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Housing occupations as urban commoning: three modalities of transversal engagement

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Abstract
Informal land and building occupations form a significant part of Southern urbanism, emerging as central features of city-making in places defined by colonial histories and dispossession. They transgress normalised property and legal regimes and thereby open the possibility for alternative relations connected to shared practices of use and being in common. Drawing on long-term engaged research in Bogotá, Colombia and Cape Town, South Africa, this paper traces the origins and dynamic trajectories of two occupations, paying particular attention to the ways occupiers engage state logics transversally to assemble material infrastructures and advance citizenship claims. In comparing these situated practices relationally, we identify three modalities of transversal engagement that shape their presents and futures: 1) direct co-design; 2) aspirational co-design, and 3) anticipatory counter-design. Whilst the potentiality and outcomes of these are uncertain, we argue they are important contributors to contesting racialised regimes of dispossession and reimagining more just and equitable urban futures.

Keywords: informal occupations, transversal engagements, commoning, co-design, Bogotá, Cape Town

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1. Introduction

Within urban scholarship, 'occupation' refers to the process of claiming and inhabiting property, such as land or buildings, without the consent of the property owner (Huchzermeyer, 2002; Cirolia *et al.*, 2021). Informal occupations form a significant part of Southern urbanism, emerging as central features of city-making in places defined by colonial histories and land dispossession (Caldeira, 2017). At the same time, occupation practices have surged across the globe in recent years, as a response to urban precarity (Garcia Lamarca, 2017; Vasudevan, 2015).

In this paper we are inspired by arguments to understand occupations as transgressive sites that surface conflicting valorisations of urban land and infrastructure (Saaristo, 2022; Scheba & Millington, 2023). In this reading it is held that occupations interrogate and unsettle sedimented settler colonial practices of private property, law, and ownership models (Bhandar, 2018). As insurgent sites, occupations stake counter-claims to the city (Miraftab, 2023). At the same time, even if responding to the urgency of urban precarity, occupations remain precarious entities in themselves (Scheba & Millington, 2023; Bhan, 2019). They are defined by a multiplicity of forms, practices, and uncertainty. Their (dis)assembly spans a wide, non-linear spectrum, ranging from violent evictions to regularisation over time. Furthermore, various spatial actors, politics, and power dynamics influence occupation practices, materiality, and potentiality. This includes the (local) state as one important actor in shaping occupation presents and futures (Bianchi *et al.*, 2022). Guided by this recognition, scholars have called for more nuanced research on the context-specific interactions between local state and occupation actors to inform understandings of the risks and potentialities of these engagements (Bianchi *et al.*, 2022; Caldeira, 2017).

The paper is located within this concern and aims to advance theoretical and practical knowledge on local state and occupier relations, informing the longer-term (dis)assembly of occupations. We are interested in the material and political manoeuvring entailed and linked implications for urban insurgent practices over time. We develop our analysis based on our longstanding research within two occupations in different geographical contexts – in the periphery of Bogotá, and inner-city Cape Town. In bringing these two sites into conversation, we are guided by calls to advance "relational place-based practices of theorising" (Porter, 2023), that simultaneously take the specificity of place seriously and advance a relational geography, as a thinking 'with' rather than 'from' place (Porter, 2023, p.34). In analysing two occupations – peripheral and inner-city – we stage a dialogue between them to support the development of insights into modes of city-making and spatial praxis. In this sense we are influenced by a growing interest in conjunctural analysis within urban studies (Hart, 2023; Robinson, 2022; Sheppard *et al.*, 2020) where cities are conceptualised as both entangled and situated, as follows:

> "Cities are not seen as free-standing entities upon which ideal-typical models might be fashioned, nor do they merely provide convenient settings for the illustration of generalized theory claims" (Sheppard *et al.*, 2020, p. 39).

Guided by this approach to think in dialogue and relationally, we pay attention to the contingent situated histories, politics, and practices in each of the sites. We map the transversal engagements (Caldeira, 2017) with local state actors and logics, advanced as part of a set of efforts to assemble material infrastructures and stake claims to citizenship and belonging. Inspired by the analytical framework of Bianchi *et al.* (2022) on 'commons-led co-production', we draw out three modalities of engagement that unfold in differential forms across the two cases and argue that these hold within them a politics of possibility and risk with uncertain outcomes. By tracing the assembling practices in each site, we identify three central modes of local state-occupier relations, focused on the present and future design and planning visions of the occupations, naming these: 1) direct co-design, 2) aspirational co-design, and 3) anticipatory counter-design. In doing so, we contribute to a better understanding of the differential ways in which occupations manifest and residents arrange themselves in relation to the local state, in efforts to enhance their everyday material practices and wider political agenda.

