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# **HEGEL'S HIPSTERS: CLAIMING OWNERSHIP IN THE CONTEMPORARY CITY**

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## Hegel's Hipsters: Claiming ownership in the contemporary city

Amelia Thorpe\*

**Abstract** Property is both revered and reviled. Praised for its connections to autonomy, agency, power and community, property attracts scorching critiques for its implication in exclusion, inequality and injustice. This article provides a new perspective from which to examine this dual nature of property. Drawing on fieldwork in the US, Canada, New Zealand and Australia, property is examined in the context of citizen and community-led “do-it-yourself” interventions in the urban environment. Perhaps even more than in official planning processes, claims about ownership are central to these activities. Finding multiple forms of property at work in the city, and noting that legal title is often less important than more informal ownership, this article provides new insights into some of the oldest debates in property. Amongst echoes of Lockean labour-based theory, Hegelian personhood theory emerges as particularly helpful in explaining the intimate connections between property and identity, community and power in the city.

**Keywords:** belonging, community, DIY urbanism, identity, legal geography, property theory

### Introduction

Property, according to some, is at the heart of many of the great problems of society. From Marx through to campaigners for decolonisation, property has been blamed for injustices from the exploitation of workers to the exclusion of minorities, from the dispossession of indigenous peoples to the entrenchment of gender inequality and, more recently, vast environmental degradation (Blomley, 2004; Burdon, 2015; Davies, 2007; Graham, 2011). Yet property is also highly valued and deeply desired, connected to powerful human needs for autonomy, power,

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belonging and community (Alexander and Peñalver, 2010; Davies, 2007). This dual character of property raises questions about the source, the scope and the strength of property rights. Where does property come from, and why do others respect property claims?

These are questions that have long troubled property scholars. In this article, I examine them through a range of informal or 'do-it-yourself' (DIY) interventions in the urban environment: activities like street art, pop-up restaurants and community gardens. Amidst increasing concern about the forces of neoliberalism and globalisation, the concentrations of wealth, power and property in a rapidly shrinking proportion of society have attracted heated responses. In contrast to the more direct and dramatic challenges posed by actions like squatting, the Occupy movement or the 2016 rent strikes at UCL, the practices considered here question the neoliberal property regime in more subtle ways.

While DIY urban interventions may seem far removed from either the theories or the challenges that animate property discourse, they provide important insights about its nature. As Andres Van Der Walt has argued, there is much that can be gained by approaching property from the margins (Van der Walt, 2009). Unlike conventional accounts, a focus on the margins reveals the central role that both law and society give to property.

The marginal approach in this article reveals that property is multiple and dynamic, that it features in different ways for different people in different contexts, and that these shift in time and space. In DIY urban interventions, property law operates in conjunction with a more informal "sense of ownership". While distinct from legal title, a sense of ownership may provide many of the benefits sought from property in its conventional sense: inclusion, community, power and political voice. Ownership can impact formal property rights, shifting the scope and operation of legal frameworks in various ways: from triggering direct policy and regulatory changes to imposing more indirect constraints on the rights of landowners. The activities considered here thus provide further evidence of the way in which law must constantly "accommodate, and in certain circumstances appropriate, a vast array of meanings, logics, values, identities and cultural contexts emerging inside and outside of established jurisdictional lines" (Darian-Smith, 2004: 546).

Beyond the particular activities in question, understanding a sense of ownership – its importance, its sources and its connection to community, agency and power – is valuable also for understanding property as an institution. The reasons for which a sense of ownership is sought, and the reasons for which other people respect such claims to ownership, shed light on the nature of property more generally.

This article begins with an overview of the various urban interventions on it is based. I then discuss the claims that participants make about property in these activities, and emphasises the particular importance of a “sense of ownership”. This is followed by an examination of the ways in which participants understand such ownership, and particularly the ways in which it is produced. While noting echoes of labour-based property theories, the analysis reveals a much stronger emphasis on identity and relationality as the source of ownership, and in turn as central to its importance for participants and its impacts on others. The connections between property, power and community are considered in the final section. Ownership, rather than related concepts like community, is emphasised by participants because of its connection to agency and political voice. Property matters deeply.

Research for this paper included semi-structured interviews over a period of two years with more than 65 people involved in various urban interventions in and around Sydney, Australia, Montreal, Canada, the California Bay Area, USA and Christchurch, New Zealand. This was supplemented by site visits with photo-ethnography and background research on practices, participants and contexts. Individuals were identified through online research, with invitations sent to participants from a range of different professions and organisations (designers, community workers, engagement professionals, officials, members of the public), as well as dates of engagement (some who had participated multiple times, some just once, some recently, some earlier). A snowball referral method and ongoing investigation yielded additional participants. Property was not specifically targeted until late in interviews, allowing themes to emerge from more open questions. Interviews were recorded and transcribed with participant consent. Transcripts were then coded thematically using nVivo software.

Coding and analysis approximated the grounded theory approach set out by Kathy Charmaz (Charmaz, 2014) but, in line with David Snow, Calvin Morrill and Leon Anderson’s proposal, with attention given to the potential for the refinement of existing theories as well as theoretical discovery (Snow et al., 2003). Analysis was undertaken bearing in mind a range of property theories “more in terms of repertoires than blueprints” (Snow et al., 2003: 193). The data and the field were revisited as certain theories emerged as particularly relevant, with the two year duration of research enabling the tailoring of later interviews to evolving theoretical refinements.

