housing is now seen as a harrowing, temporary way station for the poorest of the poor, with policy makers determined to make it [so miserable that no one would want to stay there](#).

It was a self-fulfilling prophecy. Build a complex of ugly and intimidating towers, populate them with the poorest of the poor who are excluded from educational and employment opportunities, and deprive them of social and

financial support. Soon, public housing was rebranded as the “projects,” breeding grounds for drugs and crime, a vortex of urban pathologies, dysfunctional, dangerous and irredeemable. In neoliberal terms, the projects would stand for the futility of government intervention, and in terms of social dominance, they would reinforce myths of Black criminality. Public investment in bad neighborhoods was generous insofar as it supported policing and incarceration but for housing and community, very little.

The HOPE VI program beginning in 1992 took as its premise that public housing was concentrating poverty, with disastrous results, and must be broken up. The new plan was to tear down the projects and replace them with mixed-income-mixed-tenure complexes, each with small numbers of low-income units and located in neighborhoods throughout the city. The mixed-income model is a mainstay of contemporary planning discourse and is viewed favorably by some housing advocates; but definitions are

scarce, the HOPE VI projects themselves vary greatly in design, and whether dispersal to mixed-income communities is advantageous to low-income former public housing residents is only now beginning to be the subject of study. Good design, desegregation and deconcentration of poverty were worthy goals and have seen some effective implementation, but some former public housing residents speak of the loss of community, and the stigma of low social status has seemed to follow some residents to mixed-income buildings with their “poor doors” and unequal access to amenities. But by far the most important consequence of the HOPE VI project was the mass demolition of public housing. The self-hatred of the American public housing system was so great that for nearly thirty years its primary policy initiative has been the tearing down of its own stock of affordable housing – a net loss of 300,000 units and counting at a rate of 20 or 30,000 a year. For the rest, the system faces a backlog of \$49 billion of deferred maintenance, which the Rental Assistance Demonstration

program launched under the Obama administration has done little to resolve. This and other privatization schemes have been drastically underfunded and have done little to restore public confidence in social housing. But that may be about to change.

The Case for Social Housing

The new administration has placed housing reform at the center of its program, calling during the campaign for “[spurring the construction of 1.5 million homes and public housing units](#).” Since taking office, they have advanced some significant plans, including the strengthening of fair housing rules and a dramatic expansion of the Section 8 Housing Choice Voucher program. But market-based proposals like Section 8 entitlement may face the familiar pitfalls of [source-of-income discrimination](#) and resistance from landlords, and so far, the main work of making the case for a big revival in federal investment has been carried forward by others. In this section, we will

review some of the most important and most ambitious proposals.

These proposals and the critique of public housing that underlies them have been emerging over the last twenty years. One of the most influential documents in this discourse has been “[We Call These Projects Home](#),” published in 2010 and reporting the results of a collaborative research project of the Right to the City Alliance, which partnered with grassroots organizations in New York, Miami, Washington, D.C., San Francisco, Oakland, New Orleans and Los Angeles to engage the voices of residents of public housing. The report took aim at neoliberal housing policies and, especially, at the demolition, displacement and destruction of communities wrought by HOPE VI. It offered a range of findings from available data and extensive reviews of the literature, local media and the history of public housing, but the findings that have had the most lasting importance were those that shattered the myths and stereotypes that have burdened public housing and its

residents. These residents weren't living in misery, they said, desperately waiting for a ticket out of the projects. They reported that, contrary to popular belief and negative media depictions, public housing was providing good quality, affordable homes and supportive communities. They said the demolitions must stop and that many more units were needed, so that anyone who is income-eligible can have decent, stable housing, without having to wait years on a waiting list. While acknowledging the crime and other social problems common to all low-income neighborhoods, the residents said rather than inherent in public housing itself, these problems were the result of disinvestment policies that cause disrepair, service cuts and rent increases. Among the recommendations, many of which form the basis of today's social housing proposals: Congress should provide funding for construction of new units and rehabilitation of existing units, ensure one-for-one replacement of any lost units, and make public housing management transparent and accountable to the community.

The most up-to-the-minute and one of the most compelling proposals is "[The Case for Social Housing](#)," a new report from Data for Progress and The Justice Collaborative Institute. Positioned at the intersection of today's crises of pandemic, unemployment, imminent mass eviction and looming climate change, this document declares both that the structural weaknesses of our housing economy have now been fully exposed, and that we now have an opportunity to attack the housing crisis at its root causes. Support for new policy initiatives is gaining strength among policy experts and neighborhood activists, this report says; has been buoyed by statements and proposals of the new administration; and finds strong encouragement in new polling data showing surprising across-the-board majority public support for new federal investment in social housing.