2. Occupations and assembling the 'city-otherwise'

As cities become more dense and increasingly unaffordable for the urban majority, informal land and building occupations represent a vital mode of city-making (Vasudevan, 2015). By intervening into the socio-material fabric of the city, occupations run counter to existing property relations, and surface conflicting rationalities about the usage of the urban (Di Feliciantonio and O'Callaghan, 2021; Ngwenya and Cirolia, 2021; Scheba & Millington, 2023). Put differently, they transgress and contest the legitimacy of historically produced property relations, through directly claiming and remaking space in the struggle for adequate housing. Thereby opening-up the possibility for alternative socio-material relations of being in common, that stand in stark contrast to atomized and extractive relations of settler colonialism and racial capitalism (Garcia-Lopez *et al.*, 2021; Eidelman and Safransky, 2021; Stavrides 2016). In this sense we read occupations as a practice of urban commoning, understanding them as spaces that enable and enact other-than-capitalist subjectivities, relations and imaginaries; fostering caring labours that are both material and affective (Caffentzis and Federici, 2014; García-López et al., 2017; Stavrides, 2016).

In this approach, following Eidelman and Safransky (2021), we recognise that the thought and practice of urban commoning is concerned with advancing alternative "questions of ownership, access to resources, and social relations in the city" (p. 792). At the same time, the concept of the urban commons has continued to evolve over time. In this paper, we are interested in contributing to this conceptual and empirical advancement through thinking from contexts defined by histories of colonialism, slavery, and land dispossession. We argue that this perspective offers a deeper analysis of modes of commoning that refuse the erasure of historical and actually-existing Black and indigenous relations to the land. This approach resonates with Obeng-Odoom's argument for a "Radical Alternative" in approaching the commons by centring the African perspective and lived experiences on land to inform a new ecological political economy (Obeng-Odoom, 2021). The concern is to extend current dominant theorisations, moving beyond 'Western Left Consensus' (ibid). Furthermore, it is to locate commoning in the social relations of decoloniality, centring land struggles and actually-existing Black and indigenous spatial praxis that potentially offers pathways for alternative socio-ecological relations (Davis *et al.*, 2019).

We argue for the importance of reading them as sites of experimentation that can only ever be imperfectly enacted as they are subject to dominant pressures of state control, order-making, and enclosure (Wilhelm-Solomon, 2020; Huron, 2018; Stavrides, 2016). In paying attention to this imperfect enactment, we are specifically interested in the entangled engagements with state institutions that form part of the struggle to endure. In advancing this position, we build on the 'peripheral urbanisation' framework of Caldeira (2017), defined as a predominant mode of the production of space in cities of the South. According to Caldeira (2017), this mode of incremental city-making entails a transversal engagement with official logics of capital, property, and law, and the generation of new kinds of politics and citizenship claims. In outlining transversal logics, she argues that, despite the improvisational and experimental form of peripheral spaces,

> "This does not mean an absence of the state or planning, but rather a process in which citizens and governments interact in complex ways. While residents are the main agents of the production of space, the state is present in numerous ways: it regulates, legislates, writes plans, provides infrastructure, policies, and upgrades spaces" (Caldeira, 2017, p. 7).

This paper contributes to this framework by identifying differential modalities of transversal logics informing occupations as sites of assembly and disassembly. In so doing, we borrow from the careful work of Bianchi *et al.* (2022), who analyse the co-production relations between state actors and commoning communities in Barcelona. These authors identify a spectrum of 'commons-led co-production' that ranges from no experience, to aspiring, *ad hoc*, relevant, and key co-production. They argue that citizens and the state interact in complex ways, and this does not imply inevitable co-optation. Instead, communities employ different modalities of commons-led co-production to support efforts to assemble material infrastructures and enhance their political agency in relation to the state. The outcomes, however, are always uncertain as changing political-economic or social conditions can easily shift power, undermine previously achieved progress, and result in regression. This awareness of contingency resonates with Wilhelm-Solomon (2020) in his examination of inner-

city occupations in Johannesburg. In paying attention to practices of occupiers in Johannesburg's 'dark buildings' he emphasises the interplay between 'commoning' and 'uncommoning' as a dynamic and uncertain condition, arguing for the alternative notion of the 'city otherwise' to offer a more open-ended reading where "the political emerges from the otherwise and can take radically different forms" (p. 429). This is an approach that is open to potentiality and immanence, whilst not giving in to a romanticisation of commoning praxis.

3. Methodology

This paper results from past and ongoing efforts to bring our engaged research on occupations in Bogotá, Cape Town, and other cities into a comparative conversation. It is based on our modestly funded 'City Occupied' project (refer to www.city-occupied.net), which has recently been expanded by adding the concepts of urban vacancy and commoning as intersecting dimensions into our scholarly-activist network. Methodologically, our work is informed by recent calls to think the urban through a relational, comparative imagination starting from somewhere to think elsewhere (Robinson, 2022).

For this specific paper, we reflect on our engaged research with occupiers in Altos de la Estancia in Bogotá, Colombia, and Cissie Gool House in Cape Town, South Africa. Beginning in 2020, we have worked with community leaders, residents and key stakeholders of these two communities in a collaborative manner to produce knowledge that is alive to the urgencies of the contemporary moment, and slow and thoughtful enough to support sustained engagement and resources to be mobilised by scholars or activists. Located within wider efforts of engaged scholarship, we have pursued a mode of research and praxis that prioritises active immersion, solidarity, care, improvisation, and experimentation (Routledge & Derickson, 2015). Our research questions, methods and instruments were informed by our common objective to collaboratively produce knowledge that supports socio-political struggle for transformative change (see Scheba & Scheba, 2024). Our research activities were therefore guided by the needs of the two occupier communities and adapted through open and ongoing dialogue. In resonance with Ferreri *et al.* (2024), we have pursued a radically open methodology in housing research that was movement-driven, explicitly political, and centred on an ethics of care.