## **I. From hipsters**



Figures 1, 2: Street libraries, Perth, Western Australia and Berkeley, California

These are two examples of the more than 40,000 little free libraries now operating worldwide. Like these two, most are installed in front of a house, provided and maintained by the resident, with books taken and contributed by various members of the local community. Little free libraries can be found by wandering down the street, or by searching on the website [littlefreelibrary.org](http://littlefreelibrary.org), an informal network for sharing advice and information about these installations. As the website explains, street libraries have been popular since around 2010, but draw on much longer traditions in their mission of “sharing good books and bringing people together” (*Little Free Library*, 2016).

Street libraries are just one of many practices through which citizens and communities shape and reshape the city. Like little libraries, many of these practices are loosely connected, making use of online networks to share ideas and information. Community gardening, for example, is increasingly benefiting from organisations such as *596 acres* in New York, which helps citizens to identify and access unused urban spaces in which to create parks, playgrounds and productive gardens (*596 acres*, n.d.). Some draw directly on international models, such as *BellaStock*, a practice originating in France in which communities (typically featuring large numbers of young designers) build temporary squares or villages in which they imagine and test alternative visions for the city, or *Better Block*, an approach first developed in Texas, in which citizens add features such as seating, trees, bike lanes and pop-up shops in an effort to catalyse more lasting change (Bellastock, 2016; Lydon and Garcia, 2015b; Roberts, 2010). Some are quite coordinated: *Restaurant Day*, an event originating in Helsinki, in which participants run pop-up restaurants

(Hill, 2012; *Human Futures*, 2014), and *PARK(ing) Day*, an event originating in San Francisco, in which people around the world turn parking spaces into pop-up “parks” (Merker, 2010), each take place around the world on identified days every year. Others are less formal, like “guerrilla knitting” or “yarn bombing”, in which trees, street signs, bike racks and other elements of the urban environment are covered in (usually brightly-coloured) woollen decorations (Moore and Prain, 2009), street art, from graffiti to officially sanctioned murals (McAuliffe and Iveson, 2011), infrastructure repair, in which citizens take it upon themselves build or maintain infrastructure such as pedestrian crossings, bike lanes and ramps to improve accessibility in the local environment (Lydon and Garcia, 2015b; Urban Repair Squad, n.d.), or urban exploration, the practice of “recreational trespass” into closed and abandoned spaces, largely infrastructure and industrial sites (Garrett, 2014b: 1). The list goes on.

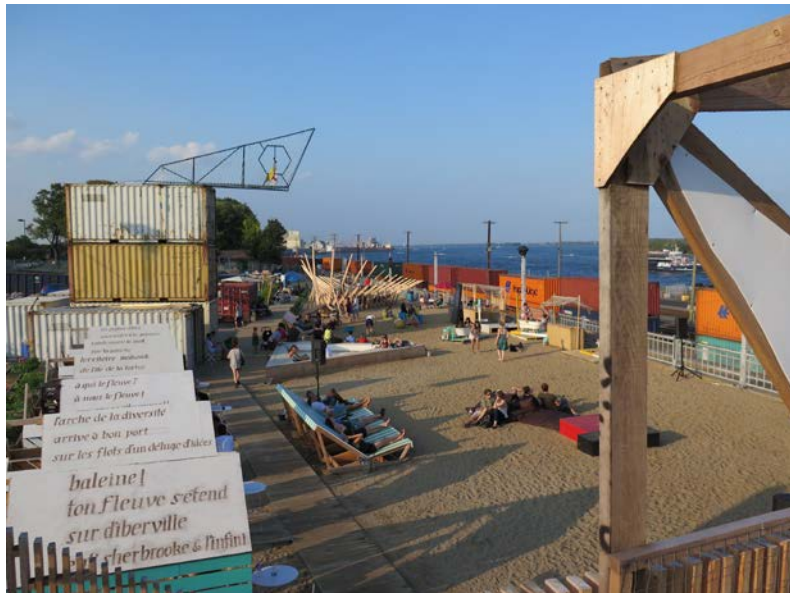


Figure 3: *Village au pied du courant, Montreal*

The past two decades have seen a burgeoning recognition among urban scholars, policy makers and the development industry that such interventions matter to the city. Described under various labels – from “guerrilla” to “tactical”, “informal” to “everyday”, “DIY” to “insurgent” – these activities have been the subject of numerous books, exhibitions, symposia and other events (Beekmans and Boer, 2014; Begg and Stickells, 2011; Chase et al., 2008; Hou, 2010; Lydon and Garcia, 2015b). A growing number of professionals are proclaiming expertise in the deployment of these interventions, and “placemakers” are now regularly engaged by municipal and state authorities as well as real estate development teams (Legge, 2015).

It is difficult to say whether DIY urban interventions are more prevalent now, or simply more visible. Street art and gardening, for example, have long and well-documented histories (Gaynor, 2006; Lawson, 2005; Lewisohn, 2008; McCormick et al., 2010). Precedents can be found for apparently newer practices also: well-before the first *PARK(ing) Day*, in the 1930s activists in Oklahoma City paid a parking meter and used the space to play games (Crossen, 2007). Contemporary pop-ups are often visually appealing, making them well-suited to online sharing which in turn means they are certainly more thoroughly recorded than in the past. Increased attention from authorities and commercial interests fits with the greater emphasis on participatory and collaborative approaches across planning policy and practice in recent decades (Clifford, 2013), and with efforts to foster a “creative class” as a way to enhance growth and competitiveness more generally (Florida, 2012; Peck, 2005). More cynically, such interest might be understood in the context of state withdrawal from the provision of public services, support for DIY approaches as part of the shift toward “entrepreneurial urbanism” and the devolving of responsibility to citizens and the private sector (Peck, 2014). While raising many fascinating and important questions, examination of the historical, political and economic context for these activities is beyond the scope of this article.