The central recommendation of this report (as of other social housing advocates and progressive policy-makers as we will see) is the construction of "millions of green social

housing units across the country, effectively creating a public option for housing.” The objective is to decommodify housing and recommit as a nation to housing as an essential human right.

The authors’ vision of ownership structures in the future social housing economy is expansive. Housing units will be owned by governments, as U.S. public housing has always been, but alternative approaches are encouraged, too, including ownership by nonprofit organizations, housing cooperatives (following the worker and low-income co-ops of old, which they describe in their account of housing under the original New Deal and from which they draw inspiration), and community land trusts. The authors acknowledge Biden’s Section 8 approach will face problems of supply, but suggest that it, too, can serve as an interim extra tool for an all-hands-on-deck rebuild of U.S. housing policy.

Working in tandem with policy analysts, political leaders and researchers are grassroots leaders and tenant activists, who have brought

forward comprehensive solutions to America’s housing crisis. The housing justice cohort of the “multiracial, multigenerational, working-class coalition” known as People’s Action have organized the campaign for a national [Homes Guarantee](#) and made proposals for a radical expansion of social housing. This campaign is proving to be one of the effective broad-based initiatives for public education in the social housing arena. Learning from the experiences of those struggling under “America’s systemic and racialized housing emergency,” the Homes Guarantee offers a plan to address every sector of the housing economy.

They call on Congress to construct twelve million social housing units over ten years, saying the private market has simply failed to provide housing to the people. Their core model is publicly-owned, permanently affordable housing rented to income-eligible people at below-market rates, but they allow for other limited-equity models. [Like the closely-allied Green New Deal](#) movement, the Homes Guarantee plan

contemplates large-scale union job opportunities from housing construction and rehabilitation. Further, the plan calls for 600,000 supportive housing units, on a Housing First model, which together with new affordable housing could eliminate homelessness. Social housing should be located not only in traditionally low-income urban neighborhoods, but in more affluent, whiter and more suburban ones, reversing a century of segregation and exclusion. Residents of social housing should be key participants in community governance, and design of housing developments should emphasize decarbonization and climate resilience.

The Homes Guarantee extends beyond the development of new housing units, to provide broad protections to all households, whether renters or “bank tenants” – home owners vulnerable to the predatory lending and foreclosure practices of banks. They call for a National Tenant Bill of Rights, guaranteeing rent controls, limits on eviction and right to counsel in eviction proceedings.

These and other policy papers have put the social housing case before millions of people and their representatives in Washington. In the last year, major bills that would implement these proposals have been introduced in Congress, and more is expected in the new Congress. The [Homes for All Act of 2019](#), sponsored by Rep. Ilhan Omar (D-MN) guarantees housing as a human right and provides for the construction of 12 million new public and permanently affordable rental units. This bill also creates a new \$200 billion fund to protect families from gentrification, prevent displacement and stabilize neighborhoods, supporting local programs that intervene to counter the unchecked power of local real estate developers. Senator Bernie Sanders (D-VT) and Rep. Alexandria Ocasio-Cortez (D-NY) introduced the [Green New Deal for Public Housing Act](#) to provide \$180 billion over ten years to both make needed repairs on 1.2 million housing units and upgrade them to make them climate resilient. Housing advocates will watch in the coming months to see what the new administration and

Congress can do to advance these key goals while conditions are favorable.

Collaborative Housing

The final section of this paper will briefly survey the background and current possibilities for some of the alternatives to government-owned public housing structures. Various categorical terms are available to describe these ownership forms, not exactly synonymous but having some features in common. We will use the term “collaborative housing” to encompass a variety of forms emphasizing [collective ownership, financing and management](#), as distinct from both arbitrary housing authority bureaucracies and the rugged individualism of the traditional American home owner. These models share a desire to [remove real property from the open market](#) and place it in a collective body charged with holding and governing the property for the benefit of residents. These include various kinds of residents’ co-operatives, community land trusts and co-housing and shared equity arrangements, some

of which we will touch on in these pages.

