What Was Squatting, and What Comes Next?: The
Mystery of Property in New York City, 1984-2014

Amy Starecheski

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WHAT WAS SQUATTING, AND WHAT COMES NEXT?:
THE MYSTERY OF PROPERTY IN NEW YORK CITY,
1984-2014

by

Amy Starecheski

A dissertation submitted to the Graduate Faculty in Anthropology in partial fulfillment of the requirements for the degree of Doctor of Philosophy, The City University of New York

2014
This manuscript has been read and accepted for the Graduate Faculty in Anthropology in satisfaction of the dissertation requirement for the degree of Doctor of Philosophy.

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THE CITY UNIVERSITY OF NEW YORK
Abstract

What Was Squatting, and What Comes Next?: The Mystery of Property in New York City, 1984-2014

by

Amy Starecheski

Advisor: Katherine Verdery

Framing property as a socio-historical process and squatters as situated actors within that process, this dissertation seeks to understand how a relatively stable and hegemonic property regime, such as private property in the United States, works and changes. Squatting is an ideal lens for understanding the complex transformation of private property, as it leads us to the times and places where the political and moral economies of property are actively contested and renegotiated. Squatters who make successful claims on property draw our attention to disjunctures between the moral economy and the legal system of property. Squatters had a complex and dynamic relationship with private property, simultaneously using, transforming and challenging the cultural materials that make up the private property regime.

New York City in the 1980s and ‘90s was home to a squatting movement unlike any other in the United States. Squatters on the Lower East Side took over abandoned buildings in the aftermath of New York City’s fiscal crisis, occupying land in a neoliberalizing city, in a gentrifying neighborhood, and making claims on it that challenged those ways of being in the city. In a context of austerity, in which city government was shifting its focus from caring for citizens to creating an attractive environment for business and economic elites, squatters simply took what they thought was their fair share of the city’s resources and offered their labor in return, using the symbolic social resources of homeownership to make property and citizenship claims. Disentangling occupation, stewardship, and ownership, squatters highlight the tensions between the home as a commodity and source of equity and the home as a shelter for the family, or even a human right. This dissertation
shows how the squatting movement successfully constrained the capacity of the city’s leaders and investors to create market rate housing on the Lower East Side, at length driving the city to agree to sell eleven squatted buildings, for one dollar each, to a non-profit that would help bring the buildings up to code. The former squats would then be converted to limited-equity low-income cooperatives and the renovation loans would become mortgages. The legalization process was contested and uneven: as of 2013, only five of the eleven buildings in the legalization deal had been converted into co-ops.

The struggles of the Lower East Side squatters as they navigated the legalization process reflect the growing anxiety about and precarity of homeownership among Americans today, while also being inflected with their own unique decades of experience living in decommodified housing. Squatters struggled to find a way to become collective homeowners without destroying their collective values: control over one’s space and one’s time. Counterintuitive as it may seem, the production and circulation of commodities can be an effective means to assert values alternative to those of contemporary capitalism. They debated whether it was moral to profit from housing, how equity was produced, and how it should be distributed. Agreeing to the legalization deal did not automatically protect the squats from being evicted or incorporated into the flows of endlessly profit-seeking capital. They tried to find ways to create security for themselves amidst the real risks of foreclosure and eviction.

While individual, private property and collective property are often opposed, this study reveals all that is obscured by that dichotomy. The forms of limited-equity collective homeownership into which squatters entered created new social ties of debt and responsibility while threatening old forms of solidarity based on shared labor, caretaking, and mutual defense. Given the chance to become homeowners, a significant minority of squatters wanted to fully commodify their homes rather than giving up some of their own property rights for the benefit of future low-income
owners. Equity, security, prosperity and social mobility were especially tempting after a decades-long struggle to procure decent, affordable housing had left residents depleted and sometimes isolated from the larger economy. However, the public subsidies they received, the intention of the labor invested, and the nature of the social and political claims they articulated as squatters made this impossible.

For many, especially those with marketable skills, stable jobs, or middle class privilege, legalization was a boon, but, as was the case in many informal settlements in the developing world where property has been formalized, for the most marginal it ranged from tolerable to disastrous. As each person was required to produce an identical monetary contribution to the cooperative’s collective monthly expenses, the squatters’ ability to accommodate people who made a diverse variety of contributions, from construction work to political strategizing, and especially to include those who could contribute little but desperately needed housing, was compromised. For those who stayed, this was often an intensely painful process in which they had to choose between protecting the group’s collective property and protecting the group’s values and weakest members. Squatters attempting to protect their shared property and legacy mobilized the language of the family and the house, as well as the practices of history-making.

Today, when the moral economy of debt is hotly debated and cities struggle to make use of housing with no exchange value, the experiences of Lower East Side squatters are particularly valuable. In the context of the current ongoing foreclosure crisis and the uneven, contested, yet pervasive process of neoliberalization and privatization, this study should both give hope and give pause to those seeking to experiment with alternatives to private property. As this study has shown, the decommodification of housing provides a means to house the most vulnerable people in society. Squatters’ small-scale and mostly successful battle to shepherd their collective property into the
realm of legal ownership without succumbing to the logic of the market shows us that resistance to the financialization of everything is still possible.
Acknowledgements

My parents, Tess and Gary Starecheski, taught me to always ask why and never be satisfied with “because I told you so.” I never could have done this without those habits of mind, which undoubtedly made their lives harder for many of my early years. Laura, Adam and Anna Starecheski and Megan Reed were there for me in every way, from editing to supplying cookies to asking smart questions.

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Matthew Power (1974-2014) and I entered and explored the world described here together. May his infectious love of beauty and adventure always be with me, even when he no longer is.

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Jay Atkins, Maia Spotts and Fly transcribed interviews. Ellen Brooks and Jacob Horton provided research assistance. Michael Nash, Chela Weber and David Olson shepherded these interviews into the archive.

I am extraordinarily grateful to everyone who shared their experiences and ideas with me, on and off the record, for this research. The analysis I present here is truly as much theirs as mine, and I thank them for giving me the opportunity to think, talk, remember, and laugh with them.

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squatting. Marta Dann was a friend to me throughout this process. Bill Cashman, Paula Garber, Vikki Law, Frank Morales, Brett Pants, and Jerry the Peddler all read a late draft of this manuscript and gave helpful feedback, for which I am grateful.

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Few social understandings are more deeply intuited in developed market economies than core private property rights. …

If people thought deeply about the property they used, perhaps they could see that even the core meanings are historically contingent and indeterminate. However, the everyday perspective on property masks its mysterious character.


Figure 1: "See Co-op Squat: Not For Sale," C-Squat
Preface

This research follows a group of New York City squatters through the process of converting their buildings into co-ops, in which each resident owns a share of the building. By studying this unusual case, of people who in many ways acted like owners for decades before finally gaining legal ownership through a long and often painful process, I hoped to learn something new about how property, and especially homeownership, works in our society, teasing apart the meanings of legal title and productive occupation. How, I wondered, did people become owners? What does it mean to own a home? Once I understood the steps in the process, I began trying to ask each narrator about the moment when they got legal ownership of their apartment. The answers were fascinating, and puzzling:

**Amy Starecheski:** Where are you now in the legalization process?

**Johnny Coast:** We’re almost done. We have put down our money to buy shares. I put down my money to buy a share, it was very little money so I did it.

**Starecheski:** Did it feel like anything to put down your money?

**Coast:** It felt kind of weird. I went down to the river and sat there and looked around and was like “Whoa, weird. OK.”

**Starecheski:** Why did it feel weird?
Coast: Now there’s something I could lose, whereas before I didn’t have anything to lose. But it doesn’t matter if I lose it.

Starecheski: Could you say a bit more about that?

Coast: It’s almost like a burden I guess. I’m also afraid it might not happen. We could still lose things here, the bank might just go, “Nope! Sorry!” and change their mind. We worry about that. I’m still thinking about how I feel about it, still trying figure out how I feel about it. I’m not sure.

---

Starecheski: Do you remember the day you actually went and bought your apartment?

Osiris: Yes, yeah but because the whole thing dragged out for so long it became kind of anti-climactic when it happened. If it had happened just real quickly then you would have celebrated more, but because the thing was so drawn out that literally 6 or 7 years after it was first announced that we were going to be legal, then by that time you’re already, “So what,” you know? We know we're legal, it wasn't like a big deal. But if it had happened after the first year or two then people would have been jumping up and down.

---

Starecheski: Have you signed your proprietary lease?
**Popeye:** Yeah, did that. Went in. Came down to Wall Street. Had to get past incredible security now down there to go.

**Starecheski:** What did it feel like to sign it? Did it feel like anything?

**Popeye:** I’ve signed so many things as a part of this process that it just felt another day of that.

---

**Starecheski:** There was just one more thing I was going to ask you— Oh, have you signed your proprietary lease yet and paid your money for the apartment?

**Diane Roehm:** Yeah.

**Starecheski:** What was it like to do that? It’s like a couple hundred dollars right?

**Roehm:** Yeah it’s $360. Yeah. I don’t know. It was weird. It was weird. I don’t know, it really felt weird and backward but also not real. A part of it is objectively quantifiable but that is so much not what this building is about to me. All of this signing leases and talking about budgets and shit like that, it’s like playing house, it’s not the real thing. It just feels like— I guess fine, we’ll do it, but it’s not what’s significant. So I don’t know, how did I feel about it? I felt like I could have found something more fun to do with $360.

**Starecheski:** Did you go with other people to do it?
Roehm: No, I went alone. I went before work. I actually stalled, I was one of the last people to sign it.

Starecheski: Do you think when you guys finish it and become a co-op, on that day will you have a party or do something? Will it be celebratory?

Roehm: I don’t know. I think we should have a New Orleans-style wake. Get the mock coffin and a marching band.

I had expected these to be moments of triumph or joy or relief. Instead, they were experienced as profoundly ambivalent or even meaningless. As these quotes make clear, owners are not simply made by signing papers or paying money, they are produced through complex social processes. In *What was Socialism, and What Comes Next?*, Katherine Verdery used a careful ethnographic study of a moment of transition – the collapse of socialism in Eastern Europe – to illuminate both what had been and what was coming, destabilizing our assumptions about the nature of socialism, in particular property under socialism, and the systems being created to replace it (1996). In the chapters to come, we will follow the squatters quoted above and many others as they navigate the transition to ownership, watching as they and their buildings are transformed by the experience. In this work, we will trace one unusual property story in order to better understand how property works in the world.
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Introduction

Casa del Sol

When I was twenty and about to be a senior at Columbia College, in the summer of 1998, I went to the South Bronx for the first time. Earlier that summer I had met Aresh Javadi, an activist from the Lower East Side, at Bread and Puppet, a political puppet theater festival in far northern Vermont, and he’d asked me to join a street theater troupe he was starting in New York City. The first prop making session was at a squat called Casa del Sol, in Mott Haven.

I got off the 6 train at Cypress Avenue, started walking randomly in any direction to avoid looking like I was lost, and soon I was. I ended up climbing down a dusty slope under the highway, scurrying across six lanes of traffic and up another dirt slope, and finally finding a bunch of people painting signs and banners, spread out over the broken sidewalk in front of a mostly boarded-up apartment building next to a riotously green community garden. The props were for a protest at an auction of city-owned property, where a formerly squatted community center on the Lower East Side called Charas and five community gardens were going to be auctioned off. Those protests are now legendary among New York City activists: a few people dressed in suits and drove up the bidding, while others released ten thousand crickets in the crowded room, creating pandemonium. Charas was sold, but I was thrilled.\(^1\) I kept coming back to Casa del Sol.

\(^1\) For more on this campaign see Shepherd (2011, 98–106).
\(^2\) The Guardian Angels are a group of uniformed (think red berets) civilian crime-fighters, founded in New York City in 1979 by Curtis Sliwa (now a New York City radio personality).
\(^3\) For more on Bueno’s history and my experiences at Casa del Sol, see Starecheski (2004).
\(^4\) My boyfriend at the time was a writer. See Power (2008) for his account of this period.
\(^5\) I accounted for all of my money during this time in order to keep to my budget, and the records
I had been in and around squatted spaces before—when I was a teenager coming of age in the 1990s East Coast anarcho-punk scene, squats provided housing and spaces for bands to play, and ABC No Rio, a squatted social center on the Lower East Side, was to me the center of New York City—but this was something different. The building was huge: a six-story double-barreled tenement with over fifty apartments in it. Casa del Sol sat alone on an awkward triangular block defined by the elevated Bruckner Expressway and the wasteland beneath it, a walled-off school bus parking lot, and Millbrook Houses—a sprawling and notorious high rise public housing complex. The lanes of traffic that come roaring across the Triborough Bridge into the Bronx twenty-four hours a day and seven days a week would all crash right into Casa del Sol if they weren’t diverted to flow to either side of the building on gracefully curving ramps. Looking at maps from the 1940s, before Bruckner Boulevard became the Bruckner Expressway, one can see the ghosts of neighboring buildings, all of which were destroyed to make room for the highway.

Inside it was worn, but instead of smelling of beer and cigarettes and unwashed punks it smelled like cool damp, brick, plaster, and old wood smoke. Casa del Sol breathed, exhaling cool damp air into the courtyard on warm days and warm air on cool nights, like a forest. After I had been coming around for a while, at first with Aresh for puppet-making, and then on my own for the Friday workdays on the building, I got to know the people who stayed there, and eventually explored the whole building: the kitchen, with its oil barrel wood stove; the white-walled art gallery; the guest space, rooms full of mattresses and neatly folded bedding; the milk crate book shelf library; the music room and the sanctuary. From the library, I ducked through a hole in the brick wall separating the two halves of the building and entered the women’s space. I climbed down a ladder into the cave-like basement below the basement, and from there crawled under the street to where
the electrical wires came in. There were spaces for building bikes and cutting glass, and a theater. I had found my home in New York City.

The story of Casa del Sol, a.k.a. 672-674 East 136th Street, is bound to the story of Mott Haven and the violent changes that turned the neighborhood into an infamous symbol of entrenched poverty and blight. Over half of the people living in the South Bronx in 1970 were gone by 1980. Landlords, no longer able to make a profit on their property, were abandoning their buildings or burning them for the insurance money. The city withdrew services, closing firehouses and clinics, as part of a policy of planned shrinkage, trying to drive out ghetto residents to make way for slum clearance and, supposedly, urban renewal. In 1984, the tenants of this fifty-six-unit tenement in the southernmost neighborhood of the South Bronx decided to stay put when their landlord disappeared. They formed an organization to collect rent and maintain the building, entering the gray area between being legal tenants and illegal squatters. Bertha Lewis, a future leader of the national community organizing group ACORN, was one of the former tenants who stayed on (Atlas 2010, 139). Defended by civil rights lawyer William Kunstler, the residents resisted eviction as squatters, claiming they were urban homesteaders whose “sweat equity” entitled them to stay. In the summer of 1988, the Guardian Angels physically protected the building against eviction (“Fight for Bronx Building Is Moving to Courtroom” 1988).

A series of internal conflicts and shady real estate deals left the building deteriorated and few of the original tenants in place as the ‘80s rolled over into the ‘90s. More and more criminals and drug addicts moved in. The Martinez family, a clan of thugs and thieves, started collecting rent from the original intimidated squatters. In 1997, the city, citing “illegal heating devices,” executed a forcible eviction, using tanks and helicopters to remove the barricaded residents. The night after the

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2 The Guardian Angels are a group of uniformed (think red berets) civilian crime-fighters, founded in New York City in 1979 by Curtis Sliwa (now a New York City radio personality).
eviction, one faction of the squatters broke back into their home, reclaiming the building as their own and giving the name of the top floor they had been occupying to the whole building: Casa del Sol.

I got to know the people who lived there. Harry, a white guy from the Bronx who had gone to Cornell, and his Swedish wife Lisa, both a few years older than I. Jerome, a schizophrenic older black man with a goofy grin and a love of all things religious: he filled the building with graffiti on the Moors, Mediterranean Muslims he felt tied to, and at one house meeting announced that he was “feeling Hasidic” that day, just in case anyone needed to know. Undocumented immigrants from Latin America whom I never got to know well because they did not speak English well, nor I Spanish. And Rafael Bueno, whom everyone just called Bueno. Bueno was in his mid-fifties when I first came to Casa. He claimed that he fled to the United States from the Dominican Republic as a teenager when his mother found out that there was a contract out on his life because of his involvement in organizing peasants struggling for land rights under the authoritarian regime of President Balaguer. In 1975, while living and working in New Jersey, he was invited to a planning meeting in a squatted building on the Upper West Side, at 112th Street and Amsterdam Avenue. There he met Romulus and Remus (only he pronounced it Roh-mu-lu and Ray-mu), half Italian, half Dominican identical twins who split their racial allegiances, one claiming to be black, the other white. Romulus was a squatter and told Bueno about an empty building on Columbus Avenue between 108th and 109th Streets. Bueno moved in, and over the next ten years he became deeply involved with the New York City squatter scene, leading takeovers of buildings from the Lower East Side to the Upper West Side. Casa del Sol was a real plum, though: solid, never truly abandoned, roomy, and with vacant land on its block for a garden. It was where Bueno ended up.

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3 For more on Bueno’s history and my experiences at Casa del Sol, see Starecheski (2004).
Three decades of trial and error had shown Bueno the right way to do everything particular to squatter life, and some things of more general interest. I wanted to learn all of the skills Bueno had, so I apprenticed myself to him. As a senior in college, not at all eager to join the rat race and seriously involved in unpaid activist work, I have to admit I had my eye on a free place to live and knew a regular presence would count in my favor. I would come over to stay the weekend on Friday morning, lugging my school books, ready to work. We’d spend the day crafting a wood burning stove from an oil barrel, wiring solar panels into the old electrical system, or pouring concrete steps to replace the original marble ones as they broke. He was an expert guerilla carpenter, plumber, electrician, welder, and roofer. It infuriated him when younger, less experienced people disregarded his hard-earned wisdom, which was often opaquely translated into irritating and strictly enforced rules like “No one in the kitchen without an apron,” or “Never rip pages out of the message book,” or “Never eat without a place mat.” I hated to wear gloves when we worked together. Bueno warned me that if I didn’t wear them the skin on the thumb side of my right index finger would split and get filled with dirt I wouldn’t be able to wash out. It did. He knew that in the winter the best defense against pneumonia is to never get cold—put an extra sweater on before you start to get chilled, keep yourself wrapped up in a blanket inside, as many coats as it takes outside, undress under the covers. Once the cold set in, you’d regret having to oust it. When chopping garlic, always slice thinly, from shoot to root—if you cut the other way it won’t dissolve properly in the adobo. Always carry a flashlight and some duct tape. Never keep a candle by your bed. When working, endlessly, to cover the windows in your building, focus on the lower floors to protect against burning projectiles being thrown through the holes and burning down your home. Keep your taps running a tiny bit all winter—it keeps the pipes from freezing in the unheated parts of the building. Never run or drag your feet on the stairs—it destroys them faster. Buy the guys from Sanitation a case of beer every once in a while to keep them picking up your trash. All of this hard-earned
knowledge earned him a certain amount of legitimate authority, which he grossly exceeded, seeking to micromanage every aspect of the lives of every person entering Casa del Sol, which was supposed to be a consensus-based democratic collective.

The auction of Charas in July 1998 was just a taste of what was coming to New York City. Mayor Rudy Giuliani wanted out of the landlord business, and city-owned properties were being sold to the highest bidder. Soon after Charas was sold, we found out that at the next big auction, in May 1999, hundreds of community gardens would be offered for sale. The direct action wing of the campaign to save those gardens was organized in large part out of Casa del Sol. Sunday mornings at Casa del Sol were devoted to richly subtextual, contested, picky, exhausting house meetings, and after that was open house. People came from all over the neighborhood, the city, even the Northeast, to hang out in the Cherry Tree Garden next to the building, waiting to eat high-piled platefuls of Bueno’s food. I was the sous-chef, peeling and chopping miniature mountains of garlic, pounding it with Dominican oregano and salt to make the adobo, checking the five pound Goya bags of black beans for tiny rocks, or harvesting eggplants, tomatillos, jalapeños and tomatoes from the garden. We cooked over a wood fire in giant cast iron pots. Many a great revolutionary plan was hatched over those perfect plates of food, many a love sparked in those cool, turning cold, evenings.

I remember a civil disobedience training in the art gallery, where we nervously practiced linking arms, going limp, and being carried around by friends pretending to be police. I was arrested twice, and once spent the night in the Tombs – the infamous jail attached to Central Booking. Michael Shenker, the lead strategist and master electrician of the Lower East Side squatters’ movement, gave little lectures about how we could combine direct action, legal work, advocacy and mass organizing into a campaign that would work. It did. We saved all of those gardens, and eventually negotiated a deal that permanently protected most of the community gardens in New York City. It was one of
the most intense, exhilarating times of my life, and in those campaigns I found my people. Almost all of the leaders, my mentors, were squatters.

I was finally invited to live at Casa in the fall of 2000. With my boyfriend at the time, I chose an uninhabited apartment and we cleared out mountains of furniture, refrigerators, and junk and moved in our stuff. We set up one small former kitchen as our bedroom, painting it blue and yellow and sealing it off from the dust and drafts as best we could, and the rest of the apartment was mostly empty. We did not have a wood stove yet, and with winter coming on the space would become uninhabitable, unless one was sleeping under a mountain of blankets in a tiny, closed-off room, so there was no point in decorating much. We peed in a five-gallon bucket, or used one of the two working toilets in the building. I brushed my teeth at the sink in the library, which was always running a little so it wouldn’t freeze. While I lived there I barely used money at all and worked for pay only sporadically, taking on babysitting or art modeling jobs a few hours a week to keep up on my student loan payments and buy the few things I needed. It was transformative not to have to spend most of my time in school or selling my labor to get money to survive. I worked directly to grow and gather food and take care of my home.

Although I moved in, took on an organizing project, and became part of the collective, I was not technically invited by the collective to live there. At Casa we never said, “my apartment” or “my room” or “my home.” It was in part because we were opposed to private property. It was mostly because the city had placed a vacate order on the building in 1982, declaring it “unfit for human habitation.” Since no one was supposed to be living there, we all claimed to be full-time 24-hour-a-day caretakers, not residents, as some kind of talisman against eviction.

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4 My boyfriend at the time was a writer. See Power (2008) for his account of this period.
5 I accounted for all of my money during this time in order to keep to my budget, and the records show the scale of my expenses: I note fifty cents spent on a coconut ice one day, a dollar on a piece of pizza another. Every subway ride, bottle of beer, and bag of beans is accounted for.
No one had couches or easy chairs; it was meant to look like a place where security guards slept as part of their duties, not a home. Like the anarchist settlers on the moon in Ursula K. Le Guin’s *The Dispossessed* (1974) we used clumsy circumlocutions to avoid the possessive: “the space where I am” or “the room where we stay.” Still, it felt like home, and it felt like ours. And we schemed and plotted and begged and wrote grants to try to get the title. We weren’t *that* opposed to private property. Now, I feel naughty and a little guilty when I talk about *living* there, or about *my* old apartment in the building. But I know no one who wasn’t there with me would ever notice that I’m taking liberties. When I say those things, it feels both natural, like letting go of a burdensome fiction, and like a lie. It feels like a lie because the words and ideas we used at the time were powerful, and
they did shape my experience. It was home, but at the same time it wasn’t. We also never called it a squat. We called it a homestead, and we were homesteaders.  

When I went downtown, to the squats on the Lower East Side, it was entirely different. People down there were adamant that those were their homes, not just places they stayed, or cared for. They talked that way in private, and they talked that way to the media, and in propaganda when they were fighting evictions. But I never talked to anyone there much about what it meant, really, to possess a building. I remember a conversation with Brad Will, during the eviction of his building, Dos Blocos, in 1999. He told me that the squatters in Dos Blocos had been given the chance to buy the building and live there as tenants, but a significant number of the squatter residents were too poor, or too wild, to be able to pay rent. He told me that they decided to lose the building, rather than have to become owners and evict some of their neighbors. This sounded like the kind of romantic tale of solidarity that would move Brad, but that didn’t make me discard it. I wondered how true it was, and what it meant to tell it. I wondered if other people told it, and how they would react if I asked them about the story Brad told me.

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6 See Chapter One for more background on urban homesteading, a grassroots practice and government program in which people renovate abandoned, government-owned buildings to which they are then given title. One general distinction between squatters and homesteaders is that homesteaders are supposed to get permission before working on a building, and renovate it before they occupy it. Many illegal squatters in New York City call themselves homesteaders, trying to avoid the stigma of the term squatter. In general, I will use the term squatter for those who entered buildings without permission and lived in them while they renovated them, and homesteader for those who were a part of government-sanctioned urban homesteading programs.

7 Brad Will was an activist who played an important role in sharing tactics developed by radical environmental groups such as Earth First! with squatters and community gardeners. He was shot and killed in 2006 by paramilitary police while documenting the teachers’ strike in Oaxaca. Dos Blocos was a squat in a privately owned building, evicted in 1999 in what turned out to be the last major contested squat eviction in the neighborhood.

8 People confirmed pieces of this, but not the whole thing. It seems that the squatters never got as close to a deal as Brad implied, although they did have a chance to buy the building.
At Casa del Sol we were all obsessed with the possibility of putting forth a successful adverse possession\(^9\) claim, and getting title that way, without a mortgage or an entangling bureaucratic net, without even having to buy the building for a dollar, as everyone said the squatters did in Philly. It would be an acknowledgement of our work and a validation of the slogan “the land belongs to the people who use it” which resonated so deeply for me. But it never happened. Less than six months after I moved in, I moved out. My sister was moving back to New York City from the West Coast, and the other people at Casa del Sol had not accepted her as a member. I was frustrated that in a mostly empty building we could not give a space to someone with bike repair skills, a lively intelligence, and all of the qualities of a wonderful housemate. The contrast between the ideal of a consensus-based collective and the obscure dictatorship of Bueno was too much for me; I packed up my few belongings, and my sister and I moved into an apartment down the street, where I still live today.

I kept working on the organizing project I had taken on, and then later that year resigned that too. 9/11 happened, and I went back to work at the oral history archive at Columbia, doing interviews with Afghans, Sikhs, and people who had lost work. Other people drifted away from Casa del Sol: Lisa’s younger brother was shot and nearly killed by police during an anti-globalization protest, and she went home to Sweden to care for him. Harry eventually moved out too. By 2004 Bueno was living there practically alone. When protesters were flooding into town for the Republican National Convention that summer, he opened Casa del Sol as a place for them to stay, and dozens of punk kids took him up on it (Brick 2004). After the convention, they didn’t leave. A few of them learned to work with Bueno, and they organized an arts camp for kids and punk shows in the theater. This turned out to be the last hurrah of Casa del Sol. The Department of Housing

\(^9\) Adverse possession allows someone openly and exclusively using a piece of property for a specified period (ten years in New York at that time) without interference from the legal owner to claim title to the property. We will explore squatters’ use of adverse possession law further in Chapter Two.
Preservation and Development had sold the building to ACORN, a grassroots non-profit, to be developed as low-income housing. As fall turned to winter in 2004, the final eviction happened (Kugel 2004). Some of the teenagers who had been living there stayed at my house while they kept up a vigil for their arrested friends at the precinct around the corner. I have seen some of them since then, and they have all said that that brief period of autonomy and space was formative for them – they learned about living in community, taking care of a building, and some lessons about how to work as outsiders in a neighborhood like Mott Haven. The building was fully renovated, and there is no visual evidence at all that it was ever anything unusual, except for the community garden next door with its now seventy foot tall birch trees, permanently preserved in a land trust thanks to our actions.

Spending time at Casa del Sol, and then at other squats on the Lower East Side, raised questions that were still nagging at me ten years later when I started a PhD in anthropology at the CUNY Graduate Center. How could it be that such a manifestly useful space could become economically worthless? Is it possible to create a space outside of capitalism? How could Bueno keep control of such a large, livable vacant building in New York City? More abstractly, how do the legal and everyday rules of property structure our lives? How did our illegal use and control of the building shape our social practices? How did the words and ideas we used to explain our occupation shape our experience of it? I decided to do research with Lower East Side squatters\textsuperscript{10} whose

\textsuperscript{10} While some of the people I interviewed, observed, or collaborated with on this project no longer live in squats, either because they moved or because their buildings have been legalized, I will generally call them squatters rather than former squatters, for two reasons. First, being a squatter is an identity that often transcends active squatting. Second, the moment of legalization, when a squatter would technically become a former squatter, is difficult to define: is it when the legalization deal was negotiated? announced? signed? or when the building finally converts to cooperative ownership? The buildings I studied were all at various stages of this process during the research period, and many of the people I interviewed lived in buildings that gradually legalized during the research period. They may have been squatters when I interviewed them, and former squatters when
buildings were in the process of legalizing\textsuperscript{11} to try to answer these questions. Michael Heller has written that “few social understandings are more deeply intuited in developed market economies than core private property rights. … If people thought deeply about the property they used, perhaps they could see that even the core meanings are historically contingent and indeterminate. However, the everyday perspective on property masks its mysterious character” (1998, 660–661). Squatters talk all the time about property, equity, stewardship and value. They are exceptionally thoughtful about many of the dynamics of property taken for granted by most people, because their identities and the material realities of their lives are defined, to an unusual extent, by their property relations. Squatters, I decided, would be an ideal group to study if I wanted to learn more about the mysteries of how property works.

A Brief History of Squatting and Property in the United States

Squatting and Homesteading in the American West

Squatting is, of course, in the eye of the beholder. A squatter is someone who occupies land or space without the legal right to do so, and the word was coined around 1800 in the context of the colonization of the American West.\textsuperscript{12} The Europeans who colonized the United States and other lands around the world struggled, even from their own perspective, to establish their legal right to occupy these places. As Carol Rose has noted, systems of property rights, and the moral

\textsuperscript{11} I was writing. It is easier simply to refer to squatters, rather than trying to differentiate former squatters from squatters in each instance.

\textsuperscript{12} I use the term legalizing to emphasize that legalization is an ongoing process in which the squatters have been participants, not something done to them, as would be implied if I said that they were being legalized. In one sense, the buildings were legalized at the moment the deal to turn them into cooperatives was signed. At that moment, they were no longer squats. However, they were not yet legal residences, with Certificates of Occupancy. Therefore, I refer to the buildings in the stage between signing the deal and becoming legally habitable cooperatives as legalizing buildings.

communities which sustain them, seem to require legitimating narratives (1994). Many colonizing forces relied on the doctrine of *terra nullius*, which asserts that the right to land not claimed by a sovereign nation may be gained through occupation. Indigenous peoples’ structures of governance were not included in the definition of a sovereign nation, and so indigenous lands were free for the taking. In fact, James Tully argues that John Locke’s foundational theorization of the problems of property and sovereignty were intentionally\(^{13}\) constructed “in such a way that they obscure and downgrade the distinctive features of Amerindian polity and property,” therefore Locke’s ideas served to “justify the dispossession of Amerindians of their political organizations and territories, and to vindicate the superiority of European, and specifically English, forms of political society and property established in the new world” (1993, 139). However, while Western ideas about property may have been created specifically to de-legitimize the land claims of native people, from the perspective of the indigenous peoples living on the land, the colonists could be seen as squatters whose occupation was not legitimated by native indigenous systems of property, government, or law.\(^{14}\) In the United States, a pivotal moment in the process of legitimating the colonists’ occupation

\(^{13}\) Tully shows that Locke was knowledgeable about and literally invested (both financially and professionally) in American colonization and European contacts with indigenous peoples (1993, 140–141).

\(^{14}\) In the anthropology of property and of the law, there are ongoing debates over the pros and cons of using the language of “law” and “property” when these are not native categories (Brown 2005; Gluckman 1965; Nadasdy 2002; Pannell 1994; Reddy 2006). The use of these terms posits all systems of formalized social rules, and all means of regulating the relationship between persons and things, as equal, but it does so by relying on Western concepts as a measuring stick. At times the legitimation this brings can be strategically useful, but it can also lead to a misapprehension of systems of social organization in which property is not a native category. Here, I am using this language to make the point that colonizers’ understandings of law and property were constructed specifically to exclude native models, and that this exclusion was markedly to the advantage of the colonizers.
as legal ownership came in 1823, when the Supreme Court found that Indian tribes were not nations and did not have property rights, only a right to occupy, granted by the United States.\textsuperscript{15}

In the colonies that were to become the United States, a system of land title was formalized in which the British crown claimed title to most of the land east of the Appalachian Mountains through the Doctrine of Discovery, and then granted land to colonists (R. J. Miller et al. 2010). After the Louisiana Purchase and Mexican American War, the United States incorporated the lands stretching westward from the Mississippi, much of which was categorized as public land. As westward expansion continued and whites settled this new territory, a split became clear between two different ways of understanding the relationship between the state, citizens, and public lands. One camp wanted public lands sold at auction, in large parcels, to speculators who would then subdivide and sell them. This would produce the maximum revenue from the sale of the land. Others wanted the land distributed at low fixed prices or in exchange for labor, in small parcels, to individuals who would bring it into production, building a landed citizenry in the Jeffersonian model. In a pattern which would be repeated in the 1980s, when debate raged over how to return vacant, publicly owned urban land to productive use, squatters organized and banded together to demand recognition of their claims, often with the support of local government (Murtazashvili 2013). These claims were based on their moral right to that land on which they worked, and a critique of absentee speculators. The result was a liberalization of adverse possession doctrine, and a series of laws formalizing the rights of those who occupied and used land without legal title. These culminated in the 1841 Preemption Act, giving squatters the right to purchase their holdings at a low, fixed rate, and the 1862 Homestead Act, which provided up to 160 acres of federally-owned

\textsuperscript{15} Hannah Dobbz (2012, 13–32) covers this process of dispossession and resistance to it in more detail, drawing heavily on the work of N. Bruce Duthu (2008).
land for free to those who occupied and improved it. Homesteading has been a part of American land policy ever since: homesteading federal lands in the West was possible until 1976 and in Alaska until 1986. In the 1980s, organized urban squatting led to the creation of federal urban homesteading programs, about which we will hear more in Chapter One.

Squatting in New York City: A Long History

While it is easy to frame squatting as an aberration, a practice that pops up during intense periods when the private property regime is strained, this is only part of the story. As Robert Neuwirth argues in his study of urban squatting across four continents and thousands of years, “the history of cities teaches that squatters have always been around, that squatting was always the way the poor built homes, that it is a form of urban development” (2004, 179). In New York City, squatting was integral to the development of the city from at least the nineteenth century. Historian Jason Jindrich, after analyzing newspaper accounts and legal records of nineteenth century squatting, documented over a dozen major squatter settlements throughout present-day Manhattan and Brooklyn (2010). The panic of 1873 initiated a six-year global financial slump, called the Great Depression until it was displaced by the events of the 1930s. When property values collapsed after 1873, squatters occupied central land which had been left empty and untended: the city had taken it as payment for back taxes but was unable to sell it (Jindrich 2010, 676–677). Squatters took over

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17 Neuwirth’s book includes a colorful chapter on 19th and early 20th century squatting in New York City (205-237) along with an episodic history of 19th century American urban squatting (190-204). Unfortunately, he uses these histories to frame contemporary urban squatter settlements in the developing world as “medieval,” a construct which falsely implies a teleological developmental path from “squatter cities” to “legal cities,” positioning squatters at an earlier phase on a developmental path of urban citizenship (2004, 179). Looking at the longer history of urban squatting in New York City, or in Sao Paolo, one can see that while it waxes and wanes, squatting is almost always part of the urban landscape and that squatters are often on the cutting edge of ongoing, non-linear shifts in patterns of urban citizenship (Holston 2009).
rocky hills, salt flats, and marshes and built settlements, including substantial homes that lasted for decades, vigorously defending their settlements when development encroached. They built factories, focusing on the production of space-intensive items such as rope or activities excluded from officially recognized residential areas, such as rendering dead animals. A colony of ten thousand squatters had to be cleared from land adjacent to the Museum of Natural History before the development of the Upper West Side could proceed. Jindrich concluded that these settlements were an important source of housing, especially in the (today still familiar) context of “a world of work characterized by low job security, volatile and seasonal pay, and frequent layoffs and lockdowns” (2010, 675).

Squatters formed powerful voting blocks, winning relief from eviction and improvements to their areas through their organized support of Tammany Hall (Neuwirth 2004, 221–223). However, by the 1860s landowners had found an effective means to stigmatize and vilify squatters through invoking public health and safety. Squatter colonies were falsely identified as sources of the deadly cholera epidemic of 1866. While shanties were cited with violations after sanitary inspections at a far lower rate than tenements, property owners found that the health department provided a far faster and easier means of eviction than a legal property claim (Neuwirth 2004, 223–229). Squatters were required to hook into city water and then sewers, unaffordable expenses for most. When they failed, eviction loomed. By 1900 most of the large squatter settlements in New York City were gone, first violently evicted by sheriffs or, more often, hired thugs, and then increasingly pushed out by the health and buildings departments. However, some squatters did gain legal title to the land they claimed. Jindrich writes that “the surplus of marginal land and abandoned speculative properties provided endless opportunities to persons attempting to remain undetected for the time needed to

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18 This shift took place in the context of the development of new ideas and practices around public health in the 19th century. In 1865 the first New York City “Report on the Sanitary Condition of the City” was issued, and it focused on housing as a locus of disease (Rosner 1995).
establish legal tenure and then profit greatly once the title of the site was proven,” and he estimates that the incidence of middle-class people gaining clear title to a property they illegally occupied was far higher than can be discerned from available records (2010, 675, 680).

The Great Depression brought a new wave of mass squatting to New York City, most famously in Central Park’s “Hooverville,” also known as “Squatters’ Village” (Rosenzweig and Blackmar 1992, 441). This settlement grew in the space left vacant by a reservoir drained in 1930 in preparation for the building of the Great Lawn, whose construction was put on hold due to lack of resources. By the fall of 1932 there were over twenty structures on the site, including a brick home (440-442). This was only one of over twenty squatter villages in New York City at the time, which housed thousands of homeless people (442). In a profile of one of these settlements, Hoover City in Brooklyn, Crouse notes that the residents were informally organized and enjoyed the “contentment” and “sense of personal freedom” gained by building one’s own shelter (1986, 100–102).

While there were complaints about these settlements, and the health department did investigate the Central Park Hooverville in 1932, in general the residents were recognized as

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19 In his biography of Robert Moses, Robert Caro writes that there were more than two hundred “hovels” on the site, only the largest of many in Central Park (1975, 336).
20 Accounts of squatting from the 1800s as well as the Great Depression emphasize both the privation and the freedom of squatters, and their relatively healthy environments in contrast to the dense and decrepit tenement housing or crowded and restrictive shelters otherwise available. Squatters could grow their own food and raise animals. In a description of the early days of contemporary squatting on the Lower East Side, here former squatter Famous Chrome gives a very similar account: “A lot of the spaces for windows didn't have windows in them, so it was a lot like being outside. And at that time it was summer and it was bright. There were vacant lots on both sides of us that were full of rubble. The building on the south side had burned and there was still all of the burnt debris there. And then just open sky. Which is not the usual experience that a lot of people have, especially in Manhattan. And the building on the north side had collapsed already. And there was a back building still standing so most of that lot was open, again, open sky, and all of the windows to the north and the south were open. Just broad, open space. We had a set up for showering—this was actually a couple years later after we had established a garden in the vacant lot on the north side. We had routed one of the gutters off the roof to be an open spout that came out about ten feet from the edge of the building and that created this enormous waterfall when it would rain and that was our shower. Gorgeous. Really special. And also really down and out at the same time” (2010).
upstanding citizens unemployed for reasons not their own fault, and the settlements were relatively undisturbed (Rosenzweig and Blackmar 1992, 442). In an article describing how twenty-five residents of this “new suburban development” were “politely arrested” for vagrancy, authorities noted that “they believed that almost all the men are New Yorkers and that none of them are hoboes. They repair in the morning to comfort stations to shave and make themselves look presentable and keep their shacks as clean as they can” (“25 in Park Shanties Politely Arrested” 1932). These squatters were designated “deserving poor,” and allowed to make use of public land to meet their basic needs during a time of national crisis. The Central Park reservoir village was torn down when construction was restarted in 1933, but “the Mayor said that [the squatters] would be welcome to take up new quarters along the Hudson River front north of Seventy-second Street, where there [was] a similar camp” (“Start Work Today at Reservoir Site” 1933). When economic conditions improved, these temporary settlements disappeared.

In the 1970s, another economic and social crisis triggered the wave of squatting that is the main focus of this work. Chapter One will provide a fuller history of disinvestment, abandonment, and the housing crisis that led to several interlinked squatting campaigns in the city. Here I provide more of an overview. In documenting this history, I have talked with many of the most vocal squatters, those who have played a central role in shaping the public narrative of this history. I also made a particular effort to talk to those who had refused to speak publicly, or had never been asked: undocumented immigrants, people who were active in the squats and then left or were pushed out, or those who lived there but were not involved in squatter activism. Because I was using oral history methods, which include giving people the option to review their interviews before allowing the

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21 The best summary accounts of the history of squatting on the Lower East Side are long-time Village Voice correspondent (and current resident of one of the legalizing squats) Sarah Ferguson’s essay (2007), former squatter Seth Tobocman’s lightly fictionalized graphic novel (2000), and Hannah Dobbz’s book chapter (2012, 63–111).
researcher to use them, and because I was able to offer people the chance to participate anonymously, many people who had never spoken publicly about their experiences before chose to talk with me.\textsuperscript{22} The resulting account includes an analysis of squatting as a political practice, but also includes previously marginalized narratives of squatting as a desperate last resort. I will write about the dramatic evictions, in which squatters bravely faced off against overwhelming state power, but I will also write about the sometimes-brutal internal struggles for space inside the squats and how these struggles were raced, classed, and gendered. I will challenge both the popular perception of the squats as mainly white and middle-class spaces and some activist squatters’ claims that the squats were a multicultural utopia. I can show that, yes, squatters were challenging private property, but some were dreaming of homeownership. Finally, by attending to the little-documented recent history and ongoing experience of legalization, I am able to place squatters within the politics of gentrification far more precisely than earlier accounts, which tend to frame squatters as either shock troops or victims of gentrification. They were both. Gentrification on the Lower East Side is sometimes described as “complete” but, in large part because of New York City’s various and relatively robust forms of partially decommodified housing, there are still many low-income people, people of color, and long-time residents in the neighborhood. The remaining squatters are among them. Here, we will hear some of their stories.

\textsuperscript{22} As Kadir has pointed out, interview-based research on social movements may privilege the narratives of the most articulate and those with the race, class, and/or gender privilege to speak with authority on behalf of others (2010, 61–62). I have tried to combat this tendency by being intentional about whom I interviewed and by allowing for both formal and informal interview opportunities. The underlying set of narratives and experiences upon which this work is based represents the most diverse possible set of people and positions I could find. However, by relying heavily on quotes in the construction of this text I have to some extent foregrounded the voices of those who were “good talkers,” many (but not all) of whom did indeed come from more privileged backgrounds. The valuable insights of those who did not want to be recorded or who spoke less fluently are more likely to be rephrased in my voice, while the many gifted storytellers I interviewed are allowed to speak for themselves, sometimes at great length. I have also tried to present a limited number of narrators, so that the reader can get to know each one better, and so many people who generously gave their time to be interviewed are not quoted here.
Organized squatting in this period began in 1970 on the Upper West Side and Morningside Heights, in response to the displacement created by urban renewal projects. By the early 1980s there were several formal urban homesteading programs in the city, which channeled some, but not all, of the need, energy, and outrage that fueled squatting into legal channels. These programs were limited, and difficult to access. On the Lower East Side, in Brooklyn, and in the South Bronx, organized groups squatted buildings either in an attempt to gain access to legal homesteading opportunities, or as a critique of the limitations of homesteading. ACORN, a national membership-based community organizing group, led a 1985 squatting campaign in East New York that led to the transfer of fifty-eight city-owned buildings into a mutual housing association. In 1988, a Lower East Side squatter named Matthew Lee moved to the South Bronx and founded Inner City Press/Community on the Move, an organization of mainly low-income Latino immigrants who squatted over a dozen buildings (Lee 1991; Leland 2002). They called themselves homesteaders and aimed for legitimate legal property ownership, but eventually most were evicted, although at least one or two groups did manage to buy their buildings from the city (Halbfinger 1998).

However, the Lower East Side was the only neighborhood with a large, persistent, organized squatting movement whose aims went beyond (but did not exclude) legal ownership. In

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23 As with many New York City neighborhoods, the name of this area of the city is controversial, with locals of different generations and backgrounds and real estate professionals battling to define it (Mele 2000, vii–xii). The Lower East Side is the oldest and probably most neutral name, invoking a working-class immigrant past and encompassing the area on the far east side of Lower Manhattan, south of 14th Street and north of the Manhattan Bridge. In the mid-1960s, the part of this area north of Houston and west of Avenue B was dubbed the “East Village” (an aspiring counterpart to Greenwich Village and the West Village, long time bohemian neighborhoods to the west) by hippies and other countercultural actors (Mele 2000, 160, 168). This research is almost exclusively focused on a smaller part of this area: between Houston Street and 14th Street and Avenues A and D, where the vast majority of squats were located. In 1974, Puerto Rican poets and activists Bimbo Rivas and China García renamed the area east of Avenue A “Loisaida,” to reflect Spanish speakers’ pronunciation of Lower East Side (Mele 2000, 185). A few years later, people in the local arts scene started calling that part of the neighborhood, including Avenues A, B, C, and D, “Alphabet City.”
fact, the squatting movement on the Lower East Side is unique in the United States, bringing together inspiration from European urban squatters and American urban homesteaders. By the mid-1980s, a diverse group of squatters, including bohemian artists, activists, undocumented immigrants, and displaced locals, among others, had claimed over a dozen city-owned buildings and organized an Eviction Watch network to defend themselves. In contrast to the Netherlands or the United Kingdom, there were no “squatters’ rights” in New York City. However, squatters discovered some laws and regulations they could use to their advantage. City police guidelines instruct officers to differentiate between a trespasser and a tenant based not on whether the occupier of the property has a legitimate lease, but based on whether they had received mail for at least thirty days, have furniture, and enter the building openly (Morales 2006). Trespassers are occupants who enter secretly and have none of the accouterments of domesticity. The police were not instructed to ask for a lease; they were told to see how the occupant was using the space (see Demian 2004).

Squatters, once they became aware of these guidelines, made it their first priority to begin receiving mail at their new addresses and arrange at least one room, near the front door, to look “homey,” to show to police officers. They also found out that once an occupant was classed as a tenant the landlord was required to evict them formally through official legal channels, which required the owner to clear significant bureaucratic hurdles. Under the shelter of New York City’s dense network of laws to protect tenants, the squatters were able to establish their occupations.

Some buildings became squats when aspiring homesteaders were excluded from the rapidly shrinking urban homesteading program. Others were claimed by small organized groups seeking short or long-term shelter and a base from which to organize a social world on the margins of capitalism. Almost everyone involved was more or less desperately in need of shelter, but their

The squatters I worked with on this project use all of these names, although only rarely East Village. I use Lower East Side.
collective project went beyond that. The political analysis of many more radical squatters was based on the theory of “planned spatial deconcentration,” which argued that the state, at both federal and local levels, was purposely neglecting poor urban neighborhoods in order to break up dense pockets of potentially riotous disenfranchised people of color (Ferguson 2007, 142–144; Morales 1997; Morales 2009). Squatting, then, was a means to challenge this project by providing housing as well as building alternative structures of social support to allow low-income people to stay in their inner city neighborhoods. Squatters created art galleries, collective kitchens, info shops and a printing press. They repaired bikes and hosted parties, benefits and concerts. Squatters were also centrally involved in the creation of community gardens in the neighborhood, contributing to a collective grassroots effort that has made the Lower East Side famous for its many lovely hand-built green spaces. Finally, squatters were engaged in larger local campaigns for housing and against gentrification, most notably as some worked closely with the Tent City homeless encampment in Tompkins Square Park (Tobocman 2000, 82–109). In August, 1988, an attempt to impose a curfew in the park exploded into a violent police riot that made the Lower East Side internationally notorious as a site of class conflict and urban disorder (Abu-Lughod 1994a, 233–266; Patterson 2006, Section 3; N. Smith 1996, 3–27). The police failed to close the park and activists, emboldened by their victory, organized a homeless encampment that took over much of the park until it was finally cleared, closed and renovated in 1991.

As the ‘80s rolled over into the ‘90s, some squats were lost to fire, while others disintegrated into crash pads or shooting galleries for drug users, but the big evictions only began after the Tompkins Square Park riot. The movement was hitting its peak amidst intensifying gentrification. By this point squatters had claimed at least two dozen and perhaps as many as one hundred buildings in the neighborhood. These post-1988 evictions are the stuff of squatter legend, stories of loss and struggle told over and over again. Sometimes the city sent in a demolition crew to tear down a
building while squatters were out after a fire. This was ideal, as they could be sure that the building was empty. Otherwise, squatters would hide within the building or sneak back in to prevent demolition. It was the task of the police to remove the squatters and then keep them at bay while construction crews either tore down or sealed the building.

As in the 19th century, landowners found it more effective to use building codes to evict squatters than to argue the merits of their property claims, condemning a building or declaring it uninhabitable for anyone rather than challenging squatters’ specific right to be there. The first major loss was a block of squats on East 8th Street between Avenues B and C, which “marked the emergence of a more militant, youthful and openly contentious squatting movement” (Ferguson 2007, 152). In April 1989, 316 East 8th Street was slightly damaged by a bulldozer working on a neighboring site and demolished after a tense six-hour standoff between squatters, police and workers. The site was eventually taken over by a homeless encampment. The next month, 319 East 8th Street suffered a small fire and was demolished after several weeks of court battles and protests. It took over four hundred police to secure the area while the demolition crews worked, and a two block area was sealed for five days (Ferguson 2007, 157–158; Tobocman 2000, 54–81). Three hundred police in riot gear responded to a protest of the demolition in Tomkins Square Park, arresting sixteen people (Rangel 1989). That same year, homeless people, activists and squatters attempted to take over an abandoned school at 269 East 4th Street between Avenues B and C for use as a community center, enduring a prolonged winter siege and drawing positive media attention for a brief time around the holidays, when celebrities were arrested for bringing food to the occupiers (Tobocman 2000, 141–222). That building was also lost to squatters and eventually redeveloped as housing for formerly homeless people.

While after this series of losses some worried that the squats were going to come under a full attack from city agencies and housing developers, after 1989 things seemed to calm down, although
squats continued to be evicted and lost to fire throughout the 1990s. In 1992 Fetus House, a squatted building on East 9th Street, burned to the ground, although luckily no one was killed. In 1993 Glass House, a huge former glass factory on Avenue D squatted by mainly young people, was evicted. From 1994-1996 five squats on East 13th Street between Avenues A and B were engaged in an intense and precedent-setting legal and political battle for their existence, which yielded mixed results and ended in another massive street battle, with police using paramilitary tactics against the squatters and again closing several blocks for weeks. This case is the focus of Part One of this work.

In 1997 537-539 East 5th Street was evicted and demolished after a minor fire. One resident, Brad Will, famously hid in the building only to emerge on the roof, silhouetted against the sky and right in the path of the wrecking ball. But Will could only stop the demolition until they got him out, which they eventually did. Ignoring a temporary restraining order blocking the demolition, the city destroyed the building (Mele 2000, 301). The 26 residents of that building were, however, compensated for the loss of their personal possessions after they sued the city for evicting them without due process. By the mid-1990s there were few vacant city-owned properties left unclaimed on the Lower East Side, and squatters expanded into at least one privately-owned building: Dos Blocos at 719 East 9th Street, which was occupied in 1992 and evicted in 1999. Squatters again fought back with legal challenges and political organizing, and then with barricades and booby traps. By 1999 space-claiming direct action activism in New York City had been influenced by British groups such as Reclaim the Streets, and a more festival-like atmosphere reigned. Supporters used police barricades to build giant seesaws and played soccer in the closed off street. On the morning of the eviction, police arrived to find the front door blocked by two women with their hair in curlers, wearing tatty bathrobes. They were sitting on a couch, chained to a cement block below. It

24 Photographer Margaret Morton, who specialized in photographing the homeless, published a collection of photographs of and interviews with Glass House residents, emphasizing the community these (mainly) young people built and the challenges they faced (2004).
took a while, but the marshalls\(^{25}\) eventually managed to climb over the bodies of squatters and supporters blocking the front door to serve the eviction papers. They were followed by police, who removed all of the squatters barricaded inside the building and sealed it up. This was to be the last major squat eviction in the neighborhood.

At around this time, squatters approached the Urban Homesteading Assistance Board (UHAB), a city-wide non-profit founded in the heyday of urban homesteading that specialized in converting city-owned buildings into low-income cooperatives, to see if they might be able to legalize. Over several years, residents of the dozen remaining squatted buildings on the Lower East Side negotiated with UHAB and UHAB negotiated with the city’s Department of Housing Preservation and Development (HPD) to create a history-making deal, announced in 2002. The eleven buildings whose residents signed on would be sold to UHAB by HPD for one dollar each.

UHAB and the squatters would have to make whatever repairs were necessary to bring the buildings up to code, and then they would be transferred to the occupants. Each building would be organized as a low-income, limited-equity cooperative with long-term restrictions on resale prices and buyers’ income, creating about 170 units of affordable housing. In order to do these renovations, UHAB would take out loans on the squatters’ behalf, which would be assumed by the co-ops as mortgages. UHAB would also take a percentage of these loans as a management fee.

When the deal was announced, all parties estimated it would take a year, maybe two, to complete the process of converting the squats into co-ops. The first building did not complete the process until seven years later and as of this writing, in 2013, construction has not yet even begun on at least two of the eleven buildings and only five have completed the conversion process. Part Two of this work will describe the process of negotiating and renegotiating this deal and of then transforming, unevenly and with much conflict, illegal squatters into homeowners.

\(^{25}\) Public officials paid by landlords to carry out court-ordered evictions.
A Resurgence in Squatting: 2007-

In 2008 the American subprime mortgage crisis triggered a global economic crisis. A decades-long push to expand homeownership to as many Americans as possible, especially low income people and people of color, backfired spectacularly as foreclosures swept the nation. The increasingly deregulated mortgage market had become a resting place for excess global capital. Banks gave mortgages requiring little or no income or down payment to people who could not afford them, and then resold these subprime mortgages to others as solid investments.

With real income declining since the 1970s, many Americans were finding it hard to make ends meet and welcomed this flood of easy credit. It had become impossible for many people to play by the rules of the game: saving for a down payment, then investing in a starter home and gradually moving up the ladder until one had a shelter in one’s old age and a nest egg to pass on to one’s children. International capital filled the gap between wages and expectations. The tension inherent in American homeownership ideology, in which the home is both a sacred shelter for the family and a site of capital accumulation, intensified (Saegert, Fields, and Libman 2009). What did it mean to own a home when you had made no down payment and only paid the interest every month? How could older people protect their children’s inheritance while also caring for themselves? People liquidated the equity in their homes to buy the things they wanted and needed, from flat screen TVs to healthcare. Others became flippers, buying and reselling houses quickly to capture profits from the seemingly endlessly rising housing prices. However, even this gigantic bubble eventually burst. When people did not pay back their mortgages the investors who owned them did not get their money. Suddenly, in the fall of 2008, it seemed that everyone realized at once that these supposedly secure investments were terribly risky. Investors stopped investing, lenders stopped lending and interest rates rose as house values fell. Mortgage defaults exploded (Crump et al. 2008).
Over ten million families were left with so-called “underwater mortgages,” owing more than their homes were worth (Lowenstein 2010). By 2013, 56.9% of homeowners in Nevada were still underwater (down from a high of 65%); in thirteen states over 20% of homes were still underwater (“America Underwater” 2013). Economists, journalists, and policymakers struggled to understand why so many Americans kept paying under these conditions, in which it could take decades of payments to begin accumulating equity again (Thaler 2010). If people were acting like the maximizing individuals economists expect, they would stop paying. Instead, many debtors seemed to feel an ethical obligation to pay back their loans, even if it meant possible financial ruin for their families. At the same time, a wave of “strategic defaults” garnered media attention. Homeowners who were able to make mortgage payments were deciding not to, forcing the bank to foreclose and walking away from their homes. When debtors acted like bankers they were alternately praised as clever, rational investors and excoriated for being immoral speculators who all too easily abandoned their obligations, and their family’s home (Lowenstein 2010; Maskovsky 2010; Vigeland 2011). It was clear that the moral economy of debt was being renegotiated.

The crisis was uneven. Some places, such as San Francisco, seemed almost unaffected, while Sunbelt cities such as Las Vegas and Miami were devastated by widespread abandonment. In New York City, Manhattan was relatively unscathed but the “foreclosure belt,” a band of working-class neighborhoods in Queens, was riddled with abandoned homes (Powell 2012). When lenders foreclosed, they were left owning an empty home without enough market value to recoup their investment. Often, the mortgages that supposedly connected people, homes, and capital had been cut into uncountable pieces, sold and resold so many times that it was nearly impossible to determine who owned these debts and the homes to which they were tied. Since 2010, it has become increasingly clear that the banks foreclosing on American homes often cannot prove that they own the mortgages on them. Bank employees were revealed to be “robo-signing” foreclosure papers,
claiming that they had verified that the bank owned the mortgage and could legally foreclose, when in fact it was not at all clear who owned those loans. Even if they had market value, homes cannot be sold without an owner. And so perfectly usable houses sat empty, vulnerable to criminals and scavengers, deteriorating. At the same time, homelessness reached crisis levels as both renters and owners were displaced by foreclosure. In 2009-2010, the national vacancy rate was fourteen percent, while about five percent of the population was chronically homeless (Dobbz 2012, 117). As in the 1970s and ‘80s, when organized squatting was a powerful protest tactic, the frustrating coexistence of people-less homes and homeless people led some to take action to challenge the rules of private property.

The contemporary squatting movement\(^{26}\) probably began in Miami, where Take Back the Land, a group founded to organize against gentrification and the warehousing of public housing units, shifted tactics in 2006 to begin occupying vacant land, and then, in the very earliest stages of the current foreclosure crisis, vacant homes (Rameau 2008). The police declined to prosecute the families in the absence of a complaint by the owner, and the squatters targeted homes owned by absentee corporations or impenetrable, mute conglomerates. Their success in publicly moving homeless families into vacant homes and keeping them there for long periods of time inspired similar campaigns in a dozen other cities and towns around the country (Leland 2009).