In Bogotá, our research aimed to support ongoing processes of advancing a sustainable neighbourhood agenda for Altos de la Estancia. One of the authors has long standing relations with the community and was instrumental in establishing the Community Task Team (discussed further below). Another contributor to this paper has continued to support these efforts, both from near and far. Since 2020, they have worked together with leaders from the Community Task Team to develop 'community indicators'. While the initial idea was to share lessons and methods from a similar action research project in Cape Town, the Task Team requested that the researchers support a subgroup (the community gardens team) to co-develop their own indicators in holding the local municipality to account. Subsequently, three community workshops and related interactions were held, which served to discuss collective action, strengthened the capacity of local research activists, and enhanced self-representation of the residents.

In Cape Town, two of the authors have spent extensive periods engaging with residents of Cissie Gool House. Key research activities included (storytelling) workshops, one-on-one interviews, participant observation, and informal conversations. In recent engagements, the relationship between occupations and the local state was highlighted by occupiers as an important aspect in shaping their current situation and future trajectories. This recognition informed what became known as the co-design process, which was advanced by CGH leadership, selected residents, and external allies from 2021 onwards. As researchers, we have contributed to this process by collating and sharing information from other contexts, including from Bogotá and São Paulo (Brazil). We also visited our research partners in these two cities, where we engaged in numerous discussions, held workshops with occupier communities, and collectively reflected on their struggles for recognition and co-designing urban futures. Before discussing our findings, the next section will briefly locate the two occupations within their wider urban contexts.

4. City Contexts

4.1 Occupations in Cape Town, South Africa

Cape Town has a long colonial and apartheid history, which remains imprinted in the city's urban fabric. In 1652, Jan van Riebeeck arrived to establish a permanent settlement, which lay the foundations for the imposition of private property relations, defined by the bounding and valuation of land as property to be held and owned. Over several centuries, Dutch, French and British colonial powers ruled the Cape. This regime was later cemented through the Native Lands Act (1913) and the Native Urban Areas Act (1923), which led to the resettlement of thousands into so-called 'townships'. These Acts laid the foundation for Apartheid, which came into effect in 1948 as a more controlled form of segregation, resulting in the displacement of at least 200,000 Black and coloured populations from central city areas into 'dormitory settlements' in the urban periphery. From the 1970s onwards, in-migration accelerated under a weakened apartheid regime, resulting in the growth of informal settlements, informally constructed backyard dwellings, as well as the establishment of Khayelitsha - the city's biggest township, located approximately 30 km away from the centre. By 1994, at the dawn of democracy, the city, with its 2.6 million inhabitants, had become one of the most racially segregated and unequal in the world (Mabin & Smith, 1997; Ngwenya, 2023).

The city is presently the second largest metropole in South Africa, with an estimated population of five million people. The apartheid urban form has remained intact, to the extent that the central city is connected via main transport routes to formerly white, low-density suburbs in the Northern, Southern and Western parts, which have seen considerable private-sector investment during the post-apartheid era. Yet the constructed houses and flats have been unaffordable to most of the population (Scheba *et al.*, 2021).

Although a dedicated policy instrument – in the form of social rental housing – exists to break up exclusionary neighbourhoods and promote spatial integration, the number of projects has been very limited and most of them have been located outside the city centre due to the high price of land and challenges regarding the release of public land (Turok *et al.*, 2022). At the same time, the government's flagship low-cost housing programme has perpetuated apartheid spatial inequality by delivering large-scale, low-density settlements in the urban peripheries (Amin & Cirolia, 2018). Furthermore, public housing delivery rates have been declining over the last decade, contributing to a housing backlog that could take more than 70 years to eradicate (City of Cape Town, 2021).

Due to the unaffordability of formal accommodation and declining state support, poor households are left with few choices. While many rent informally constructed dwellings in the backyard of formal (state-subsidised) houses, thousands of house-holds crowd into hundreds of informal settlements located predominantly in the south-eastern part of the city. Based on recent estimates, informal settlements make up only 4.2 percent of Cape Town's residential areas, yet they accommodate approximately 25% of the city's population (Cinnamon and Noth, 2023; City of Cape Town, 2021). Since 2020, the scale and significance of informal land occupations has grown further, exacerbated by the coronavirus pandemic and its devastating economic consequences (City of Cape Town, 2022; Paton, 2021). While the occupation of land has been a long-standing feature of urbanization in Cape Town, the occupation of buildings in the inner-city is much more of a recent phenomenon. Literature on inner city occupations is only just emerging, with considerable knowledge gaps on their relationships with the state, and how this influences current conditions and future trajectories (Wingfield, 2019; Ngwenya & Cirolia, 2021; Scheba & Millington, 2023).