An essential feature of these housing models that has interested both organizers and academic researchers is their influence on the larger community in which they’re situated. By their nature, they are political actors, engaging in a struggle against the forces of commodification, financialization and exclusion that we have described. “Collaboration” isn’t only between the residents who share ownership and management of their land and homes, but [extends outward](#) to operate between the housing enterprise and its neighbors, funders, administrative agencies, local nonprofits and designers and planners. These enterprises hold an enormous politically [“transformative potential,”](#) modeling not only alternative ownership arrangements but alternative approaches to democratic rule in civil society. To be sure, there are examples of collaborative housing that are indifferent or even antithetical to the democratizing power of alternative housing models. [Gated](#)

[communities](#), after all, with their commonly-held swimming pools and weekly bridge nights, are a kind of collaborative housing, but with their doors locked against the surrounding community, their political force if anything tends to the reactionary. But the kinds of housing we're interested in are embracing of the community and disruptive to the neoliberal political regime dominated by real estate power and principles of exclusion. These place [shared social goals](#) at the center of their program, applying normative standards of self-governance, participatory democracy, the centering of collective goals rather than private and individual ones, and political engagement with the society as a whole.

Community Land Trusts. The community land trust has a long history, is gaining great popularity in cities and rural neighborhoods across the country, and is an exemplar of both the structural and political factors we have introduced. There is [no single CLT model](#), but [some basic structural components](#) are common to CLTs in

general. A trust created by a nonprofit organization or a government agency acquires land and manages it for the benefit of the residents. The residents hold their homes under long-term ground leases providing for rules of management, restrictions on resale of the unit, and sharing of gain on resale. Typically, the trust is governed by a [tri-partite board](#) representing residents, members of the neighboring community and, either through a municipal agency or otherwise, the broader public.

Whereas the traditional home ownership form is seen as a tool of personal wealth-building, the CLT is [an instrument of community-building](#). By shielding residents from market forces, CLT housing supports security of tenure; by promoting the shared interest of resident stakeholders, it enhances the stability of neighborhoods; and by eliminating the excess profits to be gained from market sales of housing units, it offers long-term affordability, both to today's residents and to all the members of the larger community who may buy in the

future. By treating land as a public good rather than as a commodity, it serves as a do-it-yourself counter to the regime of predatory development and lending practices and the [hazards of gentrification and displacement](#). Delinquencies and foreclosures are [six and ten times](#), respectively, more frequent in conventional homeownership than in CLT ownership.

The politically radical potential of the CLT, [implicit in its challenge](#) to the prevailing regime of property ownership, is by no means realized in every case. The top-down sponsorship of local governments and banks and variations in the limitations placed on sale profits can bring out the CLT's [milder personality traits](#). But other traits make it more likely to embody a robust political activism. CLTs often arise from confrontation with state and market institutions, not partnership with them, and they have often been linked with [community organizing efforts](#). The skills and political engagements of grassroots organizers are the same as those that will be institutionalized in the CLT's

mechanisms of community empowerment and participatory democracy.

Some CLT residents [don't assert an aim of political change](#), being content with achieving the goal, not a modest one in itself, of creating affordable, secure and sustainable housing. But the political is inherent in the CLT model, and many residents do make it explicit. CLT residents govern themselves – a political achievement to be sure. They proclaim housing as a human right – a political claim if ever there was one. With whatever rhetoric we may use to accompany it, ["taking back the land requires a fundamental redistribution of power."](#)

Co-operative Housing. Cooperative housing is perhaps best-known in New York City. The [median sales price for a Manhattan coop is \\$1.1 million](#), even after the pandemic downturn, and in Brooklyn, \$790,000. But this is the coop market under conditions of hypercommodification – the apotheosis of that which we are challenging in this paper. It turns out that New York City is also known for the kind of cooperative housing model that does

qualify as social housing: [from labor housing of the 1920s to middle-class coops of the 60s and 70s](#); to the [low-income coops](#) developed by the United Neighborhood Houses, also in the 60s and 70s; to [today's restricted sale coops](#) sponsored by the Housing Development Fund Corporation. Known today as limited equity cooperative housing, the LEC is gaining in popularity in other U.S. cities and in Europe as well.

While the CLT achieves its goals by separating ownership of land and improvements, in a [cooperative structure](#), the sponsors set up a corporation under state laws permitting the creation of real estate cooperatives, and this corporation acquires the land and buildings. Residents acquire shares in the corporation, either from the corporation at the time of organization or from an outgoing seller, and lease their unit from the corporation. They pay monthly maintenance fees, adopt by-laws and elect a Board of Directors that in turn manages the housing community. Depending on the

structure, the corporation may shoulder the entire mortgage debt, relieving the resident from the need to obtain their own share purchase financing and thus enhancing affordability. Resale gains are restricted, in some cases [even to zero](#). Like the CLT, the LEC promotes affordability by lowering the cost of entry and providing access to financing, autonomy through self-governance, and security of tenure by protecting the residents from the pressures that the market would otherwise place on home pricing.