Max Rameau, Take Back the Land’s charismatic leader, began travelling around the country sharing his analysis of the crisis and trying to build a critical mass of organized squatters who could challenge the private property regime. The rights of owners to control and profit from their property were, he argued, secondary to the human rights to home and security. Land needed to be removed from the market and placed in community-controlled land trusts to create stable, affordable housing for poor and working class people, who would never be served by the market. In New York City,

\(^{26}\) Hannah Dobbz provides an overview of “squatters in the foreclosure age” (2012, 113–140).
Picture the Homeless and Organizing for Occupation led symbolic public takeovers of vacant land and supported clandestine squatting in the outer boroughs (Moynihan 2009). Activists and radical urban planners under the banner of the Right to the City organized to promote urban homesteading or land trusts. In Chicago, the Anti-Eviction Campaign (inspired by the National Union of the Homeless and South Africa’s Western Cape Anti-Eviction Campaign) physically blockaded homes to prevent eviction and moved homeless people into vacant homes, with enthusiastic support from their new neighbors (Austen 2013). In plenty of other cities, squatting became a visible issue in the absence of an organized movement. Las Vegas newspapers shared alarming stories of pimps and drug dealers taking over empty homes (Conroy 2011; Edwards 2008; Karten 2011; Ramalho 2011). In several attention-grabbing cases, individuals squatted luxury homes, taking advantage of confusion about ownership or hoping to gain title through adverse possession laws (Briggs 2010; Morse 2013; UPI 2013).

Homeownership, among the most venerable and respected forms of property relations in the United States, lost some of its sacred aura in this period. In 2013, homeownership was at its lowest rate since 1995 and politicians even debated ending the previously sacrosanct mortgage interest tax deduction (Norris 2013). It used to be a pillar of the American dream to invest the family’s capital in a home, building wealth while sheltering the family (Perin 1977; Townsend 2002). Now these respectable and safe investments were mixed up with the speculation that fueled the crisis, widely characterized as greedy and risky. In this way, the morality of the home as a commodity has been challenged. Low-income homeownership, long presumed to be a social good, is now being questioned by policy makers and activists alike (Rohe and Watson 2007). Homeownership used to be seen as a way of anchoring people to place through material, capital, and affective investment. Today, apparently stable homeowners have been suddenly revealed as mortgage-owners who often have little equity in their property, easily sprung free from place and obligation. And yet some
tenaciously remain at home, refusing to leave even as foreclosure and bankruptcy sever the supposedly binding ties of ownership. Some estimate that several million Americans are currently squatting the homes they used to own (Nelson 2011).

Theoretical Approaches to Property and Squatting

Anthropologists long ago discovered property as a particularly useful heuristic device for understanding social relations, pointing towards what people value and how they allocate those valued things (Fustel de Coulanges 1864; Maine 1861; L. H. Morgan 1877). Seeking axes along which all human societies could be compared or aiming to legitimate native systems through the use of property language, modern anthropologists looked for social systems analogous to Western property in diverse contexts (Malinowski 1935; Gluckman 1943; Gluckman 1965). Later scholars questioned the usefulness of using property as a lens through which to study non-Western cultures, and even Malinowski strenuously avoided the use of the word property in describing Trobriand land tenure (Verdery and Humphrey 2004). While property may not be an idea with universal valence, there is no doubt that it is a powerful ideological system in most social contexts today.

In her study of property in the transition from socialism, Katherine Verdery proposes “treating property as simultaneously a cultural system, a set of social relations, and an organization of power” (2003, 19). Unlike popular or legal notions of ownership which treat property as a fixed title, bundle of rights, or a thing (Heller 1998, 660–667; Macpherson 1978), anthropological theories of property emphasize persons, things, and property relations as inherently unstable and contingent (Alexander 2004; Hetherington 2009). Following Verdery, this research examines property as a socio-historical process, and squatters as actors in that process.

Property relations, like other social relations, change as they are enacted in everyday life. However, they are not infinitely malleable. The concept of a property regime allows us to see how
the elements of property relations fit together without imagining that they are imposed from above or fixed in any rigid way. Defining a property regime, Verdery writes that if the “values, cultural meanings, and social and power relations” that make up property “are sufficiently stable and coherent, we may speak of a property regime” (2003, 18). In order to explain a property regime, researchers must identify the “central values” of a property regime, the “relations and devices” through which they are appropriated, the “characteristic idioms for making claims,” and the means through which claims are adjudicated (19).

Anthropological research has focused on describing apparently static property regimes (Malinowski 1935), or the shifts between property regimes (Castellanos 2010; Chelcea 2003; Collins 2011; Shever 2008; Verdery 2003), but less attention has been paid to how change happens within a relatively hegemonic property regime, such as private property in America (see Hetherington 2009 for an exception). Anthropological research on property does often seek to understand how property claims are socially and materially produced, and some research implicitly shows how this work of production shapes property regimes. Holston’s work on “insurgent citizenship” and the legalization of informal settlements in Brazil (2009), Hull’s study of land claims, bureaucracy, and fraud in Islamabad (2008), and Povinelli’s ethnography of Australian aboriginal land claims and multiculturalism (2002a) all show how property regimes change as they are challenged by claims from the margins without making this process an object of analysis in their work.

While much anthropological work on property takes place in settings where the concept of property is primarily a theoretical concept introduced from outside (Brown 2005; Gluckman 1965; Nadasdy 2002; Reddy 2006), in most western contexts property is also a “native category” with powerful ideological associations (Verdery 2003, 15). Private property, then, is both an idea that is very real to the squatters who participated in this research and a heuristic device I am using to understand social relations. By studying the property practices of squatters, this research will make
the often implicit native theories of property explicit, specifically those used by squatters to explain their world and guide their actions.

It is essential to understand the cultural “raw materials” available to people as they think about property. Key to this study are cultural ideas about property, citizenship, and the moral economy of homeownership. In the ideology of liberal democracy, private property is understood as a foundation for political citizenship (Locke 1964; Tully 1993). Protecting private property rights is a basic responsibility of the state, placing property at the center of the relationship between citizens and their government. Even as formal citizenship and enfranchisement are no longer tied to property ownership, in the American private property regime the idea persists that homeownership in particular produces a certain type of privileged moral, political, and economic citizen.

Anthropological research has yielded crucial insights into how this works, drawing on a long tradition of anthropological studies of home, debt, and citizenship. Perin’s study of land use, social order, and real estate in the United States found that the source of the respectability and stability associated with homeownership actually came not from ownership, but from indebtedness: the social and economic embeddedness required to obtain a mortgage and the constraints imposed by the ensuing decades of monthly payments (1977). Dudley’s work on farm foreclosure describes more variable moral evaluations of debt, showing how farmers had to be assessed as worthy community members to acquire debt, but were quickly ejected from the community if their debt became unpayable (2000). Past anthropological research on homeownership and citizenship indicates that homeowners tend to make claims on resources using a discourse of citizenship available to them because homeownership is a valued status in American public life, whereas renters often make claims using a discourse of rights (Catellino 2004; Davila 2004; Gregory 1998). It is essential to note that, as all of these studies show, the politics of homeownership are produced in particular historical and political contexts, and shift over time and space. Margaret
Garb’s wonderful history of homeownership in Chicago from 1871-1919 illustrates the process through which homeowners were constructed, in the popular imagination as well as in practice, as privileged urban citizens (2005). She also shows that while the status of homeowner, shared between working class and middle class families, contributed to a superficial appearance of classlessness, working class and middle class families used the equity in their homes very differently. Edward Hansen’s comparison of indebted exurbanites and landowning long-time rural residents (“woodchucks,” in local parlance) showed how the American dream of homeownership has persisted even as the meanings of private property and individual initiative changed (1995). In his 1970s upstate New York fieldsite, he found those living in a Jeffersonian world of self-sufficient yeomans and a Keynesian world of state-dependent indebted workers co-existing uneasily, all thinking they were living the American dream. In an ethnography of civic activities in Philadelphia from 1997-2002, Jeff Maskovsky showed that homeownership had been an axis of cross-class racial solidarity and place-based identity, but in the context of a neoliberalizing city was re-framed as the basis for an entrepreneurial form of multicultural civic participation (Maskovsky 2006). Black homeowners in a gentrifying neighborhood had to choose how to engage politically in urban life, and the choices open to them changed over time.

Squatters have long occupied a powerful interstitial place in the shifting politics of home and housing, disentangling ownership, stewardship and occupation (Dobbz 2012; Neuwirth 2004; Pruijt 2003; von Hassell 1996). For example, when squatters engage in time-consuming and expensive renovations they are showing the care for their homes that is usually associated with owners (B. Williams 1988) even as they seem to challenge ownership. Oftentimes research on squatters, and even their own rhetoric, posits that squatters are challenging the system of private property by using land to which they have no legal title. Some may even claim that squatters are living without property. However, an anthropological approach to property allows us to see that most if not all
humans are engaged in social relations which include systems for defining and regulating the relationships between persons and things. They may challenge these systems of property, but they cannot escape them. I began this research wondering if long-time illegal squatters had their own unique property regime, hidden within the hegemonic system of private property. But the squats were too precarious, too diverse and decentralized, to produce anything as stable and coherent as a property regime (although squatters did develop fascinating and unusual property practices to govern their illegal spaces). Instead, I found that they had a complex and dynamic relationship with private property: using, transforming and challenging the cultural materials that make up the private property regime all at once. This research asks: how do squatters mobilize the symbolic social resources of homeownership to make property and citizenship claims? And how are these resources then transformed by this use?

Squatting is an ideal lens for understanding the complex transformation of private property, as it leads us to the times and places where the political and moral economies of property are actively contested and renegotiated. In fact, political scientist Ilia Murtazashvili has argued that squatters’ organizations (“claims clubs”) were “the most important initial source of private property institutions” on the nineteenth century American frontier and that “it is impossible to understand emergence and change in property institutions in the United States without according a starring role to claim clubs” (2013, 2). In their recent book on “property outlaws,” from participants in lunch counter sit-ins to squatters and internet pirates, legal scholars Eduardo Peñalver and Sonia Katyal argue that, for the most part, the acts of property outlaws serve to strengthen the system of private

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27 Based on research in Washington, DC, Amanda Huron has convincingly argued that it is useful to theorize limited-equity housing cooperatives as an urban commons, both embedded in and apart from capitalism (2012). Because my research focuses on the transition to cooperative homeownership and not on how established co-ops govern themselves, I do not emphasize the commoning process. However, her attention to the work involved in creating and governing a commons is paralleled by my focus on property relations as processual and actively produced.
property (2010). Because “pervasive and persistent acquisitive outlaw conduct can generate important and valuable information about the existence of misallocations of property rights,” property outlaws spur legal systems to keep the laws of property in line with social values about property (129). When enough people break a rule because it does not fit with their moral values, the rule may be changed. This continual process of readjusting laws to meet changing social expectations keeps the system of private property strong. As in the example of widespread squatting leading to homesteading in the American West, Peñalever and Katyal show that “squatters’ influence on American land law and patterns of land tenure in the United States is undeniable” (2010, 63).

New York City squatters’ actions and the city’s response to them point to a mismatch between property law, property practices, and the moral economy of property in New York City. The story of how squatters were able to occupy city-owned property for so long and eventually gain legal title to it should tell us something about how property works as a complex moral, economic, and social system.

Stretching from the early 1980s to 2014, this study illuminates both the resilience and the unevenness of private property as a set of practices and an ideology. We will see a group of people struggling, some in pursuit of a radical dream, some in pursuit of shelter, and most somewhere in between, to create and survive in decommodified housing within the heart of global capital. While they live in the usually invisible cracks of the system of private property, they will also mobilize its ideology in defense of their illegal occupations. Their property practices will use, challenge and reinterpret those of traditional homeownership, both while they live as squatters and when they become cooperative homeowners. In short, this close examination of an unusual, indeed unique, case will provide a window into how individuals and collectives live in and creatively transform the regime of private property at the turn of the twenty-first century.
The Research and Writing

Oral History and Ethnography

This work is based on research conducted between 2009 and 2013, which included archival research and participant observation at public events and in private spaces, as well as fifty-five oral history interviews, most of which I transcribed and archived at the Robert F. Wagner Labor Archives and Tamiment Library at New York University, as part of the Squatters’ Collective Oral History Project.28 Interviewees had the option to allow me to use the interview only for my research or to also archive the interviews at Tamiment. The majority chose to archive their interviews. Archiving is a key practice distinguishing oral history from anthropological life history interviews: the interviews are intended both as source material for a particular research project and as public documents available to other researchers, activists, squatters, and the general public. They may focus on a particular period in a person’s life, but they explore that focus within a broader biographical context. While I may cut them up for my own use, they are available in their entirety for others who may have very different interests than I do. The entire collection will eventually be online and freely available. Potential interviewees, then, did agree to speak not only with me, but also with a broader future audience. I believe that many who would not have taken the time to help me with my anthropology dissertation nonetheless agreed to be interviewed so that they could contribute to an historical record. Especially in a community where so many people are invested in

28 I received funding from the Arthur and Elizabeth Schlesinger Library on the History of Women in America at the Radcliffe Institute for Advanced Study at Harvard to conduct interviews with female-identified people, and those interviews are also archived there.

29 Some in the field of oral history prefer “narrator,” some “interviewee.” Anthropologists may have “subjects” or “informants,” an unfortunate term to introduce when working with a community as wary of government surveillance as this one. Interviewee suggests that the interviewee is the object of the process of interviewing, not an active participant. Narrator suggests more agency, but is less specific; it could refer to anyone telling a story, and elides the context of the interview. I have a slight preference for interviewee, but will use both terms interchangeably.
preserving and documenting their history, I see the creation of this archive as one way of practicing reciprocity.

Interviewees signed a consent form agreeing to be interviewed at the time of the interview, and could either choose to sign legal release(s) allowing archiving and/or my use at that time or wait and review the tape and/or transcript before signing. While most signed right away, with some people I went through a lengthy process of reviewing and editing the transcript, and some people only gave me permission to use selected quotes that we agreed upon. While some literature on consent forms suggests that they are rarely if ever read (Jacob 2007), a significant proportion of the people I interviewed wanted to go over the release forms in detail, often in person, before signing them. Some people did see the paperwork as a formality to get through, but in many cases I was able to use the signing of forms as an occasion for a deeper exchange about my intentions as a researcher and the research process, as is ideal (Neuenschwander 2009; Shopes 2007). In keeping with oral history practice, I have not disguised the site of this research or the identities of participants. Those who shared their stories with me did so under their real names, with a few noted exceptions. However, out of respect for their privacy I have not included the names of people whose stories I heard second-hand but who did not specifically agree to be a part of this project.

Oral history has been a key methodology for me, and oral history practice has shaped my writing practice in significant ways that bear explaining. First, oral history is a conversation about the past that takes place in the present. It is always partly about the meaning of the past, and is never a direct window into that past. It is also a snapshot of the moment in which the interview happens. Where possible, I have incorporated updated information about the changing circumstances and analyses of the narrators in this work, but it is inevitable that their thinking and experience will continue to develop even as their recorded narratives are fixed in time. I have therefore written, as much as possible, in the past tense and have avoided the ethnographic present.
Second, oral history is a dialogic practice, in which an interviewer and interviewee co-create a narrative in the structured context of the interview session (Grele 1991). The aim is to blend anecdote and interpretation, sharing interpretive authority with the interviewee within the interview and sometimes beyond it (Frisch 1990; Frisch 2003; Shopes 2003). This means that the interview is not an opportunity for the interviewee to tell stories, which the interviewer later interprets, but for the interviewee to share stories and interpretations, which are generated through dialogue with the interviewer’s questions. I have aimed to maintain some sense of this discourse through the structure of my writing.

I include long quotes from oral history transcripts, allowing the people I interviewed to “speak” at length in this document. I have tried to avoid ventriloquizing through the words of the interviewees by selecting only focused quotes that provide authority for and colorfully illustrate my own assertions (Portelli 1991, 56). Instead, I have provided an excess of story, with the intention of allowing readers to make interpretations and discoveries of their own and to interact with the interpretations of the narrators. Of course, I am not claiming to provide a direct window into the narrator’s thoughts. By creating this project, arranging and framing the interview, asking questions, and editing the transcript, I am shaping the narratives included here in both obvious and obscure ways (Sitrin 2006, 17). My aim is merely to continue to share authority with the narrator as the interview is transformed into my written work, and to bring the dialogic, multi-vocal nature of the

30 See also James Clifford’s essay on ethnographic authority, in which he writes: “One increasingly common way to manifest the collaborative production of ethnographic knowledge is to quote regularly and at length from informants. But such a tactic only begins to break up monophonic authority. Quotations are always staged by the quoter, and tend to serve merely as examples, or confirming testimonies. … Looking beyond quotation, one might imagine a more radical polyphony that would ‘do the natives and the ethnographer in different voices.’ But this, too, would only displace ethnographic authority, still confirming the final, virtuoso orchestration by a single author of all the discourses in his or her text. … If accorded an autonomous textual space, transcribed at sufficient length, indigenous statements make sense on terms different from those of the arranging ethnographer” (1983, 139–140).
oral history interview into this text. I am inspired in this approach by anthropologist David Graeber’s recent book, *Direct Action: An Ethnography* (2009). Here is an edited excerpt of his explanation of his thinking about writing:

By “ethnographic writing,” I mean the kind that aims to describe the contours of a social and conceptual universe in a way that is at once theoretically informed, but not, in itself, simply designed to advocate a single argument or theory. Theory is invoked largely to aid in the ultimate task of description. Presently, the academic convention in America (which a young scholar would be unwise to ignore) is that one must pretend one’s description is really meant to make some larger point. This seems unfortunate to me. For one thing, I think it limits a book’s potential to endure over time. Classic ethnographies, after all, can be reinterpreted. New ones – however fascinating – rarely present enough material to allow this (2009, vii–viii).

Like Graeber, I am well aware of the expectation that both the description and the theory in this work will build towards a larger point, and I aim to meet that expectation. At the same time, I would like to provide enough description to allow for other interpretations of the materials. Archiving my interviews is in the service of this same goal.

The excerpts from oral history transcripts that I present here have been edited for focus and clarity. I have removed and rearranged clauses and sentences for flow, and have brought together segments of an interview that may not have been adjacent in the original. I have not, however, added anything the narrator did not say without putting it into hard brackets. Wherever possible, I have included my questions. A verbatim-style transcript of spoken language is distractingly different from written language. I have aimed to find a balance between conveying a sense of the speaker’s
Alessandro Portelli, the leading thinker in oral history today, puts it best:

The most literal translation is hardly ever the best, and a truly faithful translation always implies a certain amount of invention. The same may be true for transcription of oral sources…. The problem [of translating oral performances into written texts] cannot be faced in terms of purity – of saving the sources’ “authenticity” from the “infection” brought by contact with the historian. Rather, we ought to work it the other way around: let our discourse be infected – hybridized, mongrelized, and “miscegenated” – by the novelistic quality of the narrators’ storytelling. This blending of discourses and narrative styles is not achieved merely by quoting the sources. It is, rather, a matter of modifying our narrative approach, our own handling of time and point of view. Let our history be as factual, logical, reliable, and documented as a history book needs to be. But also let it contain the dialogic history of its making, and the experience of its makers (1991, 47, 76).

Similarly, Mikhail Bakhtin uses the model of the novel to explain how texts are heteroglossic, containing many genres and discourses without synthesizing them into a single style (1982). As Bakhtin emphasizes the collective processes of meaning-making and the elements of communication not fully within our control, I aim to write this work in a style that allows for the reader to interpret the words of the narrators both with my readings and against them, acknowledging that each reader will bring their own ideas, ideologies, and interests to this textual interaction.

In the final stages of preparing this manuscript, I gave each person quoted in it the chance to review and approve their quotes. A few made minor changes, but most either did not ask to see how they had been quoted or made no changes. I then wrote to all of the squatters I had been in contact
with as part of this project, including those who I had corresponded with but not met and those I
had interviewed but not quoted. I invited everyone to a closed gathering at which I would present
the research for discussion and comment, and offered to mail out drafts of the full manuscript in
advance of the meeting. About a dozen people requested copies, and their comments and questions
were invaluable to me in making final revisions. Fifteen people attended the meeting and shared
their ideas and suggestions over pizza and beer at the Museum of Reclaimed Urban Space at C-
Squat.

Oral historians have a long tradition of theorizing their work as a co-production, and putting
this theory into practice by sharing authority throughout the research process (Brecher 1986; Frisch
1990; Frisch 2003; High 2010; Kerr 2006; Shopes 2003; Shopes 1986). Public anthropologists have
argued that engaging with social movements allows researchers to access theoretical insights and
data otherwise unavailable to them (Hale 2006; Hale 2008; Leacock 1987; Mullings 2000; Sanjek
1987). Especially with a group of people as traditionally secretive and wary of the press and outsiders
as Lower East Side squatters, it would be difficult to gain the access required for substantive
research without engagement. Engagement and even alliance with a social movement can also
contribute to scholarly rigor. When knowledge is produced to be used in the real world the stakes
are high, and when a scholar is producing knowledge that can be deployed by a movement with
which they are allied, they become engaged in an iterative process of testing and refining that
knowledge.

Scholars working in the anti-corporate globalization movements in particular have noted that
the role of the ethnographer changes when their co-researchers are actively creating theory and
explicitly reflecting on their own practices, as are these former squatters (Bevington and Dixon 2005;
Juris 2007). The ethnographer is no longer a lone thinker, analyzing dynamics unintelligible to
participants from a bird’s eye view; they are engaged in the collective production of knowledge.
Jeffrey Juris, an active participant in the movements he studies, writes that “by providing critically engaged and theoretically informed analyses generated through collective practice, militant ethnography can provide tools for ongoing activist (self-)reflection and decision-making” (2007, 172). By attending to the theoretical analyses being produced by social movements, engaged anthropologists and oral historians can make unique contributions both to these social movements and to academic theoretical discourses.

I went through this process of review and reflection with my narrators and a broader group of squatters both because I felt it was an ethical imperative, especially given the fact that most of the people quoted in this work chose to use their real names and locations have not been disguised, and because I hoped it would lead to a stronger final research product. This hope has been realized: from corrections of factual errors to theoretical insights, those squatters who participated in this final stage of the research process made essential contributions to this work, and I thank them.

Structure of the Work

After the introduction, this manuscript is divided into two major parts. Part One focuses on Lower East Side squatters’ experiences prior to the 2002 deal that legalized their occupations. I use a case study of six squatted buildings on one block—East 13th Street between Avenues A and B—to trace the political economy of abandonment and gentrification, the moral and legal claims made by squatters in the context of these processes, and the series of victories and defeats that led them to the legalization deal.

Part Two opens with a description of the negotiations and debates that produced the deal to legalize most of the remaining illegal squats on the Lower East Side. The final two chapters in Part
Two follow the squatters and the squats as they navigate the legalization process, from installing heat to wrangling bureaucracy and wrestling with the meaning of their squatter pasts.
Part One: Moral, Legal and Political Claims on Property: East 13th Street, 1984-2013

Introduction: The Story of the Stoop

If you walk down East 13th Street between Avenues A and B today, in 2013, you will probably miss the remaining physical evidence of the dramatic events that filled the headlines of New York City’s newspapers in the summers of 1995/96, and the decade of conflict and creation that preceded them. You would never know that this block was the “showcase of the squatter movement on the Lower East Side,” with six squatted buildings, including a squatted garden, theater, café, bike workshop and blacksmith’s forge (Cohen 2012). The only element of the landscape that might hint that this block has a complicated history is 544 East 13th Street, a bedraggled building on the south side of the street almost all the way to Avenue B, which has a high metal stoop built a full story up from street level and surrounded by a welded cage. Here is the story of that stoop, told by one of the squatters who built it twenty years ago:

Rick Klemann: The cage is this gate that we built around our building around 1992, ‘92-’93. The neighborhood was still pretty crazy, a lot of kids running around with weapons and stuff and attacking dogs and harassing several of the women that were living in this building and we were having quarter sticks of dynamite thrown in our doorway, having windows blown out, people running in and out and not respecting us as a squat at all. Of course there was a
lot of crack on the block, lots of juvenile delinquency, lots of racism, it was just kind of nasty. Because it was them against white punks. I’ll never forget, there was a piece of graffiti across the street that said “homeboy, skinheads are your enemy” in very prominent letters, right across the street. And that told me a lot, these kids are savvy—they know the deal, they’re under threat, they were homies under threat and they see these white kids moving in as a vanguard for a cultural change. And that’s exactly what happened. They were right but we had to defend our home. One of the things we wanted to do was keep the kids off our original stoop—which wasn’t a stoop at all it was more like steps to the basement, they would all sit around and harass the women that would walk through and say sexual things. Very uncomfortable situation of course.

So Greg and I and several other people in the building decided, let’s spend some money on some steel and let’s start building a stoop. So we started doing that, we started doing it from behind the barricade that we had made out of plywood—studs to hold it up and all that. And it took us about a year, and then finally on our last day which was our unveiling—we had to take away the barricades in order to put the gates up. So basically that was a 24-hour day. Basically at the time it was me and Greg doing 90% of the work. So it was just me and Greg all day long just welding, cutting, grinding; we had an arc welder at the time. And we finally put the gates up. People would stop by and put in like an hour or two of work, and that’s cool but basically it was just me from beginning to end that day. And here’s a real quick little story—it was around like two in the morning, we were finally putting in this gate over here. We had one of those pneumatic—the hammer, the thing that puts the nail in—

Amy Starecheski: Nail gun.
**Klemann:** The nail gun, and we’d been using that to expedite things. Somebody must have reported gunshots because here comes a cop and he hangs out on our corner. He sees lights and everything and he sees that we’re working so he comes over and just kind of hangs out, right? Literally four feet from the gate I’m about to hit the nail through. So it’s like 2:30 and I’m tired, got to get this gate up, I’m just going to let it go here. The cop is like four feet away. I put the nail gun right here and his butt is like right there. So I hit the charge with the hammer, the nail goes right through the mortar, and it whizzes right past the cop. Must have been only inches. And it was a loud bang. He turns around and is just kind of like, “Hmm, all’s quiet,” and kind of walks away! How cool is that! People complain a lot about New York cops and all that but every now and then they come through.

So we got that one done and that was a very memorable work party day. That was between like ‘92-‘93.

**Starecheski:** So now you have an elevated stoop, like up on the first floor with a little bench and you’ve got a gate—a cage really.

**Klemann:** Pretty much exactly how you see it except back then it was brand new, painted and everything. They called it the bridge— you know, off of Star Trek? Because you could hang out and see the block up and down. It became something big. Isabel’s daughter Rosario Dawson, a big movie actress, was actually discovered there on the stoop (Klemann 2012).
Rick Klemann still lives in 544 East 13th Street, and he still hangs out on the bridge. That is where I first met him. I stood on the sidewalk in the spring of 2010, trying to ignore my embarrassment as I shouted up to him about my dissertation research, passing a flyer up through the fence to invite him and other building residents to a meeting to discuss the project. It was more than two years later, in the summer of 2012, that I finally made it past the front door of 544 to sit on a church pew and interview Klemann in the dim, dog-smelling lobby of his building. Bags of concrete filled the window, and the space felt like a bunker.

Figure 3: Rick Klemann
Today the cage has a different meaning for him:

But anybody I’m trying to impress? No, no I don’t even want to let them know I’m living in a situation like this. First thing they do, and this is such derision—first thing they do when you tell them you’re living in a homestead they say, “Oh you mean a squat? So like you don’t pay rent right, you live there for free, right?” They might as well say off the taxpayer’s dole. So there’s a lot of derision because of your home. That gets a little tiresome after a while but you figure you stay there long enough eventually you and that building will get respect. I don’t think we’re there yet [laughs]. We have a cage around us [laughs]. A lot of yups on the block now—“yups” are short for yuppies I don’t know if you know that, get that. Now we’re the show. Now the cage is to keep us in instead of the crazy people out, back in the day (Klemann 2012).

This may seem like a typical battle tale, the type told by many New Yorkers who lived through the difficult years of the 1970s or ‘80s, both nostalgic for the bad old days and ruing the changes brought by gentrification. But Klemann’s story about building the stoop also tells us a few things important to the story of East 13th Street: The terms “homesteader” and “squatter” have different moral connotations, linked to ideas about work, deservingness, and citizenship. Within the squatters’ own social world, there was tension over who did the most work, and it is important for Klemann to note, for the record, how much work he did on the bridge. In the 1980s and ‘90s there was racialized and gendered conflict between the squatters and some of the other people on the block, particularly the “kids” and “juvenile delinquents” who fought the squatters for control of the public space of the street. Klemann is white, as were many, but by no means all, of the other squatters on East 13th Street. Squatters struggled to include people of color, particularly local Latinos, in their projects. As the neighborhood gentrified, these power dynamics of race, class, and ethnicity shifted. Now, the conflict is between “yuppies” and the remaining squatters – for Klemann
the problem was disorder, now it is gentrification. Finally, Rosario Dawson\textsuperscript{31} grew up in 544, and her mother and stepfather (the Isabel and Greg mentioned by Klemann) still live there. This may seem like a bit of trivia, but the fact becomes important to understanding why 544 has persisted as one of the few unrenovated squatted buildings on the Lower East Side. All of these are themes that will be expanded in the rest of Part One.

Through the story of six squatted buildings on East 13\textsuperscript{th} Street, which were opened in the most active period of squatting and formed a center of the squatting scene from the mid-80s to mid-90s, Part One of this work will present an overview of the history of squatting on the Lower East Side and an introduction to the legalization process. Using this case, in Chapter One I will explore the context of squatting in relation to the political economic forces of abandonment and gentrification shaping this neighborhood. Urban homesteading, a program in which low- and middle-income people renovate and then get ownership of abandoned, government-owned property, has been the political foil for illegal squatting in many American cities, including New York. Government-sanctioned homesteading programs, which reinforced American values around homeownership, labor and property, offered a legitimate framework for squatters to explain their actions. As Klemann’s quote demonstrates, many residents of these buildings on East 13\textsuperscript{th} St. tried to align themselves with homesteaders rather than squatters, making different claims to ownership, rooted in distinct narratives of deservingness and rights.

In Chapter Two, a discussion of the eventual fates of these six buildings, mediated by the courts and the court of public opinion, will allow me to introduce some of the issues around property, morality and ownership that will be central to this work. Homeownership, homesteading, and private property more generally shaped the moral imaginations of squatters, in both their

\textsuperscript{31} It is an understatement to say that Rosario Dawson is, as Rick says, “a big movie actress.” One of her most well known roles was as an HIV-positive junkie and nightclub dancer in the movie version of \textit{Rent}, a musical about young bohemians living, and squatting, in the East Village in 1989/1990.
internal discourses and more public claims to legitimacy. The particular political, legal and economic conditions of New York City in the 1980s and ‘90s also shaped the actions of squatters and how they explained themselves. At the close of Chapter Two, I will use the story of 544 East 13th Street to introduce the legalization process begun in 2002, the legal particulars of which reshaped the moral economy of squatting.
Chapter 1: Taking and Holding Spaces

April 1984, From Drug Murder to Door Ceremony: Opening 539

The Narrators

David Boyle, b. ~1960, grew up in Queens and New Jersey, the child of a truck driver and stay-at-home mom, and returned to New York City to attend the New School for Social Research on a Teamsters scholarship. He dropped out of college after he became involved with direct action against nuclear power, then joined the Yippies and was kicked out of the party when he applied to join the police academy. He got involved with homesteading and squatting on the Lower East Side in the early 1980s and was a founder of the East 13th Street Homesteaders Coalition. Many people found his approach, inspired by Basque Mondragon cooperatives, to be too controlling, and in his own words, “Stalinist.” Boyle is married to an architect and they recently completed construction of their own home in Williamsburg, Brooklyn: New York City’s first house built from recycled shipping containers.

Figure 4: David Boyle
Marisa DeDominicis, b. 1962, grew up in Beacon, New York. Her parents were Italian immigrants and her background working class. She studied communications at Emerson College before moving to NYC in 1983 and becoming involved with community gardens and squats on the Lower East Side. DeDominicis was the first person to move into the squats on East 13th Street, where she lived, worked, gave birth, and raised three children for almost twenty years. She married another squatter, architect Paul Castrucci, and they built a green, energy self-sufficient home for their family on Rivington Street, on the Lower East Side (although they are now separated). She worked for the Trust for Public Land for 18 years and now is the director of Earth Matter, a nonprofit promoting composting in New York City.

![Marisa DeDominicis](image)

Figure 5: Marisa DeDominicis

Jerry the Peddler, aka Gerald Wade, b. 1949, grew up in west Texas. He was raised by his Baptist father and grandparents, and quit school and left home at age 15. At 17 he joined the army, where he became involved in Students for a Democratic Society and anti-war activism. Jerry went AWOL when he was supposed to go to Vietnam. After getting busted for being AWOL several times he went to Washington, DC for the 1971 May Day protests, where he was detained in RFK stadium.
with 20,000 other protesters. He stayed in DC and got involved with the Yippies. He started squatting in New York City in 1984, and has long been active in organizing street peddlers, putting on “Riot Reunion” concerts in Tompkins Square park as well as anti-police May Day pig roasts. Jerry has been arrested scores of times and still identifies as a hippie, with an abiding aversion to “straights, squares, and honkies.”

Rolando Politi, b. ~1944, is an Italian artist who came to New York City in 1980, after years of travelling around Europe and being involved in social centers and squats there. He was a leader in and spokesperson for early Lower East Side squatting efforts, including the East 13th Street Homesteaders Coalition. By the early 1990s Politi became disillusioned with squatting as a political project and turned his energy towards making art with recycled materials. His ornate soda can pinwheels and glass bottle mosaics decorate the neighborhood’s squats and community gardens.
Today Politi lives in Bullet Space, the first squat to legalize after the 2002 deal.

Figure 7: Rolando Politi (courtesy of Rolando Politi)

The Story

Rolando Politi: The first building to be taken was 539 East 13th Street. It was the smallest of several buildings there. And me and two other people, including David Boyle, were working next door, two buildings next to 539, just for some slum landlord, doing construction, sheetrock and you know the usual stuff. But we kept always looking at 539. I know there were people going in and out. At that time in 539 it was like many other places – drug location. And in April of ’84 there was a murder. No big deal. One more drug murder in 539. Somebody was shot on the top floor while a cab was
waiting outside. But when the drug murders happened in the neighborhood that was a no-no for the police department of course. So they came in there and said, “OK, well you can’t do this anymore.” They cleaned out 539. So me and David and the other people said, “OK now is the time. They’re out of there, police got them.” So we went in there a couple of days thereafter.

David Boyle: Sarah Farley was a community activist. I think she was Harlem based originally. Great singer, I think she had a singing career. She had an accident, I think she fell off a streetcar and hurt her legs. It kind of led to her being very overweight and difficult to get around. So she became this sort of sage figure. They made a bedroom apartment in the ground floor of a building on 6th Street for her. In the front part of it was a giant table, it was really important and she always said it was really important to have a big table. She started organizing meetings in this place and she started a group called LAND, which was an acronym for Local Action for Neighborhood Development. In that same building is also where Sandro Dernini, the Plexus guy, had the basement. It was called the Shuttle Theatre.¹ It was a very lively cultural scene with Miguel Pinero and the Nuyorican Poets,² who were in exile at the time—they didn't have a place. So a lot of the Nuyorican scene was taking place in Sarah Farley's building.

¹ Plexus International is an artists' collective founded in 1982. They moved from their performance space in Chelsea to Sarah Farley’s building on 6th Street in 1984 and opened the Shuttle Theater in the basement. The Shuttle hosted events from Nuyorican Poets Café readings to In Order to Survive, an anti-gentrification community event chaired by Sarah Farley (Dernini 2009).
² The Nuyorican Poets are a collective of mainly Puerto Rican poets founded in the 1970s, now best known for the Nuyorican Poets Café, which is still open on East 3rd Street. Nuyorican is an elision of New York Puerto Rican. The Nuyorican Poets Café was an important space for the development of freestyle and slam poetry performance, and for Nuyorican arts generally.
LAND was promoting that the members of LAND, those who were capable, do new projects. Totally new and not all clumped together. It was supposed to be something that caused people to fan out and do new things. She had a guy in that building named Clee Carter who was a jazz musician and he and his friends had a building on 13th Street, that they lived in and had a bad landlord. But it was a building that had a tradition of jazz musicians. There were only 3 floors—4 floors counting the storefront. The way he said it was that the landlord just threw his hands up and gave them the building but didn't really do it formally. He just said, "I'm not going to collect rent, I'm not going to do anything more on this building, I'm out of here. You guys take care of it." I think he dreamed that they were going to somehow come up with a plan and talk to him. They had a fire in the building, the building got messed up. The boiler blew up. They moved out under pressure from drug influences on the block. It was a very bad drug block.

But one night a cab driver got killed in the building and everybody ran away from the murder scene, from the drug gang called The Outstanding. And Clee said, "This is the time, the building can be taken." He wanted an apartment in it but he said, "Now everybody is going to run away because there is going to be a murder investigation. Detectives are going to be all over the place and now is the time to take the building."

We went over and nailed the building shut with big spikes. So you'd really have to work at it to get in. That was what we considered our taking possession and then we had meetings that week and put up notices saying we were going to do a homesteading project on 13th Street. And then we met at Life Cafe\(^3\) and David Life who was one of the partners in Life Cafe at the time, he was one of the

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\(^3\) Life Cafe was a popular coffee shop and restaurant on Avenue B and 10\(^{th}\) Street, founded in 1981 and frequented by bohemians and artists. It closed after a conflict with the landlord in 2011.
people. Nelson Oceundi, a fashion guy, Garick Beck, Joanee [Freedom]. It was a pretty broad group. Daniel Caldero who was a photographer. A bunch of people. Bueno was my mentor at that time, and he’d been counseling how to do it better.

Sarah Farley was totally behind it, we had a meeting at Sarah's. We organized so that the next weekend we would go and we'd already possessed it by sealing it, so with a group we would laboriously take the spikes out and put up a door and perhaps move into it. I think in the weeks before that, no it was months before that, I ran into Marisa DeDominicis. Because I lived across the street from the 6th and B Garden and I saw a woman climbing over the fence because she didn't have a key, with a broken hammer clawing at the earth so she could put seeds in the ground. It was very impressive and she was looking for a place to stay. She was the first person to spend the night in 539.

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Marisa DeDominicis: On my day off, which was President’s Day, I came down to 6th and B Garden and I climbed over the fence. I was quickly befriended by a woman, Joan, who got a ladder out of the dumpster to help me get out of the garden instead of climbing the fence. So I don’t know what I was doing; I just thought if I went down there somebody would come along and tell me about the garden. Also at that time I met David Boyle and Joanee Freedom who somehow decided that because I was there in the middle of January gardening, guerilla gardening, that I could possibly be one of the people that could be a part of the initial meetings that they were starting to have about what to do for their housing situation “plan B.” Because they had issues with their landlord and they were feeling like they might get evicted and how tenuous their situation was.
So I was invited by David to come up to his apartment and warm up because it was quite a cold day. He then invited me to a meeting at a community center on 6th Street to talk about potentially getting some housing. I was eager because I didn’t really have a high income at the time and I was intrigued that what was being said could possibly be something I was ready for because I was looking for some thing or work to get involved in.

**Amy Starecheski:** The story I’ve heard is that you were digging in the garden with a broken tablespoon, is that true?

**DeDominicis:** Um, hammer.

**Starecheski:** [laughs] And so what was that meeting like on 6th Street at the community center?

**DeDominicis:** It was a rainy day and it was like an odd eclectic storefront where this woman Sarah had people there from the neighborhood—all walks of life. I was pretty gung ho, I kind of look back and think I was a little crazy because they were basically saying that the building they were thinking of going into was hot because there had recently been a murder there and I was like “Yeah sure, I'll go into that apartment!” And I did. So I just felt that was probably the best thing to do. I wasn’t afraid which was also kind of crazy and I really didn’t want any help. Because I was concerned that there were just a lot of guys and I wasn’t ready to just park myself next to some guy, I would prefer just doing it. I liked the space, I liked the little building. It was cute.

**Starecheski:** 539 East 13th Street?
DeDominicis: Yeah.

Rolando Politi: We put our own door there. I remember I was involved in the door ceremony. It’s a nice day when you put your own door with a lock on a building and we told our neighbor the slumlord, “Look we’re going to do this because we don’t want these drug people to go back in so we better, we’re gonna do this quick.” The landlord said, “Yeah yeah, you know, cool idea, go ahead.” Even the police used to come back and forth on the block and recognize that we weren’t drug dealers putting another door back on and I think they didn’t give us any problems. And right after the door went in we had temporary lights through the sidewalk into the light pole. That was the first light. It was a really great great great experience. That was April.

Starecheski: Can you tell me about the — I don’t know if it was a formal ceremony, but can you tell me everything you remember about the door ceremony, putting on the door?

Politi: That’s a good point. Yeah. Well, the door ceremony was a funny one. It took all day to put a door, because we started with removing the old door, then into finding the wood, who has got the wood, let’s go around, have to find the piece of plywood, then we took coffee breaks. Then we didn’t always have all the right tools there. In short, it wasn’t the most professional door installation ceremony that I witnessed. In subsequent ceremonies we were much more professionals. We learned quick from the 539 experience.
And I know that during that ceremony someone came by, I guess part of the old dealer gang nosing around, “What are you doing?” and we said, “We’re going to fix this building up now for the families and we need housing down here”—that kind of self-righteous talk. And this person actually was looking for a truck part—on the ground floor of 539 there was this huge front end of an SUV that was left in there. So the ceremony of the opening of 539 was getting that piece out of there. They said, “Well we’ll help you, before this door hardens. Let’s wait on the door, we need space to get this piece of shit out of there.” So that took until 6, 7 at night. So then people brought beer, drinks, singing, people came with guitars. By a little before midnight the lock was on, so it took from morning until midnight for the 539 door. And the last act was spray-painting it regulation grey because also we wanted to be cool. Not make any splash or any statements like fuck you neighbors and graffiti this is ours nothing like that. Which I appreciated because like I said before it was a pretty decently thought out strategy of a group, six, seven people. I wouldn’t call it rage, anarchist punk type action at that time.

And so the second one and the third one, which was 541 and 545, plus the one across the street [544] were much better organized as opening ceremonies. All the buildings had that arrow sprayed on it which means rear open. It stood for rear open so you already had the signal. And you’ll like this. 541 was the most professional opening ceremony because we went through the rear. We built already all the door, with good frames, metal frames, brand new, almost brand new door that we had recycled from around. So while inside we had the door fit and ready, outside there were always cinderblocks. So the ceremony took a half an hour, it was just removing the cinderblocks. And there

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4 Politi is referring to symbols painted on vacant buildings by the Fire Department of New York to warn firefighters of the condition of the building. A square with an X through it means that the building is severely compromised, and an additional “R.O.” means that the roof is open (although Politi mistakes it to mean that the rear is open) (Fire Department of New York 1997, 1, 8).
showed, like magic: brand new door! Just turn the lock and open it up. Now that was the best door opening ceremony, in my book.

**Starecheski:** Did other people call it a door opening ceremony, or is that just language you’re using?

**Politi:** I used that language at that time. Yeah, not everyone got so spiritual about it. I must be honest about it. It was people mainly like me, David Boyle, Marisa, we were like *really* into it, a little extra mileage. The others just came around, “Oh cool can I get an apartment here, you know, where do I go? Can I take this space?”

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**Starecheski:** What was the first time you ever went to that block, do you remember it?

**DeDominicis:** I went right to it after the meeting.

**Starecheski:** You just went to the meeting and then walked right over there?

**DeDominicis:** I was like, well, what am I going to get involved in? What are they talking about, that the place was hot and there were abandoned buildings and there were rat holes, human rat holes to
go through and escape down to 14th Street? Well if I’m going to get involved then I’m going to go check this out.

There was a lot of debris in front of almost all the buildings. I think the stoops were boarded up somehow so people couldn’t get in. But there were holes in the cinderblocks. The space that became the garden that I worked in was totally full of rubble and building debris because people would dump things in it. I don’t think there was a gate or anything so people could walk through there. That was part of the escape route and part of the way people accessed it, it was just empty. The only cars parked on this street were abandoned. Abandoned meaning burnt out with no wheels on.

So the space itself, there were holes in the roof that the fire department had put in to put out fires and there was a lot of water damage in 539. That place where I was in was on the third floor and that was also strategic because it wasn’t as badly damaged as the fourth floor. It was central, it would be easy for me to get in and out and hear people coming up the stairs. I think almost everything was boarded with tin because that’s how HPD managed the buildings. We used that tin for a lot of alternative purposes like when we made our stoves out of barrels, we used them for a way to go through the window for flues. We reused them for spray painting too to advertise what we wanted, “HPD keep out” or whatever they said, or “this building belongs to the city,” I don’t remember what it said. They would be great if we could find them and use them in a museum.

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5 The abandoned buildings on the north side of East 13th Street were connected to each other by tunnels, and through basements and vacant lots to 14th Street. These “rat holes” actually become essential later in the story.
6 The Department of Housing Preservation and Development, often derided by housing activists as the office of Housing Prevention and Destruction.
7 These signs will appear later in the story, in Chapter Two, and one of them was in fact included in a recent exhibit of squatter artifacts and art at Bullet Space, a newly legalized squat on East 3rd Street.
Was there traces of drug activity? Yes, there was. There were stashes of little cellophane envelopes that had a stamp on it that said “outstanding.” And so that’s where I got the idea to make the 501(c)(3) Outstanding Renewal Enterprises. O.R.E.\textsuperscript{8} So there was cocaine, I found a lot of cocaine in these little packages, what else was there? There was nothing as far as traces of where the body was or anything. Like it wasn’t marked or anything. I was just told that the police were watching and it was hot. And that it was a good idea to move in then because otherwise the drug dealers would move in the next week and so we had to move fast.

\textbf{Starecheski:} Had the building been opened already when you went, had David or anyone gone in?

\textbf{DeDominicis:} I just looked at the outside of the building and so I believe, I don’t remember if I went with David or if David was the first to open the building. I think maybe he did go, I don’t remember. I just remember that I went in the building and stayed. And I remember him saying, “You shouldn’t stay here.” And I said, “I think it’s the best thing to do if we want to keep this building. To just establish residency.”

\textbf{Starecheski:} What did you bring with you when you went to stay there? What was it like living there all by yourself in an abandoned building?

\textbf{DeDominicis:} I remember it was a rainy spring. It was cool and I didn’t have very much, I get cold easily so I probably came with a lot of sweaters. I didn’t have much, I came with a backpack and was really pretty streamlined. I don’t remember what I brought. I didn’t bring much.

\textsuperscript{8} Outstanding Renewal Enterprises was the nonprofit started by the East 13\textsuperscript{th} Street squatters as part of their efforts to raise money and gain legitimacy. 501(c)(3) is a nonprofit tax status.
Disinvestment, Abandonment, and the Social Roots of Squatting

Let us think about this group story in terms of two simple questions, through which I will explore the history of disinvestment, abandonment, gentrification and struggle that led to the events of April 1984. Why were these buildings vacant? How did these people come to take them?

How Capitalism Produces Vacant Buildings

In order to understand why these buildings were vacant, we must understand the process through which usable tenement housing became economically worthless; in political economy terms, how housing with plenty of use value came to have no exchange value. In the 1970s and ‘80s disinvestment devastated entire neighborhoods of America’s inner cities. The Lower East Side was particularly hard hit. Yet New York City remained, like many American cities, a metropolitan center with a crowded housing market. Why abandon habitable apartments in a city without enough housing? Some theories of urban development and abandonment draw on an analogy to natural ecological processes of birth, growth, aging, death and decay (Burgess 1984). Abandonment and gentrification, then, despite the dire consequences for poor people living in increasingly dilapidated and unaffordable housing, are theorized as morally neutral processes, akin to the inevitable process through which one generation replaces another. Growth is taken for granted, not taken as a fundamental force to be explained.

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9 In an influential approach to urban sociology and political economy, Logan and Molotoch propose that the conflict between the use value of a place for its residents and its exchange value on the market drives the social processes of the city (2007). They use this formulation to try to understand how urban real estate markets are structured through the often conflicting actions of city-dwellers and powerful “place entrepreneurs” who aim to attract investment to the certain privileged urban spaces (13). While use value and exchange value are always intertwined, it can be useful to separate them analytically in this way, especially in a case such as this where exchange value is extremely low or nonexistent. This heuristic separation of value parallels the conception of property as a bundle of rights, some of which resemble the rights to use and to exchange.
Others, such as Marxist geographer Neil Smith, argue that “there is nothing natural or inevitable about disinvestment” (1996, 193). Smith proposes that abandonment and gentrification are functional parts of global cycles of capitalist profit making, which require constant growth to continue. Growth is the fuel of capital, produced by a complex field of actors in the state and private sectors. Cycles of disinvestment and gentrification provide opportunities for growth within the limited space of the inner city. The Lower East Side has long been a pocket of entrenched disenfranchisement within walking distance of the concentrated capital of Wall Street and Midtown Manhattan, and the history of this neighborhood shows how uneven development creates poverty and abandonment alongside tremendous wealth. Arguing against the idea that consumer choice drives gentrification, as middle-class people decide to love the central city again, embracing brownstone renovation as a matter of taste, Smith emphasizes the role of various investors and state actors in driving gentrification. Critically, Smith writes that the market both drives and is created by the actions of capitalists; in this formulation, the market does not simply replace nature as an assumed underlying force (1996, 67).

Finally, some assert that political motives drove disinvestment, dovetailing with the political economic forces described above. The spatial deconcentration analysis posited that government agencies, responding to the inner city riots and rebellions of the late 1960s, decided to deconcentrate poor people of color to diminish their capacity to organize and rebel (Morales 1997). Tasked with explaining how the federal government could act to prevent future riots, the Kerner Commission

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10 During the late 1980s and early 1990s scholars in urban geography were engaged in a sometimes acrimonious debate pitting supply-side against demand-side (Ley 1986) explanations of gentrification. While Smith’s earlier work is strongly supply-side (N. Smith 1979), as the field turned towards a synthesis of these two positions his later work incorporates some elements of a social and cultural analysis of gentrification, in particular a focus on race and moral economy (N. Smith 1996; Lees 2000). At the same time, Smith continued to vigorously defend his rent-gap theory. In contemporary discussions of urban change, Richard Florida’s writing describing the desires of the “creative class” and cities’ need to attract and serve them as the driving forces behind urban development today is an example of a strong demand-side explanation of gentrification (2002).
reported that the concentration of poor people in degraded inner city housing must be ended. While the commission recommended the creation of subsidized housing outside of inner cities, by the mid-1970s New York City housing and development administrator Roger Starr instead proposed a policy of “planned shrinkage,” removing services and allowing low-income neighborhoods to deteriorate until they could be cleared and rebuilt according to new visions of the city (Freeman 2000, 277). New York State senator Daniel Patrick Moynihan infamously advocated for “benign neglect” of inner city neighborhoods so scarred by racialized pathologies of poverty that they could not be saved. Rather than pulling low-income people of color out of the city with the lure of affordable and higher quality housing elsewhere, these urban policymakers sought to push them out by allowing their neighborhoods to become uninhabitable. Politicians decried the policy of planned shrinkage, but in practice New York City did withdraw fire services from poor neighborhoods. Historian Joshua Freeman identified a “planned shrinkage ‘lite,’” in which New York City officials, foundation and business leader and even union officials prioritized development in the central business district “while leaving outlying areas, including those undergoing devastation, to fend for themselves” (2000, 277). As noted above, this was an analysis that particularly informed political squatters, who saw themselves as helping to preserve inner city housing stock and protect communities of color from repression and displacement.

So how did real estate market forces and the actions of capitalists lead to the plague of abandonment that devastated the Lower East Side in the 1970s and 80s? The story begins in the 19th century. The housing form typical of the Lower East Side, the dumbbell tenement, was mainly built just before the deep depression of 1893-1897, which initiated a long migration of capital for

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11 So-called because of the dumbbell shape of the buildings when viewed from above, created by airshafts between buildings mandated by the Tenement House Act of 1879. These are also called Old Law Tenements, because they were built before the Progressive “new” tenement law of 1901, which required open courtyards rather than narrow airshafts.
industrial and residential development from inner cities to the city’s edge (N. Smith 1996, 59). Thus inner city land was densely filled with low-quality residential buildings just as eighty years of disinvestment in working-class inner cities was beginning. This eventually led to what Smith calls a “rent gap,”[^12] in which land with run-down, outdated buildings on it comes to be worth less than it would be empty (1996, 67–70). Abandoned buildings may be structurally sound, but because they cannot be used profitably they are temporarily removed from the market.

On the Lower East Side, landlords who owned buildings from which they could no longer make a profit by charging rent to tenants began to find other methods of “milking” a building for profit, first delaying maintenance and eventually withholding services such as heat and water. The final stage was abandonment, often followed by arson, providing one last payout in the form of an insurance settlement. The final tenants of 539 East 13^{th} Street, the jazz musicians described by David Boyle, continued to live in their apartments after the landlord abandoned the building, until a fire and a boiler explosion made it uninhabitable for them. The city foreclosed on buildings on which taxes had not been paid and, when they had tenants still in them, became the landlord of last resort. All six of the buildings eventually squatted on that block of East 13^{th} Street had been city-owned since the late 1970s (Lueck 1996).

In the aftermath of the fiscal crisis of the mid-1970s an intensive period of neoliberalization, privatization, and austerity led to the defunding of programs that aimed to preserve and fill city-owned buildings.[^13] Before the fiscal crisis New York City’s government had invested substantial

[^12]: Note that rent here does not refer to the everyday sense of rent as the money paid by a tenant to an owner for the use of a property, but to “ground rent” as the payment derived by the owner from the use of land, separate from buildings.

[^13]: Neoliberalism as an ideology dates to the 1920s, but this set of ideas was only translated into widespread practices of governance in the aftermath of the crises of the late 1970s and drew the focused attention of scholars and activists in the 1990s (Peck, Theodore, and Brenner 2010, 96–97). See Joshua Freeman (2000, 256–287) and Julian Brash (2011, 24–54) for excellent accounts of the role of the fiscal crisis in the process of neoliberalization in New York City. Brash argues,
resources into social welfare, including programs to keep tenants in city-owned housing. The banks that bailed the city out insisted on a shift in priorities as a condition of their help: the city would now focus on making money, in particular by attracting wealthy residents and businesses. New York City now aimed to profit from its stock of real estate. Buildings with low-income tenants in them were neglected or emptied, and vacant buildings were kept vacant, warehoused until they could be sold at a profit. During the 1980s New York City owned thousands of vacant and occupied apartment buildings, and struggled to manage them.

By the time David Boyle, Rolando Politi, and Marisa DeDominicis claimed 539 East 13th Street in April 1984, abandonment had already peaked, and reinvestment had begun. In a case study of the temporal and spatial flows of capital on the Lower East Side, Neil Smith mapped the “gentrification frontier” block by block from 1974-1986. He used tax arrears as a proxy for disinvestment, based on the idea that property owners who thought their buildings were valuable would not go so far into arrears as to risk foreclosure. By 1979-80, that block of East 13th Street had already tipped from disinvestment to sustained reinvestment (1996, 205).

Why, then, did the block look so rough, still full of abandoned and run-down buildings four years after reinvestment had begun? Drawing on Smith’s work and his own research among real convincingly, that the fiscal crisis intensified processes, the roots of which could be traced to the 1950s, rather than marking a total shift in urban governance. Still, he writes, “the fiscal crisis period marked a pivot point in the city’s governance, as political, fiscal, economic, and ideological realities were reformulated” (29). Since the 1990s neoliberalism has become an overused and ill-defined term. Recent scholarship emphasizes neoliberalization as an incomplete, contested, differentiated and uneven process (Brenner and Theodore 2002; Clarke 2004; Fairbanks and Lloyd 2011; Harvey 2007; Kingfisher and Maskovsky 2008; Mayer 2007; Morgen and Gonzales 2008; Saegert, Fields, and Libman 2009). Still, I find the concept of neoliberalization useful in describing the linked processes of privatization of state property and services, the shift to entrepreneurial urban governance, and the promotion of market-based solutions to social problems that so transformed New York City from the 1970s to the present. These processes are clearly connected through the promotion of supposedly free markets as tools to allocate resources, alongside the active cultivation and propagation of subjectivities appropriate to life in a society dominated by markets: the consumer, the entrepreneur, and the property owner. For more on this see the section in Chapter Four on “People Reform and Teaching Bureaucracy.”
estate developers, sociologist Christopher Mele\textsuperscript{14} showed that on the Lower East Side there was a period of speculation in the late 1970s and early 1980s in which smaller landlords bought and resold buildings in this newly gentrifying area without making repairs or renovations, profiting purely through rising prices. While massive capital flows were beginning to circulate through the area, the streetscape remained largely unchanged. Eventually, of course, the sale price of property in the neighborhood rose high enough that redevelopment was required to realize more profits (2000, 222–226; 242–246). Similarly, Smith found that disinvestment peaked in 1976, but population did not stop declining until 1983 (N. Smith 1996, 200). In the early 1980s investment was happening, but it was not creating any new housing or even upgrading old housing. In 1984, between Avenues A and B, redevelopment was barely beginning. DeDominicis, Boyle and Politi took buildings that were abandoned because they were economically worthless and were treated as worthless by the city, which failed to take meaningful steps to preserve or secure them, but which were already, invisibly, gaining economic value.

These fire-scarred buildings also still had use value, especially for drug dealers. The squatters were only able to claim them during a short window after police had cleared the building. This too can be seen as part of a political economic process. For redevelopment to proceed, the stigmatized practices and people that remain in the neighborhood must be pushed out or hidden, so that people who can afford higher rents will be comfortable moving into the area. The decline in population in gentrifying neighborhoods is due to abandonment but also, and especially as redevelopment is beginning, to active efforts by property owners, supported by the city,\textsuperscript{15} to remove low-income tenants and make way for those who can afford higher rents (Mele 2000, 252–253). As has been well

\footnote{Mele’s \textit{Selling the Lower East Side: Culture, Real Estate, and Resistance in New York City}, provides a useful overview of the changing relationships among capital, housing, policy and social life in the neighborhood from 1900-2000.}

\footnote{For an account of specific city policies that hastened displacement on the Lower East Side in particular, see Sites (1994).}
documented, conflicts over the use of public space are one highly visible part of this process, which Smith has characterized as a revanchist attack on the poor by middle- and upper-class people (Abu-Lughod 1994a, 233–266; N. Smith 1996, 3–29; 210–232). On the Lower East Side, the rampant and highly visible street drug trade was an early target of increased policing of public space. In January, 1984, the city launched Operation Pressure Point, a crackdown on street drug dealing that led to 14,285 arrests in a single month (Mele 2000, 239; N. Smith 1996, 25). While this did not at all eradicate the drug trade in the neighborhood, it did drive it indoors. 539 East 13th Street may have been technically vacant in April 1984 but, as the oral histories show, it was occupied by drug dealers, who were then pushed out by police pressure in the aftermath of a murder. It was barely abandoned for a few days before these squatters moved in.