4.2 Occupations in Bogotá, Colombia

The colonial legacy in Bogotá, as in many Latin American cities, influenced the way land was distributed, urban development was prioritised, and social hierarchies were established. Founded in 1538, its origins reflect a blend of Indigenous and Spanish influences. During the colonial period, Bogotá emerged as a key administrative and commercial center within the Viceroyalty of the New Kingdom of Granada. Like many colonial cities, it was designed according to a Spanish grid system, with the wealthier Spanish elites living in the centre and the Indigenous and poorer populations

pushed to the peripheries. As the city's population expanded, informal urban development became prevalent, and the pressures of rapid urbanisation led to the proliferation of informal settlements in the absence of planning. This pattern established early forms of spatial segregation that have evolved over time and continue to influence socio-spatial dynamics. The works of authors such as Zambrano (1993), Aprile-Gniset (1997) and Torres (2009), explore in more detail how colonial land distribution practices have entrenched and continue to shape urban development, resulting in uneven access to housing and contributing to widespread informality.

In 2021, the estimated population of Bogotá was over seven million people, making it one of the most populous cities in South America. The capital city is the economic engine of Colombia, accounting for 22.9% of the country's gross domestic product (OECD, 2022). Informal settlements in Colombia started to emerge in the 19th century and became more relevant in terms of their size, diversity, and urban impact from the middle of the 20th century onwards (Torres, 2017). The 1970s and 1980s witnessed a significant increase in self-constructed settlements, known as *invasiones*, where individuals and families occupied land without legal authorisation. According to Camargo-Sierra (2019), there were 13,645 occupations in the city in 2010, with the number growing to 25,568 by 2018. Furthermore, between 2004 and 2016, 120 new informal settlements emerged, accommodating more than 60,000 people (*Ibid.*). Many of these are in the urban periphery, including in the popular district of Ciudad Bolivar, officially recognised in 1972 and where Altos de la Estancia is located.

Informal settlements began to form in Ciudad Bolivar from the mid-20th century, fuelled by rural migration as people searched for economic opportunities or were displaced by the armed conflict. Population growth has been fast, straining municipal capacity to provide infrastructure and services, which has often been self-provided by dwellers. Occupations usually happen either through collective organisation, or through a so-called 'pirate developer', who plots and sells individual land parcels. The latter is the predominant practice in Bogotá, in two ways. Under scenario one, the pirate developer acquires land from rural landowners and proceeds to plot and sell land thereafter. Under scenario two, the most recent and common practice, the pirate developer acts as a *tierrero* (illegal landowner), falsely claiming ownership and proceeding to subdivide and sell the land. Many of these plots hold little real estate value as they are commonly located in high-risk zones. The land is sold at a relatively cheap price with minimal infrastructure and connection to public services. Homes built on these plots are usually six meters wide by twelve meters deep and are largely produced through self-construction, culminating in a fragile but functional structure (Camargo-Sierra, 2019).

5. Assembling occupations in relation to the state

5.1 Cissie Gool House

Figure 1. Cissie Gool House, Cape Town

Source: authors

In March 2017, the housing justice movement Reclaim the City (RTC) occupied a state hospital that had stood largely vacant for 28 years in Cape Town's gentrifying neighbourhood of Woodstock. The occupation was renamed Cissie Gool House after the anti-apartheid activist, Zainunnessa 'Cissie' Gool. Within RTC's strategic efforts, occupying the vacant hospital emerged as a tactic to compel the city to address the housing crisis differently, offering an alternative to eviction and relocation to far-away Temporary Relocation Areas (TRAs). The RTC campaign, which was from the beginning supported by the non-governmental organisation Ndifuna Ukwazi (NU), was a direct response to the sale of a well-located piece of land in the affluent neighbourhood of Sea Point by the provincial government. To protest the sale of publicly owned land instead of using it for social housing, RTC supporters occupied two abandoned state buildings - Helen Bowden Nurses Home in Green Point and the old Woodstock Hospital.

Since then, CGH (the old Woodstock Hospital) (see Scheba & Millington, 2023; Cirolia *et al.*, 2021; Eidelman, 2021) has become a home for over a thousand people, who have collectively transformed the buildings, infrastructure, and outside spaces. Residents have collectively maintained, repaired, and repurposed the building infrastructure, cleaned the building and created a home out of a space that had fallen into disrepair. This work is funded through a maintenance fee and draws on internal skills and expertise. This labour has included the establishment of a communal kitchen, garden, and internal organisational structures where the planning for the house are discussed and responded to (see Byrnes, 2023; Cosentino, 2023; Fortuin, 2024). In carrying out this ongoing collective planning, CGH leaders such as Bevil Lucas believe that communities have the capacity to govern themselves, suggesting that the "occupation can be run as an urban common, with decision-making being done by the representative structures" (Robins, 2021). However, life at CGH is not without its challenges and social ills, including domestic violence, drug and alcohol abuse, hunger and unemployment, and challenges with the youth. Furthermore, in early 2022, a fire broke out and caused damage to one of the rooms.

Various transversal engagements between the residents of CGH and local state actors have taken place over time, which fall within Bianchi *et al.*'s (2022) spectrum of 'commons-led co-production'. In the beginning, there was an initial period of dialogue with a few city officials, some of whom provided some technical support or helped get some limited public resources to the occupation to fix critical infrastructure issues (water and electricity). These interactions were overseen by a more sympathetic political leadership, including the Mayoral Committee Member for Transport and Urban Development, Brett Herron. Alongside other empathetic administrators, they tolerated engagements between some city officials and residents in the occupation, which created a sense of hope among the CGH leadership that a common future may be possible. This also led to making plans for organising an 'open house' and photo exhibition at CGH, which are testimony to this effort to construct a positive relationship with the local state (personal communication; Eidelman, 2021).