*Figures 4, 5: DIY chalk and painted infrastructure adjustments, Sydney*

Considering these activities together masks significant diversity, with vast differences in the aims, techniques and impacts of various activities. Accordingly, the mushrooming of groupings in the various publications and other fora outlined above – as in this article – can be critiqued for what they obscure. Some DIY interventions are conceived with a strong social and environmental justice agenda, often using language of the right to the city. For others, concerns about exclusion, displacement and gentrification are far more relevant. There is a very wide disparity between a day-long park installed as part of a marketing campaign by Coca Cola and a day-long health clinic provided to help meet the needs of a vulnerable community. Such

distinctions are important, and in other work I have attempted to address them (Thorpe, Moore and Stickells, 2017), but they are beyond the scope of this article.

Treating these activities together can also be revealing. The grouping here traces connections that emerged in the process of fieldwork, in line with George Marcus' call for a multi-sited research imaginary (Marcus, 1995, 2010). Many of the interviews and observations on which this article is based focused on particular activities, yet participants rarely spoke about those activities in isolation. Among other things, questions about gardens prompted answers about pop-up restaurants and the sharing economy, street parties generated discussions about street art and advocacy around cycling, *PARK(ing) Day* prompted responses about little libraries and infrastructure adjustments, parklets led to discussions of street modifications and music performances on the backs of trucks. Participants are almost always involved in multiple activities and discussion of one intervention invariably flowed into discussion of another, often interchangeably.



Figures 6, 7: Guerilla knitting, Sydney, Dance-O-Mat, Christchurch

While many of these activities are fleeting and may appear fanciful or frivolous, participants rarely understand their engagement in this way. As I will argue below, participation in DIY urban interventions is tied to understandings of property, and particularly to the connections between property and feelings of identity, agency and belonging. Ostensibly different interventions may thus be animated by very similar concerns; participants rarely see them as separate or even separable. These commonalities are the focus of this article.

## II. Property in the city

The people who engage in DIY urban interventions are varied. Participants range from activists to public servants, children to retirees, recent immigrants to long



standing community members, students to business owners and many others. Typically, however, they tend to be young professionals. Unlike participants in more protest-oriented activities, those involved in these practices are often doing relatively well in society. As others have noted, educated, middle class, white “millennials” make up the vast majority of participants in DIY urbanism (Douglas, 2015).

Even with their relative privilege, many participants in DIY urban interventions are not property owners. Despite good degrees and promising careers, many are renting (or remain in the family home) well past the age at which their parents became homeowners, unable to purchase property anywhere near the jobs and services that matter to them. This was particularly clear among participants in Sydney and San Francisco, it was apparent in other cities also. These patterns are in line with global trends: reports are increasingly suggesting that purchasing a home is not even an aspiration for many young people (Lee, 2016; McGee, 2016; Rodgers, 2015).

Yet property is an important concern for participants. In the literature and in interviews, ownership is an issue that is frequently raised. In contrast to the more direct and dramatic challenges to ownership posed by actions like the Occupy movement, ownership is raised in more subtle ways. Perhaps because of their relative privilege and career prospects, participants emphasise less adversarial ownership claims.

While disputes about legal title do arise, these are rarely the key concern for participants in DIY urban interventions.<sup>1</sup> More often, participants emphasised instead the importance of a more informal “sense of ownership”. This is an open term, encompassing various sentiments: from connection to the particular place where the activity was undertaken, to much broader feelings of connection to the neighbourhood or even the city as a whole. This is *my street, my neighbourhood, my city*.

Ownership is more than a matter of personal feelings. While ownership is not the same as law, the two are connected in important ways. A sense of ownership can be understood as an expression of legal consciousness, useful in explaining the ways in which the law is experienced and interpreted (Ewick and Silbey, 1998). Ownership is a type of social practice, one that both reflects and forms social structures.

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<sup>1</sup> For example, gardening has long been linked explicitly to debates and conflicts about property rights. Disputes about the ownership and control of New York’s community gardens provide a strong example (Blomley, 2005; Eizenberg, 2012; Staeheli et al., 2002).

A sense of ownership is often likened to belonging, invoking ideas of attachment, identity, connection to place and to community (Antonsich, 2010; Mee and Wright, 2009). In line with Davina Cooper's analysis of property more generally, a sense of ownership can be understood as having two dimensions (Cooper, 2007). One is a personal, intimate feeling of being "at home", a relationship between the owner and the land. The other is more political, a discursive claim or challenge to inclusion or exclusion, a relationship between the owner and the wider community. These two aspects are important to understanding both the meaning of ownership and its significance. In its sense of feeling at home, ownership can be likened to stewardship, and in turn activities such as caring for parks, gardens and public spaces, sharing with neighbours and supporting local businesses.<sup>2</sup> In its sense of feeling part of a community, ownership is linked with agency, empowerment and political voice.<sup>3</sup>

DIY urban practices can thus be understood less as a formal assertion of (or challenge to) legal title, but instead as an expression of informal ownership. Dave Meslin, founder of a community group in Toronto, describes a clear link between gardening and that informal sense of ownership with its associated feelings of belonging, empowerment and agency:

"The funny thing about guerrilla gardening is that as soon as you stick that spoon through the top layer of soil, it's like putting a flag on the moon. It's like a dog peeing on a fire hydrant too perhaps. You're saying, "this is mine." And it might be the first time in your life that you've actually physically altered something outside of your private space. And it's saying, "this doesn't belong to anyone else except for me". Not more, not exclusive to other people, but it doesn't belong to anyone else more than it belongs to me. It belongs to us and we can shape it. And I think that's a kind of a gateway drug that opens up doors in your mind. That if you could change that, you could also change your transit system, your library, your parks, your pools." (Meslin, 2013)

Concerns about ownership are apparent throughout the range of practices surveyed. Interestingly, concerns about ownership are not limited to relatively long term

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<sup>2</sup> The existence of a sense of ownership – and, particularly, its importance – has long been recognised in urban studies. Since at least the 1970s, scholars such as Jane Jacobs and Oscar Newman have emphasised the benefits of local ownership of streets and public spaces, linking such feelings to lower crime rates and stronger relationships (Jacobs, 1972; Newman, 1978). In contrast to legal title, maligned in the literature for its abuse by NIMBYs and real estate developers, a sense of ownership tends to be associated instead with more socially and environmentally just engagement (Eizenberg, 2012; Lachapelle, 2008).

<sup>3</sup> This is in line with research in psychology emphasising the link between ownership and engagement (Brown et al., 2014; Russell et al., 1991; Vandewalle et al., 1995). It is also consistent with scholarship connecting feelings of belonging to agency and political voice (Antonsich, 2010; Schein, 2009; Stratford, 2009).

interventions like gardens. Claims about ownership appear also in small scale and short term practices like street libraries, *PARK(ing) Day* and *Restaurant Day*.

“It’s the pleasure to appropriate the street. You feel like it’s a bit, it’s close to occupied, and it’s a reflection on it’s my city, it’s my street and I want to be a human that has his space and I am asking one day in the year just to use the space differently”(Gravel, 2015)

Ownership appears even in highly transient practices like urban exploration. Bradley Garrett, an academic and urban explorer, argues that urban exploration is a process of making visible the boundaries created through practices of regulation and surveillance, of “tak[ing] place back from exclusionary private and government forces, to redemocratis[e] spaces urban inhabitants have lost control over.” (Garrett, 2014b: 4). Others make similar claims (McRae, 2008: 100). In discussing his own experience, Garrett explains how feelings of ownership emerge through practice of urban exploration:

“There’s this weird thing that happens after you explore a space. Battersea Power Station is a good example of this. After I had gone in there a few dozen times I started to feel this sense of ownership over the space. And I wanted to sort of protect it and keep other people out. It’s totally ironic, right...”(Garrett, 2014a)

### **III. To Hegel (via Locke)**

In interviews, participants discussed the ways in which they gained a sense of ownership. In doing so, they provide striking parallels with some of the foundational stories of property. Perhaps unsurprisingly, interviews revealed echoes of that most influential property narrative, the account of labour-based appropriation. On closer examination, however, the interviews revealed a much stronger emphasis on personhood and identity. Hegel, rather than Locke, provides a better explanation for the source and strength of ownership claims.

The idea of property deriving from labour is typically traced to John Locke, who argued that private property could be produced by mixing one’s labour with the things of the external world (Locke, 1978). Locke began with the premise that God gave the world to all (men) in common, and also “reason to make use of it to the best advantage of life, and convenience.” (Locke, 1978: 26). Accordingly, there must be a means to appropriate the fruits of nature so that they can be of use and benefit to particular men. The solution, he argued, derives from the property that every man has in his own person and the work of his body (Locke, 1978: 27). By picking up acorns from under an oak or gathering apples from trees in the wood, Locke argues, “that labour put a distinction between them and common: that added something to them more than nature, the common mother of all, had done, and so they became

his private right.”(Locke, 1978: 28). This was a “law of reason”, necessary to enable the fruits of the commons to be of use (Locke, 1978: 30). While Locke rejected the idea that property rights derive from the consent of others (Locke, 1978: 28), he did concede that the scope for appropriation was limited by the requirement that “enough, and as good” be left for others (Locke, 1978: 27).

Locke’s theory has been subject to intense critique, for issues ranging from problems of reasoning to Locke’s implication in histories of dispossession and inequality (Alexander and Peñalver, 2012; Armitage, 2004; Arneil, 1996; Davies, 2007; Macpherson and Cunningham, 2011; Nozick, 1974). Questions about the amount of labour required for appropriation (as Robert Nozick asks, would tipping a can of soup into the ocean be enough to claim it?), the justification for rights of infinite duration (well beyond the time necessary to derive benefit from the commons) and the workings of the “enough, and as good” proviso (particularly in respect to Locke’s allowance that money could enable accumulation beyond the labourer’s immediate needs) are particularly problematic. Yet the labour story remains powerful, and efforts to resolve these issues in alternative labour-based theories have been made by numerous scholars (Becker, 1977; Buckle, 1991; Munzer, 1990; Nozick, 1974; Waldron, 1990).

The idea of labour as providing the justification for ownership appears also well beyond this literature. Perhaps because the idea of rewarding labour “seems intuitively just” (Davies, 2007: 87), the labour story can be found in many places. In claims by long term tenants for some sort of proprietary right to remain resident in the gentrifying Downtown Eastside of Vancouver, Nicholas Blomley notes: “Perhaps implicit here is not only the claim of dignified rest, following an active life, but that of Lockean entitlement. By mixing his labour with the land, he has made the province “ours”; it is only appropriate that we respect his modest claim to his home.”(Blomley, 2004: 95–96). With respect to snow-filled streets, Richard Epstein and Susan Silbey each note strong echoes of Lockean theory in discussions about rights to park in dug-out spaces (Epstein, 2002: 529; Silbey, 2010). Anders Corr describes how the labour theory is used by squatters to justify proprietary rights in places from New York to the Brazilian Amazon (Corr, 1999). At Summerhill School in England, Cooper describes a striking resonance with Locke’s labour-based theory in a student’s claims for possession of part of the school grounds that he had cleared (Cooper, 2014: 246).