Finally, between 1983 and 1987 there was a moratorium on sale or development of city-owned housing on the Lower East Side. In Chapter Two we will hear more about this unusual occurrence, but suffice it to say here that housing activists pressured the Department of Housing Preservation and Development to pause development while they negotiated a comprehensive plan for how to deal with the hundreds of vacant, city-owned buildings in the neighborhood. The city government by this point favored an approach that would generate the greatest possible revenues: selling vacant housing to the highest bidder, usually a for-profit developer. Housing advocates wanted the buildings to be redeveloped as low-income, community-controlled housing, but in the post-fiscal crisis city there was little to no funding available to do so. It took them four years to work out a deal that attempted to reconcile these two approaches. In the meantime, squatters took over many of the buildings under the moratorium, including those on 13th Street.

These buildings, then, were vacant for clear reasons. They were run-down, low quality housing on land rising in value in a neighborhood on the cusp of an intense wave of gentrification. Their owners had abandoned them and HPD was unwilling or unable to maintain them or rent
them, so they sat empty in a neighborhood where homelessness was exploding and housing was desperately needed. Drug dealers controlled and used the buildings until they were ejected by the police, both specifically in response to a murder in 539 and more broadly as part of a period of intensified policing at the leading edge of the gentrification frontier. In a post-fiscal crisis city in which bankers could dictate municipal policy, “city agencies with any degree of authority over private or public land use and development were brought in line with an aggressive entrepreneurial and pro-growth ideology” and “the agency ostensibly created to protect low-income neighborhoods from the ravages of disinvestment, the Department of Housing Preservation and Development, became the institutional strong arm for private revitalization” (Mele 2000, 237–238). By the mid-1980’s, HPD policies and tax incentives were beginning to funnel increasingly corporate and global capital into neighborhoods such as the Lower East Side, and these buildings would not be ignored by capital forever.

The Attraction of the Frontier

How did these people come to take over these vacant buildings? As Marisa DeDominicis notes, it seems in retrospect like kind of a crazy thing to do, but at the time it made perfect sense. Peter Spagnuolo, another East 13th Street squatter from whom we will hear much more in Chapter Two, tells a similar story:

At that time in whatever, 1988, ’89 when I got down here it didn't seem like a crazy thing to move into these abandoned buildings and just make it work. It certainly wasn't any worse than the apartments I paid for. I mean there was a ton of work and you had to clean them up and shovel all the shit out of them, yeah you had to piss in a bucket and you had to
shower at the gym and all of that but it didn't feel like we had become destitute losers of society. It felt very empowering. It was like this moment of aha! shelter is going to be mine to control and then you have to work out the social dynamics so you can hold your place (Spagnuolo 2011).

What they did was part of an intelligible social process. It was not as transgressive as it may seem from today’s perspective. To understand why, we have to delve into the forces drawing some people into the Lower East Side just as others were being pushed out, as well as the traditions of resistance mobilized by squatters as they decided to illegally take over abandoned buildings.

As described above, the dynamics of capital (including resistance to it) and the actions of capitalists\textsuperscript{16} produced the landscape of the Lower East Side of the 1970s and 80s, but to many people the Lower East Side seemed like a space in which to escape from capitalism. Enterprising residents used the detritus of capital to create lives which were remarkably free of the constraints of wage labor and the cash economy, by scavenging building supplies to repair and inhabit abandoned buildings, by growing food in vacant lots and collecting food from the waste stream, and by appropriating electricity and water from Con Edison and the city. Newcomers were attracted to the open spaces produced by abandonment and the sense of social and spatial possibility they felt in this neighborhood where the rule of law was weak. As we saw above, reckless late night use of a nail gun and other even wilder shenanigans might attract little more than a smirk from the beat cop, especially for white residents. As Rolando Politi put it:

\textsuperscript{16} Not, of course, a unified category. Both Smith and Mele give detailed accounts of the various actors driving this process, from politicians to small investors, major banks, or individual homeowners. See also Katherine Greider’s memoir, \textit{The Archeology of Home: An Epic Set on a Thousand Square Feet of the Lower East Side} (2011), for a personal account of this process from the point of view of a “yuppie” brownstoner.
Open windows, open roofs. Yeah, apocalyptic but also very interesting and free at the same time. Liberating. Liberating, that's a good word. Inviting you to like, ok—let's get started. Where do we start? Which had a nice feeling to it because there's nobody stopping you from doing whatever you want to do (Politi 2010).

While ruins may invoke feelings of melancholy or unease (Navaro-Yashin 2009), especially among those whose memories encompass the pre-ruined landscape, many squatters described the ruins of the Lower East Side as exhilarating, symbolizing the failures of and gaps in capitalism rather than the loss of a dense working-class neighborhood. Tenements long-deployed by capitalists to produce the highest possible profit, at the expense of occupants’ well-being, were now temporarily removed from the market and could be reclaimed for collective control and use. Recent authors have drawn our attention to the phenomenon of “disaster utopias,” in which the material and social disruption of disasters creates opportunities for solidarity across lines of difference and creative remaking of social worlds (Flaherty 2010; Solnit 2009). Similarly, in an article arguing for a dialectical approach to archeology, Shannon Lee Dawdy writes that “ruins and unpoliced zones…are part of what we desire in a city” and that this desire is part of an urge to escape the rigid structures of an efficient urban order (2010, 773). It is worth quoting her analysis of ruins and political possibility at some length:

The disaster [of Hurricane Katrina] meant that the socially licit rules governing the fair use of both public and private property changed, although the law did not. … The ruins in New Orleans are influencing a radical restructuring of the social imagination. … How space gets rearranged and used in these moments of disjuncture when residents are forced to abandon their habitus can inform us about what social rules can more easily be broken than others
and what sort of utopian society exists in the thirdspace of the urban landscape. … When examined ethnographically, ruins and vacant lots come into focus as important spaces of urban activity, even of social, economic, and ecological productivity. … When capital abandons a building or a neighborhood, the grip of private property relations is loosened. We get a return, temporarily at least, of the village green, the common ground—a temporal folding back to the times before the enclosures of the sixteenth to eighteenth centuries. … These are opportunity zones for alternative urban life” (2010, 775–776).

As noted in the Introduction, squatters find and move into spaces where both the social rules and the capital flows of private property are in flux. For squatters, developers, and gentrifiers, the potential they saw in the Lower East Side inspired the use of “frontier” as a metaphor. As Smith notes, the “frontier” language used to talk about gentrifying neighborhoods posits the about-to-be-gentrified neighborhood as empty, erasing the current inhabitants and easing the way for the displacement that accompanies gentrification (N. Smith 1996, 3–30). This, of course, parallels the process through which indigenous lands were described as terra nullius, or land that belongs to no one, not being profitably used or governed by a recognized state and therefore open for white colonization.¹⁷ Just after telling me an anecdote about “packs of pitiful wild dogs” and roaming through fields overgrown with head high saw grass, one squatter corrected himself:

What I just mean is that desolate as it appeared to our eyes, this was still occupied. People lived here. Had always lived here. There was also, before there was a lot of kids who came as

¹⁷ For more on this see James Tully’s writing on Locke and aboriginal rights, described in further detail in the Introduction (1993, 137–176). Shannon Dawdy also writes about how “writing ruins and abandoned land off as negative space, even if occupied and used by inner-city residents, allows property to be imagined as terra nullius, ripe for imperial planning as the capitalist cycle spins back toward boom. It is an imagining that allows the urban indigenous to be relocated…” (2010, 776).
part of that [punk rock wave of] '75, there was a lot of people around here that came before that (Popeye 2012a).

Recent writing has identified and critiqued intense interest in “ruin porn,” titillating images of post-industrial landscapes, most famously now in Detroit (Blackmar 2001; Grandin 2013; Leary 2011). Leary writes: “So much ruin photography and ruin film aestheticizes poverty without inquiring of its origins, dramatizes spaces but never seeks out the people that inhabit and transform them, and romanticizes isolated acts of resistance without acknowledging the massive political and social forces aligned against the real transformation, and not just stubborn survival, of the city.” While a purely aesthetic approach to ruins, such as that critiqued as ruin porn by Leary, cannot provide the historical and political context necessary to make sense of these spaces, squatters’ intense engagement with abandoned buildings both produced and reflected a historical narrative in which anti-capitalist forces grow in the spaces left vacant by creative destruction. This is different, even, than the approach of what Leary calls “Detroit Utopians,” young white people promoting entrepreneurial and creative possibility amongst ruins and poverty. It is indeed mainly those who have the privilege to not fear the force of destruction that can thrill to ruins and see them as spaces in which they can use their own powers to reshape the world.

The interviews I recorded with Lower East Side squatters about the 1980s show them at times using this frontier language, but more often they are consciously engaging with a dense web of social connections. Squatters describe complex negotiations over public space and the quasi-public space of abandoned buildings, as in Rick Klemann’s story of the cage or Rolando Politi’s description of the day-long door installation. Like 19th century pioneers driving west, they may have imagined

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18 In fact, this genre has its roots in New York City, pioneered by Camilo José Vergara, whose longitudinal project of photographing America’s abandoned inner cities began in the South Bronx while he was a graduate student in urban sociology at Columbia (Vergara 1997).
they would be entering empty land, but when they got there they could not help realizing that it was not empty at all.

Some squatters came to the neighborhood from outside imagining it not as a vacant space, but as a critical site of political resistance. Politi, Boyle and DeDominicis all came to the Lower East Side specifically to get involved in activism (in contrast to most of the squatters we will hear from later). At the same time, they needed housing. Rents in the neighborhood were already beginning to rise and even new arrivals with some class privilege struggled to find affordable housing. David Boyle and Joanece Freedom shared a substandard apartment at 6th Street and Avenue B (where Freedom still lives) and feared imminent eviction as their rent strike against the landlord was intensifying in the mid-80s (it would last for almost twenty years!). Marisa DeDominicis was working as a bike messenger and seeking a way to get involved in hands-on activist work and still manage economically. Squatting was a way for them to fulfill their need for housing and be engaged politically.

They were inspired by the Lower East Side’s radical history and dynamic present. In some cases squatters were directly drawing on strategies they learned from earlier waves of activists and others active in the neighborhood at the time. Close attention to these engagements is essential if we are to understand why these people decided to take over abandoned buildings and to do it in these specific ways. The Lower East Side has a long history as an incubator of bohemian culture, political resistance, and conflicts over space (Abu-Lughod 1994a; Patterson 2006). The storied sense of liberty and potential in the neighborhood was integral to the celebrated history of artistic creation and political activism on the Lower East Side dating back to the 1950s. Several streams of local and international radical history converged in the squatting movement that developed in the neighborhood in the early 1980s, including local people of color-led anti-displacement activism, Yippies, Diggers and back-to-the-land hippies, European urban squatting, and DIY (do it yourself)
punk. In the following section, I will provide a brief history of squatting in the neighborhood from the 1960s to the 1980s, emphasizing how squatting was practiced in very different contexts, with different aims. While the people who opened the buildings on East 13th Street were not drawing on all of these movements directly, they all did influence the larger squatting movement of which the 13th Street squatters were one part.

Squatting on the Lower East Side, 1960-1985: Yippies, Hippies, Nuyoricans and Europeans

While the 13th Street squatters continuously struggled to meet their goal of including local people of color in their organizing (more on this in the following section), participants in anti-displacement movements led by people of color had been squatting spaces since the early 1970s. David Boyle specifically and intentionally grounds his decision to squat buildings in a Civil Rights tradition, saying that Sarah Farley, a “former civil rights organizer from the South,” directed him first to start community gardens, and then to squat buildings (Ferguson 2007, 149). Remember that it was through Sarah Farley, according to Boyle, that he heard about the vacant building. (Note also, however, that Politi leaves her out, saying that he and Boyle noticed the building on their own while working nearby.) Boyle describes the building from which Sarah Farley operated as a hotbed of Latino cultural production. In fact, early squatters were drawing on several strands of Latino-led organizing in the neighborhood. By linking their practices to this tradition, white squatters with class privilege occupying spaces in a low-income, majority people of color neighborhood could hope to

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19 Note that Boyle, Politi and DeDominicis all explicitly distance themselves from the punk scene.
20 In other interviews and autobiographical writing, Boyle always mentions Sarah Farley as the source of his idea to squat.
21 Another first-person account confirms that “Mrs. Sarah Farley, a charismatic leader of the homesteader community organization L.A.N.D.” organized out of a burned building at 523 East 6th Street, and that Nuyorican Poets Café co-founder Miguel Pinero hung out in the space (Dernini 2009, 7).
share in the legitimacy of organizing led by people of color, identifying themselves not with
gentrifiers, but with local residents at risk of displacement.

From the 1960s to the 1980s, as older white ethnics passed away and white hippies fled back
to the land, the Lower East Side, especially the blocks east of Avenue A, became a majority Latino
neighborhood (Mele 2000, 195–197). Most notably before the ravages of disinvestment, planned
shrinkage, and the drug trade overwhelmed the social structure of the neighborhood in the late
1970s, Loisaida\textsuperscript{22} was a center for Puerto Rican culture, integrating poetry, murals, music and
political resistance to abandonment and displacement. The Young Lords Party, a Puerto Rican
revolutionary nationalist association modeled after the Black Panthers, was most active in New York
City in Harlem and the South Bronx (J. L. del C. Fernandez 2004) but they had an active office on
East 3\textsuperscript{rd} Street (Maffi 1994, 142) and attempted small-scale building seizures on the Lower East Side
in the early 1970s (Van Kleunen 1994, 288). Contemporary Lower East Side squatters cite the
Young Lords as an important and often forgotten antecedent to the squatting movement that
started in the early 1980s. Another Puerto Rican organization, Charas, has direct connections to
squatting and homesteading on the Lower East Side. Charas was an outgrowth of the Real Great
Society, an organization founded by former gang members to promote self-help and self-
organization for ghetto youth (Blank 1968; Good 2007). In 1979 Charas took over an abandoned
school at 605 East 9\textsuperscript{th} Street and turned it into a community center, which became a vital space for
local organizing, from the squatters and homesteaders of the 1980s to the anti-globalization Direct
Action Network in the late \textquotesingle90s. Charas eventually got a lease from the city, but the building was
auctioned to a developer in 1998 and the community center was evicted in 2001 (Worth 2001).

Another Real Great Society leader, Robert Nazario, was an early director of Adopt-a-Building,

\textsuperscript{22} Loisaida is a name for the Lower East Side neighborhood used by Spanish speakers, originating in
a 1974 poem by Bimbo Rivas.
which organized the earliest sweat equity projects on the Lower East Side and shared the school building with Charas (Good 2007, 31). These Puerto Rican projects claimed Loisaida as another homeland, using vacant spaces to build a stronger community and assert their presence in a neighborhood increasingly imagined as emptying of people (Mele 2000, 182–186). They claimed spaces based on their willingness to work and their status as neighborhood residents.

While Puerto Ricans were developing cultural and political organizations on the east side of the neighborhood, the west side, centered around St. Marks Place and Tompkins Square Park, briefly served as the East Coast hub for hippie public life from 1964-1968. The squatters of the 1980s are often associated almost exclusively with the apolitical nihilism and aggression of punk rock culture, but my research has revealed that hippie politics, organizations, and people played important roles in the early days of Lower East Side squatting. While intensely urban, the squatting life of the 1980s and 90s also had quite a lot in common with the lifestyle of back-to-the-land hippies, who like many squatters aimed to support themselves largely outside of the cash economy. While plenty of squatters do fit the stereotype of middle-class, suburban white kids who came to the inner city for a more exciting life, a number had rural roots. Squatter after squatter told me about growing up as the children of back-to-the-landers, and coming prepared for cold winters, hot summers, chopping wood, hauling water, and the rigors of self-built housing (Hall 2012; Roehm 2012; E. Williams 2012). “Retired” squatters often retreat to rural New England or Appalachia. While hippies probably squatted crash pads in the neighborhood, there is no evidence that they organized to renovate or defend residential buildings for long term occupation (Van Kleunen 1994, 288). More organized hippie projects to claim space and redefine property relations were centered around storefronts, with groups such as the Diggers, the Yippies, Everything for Everybody and the Rainbow Family either squatting spaces or using rented space to redistribute goods outside of the cash economy. Jerry the Peddler, one of the earliest and most outspoken Lower East Side squatters, a person who circulated
through at least five different squatted buildings over the past thirty years bringing his accumulated knowledge with him, was introduced to squatting through the Yippies and continues to bring a hippie sensibility to his very public role in the Lower East Side political scene.

The Yippies framed the creation of anti-capitalist countercultural institutions as direct action, meant as a critique and disruption of the mainstream economy (Shepard 2011, 35–44). On the Lower East Side, squatting was a part of this. 9 Bleecker Street has been Yippie headquarters since 1973, and in 1979 they expanded across the street to 10 Bleecker Street, creating a squatted rock club called Studio 10 (Guttman 2007, 517). Jerry the Peddler says this was probably the first openly squatted building on the Lower East Side, and that when Studio 10 was evicted people from there squatted buildings on East 3rd Street and, with charismatic drug dealer 23 Micky Cesar, the “Pope of Pot,” on East 11th Street (Peddler 2008; Sager 1991). Joanee Freedom, a founder of 6th and B Garden and one of the people who organized to open the buildings on East 13th Street, came to New York City in 1980 after travelling with the Rainbow Family, catching a ride with the Yippies and ending up at 9 Bleecker, where she met David Boyle, still a self-identified Yippie to this day, who got her involved with squatting. Freedom was involved with Studio 10 and opened a barter store on Ludlow Street called the Rainbow Trading Post (Freedom 2012). While the Puerto Rican activists described above were organizing from the base of a relatively long-standing community, these hippie and post-hippie groups came into the Lower East Side from outside, using the vacant spaces of the neighborhood to establish an alternative economy and social world for themselves (Mele 2000, 153–179).

By the early 1980s, when David Boyle and Joance Freedom – outsiders but not by much, both white ethnic working-class people from the suburbs of New York – were settling on the Lower East Side, another important influence from outside of the neighborhood was growing. Western

23 Credited with inventing the modern marijuana delivery service in Manhattan.
Europeans with squatting experience came to the Lower East Side and shared a vision and a set of strategies for a radical squatting movement unlike any other in the late 20th century United States. Squatting happened in other places, but only New York had a network of long-term squats, supported by underground newspapers, pirate radio, and a centralized eviction watch network ready to mobilize for defense of the buildings. While they were never close to a majority, European squatters played a significant role in teaching New York squatters about how to organize and defend a squat for long-term illegal occupation, bringing tactics and exciting stories from the Netherlands, Germany, the United Kingdom and Italy (Pruijt 2003, 144–145). Travel to share tactics, stories, and analysis was a core practice of European squatting movements beginning in the 1980s (Owens 2013). Rolando Politi actually came to the Lower East Side from Berlin specifically to squat, after hearing that the neighborhood was ripe for occupation:

So in those days [in the late 1970s] news travelled with messengers so to speak, before the internet. So it was a very busy vital scene in Berlin like it was also in Amsterdam and other places. News just travelled by people that would come from other areas. Then I met a squatter, a German fellow who had just been in New York and spent time in the Lower East Side and so all these tales went on through Kreuzberg at the time. So I decided to make the move and the timing was right, Tomas kept saying, "Be best to go there now!" Because it is special in squatting, obviously timing is vital when there is a depressed zone anywhere in the world (Politi 2010).

24 For an excellent comparative overview of squatting movements in Europe, see Squatting in Europe: Radical Spaces, Urban Struggles (2013), edited by the Squatting Europe Kollective, a network of activists and scholars collaborating to produce useful knowledge about squats in Europe.

25 A low-income, immigrant neighborhood in Berlin that had a high concentration of squats in the 1970s. See Holm and Kuhn (2013) for an excellent account of squatting in Berlin during this period.
Politi and other European squatters brought different ideas about the goals of squatting to the Lower East Side. For example, many European squats are conceptualized as social centers that serve food and host meetings and events, not primarily as residential housing. In Lower East Side squats in which Europeans were influential, such as Umbrella House and those on 13th Street, there were more likely to be public spaces that served as hubs for the radical community. European squatters were accustomed to physically defending their buildings, and their organizing and blockading tactics were essential to Lower East Side squatters’ ability to hold their buildings for years and even decades. They brought with them a tradition of fighting for their buildings as if they might actually be able to keep them, not just putting up a show of resistance for the TV cameras, and a sense that housing was an entitlement of citizenship, not a privilege. Here is Jerry the Peddler describing the influence of English squatters on the scene in 1983/84:

[There was] this couple from England, squatters from England, that wanted to know about squatting on the Lower East Side. And they had been going in and out of the back of that building on 8th Street with the RAR crew. And I’m like, “Well, let’s just grab my sledgehammer, if you’ve got a door, let’s just grab my sledgehammer and I’ll go over there and knock the bricks out of the front door. We’ll put a doorway in and you can announce to the world that you’re squatting.” That couple was English Steve and Kathy. They had come in from England. Kathy had lived down on the LES in the late ‘60s and went off to England and met Steve, who was very active in squatting in England and Italy and, I think, a couple

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26 Note that both the Yippies and European squatters were influenced by the Dutch Provos, 1960s anarchists who used direct action, humor and the occupation of urban space to intervene in the structures of capitalist life.

27 Rock Against Reagan, a concert tour with which Jerry the Peddler was involved, inspired by Rock Against Racism, a similar project of anti-racist British punks and squatters. At the end of the tour, a bunch of the people involved ended up in New York City with no place to stay and squatted the building at 319 East 8th Street.
of other places as well throughout Europe in the ‘70s. That’s the building that I call the Mother Squat [327-329 East 8th Street], because once Steve moved in, he put together the Eviction Watch List and everything just blossomed from there (Peddler 2008).

The Eviction Watch list was essentially a phone tree, which allowed disparate and decentralized squatters to mobilize quickly in the face of an eviction attempt. Eviction Watch provided the main organizing structure for squatters on the Lower East Side, whose buildings were for the most part decentralized and autonomous. New York City squatters continue to host European squatters when they come to New York and also to visit squats in Europe to this day; during the 1980s and 90s this back and forth travel was even more intensive. The existence of longstanding organized squatting movements in Europe provided important inspiration for New York squatters experimenting with new modes of occupation.

In the media and in the popular imagination, however, the Lower East Side squatters were associated more with punk rock than with any other subculture or movement. These associations were nearly always pejorative, with squatters’ critics deriding them as wild, nihilistic anarchists, seeking only to cause chaos and destruction and certainly not up to the task of stewarding any of the precious housing in the neighborhood. These associations were also raced and classed: punk rock was indeed a majority white subculture, and punk rockers were assumed to be middle class. We can see narrators quoted above reacting to these negative characterizations by distancing themselves from punk rock: Rolando Politi described the taking of 539 East 13th Street as emphatically not a “rage, anarchist punk type action” and Marisa DeDominicis contrasted their grounded, community-based approach with that of punks: “I don’t have anything against punks, I don’t have anything against people that were also part of the fabric of the neighborhood, but I was really focused on [recruiting] people who had been there for at least twenty years.” David Boyle blamed residents of
“punk squatter buildings” for derailing the process of getting illegally homesteaded buildings recognized by the Community Board:

We got them to make a form where you would check out for getting approval for the Community Board and you had to put all your members. It was starting to shape up to be a ground-up process that looked great. Then we got a couple of the kind of punk squatter buildings, didn't go for that process—didn't like what we were doing and then disrupted the Community Board meetings, actually going in and making the meeting impossible to carry on. Right at the time that we were very close, I thought, to getting this process going. And then you couldn't even get to a Community Board meeting after that. I never understood what that was about but it was pretty much Steve the Brit and that crew, completely torpedoed the Community Board process. So that Community Board meetings from that point on were like police protected. There was no process from that point on and that was the intention of the anarchist element, to disable any attempt at a regularization of squatting, to take a regularization of what we called homesteading and to make it an openly hostile environment that was called squatting. And had no intention of any interaction with the government, it was entirely provisional and was not about permanent housing (2012).

However, while anarchist punk squatters may have used different (and more disruptive) tactics and had a different vision for the end game of squatting than Boyle and his allies, they were not solely a force for chaos. The punk rock culture of the 1980s was not monolithic, and in fact consisted of an array of different factions and subcultures, from the mohawked apolitical chaos punks caricatured in the media to racist and antiracist skinheads and, most influential in the squats,
anarchist and DIY punks. Anarchism, in this sense, refers to a political philosophy of egalitarianism and the use of non-hierarchical, consensus-based forms of organization. DIY stands for do-it-yourself, and DIY punks brought elaborate tools for creating non-commodified culture, from pirate radio to self-published zines and independently distributed music, to the squats. They also brought skills in self-organization, crucial in the relatively lawless world of the squats in which residents had to work together effectively to control and renovate their spaces or else lose them to junkies or fire. The DIY ethos fit well with the squatter life. The Squat or Rot collective organized punk shows to benefit the squats and C-Squat was an incubator for radical punk bands such as Choking Victim and Dog that Bites Everyone. A series of anarchist cultural hubs, including the Anarchist Switchboard (1988-1989) and Blackout Books (1995-2000), also served as spaces through which newcomers to the radical left in the neighborhood were introduced to squatting and squatters could meet, organize, and (crucially) use the bathroom. Squatters who came to the buildings via punk were indeed mainly white, but their class backgrounds varied from middle class young people fleeing the suburbs for a more exciting and satisfying life in the city to working class runaways fleeing much worse, without any place to go besides the streets. Punk rock was a powerful and important influence in the squats.

European squatters, Yippies and hippies, anarchist DIY punks and local anti-displacement activists all played important roles in shaping the approach of Lower East Side squatters. These precedents and influences helped to make it seem normal to take over a dilapidated abandoned building as one’s home. But perhaps most centrally, this group of squatters was influenced by a body of knowledge and theory being developed by the urban homesteading movement. In urban homesteading, low- or moderate-income people renovate vacant government-owned buildings, investing their labor as “sweat equity” and eventually getting title to them. While some squatters

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28 For more on the culture and politics of DIY, see Culton and Holtzman (2010), Holtzman et. al. (2007), McKay (1998), and Spataro (2014).
were seeking to challenge private property and considered legalization a sellout, Boyle, Politi, and DeDominicis started with the goal of gaining legal title to the buildings they squatted. The arguments squatters made for why they had the right to these buildings drew on the language of urban homesteading advocates, and their plan for achieving legitimacy depended in large part on mimicking the structure of an urban homesteading program. Sarah Farley was active in homesteading, and Bueno, the mentor David Boyle refers to who had “been counseling how to do it better,” came to the Lower East Side from the Upper West Side squatting and homesteading scene. In the following section, we will hear David Boyle, Marisa DeDominicis, and Rolando Politi talk about how they organized themselves to hold and to fill the building once they had taken possession of it, and then to expand their control to five more buildings on the block. I will then provide a history of urban homesteading in New York City, as a means to contextualize their actions and continue to explore the politics of property on the Lower East Side in the mid-1980s.

Urban Homesteading: Property, Labor, and Rights

Squatting as Aspirational Homesteading

**David Boyle:** We called it homesteading because we were emulating an existing program. We were trying to like ride alongside and look somewhat like that program and describe ourselves with the same—that maybe we would, it's kind of like walking backwards into the class when you're late [laughs]—“No, I was already here!” That kind of thing.

We drafted documents for membership agreements and we had a couple of meetings to decide what the responsibilities of members would be. It was a complex process but it was pretty much Alfa—or
maybe Alfa was a little bit later, Rolando, Marissa. I guess Rolando, Marissa, and myself were more into paperwork. We'd sit in Veselka or Odessa\textsuperscript{29} or something and just make these documents up. Like, "I agree to this" or "I will work four hours each week on common areas." Your own apartment didn't count. So you'd work on common areas, mostly rubble removal—basic stuff. And then you would be a probationary member—it was really complicated stuff—for the first two months. And then you'd be voted on by the membership as to whether or not you would be granted the status of a full member. And then how much you paid was based on the size of the apartments. Everyone was paying 75, maybe 100, sometimes 150 bucks a month. And if you didn't work then there was a whole—you could be put on probation again. We had minutes and you know we also did the money thing, labor dollars. I had some of those. It was very Mondragon specific\textsuperscript{30} where if you couldn't afford to pay your rent you could do it in kind. And you could work past your hours and then they were denoted in a—how were they, it was like skilled, unskilled, and you got a different rate. It may not have been totally egalitarian but it made a difference. So there was a little picture of a person, a worker, and it gets filled out and then it’s signed by somebody—I guess the Minister of Finance and you could use that in lieu of paying rent if you didn't have a job.

Starecheski: How did you keep track of all that?

\textsuperscript{29} Local Eastern European coffee shops, artifacts of the time when this neighborhood was predominantly inhabited by European immigrants.

\textsuperscript{30} Boyle and Politi in particular were influenced by Basque nationalist ideas, especially the Mondragon Cooperative model, in which many different worker-run cooperatives federated to create an autonomous economy. Howard Brandstein, a leader of the homesteading movement in the neighborhood, made a similar connection: “There are the Mondragon Cooperatives in Spain people point to as a model—and it may be—of how to build community power through a cooperative effort. We were never quite able to pull all the pieces together into a community whole. So you see the various fragments here. We have a credit union. We have homesteads. We have squats. We have gardens. We have a lot of interesting elements” (Brandstein 2012).
Boyle: That was another funny thing that we did, and I suppose this is where the nationalist angle played into it. We created ministries, we had various ministries. Ministry of Labor, Ministry of Finance. People were ministers. Karen O'Sullivan was the Minister of Finance. She did work hard but she thought she'd contribute more in the bookkeeping. It was pretty complicated. When you have like thirty members you figure you're getting like $3000 a month. I mean we really had money to spend on stuff, that's why we paid water companies to dig up the street and put in water mains on both sides of the street. We bought new windows for people's apartments.

Anyway we went to the Community Board at one point to ask for a letter of support and they had a lot of questions for us. I think Rolando and I were taking questions but when they asked a specific thing like how much do people pay, or what do you do with the money, we'd say, “You have to speak to the Minister of Finance.” So we'd have somebody come up and we're all dressed very utilitarian. I was selling used military equipment to make money at the time so there was a lot of military clothing. After the Community Board meeting a couple of guys from the board came over and said, "Yeah it seems really well organized but you've really got to drop this minister stuff. Appreciate the whole organization but it's not going to help you."

I think we kept it but we just didn't flaunt it anymore. But one of our thoughts was that it would make people feel—you don't want to just say somebody was a bookkeeper, give people a title that is ennobling. So they feel a sense of self-improvement.

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Note the implicit contrast between work and bookkeeping – this will become important in the post-legalization period, as bookkeeping and other bureaucratic work become central to squatter life.
Starecheski: You said you were the spokesperson, you were talking to the Community Board.\textsuperscript{32} I'm just curious about what kinds of arguments you were making about why you should be allowed to use these buildings. What was the rationale and how was it received?

Politi: Ok, one of the primary rationales was that we were the safety from having drug dealers back in the building, cleaning up needles, and as you can imagine that went on really well. The Community Board was made up of mostly elderly people, mothers, and so on—normal citizens of the neighborhood. And then the records of sweat equity and how we would want to sign up with the city. An understanding of doing it not for resale, not for profit, and that's where we actually physically had to—I had to show the Board the charts, being the spokesperson, present all that in front of the Board. And that really went well, I was a smooth presenter at the Community Board. And that got almost unanimous approval all of the time. We were approved, each building that we made the presentation for the Board voted in favor of us and that was like a safeguard piece of paper. I said to each building, paste a copy right in the hallway and whenever you have problems show HPD, "No look, we have the Community Board's support, we're working on it, don't bother us." [laughs]

We were promoting it, you know, "We're starting a homestead at 539 and 541 East 13th Street. We have a homestead, we're going to the Community Board next month, we're on the agenda, come in."

\textsuperscript{32} Community Boards in New York City are local advisory bodies, created in 1975 and made up of people appointed by the Borough President. One of their major responsibilities is to oversee land use decisions. While they do not have executive power, as spokespersons for “the community” their approval is needed to legitimate most major land use decisions. See Tiefenbacker (1995, 32–38) for a detailed description of Community Board 3 from its inception through 1994 and Jacobs (1996b) for a description of the Board’s infamously raucous proceedings and internal politics.
We had an interview, we started screening people. We want families, we want people from the neighborhood. We had all that in the by-laws. It was really difficult to get that many Puerto Rican families involved. The Puerto Ricans who were here at that time, their main goal was to get out of this hellhole of the Lower East Side because they had seen too much drugs and destruction. If they had anything together they would move to the suburbs or go to New Jersey and get a house. In a way there was this constant paradox or irony – we'd say we want to make housing for the neighborhood, for the people, but in practical terms who really came through were people from other parts of the city, of the country, of the world.

There was the Homesteading Program at the time and our scope was really to get the building in that program and eventually work ourselves through the sweat equity and live happily there ever after. The plan was five years. The main difference was we soon found that out that they [homesteaders] were not going in the building, they were working on the building on weekends and collecting sweat equity credits. So months after months they kept cleaning the building but the other work was done eventually by contractors. But they didn't have problems with the city, they were not considered squatters. Well we played that Homesteading Program quite a bit in protection of ourselves, "Well we're homesteaders also!" [laughs] "Just that it's too far to go back home at night so I might as well sleep here so that tomorrow morning I can work!" [laughs]

Urban Homesteading and Squatting

In these interviews we can see Boyle, Politi, and DeDominicis struggling to reconcile the instability and possibly futile hard work of squatting with the bureaucratic structures and path to ownership offered by legal homesteading. Squatting allowed them to get immediate access to
abandoned buildings, while homesteading held the promise of legitimizing and legalizing those occupations. For these squatters, homesteading provided the most significant framework for both structuring and explaining their activities. They tried to organize their labor and assemble a group to make themselves look as much as possible like homesteaders, both actually incorporating as a nonprofit and acting like one, as they interviewed candidates and established bylaws. As Politi notes, they actually aspired to become legal homesteaders while also using the homesteading program as a cover to maintain their control over the squats. At the same time, they were clearly violating the rules of urban homesteading, in which applicants had to get permission from the city, assemble financing, complete all renovations, and only then occupy a building. Their actions constituted both a critique of urban homesteading and an acknowledgement of its importance in the political and cultural landscapes of urban redevelopment at the time. So what was “urban homesteading,” where did it come from, and what can this program, small in size but large in the public imagination, tell us about the politics of urban property in the 1970s and 80s?

In the following section I will trace the history of urban homesteading in New York City, both as a grassroots movement and as part of federal and city programs. In this history, I will highlight the relationship between legal homesteaders and illegal squatters.33 Housing activists used illegal squatting to get access to legal homesteading opportunities, opening buildings and only then asking for permission to homestead them or using high-profile squatting actions to pressure governments to create homesteading opportunities. At the same time, illegal squatters made homesteaders appear legitimate, even as homesteaders themselves sometimes skirted the law. As on East 13th Street, many illegal squatters aspired to join legal homesteading programs, and called themselves homesteaders in the absence of any legal sanction for their occupations. Both squatters

33 For anecdotes about the relationships between squatters and homesteaders on the Lower East Side, see (von Hassell 1996, 121–126).
and homesteaders made moral claims to property based on their investment of labor, as well as larger arguments about community control of housing and the empowerment of homeownership. Even when critiquing hegemonic property relations based on legal title and the commodification of housing, they made use of the cultural materials available to them, including elements of that hegemonic property regime itself.

Urban homesteading developed in the context of disinvestment in cities and a shift towards a more entrepreneurial model of urban governance. The history of urban homesteading will provide a case study of the **shifting relationships between grassroots organizing, nonprofit structures, and government programs**. Small informal organizations founded to support homesteading became, by the late 1980s, fully bureaucratized institutions providing basic services to city residents in partnership with government. This history will provide the context necessary to understand the twenty-first century experiences of former squatters navigating the legalization of their city-owned buildings through UHAB, a nonprofit originally created to assist homesteaders.

So-called “sweat equity” projects began in the late-1960s, in the waning years of the Great Society, were buffeted by the fiscal crisis of the mid-1970s, and became fully institutionalized in the neoliberalizing – and then gentrifying – city of the 1980s. This history, then, will provide a point from which to contrast the **dynamics of property, politics and value** during the 1970s and 80s and the post-2002 period that will be the focus of Part Two of this work. Finally, the history of urban homesteading provides us with a chance to step back from our thus far narrow neighborhood focus, and place the Lower East Side within the context of the city and the nation.

Partially due to the power of organized labor, New York City from World War II to the 1970s was distinguished by an exceptional social democracy that set it apart from other cities (Freeman 2000). Even before that, organized tenant groups battled landlords to create sweeping rent control laws that fundamentally shifted the balance of power between landlords and tenants and
reshaped New York’s rental housing market (Blackmar 1989; Day 1999; Lawson and Naison 1986). New York City had less individual homeownership, more cooperative homeownership, and tighter restrictions on property owners’ rights to rent or sell apartments to the highest bidder than other cities. Five percent of the new housing units built in New York City from 1946-1970 were in labor-built cooperative apartment complexes. Over half of the units built in that period were built with government assistance or covered by rent control laws (Freeman 2000, 124).

The history of squatting and urban homesteading is a history of middle class, working class, and low-income people struggling to maintain some of this control over partially de commodified housing in the face of the loss of labor’s power and a revanchist attack on these hard-won working class entitlements during New York’s fiscal crisis and its aftermath. The degree to which they were able to succeed and even find partners in city government can in part be explained by the remnants of social democracy that survived the mid-1970s: sympathetic city workers and a remaining sense that housing could be a collective good, supported by government and controlled by tenants.

The (Grass)Roots of Homesteading in Squatting, 1967-1973

Homesteading is an idea with deep roots in American culture. The similarities between 19th century rural homesteading and 20th century urban homesteading go beyond the shared name. In both cases, many newcomers entered a land they imagined to be empty and unused but which was in fact occupied by indigenous people: first Native Americans and then inner-city residents, in particular low-income people of color. The actions of illegal squatters led to the creation of urban homesteading programs, just as they led to the creation of the 1862 Homestead Act over a century before. In the early 19th century, federal government policy had been to sell land on the frontier to speculators in large parcels. Squatters, supported by state courts and local officials, occupied the land
of absentee owners, and increasingly were able to make successful claims to own it themselves. “Confronted by an utter inability to protect absentee owners or to enforce prohibitions against squatting on federal land,” the federal government passed the Homestead Act, an “embrace of squatters’ rights” which “provided for the free acquisition of federal land by those who met the statute’s five-year residency and improvement requirements” (Peñalever and Katyal 2010, 62–63).

Similarly, New York City’s earliest homesteading efforts were grassroots, and at times unofficial to the point of being illegal. In the late 1960s and early 1970s the city, facing declining tax revenues due to suburbanization and deindustrialization, as well as a deep recession that hit in 1969, seemed unable to address the problems of spreading abandonment in inner city communities. Small groups began organizing to reclaim housing, promote neighborhood stability, and combat displacement by supporting local people to rehabilitate, inhabit, and eventually own vacant, city-owned homes. People would gain property rights in these homes, it was argued, not by investing capital, but by investing labor, or “sweat.” This Lockean conception of property, in which people appropriate resources by mixing their labor with them, is usually marginal to modern private property regimes, even though it is an ideological basis for them. According to Locke, someone who productively uses something has the right to it (Locke 1964). Early homesteaders often took over buildings before getting permission from their owners, usually the city, to do so. They argued that the city, by allowing the buildings to deteriorate and not putting them to productive use, had lost the right to control them.

However, these early, unofficial homesteading initiatives also asked for government support, and most agree that, especially with buildings as unwieldy and decayed as those in New York’s inner city in the 1970s, the kinds of major renovations required would have been impossible without
access to capital. Homesteading has roots in late-1960s models of “community control,” but also resonated with the neoliberal ideas about individual responsibility and entrepreneurial governance that were ascendant in the late 1970s. The city and federal governments seized on the homesteading idea as a basis for programs that aimed to dispose of the ever-increasing stock of government-owned housing with little or no market value. Some see urban homesteading as simply a way for government to appropriate grassroots efforts that threaten private property, a form of “tamed squatting” (Borgos 1986; von Hassell 1996, 24). However, there were multiple squatting campaigns launched during the 1970s and ‘80s with the explicit goal of gaining access to state resources through legal homesteading. In this case, “taming” their movements was the goal of the squatters. It is also important to remember that even as government- and nonprofit-sponsored homesteading programs proliferated, illegal squatting, much of which explicitly refused to be tamed through government, foundation, or nonprofit funding, continued. Homesteading programs may have incorporated some of the energy and frustration that would otherwise go into squatting, but certainly not all of it.

Urban homesteading is an idea that arose in several East Coast urban centers facing similar problems in the late 1960s and early 1970s. Although the person most often credited with first publicly advocating urban homesteading, Philadelphia City Councilman Joseph Coleman, made his first speech about the idea in 1968 (Newburg 1992, 739), the first trial sweat-equity project on the Lower East Side was in 1967 (von Hassell 1996, 24). The earliest sweat equity projects tended to have the support of religious groups. An East Harlem community group led by Father Robert Fox, a Catholic priest, successfully rehabilitated several abandoned buildings on East 102nd Street using

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34 The experiences of squatters on the Lower East Side show, however, that in some cases extremely dedicated and persistent people can make even severely degraded housing comfortable, if not in compliance with all building codes, without access to large amounts of capital.

35 See the work of Hans Pruijt for more on the institutionalization of squatting movements (Pruijt 2003; Pruijt 2013) and Mollenkopf (1983), Mayer (1985; 2007) and Piven and Cloward (1979) for accounts of how oppositional social movements are co-opted into bureaucratic urban governance.
sweat equity starting in 1969 (Dialogue Systems 1982, 12; Lawson 1986, 221–22), and the Interfaith Adopt-a-Building Program, which included sweat equity, began on the Lower East Side in 1970 (Reif 1976). These projects benefited from ad hoc government support, but at first there was no official program to support them.

Homesteading scaled up quickly from these local, small-scale initiatives. In November 1973, the Cathedral of St. John the Divine on Manhattan’s Upper West Side announced its intentions to renovate two hundred buildings through sweat equity through its new “Urban Homesteading Assistance Board” (UHAB) (Haitch 1975). The initial UHAB project at St. John the Divine targeted low-income people, including “street gangs, church parishioners, ex-addicts and offenders, Muslims, welfare families, former squatters, unemployed elderly and numerous Latin nationalities,” inspired by the “completely unofficial and spontaneous ‘people’s movement’” for homesteading (Terner 1975; UHAB 1976). The pressure to do something with empty buildings was indeed intense, and in the early 1970s it was increasingly exerted through squatting. The “people’s movement” that UHAB and the Cathedral were responding to was in large part a squatting movement.

In 1970, a wave of public, politically motivated squatter occupations had changed the landscape of tenant organizing in New York City. In Morningside Heights low-income tenants had been moved out of apartments slated to be demolished and replaced by middle or high-income apartments in the West Side Urban Renewal Area. But demolition didn’t happen right away and “the continued presence of a large amount of vacant, sound housing awaiting demolition, in a most desirable area, was an affront to poor tenants seeking housing in an extremely tight market” (Lawson 1986, 224). In the aftermath of the Lincoln Center urban renewal project, in which displaced low-income tenants overwhelmingly were not able to return to the area after redevelopment was complete, faith in the promise of urban renewal for low-income people was low (Muzio 2008, 82). In the spring and summer of 1970, over two hundred mainly Latino families occupied vacant
apartments on the Upper West Side in publicly and privately owned buildings, first spontaneously and then with an increasingly organized support system (Brotherton 1974; Muzio 2008, 70–77). They called themselves Operation Move-In. The squatters quickly gained the media attention that would prove to be their greatest protection—evictions are ugly and bad publicity, and the liberal city government was hesitant to use force to evict families. An Episcopal church-related corporation tasked with building a home for the aged owned the targeted buildings and fear of bad press bought the squatters time and bargaining power.36

However, the budding movement was splintered by conflicting goals. Some squatters hoped that the Housing Development Administration (HDA, a precursor to HPD) would rehabilitate the buildings as low-income housing in which they could remain but others, uninterested in the specific buildings, just wanted to gain priority on general Housing Authority wait lists. Some wanted the squatters to evolve into city-supported homesteaders, while others used squatting as a bargaining tool to increase the number of units earmarked for low-income housing on the Upper West Side (Lawson 1986, 190). Even in the face of these internal conflicts, the action yielded tangible results: some of the most persistent Morningside Heights squatters were offered a city-owned building near the urban renewal site, which became the one of the first sweat equity projects to be completed in New York (Lawson 1986, 224).

After a moderate-income brand new Mitchell-Lama building was squatted the city promised 30% of the new apartments to low-income families and promised to build an additional 946 low-income and 1,117 middle-income units in the West Side Urban Renewal Area (Muzio 2008, 79–80). By the time it became clear that the city would not follow through on all of these concessions, the squatters were out and the movement dispersed (Muzio 2008, 84). However, a body of knowledge

36 See Anne Brotherton’s dissertation for a detailed account of the squatters’ community and the negotiations between the squatters, the church, and Morningside House, Inc. (1974).
about how to make squatting politically effective was beginning to develop. Savvy activists learned that one’s power as a squatter only persists as long as one occupies space. Some of the squatters involved in the Upper West Side campaigns of the 1970s were central to the development of squatting on the Lower East Side. Rafael Bueno, David Boyle’s mentor and mine, had his first squatting experiences in these campaigns.

After the early success of Operation Move-In groups all over the city, supported by organizers from the Metropolitan Council on Housing,37 imitated them in a series of protests against urban renewal. On East 13th Street at least twenty-five people squatted in protest of New York Eye and Ear Hospital’s planned expansion. Their lawyers argued that they had a “moral right” to remain. This group eventually lost their case; their claimed moral right to housing did not translate into a legal right of possession. Another, more successful group took over apartments on West 15th Street, simultaneously staging a sit-in at the Housing and Development Association office. A squatter spokesperson told the New York Times that “the occupation was staged…to protest conversion of sound apartments into luxury units” (Asbury 1970). The action attracted attention: an administrator of the HDA promised to negotiate with the landlord for a possible conversion of the building to low-income housing and pledged to provide the squatters with temporary apartments in city-owned buildings (Asbury 1970). These actions are examples of squatting as a form of civil disobedience, as highlighted by the combination of squatting and sit-in. In this context, squatting can be conceptualized as a form of sit-in, a temporary occupation of public space used to dramatize the need for housing.38 The movement had focused, no longer aiming to squat to gain direct access to

37 The Metropolitan Council on Housing is a membership-based tenants’ rights group founded in New York City in 1959.
38 Legal scholars Peñalever and Katyal differentiate between those engaged in space-claiming civil disobedience like sit-ins (“expressive property outlaws”) and squatters (“acquisitive property outlaws”) but argue that both types of law-breaking serve essential purposes in our legal and social systems (2010).
housing and now exclusively using squatting as a tactic to exert pressure and dramatize the need for housing. This is a brand of squatting that aims to be tamed, through state-sanctioned homesteading or other housing programs.\(^{39}\)

Homesteading Develops as a Government Program, 1974-1977

Homesteading was a way to channel the demands of Operation Move-In and others into a more controlled arena, and the grassroots efforts happening around the city at this time gained government support relatively quickly. By 1974, New York City began a municipally-supported sweat equity housing program, with projects sponsored through the Cathedral of Saint John the Divine and supported by loans from the city Housing and Development Administration. Also in 1974, homesteading gained federal support, when the United States Congress enacted an urban homesteading program. The federal legislation essentially provided an administrative umbrella, and a source of free, vacant homes, to diverse local homesteading projects (Newburg 1992). The new program was part of the Housing and Community Development Act, which inaugurated the Community Development Block Grant funding model as part of Nixon’s “New Federalism.” Block grants sought to decentralize control of federal funding and promote local and community involvement in planning by allocating money in blocks to localities, rather than for specific projects (Frej and Specht 1976). It marked the end of the Model Cities programs of the late ‘60s and early ‘70s and of post-war large-scale slum clearance projects.

Urban homesteading was a near-perfect fit for this political and ideological moment: it promoted self-reliance, individual responsibility, and homeownership and allowed for the kind of

\(^{39}\) In contrast, the squatters on East 13\(^{th}\) Street took their buildings without media attention, and with the intention of holding them indefinitely, not using their occupation to draw attention to a more general need for low-income housing.
small-scale renewal of existing neighborhoods that was in vogue in the post-urban renewal era. Conservatives loved the decentralization of the program and the fact that it brought city-owned land back into the private market, and liberals loved that it provided housing for low and moderate-income people and operated on a neighborhood scale. The homesteading initiative allowed the Department of Housing and Urban Development (HUD) to transfer HUD-owned vacant homes (mainly Federal Housing Administration-foreclosed properties) to local governments, which in turn would make them available to potential homeowners via nonprofit or government Local Urban Homesteading Agencies. After rehabilitating the buildings the homesteaders would get clear title to them, but then had to live in them for three to five years before they could resell them (Rohe 1991, 447). Twenty-three cities were selected to participate in a demonstration phase of the program from 1974-1977; by 1983 122 cities and counties were participating (Dobbz 2012, 69).

This federal program had conflicting goals built into it: a social goal of providing homeownership opportunities for low and moderate-income families and an economic goal of ameliorating urban blight (Borgos 1986, 431–432; von Hassell 1996, 23). The legislation required that programs be focused on neighborhoods that were experiencing the early stages of blight, not those, such as the Lower East Side, already being overcome by abandonment. The program, in effect, reinforced the redlining of seriously declining urban neighborhoods, funneling federal capital into neighborhoods that could still be “saved.” It also did little for the poorest households. Homesteaders had to be low- or moderate income but have a steady income and solid credit so that they could afford to renovate their new homes, usually borrowing money at low rates to do so. They had to have the time and ability to contribute their labor to the renovation, but the requirement that

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40 Margit Mayer has written about how some dimensions of neoliberalism “resonate in some ways with [new social] movement values of self-determination and empowerment, and with its critique of the bureaucratic and paternalistic Fordist welfare state” (Mayer 2013, 4; Mayer 2007). This presents a challenge to social movements aiming to disrupt neoliberal urban governance.

41 1974 Housing and Community Development Act, U.S.C. 12, Section 810, 93-383.
they have jobs often meant that they had little time to work and accumulate sweat equity. With income limits only a suggestion, and with inadequate access to grant or low-interest loan money for repairs, the local programs in Wilmington, Philadelphia, and Baltimore initially benefited moderate income people more than they did the poor (King 1975). By 1979 the average urban homesteader’s income – $17,000 – was only seven hundred dollars below the national average (Borgos 1986, 432). In practice, it proved more difficult for low-income families to renovate buildings quickly and provide the stability cities and legislators sought. Cities that wanted to fill vacant buildings as quickly as possible took advantage of ambiguity in the 1974 statute and primarily gave homes to the moderate-income applicants who could renovate them with less government and non-profit support.

The potential conflicts between neighborhood stabilization and economic development can be brought into focus by looking closely at the ways that homesteading advocates theorized homeownership. Homeownership in the United States is generally seen as having both economic and social benefits—homes are both a source of equity to fuel economic mobility and a source of neighborhood stability and engagement (Perin 1977). However, supporters of low-income homesteading found it important to note that homesteaders were not looking to profit economically from their sweat equity investments. We saw Rolando Politi, at the Community Board meetings, making the same claims about the aspirational homesteaders on East 13th Street – they were “doing it not for resale, not for profit” (Politi 2010). Advocates of urban homesteading such as UHAB made it a point to emphasize that participants were driven to homesteading by desperation, neither by enthusiasm for fixing up derelict tenements (UHAB 1976, 1), nor by a “petit bourgeois interest in ownership for its own sake” (Kolodny 1986, 456).42 Benefiting from subsidies in the forms of grants

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42 It does seem that in the 1970s few imagined that inner city tenement apartments would ever be worth millions, but as this has come to be the case there have been increasing issues with members
and low-interest loans, the homesteaders were supposed to be content with decent housing. In fact, most low-income New York City homesteads were incorporated as co-ops under the Housing Development Fund Corporation law, which restricts the resale value of apartments and/or the income level of buyers. For these homeowners, the home was not supposed to function as an investment. When homesteading was viewed as a way to generate permanent affordable housing, it was important to limit future potential for profit and especially speculation. The decommodification of housing was an essential means to stabilize neighborhoods for low-income residents.

At the same time, moderate-income homesteaders in cities all over the country supported through the federal homesteading program were only required to live in their new homes for several years after completing renovations, and then they could sell them at whatever price and to whomever they wished. In this case, having homeowners treat their homes as commodities was seen as a benefit, part of the project of neighborhood stabilization. Homes that rose in value would increase the tax rolls, and bring up the values of other homes in the neighborhood. If supporting low-income residents was not a goal, then it was not a problem for homesteaders to make a profit from their homes once they had lived in them for a few years. This model of homesteading was about to come to New York.

of limited equity co-ops such as former homesteads profiting from the subletting or illegal resale of their homes. For example, the very first homesteading project UHAB engaged in, and the case study (“The Human Side…” in their 1976 annual report, was 948 Columbus Avenue. The “six households, mostly formerly squatters in the West Side Urban Renewal Area,” rehabilitated a roofless, garbage-filled, cold-water railroad tenement, turning it into a six-unit cooperative (UHAB 1976, 14–16). The project was funded by corporate and church grants and a Municipal Loan. While UHAB noted that the homesteaders it supported were “not interested in an investment, but solely a reasonable, secure, and decent home,” (UHAB 1976, 13) any of these original homesteaders still living there seem to have made a savvy investment indeed: a two-bedroom apartment in that building, in which “rustic and cozy vibes greet you as you enter this enormous living room with hardwood floors, high exposed beam ceilings, wood burning fireplace and large private terrace,” was recently available for long-term lease for $2300/month (“11-30-09 Real Estate Ad, 948 Columbus Avenue” 2009). In later sections of this work, these dynamics will be explored in detail.
In 1975, New York City was selected as one of the first two dozen cities to participate in the initial demonstration phase of the federal program (“Urban Homesteading: A Good Program Needing Improvement, Report to the Congress” 1979, 77). While homesteading in New York City had begun as a grassroots project of rehabilitating multi-family dwellings for low-income residents and had become a city-sponsored program in 1974, once the federal program began New York City also ran moderate-income homesteading programs for HUD-owned single-family homes. The city’s first federally-sponsored homesteaders occupied thirty single-family homes in Ozone Park, Queens, with only minimum income limits (“City Homesteading to Begin in Queens” 1975; Fried 1976a). In fact, in 1976 an official from New York City’s brand new Urban Homesteading Program stressed that “this is not a program for the poor – it’s for upwardly mobile, moderate income people” (Fried 1976b). This federal-local partnership program appears to have had the same orientation as other early HUD homesteading projects: the stabilization of relatively low-density, relatively unblighted neighborhoods.

At the same time, more grassroots efforts throughout the city, such as the UHAB project, continued to focus on low-income homeownership and the empowerment of the poor, without federal assistance. By 1976 there were forty low-income sweat equity projects scattered throughout the city (Fried 1976b). The UHAB annual report for that year listed a strikingly diverse array of organizations as sponsors for homesteading projects, from Interfaith Adopt-a-Building to the Mosque of Islamic Brotherhood, the Bronx League Against Slum Tenancies (BLAST), and the 11th Street Housing Movement, Inc. (UHAB 1976, 30–36). The Lower East Side’s homesteading program “attracted people predominantly from the poorest population in New York City and the Lower East Side; further, it attracted a relatively large share of single female heads of households” (von Hassell 1996, 65). Potential homesteaders did have to be employed at the time of application and could earn up to 80% of the median income for the area. These projects were a striking contrast
to the renovations of single-family homes by moderate-income families sponsored through the federal program.

As governments at various levels around the nation continued to explore a range of different homesteading models, HUD took an increasing interest in New York’s locally initiated experiments in multi-family, low-income homesteading. In 1977 UHAB received a demonstration grant from HUD “to evaluate the extent to which New York’s homesteading activities could be expanded” and support UHAB in general (Dialogue Systems 1982, 12). UHAB was now eligible to use Federal Section 312 Rehabilitation Loans for major reconstruction and Comprehensive Employment and Training Act (CETA) job training funds to pay homesteaders for their rehabilitation work. Sweat equity labor would no longer be unpaid. While New York City’s first federally-supported homesteading project had attempted to replicate the moderate-income, single family model created in Wilmington, Philadelphia and Baltimore and formalized in the 1974 Act, now the federal government was following the lead of New York’s community activists, trying to support and reproduce a low-income, multi-family homesteading model, which included job-training. By 1977, UHAB needed the help.

Homesteading in the Post-Fiscal Crisis City, 1975-1982

Before New York City’s fiscal crisis, the Urban Homesteading Assistance Board had been able to use loans from the city to finance homesteaders’ renovations. This Municipal Loan Program

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43 Section 312 loans provided low-interest loans directly to borrowers to subsidize renovations and combat blight. Repaid loans were returned to a revolving fund for future borrowers. CETA provided block grant funds to states to provide jobs for low-income people, the long-term unemployed, and low-income teenagers, with the intention of training them for future employment on the open market. Ida Susser’s *Norman Street* (1982) and Jagna Sharff’s *King Kong on 4th Street* (1998) both contain ethnographic accounts of the experiences of CETA workers and the nonprofits employing them.
depended on the city’s ability to borrow at low interest rates and re-loan money to homesteaders, passing on the savings. In the wake of a near-bankruptcy, New York City’s credit was so poor that this was no longer possible (Dialogue Systems 1982, 44). When these funding programs collapsed in September 1975, UHAB projects in the planning stages were delayed, perhaps indefinitely. Of the 286 buildings in the process of undergoing low-income co-op conversion in 1973, only 48 were ever completed (Lawson 1986, 223). Having moved homesteading into the mainstream, UHAB’s top priority became finding new sources of mortgage money (UHAB 1976). In the new fiscal climate, UHAB reframed its efforts as a means to raise funds for the city, emphasizing that homesteading “has not required a single cent of public subsidy” and eventually returned buildings to the tax rolls, even sometimes providing the city with “a windfall profit, as when a homestead building is pulled from the demolition pipeline, saving the City an immediate $6,000 or more in wreckers’ costs” (UHAB 1976, 2). UHAB even supplemented the city’s official Sweat Equity loan processing staff with their own workers, increasing their contributions as city personnel cutbacks deepened (UHAB 1976, 12).