However, in October 2018, the City of Cape Town shut down these plans by bringing an urgent interdict against the movement and occupiers. The Western Cape High Court granted the interdict, restraining RTC from permitting persons on the property for the purposes of unlawfully occupying. An additional condition of this interim interdict was a survey of all the residents currently living in the space. The same period, especially in late 2018, was paralleled by significant infighting between various factions (Reynolds, 2018) of the city's ruling political party, the Democratic Alliance (DA). This eventually led to the resignation of the city's mayor, Patricia De Lille, followed by additional DA councillors, including the earlier mentioned Brett Herron in November 2018 (Olver, 2019). In announcing his resignation, Mr. Herron claimed that his efforts to realise the delivery of social housing in well-located areas were being blocked by conservative members of the party.

This shift in leadership contributed to a significant breakdown in communication between the local state and occupiers, with the subsequent period under Mayor Dan Plato defined by antagonism and the advancement of a top-down vision of social housing delivery. Meanwhile, more progressively oriented city officials had already commissioned a pre-feasibility study that was completed in 2019, which found that the building is structurally sound and suitable for redevelopment (Stedone Developments, 2019). In addition, a mini dossier, charting the story of the movement and capturing the repurposing practices of the residents of CGH, was developed by the NGO Development Action Group (DAG, 2019).

Despite these reports, which acknowledged the insurgent design practices of CGH residents and

suggested that "The precinct is suitable for redevelopment and inclusion of different types of housing options to accommodate listed restitution beneficiaries" (Stedone Developments, 2019), the discourse from politicians and officials remained antagonistic. This climate was further intensified by an early morning raid on 25th July 2019, when police entered CGH at around 2am and arrested about forty people. All were released from Woodstock Police Station by Thursday afternoon without being charged. According to residents, the police were accompanied by soldiers from the South African National Defence Force and the City's law enforcement unit (Washinyira, 2019). In 2020, the Covid-19 pandemic hindered the threat of eviction due to a nation-wide moratorium on evictions. Nonetheless, the antagonistic rhetoric continued with the then Mayoral committee member for Human Settlements, arguing in an op-ed that,

> "Contrary to the slogans, the toxic legacy of the unlawful Reclaim the City occupation campaign is one of the biggest obstacles to the building of social housing on well-located sites that are both suitable and viable. If these properties are not vacated by all the RTC occupants, redevelopment, including the provision of social housing units, is impossible" (Booi, 2020).

With the easing of Covid-19 and associated lockdown and moratorium regulations, in February 2021, CGH was served with a court order for the City to conduct a survey of the residents. In response, in April 2021, RTC took the City to court, resulting in an agreement to have their lawyers, the Centre for Applied Legal Studies (CALS), conduct the survey instead. Later in 2021, soon after the completion of the CALS survey, the city put out a tender for a Building Management Agency (MA) for the site. The MA was to oversee the security, maintenance, cleaning, and management of the building; yet the tender also implied the recognition of the CGH leadership, suggesting a willingness to engage in *ad hoc* co-production, albeit limited to maintenance and management issues. The appointment of the MA in April 2022 has been viewed by the residents as ambiguous at best, simultaneously suggestive of a threat to resident-led management and a fear of eviction, and a possibility to re-open dialogue with the city on the co-production of the site. Hope for the latter has been eroded by two further police raids in February 2022 and again in November 2022. Cumulatively, these state practices and rhetoric raise uncertainty about the future of the occupation, contributing to the persistent fear and threat of eviction. As explained by one of the leaders of CGH,

> "The process of co-designing the hospital was welcomed by the city in 2019 until it was stopped by them, and we want to know why they turned around during Covid-19, choosing to evict rather than consider an alternative solution which we have put forward to them (...) If the City is serious about redressing spatial apartheid, it needs to be flexible and start looking at alternative housing models, including the type of community-driven housing we have already created in our community," (Karen Hendricks in Human, 2021)

In the face of ambiguity, antagonism, and police raids, residents have continued to pursue the idea of co-production. In late September 2021, a resident-led internal co-design process began with the support of the Cape Town Commoners Project. The process has been concerned to facilitate a co-design vision within the occupation, despite the absence of a more inclusive state engagement (unlike the earlier moment in 2018/2019). This internally led process is supported by a Working Committee, composed of residents and members from the Cape Town Commoners Project, a local architect, and researchers. It has consisted of seven workshops to date, focusing on residents' visions for the site, and has included resident dialogues, oral histories, and discussions on housing models that would support future tenure security (co-design committee, 2022).

Importantly, whilst this internally led co-design process has not included direct state engagement, the initial design and impetus of the workshops (beginning in September 2021) was informed by the changed environment and approach emanating from state institutions, including the litigation process, the City's plans to convert CGH into social housing, and the tender for a MA. As an illustration, the fourth workshop, held in November 2021, focused on the draft Heritage Impact Assessment (HIA) developed by consultants for the city as a step in the planned development of social housing on the site. CGH representatives noted that they had not been consulted on the HIA report, which failed to account for the bottom-up planning of residents and their lived experiences. In contrast, it was argued that the insurgent planning and design practices unfolding at CGH were definitive of a labour of love and a space of care.