Yet property is about more than labour. With respect to the parking spots dug out from snow, for example, other issues are clearly at play: the act of digging is generally accepted as sufficient for the appropriation of the parking space in front of one’s own home. Such claims would be more tenuous, however, for acts of digging

in other locations – outside another person’s home, for example. For Robert Munzer, labour plays a significant but incomplete role in justifying property: capturing factors that people commonly value, such as effort, ability, persistence, industriousness, time spent, achievement, responsibility, leadership and motivating capacity, labour provides an anchor for other principles (Munzer, 1990: 283).

In interviews, labour was rarely raised alone. Participants described labour alongside a wide range of factors – factors such as time, social networks, responsibility, self-expression and identity. One particularly strong theme that emerged in the way participants described the process of developing the ownership necessary for participation is the connection between labour and self-expression.

“You feel like it’s yours. You love that place ... and you feel good, and you say, “that’s mine, well not mine, but I worked on it”. So it’s mine, so you want to protect it, like it’s your child, you know?” (Tadeo and Di Marco, 2015)

“after they’ve worked there, and they build something there that’s permanent-- they got involved in it. Like, that place they came back in their free time to water the plants or just to look at insects, or they’ll work or there’s people looking at it. And they’ve been back to those places. ... if you get involved, well after that you, you like that place if there’s change... That you’ve worked there ... It’s something they built. Even if it’s given away for everyone. It’s their project so it’s, it’s still there for them. So definitely if they build something that’s permanent, it gives them, it makes the kids have, makes that they belong more than if they than just have played around, or just used the space. It’s like a bigger step to ownership of the place.” (Marchand, 2015)

“So, how do you get a feeling of belonging? I think it goes with the feeling of creating, of emotions through the space. ... it’s about seeing it not only as a landscape that’s foreign from yourself and that you just passed through ... you start belonging when you leave traces” (Dagenais-Lespérance, 2015)

Here, we see echoes of another key strand of property theory: personality as the justificatory basis for property rights. Typically traced to the work of Georg Hegel (Hegel, 2011), this is the idea that property is necessary for the development of identity. For Hegel, the person is merely an abstract unit of free will with no concrete existence: “Not until he has property does the person exist as reason.” (Hegel, 2011: 41) By enabling individuals to act in and to shape the external, objective world, property facilitates the embodiment of the will in objective form (Hegel, 2011: 46). Taking possession of oneself, Hegel explains, consists “in translating into *actuality* what one is in terms of one’s concept (as *possibility*, capacity [*Vermögen*], or predisposition). By this means, what one is in concept is posited for the first time as one’s own, and also as an object [*Gegenstand*] distinct from simple self-consciousness” (Hegel, 2011: 57). The necessity for private property follows from this: “Since I give my will existence [*Dasein*] through property, property must also

have the determination of being this specific entity, of being mine.” (Hegel, 2011: 46).

Superficially, Hegel’s theory appears similar to that of Locke. Yet where property for Locke was necessary to enable men to benefit from the fruits of the commons, Hegel sees property in less instrumental terms: “property, as the first *existence* [*Dasein*] of freedom, is an essential end for itself.” (Hegel, 2011: 45). The starting point and the means for acquisition vary also. Locke begins with property as owned by all (men) in common. Hegel, however, begins with all things as unowned, available for appropriation because of their lack of subjectivity (Hegel, 2011: 44). When it comes to acquisition, Locke’s owner puts himself into the object through the process of labour, with appropriation derived from the mixing of the propertied self and the object. There is no such mixing in Hegel’s theory. Rather, property emerges as part of the process of making the will objective and externalised (Hegel, 2011: 64). Further, for Locke appropriation is an individual matter: there is no requirement for consent, and the property becomes owned as soon as the labour is mixed with it. For Hegel, however, property entails a relation with others: “My inner act of will which says that something is mine must also become recognizable by others.” (Hegel, 2011: 51)

In modern property scholarship, Hegel’s theory is often referred to through the work of Margaret Radin (Alexander and Peñalver, 2012). Radin’s personhood theory draws partly from Hegel, and partly from an “intuitive” understanding that certain objects people possess are closely bound up with their identity (Radin, 1982, 1986). Such items – a wedding ring, family heirloom, a person’s home – are part of the way we constitute ourselves as continuing personal entities in the world, relating to both the external environment and other people. This, for Radin, is the moral basis of property. Distinguishing between what she calls “personhood property” and other “fungible property”, Radin argues that the moral superiority of property claims for personhood property is reflected in legal doctrines from privacy to residential tenancy to takings law (Radin, 1982: 960). Personhood explains why we have property, and why others respect it.

Ownership as a relationship to property developed through self-expression, as connected to identity and as a basic human need were strong themes in interviews. Much more than labour as work or “sweat equity”, participants emphasised the transformative, creative nature of their efforts, describing the places they created as somewhere they could “recognise themselves” (Malthais-Trémblay, 2015; Venne, 2015).