UHAB also tried to reposition themselves in the post-fiscal crisis city by expanding their focus and encompassing other forms of self-help, cooperative housing within their purview. As the process of abandonment accelerated, New York City had become a major landlord, having taken over buildings abandoned by owners, but still full of tenants. A change in the city’s tax laws in 1978 accelerated the process through which buildings were foreclosed for tax arrears, leading the city to take over 16,500 residential properties in the next three years (Lawson 1986, 239–240). Attempts to divest the city of responsibility by auctioning off the buildings failed, as many speculative buyers then did not pay their taxes and mortgages or provide services to tenants, leading to a revolving door effect as buildings came in and out of city possession, continually deteriorating (HPD 1979).
In 1976, the Housing and Development Administration was transformed into the Department of Housing Preservation and Development (HPD). This was not just a change in name: “HPD’s task was not simply to manage properties, but to regenerate tax and rental revenues from slum housing and, using federal community-development funds, to revive the private market in slum areas” (Sites 1994, 201). In 1979 a special branch of HPD was created to manage the growing stock of occupied, city-owned buildings: the Office of Property Management (OPM) (Reiss 1996, 7–8). OPM, in turn, created the Division of Alternative Management Programs (infamously, DAMP) to explore new means of disposing of these buildings through sales (“Handbook of Programs” 1984, 2.14).\(^{44}\) DAMP encompassed two previously existing programs: the Community Management Program, which paid community groups to administer apartment buildings, with the goal of eventually making them economically viable rentals or co-ops (operating since 1972) and the more recently created Tenant Interim Lease Program (TIL), which focused more directly on transforming abandoned tenants into cooperative homeowners (Reiss 1996, 9).

TIL, like urban homesteading, was a direct response to the demands of housing advocates and the actions of tenants, who in many cases had already formed de facto cooperatives (Kolodny 1986, 448–49).\(^{45}\) Many of these early de facto co-ops were the result of failed rent strikes: tenants in buildings being “milked” prior to abandonment by landlords found that rent strikes only drove their landlords away more quickly, leaving them with an escrow account full of back rent and deteriorating housing. All across the city, tenants in this situation simply started using their rent money to make repairs, buy oil, and maintain their homes. By the mid-1970s this kind of de facto takeover was the most common form of rent strike (Lawson 1986, 220). This is what happened at

\(^{44}\) In 1984 city homesteading programs were folded into DAMP as well.

\(^{45}\) Housing cooperatives have been an important part of the New York City housing landscape since World War I. From the 1920 to the 1970s, labor organizations used various government subsidies, from post-War tax breaks to slum clearance money, to build co-ops to house working class New Yorkers (Freeman 2000, 110–124).
Casa del Sol in the 1980s. The first housing campaign David Boyle and Rolando Politi collaborated on was with a group of three buildings on East 7th Street by Avenue D whose tenants had been abandoned by their landlords, but all three of these buildings ended up as squats, rather than entering the TIL program, from which the city was already withdrawing resources in favor of market rate housing by 1979 (Lawson 1986, 242). In 1976, UHAB set its sights on the city’s “As-Is Sales” program, a precursor to TIL, aiming to provide technical assistance to those tenants who UHAB claimed “want to become homesteaders, but do not wish to move” (UHAB 1976). By 1984, UHAB’s services were available to all tenant cooperatives formed through TIL (“Handbook of Programs” 1984, 2:20).

UHAB was closely tied to the government agencies with which it worked, and it aimed to use those connections to ameliorate the blunting effect of bureaucracy on “the desire, energy, and initiative of families to house themselves” (Turner and Fichter 1972, x). One of UHAB’s main activities, even in its earliest stages, was providing technical assistance and helping homesteaders to clear the bureaucratic hurdles on their way to homeownership and training them to manage bureaucracy on their own. Insider cultural knowledge of the city’s institutions was an important resource. For example, Philip St. Georges, the 1976 director of UHAB, had been the Director of Cooperative Conversion for the Housing and Development Administration from 1973-74 (UHAB 1976, 20). When the city later created DAMP, it hired St. Georges from UHAB to direct it (Lawson 1986, 240). The Director of Technical Assistance for UHAB had been a project manager for the Office of Cooperative Conversion for the HDA in 1973-74 (UHAB 1976, 20). In fact, UHAB’s founders were characterized by 1974 New York City deputy housing commissioner Alexander Garvin as “a group of former city employees who were unhappy with the government’s lack of commitment to restoring older buildings and providing housing for the poor” (Garvin 2002, 240).

In the relationship between UHAB and city agencies, one can see the leading edge of the
transformation of the state under neoliberalism. Government responsibilities were privatized, with nonprofit offices often found at very little remove from their public roots. However, the flow of expertise and people between government and the nonprofit sector was not unidirectional, but passed back and forth as funding streams shifted directions. Government agencies delegated basic tasks (for example, filling out loan applications) to nonprofits. These agencies also incorporated ideas, individuals, and energy from the nonprofit sector (which in this case was often in turn responding to local, spontaneous, grassroots efforts).

The 1977 HUD grant to scale up low-income homesteading marked a turning point for New York City homesteading. The other single-family moderate-income HUD projects in New York were now on the back burner, and interest in low-income, multi-family homesteading intensified dramatically from 1977 onwards, with mixed results. In addition to funding UHAB, the 1977 grant included direct support to two neighborhood-based organizations to lead experimental, intensive, localized homesteading efforts, partially executed using CETA-funded labor: The People’s Development Corporation (PDC) in Morrisania, in the Bronx, and Adopt-A-Building, on the Lower East Side of Manhattan (Lawson 1986, 235). Even as these projects fell behind schedule, HUD extended the demonstration to two more organizations, committing an additional $2.2 million in funding in 1980 (Lawson 1986, 235). Media attention to a multi-building project on East 11th Street, which featured solar panels and the first urban electricity-generating windmill, contributed to HUD’s enthusiasm for New York’s model. Jimmy Carter’s October, 1977 visit to the South Bronx included a stop at the People’s Development Corporation’s almost-completed sweat-equity project on Washington Avenue, one rehabilitated building “in the midst of utter devastation” (Lawson 1986, 235). After this, money flowed into these organizations, and UHAB, from churches, foundations, individuals, and all levels of government.
This influx of funding and taking on of the responsibilities of providing basic services to urban citizens created significant challenges for the agencies receiving it, destroying some and almost completely transforming others. Adopt-A-Building went from having a staff entirely supported by unemployment checks in 1975 to having a paid staff of ninety in 1980. Only one of their initial buildings on 11th Street was completed (Garvin 2002, 241) and by 2002 Adopt-a-Building was listed as one in a “long list” of community development nonprofits “stricken” by failed attempts to become managers of low-income housing (Matloff 2002). The People’s Development Corporation’s budget increased tenfold, to $4 million per year, in 1977. By late August, 1978, over a third of the PDC’s CETA-funded homesteaders had been fired or quit, and “finally, the firing of a group of workers in February, 1979 was followed by two months of arson, break-ins, theft, protest, and violence, which included the destruction of PDC’s financial records” (Lawson 1986, 238). The managers, visionary leader Ramon Rueda, and senior homesteaders pulled out, and the People’s Development Corporation faded away. However, the PDC should not necessarily be evaluated as a total failure: twenty years later Ronald Shiffman, the director of the Pratt Institute Center for Community and Environmental Development, noted that the PDC "was the weak parent of a lot of stronger children" (Waldman 2000). Rueda remained in the Bronx, found a job sealing abandoned buildings and doing rehabilitation, and by 2000 was working as a project supervisor for the construction of a low-income housing development near Yankee Stadium. In this position, Rueda struggled to be allowed to hire local, non-union construction workers, building self-esteem for

46 Mayer describes how community-based organizations in the neoliberalizing city are transformed as they come to focus on securing their own reproduction, partnering with government to access funds (2007).
47 Nicole Marwell’s Bargaining for Brooklyn (2007) and Arlene Davila’s Barrio Dreams (2004) both trace the experiences of housing non-profits as they try to adjust to becoming managers and developers of housing in the neoliberalizing city. Even more recently, Desiree Fields studied how housing non-profits formed in the era of abandonment learned how to fight predatory equity during and after the 2008 financial crisis (2013).
Bronx residents and keeping costs down so that rents would remain affordable (Waldman 2000). The echoes of the sweat equity approach, which has been accused of devaluing labor (Schuman 1986), are clear.

In the post-fiscal crisis city, nonprofits like UHAB were taking on more and more of the work of developing and managing housing and providing job training while still trying to remain true to their grassroots origins. Homesteading now was increasingly marketed as a way for the city to save money, and was no longer supported by large-scale, low-interest loans from the city. However, even with their budgets exploding these programs struggled to function, as homesteading remained a labor-intensive way to create housing. Evaluations eventually showed that, because it took so long to complete renovations, and so much support was required to make sweat equity work, large-scale low-income urban homesteading was not a cheap way to produce housing (von Hassell 1996, 172–173). The fiscal crisis accelerated processes of abandonment, while the austerity measures taken to attempt to balance the city’s budgets led to cuts in support for legal homesteading. Squatting then returned to the center of public debate and policymaking in the 1980s.

Walk-In Urban Homesteading: A Return to Squatting on a National Scale, 1977-1985

While in New York City federal funding was shifting from 1977 on to an emphasis on low-income programs that included job training elements, and homesteading activists were deeply engaged in the work of running the post-fiscal crisis city, in other cities the moderate-income federal homesteading model was still in place and increasingly contested by neighborhood activists.

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48 For federally-sanctioned urban homesteading to work, HUD had to get a waiver from federal funding requirements to pay prevailing union wages and use union labor (von Hassell 1996, 24)

49 For an ethnographic account of the experiences of homesteaders on the Lower East Side from 1978-1993 facing many of these challenges, see von Hassell (1996).
Squatting again became a key tactic in these struggles, the keystone of a national campaign to reform and expand homesteading that by the mid-80s would spread to New York City.

In Philadelphia thousands of vacant HUD-owned homes were unavailable for homesteading due to the 1974 program’s requirement that homesteading be confined to certain neighborhoods. Local activist Milton Street responded by organizing a “grassroots Walk-In Urban Homesteading Program,” in which 200 squatters occupied HUD-owned single-family houses. Faced with widespread public support, HUD capitulated: “Half of Street’s squatters eventually received title to their houses at nominal cost, fifty purchased their homes with FHA or conventional mortgages, and many of the rest remained in place under rental agreements with HUD” (Borgos 1986, 433).

ACORN (the Association of Community Organizations for Reform Now, a membership-based national community organizing group) formed a chapter in Philadelphia in 1977, and over the next five years developed a campaign to challenge Philadelphia’s local homesteading program, which dealt with city-owned houses and had a growing yet seemingly unmoving waiting list. This highly-organized campaign required prospective squatters to research the house they wanted, get support from neighbors, and sign a “squatter’s contract” obligating them to participate in collective action to reform homesteading (Borgos 1986, 437). In contrast to the anti-urban renewal protest squats in New York City in the early 1970s, this campaign aimed for the squatters to keep the housing they were occupying, while also using their actions to publicly dramatize the injustice of housing distribution.

It worked. After several rounds of negotiations with city officials, in which ACORN would promise to stop squatting if the city kept to a plan for reform, but then initiate a new round of squatting when the city did not follow through, by late 1981 most elements of the so-called “Philadelphia Model” of homesteading had been developed and implemented. While the existing

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50 For detailed accounts of this campaign, see Borgos (1986) and Atlas (2010, Chapter 7), Chapter 7.
federal program started in 1974 tried to balance the potentially conflicting goals of providing low-income housing and bringing empty homes back into the market and remained a relatively small-scale project, the Philadelphia Model clearly defined homesteading as primarily a housing program for low- and moderate-income families and aimed for a scale of action that could make a significant impact on abandonment. This required longer time limits in which to complete the renovations, access to low-interest loans for renovation, quotas for how many houses a city had to provide to homesteaders and aggressive attempts to move vacant houses into the pool of homes available for homesteading, mainly by speeding up tax foreclosures (Borgos 1986, 436–438).^51\]

Seeing the successes achieved through squatting in Philadelphia, other ACORN chapters started squatting campaigns in their cities, and by April 1982 there were more than 200 ACORN squatters in 13 cities. In the summer of 1982, ACORN organized a squatters’ tent city of over 200 residents in front of the White House. After a “hastily called congressional meeting to hear the protestors’ complaints,” the federal government responded, creating a new homesteading program as part of the 1983 Housing and Urban-Rural Recovery Act and meeting many of the demands of the ACORN squatters (Rohe 1991, 446).

The new Local Property Urban Homesteading Demonstration created in 1983 included a focus on locally-owned property as opposed to HUD-owned homes, longer timelines, priority access to loans, priority for those who needed housing most and a demonstration project to use federal money to buy vacant homes for homesteading (Borgos 1986, 440–441; Rohe 1991, 446–447). However, while this seemed to be a major victory for ACORN, the program was short-lived, in large part because the housing landscape was shifting from one of rampant abandonment and low prices to one in which it proved nearly impossible for cities in the program to find vacant, tax-

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^51 In an attempt to bring more houses into the pool available for homesteading under a Philadelphia Model project, Milwaukee shorted the period of tax delinquency after which a property could be foreclosed to one day (Rohe 1991, 449).
delinquent homes for under $15,000 (the price HUD would pay) (Rohe 1991). Finally, most of the cities in the demonstration project did not incorporate sweat equity into their programs, as the time and money required to support homesteaders to do the work outweighed that required to do it solely with contractors. In New York City, low-income people had been supported to do sweat equity through CETA, which allowed non-profits such as UHAB to hire and train them to work on the buildings. CETA was discontinued in 1982, though, and the new program had no similar component. Single parent families, who made up 44% of the homesteaders in the new programs, were notably unable to take on sweat equity tasks (Rohe 1991, 451).

The self-help aspect of homesteading, then, dropped out of this new form of the program. Squatting actions had led to the development of a new federal model for urban homesteading, but with government investments in low-income housing continually shrinking in the Reagan era, along with the stock of vacant, government-owned homes, it was a program that could not work. While funding for the original 1974 homesteading program remained strong through the Reagan and early Bush presidencies, and the program continued as part of the Affordable Housing Act in 1990 (Rohe 1991, 454), after the mid-1980s urban homesteading was no longer a major part of the national conversation about housing. In New York City, interest in homesteading remained high among those seeking housing through the mid-1980s, as support for homesteading programs waned.

The End of Homesteading in New York City, 1982-1991

New York City was not one of the demonstration sites for the new 1983 federal homesteading program, and by the mid-80s, when Rolando Politi, David Boyle, and Marisa

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52 As part of the HOPE I (Homeownership and Opportunity for People Everywhere) program, which mainly aimed to privatize public housing by selling it to occupants.
DeDominicis were taking over 539 East 13th Street, the possibility for new legal homesteading seemed increasingly slim. Eleven projects were accepted in 1982, but by 1984 only a few had even begun construction (Robbins 1984, 18). In response to a call for proposals for homesteading projects in December 1983, the city received ninety full proposals, whittled down from 539 initial inquiries, for only ten to fifteen projects. In another lottery, 33 homesteaders were chosen from 700 applicants, but a year later only eleven remained in the program, after delays and financing problems (Wedemeyer 1985). In ongoing homesteading projects, construction was stretching on for years, city grants covered only a small percentage of the costs, and private loans were unavailable to homesteaders presenting no title and nothing but sweat equity to offer as collateral (Robbins 1984, 19). One of the buildings eventually squatted on East 13th Street was allocated to an organized group of Latino bus drivers, who dropped out of the homesteading program once they realized how onerous the process was, turning it back over to the squatters on the block (1977, 20–31). While the residents called themselves homesteaders and modeled their organization after those of organized homesteaders, the rest of the buildings on East 13th Street were never accepted into a homesteading program. The days when one could enter a city-owned abandoned building, begin working on it, and then get permission and support from HPD to finish the renovations and turn it into a co-op seemed to be over.

East 13th Street was not the only place in New York City where people were squatting in an attempt to get access to homesteading opportunities. In August of 1985 community residents, inspired by an ACORN organizer backed up by a bull horn and three years of organizing, seized twenty-five city-owned buildings in the East New York neighborhood of Brooklyn (Breen 1989). They were protesting the “glacial pace” of homesteading programs and the two thousand vacant city-owned buildings languishing in the neighborhood, but they also worried about gentrification

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53 For detailed accounts of this campaign, see Atlas (2010), Chapter 9, and Hirsch and Wood (1987).
(Greer 1985; von Hassell 1996, 157). The deputy commissioner for property management at HPD described the political support gained by the squatters as evidence of “a broader mission than simply gaining housing,” and he was quoted as saying that “homesteading has become part of a larger, different kind of struggle. I think in some communities, many people are very concerned with the issue of gentrification. They feel they are being pushed out and that rather than let these buildings go, they seize them and insure their long-term use” (Greer 1985). But he was evidently not speaking on behalf of the city in this sympathetic tone.

Squatters at this time were sometimes represented to be fighting gentrification, in solidarity with other low-income people vulnerable to displacement, but they were also pitted against other low-income people seeking affordable housing and framed as opportunistic line-jumpers. A city spokesperson raised arguments which would be made time and time again against squatters, more stridently as the pool of available city-owned housing shrank: “Why should we allow the person with the greatest muscle, who breaks down the door first, to have the unit rather than the other people who may be on the waiting list? People think that if they do the work, they can pressure the city into giving in. We never, or virtually never, negotiate with someone” (Greer 1985).

It is a good thing he included that “virtually.” By March of 1988, the city had transferred title to fifty-eight buildings and the 2.7 million dollars in grants and low-interest loans needed to renovate them to the Mutual Housing Association of New York (MHANY), the city-sanctioned collective formed to represent the original East New York squatters, now turned homesteaders. Long negotiations between ACORN and various city offices, mediated by the Pratt Institute Center for Community and Environmental Development, turned illegal squatters into “something the city could live with,” even support (Erlanger 1987). Felice Michetti, then Commissioner of HPD, said, “Once ACORN was willing to recognize that squatting is illegal and not an answer it paved the way for a mutual sharing of ideas and financing by the city” (Erlanger 1987). Because ACORN promised
to abandon squatting and gain title to the buildings through official channels, leaders at HPD were able to keep their pride intact and maintain a pretense of legality without evicting the squatters, who (unlike those on the Upper West Side in 1970) remained in the buildings illegally throughout the negotiations. The squatters on East 13th Street and throughout the Lower East Side, in contrast, did not have a respectable umbrella group to negotiate through, and they were not united in pursuit of a clear goal. Some wanted to become homesteaders but, as we will see in the following chapter, many did not want to own property at all. While in East New York ACORN-supported squatters gained legitimacy, on East 13th Street it became more and more elusive.

By the mid-eighties the city had withdrawn most of its support for homesteading, and only the sense of urgency created by the presence of organized and highly public squatters forced it to act in this case. As an ACORN organizer explained, “The city has to be forced to do anything with homesteading – it would rather auction off its real estate – but the neighborhood welcomed us with banners when we came in and took those buildings” (Breen 1989). A wide base of institutional and community support pushed the response away from knee-jerk eviction to a more constructive outcome: the creation of an innovative mutual housing association. The negotiations resulted in a formal system in which the homesteaders contributed money and labor and MHANY coordinated their efforts, held title to the land in order to preserve the buildings in perpetuity as low-income housing, and retained the first option to buy the buildings for a price representing the labor invested. The mutual housing association, the first of its kind in New York, represented the realization of a reworking of homeownership much talked about amongst squatters and left wing urban planners, but rarely enacted. MHANY separates the right to control and use the buildings from the right to sell, rent, or otherwise profit from them, disaggregating the elements of the “bundle of rights” usually assumed to come with ownership. With gentrification now a concern, the solution emphasized the decommodification of housing and the long-term prevention of speculation. The
homesteaders got control ownership, but income ownership was retained by MHANY, which existed expressly to prevent profit-seeking sales. The institutional structure of MHANY forced the East New York homesteaders to accept the loss of income rights in exchange for the support of a collective.\textsuperscript{54}

Here we can see one possible way of resolving the ongoing tension between use value and exchange value in the home: use value is prioritized while exchange is tightly constrained to remove housing from the speculative marketplace. In the early and mid-1970s, when it seemed that capital might never return to the inner cities, it was easier for urban homesteaders to focus on producing use values. The homes they created for themselves had almost no exchange value. Beginning in the late 1970s, and certainly by the mid-1980s, however, inner city real estate again became a valuable commodity. As property, its value again derived substantially from the right to exchange it. Still, some squatters and aspiring homesteaders sought models of property in which they could build a home as shelter for themselves or their families, even as the political zeitgeist emphasized the social value of a commodified home.

The victory in East New York did not lead to a general increase in support for homesteading, nor to an explosion in mutual housing associations in New York City. In fact, MHANY no longer focuses on mutual housing, and has become part of the coterie of housing non-profits charged with developing and managing low-income housing of all types, supported by HPD, HUD, Citibank and others. The last request for homesteading proposals HPD put out was in 1986 and by 1991 homesteading had “run its course” on the Lower East Side (von Hassell 1996, 25–26). The squatters on East 13\textsuperscript{th} Street had tried to emulate homesteading as a way to claim legitimacy and

\textsuperscript{54} The long-term financial implications of forfeiting the right to profit from the sale of one’s home have led homesteaders in other neighborhoods, including the Lower East Side, to abandon plans to vest ownership in a land trust, often just as they are about to gain title to the building (von Hassell 1996, 121, 128). We will go into this idea in more depth in Part Two.
eventually gain legal title to their buildings, but by the 1990s this was beginning to seem a far-fetched goal. In the next section, we will hear about how David Boyle, Marisa DeDominicis, and Rolando Politi’s dreams of bureaucratized, egalitarian sweat equity fared over time, and the story of their next strategy for legal ownership: adverse possession.
Chapter 2: Legalization Attempts

Adverse Possession and the Battle for 13th Street

The Narrators

Carla Cubit, b. ~1968, grew up in Kansas City, Missouri. Her mother struggled with alcohol and crack addiction, and Carla often lived with aunts. When she was eighteen her boyfriend was killed, and she moved to New York City hoping to get into theater. With no contacts or resources she quickly became homeless and spent four years in shelters and homeless encampments before moving into 535 East 13th Street in 1989. While homeless she was diagnosed as schizophrenic and became involved in activism against the mental health system. As an “outsider artist” she was represented by American Primitive Gallery, and she continues to make art. After 535 was evicted she lived in a city housing project, “stuck in hell poverty,” then got into a low-income co-op, “cashed out,” and now owns a home in New Jersey.

Figure 8: Carla Cubit (courtesy of Carla Cubit)
Rick Klemann, b. 1960, grew up in a middle-class, but integrated, neighborhood in Washington, DC. He moved to New York City in 1979 to join the art scene and attend Pratt. Soon after that both of his parents died of cancer, and he entered a period of heavy drinking, heavy drugs, and heavy metal music. In 1985 he moved into 544 East 13th Street, where he still lived as of 2012. Living in the squat he found a productive outlet for his energies and threw himself into renovations. In the late ‘80s he began to make a living painting custom guitars and drums for rock bands. He now repairs generators and air conditioners and is married to a nurse.

Peter Spagnuolo, b. 1965, grew up in a military family and lived in seven different places before he was eighteen. He spent his high school years coming into the city to hang out, do acid in the Metropolitan Museum of Art, and explore the Lower East Side. While studying poetry at the University of California Berkeley he became a heroin addict and moved into a squat. He moved back to New York City, adjuncted for a while and then worked full time at the Strand Book Store. In 1988 he moved into a squat at 541 East 13th Street after losing his apartment in Williamsburg. He got off heroin on 13th Street. He was one of the main organizers of the adverse possession lawsuit and now works as an assistant to the lawyer from that case.\(^1\) He co-founded the Squatters’ Rights Collection at the Tamiment Archive. He is a poet and lives in Greenpoint, Brooklyn, with his family.

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\(^1\) In his ethnography of land claims cases and the legalization of informal settlements in Sao Paolo James Holston also found that some residents became experts in legal process and entered new career paths through their participation in it (2009, 231, 244).
Almost immediately, there was a backlash against the ordered vision of squatting-as-homesteading promulgated by David Boyle, Rolando Politi, and Marisa DeDominicis. While they envisioned an egalitarian process through which they could curate a community of engaged residents, representative of the community, appropriately needy yet capable of working and participating in a demanding collective endeavor, many of those who came to 13th Street seeking housing simply wanted housing and were uninterested in or openly hostile to this vision. David Boyle gives an example:

We got a security guard across the street, put him in an apartment and he refused to pay rent. It wasn't rent, it was your maintenance, your dues. We asked him why and he said he didn't have heat. We were like—this is not working out too well here. He said, "I don't have to pay, I know my rights I don't have to pay unless I'm provided with heat. I've got to be provided heat." He was ejected from the coalition and then we put a little old lady down there. (Boyle 2012)

It proved challenging to get others to invest their labor and money into the idea of illegal homesteading, as Marisa DeDominicis explained:

We had a block party the first year as a way of bringing people in. We really campaigned up and down the block to try to help see if the people who were already part of the established garden would help us with the design of the garden. We just tried as hard as we could to

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2 For a fictionalized account of this time and place, see Cari Luna’s novel: *The Revolution of Every Day* (2013).
integrate ourselves as opposed to plopping down. And I think we were somewhat successful because of that. It was really a concerted effort to make sure that it wasn’t like an imported situation. I don’t have anything against punks, I don’t have anything against people that were also part of the fabric of the neighborhood, but I was really focused on people who had been there for at least twenty years. Looking for older people and families. I think everybody wanted the families to come in but I think we really tried. I think some of the other squats tried also, tried to be accommodating but we had Suzanne Present who was living on top of Life Café with her son and that was like our family that we would try to say, as a way of helping to accommodate a family, “We’ll put the floors in for you Suzie.”

We had my friend Julie Zale who just passed away who was a proofreader in the third shift, and she went to bat and put all her money into legal defense, along with Bernie Nalin. We had Angel Delgado who died of AIDS, I think he died of AIDS but he worked so hard. He was definitely the Puerto Rican community that we wanted, he was just wonderful. And Miguel, his son. They were roommates.

**Starecheski:** What were the challenges to including people from the neighborhood?

**DeDominicis:** Many people expected it to be done for them. Weren’t used to sweat equity—it was hard dirty work. The faith that it would become legalized after years of being there; people dropped out because they couldn’t see it was going to happen. Conditions, living conditions. I think the challenge too was some of the people that came in were not that emotionally stable. We had issues with people that came who had nothing to lose. Like even if we wanted people that were of all walks of life, in general I think societally there
weren’t that many idealistic people that were coming in. There were people coming in that had reasons as to why they needed a house, and would want to be involved with something that was not stable. (DeDominicis 2012)

The East 13th Street Homesteaders Coalition lost control of the six squatted buildings on the block. Each building slowly took on its own character. 535 had a large black population, with a core group from Philadelphia including playwright Xavier Mohammed. 537, decorated with murals, hosted benefit shows for the squats and was home to a theater group – The Living Newspaper – and a boomerang business. Residents grew hydroponic tomatoes on the roof and for a time that building was a mecca for pregnant women and children, as it was one of the first Lower East Side squats to have reliable electricity, and an 'open door' policy for women in need. Members of 535 and 537 held poetry slams, organized and ran the Fierce Pussy Festival in Tompkins Square Park, and hosted visiting squatters from Holland and Mexico. 541 was known for its Uruguayan population. There were squatted theaters and cafés and community gardens. Next to 545 East 13th Street blacksmith Robert Parker and others built a working forge in the garden and named it “Suckers Hole.” They created hand-wrought gates with an abstract animal design for the garden fence. East 13th Street was lively, and at times chaotic. The narratives of Carla Cubit, Rick Klemann, and Peter Spagnuolo, who came to 13th Street months or years after the first building was opened, are quite different from those we read in Chapter One, and much of the world they describe fails to fit into the bounds of the bureaucracy imagined by those who opened the buildings.

Carla Cubit: Yeah, basically someone [at the homeless encampment] said, here, go to 13th Street, so that is where I stayed for a few years.
Jeremy Sorgen: Who was that?

Cubit: Alfredo Gonzalez? I don’t know, it was somebody who was, I guess, active in that movement. It was, like, OK, go to 13th Street. I just remember I went there and I did a couple of workdays. They were like, OK, you gotta do some workdays if you want to move in. Of course I want to move in!

Sorgen: What was it like when you got to 13th Street? What was the building like?

Cubit: Well I certainly wasn’t staying in the shelter anymore. Statistically speaking, 13th Street was most majority like white. Sometimes white middle-class. And I look around and I’d say, OK, maybe there’s me and one or two other black—because I’m a black girl—probably see one or two other black girls. I was aware of just being, like one of a few black people. But I felt some sense, I sometimes think, is that some token black thing or what? Or was it just a coincidence or what?

I never felt any animosity. The building I was in was a lot of black people, on 13th Street. And I don’t know if that’s why it got shut down. That’s one of my conspiracy theories. So I don’t know if that’s why I got sent there, it’s why I ended up living there. But I wonder if there could have been, like, hidden animosity that’s really not spoken. I’m always aware of

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3 This is one of the interviews done by Jeremy Sorgen, an NYU undergraduate at the time, as part of the Squatters’ Rights Collection at the Tamiment Archives. Jeremy was supervised by Michael Nash, who was the Director of Tamiment, and some of the squatters who founded the archive. His interviews are excellent. As part of my research I had them transcribed and got release forms from the narrators. Carla Cubit made edits to her transcript; this excerpt is from the edited version, approved for public use.
I’m a black person. Unfortunately, it’s a part of my life, you know.

13th Street was more friendlier than other squats and they were more community involved. And I moved to three different apartments throughout it. And that was a really, to me, a utopia feel. Beside the bully there right in the building. Butch is his name.

**Sorgen:** Tell me about Butch. What was he like and how did he, you said, took over the building?

**Cubit:** To me he was the terrorizer of the whole neighborhood. And I don’t know if it’s because I have this personal thing where every building I move in has a bully because I’m living in a poor people’s building. He would just yell at everyone, and go in rooms and drag people out.

**Sorgen:** What was he dragging them out for?

**Cubit:** That was just his personality. Because he didn’t like them or they shouldn’t have been in the building or it was his building, you know. He would sit on the steps everyday just yelling and yelling and talking really loud.

**Sorgen:** And they couldn’t get rid of him? Did people want to get rid of him?

**Cubit:** That’s a good point. Good question. Yeah, we never got rid of him until we all had to leave in the end. I remember saying, this is the only thing that’s going to put me out of my
misery if I don’t leave, the city going to close the door. He since passed away, though. From what I hear.

Sorgen: What were workdays like? Describe a workday.

Cubit: Oh. I think I just had them once a month. I remember working in the basement. You had to do four workdays to move in. When I first moved there they were having them regularly, but then it just stopped. Probably because the bully took over the building. And I can’t remember if there were even meetings. Maybe there were meetings, but after a while they just stopped.

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Rick Klemann: At the time I didn’t even know what a squat was. They preferred to call them homesteads and I was like whatever, I got tools—I’ll be there. I needed to do something. I had no place to live except with my girlfriend at the time. They were doing major work, I was really impressed. The cops weren’t trying to throw us out so I was like, “You know what? I think we have tacit approval here. A guy like me could run wild here.” [laughs] So you know, I had some power tools, old Black and Decker stuff I’d had since the mid ‘70s, you know gotten for Christmas or something. I just brought ‘em up here to New York and of course they all got burnt out and destroyed within a year but that was my big thing, I’d say “I’ve got power tools! Let’s do it! Let’s start building some stuff.” And I think they kind of liked me after a while. Some of the people in this building were kind of suspicious of me. The attitude was well we really don’t need another young white guy from
outside New York, or an outsider. We need more home people here. And they themselves were white and from outside New York and were saying that so that's kind of funny. I kind of had to prove myself right off and there was no problem there. I was a hard worker back then.

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Peter Spagnuolo: The scene was amazing. It was just a constant hive of energy. A very excitable bunch of people [laughs] who covered the map from very serious politically intent people who viewed what they were doing specifically through the prism of personal politics and social-political or ideological choices, all the way over to the other end of the spectrum to people who actually had no idea they were living in a squat [laughs]. They literally didn't know they were living in a squat, or they were in complete denial and some of these folks were recent arrivals to New York City and they had a lot of things to fear about exposure and the police in general. So they didn't participate in the ideological life of being a squatter at all. I'm thinking of in particular some folks who had come from Latin America and I think this one family came from El Salvador and another family I think was from, I probably shouldn't say but my recollection is that they were from Honduras. I could be wrong about that but obviously the one country had come through this long bloody civil war and was still kind of going through it in 1989 and the other country was a very repressive place. So yeah, we had people in there who literally didn't want anything to do with the ideological struggle and we had people who were there specifically because of it. And then you had everything in between.
And then taking that spectrum you could overlay on it another spectrum of mental health indicators [laughs]. Because everybody on that spectrum you could then sort of look at their level of craziness. There was a whole lot of crazy people who were squatters because they were crazy and people who were crazy because living in a homeless, unsettled way for years made them crazy. It was often hard to tell the difference between people like, “Is this person actually a psychotic on their own or are they just a little eccentric because they've been pissing in a bucket for five years and have no windows on their rooms and it's January in New York?”

So that was a very interesting thing when I first moved in there, just learning that the freedom of squatting also meant that you got people who were sort of already rumbling and tumbling through American life. There were people who had kind of come loose in some way or another and were pitching around in the setting of urban America at that time. Obviously '87 and '88 in New York were a period when homelessness I think moved to if not the center of the discussion it moved a little closer to what people talked about when they talked about urban policy and life in Reagan's America.

In the case of 541 there was not a special process of applying or being approved. The space that my friend Doug invited me to take over belonged to a woman named Maria. And Maria was I think moving to Germany, she was going to Germany for some reason and had no objection to me taking her space over. And she was already part of the collective there. Each house made its own rules, 541 had almost no rules when I moved in. There were work parties for 541 but they weren't observed very regularly. After I moved in I think I helped get them going more, mostly with the Uruguayans. I worked with the Uruguayans mostly on
the top two floors. There were two or three households that were almost all Uruguayan and Argentine and those guys were kind of serious about getting stuff to look better and function better.

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**Rick Klemann:** Problem tenants, you know we’ve had so many. Everything from drug addicts to people that just move in with somebody and try to take over. When you’re living in a squat it’s basically a lawless building. The cops don’t want to have anything to do with it, they didn’t want to deal with domestic issues back then. The people who move in quickly realize that, “Hey, this is a wide-open building,” and then they just run rampant. And there have to be a few people that step in and say, “Enough is enough, you’re out of here.”

Problem tenants can be anything from eccentric artists to full-on junkies to people who are disrespecting the women, you just run into every kind. It just seems that every denizen from the Bowery ends up here. Once you get rid of one person here comes another one, then we get this crazy Russian. Then we get a crazy Vietnam vet, then we get a crazy family of twenty people who got in because we were fools and we didn’t believe it. So it went on and on and it’s almost continuing to the day but we’re better with controlling it now. So, a lawless building. It’s not all it’s cracked up to be.

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Peter Spagnuolo: We had a couple of outbreaks of like crackheadism in the building. Crackheads were far more dangerous than say heroin addicts or anybody else. Crack in your building, even with your friends and other people who were your friends and other people who were your comrades was really corrosive in the way that opiate use never was. Just the nature of the thing with people doing crack it just would snowball so quickly. And this was the golden age of crack, like 1987 to 1991 or so is when crack really really had—it had obviously been around for a few years but it exploded around '86, '87. The price of crack dropped so that it was so cheap and it was everywhere. It became a really corrosive influence for neighborhoods and for regular apartment buildings and housing projects, I think every part of the community really felt how much damage crack can do and how quickly to people in your community and how that would just infect all these social relationships.

And it was especially true in the squats because we were more intimate in our social relationships and our dependence on each other for basic things like safety and security in the building. Not getting jumped in the hallway in the middle of the night or stabbed or—which are things that happened, those things happened in my building. Not having the building burn down, that was a big thing too. You had to know that people were being basically responsible. We had fires, everybody had fires. And crack was one of those wild cards that if somebody in your building was getting into crack or maybe like a whole apartment had turned into crack users [laughs] it could get out of hand really fast. Where all of a sudden you find faces you didn't know coming in and out of the building and staying in that apartment and the next thing you know you'd be dealing with somebody insisting the place was theirs who was a stranger. And a stranger with a drug problem and maybe
somebody who was stealing or kicking in other apartments, kicking in other spaces in the squat when nobody was home. That happened.

Carla Cubit, Rick Klemann, and Peter Spagnuolo describe a world which did include meetings and workdays, but which was far from the ordered world of work credits and ministries envisioned by the people who originally opened the buildings. At first, most of the East 13th Street squatters’ public claims to legitimacy still used the framework of low-income homesteading: deserving, needy, local people claiming a right to city-owned abandoned housing through their own labor and ingenuity. This depended on having clear requirements for participation, in terms of both deservingness and labor. Cubit, as a street homeless woman of color, describes being invited to 13th Street and welcomed, but also worrying that she was a token black, who did not really fit in with other residents. Through the stories of Klemann and Spagnuolo, we can see how, even as efforts to include local people of color continued, white men with construction skills and social connections to the scene continued to get apartments.

Some residents of the squats used a revolutionary communist framework to publicly claim rights to the buildings. Represented in the public eye by “John the Communist,” these squatters explained their occupation as a rejection of private property, a taking of land in the service of building a revolutionary movement. This group disdained, and even attacked, the “homesteaders”’ goal of homeownership.

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4 In her full interview she repeatedly and powerfully contrasts the pleasures of communal living in the squats with the isolation of living alone in public housing, an “internet addict” without family or friends. It is also important to note that many of the people of color I spoke with expressed similar feelings of being tokenized or used to legitimate the project of squatting.

5 David Lovelace’s memoir about bipolar disorder is partially set on East 13th Street, and contains another example of a white man from outside the area gaining access to space in the squats based on construction skills and personal connections (2008).
Others claimed spaces in the building using physical force and what Cubit calls “bullying.” Butch Johnson dominated 535, and 544 is now split between two factions, one led by a woman widely identified as a bully. In a context in which just about everyone wanted to avoid invoking the power of the state and inviting police or other officials into the buildings, the struggle for control of space often turned not on agreed-upon rules and decisions taken at meetings, but on physical occupation. Even in cases where physical occupation seemed to determine rights rather than vice versa, many residents of the squats did try to legitimate their occupation, invoking legal, moral, or political rights. For example, in a 1988 conflict with a former boyfriend and father of her first child, Marisa DeDominicis claimed a right to her apartment based on the work she had put in and her need and position of moral strength as a newly abandoned single mother of an infant. Her former boyfriend claimed to have a right to the apartment as her common-law husband, as an active participant in the squatters movement, and based on the thirty-day rule which, under New York City law, requires that anyone occupying a space for thirty days or more be officially evicted, not just treated as a trespasser. DeDominicis and her ex did not, however, take these conflicting claims to a building meeting, as by this point their building was not effectively governed by the group. DeDominicis came back a few days early from a trip to find out that her former boyfriend was planning on moving her belongings out of the apartment and claiming it while she was gone. She occupied the apartment, removed his belongings, and had a friend’s husband call and get her ex to back down. She kept the space, but the conflict continued for another decade, through physical conflicts, family court, and efforts on both sides to rally social support for their point of view (DeDominicis 2012).

6 See Don Mitchell (2003) for more on the use of rights discourses to claim space in the city, or to claim space as public, and Blomley on claims to rights in property based on use or citizenship (2004).
This array of conflicting, overlapping claims on property was suddenly exposed to the public in 1994, ten years into the occupation of East 13th Street, when the five squatted (yet technically still vacant and city-owned) buildings on the north side of the street (535, 537, 539, 541, and 545) were transferred to a housing developer, to be gutted and turned into low-income housing. Now this diverse group of squatters had to defend their homes as best they could, using whatever mix of politics, the law, and direct action they could muster. In this context of crisis, the moral claims and bureaucratic framework of homesteading would find new traction and power.

Low-income Housing vs. the Squatters

Dutch sociologist Hans Pruijt is one of the leading scholars in theorizing urban squatting movements in the developed world within a comparative, international framework. He recently produced a typology of urban squatting that is helpful in making sense of the complicated scene on East 13th Street (Pruijt 2013). Pruijt aims to take diversity within squatting as a starting point and avoid relying on an assumed contrast between squatting for shelter and squatting as a form of countercultural or political practice. Practically all squatters, whatever their other motivations, are squatting because they need shelter. On the Lower East Side, where the condition of the buildings available for squatting was particularly bad, this is especially the case. Very few people would live in damp rubble, with no walls, windows, heat, electricity, or running water and under constant threat of eviction unless they needed housing and had few other options. Combining contingency theory and social movement theory and drawing on comparative longitudinal research on squatting in Europe, Pruijt defines five configurations of squatting, each including the activists’ goals and class, the form of organization, type of buildings, demands, framing, cultural and political embedding, outcomes,

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7 Pruijt focuses exclusively on “squatting that is organized by, or at least supported and/or inspired by, a social movement” and excludes short-term squatting (2013, 17).
and specific problems. Each configuration generally employs a different framing tactic, and makes different claims to moral legitimacy. In short, the five configurations are

- deprivation-based squatting, in which middle class activists open and help manage squats to provide housing for needy people
- squatting as an alternative housing strategy, in which mostly middle class people squat to fulfill their own unmet needs for housing and social and political expression
- entrepreneurial squatting, in which mostly middle class people use squatted buildings as venues for music, organizing, food distribution etc.
- conservational squatting, in which mostly middle class people squat buildings to protest or prevent urban renewal or gentrification
- political squatting, in which squatting serves as a means to build up counter-power to the state

It is clear from the descriptions above that all five of these configurations were found on East 13th Street from 1984-1994. John the Communist and Steve the Brit were promoting political squatting, with no intention of negotiating with the state or pursuing legalization. They sought to use the squats as a base from which to foment conflict with government. Those running theaters, soup kitchens, and the blacksmith’s forge were practicing entrepreneurial squatting, which depends for legitimacy on the value of the establishment to the community. And, as the neighborhood became increasingly gentrified, the squats became a protest against gentrification rather than a defense against abandonment, in a type of conservational squatting. On East 13th Street, deprivation-based squatting and squatting as an alternative housing strategy fit best with most of the activity and the public claims made about that activity. We will examine those in more detail.

Deprivation-based squatting targets low-income housing that is left empty for no discernable reason, allowing squatters to legitimately occupy this (generally state-owned) property. When Politi,
Boyle and DeDominicis envisioned themselves as opening and organizing the buildings on 13th Street primarily for the use of low-income people in the neighborhood at risk of displacement, this is what they were engaged in. One of the main strengths of this mode of squatting is that the occupants of the squatted housing are those widely accepted in the popular discourse as deserving – homeless families, the working poor – exactly the kinds of people Politi, Boyle and DeDominicis were trying to recruit.

Of course, who is accepted as deserving is not at all simple and varies across time and space. While New Yorkers have had a right to shelter since a landmark legal case in 1979, in most cases this yields temporary refuge in a homeless shelter, not stable housing. In the United States during the 1990s, the idea that housing is a right was not at all hegemonic, as it was in many of the contexts studied by Pruijt. In the context of a neoliberalizing regime of urban governance, where the cultivation of valuable and valued subjectivities is a core part of the project of marketizing inner city spaces, the divide between the “deserving” and “undeserving” poor can become heavily policed (Maskovsky 2001). This policing is often done by local residents themselves, as “residents in poor and immiserated neighborhoods are increasingly encouraged to purge their ranks of the ‘undeserving’ poor in order to make their neighborhoods more attractive to private investors” (Maskovsky 2001, 224). Squatters challenged these processes by trying to broaden the definition of deserving to include all of the residents of their buildings, even those who did not work for money but instead worked on the buildings. They would claim that they acted “because they believe that the ‘deserving’ poor are every person who needs a home, not just people who put their name on a list for a lottery at 200-1 odds while the city holds properties vacant” (Bukowski and Cohen 1995, 16). At the same time, Politi, Boyle, and DeDominicis articulated clear criteria for who was deserving: people from the neighborhood, people of color, families, people with AIDS, the elderly, and low-income people. Carla Cubit was, presumably, recruited from the homeless encampment as part of
this vision. As a homeless black person her residence on 13th Street helped to legitimate the whole project, a dynamic that left her wondering if she was a token black.

Even the definition of “low-income” is contested and highly political. Scholars and policymakers divide poverty into “absolute,” defined based on ability to meet basic needs and participate in society, and “relative,” based on a comparison with others in the same society, usually in relation to median income (Brady 2003). The so-called “poverty-line” is a relative measure, defined in the United States based on the relationship between income, family size, and an estimate of expenses (US Census Bureau 2013). Some scholars argue that measurements of poverty would be more accurate if they took social exclusion into account (Brady 2003, 723). However, most government programs distribute aid based on income. For example, subsidized affordable housing in New York City is usually allocated based on the applicant’s earnings in relation to the Area Median Income (AMI) for the metropolitan area. Due to New York City’s high housing costs, affordable housing can be targeted at those making up to 180% of the AMI and low-income housing is for those making up to 80% of the AMI (“The New Housing Marketplace Plan, 2003-2014”). Squatters argued that many of them earned far less than 80% of the AMI, and were therefore clearly low-income. However, a calculation based also on expenses would reveal a different picture, as some earned less but they were paying very little if anything for housing.

Organizers must work hard to maintain legitimacy in deprivation-based squatting projects by excluding the “non-deserving poor”: drug addicts, or those whose lifestyles deviate from accepted norms (Pruijt 2013, 24–25). Here, Politi describes how he calculated deservingness and how important having a deserving population was to the movement’s public face:
It started around the days when there was the homeless village in Tompkins Square Park, Dinkinsville, other people squatting empty lots. The Dos Blocos place and there was a building next to Dos Blocos where two teenagers died in a fire. Fetus Squat. That's starting to get really deep and heavy and very serious. Dinkinsville in Tompkins Square Park was by and large crackheads. There were a couple or two or three really idealistic people fighting for homeless, saving homeless people all over the world—ok. There were a few who I respected for their ideology but by and large everyone else was on crack there. Others were people just coming to New York. An empty lot on 8th Street I remember it was Puerto Ricans, Mexicans, really raw people, very hard culture wise—cutting chicken heads, that sort of stuff. So there's really no connection with what we a few years earlier started to do, like a housing movement to rebuild for families under threat of gentrification. You couldn't even start such a discussion with this kind of people who are coming in. That is where I started to realize that's it. I'm not going to speak and get up in front of Community Boards and politicians and speak for this kind of squatter movement because it's going nowhere, it doesn't exist. (Politi 2010)

On East 13th Street the squatters who modeled themselves after homesteaders struggled to find a way to accommodate low-income families unable to live in burnt-out buildings without heat, water, walls or floors and/or unable to do the work to repair them. On East 13th Street by the 1990s, people with low income but lots of free time predominated. More privileged residents did try to

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8 In the late 1980s, as homelessness became a major problem in New York City, a significant homeless encampment developed in Tompkins Square Park. This became a focus of conflict over space in the neighborhood, and attempts to evict the homeless from the park sparked the 1988 riot. After the park was cleared in 1991 many homeless people created encampments in vacant lots further east, which they called Dinkinsvilles, evoking the Hoovervilles of the Great Depression, attempting to shame mayor David Dinkins.
volunteer their labor to renovate spaces for those who could not do it themselves, putting in floors for a single mother or fixing up a space for an elderly woman, but in the end few local, low-income people got housing in the squats. Local people who got spaces in the buildings tended to be destitute, with little or nothing to lose and no other options, not the working poor. Often they struggled with mental illness or substance abuse, making them challenging housemates and limiting their ability to contribute labor (Tobocman 2000, 224–263). According to David Boyle, the squatters never became well integrated into the community to the point where they could effectively recruit people with the exact balance of skills, need, and desire they were seeking:

The little old lady [whom Marisa helped out] was Puerto Rican but the problem was we took her from an Upper Manhattan neighborhood. We couldn't find anybody who fit the bill to rent locally. That's the thing, it's that a lot of the people that we were looking to recruit that were Latino, they already had a pretty good deal. They had an apartment. You talk to them and there's nothing in their interest to get involved with us and work hard. We had to go farther afield and then those people, even though they reflected the element we were looking for in our community, they weren't from our community. So even though they get the space they didn't add anything to the social milieu that would promote more people—you know, if you got somebody in who had a family up the block their family would be in all the time and you would meet their friends and they would be the doorkeeper that would identify which friends were really good. We were operating with very little information (Boyle 2012).

Without deep ties to the community, the squatters could not use community networks to recruit and, perhaps more importantly, vet new members.
Squatters’ opponents often argued that squatters’ privilege should be taken into account, making a distinction between those who may choose to be poor and those who are poor through no fault of their own. At the same time, white squatters from middle class backgrounds often struggled with mental illness and/or drug addiction, making their ability to capitalize on their race and class privilege questionable. Organizers were aware of this issue, as shown in the quotes below:

**DeDominicis:** I mean I was the white girl; I’m sure some sleuthing was done about me but it wasn’t like I came from a really rich family but like I definitely came from—it was a choice, not a destitute thing. Not that I had money but I chose not to take a lifestyle of getting the PR job from Audubon.

**Boyle:** There was a real backlash against the squatting because it really was at the time—it seemed like a very white middle class thing. And it was hard to be critical because I was white middle class. I was actually working class but it didn’t make much of a difference. Like I said, we had a policy of really trying to run an integrated operation. Loads of people wanted to be members of the coalition and we kept spaces—we called a moratorium, we had a moratorium on new members until we could find some local people to be members.

Still, in this mode of squatting, legitimacy is relatively easily achieved, as long as the owner of the targeted housing has a “moral obligation to house the needy” and the occupants are accepted as needy and deserving (Pruijt 2013, 23).⁹

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⁹ The question of New York City’s moral obligation to house the needy would become central to the struggles over 13th Street, and city-owned housing on the Lower East Side more broadly, in the 1990s.
In contrast, for those engaged in squatting as an alternative housing strategy, legitimacy is a more difficult challenge. It is important that this practice be seen as adding to the overall pool of affordable housing stock, rather than taking a slice of it for the use of those with middle-class backgrounds and alternative cultural or political tastes who are not considered to have a right to low-income housing. Therefore, the buildings targeted are usually those too dilapidated or too luxurious to be viable as low-income housing. The five buildings on the north side of East 13th Street were, at the time of their occupation, clearly within this category. The popular wisdom until the 1980s was that small-scale piecemeal redevelopment of run-down tenements, let alone burnt-out ones, was not a viable way to create any kind of housing (Mele 2000, 243). By 1984, however, this had changed. Tenements could now be renovated for market rate rentals without any public subsidy, but the resources for creating low-income housing, in tenements or in new construction, had dwindled to almost nothing (Oser 1984). The buildings squatters occupied were not otherwise viable low-income housing. Even if it was possible to make a profit creating housing in tenements in 1984, when the 13th Street squats were opened, no development of any kind was happening in city-owned vacant housing on the Lower East Side. Housing activists had forced a pause in the development process, and it was into this pause that squatters stepped.

In the early 1980s, realizing that as the owner of about five hundred properties scattered across the Lower East Side “the City of New York was in the position to tilt the balance in favor of [market rate] development,” rather than low-income housing, housing activists in the neighborhood, under the umbrella of the Lower East Side Joint Planning Council, began fighting to gain control of these city-owned properties (Mele 2000, 258). Squatters participated actively in this campaign, and the non-profit formed by the East 13th Street Squatters was part of the Joint Planning Council. One

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10 For an in-depth ethnographic account of this process from the point of view of the leaders of the Joint Planning Council, see Abu-Lughod 1994b. For a less detailed account from the perspective of a local activist and anthropologist opposed to the JPC, see Tiefenbacher (1995, 49–55).
memorable tactic involved repurposing the tin HPD used to seal abandoned buildings to create signs reading “This Land is Ours. Property of the People of the Lower East Side. Not For Sale.” The signs were created on 13th Street (Boyle 2012), and one still hangs on C-Squat.

Figure 9: Timeworn This Land is Ours Sign, exhibited at The Perfect Crime Show, Bullet Space

Under pressure from the Joint Planning Council, the city instated a moratorium on the auctioning of city-owned property on the Lower East Side to developers in 1983, a rather incredible achievement in a period of economic growth when HPD was eager to sell off newly valuable property. Once the moratorium was in place, activists began a long period of contentious negotiations over the disposition of these increasingly valuable assets. At first they promoted mutual housing associations, such as those created in East New York after the successful ACORN squatting campaign. The eventual compromise, reached in 1987, was something called the 50/50 Cross Subsidy Plan, which successfully tied for-profit development to the provision of low-income housing; a portion of the city-owned properties could be sold to developers for market rate housing, and the money generated
would be used to develop one thousand units of low- and moderate-income housing in city-owned tenements, some of which would be owned by mutual housing associations but most of which would be owned by developers (Sites 1994, 203). In a policy environment in which direct public subsidy of affordable housing was rare, this plan created a public-private partnership, leveraging the asset of city-owned land to fund low-income housing without drawing directly on the city, state or federal budgets.

It was striking, during a period of almost uniformly pro-development city policies, that any negotiated agreement was reached about the disposition of city-owned property, and the deal represented an acknowledgement that local actors should have a say in development processes in their neighborhood. However, the cross-subsidy plan also allowed private development of city-owned land for the first time in four years, and most of the low-income housing created was only temporary: after a period of as little as fifteen years, that housing stock would revert to the market (Abu-Lughod 1994b, 320). For the squatters who had made their homes in the city-owned buildings in limbo from 1983-1987, the 50/50 plan was a major blow. The majority of the affordable housing groups in the area had now signed on to a plan which did not include the squatters, and which had no provision to prevent speculation and wholesale gentrification in the long term. Squatters’ buildings were included in the plan, but only as technically vacant tenements to be allocated to either private or non-profit developers (Mele 2000, 260–261). Resistance to gentrification exploded in the years after the plan was approved, years that included two major riots in Tompkins Square Park (Abu-Lughod 1994; Mele 2000; Patterson 2006; Smith 1996; Tobocman 2000 all contain accounts of these events). While the indiscriminate and extreme police violence that marked the riots created a temporary sense of allegiance between mainstream and marginal neighborhood residents, in the long run these events raised the profile of the punks, anarchists and drug addicts who became the stereotyped public face of squatting.
The dozens of city-owned buildings occupied by squatters were now part of the pool of affordable housing, and squatters could be far more easily portrayed as usurpers, jumping the line for housing and displacing the deserving people willing to play by the rules. Especially for those who had allied themselves with homesteaders and the “respectable” working class people of the neighborhood, this was a major blow. Their legitimacy was newly vulnerable to challenge. This marked the end of what had been at times a friendly relationship between squatters and more mainstream housing activists. Now, they were battling for a share of the shrinking pool of city-owned buildings in the Lower East Side (Tobocman 2000, 10–28). In 1994 the squatters on East 13th Street found out that the Lower East Side Housing Coalition [LESHC] had plans to renovate their buildings as low-income and homeless housing as part of the Cross Subsidy Plan, using $1.5 million in federal tax credits (Kennedy 1995b).

Federal low-income housing tax credits were introduced in 1986 as a means to fund low-income, multifamily rental housing development through private capital as government investments in low-income housing continued to shrink. Corporations are given a reduction in their federal tax bill that equals their investment in developing low-income housing, which after fifteen or more years reverts to the market. In New York City, the money made available through this mechanism was pooled in The Equity Fund, which granted money through the Local Initiatives Support...
Corporation [LISC] and the Enterprise Foundation. LISC was the source for the funding for the East 13th Street development project. In a revision to the original 50/50 Cross Subsidy Plan, the city was allowed to claim “low-income housing credits,” which counted against the quota of 1000 units, for any unit of low-income housing developed on the Lower East Side even if it was part of a pre-existing project or would have been created independent of the cross-subsidy plan. The Enterprise Foundation funded most of these using tax credits (Abu-Lughod 1994b, 318–326).

LESHC was started by one of the squatters’ most strident critics, City Councilperson Antonio Pagan, who had now managed to pit their need for housing directly against that of low-income people. Pagan was a housing developer-turned-politician, openly gay, Latino, Democrat and conservative – a slippery enemy to attack (Vitale 2008, 161–163). In 1991 Pagan identified the squatters as non-needy, frivolous and dangerous: "No one should have a God-given right to public property. The infamous minority creating havoc around Tompkins Square Park are living out their revolutionary fantasies. They are white, middle-class young people from the suburbs hiding behind the banner of helping the homeless" (Nieves 1991). The charge that the squatters were white and middle class became even more damaging now that there was a clear, funded plan to use the buildings as low-income housing. In other places, where the affordability of low-income housing was clear and the line between for-profit and non-profit firm, squatters routinely gave up claims on their buildings when they were slated for redevelopment as low-income housing (Pruijt 2003, 149–152). Not in New York City. The battle for 13th Street was on.

Making the Case for Adverse Possession

How could these diverse squatters (conventionally referred to as “ragtag” in the media) defend themselves against this new attack? Mainstream housing groups had abandoned them. The urban homesteading program was over, and squatters had no hope of gaining ownership of their
buildings through that conduit, although they did make one last-ditch effort to ask for recognition through TIL in the early stages of their response. They would have to work hard to make a moral claim on the buildings now that they were designated as low-income housing. Here is Peter Spagnuolo’s description of their first attempts to organize after they got the news:

We didn't sit around like, “Oh, some group's got our buildings! What do we do now?” We immediately started organizing over it at 13th Street and one of the first things we decided to do was to talk to these middle-funding groups like LISC and The Enterprise Foundation. We tried to get them to talk to us and we formed a little group among the 13th Street squatters—this only affected 13th Street. To our knowledge we didn't know of any other buildings being awarded to funding or development groups so this was kind of something new under the sun in squatter world. We're like, "What, what do you mean some community group is being awarded a development project using these buildings?" We were like, "What? What do you mean there's middle-income—?" We would look at their numbers and the low-income qualifications to live in these places was way more money than any of us made. None of us had that kind of income. We were like, "How can you call that low income when there's people living here with lower incomes already who put ten years of work into these buildings?" So naively we just thought if we go explain this to these funder groups they'll see the error of their ways and they'll embrace us and they'll want to develop these buildings with us because we've been here and we know every inch of these buildings! We shoveled all the rubble out of them for ten years! We hung doors and put in plumbing and toilets. Of course they'll want to deal with us, look how motivated we are!
So when we started unraveling the whole thing with LISC we realized you know, there are some existing programs, there’s the homesteading program—why don't we try and tell LISC, “Look you can work with us, we should be in the homesteading program and maybe you can fund it.”

We had a meeting, I think we had the one meeting with LISC's director at the time in New York where just a handful of us went down there to see this guy. I recall he didn't have any time for us and he just sort of looked at us like we were crazy. Or maybe he sent his secretary out to look. And then so we're like, “Well we have to get organized here!”

Michael Shenker organized this big LISC protest, with help from a bunch of us, but he was kind of the real strategist for the LISC demo. At this point we still thought we would sort of outflank them on the moral ground that you can't just give these buildings to somebody else when we've been working on them. And I think we turned out about forty, fifty squatters to picket in front of the office building where LISC was at the time, which I think was in Midtown. And while the picketing was going on a delegation went up and this time we had a meeting. He had to meet with us. And we had a press release and stuff like that. We sort of laid things out for this very brief meeting just saying, “Look we've been here for over ten years fixing up these buildings, we've put a lot of work into it. We are a diverse group of people, we're well below the income threshold of the neighborhood housing groups that you want to work with to essentially develop and award these buildings so they can work the program. If you want to go forward with this thing you really should go forward with us.”