From 2022 onwards, the newly appointed Mayor, Geordin Hill-Lewis, has sought to advance the image of a 'caring city', yet has not deviated from the portrayal of CGH as a building 'hijacked by unlawful occupiers'. In response, CGH exhibited the outcomes of the co-design workshops at the occupation in December 2022, and once again at the Cape Institute of Architects in June 2023, to show-case the resident-led process to the wider public and hoped for the platform to re-open a dialogue with city officials. However, despite invitations to the exhibition, city officials did not engage with residents. Instead, in late 2023, the City of Cape Town secured heritage approval for social housing of around seven hundred units at the site and, according to the City's Mayoral Committee Member for Economic Growth and Tourism, Alderman Vos, "The City is determined to proceed with the planning and development of social housing (...) There are now pending eviction proceedings following the Western Cape High Court granting the city an order to survey the number and individual circumstances of occupants" (Democratic Alliance, 2023).

On 31st August 2023, a devastating fire took place in an occupied building in the inner-city of Johannesburg. The deadly fire drew attention to other unlawfully occupied sites in South Africa's inner cities, including Cissie Gool House. The City's mayoral committee member for human settlements, Carl Pophaim, described the occupation of the old Woodstock Hospital as an "orchestrated building hijacking", adding that the City is "determined to resolve the main obstacle and delay to developing Woodstock Hospital, which remains the orchestrated building hijacking of 26 March 2017" (Metelerkamp and Payne, 2023).

5.2 Altos de la Estancia

Figure 2. Altos de la Estancia, Bogotá

Source: authors

Altos de la Estancia is located in the southern slopes of Bogotá, bordering the neighbouring municipality of Soacha and the Southern Highway; a congested avenue that connects the capital

city with the south of the country. It is part of the Ciudad Bolivar Locality and is made up of thirty-six neighbourhoods. The emergence and growth of the occupation was driven by the availability of land, previously used for farming and mining and, later on, by the housing needs of a growing population displaced by the armed conflict. The process of establishing and transforming the occupation can be summarised in three major phases.

The first phase, which began in the 1990s and lasted until the beginning of the 2000s, was characterised by the initial act of occupying and the construction of basic dwellings, layout of roads and irregular connections to public services. According to interviews with elderly community leaders, conducted during a social cartography workshop held in January 2023, the initial settlement process was family driven, with both individual and collective elements to it. The first people who arrived scoped the area and, once they spotted appropriate conditions, notified relatives to join them in building their homes as well as laying out the collective neighbourhood infrastructure. The latter included spaces for roads, bulk infrastructure, and service connections, which were constructed in anticipation that the government would later invest in the settlement. At this point already, there was an aspiration for the co-production of the settlement with the local government. However, it required intense pressure from individual leaders and the community to get the local state to join in the co-production of the space. This, however, was partly achieved by getting the state to regularise the settlement and install basic infrastructure, which in Bianchi *et al.*'s (2022) terms reflect a "relevant commons-led co-production" process, as a more sustained and impactful engagement defined by political will.

The second phase was marked by a moment of disaster and the subsequent mass removal of residents by the City of Bogotá. Due to the uncontrolled extraction of construction materials over several decades, as well as the inadequate disposal of wastewater and rainwater, the soil stability in Altos de la Estancia weakened significantly. This resulted in several smaller landslides between the late 1990s and early 2000s. In 2002 the area suffered from a massive landslide, which led the local government to initiate the mass removal of approximately 5,000 residents, and the establishment of a high-risk zone to prevent residential occupation. In this regard, the Local Institute for Risk Management and Climate Change (IDIGER) indicates:

> "In August 1999, FOPAE, the Bogotá Emergency Prevention and Attention Fund, identified a geological movement in one of the hills of Ciudad Bolívar (...) In an old quarry area, which in the 1980s and 1990s was occupied by thousands of families who were sold lots on the hill with false property titles, and who built their homes without having adequate technical specifications (...) After the 2002 movement, in which 567 homes suffered some damage, the place was declared a "high risk area" which resulted in the beginning of the relocation of these families the year after. As more landslides occurred, the number of families that had to be relocated increased" (IDIGER, 2014, pp. 17-18).

The relocation of thousands of residents from the seventy-three hectares large area was one of the biggest resettlements ever recorded on the continent. Following several rounds of negotiations with the affected residents and the Altos de la Estancia community at large, an agreement was reached to give relocated residents a subsidy to move into an apartment in a social housing complex, which was in the nearby Madelena neighbourhood. After the relocation was undertaken, IDIGER collaborated with the remaining community members to collectively establish a new community park with recreational facilities and social infrastructure. The city co-developed the Altos de la Estancia Action Plan through a Public Decree (489 of 2012). The main strategy of establishing the Altos de la Estanzia zonal park was to prevent the reoccupation of the slopes declared high-risk zones. The Action Plan was meant to become an instrument for coordinating various interventions in the communal territory.