“we feel that intimacy. It’s like, at the end of the day, like, you poured a piece of your soul in that... it’s somehow, I don’t know it’s just, it’s a piece of you in there, and I think that’s the big difference in the people” (Tadeo and Di Marco, 2015)

“it gave me a sense of like empowerment. It felt really good to actually have a voice. ... It gives me a more personal connection to the street, because yeah, it definitely gives me a personal attachment and sense of belonging like this city, sort of belongs to me. ... when you paint or you, anyone who invests in their city, I think... I think you feel more for your city and you have a deeper connection for it as opposed to someone who just uses it to get from A to B” (Gibson, 2015)

“being involved and seeing it happen, seeing [your] ideas translate into something, that really gives you a strong sense of ownership because you created that change” (George, 2016)

The idea of ownership, and particularly the development of ownership through self-expression, was described as a human need. Such descriptions echo those of belonging as something for which people yearn or long,<sup>4</sup> and studies in psychology on ownership as a fundamental human need.<sup>5</sup> This is particularly apparent in Montreal, where the lack of opportunities to shape one’s environment during the harsh winters were noted as drivers for people wanting to express themselves in the city during summer (Toro et al., 2015).

The idea of expressing oneself in the environment as a human need was linked by a number of participants to home ownership. In particular, participants connected this need for expression in the city to an absence of home ownership. Montreal participants frequently mentioned the very low rates of homeownership in the city to explain very high rates of engagement in activities in public space. A need for the self-expression that ownership permits was noted by participants in other cities also:

“you know if you have your own little piece of world, whether that's you own your apartment or you own a plot of land or you own a house or whatever, you've got something, right. If you don't own something, what you do have is the city. So you go into the city and you try to take some ownership somewhere, I think to satisfy some sort of human need around being able to shape your environment. You can shape your backyard, you can shape your front yard, you can paint your condo on the inside, you can do whatever you want to your apartment when you own these things. It's a little bit more difficult when you don't. So it's kind of a release valve for that.”(Lydon, 2014)

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<sup>4</sup> Belonging is intimately connected to identity and one’s sense of self, and as such is something for which people yearn or long and, as bell hooks describes, may spend their lives searching for (Bell, 1999; Fortier, 1999; Probyn, 1996; Yuval-Davis, 2006).

<sup>5</sup> The literature on psychological ownership emphasises links to three fundamental human needs: efficacy and effectance, self-identity, and having a place to dwell (Brown et al., 2014; Pierce et al., 2003).

In contrast to Lockean labour-based property, property deriving from personhood “anticipates a relation to others” (Hegel, 2011: 51). While the emphasis in discussions (and critiques (Davies, 2007: 102; Schroeder, 1994)) of property based on personhood is typically placed on individual owners and private property, both Hegel and Radin acknowledge the importance of relationships (Radin, 1982: 977). For Hegel, property is important for both individual and social development. The process of having one’s will – one’s property – recognised by others is critical, a person can become fully developed only in the context of a community of others: “This relation [*Beziehung*] of will to will is the true distinctive ground in which freedom has its *existence*.” (Hegel, 2011: 71)

Hegel emphasises the importance of property not as the product of one subjective will in isolation, but in the context of a common will, which he describes as the sphere of contract. It is through contracting, Hegel argues, that “parties *recognize* each other as persons and owners of property” (Hegel, 2011: 71). That recognition in turn provides the basis for negotiated exchanges enabling the development of moral and ethical life. The relational and communal aspects of personhood theory have been emphasised and further developed by several scholars.<sup>6</sup>

The relational aspect of property emerged strongly in interviews. For people engaged in remaking the urban environment, ownership is much more than a personal matter.

“being out with your neighbours, doing any part of activity which could be like cooking or serving food, starting a collective garden, or cleaning a space, I think it gives you like a very ... brick and mortar, or very physical sense of community belonging. I’ve never personally, I’ve never felt that before I’ve been engaged in that kind of activity. ... I feel we’re creating something, there’s a community being created. I don’t get that feeling when I’m just sitting in my office doing research work, even if I know I’m working for let’s say sort of a greater good. I feel like you can develop it more when you’re part of a citizen led initiative, definitely and you’re on the field and you’re doing something.  
...what matters is we’re building, creating a community.” (Malthais-Trémbly, 2015)

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<sup>6</sup> For example, Michael Salter argues that participation in collective shaping of the environment is important to the development of personality in the full sense (Salter, 1987: 257). Lisa Austin argues that community relations and social networks depend, to a significant extent, on the kinds of interactions made possible by access to public spaces, and thus that personhood provides a strong basis to argue for the protection of such spaces (Austin, 2010). Kristen Carpenter, Sonia Katyal and Angela Riley develop Radin’s theory in the context of lands, resources and expressions that are integral to group identity and to the cultural survival of indigenous peoples (Carpenter et al., 2009, 2010) See also (Ryan, 1994; Salter, 1987; Stillman, 1980: 143).



In line with this relational aspect of property, participants consistently describe efforts to choose spots that are visible and public. Being visible and, importantly, being *seen*, was often a high priority in the selection of locations and in the types of activities undertaken.

“It’s very high-visibility. ...We spent a couple days scouting different places, along Mission Street mostly, watching how the sun moved across them, ...[to] really try to pick the most kind of photogenic spot.” (Merker, 2014)

“I chose that spot because I think it’s a very visual spot. [It] is a very, very busy little village and so there’s, you know, a lot of car traffic, there’s a lot of foot traffic and so I thought that it would be an interesting spot where you know, there’s a lot of people who are constantly going through there” (Anonymous Montreal interviewee A, 2015)

“when you do that, you, you want to be heard, you want to be seen, you want the reflection” (Carignan, 2015)

Even for activities with illegal aspects like the trespass involved in urban exploration, visibility, recognition and relationality are important. Film and photography are core elements of urban exploration; documenting and distributing images of the sites visited through online sites are important parts of the process (Garrett, 2014b).