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12 An undated letter to the Enterprise Foundation from David Boyle and Butch Johnson (ccing reporters, local politicians, and Jimmy Carter) says that the residents would like the building to be included in the Tenant Interim Lease [TIL] program, which as noted above allows tenants in city-owned buildings to take on self-management and then cooperative ownership. This program did still exist in 1994, and still exists today (Boyle and Johnson n.d.).
Obviously we were—looking back on it now it all seems so naive, we were these ragtag people with only this scruffy organization. We didn't have a corporation, we didn't have a bank account—well I guess we did have a bank account at that point, we had a house banking account I think. But we weren't the kind of above-board group of people that they would be interested in or used to working with. We were really subterranean people. We were really coming up to see the suits in their office and that didn't go so well. So then, I'm not sure if it's right before the LISC meeting or right after the LISC meeting we started putting pressure on the Community Board, we started going to Community Board meetings. And we hired a lawyer named Jackie Bukowski who was the first person to sort of tell us, "Well you guys need to get organized and think about a strategy for litigating this"

(Spagnuolo 2011).

Spagnuolo and others started from a position of moral outrage. This was based primarily on their deservingness, based on both need and identity (they were “diverse”) and the value of their labor. As low-income people who would qualify for spots in the renovated buildings anyway, why could they not simply become the development partner, building on the work they had already done on the buildings? After some research and “unraveling,” they quickly realized that the apparatus put in place to develop their homes had no place for them as agents. While they may have initially been

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13 Squatters at Bullet Space were able to successfully defeat an attempt to transfer their building to a nonprofit developer, perhaps in part because it was a smaller, less valuable building, not a rare set of five buildings in a row, and in part because the nonprofit was more activist than LESH. Here is Maggie Wrigley telling about it: “At one point they came up with the idea that they were going to give site control to all these other groups, and let them take over the buildings and then go, oh, you evict them. And our building was basically handed to Asian Americans for Equality. We got this big package together to prove that we’d been here for years and what we did. We were getting press for the gallery, and all this other stuff. We took them flyers. We went down there and we said, “We need to meet with you because we live in this building.” And they were like, “We didn’t even know
among the most organized, focused, and bureaucratic of squatters, their organization was now decentralized and fragmented. Even with their press releases and bank account, they were not the kind of group who could use federal tax credits to develop housing. By the mid-1980s, small-scale developers had been pushed out of the Lower East Side, replaced with corporations and large development firms which could take advantage of the tax-incentives offered to lure capital back to the neighborhood (Mele 2000, 244–246). While the squatters did not have access to the bank capital that was by then flooding the neighborhood, they were, however, seasoned activists, part of a larger network of squatters. This network became even easier to mobilize once they found out that more long-time squats were in the pipeline for similar programs. Picketing LISC and attending (and disrupting) Community Board meetings seemed like useful tactics to pursue their moral claims, but the reality was that the deal had already been sealed (the plan was approved by City Council on June 29, 1994), and it was rather too late to appeal directly to the city or the public. The courts seemed to be their best option, and after considering several other options they decided to sue the city for title of their five buildings, using adverse possession law.

Adverse possession has a mythological status in the world of American squatters: a powerful idea, challenging to realize. If someone has possessed a property for a number of years and the legal owner has made no move to eject them, they may claim the title to the property using adverse possession. This doctrine was familiar to some of the squatters who opened 13th Street from the very beginning of their occupation, and they always had it in mind as a possible recourse should their bid anyone was living in there.” Which may or may not be true. Probably not. But they backed off, in that particular instance” (2012).

14 In September 1994 squatters and sympathizers disrupted a Community Board 3 Housing Committee meeting with smoke bombs and then locked the members inside the building. In October the full Board voted to support the redevelopment plan while taking shelter behind a wall of police shields as squatters and supporters protested (Howe 1994b).

15 Adverse possession is a core part of squatters’ “legal consciousness” (Merry 1990). For detailed accounts of squatters seeking to use adverse possession law to gain title to property, see Dobbz 2012, Chapter 5.
to be accepted into a homesteading program fail (Boyle 2012; DeDominicis 2012). They learned about it from Rafael Bueno. In New York State in 1994 adverse possession law allowed that an occupant could claim legal title to property if they could show that they possessed it for ten years and that their possession was open and notorious, exclusive, continuous, hostile, and under claim of title (Mirvis 2004, 544). In 1994, the squatters of East 13\textsuperscript{th} Street had just made it to the ten-year threshold for making an adverse possession claim on their buildings.

If they won, they would get clear title to the buildings. If they lost, they would have exposed themselves and their world to the courts, the press, and the city government in ways they had been working hard to avoid for a decade. In an early memo Jackie Bukowski, their lawyer, lists these as “matters for consideration”: “Should we name people on the petition as residents, even though it may facilitate the eviction process? Should we reveal children living in the squats? Would this put them at risk for placement in a foster home?” (Bukowski 1994). This was a risky strategy, and they knew it. Some squatters – especially the most marginal and the most politically radical – actively opposed the plan, arguing that the potential payoffs were not worth the risks, or that gaining legal ownership should not be the group’s goal. Others neither actively opposed the idea nor participated in the work of making a lawsuit happen. In the end, most of the affected buildings decided to participate, and squatters could sign on to the suit on an individual basis. Once the decision to proceed had been made, the smaller group of residents who were enthusiastic about adverse possession went into high gear to create the documentation needed to produce their case.

The Social and Legal Work of Adverse Possession

Legal scholars explain the social function of adverse possession in two main ways: as a means to ensure productive use of land and as a mechanism to mediate conflicts over the allocation
of property. However, we would be wise to avoid a crude legal functionalism, which would assume
that law works to transform conflict into cohesion. James Holston emphasizes in his study of
informal settlements in Brazil that, “law produces illegality and injustice but also that illegality and
injustice produce law” (2009, 206). The case under study here will amply support those propositions.

Adverse possession came into the American legal system as part of British common law.\(^{16}\)
Ownership can be conceptualized as a bundle of rights (as it often is in American legal discourse) or
as a system of rights and obligations (Gluckman 1965, 78–79). In 20\(^{th}\) century Western
understandings of private property, the core rights are to exclude others, to profit from the use of
one’s property, and to alienate it (Macpherson 1978, 8). The obligations of property are often less
evident than the rights. Sir William Blackstone, in an influential early codification of the British
common law upon which American law is based, famously wrote that the right of property is the
“sole and despotic dominion which one man claims in total exclusion over any other individual and
the universe” (Blackstone 1788, 708). This had probably never been accurate, but even as it has
become less and less so in an age of complex and fragmented corporate property rights and
financialization this image of property as unmitigated rights persists (Gordon 1996). Adverse
possession highlights the responsibilities which are a part of property rights, and the existence of this
law provides an incentive for owners to at least inspect their property, and ideally to maintain and
use it (Vecchi 2013).\(^{17}\) The rights conferred by title are never unlimited; adverse possession draws

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\(^{16}\) Common law refers to a system of law based on precedent. Common law systems grow by
accretion, in contrast to civil law, which is based on an underlying codified system of rules. The
United States is considered a common law country, because our legal system is derived from British
common law.

\(^{17}\) Housing activists in New York City and elsewhere have experimented with other mechanisms to
punish property owners for leaving property vacant, trying to pass laws that fine owners or tax them
at a higher rate (Block 2008) or even seize their property for public use.
our attention to that.\textsuperscript{18} While rights in property may seem to simply come from possession of legal title, adverse possession shows that rights are grounded also in social responsibility.\textsuperscript{19}

Drawing on the Lockean understanding of property fundamental to the private property regime, an adverse possessor gains rights through productive use. This is no anomaly in American law – by the time of the Civil War the idea of total individual dominion had been replaced by an emphasis on the virtues of productiveness and development (Horwitz 1992, 31), as we saw in the case of the Homesteading Act of 1862. Adverse possession works as a mechanism to allocate land to those most likely to make use of it. While it may seem to complicate ownership, it is a means to clarify title disputes, providing relatively clear rules to decide who owns land. It also, along with other laws that benefit “property outlaws,” provides a safety-valve for conflict over property allocation (Peñalever and Katyal 2010). Legal scholars Peñalever and Katyal write that “the apparent order and stability provided by property law owes much to the destabilizing role of the lawbreaker in occasionally forcing needed reform and in generating a series of important legal shifts along the way” (2010, 11). An ethnographic account of this particular adverse possession case will help us to see how this process works. In particular, it will provide a fine-grained view of judges, lawyers, and squatters debating the relationship between rights, responsibilities, morality and the law of property, trying to decide if reform was, indeed, needed.

In this section, I will explain how squatters made their case for adverse possession in court. Drawing on the traditions of the Manchester School of anthropology and the overlapping models of

\textsuperscript{18} For example, zoning laws restrict a property owner’s rights, as do laws that protect tenants.\textsuperscript{19} Political scientist C. B. Macpherson, in his essay on “The Meaning of Property,” writes that modern rights in property are absolute in comparison with feudal rights because they include the right to alienate and are not conditional on the owner’s performance of a social function (1978, 10). However, adverse possession and other laws that punish legal owners for not making productive use of their property show this to be not quite the case.
legal realism and case-based legal anthropology,\textsuperscript{20} this project will use an extended case study of this litigation to show how squatters were both drawing on and reshaping property law and discourse. In incidents of conflict, and in court cases specifically, the “common sense” of everyday life may be questioned, challenged and explained. Here, the law and social structures become intelligible in a way that they are not through a reading of statutes or observation of everyday life. For example, to make their adverse possession case in court, the squatters and their lawyers were required to articulate their often implicit property practices, at the same time as they had to try to translate them into terms that would be compelling to the judge and fit the requirements of adverse possession.\textsuperscript{21}

Adverse possession is most often deployed to clear up title errors and settle boundary disputes, as when someone builds a fence a few feet into her neighbor’s yard and then, after enough time has passed, can claim title to the land enclosed through adverse possession. Many

\textsuperscript{20} Legal realism is an approach to legal scholarship that understands legal processes to be embedded in moral and political discourse, rather than as occurring in a separate realm referring only to the written law. The extended case study method in anthropology was developed in the Manchester School of anthropology, mainly through research in industrializing Africa (Gluckman 1940). In this method, the anthropologist examines a particular incident (usually a conflict) in detail as a means of accessing larger social dynamics (Bohannan 1957; Gluckman 1965). This is meant to allow the anthropologist to move beyond an abstract model of society based on the articulation of rules and look at the contested processes that shape social life. Case studies are also central to the study of the law. Some legal anthropologists have combined this element of legal scholarship with an ethnographic approach to the case study. See, for example, the collaborative work of Karl Llewellyn, a lawyer and leading legal realist thinker, and E.A. Hoebel, an anthropologist and close colleague of Max Gluckman. Together they studied the Cheyenne through the analyses of “cases” in Cheyenne law (Llewellyn and Hoebel 1941). While they had to project the idea of the “law” and the “case” onto the Cheyenne cultural context, I am working with the law and the legal case as native categories. See Verdery (2003, 14–20) for an analogous discussion of anthropologists’ use of property as an heuristic device and a native category.

\textsuperscript{21} For other ethnographic studies of how experience is translated into discourse in the courts see Merry (1990) and Conley and O’Barr (1990). Both studies show how complex problems must be made into legal cases. While Conley and O’Barr tend to portray lay people explaining their problems in terms of relationships that legal professionals struggle to understand in terms of the rules of law, Merry found that most working class litigants came to court with a narrative of their personal problems as legal issues, and struggled to convince legal professionals to acknowledge these as cases.
complications arise when attempting to apply the doctrine of adverse possession to urban squatters in city-owned buildings. This case is used as an example in the legal literature of the difficulty New York squatters have had using adverse possession laws effectively (Gardiner 1997, 142). For example, government-owned land is generally protected from adverse possession when it is held for public use. However, when government land is held for private or proprietary use it is open to appropriation via adverse possession. The adverse possession law makes it clear that state-owned property is not necessarily for public use.

C. B. Macpherson makes a distinction between state property and common property which is useful to understanding the dynamics of this argument (1978, 4–6). State property, he writes, is characterized by the state’s right to exclude others from use, and is more analogous to private property than to common property. Common property is characterized by some people’s right not to be excluded from use. The state is not a collective consisting of all the citizens, but an artificial legal person. However, some squatters described state property as common property, and themselves as citizens, as members of the group with a right not to be excluded from use. For example, Marisa DeDominicis said she started squatting because she believed that the buildings were “a resource of the people and that New York City is warehousing it and the people should be able to use it because it’s our resource, it’s our housing stock, it’s being neglected and we’re going to restore it and we have the right to it and because you don’t have a program for it doesn’t mean it’s illegal. It’s legal because it belongs to us” (DeDominicis 2012). The questions of who has rights to state-owned property, what obligation the state has to use that property for the public good, and indeed what is “public” and “good” were all argued through this adverse possession case.

The squatters and their lawyers had to show that the city “behave[d] in a proprietary capacity, like any other landlord” (Bukowski and Cohen 1995, 21). They argued that the agreement to develop the buildings as low-income housing was only approved in June 1994, after the ten year
period had passed; before that the city was not using the buildings for any public purpose, having abandoned them and then attempted to demolish or sell them. They also critiqued the development plan as truly public purpose, given that the income and rent restrictions would expire after fifteen years, leaving the partners in possession of the buildings and able to sell or rent them at market rates (Bukowski and Cohen 1995, 21–24). The city’s lawyers argued that the Lower East Side Housing Coalition had been given site control of the five squatted buildings in 1990, therefore dedicating them to a public purpose and invalidating any adverse possession claim well before the ten-year window had closed. The city’s lawyers also argued that just because a private and even profit-seeking entity was involved did not mean that the project could not have a public purpose. They classified the removal of squatters as “slum clearance” and “urban renewal,” both legally public goods (even as, by that time, “slum clearance” was out of fashion and not generally considered a good) (Crotty 1995, 21–22). In this legal conflict, the relationship between the state and its citizens and the nature of “public property” were debated. The model of public-private partnerships was on trial in this adverse possession case. In fact, squatters specifically aimed to position themselves as viable citizens in an age of individual responsibility and decentralization, noting that they “exemplify the generous, resourceful American spirit that national government seeks to revive” (Bukowski and Cohen 1995, 16).

While they faced numerous hurdles when making their case, the adverse possession suit on 13th Street came to center around the issue of continuity – had this ten-year occupation been unbroken (Mirvis 2004, 546; Gardiner 1997, 143)? Of our three original narrators, only David Boyle still lived in the affected buildings: Marisa DeDominicis was living across the street, in the one squatted building on the block not included in the lawsuit, and Rolando Politi had moved to a different squat in the neighborhood. For their case to succeed, squatters had to show that they had
occupied all of the buildings included in the suit continuously from 1984-1994. Naturally, this was difficult for a shifting group of people whose property practices for the most part did not include written leases, wills, or censuses. Squatters were helped in their case by the fact that they were able to use “tacking” to establish continuity. With tacking, one individual need not occupy a property continuously – the claimants simply must show an unbroken chain of privity, with each occupant passing their space on to the next for the ten-year period. Over the course of months, the squatters worked with their lawyers to write the tacking affirmation, which eventually became an eleven-page document submitted to the judge. In making this document, they translated their property practices and their associated forms of relatedness into a new genre of legal language and logic: a narrative of continuity.

Legal scholar Carol Rose argues that narrative is a central means through which people convince themselves and others to adopt, follow, and change property regimes. In her essay on “Possession as the Origin of Property,” Rose turns her attention specifically to the role of narrative in claiming possession and in legitimating possession as the basis for property claims, indeed, for private property as a system (1994). Adverse possession doctrine is key to her understanding of this dynamic. Rose writes that an act of possession can be understood as a “text” which must be clearly intelligible to the interpretive community using the property regime within which it is framed. In common law approaches to property, useful labor is rewarded by legitimate possession. Adverse possession, then, both rewards useful labor and punishes unclear acts of possession. The useful labor rewarded by adverse possession includes both productively using the property claimed and “speaking” clearly and loudly about those claims. Speaking, in this context, may involve building a fence, tilling a field, or, on the Lower East Side, installing a new door. Rose highlights the fact that what counts as a clear act of possession is no more natural and self-evident than is possession as a basis for property. The law of property, she writes, “not only rewards the author of the ‘text’; it also
puts an imprimatur on a particular symbolic system and on the audience that uses this system” (1994, 18).

When adverse possession cases are tried in court, the legal system is engaged in negotiating what counts as a clear act of possession and, as in the case of East 13th Street, whether the interpretive community making the claim is a legitimate speaker of the language of property. The documents produced by the squatters in this case, then, are working to legitimate their acts of possession and to de-legitimate those of the city. For the judge to find in favor of the squatters, he had to either agree that the squatters’ actions were clearly legible acts of possession in the previously accepted language of property, or expand the realm of acceptable possessory practices to include theirs, putting a legal imprimatur on the squatters’ symbolic system and on their interpretive community. In court, squatters struggled both to articulate their possession as legitimate within the context of the law, and to convince the judge to expand the law to legitimate their claims.

Bruno Latour, writing about scientific knowledge, traces the “translations, drifts, and diversions” in the “chains of translation” that occur as actors strategically use and circulate knowledge (1988, 11). Using archival records documenting the squatters’ process of creating their adverse possession case and oral histories with the actors involved, I propose to use Latour’s notion of translation and Rose’s theory of narrative and possessory acts to understand how squatters and their lawyers took up the discourses of the law, reinterpreting both the law and their relations in the process. As Latour notes, translating knowledge is always strategic, and this changes the knowledge as it is used in the world. Property regimes constitute certain kinds of persons and forms of relatedness. This case allows us to examine what occurs when actors with different interpretations of
property strategically translate between them. How did these acts of translation for the judge’s benefit carry over into everyday life?

I will now examine these processes from three different perspectives, beginning with an analysis of the acts of translation involved in creating the narrative of possession and continuous occupancy required by the courts, then using oral histories to compare the squatters’ articulation of property claims in court with stories of its practice in everyday life, and finally exploring how the kinds of relatedness portrayed in the tacking narrative produced for the judge both exacerbated and created social conflicts in the community of squatters living on East 13th Street at the time of the lawsuit.

Crafting the Narrative of Continuous Possession

Peter Spagnuolo was deeply involved in the East 13th Street Legal Committee, and his papers, now archived in the Squatters’ Rights Collection of New York University’s Tamiment Library, include minutes from Legal Committee meetings, correspondence with lawyers, and many files that document the process of creating the tacking affirmation, from handwritten charts (full of revisions) reconstructing the chain of residents in each apartment to multiple drafts of the affirmation eventually submitted to the court. In an oral history interview, Spagnuolo described the process the squatters went through:

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22 In Translating Property: The Maxwell Land Grant and the Conflict over Land in the American West (2005), Maria Montoya takes a similar approach to a legal conflict over land in which participants struggled to translate between American and Spanish colonial legal systems, and between usufructory and title-based systems of rights.
That was basically an act of oral history, I mean it was the kind of historiography where you had to sit down and everybody had their own version of how things happened. I mean they weren’t contradictory versions but you had to sort of conform them and sometimes people had to be reminded of this—oh yeah I forgot about that guy, you’re right, he lived over here, you know, he was there for six months— (Spagnuolo 2011)

Leafing through Spagnuolo’s papers on one of my first visits to the archive, I came across an artifact of this process: a dirty piece of paper on which the chain of occupancy for each building, since 1984, was diagrammed (Spagnuolo n.d.). How, I wondered, does this document help us to understand the process through which the tacking claim, and its representation of relatedness, was produced? Property, in an anthropological understanding, “link[s] persons to one another with respect to things” (Verdery 2003, 18). It also, “sets up inclusions and exclusions – belongings, concerning what belongs to whom and who belongs or has affinities with some larger entity (such as a clan or corporation) that occupies a relation to specific things or goods” (18). As an anthropologist, I was also immediately struck by a vague visual similarity between the document, with its lines connecting names in neat block letters, and a kinship chart. How did this document organize and represent relatedness? What kind of group did this process of articulating property claims constitute, and how? There are some hints in the text: people are categorized by building, and their movements between buildings are shown explicitly. Time moves forward somewhat as one moves down the page, and the organization on paper for the most part mimics the spatial organization of the block, with an important exception. At the top, under the first building, number 539, is printed “1984” – the date from which the adverse possession claim must begin to establish ten years of continuous occupation by the time the court case was filed. A long column of thirty names is lined up under 539. Moving from left to right, as the street moves from west to east,
numbers 535, 537, 541, 545, and 544-46 appear in sequence, each with a ditto mark below it, indicating that they all share the start date of 1984. Spatially, 539 is out of order; temporally, it is first on the page, and was the first to be entered by squatters.

Figure 10: Tacking Document (courtesy of the Tamiment Library, New York University)

539’s primary location on the page mimics its position in the case: this moment of entry became central to the narrative created by the legal team. It was the building most closely associated with those organizing the suit, and about which they had the most information. In the papers squatters and their lawyers submitted to the court, this is how they told the story of occupation and possession:
In March of 1984, Mr. Carter and David Boyle visited the buildings on East 13th Street and discovered the door to 539 open to the street. They went inside to investigate, and sealed the building when they left. The following week David Boyle returned and began renovating the buildings and sealing them. Four buildings (535-541 East 13th St.) were interconnected through their basements and second stories at that time so that it was necessary to seal all the buildings to prevent entry by drug dealers (Bukowski and Cohen 1995, 10–11).

As Marisa DeDominicis also noted in her oral history, the buildings were connected by what she called “human rat holes,” artifacts of their occupation by drug dealers just before the squatters took them over (2012). Because the buildings were physically connected, the squatters argued, occupying one required controlling all of them. It is to this initial entry, and David Boyle’s assertion of control over all four interconnected buildings, that all other ownership claims had to be tied. The tacking begins with David Boyle.

This document also gives us a glimpse into the ways in which the squatters narrated their social relations to create a compelling story of continuous possession. While under 539 one sees a simple list of names, the other buildings include bits of description. Below the ditto mark for 541, a slanting line leads to 1987: “Bill Stark (through D. Boyle), front door installed w/ help of Frank Matiello – used floor of 539 #3 w/ Nestor.” In 537, Charles Johnson “gave apartment 4R to B. Naylor 1986.” Did the authors of this document start off listing names, and then realize that more was required to make the case, that a story needed to be told, and so begin adding narrative, or was the case for 539 the clearest, the strongest, and so it did not seem to need the little narrative details

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23 Note that here Clee Carter, the jazz musician whom David Boyle identified as the person who told him about the building, is present at the moment of possession. In his oral history, Boyle does not include him in this story. This may be because, according to David himself, Clee Carter was upset that he and his friends lost control of the building after showing it to the squatters.
showing how people were connected that accumulate under the other buildings? In any case, listing names would not be enough – all of the people who lived in the buildings needed to be connected through purposeful hand-offs of spaces. On this page, and in this story, relatedness and spatiality coincide, anchoring the block and all of its decade of illegal occupants to Boyle’s 1984 occupation of 539. A narrative of possession is beginning to form.

This narrative was created in response to the demands of the law. A memo from Spagnuolo to lawyer Jackie Bukowski (written in response to a city memorandum of law in opposition to the squatters’ motion for a preliminary injunction against eviction), shows that squatters knew from the earliest stages of planning their case that refuting the city’s claim that “active possession of a part is not possession of a whole” would be “perhaps [their] biggest headache” (Spagnuolo 1995, 2). In the memo, Spagnuolo goes on to sketch the squatters’ central argument: that David Boyle and others put locks on all four buildings, and so they “exercised dominion over the properties” continuously from that point on, even if they were not always actively occupying all of them. Citing both HPD’s repeated failed attempts to reseal the buildings, as demonstrated in a string of unfulfilled “brick-up orders” and the squatters’ intensifying use of the space, the squatters would argue that from 1984 on “the city was not in possession of the properties” (Spagnuolo 1995, 2).

While translating between the squatters’ and the city’s interpretations of property, the definitions of “possession” and “dominion,” and the relationships between these concepts, became problematic. Here we can see most clearly how this adverse possession case is in fact a conflict between two different ways of communicating possession, with different understandings of a legible possessory act. The city’s lawyers claimed that HPD’s attempts to seal the buildings, even if they failed to actually exclude the squatters, were a clear act of possession while, according to squatters, their installation of a door and subsequent control over access indicated their possession just as clearly. In another example, when the city claimed that squatters could not have occupied the
buildings “hostilely and under claim of right” (as required by the adverse possession law) because they applied for admission into city-sponsored homesteading programs, the squatters replied that “to the extent that we may refer to the buildings as ‘city-owned’ … these are no more than conventions of speech. We have always contended, in inside communication and in press accounts, that the buildings are ours, that we control their destiny and their disposition” (Spagnuolo 1995, 1). Squatters argued that, in contrast to HPD, they were making productive use of the buildings by protecting them from further decay and renovating them as best they could. While the city “left a crime-ridden hazard for the disenfranchised neighborhood to deal with,” the squatters “continued to act as responsible property owners” (Bukowski and Cohen 1995, 15, 13). Possession, to the squatters, was clearly not only a matter of title, convenient language, or symbolic attempts to assert control. While the title-holder may be acknowledged in a “convention of speech,” meaningful ownership here is depicted as deriving from physical control – dominion – and stewardship, if not active occupation. As Marisa DeDominicis remembered telling David Boyle when she decided to move into 539 alone and immediately: “I think it’s the best thing to do if we want to keep this building. To just establish residency” (2012).

The power to exclude others is a central basis for this claim of ownership, both for the practical purpose of excluding drug dealers (an act which also accrues moral capital which, they hope, may eventually be converted into property rights), and for the legal necessity of showing “exclusive” occupation for the adverse possession claim. Here is one point of Latourian drift, from the everyday exclusion of unwanted visitors that property rights suppose to the legal claim of exclusive occupation. In building the narrative of David Boyle’s entrance and installation of a locked door, practical exclusion is translated into exclusive occupation.

The everyday power to exclude of course implies its converse: the power to include. For their claims to succeed, squatters needed to show that all occupants of the buildings from 1984 on
were invited and allowed to reside there and were therefore included in the dominion of David Boyle. They all needed to be related through intentional inclusion, united under the legal and literal shelter of that original door. Here, the systems created to emulate homesteading programs were newly valuable, as they showed that squatters had rules about who could become a resident of their buildings. In court, the question of how and if the squatters selected occupants for the buildings was central. The city’s lawyers tried to deny the squatters any meaningful relatedness by denying their power to include, claiming that “since 1984 the Buildings have been occupied by a transient population of squatters, who moved freely in and out and made ad hoc repairs to accommodate their own needs” (Crotty 1995, 5). Here, the city de-legitimated the squatters’ systems for including residents in their buildings. The narrative of continuity created by the squatters portrays a connected, coherent community, governed by rules of access they themselves enforced, and organized to systematically, effectively renovate these crumbling tenements.

While it was important that the squatters were able to portray themselves as a functioning group, the identities of individuals within this group were also contested both in court and in the media.24 Latino anti-gentrification activists’ race- and ethnicity-based claims to neighborhood space pushed squatters, especially those seeking legitimacy at the level of local politics, to attend to the racial makeup of their buildings and seek out local people as members. When cross-examining squatters in the trial, the city’s lawyers often asked pointed questions about the racial and ethnic makeup of the squats. One exchange in particular shows the squatters’ awareness of the significance

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24 ETC Dee uses critical discourse analysis to analyze the portrayal of “good” and “bad” squatters in the media in England, during a period of debate over the criminalization of squatting (2013). Dee shows how squatters tried to contest this framework by using the media. A New York Times article tied East 13th Street squatters’ media skills to their class privilege, first contrasting them to the “extremely poor people” squatting in the Bronx and following with this description: “Well-schooled in the art of media hype, the squatters communicate by fax machine and cellular telephone and rarely make a move in public without first placing calls to newsrooms around the city” (Kennedy 1995b).
of this line of questioning and their desire to portray themselves as a group including people of color. On Davis (a black person living in 537 East 13th Street), when asked about the racial makeup of his building, quickly counts the number of black, white, Latino and mixed people; his building is majority people of color (“Transcript of Cross Examination,” 1899). When, a few minutes later, he is asked about the racial makeup of 541, he hedges, switching to a relativistic model of race:

On Davis: Well in terms of racial demarcations are concerned—I mean, it depends on, you know—and I’m going to be real about this. It depends where you living in the world. I mean, if you’re living in Brazil, there’s black-skinned black people, white-skinned South American people are all—they all representative of their black heritage and Indian heritage. There are no differences. There are people in that building that are Hispanic….

City lawyer: Mr. Davis, using the same criteria that you used for 537, how many black-skinned people live at 541 presently?

Davis: At the present time, I don’t think there are any that are in there at that time (“Transcript of Cross Examination,” 1922–1923).

In the simple forms they created to collect affidavits from residents, the squatters and their lawyers prompted people to note if they were “veteran, parent, HIV+, disabled, artist, member of non-profit group or association etc.,” showing that they were aiming to portray themselves both as especially needy and as engaged, valuable citizens. In the city’s filings, the lawyers also contested the squatters’ neediness, writing that “plaintiffs appear to be, for the most part, well-educated, articulate, and resourceful. Contrary to their allegations, plaintiffs have not shown that they are likely to become
homeless if evicted from their rent-free squats” and continuing on to list the educational achievements of the squatters who had testified in court (Crotty 1995, 8–9). The question of whether the squatters were there by choice or out of desperation was repeatedly raised. Neediness and deservingness are not among the requirements for a successful adverse possession claim. The fact that both squatters and the city’s lawyers made these qualities central to their arguments shows that this case took place not simply in an abstract realm of legal rules, but within a broader moral and political universe.25

Performing Possession in 1984

In oral history, as in court, the implicit ideas and rules that structure everyday life can be made newly explicit, through both story and analysis. By analyzing oral histories conducted with squatters from East 13th Street who were not directly involved in crafting the adverse possession case, we can gain some insight into the relationship between the model of ownership articulated in court and the property practices of squatters prior to the lawsuit. This is essential both to understanding the process of translation and to gaining a more complete sense of the squatters’ claims on property. As the reader will recall, David Boyle, Rolando Politi, and Marisa DeDominicis all told the story of opening 539, and their initial plans for how to organize the buildings and vet applicants, in ways that fit closely with the narrative of continuity and control produced for the adverse possession case.26 As in the narrative produced for the court, the installation of the new door is a pivotal moment in Politi’s story of that time. Clearly, to use Rose’s language, this is seen by

25 Florence Bouillon’s research among French squatters fighting eviction in court shows a similar process of trying to distinguish “good” (truly poor, desiring legality) and “bad” squatters (2013).
26 All three also testified in the evidentiary hearings for the adverse possession case, which could have contributed to the congruence of their stories, although DeDominicis’s and Politi’s oral histories indicate that they were not intensively involved in producing the case.
squatters as an essential possessory act. This was a memorable and important moment for Politi, as indicated by the detail and enthusiasm of the telling. The very public “ceremony” of the door installation worked to secure the building both materially and symbolically.27 It was a way for the organizers of the occupation to signal to residents on the block that they had control of the building and, with their “regulation grey” door, that they intended to be good neighbors. The collective project of installing the door both produced and defined a visible community of squatters.

It is significant, then, that the organizers put more effort into the symbolic, performative aspect of the door installation than others, whom Politi portrays as less interested in the larger project of establishing dominion over the buildings than in gaining possession of an apartment for themselves.28 Over time, organizers honed their performance, becoming more “professional.” It is important to note that these shorter, more dramatic opening ceremonies hid the labor of the squatters, revealing only the finished door. When the work took place in private, behind the city’s cinder blocks, passers-by were excluded from participating. The division between those who worked on the buildings and those who observed and interpreted their labor became more stark. As the squatters professionalize, their circle narrows. The original daylong door ceremony, with its beer and

27 See Kadir for an account of the rituals around “cracking” a new squat in Amsterdam (2010, 94–104). Other New York City narrators also describe opening ceremonies. Here is homesteader Howard Brandstein: “We broke into every—we never got permission to go into any building. Like the Eleanor Bumpers building on 304-306 East 8th Street—that was a beautiful ceremony. We had Chuck Collins there from the Institute for Community Economics and we had some nuns and priests there and we gave speeches. And then with a sledgehammer we broke the cinder block that was where the front door once was. And we cemented in a new steel door, a temporary door. We’d obviously been in the building through the windows and checked it out. It was the official launch of the homestead. It was a time to talk about solidarity and collective action. Breaking into these buildings—you just break in, like the squatters. That was always fun. We’d do these ceremonies where we’d have a priest or a nun bless it and make the drug dealers think we had some sort of official title. They never bothered us. That was really exciting” (2013). Frank Morales, a squatter and Episcopalian priest, told me a story about leading his South Bronx congregants from the church on Easter after a sermon on rolling away the stone from Jesus’s tomb to open a cinder blocked building with a sledgehammer.

28 “The others just came around, ‘Oh cool can I get an apartment here, you know, where do I go? Can I take this space?’” (Politi 2010).
music and group struggle, created a community of those who worked on it. The later ceremonies performed that community, but perhaps did not do as much to build it.

All three original occupants describe the interview and application process they created to screen potential residents, supporting the courtroom claims that the squatters had dominion over the buildings in the sense that they had the power to include and exclude, even as they did not yet actively possess and occupy every apartment. However, this power to exclude and include was not at all complete, as is indicated by accounts of “crackheadism” and bullying in the buildings. People did, indeed “just run wild and jump on the first space they found,” challenging the organizers’ claims to possession (Politi 2010). It was not just drug dealers who had to be excluded by the door. Politi describes the door ceremonies with great enthusiasm, but he also tells the following story about the opening of 544, describing the parallel existence of another, more directly possession-based regime of ownership in the squats:

I remember there was an incident across the street at 544 East 13 on the first day [when we opened the building]. There was somebody who actually outran me up the stairs to the sixth floor. Because I was heading to the sixth floor. Dana was his name. And he just sidestepped me, jumped by me, made this little extra step and he went through the door on the sixth floor apartment. I said ok and I took the fifth floor. I kept the fifth floor, I locked the fifth floor. I said that’s ok, then the fifth floor is mine. I couldn’t get him out of the sixth floor (Politi 2010).

This is a story I heard multiple times. Years later, Dana succumbed to severe heroin addiction and was evicted from that apartment through a combination of force, legal action and social pressure (DeDominicis 2012). Politi took the fifth floor, not for himself, but to hold it for an appropriate
applicant, further underlining the contrast between organizers distributing spaces to deserving applicants and those seeking mainly to claim spaces for themselves. A few weeks later, he gave it to a woman and her son.

As we saw earlier in this chapter, the organizers did not represent all of the squatters who came to occupy those five buildings, and they had to work hard to enforce the rationalized system of applications and interviews that they saw as necessary to maintaining control of the buildings. The ceremonial opening of the door is part of this physical and symbolic labor and, like the more concrete labor of renovating the buildings, this useful labor was rewarded with possession, in fact if not in law. The language of property articulated for the judge by the squatters seems to fit, in its basic outlines, with the organized squatters’ ideal practices. In translation, the spiritual and performative aspects of the door installation are elided from the courtroom version of the story, in which the installation of the door is portrayed as having symbolic and material significance, but no spiritual or social meaning. In addition, the property practices created and enforced by the organizers were portrayed as hegemonic among the squatters, when in fact some residents of the buildings challenged this system. While the court case was being created and argued, this disjuncture became increasingly significant in squatters’ everyday lives.

Contesting Relatedness

As the oral histories show, the image created for the judge, of a unified physical and social structure with all rights to occupation and ownership flowing from David Boyle’s initial entry in
1984, did not fit entirely with the complicated realities of life in those buildings on East 13th Street. It appears that the process of constructing that claim intensified tensions between groups of residents. Peter Spagnuolo’s archived papers contain the voluminous products of his and others’ efforts to portray the residents as related, but they also contain evidence of intense social conflict, which eventually undermined and perhaps even destroyed those claims. A handwritten flyer, with masking tape still affixed to its corners, hints at the tone of this internal debate: “Why are Peter, Sue + David Boyle dragging squatters through the court system that could lead to legislation AGAINST US? WHY do they have MONSTER DRUG HABITS?” (Anonymous n.d.)

Figure 11: Monster Drug Habits Flyer (courtesy of the Tamiment Library, New York University)

An elaborate mock-newspaper, The 13th St. Times, contends that the squatters working on the lawsuit were in fact collaborating with police, citing their facilitation of a court-mandated inspection of the buildings:

29 For an account of the experiences of Aboriginal Australians and anthropological experts trying to reconcile everyday social relations and the need to present a certain model of relatedness in court, and how this process produces new subjectivities, see Povinelli (2002b).
The mounting crisis on E. 13th St. has revealed what is usually hidden and denied… Far from this ‘inspection’ being a ‘victory’ as they now claim, enemy forces were ‘invited’ by David Boyle to use the tallest squat on the block to do surveillance…. Boyle is listed in the lawsuit as the President of the Coalition/Corporation seeking land title for our buildings…. Out of almost 100 people on 13th St., only 9 people signed onto the lawsuit (Anonymous 1994).

These documents show that there was a backlash against the organizers of the lawsuit, and that it was framed personally as an attack on, especially, David Boyle. In the squatting community, which had always insisted on decentralization and autonomy for individuals and for buildings, the ways in which relatedness had to be reorganized and focused to make the adverse possession claim exacerbated tensions that, as the oral histories show, were present from the earliest days of the occupation.

The process of creating the documentation required for the adverse possession case, and for the tacking case in particular, was controversial from its inception. Some squatters thought that taking the case to court would require a level of exposure that would make them vulnerable to physical and legal attack. Many believed that engagement with the courts would hamper their ability to use direct action, an essential, tried and true weapon in the squatter arsenal, to defend themselves. Most squatters had traditionally been careful to conceal their names and addresses, in part to prevent the city government from being able to serve eviction papers or other legal documents to individuals living in the buildings, in what Politi called a “cat and mouse game” (2010). In his oral history Spagnuolo explained the resistance:

There were some people who were just keeping their heads down, and just didn’t want to be known to anyone, for whatever reason. Maybe they feared retaliation, maybe they had
criminal backgrounds, maybe they had assumed names, maybe they—they had whatever material reasons they didn’t want to get involved or have their name on any kind of piece of paper. So that was a little difficult because we finally had to sort of have a census of who lives in all these buildings (2011).

Spagnuolo literally went door to door to locate and name residents, and it is easy to imagine how the knowledge-producing practices of the squatters involved with the lawsuit, from the census to the inspection, might have felt very intrusive, even state-like, to those who either thought the lawsuit was a bad idea, or simply did not want to participate. To make matters worse, in order to claim continuity, the property practices put forth by the organizers of the buildings, in which potential residents apply and are accepted or rejected by the group, and apartments are allocated according to need and deservingness, not first possession, had to be put forth as hegemonic in this community, when in fact it was not. The narrative produced for the court exaggerated the power of those who wrote it, adding insult to injury for those who opposed either the lawsuit or that homesteading-inspired model of squatting.

Eventually, one squatted building on the block, 535 East 13th Street, refused to participate in the lawsuit and then actively opposed it. 535 had many black residents, including a significant cohort from Philadelphia, and the conflict over the lawsuit was at times framed as a racial one. White pro-lawsuit activists were accused of risking the tenure of black residents through the lawsuit, or even of actively trying to displace them. A resident of this building, Butch Johnson, was a central figure in

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30 Sally Engel Merry’s ethnography of working-class people using small-claims courts to address personal problems showed that even as people were able to use the courts to wield power in their personal relationships, they placed themselves under the power of the court: “There is both power and danger in the use of the courts…There is the danger of losing control of the weapon, of initiating a process which cannot be stopped. One risks being stigmatized for appealing to this form of power” (1990, 3). It seems that a similar dynamic was in play on the Lower East Side.
the anti-lawsuit group. In the fall of 1994, Johnson was working with Boyle and others to speak out against the possible evictions (Boyle and Johnson n.d.). An early *New York Times* article on the case quotes him and includes a photo of him, his wife, and their daughter in front of 535 (Howe 1994a). Johnson is the “bully” Carla Cubit complained about. The court records show that Carla (using the name “Carla Squat”) initially signed on to the adverse possession case. She was the only person from 535 to do so, and when she later withdrew the building was taken out of the lawsuit (Kuby 1994).

Opposition to the lawsuit was in part expressed through the courts, and squatters and their lawyer say that Butch Johnson and perhaps others opposed to the lawsuit provided information to the city’s lawyers that contradicted the carefully constructed tacking claims, undermining the chain of possession and weakening the squatters’ case (Cohen 2012). But by all accounts, the Lower East Side squats were violent places, and the conflict over this adverse possession claim was clearly no mere war of words. One page in Spagnuolo’s file is titled “Partial list of activists who have been assaulted or threatened by Butch Johnson” and includes twenty names, including “Peter S. – hit, threatened to stab and kill” and “Kyung – thrown down stairs, finger broken.” The conflicts masked by the narrative squatters told to the courts spilled out in the streets, in forms from flyers to assaults, and may have even undermined the claim of possession itself.

The Decisions

The case was heard in the New York State Supreme Court, under Judge Elliot Wilk. The squatters were lucky to get Wilk, who had a well-deserved reputation as left-leaning and anti-landlord (Martin 2002). In November 1994 he issued a temporary restraining order barring eviction

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31 From Wilk’s *New York Times* obituary, on the 13th Street case: “In 1995, his order stopping the bulldozing of city-owned buildings on the Lower East Side particularly angered Mayor Rudolph W.
while he decided the merits of the squatters’ adverse possession claim. The hearings lasted for months. Squatters tried to pack the courtroom with supporters, putting out flyers that said, “Tired of O.J.?\textsuperscript{32} Come watch the hearings that really matter! East 13\textsuperscript{th} Street Homesteaders go head-to-head with HPD!” (Anonymous 1995). The squatters’ lead lawyer, Stanley Cohen, \textsuperscript{33} described the trial:

> We had our day in court and everyone thought it was funny. The corporation council sent two senior trial attorneys down and they thought it would be three days and thank you, goodbye. And it turned out to be I think almost a twelve-week trial in which dozens and dozens of witnesses were called on both sides. Squatters, historians, community members, residents, businesses. They called experts. We tried it like this was a serious trial. Elliot used to sit there and roll his eyes because you know, some of the people in the movement had a different view on the universe and galaxy. So there were those moments. There were moments when you would call the witness and you never knew what he or she would say. Because some of my clients in that case did space travel without rocket ships. But that was the beauty of it, you got to argue, "Judge, this is the beauty of it—a lot of our clients, a lot of the people living in the squats are vulnerable folks. They are people that have been tossed away, they're kids that have been thrown on the streets, they're people that have been sexually abused, they're people that the system has failed. So yeah, there are warts. I wish

\textsuperscript{32} The murder trial of football star and actor O.J. Simpson dominated the television news in the summer of 1995.

\textsuperscript{33} Stanley Cohen is a well-known activist lawyer who started his career doing criminal defense work with Legal Aid Society in the South Bronx and has been working on the Lower East Side since the late-1980s. He has defended many squatters arrested during evictions and is perhaps most well-known for defending people accused of terrorism and Lynne Stewart, a lawyer found guilty of providing material support to terrorists.
that this was Beverly Hills but it's not. It's 13th Street, it's Manhattan, and this is a
community of people who are taking their own lives and destiny in their hands."

Also I had tried a lot of cases before I tried that civil—I had fifty criminal cases, homicides,
serious stuff. I was a trial attorney. Court council made a mistake, sent some attorneys in
who were smart but they weren't very experienced litigators. And quite frankly we beat the
shit out of them on the rules of evidence and how to proceed, all the stuff they never
believed that the squatter movement could do, we did. We got documents, we got bills, we
got photos, we got research, we got witnesses. We submitted briefs, we did investigations.
When we got Elliot to do a tour of the buildings that was a highlight. Police wanted to come
down and do a security check and Elliot said, "Go away, just—goodbye." He went into the
apartments, he looked at people, he talked to people. He went to next door neighbors
(Cohen 2012).

![Figure 12: Stanley Cohen](image-url)
Weighing the contradictory claims of the squatters and the city, Judge Wilk decided in the squatters’ favor in October 1995. He affirmed the tacking claims, highlighting his finding that “petitioners have conscientiously selected the buildings’ tenants in a manner which represents a fair cross-section of the Lower East Side Community” and “established specific procedures for distributing apartments” (Wilk 1995, 7, 28). He also found that the squatters had established “an arguably valid claim that for the purposes of adverse possession, 537-541 should be treated as one building” (1995, 30). The physical structures, joined by holes created by drug dealers to facilitate their escape in the event of a raid, combined with the social structure of relatedness created by the squatters to administer the buildings over which they claimed dominion, overshadowed the technical separation of the buildings into four separate properties and the undeniable lag between the installation of the door and the full occupation of the buildings by squatters. With this decision, the squatters’ act of possession was deemed intelligible and effective, and the law legitimated their property claims. Adverse possession had been put to a new use. For the time, their homes were safe.

The city, of course, appealed Judge Wilk’s decision, and in August of 1996 the New York State Appellate Court reversed Wilk’s decision. Stanley Cohen explained the decision and its implications this way:

And at the end of the trial Elliot Wilk said, "The 13th Street Tenants Association owns these buildings." And everyone lost their fucking minds! "What is this, fucking post-Tsarist Russia?" "What do you mean the people own the buildings?" Yes, the people owned the building. And it was really scary because don’t forget at that time we had Umbrella House and C-Squat and 7th Street and 4th Street.34 You had the 4th Street occupation of the school that was quite explosive, we had several battles at Umbrella House, we had C-Squat, there

34 Other active squats at the time.
were all these battles going on and the city lost its mind because they said, "Holy fuck, if adverse possession applies here it arguably applies to fifteen, eighteen, twenty, forty buildings!"

So we won and then the city appealed it. By the time we hit the appellate division I told everyone this is class, this is about power politics, this is about the economic infrastructure of the city. He wrote an airtight decision but we got fucked by the appellate division. And as it turned out there were a lot of really good facts. I don't think you will ever find a case stronger on the facts and I don't think there's a snowball's chance in hell of the city ever allowing that to happen again.

It's interesting because I think the city made a decision eventually that rather than risk repeat adverse possession claims let's get the buildings licensed, let's sell them, subsidize them, convert them. It also was very empowering because it required other squatters, other squats to do their homework and people were taking out permit applications and people were being historians and people were doing things (Cohen 2012).

Cohen argued that Wilk’s decision in favor of the squatters was based on the facts of the case, but that the appellate court’s decision was political, aiming to protect the established power and property rights of the city and prevent future adverse possession cases by long-time squatters occupying city-owned buildings. Working within the framework of legal realism, we should assume that both decisions took place within a moral and political framework. Wilk decided that reform was needed, that the city did not have the right to hold empty buildings indefinitely and that the squatters had the right to claim them. The squatters, then, were included in the pool of people with rights to housing,
and these city-owned tenements were determined to be available to them, even without the permission of the city. The squatters’ use of the buildings was deemed to be as valuable as that proposed by the housing developers, and their ongoing occupation of and work on the buildings gave them the right to stay. The appellate court rejected these arguments.

Others interpreted the events differently. Rick Klemann, who lived across the street in 544, a squat not involved in the development project or the lawsuit throughout this period, says that the buildings in the lawsuit

lost their ability to prove that they had been transferring their apartments peaceably because there wasn’t a paper trail for them. There didn’t seem to be any functioning governments for the buildings across the street who opened only a few years after we had ours up and running. And that was sad but they were pretty radical over there. They were pretty hardcore. They had some pretty gnarly characters going in and out. If they had been able to prove adverse possession it would have either been a miracle or a real derogation of the law. So it wasn’t a surprise to me (Klemann 2012).

Klemann blamed the squatters, not the courts, for the outcome. He believes that the squatters failed to demonstrate both relatedness and deservingness, because those making the case were not, in fact, in control of the buildings. Klemann also identifies the squatters across the street from him as too political (“radical” “hardcore”) and too inclusive – they had failed to exclude the “gnarly characters” who could compromise their claims to deservingness. As eviction loomed, the struggle shifted from the courts to the streets, and squatters used direct action to defend their homes. Those who had opposed the lawsuit felt vindicated. The courts were not going to save them.
A Shift to the Streets

The evictions happened in stages, with two buildings emptied before the case was even decided. In May 1995 the Appellate Court overturned the injunction preventing the city from evicting the squatters while the case was being argued. Within days, the city evicted 541 and 545, claiming that they were unsafe. This eviction, on May 30, 1995, is a turning point in squatter lore. Squatters had resisted evictions before, but never on this scale. And the police had used force before, but this was the first time they brought a tank. The New York Times hedged by describing it as a “tanklike armored vehicle,” but the presence of military equipment on a city street, whether or not it was technically a tank, was shocking (Kennedy 1995a). While squatters had been working long hours preparing depositions and organizing receipts for the adverse possession case, they had also been preparing to resist eviction. These were not separate groups of people. Sabotaging the squatters’ and lawyers’ effort to portray those involved with the lawsuit as a completely separate group from those doing direct action and disrupting Community Board meetings, Peter Spagnuolo was quoted in the New York Times warning the Community Board: “We’ll barricade ourselves in our homes and they’ll have to use armed force to get us out” (Howe 1994b). This is exactly what happened.

On the morning of May 30, squatters and allies circled the neighborhood on bikes with walkie-talkies, reporting on the growing police mobilization. On East 13th Street, most families and other more vulnerable people had fled, leaving a core of people willing to fight. They had barricaded

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35 In April 1995, Wilk had rejected city claims that the buildings were unsafe and blocked any eviction on that basis, but in May the city appealed that decision. While the Appellate Court was not going to decide whether or not the buildings were safe or not until September, an appellate panel did remove the injunction preventing an eviction in the meantime. Wilk “scolded the city for using a technicality to evict the squatters in May without judicial authority” (Kennedy 1995b).

36 On May 31, 2013, squatters organized “18 since 13: Marking the Anniversary of the 13th Street Eviction” at the Museum of Reclaimed Urban Space, in the storefront of a former squat.
themselves into the buildings and closed off the block with an overturned car. Bicycle frames were welded onto the fire escapes to keep the police from being able to rest a ladder against them. The front doors were welded shut and the stairwells filled with rubble. Supporters filled the block, ready to lock arms to block access to the buildings. As they retreated, they poured roofing cement in the street so that the advancing police would have to march through it (Boyle 2012). Hundreds of police officers were involved in “a show of force befitting a small invasion,” and 31 people were arrested (Kennedy 1995a). While the case had not yet been decided, the squatters had lost two buildings. Three remained. A constant police presence on the block continued into the summer, with both corners barricaded and anyone wanting to enter questioned by police. Residents of the block were “outraged,” local business owners lost income, and the city was blamed, although Butch Johnson, still living in 539, was one of the local residents quoted in the newspaper applauding the police’s success in restraining “hooligans” (B. Weber 1995). On July 4, 1995, squatters retook one of the buildings, evading security guards and embarrassing the city. The cost to constantly guard the buildings against re-entry mounted.

Arguments continued in court and the injunction against eviction was reinstated soon after that eviction. But in August 1996 Wilk’s injunction was overturned by an appeals court, and the squatters were once again vulnerable to eviction. Soon after that, on August 13, 1996, the remaining three squats on the block were evicted in a “quick pre-dawn raid” that failed to match the drama of the first eviction (Lueck 1996). 535, which had not been part of the lawsuit, and 539, the building first opened by Marisa DeDominicis, David Boyle, and Rolando Politi, were both evicted that day. Once again, the block was sealed and barricaded, as the gutting of the former squats began.
The Implications

The appellate court rejected the squatters’ claims of relatedness and dominion; the continuity and the legibility of their possession were denied, and their interpretive community was not given the imprimatur of the law. Yet “the legal question of the squatters’ right to live there remain[ed] open” and, in what is still considered a major victory for New York City squatters, “the decision suggested that the principal of adverse possession may apply to squatters in city-owned buildings in some cases” (Lueck 1996).

For complicated reasons, the case was not continued after the eviction, although there were still opportunities to appeal (Cohen 2012; Lueck 1996). Without a physical base from which to organize, it was challenging to sustain the work of the lawsuit. People were exhausted. Even if squatters won, once they had been evicted and their buildings had been gutted, they had no homes to return to. Most of the papers for the case were put into a storage unit, on which rent was not paid. All of the original documentation to support the squatters’ claims was thrown into a dumpster and lost, another reason for the case to be abandoned.

However, the legacy of this case has been significant. The resistance organized by the squatters, both in the streets and in the courts, caused an expensive and embarrassing two-year delay to the city’s plans for those buildings. Many believe that the provisional approval of squatters’ adverse possession claim played a key role in pushing the city to negotiate to transfer the remaining illegal squats on the Lower East Side to their residents. The chance that squatters’ illegal occupations could be translated into legitimate property claims in itself destabilized the city’s property claims,

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37 I also heard people say that the success of 1998-1999 community garden activism, in which squatters played a leading role and for which, as noted in the introduction, squatted spaces provided essential bases of operation, showed the squatters’ continuing political power and pushed the city to negotiate.
creating the space for these users to gain legal ownership and reshaping the contours of adverse possession doctrine in the process. The East 13th Street adverse possession case went much further than any previous attempt by organized urban squatters to gain possession of a city-owned building. As Cohen noted, it opened up the possibility of numerous similar future lawsuits by squatters who had occupied their buildings since the mid-1980s.38

Contrary to squatters’ fears, and predictions that Mayor Giuliani was beginning a wave of attacks on squats, the 13th Street evictions of 1995 and 1996 were not followed by more concerted actions to remove Lower East Side squatters. In 1997 a squat on East 5th Street was evicted after a small fire damaged the building, leading to a new round of protests and clashes with the police. In 1999 a privately owned squat on East 9th Street, Dos Blocos, was evicted, but that turned out to be the last of the major, contested squat evictions on the Lower East Side. Soon after that, squatters began negotiations with The Department of Housing Preservation and Development, through the Urban Homesteading Assistance Board (UHAB), to legalize most of the remaining dozen or so squats on the Lower East Side. 544 East 13th Street, Rick Klemann’s building with the caged-in stoop, was one of the eleven buildings eventually included in that deal.

38 In 2008, New York State passed a bill significantly changing adverse possession law and making it more difficult to make a successful claim. Now a person cannot claim adverse possession on a property they knew to belong to someone else. The first time the bill was passed it was vetoed by Governor Eliot Spitzer, who said that it would lead to excessive litigation by attempting to determine the state of mind of the adverse possessor (Romano 2007). The next year it was signed into law by Governor David Patterson, with a modification stating that it was not the possessor’s state of mind, but a “reasonable basis for the belief” that they have a claim of right to the property (New York State Real Property Actions and Proceedings Law, Article 5). This is part of a trend of prohibiting “bad faith” adverse possession, in which the adverse possessor knowingly occupies the property of another. Historically, American adverse possession law has either required that the adverse possessor know that they did not own the property, or ignored their state of mind. This trend seems to reflect an effort to bring the law into line with precedent, which has increasingly favored “good faith” adverse possessors in recent decades (Peñalever and Katyal 2010, 151).
Legalization, 2002-

The second part of this work will focus on the legalization deal and its complicated and uneven implementation. Before we leave East 13th Street, let’s hear one account of how the deal has worked on this block, in 544. 544 has been split in half since the late 1990s. Half of the residents claim that the other half are trying to take over the whole building, slowly pushing other people out through bullying behavior and claiming apartments for members of their extended family. The two groups have separate meetings and separate infrastructures for running the building. Rick Klemann is allied with those accused of taking over apartments. Only the other faction was in touch with UHAB as the legalization plan was negotiated and Klemann and his faction came late and angry to the negotiating table.

Amy Starecheski: When did you first start hearing about the legalization stuff and of UHAB?

Rick Klemann: Oh right away, right away. Oh, from UHAB? I didn’t know about UHAB until I found out that everybody in this building was in it except for me! They didn’t tell us! They didn’t tell UHAB about us! When I say they, I mean after the building got split in two. They were paranoid about our side. We had Rosa and Isabel and Greg and Nick and Rex at the time and several other members. They kind of looked at us like we were goons and we were thugs yet we were the ones doing like 90% of the work. Construction, bringing in the materials, the maintenance of the place et cetera. They were doing maybe some administrative stuff, maybe paying. But we had just as much right as they did and they were trying to exclude us out of any kind of legitimacy.
So they went ahead to UHAB, this is around 2002, and claimed that they were the only ones in the building. I’m sure UHAB smelled something not right and somehow they contacted us and said, “Well, who are you people?” We said, “Well, we’re the governance of the building. We’ve been here just as long as these people if not longer.” So they said, “Oh well do you want to sign with us?” And we said that depends on what the agreement says—let us see what it is. And we didn’t like it—I can’t believe the people in our building agreed to these terms. These people are nuts! If they sell their apartment they are only getting $2000 after all the blood sweat and tears that we did and they didn’t?! They want to sell us out for $2000 an apartment.

So we of course had a very hard line attitude towards UHAB. I’m speaking mainly of me and Greg and a few others. We were the last holdouts. We were told either sign or you’re out of here, you can start looking for another apartment. That was the thing. I was shocked when one of the girls told me that. When Marisa told me that. I couldn’t believe that she would ever tell me if you don’t sign this agreement with UHAB you can start looking for another apartment.

So that started me thinking, let’s just sign this stupid thing so they don’t pull anything and let’s just work it from the inside. We’ll deal with UHAB, we’ll explain to UHAB that these wackos who didn’t even let you know that a core group of their building lives there, are—we don’t agree with your agreement. Sure enough there was a whole bunch of other people in the other buildings that felt the same way. So me and Mike Shenker and a bunch of other people all got together and we started working on renegotiating a regulatory agreement.
We had meetings and meetings and meetings and some were very politically divided because you had people that were resistant because they believed this shouldn’t be about making money, this should be about housing the poor. And I’m down with that but we’ve been with this project twenty some-odd years and I think we deserve some fruits of our labor and face it, we’re not getting any younger and we might need to retire one day. Let’s be realistic.

Mike was down with that and he was the most listened to of all of us. So here we have a very solid person who sees things the way we see it. Greg and I were working on and we got this building signed up, we got in with the majority of the buildings and worked very well with them. He finally got UHAB backed into a corner and we finally got most of the stipulations that we asked for. Seven of the eight, I believe. I couldn’t really tell you what they are but I can tell you the basic gist is kind of—you understand the TIL agreement, TIL lease? Very generous.

Starecheski: Yeah.

Klemann: We wanted what they had.

Starecheski: Yeah.