The Altos de la Estancia Technical Working Group (METTRAES) was established by recognised local organisations and active community leaders to serve as the main civil society counterpart to co-produce with the (local) government around the Altos de la Estancia Action Plan. METTRAES, is constituted by members of the local Community Action Boards (JACs), artistic groups, youth and women groups, and other interested community stakeholders. Despite efforts by the city and local community members to co-produce a new 'green commons', they did not succeed in preventing the re-occupation of the urban park.

The third phase is characterised by a process of resettlement by hundreds of families after empty plots had become available again (in the high-risk zone). This was complemented by the consolidation of localised social movements, who came together under the banner of 'A Decent Life,' to demand upgrading interventions for the improvement of their communities. The reoccupation and consolidation of newly established informal settlements in the high-risk area has not gone uncontested, raising concerns among some community leaders. In their view, these families are not only at risk of being removed again, but also their occupation makes the comprehensive management of the neighbourhood – including the protected open space and community park – more challenging. A divide among the initial and new occupiers is emerging within the community, with different voices representing varied needs. Frustrations are particularly targeted at the pirate developers - *tierreros* - who are misleading vulnerable populations, including migrants from Venezuela, by selling them plots in the high-risk zone, pretending that they may be legalised in future. Over the years, a few thousand residents have moved back into the protected area, establishing at least four distinct new occupations that are informally connected to infrastructure services (water and electricity).

This division within the community has also influenced the workings of the METTRAES and its relationship with the State. During the Petro Administration (2012-2015), the regulatory framework for the co-production of the new urban commons (community park) was established and defined in the Action Plan. New mechanisms for ongoing dialogue were created between the state and local community. While the allocated resources were spent in the Peñalosa Administration (2016-2019), dialogues were limited, with citizen participation focusing on round tables to draft a co-existence manual. Although citizen participation was reactivated around a new instrument 'The Pact for a Dignified Life' during the López Administration (2020-2023), the period was also characterised by saturated and ineffective participation agendas and spaces. At the same time, it involved local leaders collaborating with researchers from Colombia and South Africa, including two of the authors, to develop community indicators to facilitate monitoring and to promote accountability within government for the execution of the new plan.

6. Discussion: three modalities of transversal engagement

Both occupations have engaged transversally with state logics and actors throughout, pursuing various strategies to shape their present and future. As widely argued by scholars working in cities of the South, citizens engage in extensive insurgent practices of collective life-making, whilst simultaneously recognising the state as a site of struggle in the assembly of infrastructure, citizenship, and belonging. This relationship is threaded through with risk, violence, contestation, and potentiality to create cities otherwise. Drawing on both Caldeira's (2017) notion of transversal logics, as a central feature of peripheral urbanisation in cities of the South, and on Bianchi *et al.* (2022) framework of 'commons-led co-production', we have observed various modes of engagement and disengagement taking place in Cissie Gool House and Altos de la Estancia, respectively. In tracing these situated practices, we outline three modalities of transversal engagement below, related to the present and future planning and design of these spaces; naming them: 1) direct co-design; 2) aspirational co-design, and 3) anticipatory counter-design. We argue that these operated in non-linear ways, differentially, and at times concurrently in each of the sites. Furthermore, these practices are defined by fluidity and uncertain outcomes and, even in the case of Bogotá, where regularisation was achieved in part of the settlement, instability remains. We contend that a greater understanding of these practices may contribute to advancing pathways toward sustained tenure security and dignified living conditions in place.

Direct Co-design

In both cases, we witnessed direct engagement with state actors and logics; however, they have not been equally relevant, stable, and sustained over time. Beginning with Altos, stronger ties were visible between the first group of occupiers and the state, resulting in more developed and formalised collective initiatives towards governing the urban space. They were enabled as the long-

term occupation community collectively asserted pressure on local government to recognise and regularise the settlement. Furthermore, the political representatives have had a more progressive stance towards informal settlements, whilst still entrenching community division and conflicts through coupling risk and relocation. Alongside this, the social and citizen oversight of public actions has been key, with the METTRAES as an important player, establishing formal accountability mechanisms like public hearings and control panels to track progress and highlight non-compliance by institutions. It has facilitated knowledge transfer by developing community indicators, creating opportunities for dialogue and negotiation with various state entities.

A key aspect of the transformation in Altos de la Estancia has been the commitment to building facilities that ensure access to social rights and services. Through self-management and self-construction, the community has established a hub in the Casa Grande neighbourhood that includes kindergartens, digital connectivity centres, community gardens, cultural houses, and sports fields. State regularization of parts of the settlement involved infrastructure improvements and access to public services. However, the process of regularisation has also faced difficulties and created mixed outcomes. Residents have experienced the financial burden of taxes and rates. At the social level, the gap between neighbours in the formalised areas and those in the informal settlements has increased, hindering social cohesion and collaboration.

In the case of CGH, leadership structures initially engaged in cautious dialogue with city officials around a co-design for the housing model and tenure security. This initial engagement enabled the provision of key services, including water and electricity. This initial cautious engagement ended abruptly due to changes in the political leadership of the local administration in late 2019. The leading Democratic Alliance in Cape Town has been hostile towards CGH, whose antagonism increased with the appointment of Mayor Dan Plato in November 2018. The current mayor, Geordin Hill-Lewis, appears to support a more progressive approach to state-subsidised social housing provision, but refuses to engage with occupiers, viewing them as disorderly and criminal. A hostile positioning within the ruling administration hampers co-design opportunities.