Cooperative structures [haven't gained the same popularity](#) as a mainstream housing solution in other parts of the United States as they have in New York, in large part because the statutory framework and institutional support never developed, and except in New York, the real estate industry has generally been opposed. Perhaps for this reason, the coop housing movement has been, like the CLT, often positioned as a political challenge to the existing order. Indeed, many tenant coops have grown out of the

[battles between landlords and tenants](#) who have organized themselves into tenant associations and rent strikes, and have offered coop solutions to fend off [eviction, displacement and gentrification](#).

The literature on collaborative housing often looks at housing forms through the lens of commoning theory, [in relation to CLTs](#) and prominently [in relation to cooperative housing models](#). Long used by historians and economists to refer to natural resources, like grazing land, that are shared among the members of a community, the term “commons” more recently has expanded to encompass urban resources – land and housing especially. These common resources – an apartment building, for example – are used and relied upon by members of a community. They [reclaim this common resource](#) from private or state actors who would appropriate it to their own use and transfer the resource to the community for self-regulation. Commoning is a political process, requiring collective action, the empowerment of the powerless, and

the willingness of people to take on responsibilities formerly arrogated to landowners. It’s a tall order, placing supposedly powerless tenants in opposition to nothing less than the [engine of capital accumulation](#) in the postindustrial economy. Housing development is an ideal site for the disposal of capital surplus but, equally, the limited equity cooperative is an ideal site for the emergence of a counterculture capable of contesting common resources. Coop residents have succeeded in building housing solutions founded on the principles of [affordability, control, stability and community](#), and they have been so successful at times that, as one nervous landlord said, they threaten to [“destabilize an entire industry.”](#)

Occupation and Eviction Defense. There are other forms of collective ownership, shared-equity, limited equity, co-housing forms, too many to describe here, but all resting upon the agreed norms of private property. From a legal point of view, the cooperative corporation and the land trust enjoy the same right to

occupy, to exclude, to alienate as the private landlord, and these rights can be enforced in a court. But our survey of social housing wouldn't be complete if we did not inquire into a realm beyond the legal, to that different kind of claim to which we have alluded – the claim to housing as a human right. It is not enforceable in court. On the contrary, the claim may lead the claimant into a violation of law, just as a civil rights claim led activists to trespass at lunch counters and the front seats of buses – until the law changed and their claims were vindicated.

The occupy housing movement represents this kind of claim, and has grown up wherever housing oppression is most dire, from anti-eviction campaigns in [Chicago](#) and [San Francisco](#), to [women fighting back against forced evictions in Cambodia](#), to [Roma women striking at the system of racialized exclusion in Bucharest protest camps](#), to the [PAH demonstrating alternatives to neoliberalism](#) through occupations and grassroots organizing in Spain.

In all these places, activists and neighborhood residents [engage in two interrelated tactics](#) in the struggle to reclaim housing: they occupy homes to which they have no legal right, and they resist eviction by refusing to leave homes to which they formerly did but no longer have legal right. The [repertoire of occupation](#) includes protest camps, squats, informal housing, [sometimes in places almost uninhabitable](#), protest camping and ultimately the political theatre of organized housing occupation. The point of occupation and eviction defense is to secure housing to those who need it, but it's also an effort [to politicize](#) the precarity of housing and the violence of the eviction system. In contrast to some law-breaking which is done in stealth, occupation calls attention to itself, even to its illegality. This is an organizing tactic, the occupiers sharing their personal experiences with the community, and inviting the members of the community to experience the eviction [as not only a personal catastrophe but a communal one](#). It invites a confrontation with the landowner and police, who must now

do their enforcement, if they can do it at all, under the glare of lights.

We have already characterized the struggle for social housing as a challenge to the prevailing system of property rights. Occupation ventures further. By claiming possession, it answers the force of displacement with [a program of emplacement](#). It disrupts the whole neoliberal order,

¹ The terms “public housing” and “social housing” are sometimes used interchangeably. We continue that practice, with the caveat that the latter term is used to mean not only publicly-owned housing but also other ownership forms that remove housing from the private market.

establishing an alternative economy that functions outside the prevailing system of [production, exchange and accumulation](#). Who once were passive victims of the eviction system have become autonomous, taking control of their lives and becoming [active citizens](#). And, the political process of occupation and eviction defense [causes the social order which it envisions actually to start coming into being](#).

² The “problem” to which Reagan referred was an annual federal deficit of about \$75 billion and a top marginal tax rate of 70%. Today, after forty years of neoliberal shock treatment, the annual deficit is forecast to be between two and three trillion dollars, with a top tax rate of 24%.

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