Klemann: We didn’t want to hear any mumbo jumbo about “those are TIL buildings, they’re different and that was then.” We said no, it’s exactly the same. Maybe our skin complexion is a bit different but it’s exactly the same. Well we’re all getting old and we need an inexpensive place where we’re going to be able to be, in our old age. If we don’t wish to
stay here we should at least be able to sell and get enough money where we can live some place else halfway decent. I don’t want to move to a trailer park and get burned down by my next door neighbor’s methamphetamine lab. And that’s coming down the road, according to UHAB. They don’t care what happens to us. We’re struggling, we’re working people, we’re getting old and we want to have an equitable housing situation. You’re a governing body and we don’t trust you. This is how we felt about UHAB.

And we’re right, they got involved in a lot of scandals and there’s a lot of question of where some of the finance went. They don’t want to open their books and we want more transparency. Of course we are now considered by them a worst case scenario building. That’s all besides the point though, they never did anything for us. Anytime something would come up we take care of our own problems. We took care of our own roof, we take care of our own emergency plumbing, everything. We never get a dime from them. Because any dime we get from them we pay three fold or four fold. So I just explain to the group, I said, “This is what UHAB wants to do—they want to nail us to this mortgage where we are going to get rooked. We’re going to spend a million dollars for basically $200,000 worth of improvement. Do you want that?” People began to understand, “Well maybe that’s not a good idea” so, anyway.

**Starecheski:** So were you satisfied with the agreement as it was renegotiated?

**Klemann:** Well we didn’t get all of ours, we didn’t get full market rate which is kind of what we wanted. But we got most of it. I think we got 120% of middle income which is pretty
That’s like 70% of market rate. I think so that’s pretty good. But because we’re not even part of UHAB and they consider us a worse case scenario building, we’re not going to benefit from whatever it is the other buildings are now paying $800-900 a month for. Which is a lot more than I wanted to.

When I first signed with them, they said [our monthly maintenance would be] $350-400, and they told the rest of the group the same thing. We said, “Well, that’s not that bad, we’re going to have what—new kitchens? Brand new sheetrock, we’re going to have brand-new sheetrock? We’re going to have an actual real front door? We’re going to have all these great things, better security and legitimacy? The cops will come over and we can tell them, ‘This is our landlord, UHAB’s our landlord. Get rid of that junkie!’ We’re going to have all this legitimacy? Let’s do it! $350-400 a month!”

As with the story of the stoop that opened Part One, this account introduces several of the themes that will become important to our exploration of the legalization deal. As we can see from Klemann’s narrative, there are parallels between the ways squatters made claims on their buildings as aspiring homesteaders and in the adverse possession case and the debates they had about legalization. In all three cases, residents competed for legitimacy in the eyes of an external agency by describing their structures of governance in contrast to those or larger institutions, describing themselves as both needy (“struggling” and “working people”) and deserving (claiming the buildings as “the fruits of their labor” and denying that their whiteness should exclude them from benefit).

The squatters had major internal disagreements over the extent to which they should be allowed to profit from the eventual resale of their apartments. Rick Klemann was part of a group,

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39 Meaning that future buyers of the apartments could earn up to 120% of the area median income.
led by Michael Shenker, which argued that they should have no limits on resale; others argued that it was essential to preserve these buildings as permanent low-income housing. The costs of legalization quickly exceeded initial estimates, requiring residents to take out larger and larger loans and making the buildings unaffordable for more and more residents. Squatters blamed UHAB for this, based on a lack of transparency and a general mistrust of any “governing body,” as Klemann said. At the same time, many welcomed the opportunity to move back into the shelter of the law, asking someone else to deal with the junkies and be responsible. Some buildings, including 544, signed on to the deal and became the responsibility of UHAB, along with their tax bills and insurance needs, but still have not started renovations – this is why Klemann describes 544 as a “worst-case scenario” building for UHAB. In fact, in the summer of 2013 someone complained that work was being done on the building without a permit (as work is always done in squats). The resulting Department of Buildings inspections led to a partial vacate order, in which the rear stack of apartments was deemed uninhabitable. In the fall of 2013 the city sold the tax lien on the building, further weakening UHAB’s claims on it. UHAB owns the building, but does not control it. Neither do the residents. Some speculate that the influence of movie star Rosario Dawson and her family are protecting 544, allowing them to remain in this limbo of quasi-legality – if foreclosure was threatened, media attention would prevent it. On this uneasy note, let’s continue to a deeper exploration of the legalization process.
Part Two: Legalization and Its Discontents

Introduction

From 1999, when negotiations started, until 2013, when this account ends, the remaining Lower East Side squatters were engaged in a complicated process of legalization. They had to bring their buildings up to code and take on financial and administrative burdens to do so. They had to make difficult collective and personal decisions, which transformed them as people and as a group. For some, the end point of this process was homeownership, and for others it was homelessness. There were moments of triumph and of despair. I was surprised to find out that there were no celebratory parties, ever. Some see legalization as an unprecedented victory, others as a stinging defeat. Part Two will consist of three chapters, each examining a different thread of this story of legalization.

In Chapter Three, *Making the Deal*, we will hear about the extended negotiations that led to the creation of what one participant described as an “off the books, unofficial, never written down, unique-for-them program to go legal.” The negotiations forced the squatters and their allies to wrestle with the meaning of homeownership and their goals as squatters. They debated whether legalization was a good idea at all, and then if and how they could keep the buildings affordable for themselves and their successors. The squatters had always been diverse and decentralized, and the negotiations brought out latent disagreements that sometimes became nasty arguments. Had they been part of a movement to secure permanent low-income housing? Or had they been building shelter and equity for themselves and their families? Did they want stability or freedom or both, and how could they get them?
The last two chapters will each focus on a different aspect of the ongoing process of legalization. As mentioned in Part One, we can understand property as a social process that constitutes persons, things, and the relations between them. The legalization process, which changed squatters’ property relations, also changed them as people and their buildings as objects, as well as the relations between the buildings and the people who live in them. While persons and buildings are intertwined in the property relations of homeownership, as a heuristic device these two chapters will each focus primarily on one side of this relationship: Chapter Four on the people and Chapter Five on the buildings.

The squatters who participated in the process were also changed by it. Chapter Four, Fixing the People, asks how individual lives and collective social processes were transformed by legalization. Some people reorganized their whole lives to be able to meet the obligations and take advantage of the opportunities created by legalization. Others tried, and often failed, to stay the same as their buildings and their property relations changed around them. Many, of course, were someplace in the middle. Squatters consciously worked to change themselves and their neighbors, as did their non-profit sponsors. They mobilized their individual and collective cultural capital to manage the legalization process, developing leaders who could tangle with bureaucracy and trying to keep their collective social life intact as their collectives became co-ops. By examining the ways that social relations and everyday life were transformed from 2002-2013, this chapter shows that creating the property relations of homeownership is an active social process, and that homeowners are not created simply in the moment of legal ownership.

Chapter Five, Fixing the Buildings, will describe the renovation process. In order to become legal, each squat had to be brought up to code through a combination of work by residents and contractors. How was this work done and financed? What did it mean to the residents? This chapter will focus particularly on the temporality of homeownership. How do squatters see the future and
the past through their relations with their long-lived and newly refurbished buildings? How were
their practices of stewardship and the meaning of their labor transformed, as their squats became co-
ops?
Chapter 3: Making the Deal

The Narrators

Tauno Biltsted, b. 1970 in Copenhagen, Denmark, to a Danish father and a Turkish/Canadian mother, and grew up in a hippie neighborhood in Vancouver. His father was an architect, but they sometimes struggled to make ends meet. At age 13 his family returned to Copenhagen in search of work. As a teenager he was into punk rock music and culture, and while in Copenhagen he was involved with the squatting scene there. He returned to the “chaotic and lovely” world of the Lower East Side when he was fifteen years old and got involved with squatting there through the homeless encampment at Tompkins Square Park. In 1989 he moved into C-Squat, and in 1992 he was voted into Umbrella House. Biltsted was deeply and consistently involved in the legalization process. Today he works with homeless youth and owns an apartment in Umbrella House.

Figure 13: Tauno Biltsted
Howard Brandstein, b. 1953, grew up middle class in Washington Heights, a neighborhood in northern Manhattan. He attended Stonybrook University, where he did his senior thesis on urban homesteading and spent time in several major cities on the East Coast researching homesteading and urban development. In March of 1978 Brandstein began work with the Adopt-a-Building program and from there worked with a variety of other housing organizations. He has lived in a contentiously governed homesteaded building on the Lower East Side since 1981 and runs the Sixth Street Community Center.

Johnny Coast, b. ~1977 in Olean, New York and grew up in Denver. His mom was a nurse and healthcare activist and his dad was an auto body repairman who built hot rod cars on the side. As a young person Johnny was involved in activism as a street medic in the alter-globalization movement. He first came to New York and was introduced to squatting in 1996. He bounced around among different squats and different cities until he landed his own apartment in C-Squat in 2008. Johnny has his own business, Coast Cycles, building handmade custom bicycles.

Figure 14: Johnny Coast
Jessica Hall, b. 1966, grew up in rural Maine, the child of back-to-the-landers. She dropped out of NYU and was living on Avenue A, an activist and stay at home mom of two about to be evicted when a friend told her about 209 East 7th Street, where she now owns an apartment. Her husband was Puerto Rican and a carpenter, so they were attractive candidates – a family from the neighborhood, and skilled – but the process to be accepted as building members dragged out and so they just clipped the lock and moved in. When she and her husband split up she finished college and became a social worker. She was the secretary for 209 for a long time and worked closely with UHAB during the legalization process.

![Image of Jessica Hall](image)

*Figure 15: Jessica Hall*

Frank Morales, b. 1949 to a Puerto Rican father and Peruvian/Italian mother, grew up in the public housing projects of the Lower East Side. He avoided the draft, then entered an Episcopal seminary and became a priest. In the late 1970s he got involved with squatting while working at a church in the South Bronx – he led the congregants out of the church with crowbars after service to open
vacant buildings. In the 1980s he returned to his neighborhood and has been a vocal and public squatting activist ever since. He is a founder of Organizing for Occupation, which has promoted squatting since the 2008 crisis, and leads walking tours of formerly squatted buildings.

Brett Pants, b. 1972 in Canarsie, Brooklyn. He was raised by a single mom who worked as a secretary and then became a nurse; sometimes they used food stamps. Bored and picked on, he barely graduated from high school. When he was a teenager Brett left home and traveled and squatted in various places, but always ended up coming back to New York. His first “space” in C-Squat in the early 1990s was just a cot placed over rafters on the fifth floor, but eventually after moving around and watching others’ spaces he got a room of his own in the building. He is now one of C-Squat’s longest residents. He works as a maintenance worker at TriBeCa Grill, travels often to C-Squat’s other hub in rural Tennessee and plays in the punk band Dog that Bites Everyone.
Eric Rassi, b. 1952, grew up lower middle class in Cleveland, went to college for a few years, and spent the 1970s travelling around the country before settling in New York City in 1980. By 1988 he could not afford the rising cost of rent in New York City. A dishwasher at the restaurant where he worked suggested he move into a squat on the Lower East Side. He moved around in the squats before settling in at 377 East 10th Street. Rassi does construction work and is involved in Left politics of all kinds. His building has not taken out any loans and is not yet being renovated, even though they are part of the deal with UHAB.

Diane Roehm, b. 1983 in Sewanee, Tennessee and raised by back-to-the-landers. She ran away from home as a teenager, and then went to Antioch College. She first came to C-Squat on her 17th birthday and moved in as long-time resident’s girlfriend in 2006. In 2009 she got her own space and
she plans to live there forever. Diane is an artist and works as a studio assistant. She travels a lot but always comes home to C-Squat.

Maggie Wrigley, b. 1958 in Brisbane, Australia and grew up in Sydney. Her father was a chemist and her mother was a teacher. After briefly attending art school she left Australia to go travelling and stayed in San Francisco for a year, living in a punk rock warehouse and working in a punk rock club. She intended to only visit New York for a while in 1984, but felt instantly at home and has lived here and worked in night clubs ever since. She came to Bullet Space, a small building with an art gallery on the ground floor, in the winter of 1987 when she and her boyfriend were about to become homeless. She still lives there today. Maggie recently edited a book on radical communal architecture
(The Architecture of Change: Building a Better World) and is working on a book about her experiences squatting.

Figure 19: Maggie Wrigley

The Negotiations

Tauno Biltsted: I think that 13th Street was the end—the difficulty of evicting 13th Street was what saved the rest of the buildings. It was the end of the Giuliani administration. Giuliani had a stated desire, a clear policy on the part of the city, to privatize all city-owned buildings and city-owned lots. My understanding was, at the time, there was a mandate that there was no city-owned property in the form of residential buildings, lots, et cetera, by the end of the Giuliani term.
The city tried to evict those buildings and I think if they had succeeded that they would have gone on to evict the rest of the buildings. We barricaded the street, people barricaded themselves in the buildings. It was very dramatic. It was super expensive for the city. At the moment, I think it was a debacle. It was very expensive for the city in terms of a legal process. And it seemed like they ran out of steam. And then Giuliani was out.

People approached UHAB in maybe 2000. Or late 1999. A few people approached some people at UHAB to see if they would assist in negotiating with the city in the process of legalizing the buildings. My understanding is that they took it up this time. This guy Fernando had individually made some contacts with UHAB. I don’t know if it was just cold calling or through people that he knew. I think it was through people that he knew. The contact was made. And this time they felt it was ready. We’d been here long enough and all that stuff. And there was initial contacts made with the city under the Giuliani administration where they were, like, “OK, let’s do it. Let’s make a deal.”

This is one way to get the buildings off the city’s books was, like, “OK, you guys take them. We achieved our goal on the part of the city to get things out of city ownership.” I think it was agreed to under the Giuliani administration, which is a huge flip. And I think it’s mostly because of 13th Street.

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**Starecheski:** As you started to interact with the squatters over the negotiation process what were your impressions of them?
**Housing advocate:** They made my pupils dilate! They were so wow-wow. I had never encountered something like this. So in addition to being—to say impressed is just so neutral. In addition to being blown away at how amazing their work was and how they had figured out how to be unified—generally unified from building to building to building over time and had what was democratic or extremely democratic processes in their buildings. I was impressed by their matching up a need and a resource and drawing the hypotenuse. It didn't really matter to them that there were ownership obstacles and lack of electricity and no stairs. C-Squat had no stairs and no roof. No stairs and no roof! Can you imagine! And they took over the building, it was unbelievable!! Unbelievable! It was great. Plus in some cases people were raising families in no running water and then no safely potable water and no flush toilets. Both spoke volumes to me about the level of their need and also how gross the affordable housing crisis was in New York City. I was very impressed by them. I was very impressed and while I was I don't know—a little bit shocked by the idea of taking over buildings illegally I embraced their reasons for it.

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**Jessica Hall:** I think Michael [Shenker] came and knocked on my door. He and Rolando [Politi] had been asking for some years for help with this [legalization] or some type of representation. I don't remember how or why it happened that we said, “Ok, we're ready to do this.” I think mainly because the city was divesting of properties it didn't want to be owners of anymore. They were trying to get rid of whatever they could get rid of and I don't think it made sense to them with gentrification in the neighborhood to have a big scene and the cops and the tank. And there were a lot of families by that time which was why we were able to get councilwoman [Margarita] Lopez behind us. Also a lot of people in these buildings supported her in her campaign.
We were all so excited, we were jumping up and down. We were delighted. It was a long process and one of the biggest things we had to do is we had to keep it a secret among several hundred people for a couple of years. That was pretty good. We were living in a state of insecurity and we were going to be able to keep our homes, I think we were all happy about that. I could be wrong. Did you talk to some people that were pissed off?

**Starecheski:** At the very beginning I don't know. You said at the very beginning everyone was excited, did that change going forward?

**Hall:** It did because the process went on for a long time. We were dealing with—it's like herding cats, dealing with people that are used to doing things their own way for a long time and it was a long period of shifting and struggling. And I think it was very challenging for UHAB. The buildings had such a range of functionality in terms of the ability to oversee big projects. We really had that capacity but maybe other buildings didn't have that so much. Some buildings were smaller but had greater costs to bring them up to code. So it wasn't cookie cutter—it wasn't something you could make a blueprint for and it was going to work for everyone. So working all of that out was incredibly labor intensive. It's such a huge range and over time a lot of resentment built up toward UHAB. People thought they were mismanaging and I think that that focus, we are so used to being in an adversarial mode with any institution that that just kind of transferred irrationally onto UHAB. Things weren't perfect but people would say things like "Oh you're in bed with UHAB" or crazy shit like that to me. And I'm like, “No I'm actually going there and I'm negotiating and I'm working with them and it's a cooperative process and what do you think they're getting out of this?”
But so I think we'd become so insular that we weren't so great at that negotiating process and people that were negotiating seemed to be perceived as some type of traitor or then they were held in some type of suspicion like, "Oh you're sleeping with the enemy." So that took a lot of effort and it was a lot of work and again it was a lot of note taking and information sharing and bringing that information back and forth and back and forth and making sure everyone felt included. Making sure everyone felt they got the information they needed because that again is very important, so people don't feel like they were blindsided by decisions that are made or feel like they didn't get to give their input.

**Starecheski:** As you were doing this negotiation process with UHAB, what were the points where you were able to actually negotiate with them?

**Hall:** Well we negotiated around residency. We wanted it to be more broadly drawn in terms of what the requirements were. For example what if you have a sick family member and you have to be away for a couple of years? There were the usual things like I don't know whatever, military or work. I think we also added imprisonment. We really wanted to have the broadest set of rights within the parameters of the low-income housing model as we could possibly have and that's what we advocated for. There was a lot of debate around resale and I think we never really got to a good formula. I don't really know why we couldn't make a better formula.

Because the way it turned out—and I understand people's beef with this, but at some point in negotiation you come to a point both parties can live with—the way it turned out was a person with a much higher—I don't have any income right now, but someone with a much higher income can buy my apartment and still be within the parameters and benefit hugely from the sale. I always
wanted it to be—my argument was always to have it be low-income. But the problem was matching that with a resale that would be fair, that was the crux. And we worked on that, I don't know maybe for years—it felt like it. And we argued passionately about it and it was like, that was really intense. And I felt like that would be a big issue in the transition.

Because there really is no way to take our, there's no graceful way to translate anarchy into some form of social capitalism. That's two completely different models. So it was never—it was going to hurt. It was going to hurt. But here I am. I'm fucking delighted, you know? I have my home, I mean for me personally—I'm the only adult child in my family that owns my own home which is pretty significant. I have housing security, which most Americans don't have. The affordability has enabled me to be a stay at home mom that I wanted to be and then to go back to school and pursue my education and to live as close to the values as possible. It's just been an amazing thing in my life, I'm the luckiest person in the world—I'm really happy.

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Starecheski: When you were living here, what did you think the endgame would be?

Brett Pants: I thought we'd be evicted. I never thought we would last this long. I never thought they'd give us the building. I never thought they'd sell it to us. I thought they'd evict us and I'd have to move out. I'd have to go live somewhere else. Move down south somewhere or maybe squat some other city. Or move south and buy land and a house, property, and have kids or something. But it never happened.
I was like, they’re giving us the building? That’s crazy. Why would they give a bunch of dumb-asses like us this building? It’s worth so much money. But they said, fine. A dollar is fine. It’s cost so much more to work on that building. Not even monetarily.

I wasn’t for it. I thought it was a joke, from the beginning. And it’s always been problems the whole way through. It still has problems. I know other buildings have problems. I know when we finally convert we’ll have problems. Because you try to tell people who’ve never had to pay for anything, pay for things. Even though we had to pay for things, it was, like, it’s different now. To try to put everybody into reality. We had our own reality.

Starecheski: Do you feel like you could have stopped the process, if you wanted to stop it?

Pants: I think it’s snowballed. I think it was going to happen no matter what we did. If we had said no we would have gotten evicted. We had to do it. I don’t think there was a yes or a no. We could have said no, then we would have gotten evicted. It would have been over. We’d have to fight the cops and the cops would have taken the building. And it would be a co-op building. It would be a co-op or a condo or whatever it is they do now. It wouldn’t be the same as it is now. It would be another building on the Lower East Side.

Starecheski: Do you think there’s any risk that C-Squat as a building will lose its building through this whole process? That you’ll get foreclosed on, or do you think it’s pretty clear that you’ll be able to survive?
Pants: There’s always a risk. We could lose the building. If we don’t pay, we’ll lose the building. And the bank doesn’t care who has it. They’ll sell it off to someone else and they can sell it, and they’ll turn it into whatever they want to turn it into. They’ll have to spend a lot of money to do it, but they’ll do it. Because the bank, they don’t want to deal with this anymore.

There’s no feeling in it for them. It’s about money. It’s not about people.

Eric Rassi: I guess that would have been 1995 or 1996 they took out three buildings on 13th street. That was a big fight too but they did manage to grab—those were the last ones they were able to get away from us. So after that we were just trying to figure out how to get legal title to the building. Some people didn’t really care about that, they figured, “Well if they come we’ll just move somewhere else.” I always wanted to put this into a system that liberated the property from the landlord-tenant system. At the time I thought that this would become free property. It couldn’t be bought or sold, it could only be housing for people. That’s the idea we had at the time. To make this part of a land trust. And all of these properties would be liberated from the usual real estate system.

Actually that’s how it’s going to wind up. With a slight adjustment—now we want a cash value to be put on the apartment so that if we ever have to leave, there’s a certain amount of equity that we hold in the property. It was Michael [Shenker] who actually introduced that idea, single handedly. At the time UHAB took over—the agency that runs these buildings right now, runs them into the ground—if you left your apartment you could get like $9,000. Say you were here for like 30 years and you have to go to some wherever to retire, your apartment will be turned over to somebody else that they will pick and you’ll get like $9,000. That’d be nice because in about three weeks that $9,000
is going to be gone [laughs]. Michael said, “No, people need to have some kind of cash equity.” The actual real value, this was my way of putting it—the real value of the apartment should be reflected in a cash value. The just price. That was my conversation with him.

He said, “Let’s just try to get whatever the market will bear. We came in, we did the buildings ourselves, so if anyone wants to sell them they should be market rate, we’re autonomous people, we built the buildings, we should be able to get whatever we want.” I said—you might find this conversation interesting—I said, “OK I agree with you but the market, so called market, is triply inflated by manipulative design. It’s an artificially inflated real estate market which is reflected in all the homelessness and high rents. What we need to do is determine what the place is actually worth and put a cash value on it.” I figured it was worth about $150,000. To build an apartment and live in it, to create from zero to build the whole thing and live here and create a situation where people can move right in? It’s worth about $150,000. So that’s what they wound up doing on 7th Street.

The other thing Michael said was the only way ordinary people, working class people, have ever been able to accumulate any kind of wealth in America has been through home ownership. Through the ownership of their homes and that is what we have to do. We have to adapt to the society by placing a cash value on our homes. That way people will have something to walk away with if they have to leave, if they eventually want to leave or if they have to leave. That idea is so important because people need to be able to hold some form of wealth. Because if you don’t have wealth—wealth is reflected in a little farm with a barn and a house and a well, and some farm animals. That’s wealth.
In Africa? My friend Ruta told me it’s easier to live in Africa than it is in New York. At least there you have a house, some chickens, a barn and a well. And you can have a garden and you can grow food. But in New York if you don’t have money you’re just like, at the mercy of the state. You have to sleep on the street, you get kicked around by the cops, go to the shelter, get woken up at 7:00 in the morning, get kicked out, wander around looking for a job. You don’t have any job rights—there aren’t any jobs because they deindustrialized the United States now so you’ve got all these black people that used to work in factories that became the first wave of homelessness. Then you’ve got all these people walking around looking for jobs that are in China now, all this crap, this preposterous nonsense that has been imposed.

In Africa you don’t need to go out and have a job, why not? Because you’ve got some bargaining power. Even if they open up some factory 30 miles away from your place you wouldn’t have to go work there because you still have your little house and your garden and if you’re able to make money selling chickens, you don’t have to go work for the factory. You have some bargaining power with the factory. As soon as you have no place to live your bargaining power goes down to zero. So unless you establish your land rights you will continue to be pushed around by people who claim to own the whole world. And it’s not actually the case but they’ve managed to shove their ridiculous ideology down the throat of almost every living being on this planet and it’s time to reverse that.
The Analysis

The Details of the Deal

After three years of mostly secret negotiations the Urban Homesteading Assistance Board (UHAB), the Department of Housing Preservation and Development (HPD) and the group of squatters engaged in the negotiations had made a deal, which they announced in 2002. As the process of legalization progressed the deal continued to evolve and there was another period of intensive negotiations in the mid-2000s, mainly around the resale value of apartments in the former squats. The eventual deal was shaped by the political climate and local history, the models of ownership and financing familiar to those engaged in the negotiations, and the resources available.

This is the arrangement they made, which covered all eleven buildings: HPD, the legal owner, would not have to acknowledge the squatters living in the buildings. They would sell the buildings to UHAB for $1 each, technically vacant. UHAB would have to bring the buildings up to code and then would transfer them, along with all of the debt accrued in the process of renovation, to the now-former squatters. The buildings would become low-income limited equity cooperatives, meaning that there would be restrictions on the income of future purchasers of apartments in the buildings, as well as a cap on the resale price of the apartments. The income caps are based on a percentage of area median income (120%), and the resale prices start from a base calculated from the size of the apartment ($105,000 for a one-bedroom), which rises three percent every year.

Market rate for a tenement apartment in the neighborhood could be from $500,000 to a million

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1 This agreement is documented in two Land Disposition Agreements (the original from 2002 and the revised of 2008) and each building’s Regulatory Agreements, all publicly available through the City’s Automated City Register Information System (ACRIS).
dollars. Each building also gets one apartment they can sell or rent to a household making up to 165% of the area median income, to help them keep the rest of the building affordable. The restrictions last for about forty years or the life of subsidized loans, which is typical for HDFCs.²

Limited equity low-income co-ops were a structure familiar to UHAB staff: the Tenant Interim Lease and Urban Homesteading Programs that were their specialty had this form of tenure as their end point.³ This was also a model familiar to some of the squatters and to HPD. In a co-op building the legal entity that owns the building and the land is an incorporated co-op, which is run by a board usually consisting of members of the co-op. Members own shares in the co-op, rather than owning their specific apartment, for which they have a long-term “proprietary lease” (Low, Donovan, and Gieseking 2012). This is in contrast to condominiums, in which residents actually own their units, or community land trusts, where residents just buy the use rights to buildings, while the land trust retains ownership of the land.⁴ Other models were proposed but never very seriously. In order to have a community land trust, there must be a community to control the trust. The community of squatters, always diverse and decentralized, was not unified enough to take on the creation of a land trust by the time these negotiations were happening. Perhaps more importantly, this was not the model UHAB was used to working with and squatters, inexperienced at creating legal ownership structures, were guided by UHAB’s more experienced staff. There was actually an existing land trust on the Lower East Side at the time, RAIN (Rehabilitation in Action to Improve

² HDFC stands for Housing Development Fund Corporation, a special corporation allowed to buy housing directly from New York City. In New York, low-income limited-equity cooperatives are called HDFCs because they are incorporated under the HDFC law.
³ For an excellent overview of limited-equity cooperative housing models in the United States, including careful examination of the claims made for this type of housing in terms of individual and community benefit, see J.E. Davis (2006). See also DeFilippis (2003) for a critical study of low-income co-ops as a means to community control of capital. He found that these structures did not significantly challenge dominant forms of private property, nor did they control enough capital to shape capital flows at a neighborhood level.
⁴ See Low, Donovan and Gieseking (2012) for a comparison of governance structures in market rate condos and co-ops in New York City.
Neighborhoods, incorporated in 1987), but it had been “hibernating” since at least 1993 (von Hassell 1996, 161) and was in no position to take on additional properties (Brandstein 2012).

The squatters’ intense political, legal, and physical resistance to eviction seems to have made their buildings essentially economically worthless to the city. In a political climate in which privatization was a central goal, the city needed a way to get rid of these buildings. Starting in 1996, New York City had stopped taking ownership of properties on which taxes had not been paid. Under the new Third Party Transfer Program, the city could still foreclose on these buildings, but then immediately transfer them to a third party, either a for profit or not-for-profit agency which would manage them as rentals or convert them into co-ops. The program aimed to allow existing tenants to stay and to develop the buildings as affordable housing but, as in the squats, vacant units could be sold or rented at market rates to subsidize low-income units. UHAB was one of the agencies contracted to temporarily take over buildings under this program and, while the squats were not part of the Third Party Transfer Program, it provided another model used in developing the legalization deal for the squats. Much as the idea of urban homesteading was easily assimilated to a 1970s and ‘80s ideology of self-help and personal responsibility while also promoting potentially transformative community control of capital, the squatters’ do-it-yourself renovations and de facto property rights could now be fit in with the privatization of formerly city-owned property in the 1990s and 2000s. This form of privatization, however, would protect the squats from the market, preserving them as low-income housing and, if all went well, insulating them from speculation and private development. Squatters and their allies used the logic and infrastructure of privatization to legalize, protect, and limit their property rights.

While the buildings may have been quite valuable vacant, the political and economic costs of evicting the squatters cancelled out that value, and HPD was willing to sell them to UHAB for one dollar each. However, although many were livable and even comfortable by 2002, they needed
extensive renovations to be brought into line with all of New York City’s building codes. In Chapter Four, we will go into more detail about how these renovations happened. Here, in discussing the negotiations, the important thing was how much they would cost and who would pay for them. As of 2013, the five buildings that have completed the conversion process have taken on $5,486,645 in debt, and UHAB has borrowed $5,695,941 for the five still in the process of renovation and conversion.\(^5\) Two-and-a-half percent of the money borrowed went to UHAB as a project management fee.

Because the buildings had to be sold technically vacant, there was technically no population of former squatters eligible for grants or low-interest loans. The uniqueness and improvised nature of the deal made it difficult to access resources available through established programs such as the Tenant Interim Lease [TIL] Program. There were officially no tenants who could receive benefits or take ownership of the building. For each building, UHAB and the squatters cobbled together a financing package that included some mix of low-interest loans, market rate loans, special programs to fund a boiler or new stoves, and assistance to individuals who were going to have trouble making the monthly maintenance payments\(^6\) on their new homes. As one person involved with the process put it, “In the beginning we were all working just with sweat, scotch tape, chewing gum, elbow grease, innovation and the smallest privately provided community lender bank loan we could find.”

\(^5\) All information on these loans was taken from ACRIS – the Automated City Register Information System, where all mortgages are publicly registered. The figure for UHAB’s outstanding loans may include lines of credit that have been opened but not yet fully used.

\(^6\) Many squatters refer to these payments as “rent,” not as maintenance fees paid as co-op owners. This has been a recurring theme in the history of co-ops in New York City: in the mid-1970s union-built co-ops were plagued by a series of “rent strikes” (the largest and most well-known was at Co-op City in the Bronx, where tenants withheld over fifteen million dollars in “rent”). Leaders of the United Housing Foundation, which developed and ran the complex and many others, accused the residents of having a tenant mentality, rather than an owner mentality (Freeman 2000, 121–123). Organizations that run limited-equity low-income housing co-ops today continue to struggle to instill an “owner mentality” in residents who have been life-long tenants, often have to answer to non-profit managers, and do not have many of the privileges associated with homeownership. For more on this see Chapter Three.
Some people were able to get Section 8 vouchers, which allow low-income people to pay rent or, in this case, maintenance, on the open market with government money, rather than having the government directly provide housing. Some senior citizens and people with disabilities were offered assistance through programs to protect them from rising housing costs (SCRIE, the Senior Citizen Rent Increase Exemption, and DRIE, the Disabled Rent Increase Exemption).

Rather than renovate all of the buildings at once, UHAB dealt with them a few at a time. The process of taking out loans, doing renovations, and completing conversion was therefore uneven, with some buildings beginning almost immediately in 2002 and others still at the earliest stages ten years later. Because of the staggered and ad hoc nature of the process, while all eleven buildings are governed by the same overarching agreement, in practice each building got a different package of financial and social support and even slightly different regulatory agreements. For example, UHAB was able to secure Section 8 vouchers for residents of the buildings to finish the process first, but Section 8 was unavailable to later buildings. After UHAB impressed upon HPD that the project could fail without more support, some buildings got access to city financing not available when the process started: four buildings\(^7\) got subsidized low-interest loans through the Department of Housing Preservation and Development. These loans require only nominal payments for several decades while the primary bank loans are repaid, effectively extending repayment of the total debt over a much longer period of time and reducing monthly payments. Residents of one outlier, 7 ½ Second Avenue, agreed that their building could be torn down and replaced with a new condo building, in which they have low-income units subsidized through a new program providing tax credits for the creation of affordable homeownership opportunities.\(^8\)

\(^7\) 155 Avenue C (C-Squat), 292 East 3rd Street (Bullet Space), 719 East 6th Street, and 733 East 9th Street (Serenity).

\(^8\) Residents of this building, which is outside of the geographic area where the others cluster, did not consider themselves squatters and were not part of the squatters’ scene. Many were paying rent to a
The legalization deal for these eleven Lower East Side squats was ad-hoc and locally situated. It drew on the experiences of HPD, UHAB, and the squatters participating, trying to meet the needs of all involved without creating political difficulties for the government agencies and elected officials who had to sign on to it. In his study of the legalization of informal settlements in Brazil, James Holston found that the legalization process produced new forms of political organization: “Home ownership disciplined the working classes, as the ideologues of industrialization had supposed. But rather than produce the docile and sanitized workers they had imagined, home ownership politicized them: the same precarious legal and material conditions that made the autoconstructed periphery possible galvanized homebuilders into organizing neighborhood-based associations as the means to overcome these liabilities” (2009, 230). Similarly, squatters on the Lower East Side once again began to meet and act as a group as they negotiated the terms of their legalization deal. Some of the people involved in the negotiations had always been publicly engaged in squatters’ organizing, but some were new to those roles. Meetings with elected officials and UHAB replaced Eviction Watch meetings, which had waned in recent years. Here Famous Chrome describes the difficulty of mobilizing the squatter community in the 1990s for administrative work:

We weren't a particularly organized group as far as that kind of stuff, being able to orchestrate coherent strategies unless it was, you know, a matter of welding doors shut and cementing things closed so that our barricades were formidable. We could build barricades like nobody's business. We could put a roof on like nobody's business. But coherent strategies outside of that [were] often beyond the population there. A lot of different ideological strata, economic strata, language strata, so many points of difference when

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group that did not, in fact, own the building and were surprised to learn that they were not legal tenants. Because the situation of this building is so different from the others, I have mostly excluded it from my analysis.
coming together around administrative-type endeavors. It was really clear that no one became a squatter because they were well adjusted. (F. Chrome 2010).

As the legalization deal progressed squatters were pushed to develop these collective capacities. However, this was not an easy process, as Jessica Hall mentioned:

It's like herding cats, dealing with people that are used to doing things their own way for a long time, and it was a long period of shifting and struggling. The buildings had such a range of functionality in terms of the ability to oversee big projects. So it wasn't cookie cutter—it wasn't something you could make a blueprint for and it was going to work for everyone. So working all of that out was incredibly labor intensive. (Hall 2012)

A closer look at the points of contention in the extended negotiation process will show how squatters and their allies struggled to make sense of the history of illegal squatting on the Lower East Side as they collectively decided what the final outcome would be.

The Debates

There were three major points of contestation in creating this deal:

First, some people simply did not want to legalize at all under any circumstances. They felt that the bureaucratic oversight and financial burdens that would come with legalization were not worth the potential for increased security. Some felt sure that in fact legalization would increase their risk of eviction: now that they had agreed to follow the rules, they could legitimately be evicted if they did not pay their mortgages or failed to comply with building codes. Some of these people left
when the deal was announced, others stayed on and, as we will see later, made the entire process much more challenging for those invested in it.

Second, some people felt that the general model was sound, but that the renovation was so expensive that the monthly maintenance payments would be too high for many residents to afford. Even in the short term, this housing would not be affordable for many of the people using it. These people focused their energies on controlling the costs of construction and managing the debt burden to lower monthly payments. Some buildings had storefronts they could rent to defray their own housing costs, and others stretched out the repayment period in order to lower the monthly costs. People organized to do as much of the work as possible themselves, and they tried to oversee the work done by contractors and bureaucrats on their behalf. Jessica Hall and Tauno Biltsted fall in this category.

Finally, some people desired legalization but challenged the idea of limited equity co-ops. These people, Rick Klemann and Eric Rassi among them, desired either much higher resale caps, or no resale caps at all. This debate was about more long-term affordability. Michael Shenker, who had been a spokesperson for and leader in the squatting movement for decades until he passed away in 2010, was the most outspoken in this group. He argued that the squatters, and other low-income people, needed to be able to build equity in housing if they were going to be able to achieve economic stability. He was aging and unwell during the latter half of the legalization process, and worried that he would not be able to get enough money by selling his apartment to move or take care of himself in his old age. He argued that he had put his life into this movement, with no retirement benefits or pension coming, and he should be able to use the equity in his apartment to support himself in his old age. Others were horrified, claiming that the movement had been struggling for permanent low-income housing, not individual security. It was this argument that was
at the center of the series of meetings in the mid-2000s over resale value, described by Jessica Hall as “really really intense and personal and vituperative.”

Let us now look more closely at each of these three debates in turn.

Is Legalizing Squats a Good Idea?

Most squatters felt they did not really have a choice: legalization was the path being offered, and the only other option was eventual eviction. However, there were still vigorous debates over whether or not the squats should legalize. This question brings out the liabilities of living illegally. It also forces us to ask what is significant about the illegality of squatting, whether illegality is valuable, and why.

As noted in Part One, many of the people living in the squats came to the Lower East Side and started squatting because of the sense of freedom they found there. In a squat, one could in theory build the home one dreamed of, unfettered by building codes or construction permits. In this way, you could control your space even if you were also at risk of eviction. For many people, the squats offered a space free from policing. For undocumented immigrants this was a boon. For people experiencing domestic violence or theft it could be a major challenge. As Rick Klemann and Marisa DeDominicis noted, the people attracted by the lawlessness of the squats were not always good citizens of the collectives they joined, and when they were not it was a challenge to evict them.

Going legal offered the promise of being able to invoke outside authorities to deal with troublemakers. As Klemann put it:
We’re going to have all these great things, better security and legitimacy? The cops will come over and we can tell them, “This is our landlord, UHAB’s our landlord? Get rid of that junkie!” We’re going to have all this legitimacy? Let’s do it!

For Frank Morales, UHAB served as a buffer to protect squatters from police power, and so making the deal was a good idea, even if gaining legal title to the buildings was not an eventual goal:

What I see UHAB as, aside from all of the other things they claim to be, is an ally. An ally in support of our occupation. So to the extent that they as well as other allies and our own organization can help us to maintain our stability, maintain our homes, keep us there, then I would be open to having their involvement. That’s kind of the way I see them, as a firewall between us and the police because we have a lot of experience where there was an unmediated relationship between us and the forces of violence. There was nobody in between. So to have anybody in between—it could be a church, it could be some not-for-profit, it could be anybody. They filled that role in some ways.

What happened early on was that there was a fire right around 2002. We had this arson. Which was determined to be arson, it wasn't anything but arson, it was an explosion in the sixth floor rear apartment. You could smell the gasoline on the ground floor within thirty seconds of the explosion, it was very clearly an arson. They came in through the rear window on the fire escape because we hadn't secured those windows, it was a vacant apartment. We were all out of the building [after the fire] and our history from the mid-'80s on had been whenever there was a small fire, it didn't matter how small it was, if we were out of the building for any sufficient length of time like literally three hours, the fire department would
be replaced by the SWAT team. Literally, one would leave and the other would come in, sometimes at the same time.

But UHAB had us on their docket at that point and I remember just waging bets with some people because I was like, “We're not getting back in there. We're going to have to bust back in here when the police are not looking and we're going to have to organize an eviction watch kind of defense and mobilize UHAB to get on the stick on our behalf.” But lo and behold they intervened and said, “This is our building, let's make these repairs that need to be made and they're getting back in there.” Mind you people were at the Red Cross and so on and so forth. Some of us snuck back in, myself included. And we were just back in the building because we didn't trust the whole thing ever because we learned our lesson in the '80s about trusting these people.

But they calculated eleven loans and administrative costs [for eleven buildings]—they didn't want to lose us. So alright, they have their self-interest but on the other hand they were able to maintain against the kind of pressure, which you know is out here to take that one more building for a condo. We were at condos on either side of us, in fact it was probably the condo owner people because we heard that the person that was seen leaving the place after the fire was a worker—they were working on two buildings on either side of us at that time, they wanted the third one. So UHAB held out against that and we were eventually able to get back in even though the process was ongoing and eventually we just went back and we informed UHAB that we were back in there. You know, “You got our back, right? We're going back in so either you do or you're part of the problem.” We were allowed to go back into our houses after the fire and that concretely and practically was a new experience. I've
never witnessed a fire in a squat where we walked back in; I've never seen it. And even though we had to nudge it a bit. So that's real, the house didn't go to the highest bidder within the course of a week, which around here that's how quick they go.

And you have to ask, “Well how did that even come about, why did Giuliani and the city and the power elite decide to stop sending the cops?” It's not because they were necessarily benevolent. Maybe they didn't want to have the thorn in their side, they are unloading all their buildings anyway, they figured in some cynical way well this could be a long-term World Bank methodology to gentrify the buildings anyway, who knows whatever their rationale was.

I don't see them as facilitating the transfer of this building into our hands. I already feel it's in our hands because I don't put much credence in—look at the people who have owned homes for forty years and are getting pushed out of them. You can't put a lot of credence in paper or the promises that yeah you quote own this now et cetera et cetera. I think that’s becoming more and more fragile given the crisis that we're in and so on. And the more basic element is that home for me is stability so to the extent that we are there, we control it, we manage it, and most importantly that we don't have any immediate fears of being displaced so that translates into a kind of a security.

And our building self-consciously voted and sent UHAB a letter that we were definitely not interested in any loans. That's just an objective decision that we made because on some level we didn't feel that we needed it. I think by implication there doesn't seem to be a lot of feeling or desire, at least on the part of people in our house, to actually own anything. You
don't hear, "Well we really have to get our act together with UHAB because otherwise we're never going to take title." We never talked about that. All we talked about in terms of having to get it together with the authorities and so forth was preventative. We don't want to be at the mercy of the police and the state. We want to maintain our peace here. So I think all things being equal, if we never on the one hand were threatened again to be displaced from our home we would have absolutely no desire to move beyond that.

Frank Morales’s building is one of two that signed on to the deal but did not take on major debt-funded renovations; Rick Klemann’s building at 544 East 13th Street is the other. Morales’s building remains the only one, as of December 2013, for which UHAB has not taken out any loans. Both of these buildings have severe internal conflicts that have made it challenging for them to negotiate with UHAB, and both have at least one faction that opposes taking on debt. In Morales’s building, this faction’s objections are mainly ideological, as he explains. For now, they can consider the benefits of making a deal with UHAB separately from the costs of becoming legal owners. At the same time, UHAB is unlikely to bear the ongoing costs of owning these buildings forever.

However, for those buildings that did take on loans and move towards ownership, the calculation was quite different. For some people, the increased housing costs that came with legalization meant a loss of security, not a gain. While every squat technically required all members to pay some kind of monthly house dues (usually between $50 and $200), in many cases this system did not function, and there were plenty of people living in the squats in 2002 who had not had to produce any kind of monthly payment for housing for a decade or more. They had not acquired the skills and habits needed to access a steady flow of cash. Some were strongly disinclined to do so, and others, especially the oldest, sickest, and most marginal, found it impossible. In the absence of major subsidy, for these people legalizing the squats was not a benefit.
Even for those with the capacity to bring in regular monthly income and no particular fear of the law, legalization could have serious downsides. As Frank Morales notes above, squatters who took on debt exposed themselves to the risk of foreclosure and then eviction in what he thought might be “a long-term World Bank methodology to gentrify the buildings.” As the levels of debt mounted and the subprime mortgage crisis exploded in 2007, this became a very real and serious risk. Many squatters felt they had legitimate claims to their buildings and moderately secure tenure without legalizing, and they worried that the debt incurred through legalization would actually make them less secure than they had been before. They would have to sign on to a system in which they could legitimately be evicted if they did not pay their mortgage, whereas as squatters they did not recognize anyone’s right to evict them. Squatters feared that they would become victims of what David Harvey has called “accumulation by dispossession,” which under neoliberal governance involves siphoning wealth and property from the poorest to the richest through privatization and commodification (2007). The “debt trap” is a key mechanism of accumulation through dispossession: poor people or countries are given credit, ostensibly to improve their living conditions, and then when they do not pay their debts promptly their property, which until then had often been held in common, collectively, or by the state, is taken as collateral and becomes fully commodified private property, now held by the wealthy lender (2007, 159).

In fact, as of December 2013 it appears that UHAB may actually be at risk of losing ownership of the Tenth Door, where Frank Morales lives. UHAB did not have the capacity to pay taxes on the building nor had the buildings’ residents contributed money to pay them. In August 2013, the city sold a tax lien on the building worth $241,663, along with the liens on several other

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9 As of 2005, 97% of the over one thousand limited-equity co-ops in New York City created since 1975 still existed (Saegert and Benitez 2005). However, HDFCs are at risk of foreclosure (Ohm 2011) and several of the squatted buildings came close to being foreclosed during the extended renovation process under UHAB.
HDFCs. These liens were combined with over $140 million in debt and sold to investors for about $90 million through New York City’s tax lien securitization program (Standard & Poor’s Rating Services 2013). In the tax lien securitization program, New York City bundles tax liens that seem to have a good chance of being repaid and sells them to a trust. The trust uses the liens as collateral to issue bonds to investors and uses investors’ money to pay the city, allowing the city to immediately collect a portion of the unpaid taxes. The trust then hires collectors to pursue the debtors, and uses the money brought in to repay investors with interest. Any money collected after investors have been repaid goes to the city (Perine, Shultz, and Marazzi 2010).

This program is the other half of the Third Party Transfer Program, which together make up New York City’s post-1996 strategy for dealing with non-payment of real estate taxes. Liens on buildings that are considered “distressed,” meaning that they have debts equal to more than fifteen percent of their value or are seriously deteriorated, are not sold. They are funneled into the Third Party Transfer Program to be redeveloped as low-income housing with the assistance of nonprofit sponsors. HPD can also pull out buildings that do not meet these criteria, but which are already involved with government programs – until 2011 this included all HDFC buildings10 (Perine, Shultz, and Marazzi 2010, 17). However, 377 East 10th Street and 544 East 13th Street were not yet HDFC co-ops; they were owned by UHAB. As they would with other buildings with which they worked, UHAB had successfully petitioned city government to take the tax liens off the auction list for several years, but with the building in limbo, the debt mounted. By 2013 the debt had grown so large that UHAB could not get the building removed from the lien sale list. New York City’s tax lien sales program is far more regulated than others and has some mechanisms in place to protect low-income

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10 In 2011 the law was changed allowing the city to sell liens on HDFC rental buildings with tax debts of over $5000 that were at least two years overdue (NYC Department of Finance 2014). At the time of this writing, affordable housing activists are working to get that law changed again, so that all HDFCs will be funneled into the Third Party Transfer Program, not the lien securitization program.
and vulnerable people, but debtors are still charged 9-18% interest (compounded daily), a five percent fee once the lien is sold, and service fees which start at $300, and the servicer hired by the trust can begin foreclosure proceedings as soon as thirty days after the owner fails to pay the semi-annual interest payment due on the taxes (Standard & Poor’s Rating Services 2013, 4,9). While most property owners pay their tax debts, plus the fees and interest that quickly build up once a lien is securitized and sold, foreclosures are a real possibility (Tung 2014). Negotiations are ongoing and the fate of the building is unclear.

These issues are not, of course, unique to New York City. Economists and NGOs have hailed property ownership as a panacea for urban crises and entrenched poverty in the developing world, but critics have raised some of the same objections to this project as Lower East Side squatters. Most famously, neoliberal Peruvian economist and World Bank advisor Hernando de Soto has promoted giving urban squatters in developing countries title to their land and access to legal systems as a means to unlock the “dead capital” trapped in land squatters use but cannot exchange (2003). Researchers have shown that residents of informal settlements often feel secure in their tenure and invest in their housing without legal title (Gilbert 2012, vii). While geographer Alan Gilbert found in his review of the evidence that, for the most part, titling does no harm, if little good (2012), others have argued legal title may actually lead to the dispossession of the poorest (Berner 2000; M. Davis 2007, 80; von Benda-Beckmann 2003). Legal title often does not provide the access to credit promised by de Soto, and when credit is given the end result can just as easily be crippling indebtedness and insecurity as upward mobility.

For example, a recent series of articles in the Washington Post exposed a situation where the city of Washington, DC was selling individual liens at auction, along with the power to initiate foreclosure and charge homeowners fees for attempting to collect the debt or foreclose (M. Smith, Cenziper, and Rich 2013). Vulnerable people, especially the elderly, infirm, and low-income people of color, were losing their homes over tax debts as small as a few hundred dollars that quickly ballooned once in the hands of collectors.
For some, squatting meant being a part of a social movement, and legalization therefore brought up questions about whether this movement was coming to an end, and if so what it had achieved. The legalization of squats is highly contested in many European contexts, where both squatting movements and legalization are far more common than in the United States (Martinez 2014). Dutch sociologist Hans Pruijt, in comparing “opportunities for sustained squatting” in New York City and Amsterdam asks, “is the institutionalization of urban movements inevitable?” (2003, 130). If squatters are offered legalization, can they still maintain an oppositional stance and use direct action (what he calls “flexible institutionalization”) or does legalization spell the end of squatting as an oppositional social movement (“terminal institutionalization”)? He found that in Amsterdam squatters experienced widespread legalization but still opened and defended new squats. Legalization, in that context, did not lead to the end of squatting as a social movement. In New York City, most squatting efforts, such as the wave in the 1970s, Banana Kelly in the Bronx, and the ACORN East New York squats in the mid-1980s, were co-opted, meaning that the organizers were brought into the process of urban governance and the organizations became managers of housing and providers of direct services to the poor, rather than advocates or agitators. Only the Lower East Side squatting movement resisted co-optation for any length of time, although he calls the 2002 deal an example of terminal institutionalization. Pruijt concludes that this was because squatting on the Lower East Side was “both a means and a primary goal” (Pruijt 2003, 143). When a movement is co-opted, government agencies accept the goals of that movement. When squatting was used in the service of a housing movement, it was feasible for HPD to take on the goals of housing low-income people, and even providing opportunities for low-income homeownership based on sweat equity. However, squatting was not a goal HPD could take on.

My research shows that the picture is a bit more complicated. Many of the squatters on the Lower East Side I talked to said that eventual ownership and legalization were always their goals.
However, for some squatting was a goal, and legalization therefore not a viable means to achieve that goal. Given this conflict, it is surprising that the decision to proceed with the negotiations seems to have been taken rather easily. Of the twelve squats on the Lower East Side in 2002, eleven signed on to the deal. In the building that did not join an individual was collecting monthly dues, using intimidation and force to maintain control over the building. In buildings without a strong central organization in which at least some people participate, it is possible for one person or a small group to take advantage of the lawless space of the squat to forcibly collect rent and control the allocation of space. Apartments in this building were bought, sold, and sublet for profit to a greater extent than in other buildings. When he was pushed out by the residents and soon after that died, the building tried to institute more democratic procedures, and eventually approached UHAB to try to legalize. At the time of this writing they remain in limbo.

Some people in other buildings did object to legalization but they were in the minority and not able to stop the process. Each building used some mixture of consensus and voting to make decisions. House meetings were almost universally closed to outsiders as a matter of policy and I was never allowed to observe or participate in them, so must rely on first-person accounts of how they were run. In some cases, there were even explicit rules prohibiting talking to non-members about the proceedings at house meetings. In any given building, some people might tell me they used consensus (in which all or most people must agree for a decision to be taken), and others that they used majority-rule voting. It is common in small groups to use informal consensus for relatively easy decisions, and majority-rules voting for more controversial ones. Whatever the structures used to make the decision to legalize, it was not one that allowed a minority of dissenters to stop the process, except in the one building ruled by a single person. Tauno Biltsted described the process:

12 In contrast, at Christiania, a forty-year-old squatted neighborhood in Copenhagen, residents use strict consensus, and a minority of people opposed to legalization (a mix of people who objected to
I remember there being a discussion in the building here at that time, and people supporting it and approving it, to go ahead. We had a community discussion where everybody in the building who wanted to participate in it had a debate, different people presenting different viewpoints. But I don’t remember it being controversial at all. I think that people were clearly, at that time, interested in being able to own. Not even own, just not be threatened with eviction. I think that was really the big thing. We just didn’t want to be evicted. I don’t think there was a clear sense of, “What does owning look like, or are we going to own, or what do ownership structures look like?” It was like, “Yeah, maybe this is an opportunity, let’s explore it.”

In contrast, here is his description of a similar process in the early ‘90s that failed to produce a deal:

UHAB had previously been approached, maybe in ’90, ’91. I was living in C-Squat at the time and I remember a meeting that was held on 13th Street. One of the buildings on 13th Street had a common area. It was like a kitchen, kind of a café area on the ground floor where we had some meetings.

The discussion at the time was about legalization, whether we should approach UHAB essentially. Somebody had a contact at UHAB at the time. I remember there was a community discussion about whether or not we should try to get legalization or not. We

debt, people who objected to private property, and prospering drug dealers who objected to the law) stopped the process for six years by blocking every deal offered (Starecheski 2011).
talked about it at C-Squat beforehand and we were against it. It was live free or die. This thing like, “No, we don’t want to be legal. That means compromise.” So we had an internal discussion in my building and then went to that meeting and were like, “No, we shouldn’t do this. We shouldn’t try to get legal, we don’t need them, we can do it on our own.”

But that was just one perspective. It wasn’t the dominating thing. What I remember was, there was some tension in the meeting because there was also some people who were living on 13th Street who had families. At the time, C-Squat was not a family building. It kind of still isn’t. It was young people, it wasn’t like people had families. I think we had different interests at the time. Our interests were more like, “We want to be this independent, autonomous community. We don’t want to get into legal structures with the city.” There was a big debate. The outcome of that, as I recall, was that UHAB was like, “No, you don’t have your stuff together.” I think they were approached and they declined to work with us at the time. Not us in C-Squat, but work with the movement or the buildings in general.

While in the past, entire buildings had rejected the idea of legalization, by the late 1990s it seems that most residents were ready to pursue legal ownership.\(^{13}\) Residents were aging, having families, and seeking more stability and most saw no other way to end the standoff with the city. If they did not

\(^{13}\) In the early 1990s at least one group of squatters did manage to get ownership of their building, a small five-unit walkup on East 4th Street, without going through any nonprofit intermediaries. This collective was formed with the intention of seeking legal ownership, and specifically targeted a privately owned building, abandoned by the owner but not taken by the city, which by this time had dramatically slowed down the process of taking buildings for nonpayment of taxes. After five years of work, they gained full ownership by claiming to be tenants and suing the owner for the cost of the repairs they did to make the building habitable. When the owner did not appear, the court gave them title to the building in lieu of a cash payment. They registered it as a condo, with no restrictions on resale (Marco 2012). This building is legendary among squatters who, depending on their politics, either cite it as an example of greed and corruption or a rare success story. However, this strategy was not, as far as I know, attempted again.
legalize, most squatters believed, they would eventually be evicted. In a revanchist climate of intensifying repression and gentrification, most squatters decided to negotiate from the position of relative power produced by their long occupations and history of resistance, to make a deal.

However, a large part of Pruijt’s analysis still stands and is important: for many participants, squatting was the goal, but it was not the illegality of squatting that was important. It was the control over one’s space, the participation in a collective endeavor, and the freedom from overwhelming housing costs. These were all characteristics that could be preserved, with care, through a legalization process. In Chapter Five we will see the extent to which the squatters were able to maintain control over the physical space of their homes, and in Chapter Four we will look at how the legalization process affected collective life and individual freedom. Here, let us now focus on the management of costs and how squatters worked, schemed and negotiated to try to keep their homes affordable, seeking some way to preserve their values while gaining security.

Is it Possible to Maintain Affordability in the Short Term?

Controlling Costs

For most residents it was essential, then, to find some way to maintain the affordability of their housing in the short term. As they completed the legalization process, each building would take on responsibility for the debt accrued on their behalf by UHAB. For the five buildings which have completed the cooperative conversion process as of 2013, debt per unit ranges from $36,000 at 209 East 7th Street, where residents had worked to code from the beginning and did much of the renovations to legalize by themselves, to $164,000 at 719 East 6th Street, where residents left the

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14 Miguel Martinez’s research on the legalization of squats in Madrid has shown that legalization does not necessarily lead squatters to abandon their oppositional politics or ways of self-governing (2014).
building while contractors did a total gut renovation after a fire. As a collective, each building would have to make monthly mortgage payments or risk foreclosure. The size of these eventual payments became the next major point of contention in the legalization process.

Initial estimates by UHAB projected that each resident may have to pay $300 to $500 per month, much more than they had been paying, but at the low end affordable for most. UHAB staff estimated that the whole process would take a few years, but in fact the first building did not complete the conversion process until 2009. As the process dragged on, costs ballooned. UHAB was paying construction insurance and taxes on the buildings, interest was mounting on the loans and each delay cost money. For Bullet Space, the first building to convert, the monthly maintenance fee for each tiny apartment was $614, still far below market (a one bedroom in that neighborhood could command $3000 monthly at the time) but totally unaffordable for several residents and a stretch for most (Otis 2009).

This made everyone anxious. Some squatters in buildings already undergoing renovations, such as Jessica Hall and Tauno Biltsted, got deeply engaged in the nitty gritty details of bringing their buildings through the legalization process without a crippling debt burden. As noted above, there were several means to do this. One important strategy was to target “soft costs,” such as project management, construction management, interest, and insurance. Residents who were able to do physical labor were generally willing to do some of the work on their buildings. They contracted out major jobs that required licensed experts, such as installing heating systems. But this was a community whose deepest shared value was perhaps to do-it-yourself, living frugally in exchange for financial freedom. When UHAB insisted that they hire a construction manager whose salary would be shared among the buildings, it was too much for the squatters to bear. Even those who worked

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15 All information on these loans is from the City of New York’s Automated City Register Information System (ACRIS), where information on, among other things, real estate transactions is publicly available.
most closely with UHAB complained bitterly about this. While most understood that the
construction manager was probably a requirement of some bureaucrat higher up, or some mortgage
lender they would never meet, they could not accept having to pay this person a generous salary to
do work they did not consider to be necessary. Rumors flew: The construction manager was a
relative of a UHAB staff person. The construction manager was paid a hundred thousand dollars a
year. Even UHAB staff now agree that at least some of the several construction managers hired did
not do their jobs well at all. Still, the salary could not be unpaid, and now the squatters had to pay it
all back. Many squatters felt that their money was being spent incautiously and without their
involvement or oversight.