Aspirational co-design

In the absence of direct co-design, residents of CGH embarked on an internal ‘co-design’ process, which can best be understood as ‘aspirational’. In this case, the partnership vision implied in the prefix ‘co’ is in fact officially absent. Despite the absence of state actors in this process, it is important to recognise that state logics and artefacts continue to be present and mobilised in the process. For example, in the form of city-commissioned reports such as the Stedone Report (2019), as well as the tender document for the Management Agent that consequently entered the site in April 2022. In other words, the state is ’conjured’ into being and ‘enrolled’ through documentary sources to inform and add legitimacy to residents’ planning visions for the future housing model. Furthermore, in efforts to advocate for a participatory and inclusive notion of planning, South African housing, and eviction law, is also used to advocate for ‘meaningful engagement’ between the local state and CGH residents. The latter is evidenced in the co-design exhibitions of December 2022 and June 2023, where the design visions of residents were exhibited, creating a platform to challenge narratives of criminality and illegitimacy and to demonstrate the capacity to plan, imagine and co-design the city otherwise.

In the case of Altos de la Estancia, although in a much more subtle way, residents also embarked on an ‘aspirational’ process of designing and shaping their territory in their struggle for a more dignified place. This was visible in community leaders’ interest and requests to receive further training from technical experts to develop additional community indicators to both capture more clearly their vision and aspirations, and as a strategy to put pressure on local government.

Anticipatory counter-design

CGH residents want to be engaged, not as criminals but as knowledgeable everyday planners. Faced with the present politicians’ refusal to create a seat at the table, they have engaged in

everyday practices of 'insurgent planning,' defined by Miraftab (2009) as "radical planning practices that respond to neoliberal specifics of dominance through inclusion. In contrast, these insurgent planning practices are characterised as counter-hegemonic, transgressive, and imaginative (*Ibid.*). As explained by a resident and leader within the occupation,

> "CGH is a space that is reflective of a politics of care, radical love, and where the daily struggle to sustain life is connected to the wider struggle for the right to the city. In other words, as an occupier and leader at CGH and the RTC movement, the personal is political! We are the ones we have been waiting for!" (Karen, October 2023)

In the context of continuous criminalisation from the city's administration, CGH residents are appropriating and actively thinking about how to reimagine state visions, including in exploring a counter-vision within the pending litigation process. Their anticipatory practices therefore go beyond an aspirational vision to co-produce an urban common, reflecting a positioning of working 'with, against, and beyond,' the local state. An aspirational co-design and anticipatory counter-design strategy are held simultaneously as a gamble in the struggle to endure and hold the future. This effort is informed by a desire for tenure security and investment in bulk infrastructure, which would be difficult to realise in the absence of state intervention. At the same time, this strategy insists on the significance and legitimacy of insurgent practices as efforts to reclaim the city for the historically and ongoingly dispossessed.

In Altos de la Estancia, although residents don't face criminalisation and are recognised as central agents of the space, the METTRAES has also shown residents' capacity to work 'beyond' the local state, through self-management and self-construction practices as described before. This speaks to the capacity, and willingness of residents to explore counter-visions or alternatives and exercise anticipatory practices when necessary.

Conclusion

Housing occupations engage the local state because of their need for legitimacy, tenure security, infrastructural investments, and technical and logistical support. State actors and logics are therefore significant for the assemblage of material infrastructure and long-term security. In both Cape Town and Bogotá, occupiers reached out to the local state and attempted to engage in co-design practices to secure their presence and shape common futures. Neither viewed the local state as irrelevant; however, in Cape Town this engagement remains aspirational due to a hostile city administration. However, there is a simultaneous anticipatory counter-design practice being advanced, which continues to centre the insurgent practices of residents and their legitimacy as everyday planners. In Bogotá, the occupiers engaged much more directly with the local state in co-producing the settlement, which resulted in its regularisation, tenure security and considerable infrastructure development. At the same time, these co-design practices contributed to community conflicts and a widening gap between old and new occupiers.

A key factor shaping co-design practices is the political orientation of the municipal administration. In Cape Town, the centre-right municipal government has continuously labelled occupiers as criminals. Importantly, the political administration is unable to evict the occupation without contestation, in large part due to the protections afforded by the post-Apartheid Constitution, emerging as a document concerned to redress the country's colonial and apartheid past. The experience of Altos de la Estancia highlights both the importance of community engagement and political will in realising regularisation and tenure security. At the same time, the circularity of regularisation, negotiation and re-occupation point to the inherent risks and boundedness of state engagement and official inclusion.

In analysing these two occupations relationally, we have attempted to show the differential modalities of transversal logics (Caldeira, 2017) informing occupations as sites of assembly and disassembly. Taking further inspiration from Bianchi *et al.* (2022), we have offered three modalities of transversality operating in occupation sites: aspirational co-design, direct co-design, and anticipatory counter-design. Their outcomes remain uncertain, non-linear, and potentially regressive. Nonetheless, especially in cities characterised by colonial histories of property-making and racialised regimes

of dispossession, we argue that these modes of transversal engagement are important in their potentiality to bring into being more just and equitable urban futures.

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