Participants also describe their efforts to involve passers-by, to engage the media, to attract attention and affirmation. Such efforts extend beyond the actual events, encompassing further efforts also to publicise activities afterwards through photos, press, and social media. In discussing how their activities went, participants frequently measure success in terms of the responses they generated: how many people saw, stopped, commented, commented favourably. How much the event was taken up by media, by politicians and by others with influence.

“the reaction was great. Because the people understood, understood the concept very quickly. ... It was the most fun thing of *PARK(ing) Day*, explaining of the concept, interaction of the people” (Tadeo and Di Marco, 2015)

“there’s an idea of other people seeing it that is important. Um, that when you do a graff it’s not in a very dark corner where you’re the only one *knowing* that you’ve put your tag. You need to have spectators looking at it and, kind of, acknowledging that you’ve left a trace” (Dagenais-Lespérance, 2015)

“Most important, we do the *aménagement*, the design urbain around the space, but they do the *PARK(ing) Day*. If there is no frequency, the, the place doesn’t take the, the important, no? Even if we put a roller-coaster there, it doesn’t matter.” (Toro et al., 2015)

For participation to produce feelings of ownership, it is important to be seen. Conversely, participants described feelings of failure, and of a lack of ownership when people did not come to their events, didn't engage with them, or didn't respond positively.

In this emphasis on being seen, and accepted, the distinction between Lockean and Hegelian theories is apparent. Even for Locke, property is more than a matter of labour. The inequality that followed from the enclosure of land required a further justification: for Locke, this was a belief that private property increased the "common stock of mankind" by increasing productivity (Locke, 1978: 37). Justification for a sense of ownership, however, does not derive from such utilitarian calculations.

When it comes to ownership, labour through property is valued as a means to express oneself in relation to others and to obtain recognition for that expression. Participants choose to own, and seek acceptance from others for that choice. Being seen, recognised and accepted are important both for the existence of ownership and for the personal meaning derived from it. The relational nature of ownership is important also to its status as something legal, as discussed further below.

Alongside the relationality of property is its temporality. While Locke's theory was intended to justify property rights with permanent validity, ownership as understood in Hegelian theory may wax and wane. For Hegel, ongoing occupancy – expression of the will – is necessary to maintain a property relationship (Hegel, 2011: 64–5). As Hegel explains, without "use, employment or some other expression of the will... the thing [*Sache*] becomes ownerless, because the actuality of will and possession has abandoned it." (Hegel, 2011: 64)

Radin also emphasises the temporal nature of property. Her categories can thus shift: the wedding ring, for example, may become fungible property in the hands of a dealer (Radin, 1982: 968). Because of its temporal nature, a right to property based on personhood requires active, self-conscious social membership and enfranchisement (Salter, 1987: 258). Property is not something that can be created and settled once and for all, it is instead something requiring ongoing performance and persuasion (Blomley, 2013; Rose, 1994).

"when people do garage sales it's the fact of like, I'm publicly showing that I'm making, I'm, I'm going to make the space and the space is going to be shared by others. And it's going to become momentarily part of the city." (Dagenais-Lespérance, 2015)

"It's all about time, if you comfortable in the street and if you know the street, it's yours. ...You stay in Montreal. You do like a *parcours*, every day to go to work, you

walk every day with that. ...I'm not from Montreal, I'm from Ottawa, and I think it's been seven years I'm here, it took me, like, three or four years before I said, "I'm from Montreal now". Because I did exactly the same, I, I was comfortable in Montreal because I was learning about the streets, and learning about my, about getting from this point to that point, and now it's my city because I know the streets. It's all about knowing something."(Tadeo and Di Marco, 2015)

A sense of ownership matters. It helps to explain why people engage in DIY urban interventions, and the kinds of benefits they derive from that engagement. More broadly, attention to ownership sharpens and sheds light on some of the deeper questions about property. Understanding a sense of ownership reveals that labour is important, but not sufficient. Ideas about rewarding labour or effort don't explain why we desire property so deeply, nor why we accept other people's claims to exclude us from their property. More fundamental issues are at stake: ownership, like other forms of property, is valued, accepted and respected because of its more intimate connection to identity and to basic human needs. The temporality and relationality of property that follows from such an understanding is an important part of that justification, as I will explain below.

#### **IV. Community, property and power**

In interviews, there was some debate about terminology. Some participants suggested community or connection as alternative terms to describe the relationships and aspirations at issue. However, further discussion typically moved back to ownership. Community and connection are narrower concepts that miss important aspects. Ownership emerged as a stronger priority across interviews because of its link to power. Beyond the feelings of attachment at stake in concepts of community or connection, ownership invokes empowerment and agency.

Ownership gives participants the ability to shape their city.

"you do feel more, yeah, like you can change things, so you feel more empowered"(Carle, 2016)

"they clearly know they don't own these things but I think they have been so, I think, successful in getting sanctioned buy-in for their activities I think that undergirds or supports their sense of belonging and right to be doing what they're doing." (Lydon, 2014)

Just as property has long been associated with power and political voice, ownership is understood by participants as an important prerequisite for DIY urban interventions. Reflecting on a range of projects, from temporary public spaces to

longer-lasting gardens, one placemaking professional described agency as central to understanding ownership:

“I think sense of ownership would be that you would, you know, fight for it if it was taken away, that you would be prepared to manage and maintain it, take a leadership role in oversight of some form of the space. You'd be prepared to volunteer, you'd be prepared to be involved in decisions about it. ... if you feel ownership you'd be likely to take a step towards being an active citizen in either the protection or custodianship of that space in some way, like you would your private residence, but perhaps in a more collaborative way” (Hartley, 2016)

Participants were clear that ownership is not the same as legal title. In interviews, participants provided examples in which the holders of legal title showed no sense of ownership, and investigation was required to identify who actually owned the land in question.