One building that joined the deal – 274 East 7th Street or the Rainbow Co-op16 – eventually
got so concerned about rising costs and UHAB’s financial dealings on the squatters’ behalf that in
2007 they sued UHAB. The Rainbow Co-op made a claim to the title to their building based on
adverse possession, arguing that they had possessed it since 1981, so had actually gained title in
1991, thus making the city’s sale of the building to UHAB invalid. If they owned the building
through adverse possession they would get title outright without any of the restrictions on resale
prices imposed by the deal with UHAB.

UHAB had taken out a 2.7 million dollar loan in 2004 to renovate five of the squatted
buildings it now owned, using the buildings as collateral.17 By 2007 UHAB was in default of their
obligations to the bank, and the residents of the Rainbow Coop were at risk of foreclosure because

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16 Known to most as “the Germans” because of the number of Germans living there. This was one
of the three buildings on this block, only two of which joined the legalization deal, in which tenants
attempted to enter the Tenant Interim Lease program to become co-ops in the early 1980s after the
buildings were abandoned by landlords. Rolando Politi was involved with them in his earliest days
on the Lower East Side. It is not clear why they were not accepted, but the buildings all became
squats.

17 In 2004 UHAB took out two large loans, for 2.7 and 2.9 million dollars, to cover renovation costs
in nine of the buildings. In 2008 they split these into nine separate loans, each allocated to a specific
building, ranging from $476,000 to $1.1 million.
of a mortgage they said was taken out on their behalf without their input. The fear of foreclosure was real and widespread, especially as the national and then international foreclosure crisis intensified. UHAB staff confirmed that at one point the buildings were at risk of foreclosure. If the buildings had been foreclosed, they could have been forever lost as affordable housing: in order to induce the lender (National Cooperative Bank, or NCB) to refinance these loans in 2008 the city made an agreement with NCB that if NCB gained ownership of the buildings through foreclosure they would no longer be governed by the Land Disposition Agreement under which the buildings had been transferred to UHAB. If foreclosed, the buildings would no longer be designated affordable housing. Indeed, a debt trap had been set.

The Germans claimed that the portion of the original $2.7 million loan allocated to each of the buildings was unclear. They also, of course, decried the overpaid and incompetent construction manager. On this basis, they sued UHAB for an accounting of their use of loan monies and for damages. In 2009 a judge dismissed most of the Rainbow Coop’s claims, including those for adverse possession. The judge decided that, because the residents had repeatedly acknowledged the city’s legal ownership of the building, they could not have occupied it “under a claim of right.” This is in line with the trend, noted above and reflected in a 2008 change in New York State’s adverse possession law, towards rewarding only “good faith” adverse possession, in which the possessor believes that they are the owner of the property. UHAB was ordered to produce their financial records. This building was eventually able to complete the legalization process, and became a co-op in 2013, taking on $413,000 in debt. Still, the fact that they lodged such a substantial lawsuit against

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18 The terms of this building’s regulatory agreement seem to be a bit more favorable to residents than those of the others. For example, while other buildings have restrictions on resale price and buyers’ income lasting forty years, 274 East 7th Street’s restrictions expire in 2029. They were also allowed to count the number of rooms in each unit based on current use (in which many rooms and apartments had been combined) for the purposes of calculating their own maintenance payments, but based on the original layout (which had more rooms) to calculate sale prices. This kept their
UHAB is evidence of the depth of the distrust and even acrimony between UHAB and some of the squatters.\textsuperscript{19}

Some buildings, watching the costs mount in the buildings already being renovated, initially refused to take out any loans or participate in the process at all. 544 East 13\textsuperscript{th} Street, where Rick Klemann lives, was one, although UHAB did take out an $850,000 loan on their behalf in 2009. The 10\textsuperscript{th} Door,\textsuperscript{20} where Eric Rassi and Frank Morales live, is another. The 10\textsuperscript{th} Door is the only building that has still not been mortgaged as of 2013. Each of these buildings is divided into two factions, unable to meet and make decisions together, and this is certainly a central factor holding them back from moving forward with renovations. At least some residents in each building also have real objections to taking out loans and risking unaffordability or even foreclosure. As Morales described, the 10\textsuperscript{th} Door had a fire shortly after the deal was announced. While most of the residents moved back in and the building is in some sense habitable the cost of renovations required to bring it up to code rose tremendously. 544 East 13\textsuperscript{th} Street was originally built with an elevator and so to meet building codes it needs to have an elevator once again. The cost of this – reportedly one million dollars – is also prohibitive. In these cases, all the penny-pinching in the world could not maintain affordability in the short term if full-scale renovations happened.

\textsuperscript{19}Similarly, legal homesteaders on the Lower East Side in the 1990s experienced increasingly acrimonious relationships with the nonprofits sponsoring them. The homesteaders accused the Lower East Side Catholic Area Conference (LESAC) of mismanagement of funds and lack of transparency and some even successfully sued LESAC (von Hassell 1996, 100–104).

\textsuperscript{20}So named because it was once the tenth door in from the corner of the block, although the vacant lots that dotted that block are full of housing and it is no longer the tenth door in.
Selling Space

Resisting debt by refusing to take out loans or trying to keep costs down was one way of maintaining affordability for current residents. Selling space in the building or renting it at market rate was another, and all of this had to be negotiated internally and with UHAB. Some of the legalizing buildings are purely residential, but others have storefront spaces, which are tremendously valuable in the now heavily gentrified Lower East Side. Buildings with storefronts had to decide how to use these spaces, which had traditionally been used for building meetings, events, or even storage. Umbrella House, with two storefronts on Avenue C, decided to rent both at market rates, but to local businesses: a barber shop and a check cashing place. This brings in thousands of dollars a month that the building uses to defray their individual monthly payments, helping to make Umbrella House one of the most affordable buildings today. While they kept a small meeting room and bike storage room, there are no longer big public events at Umbrella House, which used to be known for its parties.

C-Squat, also with a storefront space on bustling and trendy Avenue C, made a different decision. UHAB made it clear to the building’s residents that in order to stabilize their collective finances they would have to rent the space out to a commercial tenant, but what kind of tenant was up to them. After much debate, during which they considered renting it to tenants including Picture the Homeless, a recording studio, an art gallery, and a needle exchange for intra-venous drug users and even joked about renting it out to a commercial tenant such as Starbucks in order to minimize their own monthly payments, they decided to charge minimal rent and seek a nonprofit tenant. The Museum of Reclaimed Urban Space (MoRUS), a new grassroots volunteer-led museum showcasing the history of squats and community gardens in the neighborhood, opened in C-Squat’s storefront in December, 2012. Now C-Squat is struggling to complete the legalization process and may be unaffordable for many residents, but MoRUS is one of the few radically-oriented public spaces on
the Lower East Side, and their regular monthly rent payment has helped keep C-Squat solvent through the long process of becoming a co-op.\textsuperscript{21} Still, the loss of what had been their community room was a blow to the building, as described by long-time resident Brett Pants:

> It was the heart of the building, it was where the most action happened in the house. Where the action was, where most decisions were made, where we had our meetings and our parties. Where we got drunk and where we had our meals. There was always someone down there pretty much whatever time of day. Posted on the fridge would be poems, pictures, postcards and letters from friends, residents and people traveling the country or the world. Everything happened there from fights to making new friends to apologizing about something the night before. To me it is the most memorable part of the house and it doesn't exist anymore. Now it's a place to make money, don't get me wrong I have no problem with MoRUS we need them and they need us. It's where C-Squat had its first show. The loss of that room makes my heart hurt, that room made C-Squat into a family, it was like our living room. You couldn't even enter the house without walking through it. Yes we still hang out in the hallways and talk and discuss and drink and party but it will never be the same as that particular part of the house. When we lost that room we lost a lot, it stopped being a house and turned into what it is today (2014).

In Chapters Four and Five we will look more closely at MoRUS and at C-Squat’s struggles, and especially at C-Squat residents’ descriptions of themselves as family and their building as a house.

\textsuperscript{21} See Graeber (2009, 267–273) for a detailed description of the changing activist landscape of the Lower East Side, and the challenges and importance of creating and maintaining spaces such as MoRUS which can be hubs for radical meetings, parties, and organizing.
Individual apartments could also be mobilized as resources to keep overall monthly costs down. Once they completed the legalization process, buildings were able to sell vacant apartments and substantially reduce their rent burden. Each building had one apartment that could be sold for more than other apartments: $50,000 per room rather than $30,000 per room, and to people making 165% of area median income. Some buildings, like Bullet Space, kept all of their residents through the arduous renovation process. Most lost people, and if they kept these apartments vacant until after conversion they could sell them for well over $100,000 to new co-op members, reducing everyone’s monthly payments. If they filled them before legalization, the new member would only pay the $250 each member pays for their unit at the time of conversion. There was therefore an incentive to hold units vacant until conversion was complete and only then sell them.

“Warehousing” – keeping usable space vacant in order to sell it in the future when it will be more valuable – has always been a cardinal sin among squatters. While they had diverse politics and goals, a condemnation of warehousing was one thing they could agree on. However, the structure of the legalization process created incentives for them to do just this.

Warehousing also happened in the squats when they were illegal, not generally because residents intended to profit off of the spaces in the future, but because they thought they might be able to use them. For example, a person might have the rights to an apartment in a squat, but also have a partner living elsewhere in the neighborhood with whom they live. If they ever break up, they would want to be able to return to the squat, so rather than give up the space they ask someone to watch it for them, using it as a home but not gaining any permanent rights to it. This was sometimes called “being a constant” for someone. As long as the space was not actually kept vacant, this was generally considered an acceptable practice, although it did create problems. First, in many buildings

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22 Conversion is the process of actually becoming a co-op and taking on the mortgage. It happens after the renovations are complete, when UHAB transfers the building and its debt to the newly formed co-op.
there was a distinction between a building member (someone voted in, with acknowledged rights to an apartment) and a guest (a girlfriend or boyfriend, roommate or caretaker). Members could participate in house meetings and have a say in building-wide decisions, but guests could not. When caretakers stayed for a long time and still did not gain the right to participate as a member, this created a second class of residents. Second, a long-time caretaker might eventually make a claim on the apartment, refusing to relinquish it upon the member’s return. If the building did not defend the member, and the member was not willing to physically defend the space, they would lose it.

Here is an example of how these pre-existing property relations and norms were transformed through the legalization process. A long-time resident of C-Squat, a building with very small apartments and a reputation for hard partying, had a child. Everyone could agree that the building was no place for a family, so it made sense for the member to move out. For years, the apartment was sometimes occupied by a caretaker and sometimes vacant. Because the member had been a part of the building since the early days, longer than any other resident at the time, and had done major work on infrastructural construction projects, some people felt that he had relatively permanent rights to a space in the building. However, as legalization proceeded and it was clear that this would never be a space for the member to bring his family back to, some people started to think that the member was planning to sell the apartment as soon as the building converted. A protracted conflict ensued over whether and how to take away the member’s apartment. Johnny Coast was staying in the contested apartment at the time, and Diane Roehm eventually got it. Let us have them tell the story from here:

Johnny Coast: And then somebody in this building was like, “I’m not in my apartment right now you can watch it.” So I was like, “Great.” I moved in and stayed here for years and then did a lot of work here, tried to be a positive influence in any way I could. I feel like I was. It
came up to a vote and the vote was, “Kick the dude out whose apartment you’re in and you can have it—you’re a house member now.” I’m like, “Oh great, this fucking sucks.” So the next house meeting rolls around and I said, “My first act as house member is to revoke this decision, I give the room back to the guy I stole it from—I don’t like it, he can have it. It’s not cool. And I’ll be a floating house member,” I made up a new position and they were like, “Great!”

At this point we were having—when I first came in there were no meetings happening, only when necessary. And I was like, “We’ve got to have meetings, this is crazy.” So we started having them first once a month. So by the time the next meeting came up the guy in this room [the room Coast lives in now] was basically kind of just fucking up. He was sort of on a trial period during which he really did a bunch of gross weird things. So they said, “You’re never going to get a room here,” so now his room is available. And I said, “I make a proposal as the only floating house member that I take this room that’s available.” And everybody says yes.

So I say to the guy—and this is going to be a fucked up story: “So how long do you need to move out?” I said, “I’m taking your room.” He goes, “How about two weeks?” So I show up on day fourteen with a new mortise lock and I actually break in the door and he’s in here wandering around, the place was trashed! Trashed, there was no walls, no ceiling, there was nothing here—it was nothing. And you could see into this guy’s room and you could see into that room [next door] and it was gnarly. There was garbage everywhere—it was pretty gross. So I’m just standing right there and I put the lock on and I said, “This is the new lock,
this is the new key” and I put it in my pocket and said “I’ll be back in two hours to demo—to clean out the room.” And I came back in two hours and I cleaned up the room.

Starecheski: And he was gone.

Coast: Yeah, he moved to the basement. Hecamped out in the basement for another two years and finally decided it wasn’t worth his time and left. It wasn’t worth his while anymore. So there’s some politics of the building for you. They needed to get rid of somebody and they did. In the meantime yeah, I was sort of used as a pawn a little bit and I knew it (2012).

Diane Roehm: Well, this room in which we are sitting was extremely contentious. Like I said, it sat vacant for five years. I mean vacant. There was one person [Johnny Coast] who lived here in between the house member and me. When he was voted in as a house member, which was just a few months before me, he was given a different room. Which is unusual too, usually if a resident is voted in they are voted into the space where they live. But this room was extremely contentious because no one wanted to take it away from the house member that had lived here. And so the house bent its rules for him more than any other person in its history, out of love. But in the city of New York, this apartment sat here and just rotted, empty. And he hung onto it, he wanted to hang onto it and he told the house that he was coming back for a long time. This whole deal with UHAB had already been set into motion and we were going to come into legal ownership. We understand now that he wanted to sell. Which is something that we’ve been pretty consistently opposed to. You
know it’s like, it’s a squat, and that’s pretty contrary to the politics of the place. So it was a big deal and we ended up working out this whole thing out with UHAB. It was understood that he and his family could be transferred to another building on the same terms and buy into a room at an insider price—essentially the same deal for a home he would stay in instead of sell.

It was this whole drawn out process where I had been living here and I had worked really hard on it and people could see that. I was told by people who didn’t want me in this particular room like, I was told, “Don’t worry, you’re going to get a room but it’s not going to be that one.” I didn’t like hearing that after having done the amount of work on it that I did. I have a handful of pictures of this place I could show you of what it was like before. It became this whole thing of, “Is this room going to go to the person who’s actually living in it or are we now going to call it a piece of property and sell it because we care about this person?” And the house wound up voting me in, but it was contentious and it was scary for me too. I mean I can tell you, like this was a few years ago, but I remember sitting in this room right after I was voted in and a man with a violent history walking through my door telling me that they were going to come tear my house apart and I’d better let them.

Starecheski: That’s scary.

Roehm: Yeah, it was pretty frightening and I was physically intimidated a lot and, you know to the point where like I was calling all of my biggest scariest-looking guy friends and I had a number of friends for a good while just camped out in this room with me because I was really frightened for my physical well being. It’s worth noting that none of these threats
came from the person whose room it had been, it came from other forces. I still don’t know to this day if he was aware that this was happening or not but there was an extreme level of harassment that was going on and I was really a wreck over it.

Other people tell the story differently, painting Diane Roehm as a caretaker turned usurper, who promised to watch the empty space for its legitimate owner and then decided to take this desirable and mostly finished space for herself, strategically using unfounded accusations of warehousing to bolster her position. In any case, she was voted in by a slim majority, and only after UHAB promised to find the original resident a better space in a new building for the same price. In the end, the former C-Squat resident was invited to join another building, without UHAB having to intervene. The long-time member therefore did not lose all of his property rights – he was given a space in another legalizing squat down the street, under the same conditions as he would have gotten the space he originally claimed, paying the $250 insider price rather than the $100,000+ newcomer price. This is one rather unusual instance in which the squatted buildings are considered as a unit, rather than individually. People have always moved around quite a bit between the buildings, and there has been a sense in which working on any squatted space gives you some credibility in seeking a space in the network of squats. However, in this situation the member’s rights were formally transferred to another building, and translated into legal property rights to a co-op apartment. These negotiations were not, as both Diane Roehm and Johnny Coast note, accomplished without at least the threat of physical force – those who thought that the original

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23 There was a similar model in the homesteading movement in the neighborhood in the 1970s and 80s, where a relative newcomer to a homestead nearing completion would be asked to make up for missing the earlier stages of work on her building by working on others that were less far along. The homesteaded buildings were treated as a unit, in which work on any building would count as a contribution of sweat equity towards the unit the homesteader would eventually own (von Hassell 1996, 146).
member should retain the rights to his space no matter how long he warehoused it for or what his
original intentions were still opposed Roehm even after she was voted into the space by a majority
of members, and Coast had to take responsibility himself for physically claiming the space he had
been allocated. Interestingly, the building did not seem to consider kicking him out and warehousing
the space themselves.

This story shows us how one building worked to manage the transition between the system
of property that they had established as an illegal squat and the one they were entering during the
legalization process. Throughout the legalizing squats, those who were holding onto spaces they
were not using had to either commit to or give up their apartments, as each space now needed to
have one clear owner. At C-Squat, both of the new members brought into the building were
relatively easily able to take on the administrative and financial burdens of homeownership, a fact
that we will return to in Chapter Four. Suffice it to mention here that one strategy for maintaining
affordability is to curate a population of members who can afford the projected payments.

Another example given by UHAB staffer Jen Kaminsky shows how in another building
warehousing prevailed over the needs of a family:

One of [the resident’s] adult children was living uptown and there was a vacant apartment in
her building. Her building wasn't great at making decisions and she was just like, “Look, my
daughter lives all the way uptown, she's raising her son, she could be living right here in her
community in the building she grew up in and she could get help raising her kid—this makes
no sense to me." And it got to the point where she just held an emergency meeting, two
other people showed up, and they voted that her daughter could move in. They broke into
the apartment and were just like, "Well, she lives here now." Everyone else in the building
was freaking out and made a point that there was no process. "But there's no process about
anything, you can’t have meetings! But my daughter needs this apartment and needs it affordably and even if we sell it it's not going to make that much dent in our monthly maintenance fees and our monthly budget so why are we having this conversation anyway?"

Ultimately the building voted to evict this young woman. They had to do an eviction case. Finally the young woman was like, "This is just way too much drama, I have an apartment, I don't need this." And we kind of felt like it would be a long eviction proceeding because she was a young single woman with a child and so we actually ended up kind of buying her out. We were like, "We'll give you a couple thousand dollars, you'll just surrender the apartment." But I think it would have been a very different conversation if this wasn't a space you could ultimately sell for $175,000. And it was a fascinating situation that there were seventeen other households in this building and they were asked to provide shelter for one household versus something that would probably impact all of them by something like thirty to fifty dollars a month. Their maintenance would be higher because they hadn't sold this apartment. And that's a huge thing for people to bear. This wasn't a building of wealthy people. (Kaminsky 2012)

Kaminsky describes a situation in which one resident’s desire to find affordable housing for her daughter and grandchild and to live near them conflicts with other residents’ need for affordable housing. Before legalization, apartments were often handed off between family members or friends, either with or without the permission of the building. Now the stakes were higher. As noted above, anyone living in a squat at the time of conversion would buy their apartment for $250. After conversion, vacant apartments could be sold for over $100,000, money that would be used to pay down the mortgage and reduce everyone's monthly payments. The building collectively decided that
they could not afford to house the resident’s daughter, and they used a formal, legal eviction process
to evict her. This is a stark turning point in the often gradual shift from squatting to legal ownership:
the family that broke into a space and made moral claims on it was evicted not directly through the
force of other squatters, but through the threatened force of the state and the legal apparatus.

As this section shows, the work of negotiating to keep the buildings affordable for everyone
who lived in them at the time the deal was made and wanted to stay was challenging and complex,
and found mixed success. Some buildings were able to control soft costs more successfully than
others. Squatters who had long avoided debt and bureaucratic entanglements in order to maintain
their freedom now had to become experts in bureaucracy and finance to avoid crippling debt. There
were conflicts between some values widely held among squatters, as when warehousing apartments
or giving up public space were steps towards making a building affordable for long-time residents.
These conflicts forced squatters to clarify who, exactly, was meant to benefit from all of their
accumulated sweat equity – building residents or anyone needing a home? Was their community
composed of members, or of a wider group who might, for example, depend on a well-used public
storefront space? These questions became even more pointed when, years into the legalization
process, a group of squatters challenged the very idea that the buildings must become long-term
low-income housing.

Who Owns the Equity in Legalized Squats?

The agreement made in 2002 stipulated that the squats were to be permanent affordable
housing, and at first this seemed like a pretty easily achievable goal. When it came time to decide on
the details, however, it became clear that the definition of affordability was not clear, nor was the
path to it. Permanent affordability, however defined, was something non-negotiable for UHAB, and
an element central to the political machinations required to have the deal approved. While HPD has long been in the business of creating market rate housing, fully open to speculation, they could not be seen doing so without contributing to the city’s coffers – remember that the buildings were sold to UHAB for a nominal $1 each. The deal had to be approved by City Council, and so the local City Councilperson, Margarita Lopez, had to be convinced to sign on with minimal political risk to herself. Lopez lived in a homesteaded building with the strictest of resale caps, in which apartments could be sold only for the value of the improvements made in them while the seller had lived there. In effect, in that situation housing ceases to become a source of equity, as it does in some community land trusts. She had to be persuaded to agree to even the limited profit allowed in the squatters’ deal.

Many described the negotiation process as an endless string of meetings that blurred together in their minds, making these oral histories challenging to conduct. But there was one meeting few forgot: the one where Lopez insisted on bringing every single person living in the squats together to vow, to her face, that they would maintain the buildings as affordable housing if they were to gain ownership of them. The meeting happened in St. Brigid’s church and involved well over two hundred people. Jessica Hall remembers:

Our first meeting before Margarita [Lopez] said she would support us, we all had to meet at St. Brigid’s. Michael [Shenker] helped co-ordinate this meeting and everyone had to show up. I remember Michael saying make sure you get all the babies up front, all the kids—make sure they all sit up front. And we’re like yeah sure, we’re going to represent, it makes sense—she’s a politician after all. But what she wanted us to say at that meeting which was documented as what we said at that meeting was that we would not profit from the sale of these apartments.
The legalization of the squats was not an easy political sell. Even though, or perhaps because she was a homesteader, Lopez had problems with the squatters. She had chaired the Joint Planning Council which made the 50/50 Cross Subsidy Plan that excluded the squatters and made them vulnerable to eviction. She “called them people from upstate New York who came and took apartments over,” invoking a familiar critique of squatters, that they were not local and therefore had no right to the buildings they had taken (Yafet 2012). Lopez insisted that the squatters appear locally, in public, and show themselves to be emplaced and committed. This meeting was a piece of political theater, and also a chance for Lopez to reassure herself that she should support the legalization deal. As one person involved with the negotiations explained, “[Margarita Lopez] was being asked to do something that I remember had some political risk because she was in the council but she wasn't permanently safe there. She was taking a risk and she wanted to make sure her risk would be worth it. It would be worth it to her if it was for ideological reasons, even if it didn't succeed.”

For some, Lopez among them, profit and permanent affordability were incompatible, and affordability was the primary goal. The way to make housing affordable was to take it out of the market, through land trusts, mutual housing associations, or zero-equity co-ops. This was a more workable model during the period when there was grant or very low interest loan money available to fund renovations and buildings were close to economically worthless. It was possible, then, to

24 Margarita Lopez had other, perhaps more favorable, connections to the squatters as well. She was arrested at a raucous Community Board meeting in 1993 where squatters threw smoke bombs and pulled fire alarms after being denied the chance to speak against the eviction of Glass House, a squat on Avenue D. Lopez, a board member at the time, was objecting to the arrest of a squatter and was arrested herself, along with another board member. They sued the city and won a settlement of $80,000 (Jacobs 1996a). Squatter lore claims that Lopez became friendly with the squatters while they were locked in a paddy wagon that night in 1993, and that she used the settlement money to fund her 1997 run for City Council (A. Chrome 2011).
cheaply “buy” a building with a combination of grant money, sweat equity, and subsidized loans and then remove it from the market. By 2002 it seemed nearly impossible, absent a wealthy benefactor, to remove Manhattan real estate from the market. Still, Margarita Lopez approved the plan to legalize the squats, stipulating resale caps and that future buyers could make no more than 80% of area median income.

The deal between UHAB, HPD and the squatters was announced in a flurry of local and international publicity in August 2002. The New York Times called the arrangement “highly unusual” under the headline “Once Vilified, Squatters will Inherit 11 Buildings” (Steinhauer 2002). Press from Australia, Scotland and Japan covered the story. The Times story closed on a triumphant note with a long quote from Michael Shenker, described as a forty-five year old “musician and electrician and advocate for squatters”:

“My intention from the very beginning was to create permanent low-income affordable housing," he said. "We have weathered and survived the onslaught of gentrification and the enormous increases in the price of housing on the Lower East Side," he said, "and due to our tenacity and adaptability we’re still here" (Steinhauer 2002).

After the initial rush of surprise and curiosity the story receded from the headlines until 2009 when a long article in The Villager, the local newspaper of the Lower East Side, exposed fault lines among the squatters which until then had been carefully kept private. This headline read “Former Squats Are Worth Lots, But Residents Can’t Cash In,” and the story begins and ends with Michael Shenker (Anderson 2009). Shenker grew up in Long Island but fled to the city in 1970 at age fifteen, alternating periods of homelessness and tenuous housing, buffeted by rising rent costs, until he got
involved with squatting in 1984, moving into 319 East 8th Street – on the block with the “mothership squat” described by Jerry the Peddler. Michael Shenker was as close to a leader as the Lower East Side squatting movement had, a brilliant strategist and electrician and a mentor to me and many, many others. Seth Tobocman, a long time friend of his, once said that while some people counted sheep at night Michael Shenker counted politicians, listing them off in the order he would have to kill them to get title to the squats. He was deeply involved in the initial negotiations with UHAB and, as seen in the 2002 *New York Times* article, publicly espoused squatting as a means to create “permanent low-income affordable housing.” But by 2009 a lot had changed.

As noted above, the process had dragged on, soft costs seemed uncontrollable, and interest was mounting on the loans UHAB had taken out, some of which had market rate or variable interest. In 2005, Michael Shenker had been hit by an SUV while crossing the street and almost killed. This experience of near-mortality and extended convalescence made him worry about his health and his future. In the fall of 2008 the global financial system nearly collapsed when a rising tide of defaults on subprime mortgages destabilized a financial system based on slicing, dicing, and trading debt. Debt had always seemed risky to many squatters, but at this moment in history the risk began to seem unbearable. At some point between 2002 and 2009, Michael Shenker changed his mind about permanent affordable housing and began publicly advocating for much higher or even unlimited resale caps. Many squatters and their supporters were shocked, and did not know how to react to this sudden about-face by one of their most articulate spokespeople. Some people even wondered if he had really recovered from the brain injury sustained in the car accident; they just could not accept that Michael Shenker would turn capitalist on them.

I assumed when starting this research that Shenker had been part of a tiny minority, but it gradually became clear that many people agreed with him, although few others were willing to say so publicly. It is essential to understand their position. Shenker and others cited two main factors: the
value of their inputs of labor and cash, which they argued were not being fairly compensated by the low resale prices, and their need for mobility and freedom. Here is Tauno Biltsted’s account of the debate over resale caps:

Then there was a series of big community meetings again when people were talking the whole issue of resale, which became a controversial issue. That’s maybe 2004, 2005, maybe 2006. That was once a lot of the construction had been completed, or was close to completed, and the financing was in place for some of the buildings, more comprehensive financing packages. Then it was closer to, “OK, the construction is going to be done soon and then the building is going to get turned over to the residents in some fashion, as an HDFC co-op, what are the terms going to be?” Then it got to be more practical.

I think that the argument that I understood best was that in other buildings people felt like they had invested a bunch of money, and time, into this movement and into buildings, into their units, and they weren’t living a mainstream life or earning a mainstream income at that time. They were getting older and they wanted a potential for a payout in the end. They wanted to be able to sell for market rate, or as close to market rate as they could. Because otherwise how could they retire, or whatever? These are people who haven’t participated in the mainstream economy, a lot of people were doing informal construction work, or other kinds of work, or had really low expenses because they were living in squats and didn’t really have a formal work life, nine to five work life.

So I could see it. Suddenly people were like, “Whoa. All of a sudden I’m getting older and one day I’m not going to be able to work anymore.” This was also in the ‘90s and the 2000s,
before the big crash. So the neighborhood had gentrified and there was the sense of general social prosperity. People were feeling like maybe that was not available to them. It was complex reasons.

I went to one or two of the meetings, the community-wide meetings, around this resale stuff. But I really didn’t accept people’s arguments. I felt like it was bullshit, to be honest, and I didn’t accept people’s argument. My feeling is this was a movement at one time, people put their lives, or at least their bodies, on the line to resist evictions in all kinds of buildings. There was that resistance that allowed us to legalize and have this, and that we should maintain it as a resource for the community in the future. I don’t want to end up in a building where the only people who can be my neighbors are trust fund kids. Nothing against trust fund kids, those aren’t the people who I was installing the electrical lines for either. Definitely to keep it affordable.

And it is. It’s solid for thirty, forty years.

Frank Morales made a similar rebuttal to Shenker’s position, arguing that the original intention behind the labor should be taken into account when determining who has rights to the equity generated:

Now you know, people like my friend Mike [Shenker] and others would say, "Well but you put a lot of work into it and shouldn't you get some kind of equity for that?" and so on. And I can see that too but that doesn’t hold a lot of water with me because you did the work in a certain spirit. I was doing a tour [of the squats] the other day and I told people, "I lived here,
we opened up this one. I lived here a couple months, then I lived at 6th Street for a couple months, then I lived in—" And they said, "Well why would you keep moving around?" And I said, "We just wanted to seed the buildings, get them going, and then go on to another space or something." We never thought of it—it was kind of an itinerant radicalism, an itinerant mode of spreading the gospel of squatting. It wasn't about setting up in some kind of hierarchical or commercially viable or long-term investment or any of this other kind of way of looking at it, it was different. So I would never advocate that.

Both Morales and Biltsted are arguing that the labor that went into renovating and defending the squats was done with the intention of creating affordable housing for the community, and was done by more people than those who lived in the squats at the time of the legalization. The intention of that labor inheres in the housing created, which is then in some sense collectively owned by a group larger than the current community of squatters. Maggie Wrigley saw the legalization as a vindication, proving all of the squatters’ critics wrong (including those who evicted the squats on East 13th Street to make way for affordable housing that could rather quickly become market rate), clarifying and codifying squatters’ intentions for a public audience.

We were accused of everything, speculation, trying to steal these buildings, and profiteering, wanting just to steal stuff, and we were all from out of town, nobody was local, nobody had any commitment to the neighborhood, nobody—and that’s the beautiful thing about where we are today. We can say that we are the only people that came out of this entire history that actually meant what we said. We said it was about affordable housing: these buildings will

25 Similarly, Kadir found that squats in Amsterdam could be controlled and inhabited by individuals or small groups, but “they are also public spaces in that they both constitute and are produced by a social movement” (2010, 257).
always be affordable housing. Everybody that fought so hard against us, all these non-profit
groups, they flipped, their buildings flipped, they are all market rate now. I’m really proud.
We proved it. What we were doing was what we said and what we did was one and the same
and it took a long time to say that we proved it. But it’s a fantastic thing. It’s a gift to the
neighborhood (2012).

She also goes a step beyond Morales and Biltsted, saying that the buildings are in fact “a gift to the
neighborhood.” Wrigley was not the only one using the language of the gift to talk about the squats.
Johnny Coast, in discussing the search for a tenant who would be in line with the squatters’ values
for C-Squat’s storefront, said they wanted to “try to do something good for the community, to give
back because we’ve been given this great gift. And there’s mixed feelings about us getting this gift
but I was like, let’s do something cool with it” (2012). Wrigley frames the buildings as a gift to the
neighborhood while Coast, a relative newcomer who did not participate in the hardest labor of
defending and rebuilding C-Squat, frames his building as a gift they have received, and must repay.

A gift is a form of exchange that ties the giver and receiver together (Mauss 1950). Gifts can
be reciprocated but continuing the exchange only builds social ties, in contrast to a commodity
exchange where buying and selling is intended to end the relationship with a perfectly balanced
pairing of object and price. In capitalist societies the gift is often opposed to the commodity and
some anthropologists have argued that in fact the very idea of the freely given gift is a product of
capitalist thinking, a perfect unalienated, inalienable inverse to the alienated, alienable commodity
(Carrier 1995; Frow 1997; Strathern 1990). For example, Elizabeth Ferry’s ethnography of a silver
mining community in Mexico documented a locally-situated historical process of sorting alienable
from inalienable goods: silver ore and the profits derived from its sale were defined as inalienable
patrimony, while other products of mining were fully alienable (2005). Ferry argued that actors used
the language of patrimony to constrain and moralize exchange, showing how people asserted alternative values through the production and circulation of commodities. In the case we are considering here, the squats could become commodities, but most people believed that they could not become fully exchangeable, alienated from the political intentions of their builders.

On the Lower East Side the language of patrimony is rather foreign, but the idea of inalienable community property emerged time and time again as squatters debated who would own the equity in legalized squats. Annette Weiner’s work on inalienable property is an important counter to anthropology’s historical interest in exchange. By focusing on the things that cannot be exchanged Weiner draws our attention to “the power these objects have to define who one is in an historical sense” (1985, 210). Inalienable objects act “as a vehicle for bringing past time into the present, so that the histories of ancestors, titles, or mythological events become an intimate part of a person’s present identity” (210). Keeping inalienable objects within the group is an essential way of expressing the group’s power. Maggie Wrigley clearly feels this way.

Michael Shenker’s and others’ assertion that their labor and its products should be fully alienable was incompatible with the discourse of the gift, and the community that it constituted. By attempting to sell his apartment, Shenker was attempting to sever ties to the collective squatter past. Especially because Michael Shenker was somewhat of a mythical ancestor figure himself, this was a painful prospect for those whose identities were closely tied to their experiences and property in squatted buildings. It makes sense that the debates over resale caps would be acrimonious and personal. To those who saw affordable housing as the legacy that constituted squatters’ identity,

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26 However, as we will see in the following chapter, groups of squatters sometimes defined their relationships in the language of kinship, creating another level of community property at the level of the house, as opposed to the neighborhood. At times, keeping the house group intact meant jeopardizing the permanent affordable housing described as the community’s property.
proved their power, and validated their actions, trying to sell the apartments at market rates was a rejection of all this.

Thus far we have focused mainly on the way that the intention of the labor put into the squats was inflected in debates over resale caps. Let us now turn to the value of that labor. In the quotes above we can also see that the value of labor was key to this debate. Long-time C-Squat resident Brett Pants described both the individual and collective, physical and emotional labor invested in his building:

**Starecheski:** What does your mother think about your life, living in the squats?

**Pants:** She’s getting better now. She’s like, “You got a free house.” It wasn’t free, Ma.

**Starecheski:** Can you say more about that, how it wasn’t free?

**Pants:** It wasn’t free. They think we didn’t pay for everything. We paid for everything. Even if we got the supplies for free, we had to do all the work to do it. It wasn’t free. Nothing was free. Nobody came in and just built the place. If they did come in and build the place, we had to pay for it. So nothing was free.

Everybody assumes that somebody gave us something. Nobody gave us anything. We got a pile of shit, because it wasn’t anything. It was crap. It was falling apart, nobody cared about it. They were letting it fall apart. They were purposefully letting it fall down and we fixed it
up. They would have rather it fall down, and we didn’t want it to fall down. We kept it up. We held it up.

_**Starecheski:**_ How did it shape or affect your life to be squatting all these years, not having to pay rent, be able to come and go more freely than if you were renting some place with a lease?

_**Pants:**_ I think I paid more. With heart and soul and sweat and tears. All the work you put into the building itself, and your own apartment. Including the building structurally and also friendships that you make. Friendships that you break. It’s a hard thing—

It was not only the public and uncomprehending parents who seemed to devalue squatters’ labor. Many squatters, including those who accepted and even welcomed resale caps, complained that UHAB did not value their past work enough in negotiating the deal and in working with them. When they were asked to accept resale caps, the monetary value of their work on the buildings was denied. When they were treated as clients rather than partners in or leaders of the renovation process, the social value and cultural capital of their skills and experience was ignored. This feeling contributed to the acrimony over the construction manager – by hiring an incompetent and expensive construction manager UHAB was both wasting their money and discounting their expertise. They felt that they were entitled to respect as experienced workers, and also that they had basically worked so hard for so long that they should not have to become indebted to become owners – either to banks or, through resale caps, to society. As long-time Umbrella House resident Edgar Rivera said, “I don’t know why we are paying a mortgage because this building was made with our own money from our own pockets. However, it was necessary to get a loan from the bank to
comply with the requirements” (2012). Rivera and others felt that the loans were more of a disciplining mechanism than a real necessity, an argument we will return to in Chapter Four. Maggie Wrigley describes these feelings, shared by many:

And we kept telling them [UHAB] that. We are resourceful, there’s a reason we got to where we got to. There’s a reason we saved these buildings. There’s a reason we’ve all been here for twenty something years. It’s because we know how to do stuff efficiently. We have a great network and we’re smart at solving problems. And they completely dismissed this incredible resource that we were. They really dismissed what we had done for the buildings. The sweat equity, the work we put into it, and they just didn’t want to deal with anything that was outside of a straight and narrow road.

They didn’t give us any credit. They treated us with a great sense of their superiority. And they had no clue. We were miles ahead of them in knowing how to deal with this stuff. The only reason we closed [the deal], our building, was because we made it happen. That’s why all these other buildings haven’t closed. We would be in the same position—we’d still be there, and they probably would have kicked us out of our building by now to do the construction. But we made it happen.

The resale was so much stricter than any other building deal they did with any tenant ownership. And that was their thing, tenant ownership. And they just treated us like we were somehow inferior to everyone else they dealt with in that way. And that was the most infuriating thing, too. You’re all standing up and holding press conferences about this deal,
but somehow you're treating us like we're some kind of inferior project. Or people that
don't deserve the same rights that at least you gave everybody else.

Somehow they still had remnants of that whole evil squatters thing in their head. At least I
got the impression from people up top—there was just this condescension and lack of
respect for our work and our sensibilities and our smarts. But it was also offensive, after all
this, and after putting so much into it, surely we deserve something and we deserve
recognition for that. And we deserve to have at least a fair deal. And then, when we couldn't
even get a fair deal, it's like, fuck you. We want more now. We're going to act like you

(2012).

Frank Morales made a similar point while explaining why his building could not work well with
UHAB:

I don't think that the training of some of the liaison people that [UHAB] sent to the houses
was complete to the extent that they educated these liaison people to the real history of what
we'd done. Because there was a very paternalistic vibe that came out of some of these guys.
"You guys live here? Well we're going to do this for you; this is what we're planning," you
know, take it or leave it. There was a certain kind of paternalism that immediately I know in
our house we just said, “Go take a walk.” I mean it was like, “Who the hell do you think
you're talking to? We've been doing this for twenty-five, thirty years and so on, we were here
when the roof beam was in the front hall, and you're going to tell us what? And then you're
going to throw some figures out and say this is what it's going to cost and we're going to
wind up paying this amount of money and then we can't get a straight answer out of you?”
Frank Morales, Maggie Wrigley and many others invoked their sweat equity as the source of their authority over their buildings and the work processes happening in them. Having worked for decades to create a world in which they could have some control over their own living spaces and their time, squatters resented some UHAB staff people’s expectations that because contractors were doing work in the squats, organized by professional housing activists from UHAB, the squatters would cede some of this control.

Debt and equity are deeply intertwined here. When the renovation process was out of control, so was the mounting debt. Squatters feared losing their accumulated sweat equity as their buildings became commodities, collateral for growing debt. In this analysis, I have separated arguments over immediate affordability (monthly payments based on debt load) and long-term affordability (resale value). However, Shenker and others made their arguments about resale value partially by referring to the increasingly dire debt situation. In fact, they drew on the discourses of debt and responsibility circulating in the public sphere at the time, asking for a bailout like those being given to large banks in the aftermath of the foreclosure crisis.27 Debts, they argued, need not all be repaid. Here is an excerpt from a 2009 press release:

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27 David Graeber’s recent 5000 year history of debt traces the social relations of indebtedness from a time when debt pervaded social life but was considered unmeasurable and unpayable (see Mauss 1950) to a capitalist world in which each person is seen as an autonomous subject, unencumbered by social ties beyond those quantifiable in monetary terms (2011). The squatters’ transition to a cash economy as they begin making monthly mortgage payments can be seen as analogous. He argues that the moral connotations of debt and the need for periodic debt forgiveness have been at the core of struggles between rich and poor since Sumerian times.
NCB,\textsuperscript{28} supposedly a community-oriented lending institution, is insisting that the homesteaders pay every penny in interest owed on loans it negotiated with UHAB. At the same time, major banks are being bailed out by the federal government and, in turn, working out reasonable accommodations with low- and moderate-income homeowners whose mortgages they hold. Further, UHAB and H.P.D. are refusing to recognize the value of the substantial investment of time and money (sweat equity) that the homesteaders themselves made in their apartments over the years.

In making his case for lifting the resale caps, Shenker led with a listing of the squatters’ work:

We poured all that concrete, put in the stairs, the landings. Put in floors, plumbing, electric. I moved into a building without heat, hot water, no windows, no floors, no roof. I have put over $150,000 of cash into my apartment. There’s no way I could be compensated financially for the work I put into this building—as well as empowering people on issues of housing. Landlords had completely abandoned the neighborhood. We’ve homesteaded—we’ve created equity for ourselves. I think people are looking for a fair return for their work on this building—I mean, 25 years of pain in the ass.\textsuperscript{29}

Interestingly, Shenker described both his physical labor on the building and his social labor as part of the squatting movement when listing his contributions. These investments of time and money,

\textsuperscript{28} National Cooperative Bank, a nonprofit that specializes in financing co-ops and the lender for the loans taken out by UHAB.

\textsuperscript{29} Shenker was the first person I called for advice about how to get started when I was beginning this research, but he was already in the hospital by then and we never got to talk in any detail. Michael Shenker died of liver cancer (he had long suffered from Hepatitis C) in October 2010. We will then rely heavily here on his public statements as we seek to understand why some squatters argued against resale caps only a few years after they had agreed to them in 2002 (this and all of the following quotes are from the Anderson 2009 Villager article).
Shenker argued, would not and in fact could not be adequately compensated. While a person who worked a straight job all their life might hope to end up with a retirement account, health insurance, and a home they owned, he had only savings “in the very low five digits” and his apartment, which he estimated would be worth $800,000 on the open market, but could only be sold for about $135,000.

Fifty-three years of age, and having had a near-death experience, and seeing the generation older than me, it’s caused me to take a farsighted view. If they had a UHAB retirement home, I’d go there. But they don’t. They don’t even have UHAB healthcare or insurance. On the market, I think my place would bring $800,000. I’d be happy with half of that; that could relocate me adequately and safely in a place that is more affordable than New York—Florida or New Mexico or, God knows what, if I have to go to a retirement home.

Shenker imagined himself aging, unable to work, with few resources. While the labor he cites was in part community labor, either the work of the community (“we poured all that concrete” etc.) or work for the community (“empowering people on issues of housing”) the community had none of the structures in place to reward that work the way that individual effort at a job was rewarded. UHAB, he noted, does not run a retirement home or provide healthcare to retired housing activists. He worried that the community he worked so hard to develop was not robust enough to sustain him as he weakened. He felt trapped.30

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30 This is actually a problem common to both activists and squatters, even outside of the context of legalization. Many squatters had invested most of their time and money in their buildings for years, and because until conversion they could not generally exchange their apartment for cash (although I found plenty of anecdotal evidence that to some extent apartments in the squats were bought and sold, usually for $5,000 to $20,000 and mainly in buildings that were either very disorganized or run by a bully) or for other housing elsewhere, they got stuck. Those who had not developed careers or job skills were particularly trapped. They had created tiny islands for themselves, isolated in many ways from the market and wage labor, but they could not get off them, and there were few similar
There is a disjuncture here between the potential for a supportive community to which one could contribute one’s efforts and in return be supported through the ups and downs of a long life, and the reality of squatting as a practice that opened up space for some people to create some parts of the infrastructure required to support a group at the margins of, or perhaps outside of, capitalism. This was an ambitious vision, never fully realized. To borrow the terminology of finance, as he aged, Michael Shenker feared that his investments in this community would not pay off, and so he sought to cash out. He could not. First, he could not sell his apartment for its full market value. The campaign to remove the resale caps was only partially successful. Margarita Lopez, who had taken such a hard line on affordability, had been replaced by Rosie Mendez, who was willing to work with HPD and UHAB to renegotiate the agreement. In 2008 City Council and the Mayor approved a new Land Disposition Agreement: the apartments could now be sold to a person making 120 percent of area median income rather than 80 percent. However, the original 2002 Land Disposition Agreement negotiated between UHAB and HPD stipulated that these buildings had to be developed as affordable housing and there was no way the resale caps could be removed entirely within the frame of this agreement, although they were raised substantially from $5,000 to $30,000 per room.

spaces to which they could move. We will return to the question of the relationship between squatting and the activist lifecycle in Chapter Four.

Similarly, one recent economic critique of homeownership is that it limits worker mobility and therefore disrupts the flow of labor markets, essentially trapping workers in places where the job market is in decline (Blanchflower and Oswald 2013). While some squatters saw homeownership as a liberation from the trap of having a home they could not exchange for another, economists frame homeownership as a trap compared to renting.

31 Others did try. Residents of one building told me a story about waking up one morning to find their building besieged by apartment-seekers lured by an ad in the paper listing an apartment for sale for a price well above the resale cap, but still below market. One resident (who had reportedly been subletting at a profit for quite some time) had decided to try to sell his apartment informally without the approval or involvement of his neighbors. This plan did not work and his apartment was sold at the permitted price in 2013.

32 Mendez lived in the same homesteaded building as Margarita Lopez.
Second, Michael Shenker could not remove himself from the entanglements of his community. When he was hit by a car and could not work or pay his monthly maintenance fees, his building supported him. Four years later, when he was dying of cancer, he did not go to a hospice or a nursing home; his neighbors and friends cared for him at his home at 209 East 7th Street. They nagged him to go on special kidney-cleansing diets; they sat with him all day and all night; they talked with him about his life, recording his experiences as it became clear that he would not be around to tell his stories for much longer. When he died, there were weeks of memorial events – someone had to create a special calendar just so everyone could keep track. Mourners marched illegally through the October streets of the Lower East Side, visiting buildings where he had lived (some just ghost buildings, memories of buildings no longer there) and telling stories about his life, already turning into myths. The memorials were like reunions. There were slide shows, and a night of piano music, and one evening at Sixth Street Community Center a partial staging of the “Squat Opera” he wrote (chorus: We have to have a house meeting! House meeting!). At these events people wrestled with the fact that, in the eyes of many, Michael Shenker had betrayed everything they had worked for together by advocating to sell his apartment at market rate. For the main memorial service mourners packed the auditorium of the Catholic Worker on East 3rd Street. At one point, a speech devolved into a brief yelling match over whether it was a good idea to turn public housing projects into co-ops – was it privatization, or a way to empower poor people? – but it did not last for long. Shenker never sold his apartment; he never had to, and he never had the chance. He willed it to Deb Lee, another long time squatter that came back from the Midwest to claim it and is now a regular again in the squatter social scene.

Owning one’s own home is often imagined in the United States as a key path to social and economic mobility. As Eric Rassi said, quoting Michael Shenker, “The only way ordinary people, working class people, have ever been able to accumulate any kind of wealth in America has been
through home ownership.” Low-income homeownership in particular is promoted as a way for poor people to build capital in their families and their communities. Limited-equity cooperatives, because they limit the equity an owner can withdraw from a property when selling it, have been criticized as an ineffective means of wealth creation for low-income people, especially in contrast to traditional homeownership. However, empirical research has shown that even traditional homeownership is not a reliable route to economic mobility for working class and low-income people (Boehm and Schlottmann 2004; Edel, Sclar, and Luria 1984; Herbert and Belsky 2006; Rohe and Van Zandt 2002). The 2008 housing market collapse drove this point home for many Americans, especially those who found themselves owing more on their mortgages than their homes were worth, all the equity they had thought they were accumulating gone.

During times of rapidly rising home prices or even normal growth, full equity homeowners gain more equity than limited-equity homeowners, but limited-equity owners do better in times of falling prices and are somewhat protected from shifting real estate markets (J. E. Davis 2006, 102–106; Thaden 2013). Still, the hegemonic paradigm of homeownership in the United States is that owning a home produces a nest egg of wealth, to be either passed on to another generation or used to support one’s old age. When squatters were offered homeownership without the ability to accumulate substantial wealth, some felt cheated of their chance to share in the subsidized savings opportunities available to American homebuyers since the 1930s. It is true that limited-equity homeownership does not include the full “bundle of rights” that accompanies traditional homeownership: the right to sell is indeed heavily restricted. Some have even usefully theorized limited-equity co-ops as being part of an urban commons, and not private property at all (Huron 2012).

33 See Honoré for an influential enumeration of the rights that typically come with ownership in the Western legal tradition (1961).
The ideal of free, unencumbered homeownership is based on an illusion: that the homeowners have achieved that status themselves. While the myth of the individual bootstrapping their way to homeownership persists, mortgage interest deductions and other long-standing federal government policies subsidize homeownership for middle and upper income people (Dolbeare 1986). When subsidies are given to low-income people, however, they are considered to be permanently indebted, and their ownership encumbered by societal obligations. As Umbrella House resident Geoff Dann put it, “We’re not allowed to have any money, we’re low-income. You’re poor, you’re always going to be poor, you don’t deserve it” (G. Dann 2012).

Especially because some of the squatters were now getting one percent interest loans from the city and all got tax breaks, some made the argument that there was also a larger societal interest in the buildings now. Advocates of limited-equity co-ops have described a “quid pro quo” between subsidy and limited equity and have argued that the proportion of equity accrued by the homeowner and retained by the community is a fair reflection of how value in housing is produced over time (J. E. Davis 2006, 3). While traditional homeowners may assume that they have a right to the profits they can reap as their home appreciates in value, rising property values are not solely produced by individual homeowners. They are generated in large part through collective social effort and investment (Frischmann 2012). However, the squats received far less public subsidy than past limited-equity co-ops in New York City, and therefore even within the framework proposed by limited-equity advocates, one could legitimately argue that the squatters, whose political and physical labor was a major factor in making their homes affordable, should have had the rights to a larger proportion of the equity in their homes than was standard for HDFCs. While some of the squatters
and their allies imagined the squats as their gift to the neighborhood, here the squats are gifted to the squatters by the society that subsidizes them.\textsuperscript{34}

None of these issues around equity, profit, and community are new, and they can perhaps be better understood in light of the history of homesteading on the Lower East Side. As the first homesteads in the neighborhood were at the end of their construction process and the homesteaders were about to become homeowners, they had arguments very similar to those the squatters had in the mid-2000s. Advocates for preserving the homesteads as permanent, very limited equity affordable housing envisioned the buildings as part of a much larger project of building a community that could fully support its members, modeled in part on the Mondragon network of cooperatives in Spain. With a community like that, people like Michael Shenker would not need to sell their apartments at market rate in order to provide for themselves in old age. A 1984 position paper adopted by the Lower East Side Catholic Area Conference (one of the major organizations sponsoring homesteading projects at the time) conveys this vision most clearly:

The goal of community empowerment suggests a cooperative model for future development. This model is defined by shared ownership of property and equal voice in decision-making for residents…. Its aim is to foster a productive relationship between community residents and the land they inhabit by empowering those residents to initiate, manage, and assume responsibility for development.

Rentals, by establishing “alienated” spaces, define the relationship between the land and its inhabitants (or between shelter and occupant in a housing context) as a consumptive one. In this milieu the problem of poverty is understood solely as a problem of insufficient income

\textsuperscript{34} See Maskovsky (2010) for an analysis of post-war homeownership as an unacknowledged gift.
to purchase or pay the cost of decent housing and other desired commodities. Cooperative
development, by restoring a political foundation to the lives of the poor, profoundly
challenges this one-dimensional understanding. At the same time it offers an alternative to
the conventional definition of community as an alliance of property interests joined to
maintain real estate values.

More broadly, homesteading may be understood as a logic of action that connects
community residents to buildings and land, establishing a physical space or “infrastructure”
for community social and political life. The principles of homesteading may therefore be
applied as well to the construction of community parks and planting of gardens on vacant
lots, the development of community centers, and the organization of cooperative businesses
(Brandstein 1984, 4,5,17).

Decommodified, collectively owned, self-built housing is imagined here as only one part of a
holistic cooperative infrastructure to support the development of all aspects of neighborhood life
and produce engaged democratic citizens. In fact, Amanda Huron, in a study of limited-equity co-
ops in Washington, DC, argued that the work of creating and, more importantly governing this type
of housing is an essential means through which urban citizens create much-needed commons (2012).
This was not, however, a vision that came to full fruition. Howard Brandstein, the author of the
position paper quoted above, started homesteading in the neighborhood in 1978 while working for
Adopt-A-Building and reported that his building, finished in 1981, was still “battling over the same
issues of for-profit, luxury housing, housing for people versus housing for profit” over thirty years
later (Brandstein 2012). The model he proposed in 1984 envisions a land trust that, in contrast to a
traditional land trust that actually owns land, serves as a federation of limited-equity cooperatives
and groups organizing for limited-equity ownership. In 1984 he and others were already
experiencing very similar conflicts to those experienced by squatters as their buildings legalized:

Whenever we plan for ownership the problem of succession must be considered with great
care. In the not-for-profit setting this problem may be understood by examining the
question of equity. Equity arises through the contributions that individuals provide in
building or upgrading their homes. These contributions are generally in the form of labor (as
in sweat equity homesteading) and that part of one’s carrying costs in a cooperative that goes
towards repaying loans for rehabilitation costs. As original owners or shareholders depart
from their cooperatives, a dilemma presents itself in how the cooperative will return their
equity (which tends to increase each year) without penalizing each new generation of
members with higher and higher entry fees, to pay the members departing, until the cost of
housing becomes once more prohibitive for low and moderate income people. This dilemma
between the individual’s right to equity and the community’s right to affordable housing
must be resolved if the cooperative movement is to endure and avoid the prospect of “self-
gentrification.”

For today the movement is figuratively a sandcastle: each time we add to its structure the
tide of rising values sweeps away a part of its foundation. The land trust is a means for
neighborhood residents to withstand the challenge of market forces entering the Lower East
Side by bridging the separation between ownership as an expression of self-interest, on the
one hand, and community empowerment on the other (Brandstein 1984, 8,10,11).
In her excellent ethnography of homesteaders on the Lower East Side, Malve von Hassell tried to understand this vision and explain why it was so difficult to realize (1996). She found that many low-income people joined homesteading programs seeking housing, rather than community empowerment. They signed on to whatever stipulations the sponsoring agencies required them to in order to access the technical assistance and financial resources they needed. Often this included joining the land trust and strictly limiting resale values. During the early phases of the process, some did find a sense of solidarity and possibility, and the experience of homesteading did sometimes produce new social relations of cooperation and support. Almost always, however, the process dragged on and was plagued by seemingly endless bureaucratic hangups. Internal conflicts developed within groups and organizations. By the time the homesteaders were about to become homeowners, many felt bitter or at best neutral towards the “homesteading community,” and just wanted to retreat into their own apartments and get on with their lives. A few buildings refused to join the land trust; others joined but then fought against the no-resale policy at its core (von Hassell 1996, 127–129). Von Hassell wrote that the very prospect of ownership changed people: “In the course of acquiring ownership in a society that places a premium on ownership, a transformation from propertyless individuals to property owners occurs with attendant changes in outlook” (106). Their values changed with their property relations. Here is Howard Brandstein making a similar point in a recent oral history:

**Starecheski:** Did you see a shift in your building when you all took possession of it?

**Brandstein:** Yeah. There was a shift in about two to four years. As soon as we started talking about resale, then, boom, right away there were those who came out of the closet, little capitalists coming out of the closet. Suddenly it wasn’t about the “we” anymore, it was
about the “me.” A lot of the homesteaders would agree to all of this because they had to agree to get an apartment. But once we [RAIN] were out of the picture, their inner capitalists could emerge and sabotage it. That’s always the other side of the coin when you talk about land ownership, because land ownership is inherently a conservative notion and it breeds a conservative culture, in that regard. Housing is a necessity, not the way to achieve your middl-classdom. It should be a way to achieve your security, right? (2012)

Brandstein’s narrative points us to a key element of the ideology of homeownership, one that has influenced policymakers and squatters alike. This idea, that homeownership almost automatically produces certain kinds of persons, is exactly the one I am attempting to examine in this work. Is it true? If so, how does it happen? Does the “inner capitalist” simply “emerge”? Long-time C-Squat resident Popeye sets up a similar model, as quoted in the Villager article: “You got to stay endlessly vigilant, because that’s the natural,” he said, of the tendency to want to cash in. “Even if the cops aren’t pressuring us, it’s like a current in the water” (Anderson 2009). In the following chapter I will focus on how the squatters changed as they moved through the process of legalization, emphasizing the uneven, intentional and contested nature of the transformation from squatter to homeowner.

In this chapter, we have followed three main points of debate squatters engaged in as they negotiated the details of their legalization deal. First, they had to decide if legalizing the squats was even a good idea. Most residents concurred that if they did not make some kind of legalization deal, the alternative was eventual eviction. The squats would not be allowed to remain in legal limbo indefinitely, and the city was undeniably eager to rid itself of them and their rambunctious occupants. With the exception of one building run by an individual who was illegally collecting rent from the occupants and did not want his income stream interrupted, all of the remaining illegal squats on the Lower East Side joined the deal. Still, the about-to-become-former squatters wrestled
with the meaning of their decision. Especially for those who saw squatting as a social movement and their participation in it as a defining part of their identity, legalization came with a host of questions about the meaning of their actions. Many squatters occupied, worked on and defended vacant city-owned buildings in pursuit of low-cost housing, the satisfaction of collective endeavor, and control over their time and space. As they negotiated the details of the deal, they tried to find ways to preserve these values while achieving security for themselves and possibly future occupants.

They then had to figure out if it would be possible to maintain the affordability of their housing in the short term, and if so how to do it. Practically, this meant keeping soft costs down, managing the work of contractors and their own labor, and strategically selling or renting some spaces at higher prices to keep the group’s cost down. Keeping their debt low and eventual monthly payments affordable was essential if squatters were to maintain control over their time. If costs got too high, many people would not be able to pay, and evictions would ensue, threatening the collective values of providing housing for the most needy and vulnerable people. If squatters could do much of the work themselves, they could keep control of their spaces.