“People can feel ownership about a place without having it by law. And that's something you have to understand, that people need to understand. Sometimes we're doing research about properties here... We can find out that one—that's amazing—one vacant lot that's really important for people, [but] the guy who owns it had no idea what was going on. ... So sometimes there's a disconnection between the ownership of private property and the ownership of the neighbourhood. Because people own it for financial reasons and people want to use it for community reasons and sometimes there's a big clash.”(Letarte, 2015)

Those asserting a sense of ownership over such land made no claim to legal title. Often, they did not even make inquiries into it. The lack of anyone demonstrating a sense of ownership left the space open to appropriation.

However, ownership and law are not entirely separate. In emphasising the separation between a sense of ownership and formal legal title, participants revealed a different kind of connection, and one with important consequences for agency and power in the city. As noted above, the DIY urban interventions discussed in this article are not typically understood as protests. Instead, they are seen as positive contributions to the city, described in terms of love and generosity. In contrast to activities like squatting or the Occupy movement, they tend to be undertaken by people doing relatively well in the current system. People with good jobs and prospects, who have no desire to put those at risk. Yet in distinguishing a sense of ownership and more conventional legal title, there is an element of disruption.

By asserting ownership, participants provide an implicit challenge to other forms of legal title. In some cases, this has had direct impacts on formal property regimes. There are several examples where DIY urban interventions have triggered changes in

the formal legal frameworks that govern the city. In San Francisco, *PARK(ing) Day* and kerbside community gardens led to the establishment of a formal permitting process for the establishment of long-term “parklets” and pavement parks around the city, and a new ordinance providing legal grounding for a wider range of DIY urban interventions passed into law in late 2016 (Bela, 2015; Ocubillo, 2016). Permitting schemes for parklets and other small scale public space interventions are now common in many cities worldwide. Participants in *Better Block* have had similar impacts in many places, with direct policy and regulatory changes following their temporary interventions on city streets (Lydon and Garcia, 2015a; Team Better Block, 2015).

DIY urban interventions have also had more subtle impacts on property rights. There are many examples where informal interventions have gained such popular support that neither the property nor the local authority has been able to remove them. The *Parc de Gorilles* in Montreal and the Wendy Whitely garden in Sydney are two prominent examples where the ownership claims of their users and creators have been recognised by the formal landowner (Gerathy, 2015; St-Pierre, 2015).

These can be understood as examples of what Sarah Keenan describes as subversive property (Keenan, 2014). Drawing particularly on Doreen Massey’s relational conception of space as dynamic, heterogeneous and constitutive of social relations (Massey, 2005), Keenan argues property is an interaction between subjects and their surrounding space in which certain relations of belonging are “held up” as property. These interactions are shaped heavily by previous interactions: spaces must have already interacted in a particular way so that the subject can fit and be held up as belonging there, so that spaces tend to entrench existing property relations. Yet because, following Massey, all spaces are to some degree unsettled, there is always the potential for spaces to be reshaped to hold up alternative relations of belonging. In this way, property can be subversive.

When a sense of ownership leads to changes in the rules or social practices governing particular properties, we can read these as examples of subversive property. When non-owners successfully claim a right to be included in decision-making with respect to property to which they have no legal title, or when a “park” is created in a space usually reserved for cars, formal property relations are indeed unsettled.

It is important to recognise that such unsettling is not exceptional. There are numerous precedents for this kind of influence, from squatters obtaining legal title through adverse possession and even prompting the formation of new ways of acquiring it through homesteading laws (Dobbs, 2012; Peñalver and Katyal, 2010), to

others securing limitations on the rights of property owners through heritage and conservation laws (Davies, 2012). A sense of ownership – and its enactment in temporal and relational terms – is part of what constitutes property, and part of how it can be reconstituted.

Even when ownership claims do not have such direct impacts, they remain important for property. Ownership claims remind us that property is intimately connected to core human needs and values like identity and community, and that property is sustained through ongoing performance. Claims about ownership are claims for empowerment, agency, belonging and political voice. In asserting their sense of ownership, participants provide an implicit questioning of why empowerment, agency, belonging and political voice are associated with legal title. At a time when conventional forms of property are increasingly inaccessible, the importance of alternative forms of ownership is clearly apparent.

## **Conclusion**

Property matters. Among the various forms of property that shape the city, a sense of ownership is often a particular priority for participants in informal urban interventions. A sense of ownership is significant for property scholars also, in that it is revealing about the nature of property as an institution. The connections to labour, to self-expression and to relationships that produce a sense of ownership and, importantly, recognition of that ownership by others, help to explain property in more general terms.

A sense of ownership matters to the operation of property and to the city. Informal ownership claims can lead to shifts in formal property regimes, from transfers of legal title to the establishment of new regulatory schemes. Informal ownership claims can also provide more subtle constraints on property frameworks, limiting the scope of what title-holders can do with their land. A sense of ownership matters crucially too at a more basic human level, as something intimately connected to identity, community and political voice. With other forms of property now beyond the reach of so many, the importance of informal ownership as a source of belonging and empowerment is increasingly apparent.

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