Finally, they argued over who would own the equity in the legalized squats when they were passed on to future owners. Some believed that any profit was wrong: housing was for living in, not investing in, and should be passed on to the next owners at truly minimal prices. Some argued that squatters had created value through their political and material work and, especially in the absence of other viable support systems for aging activists, should be allowed to harvest that equity by selling their apartments at market value: at least half a million dollars for most spaces. The middle position, upon which squatters, UHAB, and the city eventually agreed, was that they would be allowed to sell the apartments for well below market, and only to buyers making less than 120% of the area median income. Those arguing for restrictions that would maintain the former squats as long-term affordable housing believed that the intention of the work that went into rebuilding and defending
the squats as part of a movement for affordable housing should inhere in the regulations governing their resale. In a way, squatters were reinvigorating an earlier way of understanding how value in property is produced. In the 19th century United States, Lockean conceptions of property as an extension of individual dominion over one’s body and labor were central, but in the early 20th century there was a “shift toward talking about property primarily according to market value, ... derived from relative demand for use of location, not from labor that created or maintained any particular use or value” (Blackmar 2006, 56). Most squatters rejected value ostensibly produced through the market as invalid and even immoral, seeking instead to claim only the value their work had produced.

Homeownership is usually imagined as an individual or perhaps family endeavor and as a means to both security and equity. On the Lower East Side, these former squatters struggled to reconcile these expectations with the very real risks that homeownership would force them to evict some of their comrades and neighbors, and that they could now lose their homes to foreclosure if they were not collectively fiscally responsible. The forms of limited-equity collective homeownership into which they entered created new social ties of debt and responsibility while threatening old forms of solidarity based on shared labor, caretaking, and mutual defense. In the following chapter, we will look more closely at how individuals and collectives were transformed through the process of becoming homeowners.
Chapter Four: Fixing the People

Property and personhood are deeply intertwined in the Western tradition. In an influential article, Margaret Jane Radin pointed out that legal thinking about property often relies on an implicit moral argument: control over property is necessary to proper self-development – "personhood" (1982). She argues that forms of property essential to personhood should be prioritized over other forms of property. Later, Kristen Carpenter expanded on Radin’s work, using the example of Native American sacred sites to argue that property can also be the basis for collective peoplehood (2008).

As we saw in Chapter Three, inalienable objects are often most important to personhood and peoplehood. Many squatters’ personhoods, as well as squatters’ collective peoplehood, were indeed bound up in their property relations. As squatters, most residents traded security for time and freedom. Control over property, in the absence of legal property rights, allowed them to develop as persons in specific ways, while constraining their development in others. Their low housing costs enabled them to pursue artistic and political projects, or just to survive on low wages in an expensive city. Their collective activities focused on defending their occupation and making their buildings livable. Some also engaged in activist projects.

The legalization process produced a shift in property relations that transformed the people living in the squats. In this chapter, we will explore three ways in which this happened. First, taking on monthly housing payments and mortgage debt shaped the ways that individuals spent their time and imagined their futures. In “Debt and Social Personhood” I will place these shifts within the larger context of mortgage debt as a social force and homeownership as a step on the “ladder of life.” The second and third sections will focus on different aspects in which squatters’ collective lives and peoplehood were affected by legalization. In “Bureaucracy, Labor and Power” I will examine
the bureaucratic management structures imposed on the buildings as they became legal co-ops, and how these shifted power relations within the buildings and produced new subjectivities. In “From Family to Co-op” I analyze squatters’ characterization of themselves as a family, and describe how the family and house ethos was strained and reimagined as the squatters in each building became collectively responsible for shared debt as a legal cooperative. Squatters used tools developed through decades of collective living and also created novel practices of collectivity as legal ownership brought them into new relationships with each other, banks, and the remaining fragments of the welfare state.

The Narrators

Geoff Dann, b. ~ 1967 near Madison, Wisconsin, grew up in a middle class family. He was a punk rock teenager who loved skateboarding and moved to San Francisco to be in a band when he was 23. In 1989 he moved to New York City and into Umbrella House. He is the father of a young daughter, loves to surf in the Rockaways, and works full time doing construction. In 2014 he planned to sell his apartment in Umbrella House and move to Maine.

Figure 20: Geoff Dann
Marta Dann, b. 1964 in Portugal and came to the United States in the mid-1980s, leaving behind a daughter. Her mother is Indian and her father Portuguese. When she first immigrated she worked as a nanny in New Jersey, then came to New York City to study interior design but never finished her studies. After nearly becoming homeless Marta moved into Umbrella House in 1989, shortly after the building was opened. Her son was born in her apartment there and is now a teenager. Marta is a singer and performance artist who teaches art and makes mosaics.

Figure 21: Marta Dann

Frank Morales (see above, Ch. 3)
Popeye, aka Roland Llewellyn-Thomas, b. ~1955, raised in Toronto by a British scientist father and an American mother. It was a privileged upbringing, but not wealthy. He came to New York City in 1975, after seeing a photo in the paper of CBGBs. He became a stripper in Times Square and ended up experiencing the early days of punk rock (through the white downtown scene) and hip hop (through the black and Puerto Rican scene he was involved with through hustling). He started squatting in the late 1980s and moved into C-Squat, a building full of wild twenty year olds, when he was over forty. He is somewhat of a sage there. Popeye fronts the band Banji and at the time of his interview was working full time in a metal shop.

Figure 22: Popeye

Diane Roehm (see above, Ch. 3)
Erin Williams, b. 1979 in northern Vermont and raised by back-to-the-landers. Bored by the rural life, she came to New York City from the Montreal punk scene and moved into C-Squat in 1999. She studied archeology at Brooklyn College and now works in publishing. She has been a fire performer for over a decade, is a black belt in the Bujinkan martial arts organization and recently got married.

*Figure 23: Erin Williams*

Maggie Wrigley (see above, Ch. 3)
Debt, Freedom and Social Personhood

**Popeye:** Squatting provided a way to suspend the usual things that force a person’s biography down a certain path because there’s no alternative. You can play for a while as grasshopper, like the old cartoons: the grasshopper fiddling in summer, the winter comes calling. Winters had a harder time getting in here and I created a special situation for myself, as far as my aptitudes and limitations, by creating a situation in which I could continue to do this [be a musician], and evolve with this, and learn and not have the same economic pressures, but also the pressure of—if you have not succeeded at something, you have to have a very special bubble to keep out even the conscious—to keep doing it, suspension of disbelief. To maintain the suspension of disbelief to do it effectively. See?

This is the shit hitting the fan moment.¹ Push comes to shove. The moment we’ve been working towards and always knew was on the way, but is upon us. We’re going legal. And now all the ducks have to be in a row and we have to squeeze through the eye of the needle. And some of us are in better shape to do that than others.

We’ve tried to make it so that in the shaking out process we don’t lose too many of us, you know. And that’s going to be interesting over the next couple of weeks and months. For myself included,

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¹ I interviewed Popeye in April and June of 2012, just as C-Squat was on the edge of conversion. They were struggling to get a few consecutive months of everyone paying their rent to convince the bank that they would be responsible homeowners so that the building and its associated debt could be transferred to them from UHAB. For many, this was a major struggle. A year later, at the time of this writing in 2013, C-Squat was still not converted and still struggling to get enough people paying regularly to finish the process.
I’m at a moment where I don’t know how I’m going to get through it. That’s a big deal (Popeye 2012a).

[Six weeks later]

**Starecheski:** You got a full time job, right?

**Popeye:** Exactly. I’m tired all the time and like I just said, but I’ll repeat it for the mic, so happy not to be scared shitless, continually being worried about what to come up with next.

**Starecheski:** What’s everyday life here like now?

**Popeye:** A lot of people going to work and being tired at the end of the day. [Laughs] (Popeye 2012b).

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**Frank Morales:** I think it goes without saying—part of the counter-insurgency, part of the rationale for the attack on people at the base and the consequent homelessness of millions of people and now the foreclosure crisis and so forth, from my perspective part of the rationale for that, outside of the economic motives, is to destabilize people, is to disempower them so they can't effectively organize whether it's about invasions of Iraq, the economic crisis in general, lack of healthcare, lack of decent education and all the other things—attacking people.
So in our local situation, my personal situation I can tell you that when your house is constantly under attack it's hard to do anything else. When you don't have a home it's hard to function. So yeah, these years when we've had certain stability in our houses and had the, from some people's point of view, the luxury of living in a neighborhood like the fabulous Lower East Side, and not be extorted for 80% of our income on a monthly basis has allowed us to live more fully. Live lives that were less dedicated to have to meet the landlord's bill and more open to engage in other kinds of things.

That's just practical and that's one of the things that people who are engaged in squatting who are successful at maintaining their homes over a month or two or three and then into the years notice right away. It's because you start to experience a certain level of freedom that you've never experienced before and that's real. When you don't have to pay that kind of money to survive, when you might have in a house a collective kitchen that organizes the food and you know, you have one good meal a day. But when you realize that on a day-to-day level, on a month-to-month level, you don't need a lot of money to survive and you can thrive with not a lot of money? It changes your whole perspective on things. If you want to go back to school you can devote your energies to that, or you can become more politically active, if you're an artist or you like reading books, whatever it is. But the palpable sense of having more time and more space in your life to do the things you want is very real.

People lose sight of that because people are normalized to thinking that their lives are like a treadmill and you're booked—you're nine to five and dadada and you're this, and it's like that. Your freedom, sense of it, becomes very compartmentalized and very much diminished. Well, living a life that begins with a squatted house situation impacts all other aspects of your life.
Starecheski: How have you seen other people making use of that freedom that comes from a new level of stability?

Morales: Well I would say—we used to have these discussions in the past, that squatter people should be more politically engaged. That if they weren't using their time for that then they should—even in the early days it was kind of like you know, you shouldn't live here if you're not politically active, this kind of thing. And there was a lot of that. So now I think like anything else, people have become more family oriented with children, maybe a bit older and so forth. But I think generally speaking the squats in general have allowed for a greater realization of people's creative energies. Whether it's in being politically active, being an activist for any number of different issues, and being creative in terms of their art and varied forms of expression and so forth. I think that's pretty obvious at this point. Although I think that's still a sizable number of people. I remember going down to Zuccotti and just bumping into a lot of people, you know from C-Squat and from Bullet and different places. So there's still that remnant there. But not like in the old days. And you know, when you're not having to face police and involved in that type of confrontation people settle down and become more individualistic in what they do and how they live their lives and so on.

Erin Williams: I essentially grew up in this building. I moved here when I was 20, and I’m now 32. So I spent, essentially, my entire 20s in this building. It’s had a pretty significant impact on my life, socially. It’s also allowed me to do a lot of things as a person that I wouldn’t have been able to do on

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2 Zuccotti Park, the encampment where the Occupy movement was born in the fall of 2011.
my own, without this building. I pretty much financed my college. And because I was not paying rent at the time—this building was rent free back then when I started going to school. I got grants, I went to CUNY.

It also allowed me to pursue certain opportunities that I wouldn’t have been able to pursue. It’s been very valuable to my life in that way. Now I’m working a white-collar job. That’s nice. And I also, I’ve had a number of jobs that were very artsy and not stable and I was able to pursue that lifestyle for a very long time, because there’s no rent.

There’s two ways this place can go. To me, it’s allowed me to grow as a person, because I’ve really taken advantage of the positive things that can come from this lifestyle. But for many other people—not to say that it’s a negative thing, but it’s also allowed them to not grow and to just remain in a very stable instability. You can live like you’re sixteen for your whole entire life, even when you’re forty-five. And that’s great, more power to them, except now we’re facing where we all are going to be collectively financially responsible for something. Obviously, that’s some growing pains right there.

We’ve had a number of people who have stepped up to the plate. Although many of them are people who have moved to this building in the last five years. I think it’s attracted a different type of person as well, as we’ve grown a little bit.

**Starecheski:** What made you decide to go to college?
**Williams:** I got bored with this lifestyle I think, in some ways. When I was young, my big aspirations in life were to party a lot and get wasted and travel around and drop off the grid. That was something that I was very dedicated to doing at that point in my life. I was pretty disillusioned with society, or whatever. It’s hard for me to think about that stuff now. My little punk rock youth ideals.

Of course, when you’re a teenager you’re not really thinking about anything to do with your future, it’s just about what you’re doing tomorrow, or next week. I did travel. That was really fun, I had a great time when I was doing it. It was certainly a formative part of my life. And it was really, really fun and interesting when I was young.

And then I moved here, I was here for a number of years, maybe three or four years I had been living in New York, and I was just getting a little bored with the same routine. I’d wake up in the morning, smoke a bunch of weed, and drink. Maybe tonight we’ll get the shopping cart and go dumpster diving. It was the same thing everyday. I didn’t feel like there was a future. I started to look around, and look at other people, and I started picturing them as homeless grown up men, or something. This is the trajectory that’s—I can’t see myself having a fulfilled and happy life if I continue to do this for my entire life.

I started to feel very dissatisfied with what I was doing. My best friend had gone to Hunter, she was finishing up around the time that I was starting. She was like, “It’s so easy to do. Just apply for financial aid and just do it.” She was like, “You’re smart enough.” I was like, “I don’t know if I can get back to writing papers. I haven’t even read a book in, like, eight years.” She’s like, “No, no, it’s totally fine.” I just did it. I just applied. I had such a terrible high school record that I ended up
going to community college for a year, at BMCC [Borough of Manhattan Community College]. It was terrible. It was like high school all over again. But I went there for a year and got really good grades and then transferred to Brooklyn College. I really enjoyed it. I was a very good student when I was very young. I immediately fell back into that routine.

A friend of a friend was hiring at this literary agency and I just applied for this job. And now I work there. I do, basically, IT and accounting which is absolutely nothing that I studied anything about in school. I would never have ever anticipated that I would be doing IT and accounting. It’s nothing that I’ve ever had any training in, ever. I barely knew how to turn on a computer when I got this job and I just bullshitted my way into that part of the job. I just fast-talked my way through that part of the interview. And then once they hired me they were like, “OK, fine, you don’t know anything about computers, we’ll teach you.” And now I do know a lot about computers. I just pay attention.

It’s fine. I’m in publishing. I get tons of free books. I’m in this world which is very interesting. It’s definitely something I could have studied in college, I really like to read, but I don’t like English majors, so I didn’t do that.

Starecheski: Were you thinking about your housing situation when you were making these kinds of career and life decisions?

Williams: Yes. Absolutely. I was somewhat motivated by boredom and whatever dissatisfaction with my personal growth as a human being. But also I was very much aware of the fact that my situation was changing and that financially I was facing—that I was facing this financial situation
that was going to come, sooner or later. This whole process has been a ten-year process. But initially they told us it was going to be a year, two years max.

I might have pursued something a little more fanciful if I didn’t have this idea that I want to be a financially independent adult that was not going to be shocked and freaking out when all of a sudden I had to pay by what is New York standards a really low rent. Definitely, it was a game changer for me. I wanted to hold on to what I had, and only really saw a couple of ways to do that. And picked the one that was the best for me. I’ve been yelling and screaming at people for ten years that this is coming, sooner or later, and you all have to figure something out for yourselves. It doesn’t have to be what I did, but you have to figure something out for yourselves or we’re all going to get fucked.

I think if you’ve never had to be responsible for this kind of stuff, it’s daunting. If you’ve lived your whole life, for 25 years of just having odd jobs, and never having to come up with any bills or whatever, suddenly to change your life when you’re a 42-year-old man who has never had any real job history, or very sporadic, weird job history. I don’t know if people have the resources and the skills to go out and do this kind of thing.

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**Maggie Wrigley:** Some buildings, because they always refused to pay fees—there’s lots of buildings where some people would just never pay and just held on through their brute force or presence. Those people are being put into a very different situation. The people that live outside the grid, it’s a huge hardship. That’s something that’s been lost. The squats used to be places where everybody
could find a home and everybody could survive, you could get credit for your sweat equity and that was as valid as anything else.

There’s a lot of—I guess a lifestyle, or people who thrived in that circumstance. I guess a lot of us did, because we held on and we did. We thrived, we succeeded. And that is no longer a criteria. Now the criteria is paying our mortgage and keeping the paperwork together, and getting the reports in, and getting the yearly meetings audited and all this stuff. That’s a very different thing.

It has its own set of problems. A lot of the freedom is gone. For sure.

You know, you get older, too. You get older and it gets harder. It’s hard to play catch up. A lot of us, it was an ability to live outside the regular thing, and regular jobs, and you could make your art or do whatever work it was, whatever you loved to do, or whatever you just didn’t want to do. It’s created a situation where you have to—you’ve got to come up with money now.

I have to work. And I have to worry about keeping a job. You don’t have the freedom—personally, as I get older and I feel like if I’m going to hang onto this, I have to make this rent and I have to figure it out. When it’s so much more than what you were paying. As we could see it coming, we tried to put it up, to stagger it a little bit. But it does drag you into the world of rent first, and then everything else after. Which is frustrating.
**Geoff Dann:** We were young. Everybody was really young. Nobody had a real job to go to anyway. This was our job. We created this job for ourselves and this became our job. We literally carved out this life for ourselves.

**Amy Starecheski:** Do you remember what kind of future you wanted for yourself at that time? You’re like, 25 years old or something?

**Dann:** Oh yeah, I remember. To pay as little rent as possible. To be able to have as much free time as possible and to be as creative as possible. That’s about it. Not to get roped in to any debt. Not to get a bank loan or a credit card. To be free. That was the future that I wanted, that I saw.

The whole co-op thing is a real recent thing. We only became a co-op like two years ago. But it took them five years to do it. Creating all the by-laws and all that stuff. Doing all the paperwork. It took them five or six years to break us in. To get it to sink in, that the party was over. [Laughs]

They created this thing where they could—in a way it seems cool but at the same time, I think the way they set it up for us, is they’re trying to set us up for failure. Or at least weed out the bad seeds, get rid of the bad apples and keep the real responsible ones who can work and make money and give them money, pay taxes. I think that’s what they did. It might be a big trick, who knows?

Because the way I see it we were just a bunch of squatters, and we didn’t want those responsibilities to begin with. How are they going to turn squatters into responsible citizens? Can they? That’s like a social studies experiment. That could be studied for the next thousands of years in colleges all over the world. How they turned a bunch of squatters into responsible, tax-paying citizens. “Yes, a few of
them ended up in jail, but for the most part we were able to break them too. Just like we did the pirates back in the 15th century.”

The Valorization of Indebtedness

What was it about legalization that changed people’s life courses? Was it the protection from eviction? An increased standard of living? Something about homeownership? In this section, I argue that debt is perhaps more important than ownership in understanding the ways squatters’ lives changed. Here I will focus more on the individual experience of debt, and in the second and third section of this chapter, on the collective experience.

In the mid-1970s, anthropologist Constance Perin did an ethnography of American ideas about social order and land use, homeownership and renting in particular (1977). In Philadelphia and Houston, she interviewed dozens of bankers, appraisers, politicians, developers and civic leaders (1977, 11–12). Through these interviews, Perin attempted to distill the underlying and unarticulated common sense that informed these powerful people's decisions about land use. One assumption she sought to explain was that rental and owner-occupied housing needed to be segregated. The people she interviewed had clear and remarkably consistent ideas about the kinds of people who rented or owned homes. She found that renters were thought to be “transient, unstable, not thrifty, without pride, immature, lower class, not full-fledged citizens, indifferent to property maintenance” (1977, 51). On the other hand, homeownership was described as a privileged status in American public life, almost sacred, and owners were thought to have all of the positive qualities denied to renters.

Owners were imagined to be autonomous and free and the real limits to their autonomy (zoning

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3 Earlier holistic ethnographies of American cities such as Middletown (Lynd and Lynd 1959), Yankee City (Warner et al. 1963), and black Chicago (Drake and Cayton 1945) as well as the rural South (A. Davis and Gardner 1941) also examined housing tenure in social context.
rules, building codes, the pressure to keep a dwelling ready for resale) did little or nothing to tarnish homeownership’s status (64). But Perin showed, using quantitative research, that many of the assumptions made by interviewees about renters and homeowners as categories of people were untrue.

Perin tried to figure out why it was that renters were perceived to be so different from owners. One of the ideas she uncovered was what she called the “ladder of life,” which tied progress through a series of life stages to particular forms of land tenure and housing. It was deemed appropriate, for example, for a young couple to rent, but a new family should buy a starter home, and eventually move up to a larger one. Retirees may in turn sell the family home and downsize to a condo or retirement community. This is the framework Michael Shenker was invoking when he noted that without using the equity he felt he had accumulated in his home, he would be unable to move on to the next phase in his life. If a person failed to move through the steps in the right order, they were judged somehow deviant or suspect. But why was it that homeownership was the highest rung on this ladder? How did Perin’s informants think that this privileged person and citizen, the homeowner, was produced?

On the surface, people said that owning was preferable to renting because owners were autonomous and secure, not subject to the whims of a landlord who could evict them or enter their home at any time. However, Perin found that the valued status of homeownership actually came from “differences between the contractual (social) relationship of the tenant to the landlord and the ‘owner’ to the lender, but not in those differences in freedom or security so widely believed to be

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4 As Perin notes, this all works differently in places such as New York City where most people rent and the single family home is rare, but she describes the hegemonic model with great insight and much of her analysis applies to the situation studied here.
significant” (64)—not from freedom, but from social control. If this is indeed the case, then our former squatters should be among the most privileged of owners, subject not only to the social control of the mortgage, but to restrictions on the sale of their property that further constrain their autonomy.

Perin placed “owner” in quotation marks because she believed that it was not ownership, but indebtedness, that was truly significant. In fact, very few Americans, then or now, actually own their homes outright. It was the “achievement of a social relationship with the banker,” in which “the banker ‘qualifies’ the homebuyer with a credit rating that is a major threshold of American social personhood crucial in the correct traversal of the ladder of life” that created status (66). This was more than just a financial exchange; when deciding to make a loan bankers evaluated not only a loan applicant’s financial standing but also their relationships, habits, and reputation.6

However, it was not simply the fact that a homebuyer had been granted a mortgage that underlay their higher status, it was also the experience of living with mortgage debt. Rental contracts tend to last for one to three years, and then can be broken at the will of the owner.7 Mortgages, on other hand, usually last for at least thirty years, and the housing finance system is set up to encourage home-sellers to reinvest in a new home, remaining indebted for most of the rest of their lives. Perin concluded that it was, therefore, the social control of the homeowner, subject to vetting by bankers

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5 Perin is drawing here on Peter Marcuse’s early-1970s critiques of policies supporting low-income homeownership as a route to social mobility. Marcuse described renting and owning each as a “bundle of socially determined rights, powers, privileges and immunities” among persons (Marcuse 1972, 23, as cited by Perin). He pointed out that leasing relationships can legally be arranged to convey most of the perceived benefits of homeownership, especially stability.

6 See Ratner (1997) for an ethnographic account of immigrants’ and people of colors’ experiences getting a mortgage and the ways in which their cultural and financial worlds are evaluated, often in ways that disqualify them.

7 This is not true of all leases, and New York City has historically had unusually strong protections for renters. For an historical account of tenant organizing for protections against landlords, see Lawson and Naison (1986) and for an historical account of landlord organizing against restrictions on their property rights, see Day (1999).
and then tied to debt payments for their entire working life, and not their freedom that was the reason for their high social status. Homeowners who defaulted on their mortgages risked their savings, their financial and social status and even some of their political rights. Renters were at risk only of losing their housing. Counter-intuitively, Perin found that “it is the lack of debt that brings suspicion and lower status in American society” while indebtedness was valued (75). Debt, not autonomy, was at the core of the process that was imagined to produce homeowners as certain types of persons. Of course, scholars of property have long understood that property rights are always balanced by obligations. However, the American ideology of homeownership emphasizes rights over responsibilities, making Perin’s research a particularly important corrective.

We must remember that this is all from the point of view of those who plan, develop and manage housing, for whom it makes sense that the unpredictable renter, free to go at any time, would create anxieties not encountered when dealing with the owner, firmly fixed in a web of debt. This research was also done forty years ago, when the process of getting a mortgage was quite

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8 There is a long tradition in Marxist thinking of critiquing mass homeownership as a means of social control. Since Engels’s writing on the “housing question” (1872) leftists have argued that homeownership is a means to keep workers fixed and dependent, satisfying them through the fulfillment of a need for property ownership, a need created by and benefiting capital (Kemeny 1986; H. Marcuse 1964). See Edel et. al. for a review of these arguments and a critique of an overly simplistic understanding of homeownership as social control (1984, Part II). Edel et. al. argue that working class homeowners were not mere “pawns for lawns” but shaped the deal of homeownership through their actions, nor were they rendered entirely powerless through homeownership. For a situated and complex historical account of working class homeownership in Chicago from 1871-1919 see Garb (2005).

9 Perin does not take into account the risk of becoming homeless and the associated loss of personhood in the public eye; at the time she was writing the homeless crisis of the 1980s had not yet begun. A renter clinging to one of the few affordable apartments in New York City has as much at risk, and perhaps more, as any homeowner.

10 While I take the discourse described by Perin as an ideology, embedded in and serving a certain privileged point of view, she describes it as an element of a broad and coherent “American culture” (1977, 20–31). Perin is trying to make explicit the implicit ideas of Americans, but I see her research as in part a case study of how powerful people produce, reproduce, and naturalize self-serving ideologies. See Harvey for a discussion of the powerful class alliances which develop in support of stabilizing land use, tenure and value, and the role of working class homeownership in that assemblage (1989, 148–152).
different than it became around the turn of the twenty-first century and than it is in 2013, five years after the crisis of 2008. In the 1970s, the 30-year fixed rate mortgage, insured by the federal government but arranged through a local bank, was the norm. As housing became increasingly unaffordable while wages stagnated into the 1990s, exotic mortgage products requiring little or no down payment or credit history became more common (Dickerson 2012, 853). By 2013, credit had tightened again, but the local bank and the socially embedded banker were rare indeed. Still, I find her analysis helps to clarify the experiences of squatters as they navigated the process of homeownership.

Perin’s research showed from above how homeownership was produced as a social process, as unexamined assumptions about the value of owning a home and the personal characteristics of renters and owners led to policies and financial decisions that shaped the American landscape for decades. Most importantly, she shows how significant it is that what we usually call ownership is in fact indebtedness. My research looks at this process from the point of view of people experiencing it at ground level. Unlike Perin’s informants, who were central to the system of housing production and financing, the Lower East Side squatters are marginal – many of them have long resisted climbing the “ladder of life” and especially have resisted debt. They confound the renter to owner path. Without owning or renting, they are responsible, unusually grounded, thrifty and prideful. While their level of class, race and citizenship privilege varies, they are mostly low-income, and are now involved in a low-income homeownership program.

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12 See Dudley’s ethnography of farm debt and dispossession for an ethnographic description of the process of local bankers deciding who deserves a loan and why (2000).
Perin noted that homeownership achieved through a program for low-income people did not bring the same prestige as getting a mortgage on one’s own merits: “Qualifying [for a mortgage] through the category of poverty brings neither social honor nor its consequences in self-respect because it represents an artificial passing of the threshold, the opposite of the American Creed of ‘natural progression’” (66). More recent research has shown that black and Latino homeowners do not gain the same political privileges and financial rewards as whites (Dickerson 2012). In addition, homeownership in a limited-equity cooperative comes with restrictions on profit and speculation, as well as membership in a collectively responsible group, in stark contrast to the ideal of the independent homeowner. Squatters did not take out personal loans; they joined cooperatives with shared debt burdens. Their housing was at risk in the event that they could not pay their monthly bills, but their personal finances were somewhat shielded. We will return to the dynamics of group ownership in the final section of this chapter when we look more closely at how buildings qualified for debt.

Squatting and the Ladder of Life

In *The Urban Experience*, David Harvey analyzes the interrelations of time, money, and space, depicting the delicate balance between having the time for political action and having enough material security to act politically: “The power relations between individuals, groups, and even whole social classes, and the consequent capacity to find feasible paths of social transformation, are broadly defined through the meshing of monetary, spatial, and chronological nets that defines the parameters of social action. For it is hard to go outside of these parameters” (1989, 189). Hard, but not impossible: squatters at times achieve this transformative balance.

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13 The subsidies for middle- and especially upper-income homeowners being ideologically invisible as such (Dolbeare 1986; Maskovsky 2010).
In order to understand how debt changed the lives of squatters, we must first explore the experience of being a squatter, free from mortgage debt and major monthly housing payments. For many, squatting provided a space outside of some of the pressures of mainstream life. Of course they lived with a lack of basic amenities such as heat and hot water, the threat of eviction, and sometimes intense and even violent internal conflicts, but they also could live without having to earn much money. Popeye, quoted above, is an engaging and charismatic musician who never achieved commercial success but was able to work at his craft for decades as a squatter with very low housing costs. He describes this as being able to maintain “suspension of disbelief,” being able to avoid encounters with the harsh reality of a world that might call him a failure and devalue his non-income-producing work, while within his social milieu he was a success. Legalization changed this. Popeye’s description was echoed by many narrators. Frank Morales describes the freedom of not having to pay rent, and the political activism, artistic production, and personal growth that that allowed. Few people manage to sustain serious activism for more than a few years, and it is rare indeed to find a person in their forties or older who has made a life as an activist.\(^{14}\) In New York City, a disproportionate number of long-time radical activists, those who serve as invaluable sources of historical memory and mentors to younger people, are squatters.

Others struggled to be productive without the pressures of a monthly rent bill, as Erin Williams describes:

> There’s two ways this place can go. To me, it’s allowed me to grow as a person, because I’ve really taken advantage of the positive things that can come from this lifestyle. But for many other people—not to say that it’s a negative thing, but it’s also allowed them to not grow and

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\(^{14}\) For an illuminating description of the typical anarchist “activist lifecycle,” see Graeber (2009, 250–252). Graeber notes that living in a squat is one of the few paths to life-long activist involvement.
to just remain in a very stable instability. You can live like you’re sixteen for your whole entire life, even when you’re forty-five.

This ties in with Perin’s ladder of life: because squatters were not forced by housing costs to cultivate a regular income, some did not “move up” the ladder in other ways. Erin Williams describes people in their forties and fifties acting as if they were still teenagers, meaning that they had failed to take on responsibility and engage in long-term planning for their lives. Similarly, Nazima Kadir found that, among Amsterdam squatters, their time in the squatting movement often functioned as an extended adolescence. For those who were “culturally central” (Dutch, white, middle class) this was usually a temporary sojourn, but for some more marginal people it became permanent. These aging and often drug-addicted long-time squatters were seen by younger people as embodied warnings of their eventual fate should they not eventually transition out of this subculture (2010, 260–308). While this same dynamic existed in New York City squats, there also seemed to be a significant group of long-time squatters respected and sought-out for their expertise, even as some struggled with mental illness or drug addiction.

In New York City, some squatters found new opportunities in legalization. Morales discusses freedom from rent and wage slavery, but also the freedom that comes from security and not constantly having to worry about surprise evictions. However, he is in an unusual position because his building joined the legalization deal but did not yet do major renovations or take out loans, so thus far he has gotten security without the burden of a monthly mortgage payment.15 For individuals, the experience of becoming indebted often involved a move towards wage labor and

15 Because of the terms of the regulatory agreement governing the city’s sale of the building to UHAB and the difficulty of selling the building full of squatters or evicting them, UHAB has been stuck with the building, which they never expected to own for long. As noted above, this situation is not infinitely sustainable for UHAB, which incurs tax and insurance bills for the building but gets no income from owning it, and in 2013 the tax lien on the building was sold at auction.
education. For some, this was not a major transition. Plenty of people in the buildings had been working regularly and could easily pay the monthly costs of living in a co-op. Others, such as Erin Williams, began planning for conversion as soon as they joined the legalization deal. Popeye was not at all alone in waiting until the last minute when he was “scared shitless” about losing his home, and then struggling to find work that could pay the bills. At age sixty, he took a demanding job in a metal shop that strained his physical capacities to the limit and severely curtailed his time for music.

Squatting also allowed a mobility not often seen in the lives of rent-paying or especially mortgage-paying adults. While, as noted above, squatters were in some sense stuck, having invested their time and money in housing which was almost totally nonfungible, they were also free. It was quite normal for squatters to travel for substantial portions of the year, either doing migrant labor (the blueberry and cranberry harvests in New England were popular) or spending time with friends who lived elsewhere (immigrants took long trips home when their legal status permitted, some squatters participated in the subculture of travelling punks, which is rooted in a national and international network, some travelled with bands, and others spent time visiting European squats). While leaving a squatted apartment vacant risked losing it to another squatter, it was normal to ask someone to watch your space while you were gone.

Now this is called subletting, and is tightly restricted by the co-op rules. Co-op members are required to maintain the apartment as their primary residence, and subletting must be approved by the co-op and is limited in duration. Whoever watches your apartment must now also pay your monthly fees. As Jessica Hall noted, one of the concessions the squatters negotiated for when making their deal was the broadest possible subletting rules. However, these constraints on the ability to travel chafe those used to more freedom, and informal subletting is widespread. No one seems to take the official rules very seriously.
For squatters, then, the relations between freedom, debt, security and responsibility were not as straightforward as those imagined by Perin’s interviewees. As we will see in Chapter Five, some squatters found that the act of working on their buildings, and working with others, allowed them to develop as people and move to new phases of life. The ladder of life, in this case, was not tied to property ownership, but to property stewardship. Some, on the other hand, either felt that they were stagnating without the pressure of housing costs to make them work while others appreciated the opportunity to enjoy an extended adolescence. In the absence of debt, many squatters acted responsibly, remaining tied to their buildings and their neighborhood and acting as responsible stewards. Finally, many worried that debt would in fact lead to instability through the risk of collective foreclosure or the eviction of those who could not pay their new monthly fees. At the same time, debt did pull many squatters into mainstream economic and social life. The burden of a mortgage, stretching far into the future, combined with what for most was a higher level of security of tenure, caused them to make longer-term plans.

While this section has been focused on the individual experience of legalization, in the following two sections, we will look at two ways in which the collective experience of living in the squats changed after 2002. First, we will examine how processes of governance and leadership structures changed through the encounter with bureaucracy during legalization. Then, we will look in detail at how the nature of the collective changed and how a conception of the building as a family endured, or did not, through the pressures of legalization.
Marta Dann: We have meetings. We had weekly meetings by then [in the early days of the occupation] because the need of staying together was important. So we needed to know, where was everybody thinking and how should we move together? In those meetings we talked about our needs and how to help each other and be together.

I just think that now, from those meetings to these meetings now, then you had more voice. Now that is so well organized, so put into little boxes, your voice is silenced by the boxes. You don’t have a chance to vocalize your perspective because, “Oh, this is the way it is now. It’s like this. The by-laws are this.” So it silences people.

I just address concerns that, because they’re not in the boxes, they are not found important. So they’re dismissed. They’re just totally dismissed. It alienates me. But I don’t give up. I still go to the meetings. But the meetings are not something collective or enjoyable like they used to be before.

Even though you know you have to get to the meeting, we did it for something we all shared. Now it’s like, yeah, we do share, but it’s now more on the property level. Property level that has to match the greed of property. Before these were just buildings. Now it’s more like they are valuable boxes.
Even now, we all have our apartments, we all have our bookshelves with our books, little beds. And there’s the door. I hardly see anybody else. I feel very isolated in my building. I go to meetings. I stand up and I talk. I usually just don’t talk for myself. Because it’s not just about me. I don’t just talk about my concerns. I talk about concerns of the people that are a part of this building.

So I’m looked at as a controversial person. That I’m crazy. And when I try to explain it’s like, oh, I’m just a troublemaker. I have people that don’t talk to me now because I bring things up to the meeting and they start insulting me, and calling me and I say, “I’m sorry, I can’t do that. I’m allowed to bring up a concern and talk about a concern.” Just because I bring a concern that is taking time.

What are we if we are just, “Talk talk talk done. Now we can go!”? I feel so avoided. I really feel avoided. Sometimes I think about leaving, to tell you the truth. Because I see so much changing. I felt like the best years of my life here was actually when this place was just kind of the deteriorated walls, like walls falling apart. When it was falling apart and I didn’t have a door, I didn’t have locks.

Maggie Wrigley: That actually became a very ugly battle in this building for a while. People got violent about it. People were busting down doors, and putting their people in other people’s spaces. It was really combative and ugly for a while. And nobody was trying to be reasonable.

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16 Maggie Wrigley’s building, Bullet Space, has a history as an artists’ squat. At one point a family of artists who already had a very small legal apartment nearby was given a space in the building. They worked hard on the building, but a faction of residents argued that they should not have a space, as there were others who needed it more and really had nowhere else to go. Eventually, those arguing against them gave up, and they stayed in the space.
It was just a period of—there was violence, there was threats. It was a real battle going on. There was no resolution because there was such a fight going on between the parties involved. I mean, physically kind of thing. Death threats painted on doors. It was really kind of crazy. The level of crazy had to go. So even though I was sympathetic to their argument, I could not be sympathetic to that kind of violent stuff. I wasn’t the loudest voice on any of those sides. I was a lot less feeling power, a voice in the building, than I do now.

It’s hard to want to get into that when you’re already just trying to keep warm and survive and make enough to keep going, and live some kind of a life. And then I wasn’t very good at physical confrontation, so I let those ones roll around.

**Starecheski:** Can you tell me about the meetings here—we talked about the very first one, where you got voted in. How have they changed over time? How are they run? What do you talk about?

**Wrigley:** Meetings are hard. Meetings are hard. Personalities clash at meetings. People have— it never ends. People have their interests. We have as few meetings as possible now. Because it’s exhausting.

Meetings are much better now that they have to be recorded. We were never minute keepers or this, that, and the other. Or actual vote makers. A lot of the other buildings were much more organized in consensus and votes. Which would have served us much better over the years.
Instead ours would generally be shouting matches, and then people would just go and do what they felt like doing anyway. Personalities within the building didn’t want to hear a consensus, didn’t want to recognize the consensus, and would just go ahead and do whatever they wanted anyway.

With the conversion, and the fact that we are legally obliged to keep minutes, it works much better. Because everything was recorded and you have to acknowledge that that was it, that was there. It’s still—we are living with a group of people that came together in a pretty random way. And who come from very different places. And who have different desires of how the building goes.

It will always be a weird situation because we will never be a normal group of homeowners. Ever. We are just trying to adjust our particular weirdness to a more formal situation now, and a situation of ownership. That’s the most interesting part about it. We are creating our version of conforming to what homeownership is and it’s come with a lot of attendant—a lot of burden falls on a couple of people because they are the ones that are actually willing to do the books, and deal with all that stuff. And the taxes and the banking and keeping the numbers stuff. Doing all the paperwork.

**Starecheski:** Is it gendered at all, that division of labor?

**Wrigley:** Yeah. Books and paperwork is taken care of by the women. But, you know, it’s also people’s skills. When I was strong, I did the demo [demolition]. Now I’m decrepit and hurt so I’ll happily take the paperwork over that.

**Starecheski:** You said that at some point in the past you felt that you didn’t have as much of a voice in the building as you do now. Why has that changed for you?
Wrigley: I just wasn’t as strong a person as I am now. I wasn’t as confident. I wasn’t a part of the inner circle of people that have the loudest voices. And I committed more to the building. I was new to New York and I was having lots of adventures and I was doing my thing. Being illegal, I couldn’t really get deeply involved in the politics. I just laid low.

And then you realize that you’re the one that’s best at doing most of this stuff, so you end up doing it. The leadership roles just kind of evolved and as the building becomes more of a business, just because that’s how you have to treat it, then the people that deal with that have more of a handle of what’s going on. If you know the reality of stuff, people can say what they want, but you have to deal in realities. That’s pretty powerful.

You were always at the mercy of the loudest, and the pushiest, and the bullyingest when you’re not organized. You have to navigate that. Now we’re at the mercy of something else. Now we’re at the mercy of bills and paperwork.

Erin Williams: I remember when we started paying rent here. We decided that we were going to start paying rent to deal with day-to-day expenses of the building, because, you know, things happen. And it was five dollars a month. [Laughs]

Starecheski: Just ease into it.
**Williams:** I think I actually have the receipt book, where people were getting written receipts for five dollars, which is amazing. I got a little training in bookkeeping. I didn’t know anything about this stuff. It was all Greek to me. UHAB had a class on co-op bookkeeping and I took it. And then I had—they had these ledger sheets that I was filling out by hand. I just started doing it. And I was doing a somewhat terrible job at it. We didn’t really have any real reason to have the accounting. I think UHAB wanted us to do it because they wanted to train people in doing it for when we had to actually do it. And also people weren’t paying that. They had various, either ideological or lack of caring reasons for not paying the five dollars. So that was the beginning.

I think that went on for about a year. We were paying five dollars a month rent. At that point UHAB started telling us that we had to really start paying rent, not just pretending to, because people were going to have to get used to paying rent. Which was smart. I think at that point it went up to, I don’t remember exactly, it was maybe $100 or $150.

I don’t know how long this has been, but we have for a while now—a few years at least—been paying $420. We very frequently bring up that we should raise it, and our ultimate projected rent is, like, $600 or something. Which is about half of what the market rate is for this neighborhood, but still is a fairly significant amount of money for a number of individuals in this building.

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It was not simply the struggle to qualify for a mortgage nor the economic burden of taking on debt and increased monthly housing costs that impacted squatters’ lives as their buildings became co-ops. The bureaucratic systems imposed as part of legalization also transformed their social worlds
in ways some experienced as positive and others as negative. Most ethnographic accounts of bureaucracy have focused on it as a state practice, as a point where the state is produced in the interaction between states and persons (Feldman 2008; Gupta 2012; Herzfeld 1993; Hull 2012; Silver 2010). It is in large institutions that bureaucracy is found in its most fully realized form. However, bureaucratic management permeates many layers of contemporary life, and one aspect of neoliberalization has been the diffusion of responsibility for creating and maintaining bureaucratic governance. Here, I will focus on bureaucracy on the more intimate scale of the housing co-op. In his foundational study Max Weber defines an ideal bureaucracy according to specific characteristics: clearly defined roles and responsibilities with roles arranged hierarchically, the existence of rules meant to be followed impersonally, specialized training for management tasks and, in fully developed bureaucracies, the expectation that workers devote their “full working capacity” to “official activity” (1978, 957–958). With the exception of the final quality, the system of management imposed on low-income housing cooperatives meets all of these requirements, in theory if not in practice.

As we saw in Part One, some squatters had tried to use bureaucratic systems to govern themselves since the 1980s, particularly those who, like some of the residents of East 13th Street, modeled themselves after legal homesteaders. Many buildings at least sporadically kept minutes of meetings and maintained financial records. For these buildings, the transition was less jarring. Before legalization, some buildings used consensus and some had unstructured, irregular, and often violent meetings. When the buildings became co-ops, bureaucratic management processes – accounting, minute keeping, creating and abiding by complex by-laws – became mandatory for every building. Buildings such as the Tenth Door and 544 East 13th Street that could not manage to hold meetings as a group did not move through the legalization process even if they signed on to the deal with UHAB. Some individuals engaged deeply with bureaucracy while others avoided it almost entirely.
The shifts in governance that came with legalization changed the power dynamics within buildings, often privileging those who took on bureaucratic labor. These emergent leaders developed bureaucratic subjectivities, wielding power in new and different ways. In this section, we will explore how bureaucracy was introduced to the squats and the complex ways in which encounters with bureaucracy shaped squatters’ social worlds.

People-Reform and Teaching Bureaucracy

In her study of American common sense ideas about homeownership, Constance Perin found that “ownership [was] widely believed to cause the behaviors associated with it: when a renter changes categories and owns, so too will his behavior change” (1977, 61). This research aims to uncover the active and intentional processes through which homeownership, and the legalization process more broadly, produces certain social relations. I argue that ownership is a gloss for a collection of social relations and processes, not a pre-determined experience or status. Bureaucracy is a key part of this. Middle and upper class people are generally assumed to have the skills and knowledge to navigate the process of home buying as part of their cultural capital. In this unmarked form of home-buying bureaucratic skills are invisible, although centrally important.

It is in the discourse around low-income homeownership that these financial and bureaucratic skills become visible. In fact, low-income homeowners navigating not only buying and maintaining a home but qualifying for, procuring, and managing the subsidies this often requires may have an exceptionally intense and demanding encounter with bureaucracy. As policymakers increasingly emphasize the expansion of homeownership to low-income people, “the discourse of homeownership represents the aspiring low-income and/or minority homeowner as lacking the knowledge, skills, and financial literacy to become an owner” (Saegert, Fields, and Libman 2009,
Nonprofits increasingly offer (sometimes insistently) low- and moderate-income potential homeowners formalized training in how to become a homeowner, with an emphasis on mastering bureaucratic tasks. In fact, the Regulatory Agreement governing the former squats includes this item:

Board of Directors shall submit to Agent annually, no later than December 31, a report detailing training completed in that calendar year as well as a comprehensive training plan for the next calendar year, for members of the Board of Directors, all Shareholders, and all new Shareholders. At a minimum each annual training report and training plan must include a requirement that each member of the Board of Directors take one training course in cooperative management and a requirement that new Shareholders be given an orientation in cooperative ownership.

This can be theorized as a process of governmentality, typical of a neoliberal approach to policymaking. Teaching financial and bureaucratic skills is an essential part of the project of governmentality.

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17 Governmentality is an idea developed by Michel Foucault. Foucault defines governmentality in contrast to disciplinary, sovereign strategies in which the state directly controls individuals. In security-based governmentality the focus is on managing populations and inducing citizens to govern themselves (2007). Theoretical understandings of neoliberalism have critiqued its utopian ideology (Friedman 2002; Hayek 1978). There are two major strands to this critique: a political economic approach which sees neoliberalism as primarily an elite class project to consolidate power through financialization and the promotion of an ideology of private property, free markets, and free trade (Harvey 2007) and a governmentality approach that understands neoliberalism as a form of governance that produces new self-governing populations, subjectivities and practices (Ong 2006). Much recent scholarship on neoliberalism seeks to merge these two approaches (Ruben and Maskovsky 2008; Wacquant 2012).

18 Saegert et al (2009) describe the removal of support for subsidized rental housing as part of an initial roll-back phase of neoliberalism in which collective goods are stigmatized and defunded, and the promotion of low-income homeownership as part of a roll-out phase of neoliberalism, in which private property, personal responsibility, and individualism are promoted. This process relied on the “cultivation and promotion of new subjectivities by prospective and new homeowners” (2009, 303). Their excellent qualitative study aims to explain the theories and strategies used by people
producing responsible citizens through expanding homeownership. In her research on homesteading, Malve von Hassell calls this “people reform” and cites it as one of the problems with the homesteading movement: people did not want to be reformed; they resisted it.\footnote{19} Von Hassell’s research showed that there were two different models of behavior being taught to homesteaders: more mainstream groups such as UHAB focused on teaching building management, how to run a meeting using Roberts Rules of Order, accounting, etc., while groups such as LESAC and the RAIN land trust tried to teach people to cooperate and reimagine ownership as a truly collective project.\footnote{20} This makes sense, given the much larger project of community transformation through the experience of collective property ownership described by Brandstein at the close of Chapter Three.

In both cases, while advocates for low-income homeownership believed that the very experience of ownership, either through a limited-equity co-op or a zero-equity land trust, would teach people new ways of relating, they also clearly believed that ownership itself was not enough, and they tried to provide explicit instruction to change the social practices of poor people.

Lower East Side squatters whose buildings were in the process of being converted to co-ops got access to the same training as other UHAB buildings. As Erin Williams describes, residents could learn about accounting and building management in UHAB trainings. They were also collectively trained in more informal ways by being brought through a series of steps designed to acclimate them to working as a co-op. One document Maggie Wrigley showed me read “Below is a list of behaviors that UHAB must see a building engage in to mark that it will be a successful co-op. When your building is running in the way outlined below, tempered if appropriate by your negotiating the threat of foreclosure, and how they reconcile the ideals and the realities of low-income homeownership in a neoliberal age.

\footnote{19} For another account of attempts to reform poor people by teaching bureaucratic skills, in this case the skills of working low-level white collar jobs, see Bourgois (1995).

\footnote{20} In fact, it is one of the shared principles of all co-ops to provide education and training for members (International Cooperative Alliance 2013).
established pattern of management, we will be comfortable in your co-op conversion.” For a group accustomed to a high level of control over their own affairs and sensitive to any hint of condescension, this approach rankled. Buildings were required to collect dues regularly, hold meetings and keep minutes.

Some did manage to tailor these structures to meet their needs and fit with their group norms. Some buildings with major internal conflicts and/or weak governance structures decided, with the strong support of UHAB staff, to contract the collection of rent and other bureaucratic tasks to an outside management company. UHAB project manager Jen Kaminsky described the process in one building:

They hired a third party property manager and set up building guidelines that gave someone this many months in arrears, and then they start having court proceedings. And they communicated this to the manager so that when someone got in that situation they were like, "We're not voting on you, we're just telling the manager to carry out the rule we came up with." But when it's someone third party, some guy in Yonkers they're like, "I don't care who you are. I don't care what you did in 1986, this is my job." (Kaminsky 2012)

While the explanations non-profit staff and policymakers give for promoting low-income cooperative homeownership tend to emphasize resident self-management and social bonds, in this case new homeowners have decided to delegate the work of management and insist on the strict rule-following regardless of personal circumstances typical of bureaucracy. Their shared histories and social ties threatened to keep them from being able to function as a co-op, and they chose to give up the ability to manage their building in a way that took each member’s individual
circumstances into account. While a shared history can be deployed to create solidarity, in this case contested shared history was a threat to the group.

Other buildings with a strong ethos of self-government and an engaged and relatively peaceable membership tailored the requirements in ways that increased direct member involvement. For example, each co-op must have a board, but at Umbrella House this board consists of any members who want to serve on it, rather than a limited subset of residents. And while the requirements for how to run their co-ops may have been strict, enforcement has generally been loose. As Jessica Hall explained, “No one [at the monitoring agency] wants to do extra work. If you keep your shit together and you don't have internal problems no one is going to come around with a magnifying glass” (Hall 2012). Bureaucratic rules are not simply imposed from above nor are they simply followed by those to whom they apply. In a social field, they become a set of tools to be strategically used by those with access to them.

Class, Gender, Power and Paperwork

As is clear from the accounts above, different individuals experienced the encounter with bureaucracy quite differently. Maggie Wrigley tells a story echoed by some others, of a system in which the loudest, most forceful people dominate was transformed into one in which those who could command the power of bureaucracy had authority. In some buildings, this was a gendered shift but in others it was tied more to class and cultural capital. During the days of illegal squatting, residents with construction skills were highly valued and often took on leadership positions. In a

21 In other low-income limited-equity co-ops in gentrifying neighborhoods, residents have sublet or sold their apartments for high prices far in excess of those permitted by the regulatory agreements governing their buildings (Saegert and Benitez 2005, 435).

22 Pierre Bourdieu introduced the idea of cultural capital, which refers to often embodied cultural knowledge tied to class and social and economic capital (1986).
space largely beyond the reach of the law, in which domestic violence was a serious problem and evictions were often backed by force, physical strength and the willingness to engage in violent conflict also produced social power. In the squats, women mastered construction skills more often than in the outside world, but still some buildings were dominated by strong male personalities willing to enforce their will through violence. In Maggie Wrigley’s building in particular, legalization turned the tables. Paperwork had traditionally been women’s work, and as mastering paperwork, legal discourse, and negotiations with UHAB became the means to power women like Wrigley moved into leadership positions. What had previously been a leftover task allocated to those not willing or able to do the “real work” of construction now became centrally important. Leaders who could manage bureaucracy both wielded the power of UHAB and the banks and were uniquely positioned to challenge that power using its own language and practices.

Wrigley described how before legalization anyone who resisted the established leadership structure risked retaliation, particularly through eviction. After the deal with UHAB and even before conversion, evictions had to happen through a court process and “the bully- ingest” could no longer rule through fear. The people who controlled the paperwork had “more of a handle of what’s going on,” says Wrigley and “if you know the reality of stuff, people can say what they want, but you have to deal in realities. That’s pretty powerful.” Ilana Feldman’s ethnography of bureaucracy in Gaza (2008), Matthew Hull’s study of land claims and paperwork in Islamabad (2008) and Brinkley Messick’s classic Calligraphic State: Textual Domination and History in a Muslim Society (1992) all show how the control of files – from the capacity to create and interpret them to the physical possession

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23 It is important to note that while the squats could be a place of relatively uncontrolled violence, there were also cases where groups within a building banded together to eject an abuser, and there was serious debate within the squats about how to deal with violence and particularly violence against women. Seth Tobocman’s graphic novel about the squats deals with this in detail (2000).
24 An earlier study of apartment buildings undergoing conversion to low-income co-ops in Harlem found that women disproportionately took on leadership roles, using skills gained through a lifetime of managing a family and dealing with poverty (Leavitt and Saegert 1990).
of them—produce authority and power. Feldman argues that the technology of filing produces authority even in the absence of legitimacy. Maggie Wrigley, like many of the people I interviewed who were central to the governance of the squats after legalization, held voluminous files in her apartment.

Marta Dann tells a very different story. She describes an almost edenic period of cooperation, community spirit, and open doors in the early days of squatting, in which meetings were empowering spaces where everyone’s voices could be heard (2012). Her building, Umbrella House, has a history of being particularly committed to social justice and democratic process. Umbrella House also had strong leadership by women from its earliest days. For Dann, who is not as comfortable leading in a bureaucratically governed world as Wrigley, the shift to legalization led to alienation and increased hierarchy.\(^{25}\) Those who could successfully use bureaucratic tools (in her building mainly white men) could silence her, dismissing her as “crazy” and her concerns as outside of the prescribed time limits or topics of house meetings.\(^{26}\) Another resident of Umbrella House, Geoff Dann, had a similar analysis:

There’s a core group of people who did a lot of the legal work with UHAB to define all the rules and make up the rules, figure out what the rules are going to be. When they come to

\(^{25}\) In a comparative study of gated condominiums and market rate cooperatives in New York City, Low et. al. found that the residents of co-ops tended to defer to their governing boards to mediate conflict, rather than deal directly with their neighbors. Especially in larger buildings, this form of tenure, originally created in part to promote group solidarity, in fact produced social isolation similar to that found in gated communities (2012).

\(^{26}\) See Graham (2002) for an account of how Swedish bureaucratic norms about the display of emotion have been challenged by an increasingly heterogeneous society, in particular the arrival of immigrants, straining the bureaucracy’s capacity to respond to client needs. Marta Dann’s reputation as “crazy” or “a troublemaker” comes in part from her violation of norms of discourse within the now more bureaucratically run cooperative.
meetings, they take over the meeting. And they are pretty much laying down the law. There’s a new sheriff in town.

You can’t disagree. You can’t have an alternative or a creative alternative. It just is what it is and that’s that. It used to be a lot different. In the beginning, like I said earlier, it was like the Wild West. It felt like the possibilities were more. Now there’s nothing. It’s just—it’s like living in a fucking jail cell in a way (G. Dann 2012).

People who are not fluent in English or in legal discourse were at a disadvantage in the new bureaucratic systems of governance. According to some UHAB staff, in general people with middle-class backgrounds and higher education were more engaged with the negotiation and legalization processes.

One explicit mechanism through which homeownership is meant to promote social mobility is through the teaching of bureaucratic skills. In the squats, it was true that legalization brought with it an imperative to manage bureaucracy and to manage the group bureaucratically. Those who had or gained these skills—often women and people with middle-class cultural capital—accrued more power in the legalized squats, while some – bullies, free spirits, and those who lacked the language skills or cultural capital to master bureaucracy – were marginalized. Some squatters struggled to maintain their pre-legalization social relations in the face of the financialization and bureaucratization of legalization. In the following section, we will explore how peoples’ conceptions of the squatters as “a family” fared through the difficult process of co-op conversion.
From Family to Co-op

**Diane Roehm:** I was a runaway and I spent most of my life after leaving home in very transient situations, many of which were great in communities I really loved but I never really felt that I had a home until I came here. And so I was really and am very grateful to the building for providing that for me and so I really wanted to reciprocate in some way. To me the most obvious and direct way of doing that was doing physical labor on the place, so that’s what I did.

**Amy Starecheski:** What was it that made this building feel like a home to you?

**Roehm:** Well, I guess it’s complicated. I guess longevity is one good place to start. I mean I lived here—I mean I have now and had then also lived here longer than anywhere else since leaving my parents’ house as a teenager. So that was something but more than that it was the community of people here. You know especially when I was a teenager, when I left home I reached out to my extended family and different friends and really asked for help and guidance from a lot of people. The people who came through for me were all strangers who became real friends and remain real friends. None of the people whom I thought of as family behaved in that way. So I really came to perceive what family and community meant in a different way. And I guess this building and the people in it fulfill that function more than anywhere else I’ve ever been. There’s nowhere else I’ve ever lived that’s been like that. You’ve seen the way my neighbors and I interact. There’s no question where I would turn to if I were in need—and it’s to the people who are immediately
surrounding me.

I have this really funny experience actually, I mean to me it’s funny. This spring, I was staying over at a friend’s place in a sister squat. She was out of town, and I felt like I needed time away from C. But while I was over there at my friend’s, I was cooking dinner one night, and I love to cook like you can tell. I cook everything super hot and always, my cooking oil always hits the smoke point. I set off the smoke detectors and there wasn’t a fire but I opened a window and it took me a really long time to figure out how to get them to stop going off because they were a different design than mine. They were probably going off for fifteen minutes and I couldn’t get them to stop. Loudly going off and not one person in the building came and knocked on the door to make sure that everything was ok. I didn’t take that as, “Oh they just want me to burn in my home” or anything like that but one of the differences between the buildings is when I’ve set off my smoke detector in my room before there have been six people there like that, “Is everything ok?” and you know, you drop something too loudly and there’s someone like, “Are you ok?” immediately, immediately.

I think it has something to do with the architecture of the place. The way the building itself is designed we all have our quote unquote apartments but really it is functionally much more like a large family home. We’re much more aware of each other’s movements.

But I remember after I set off the smoke alarms in my friend’s house and it took me so long to get them off when I finally did and I sat down and ate my dinner and it was the first time since I’d been over there that I was like, I really miss C-Squat.
Starecheski: Can you describe just for the tape how the apartments are laid out at C-Squat?

Roehm: Sure. Well the building as a whole is a five-story building with a storefront, a two-story basement space which we use as an event space and a rooftop which we share. The stairwell runs through the center of the building and floors two through five are residential. Each floor with four equally shaped residential units. I’m not entirely sure what the square footage of each of these apartments are but most of them are set up as one large room with no dividing walls. We all have our bathrooms in the same place and there’s a wall there and a door but most of us have no dividing walls there’s just our entire home and the front door. There’s no chance that for instance someone would come and knock on your door and you’d say, “Oh I was in my bedroom I didn’t hear.” There’s no question that you would hear.

So we perhaps live our lives more in public or more in view of each other than is typical. If you’re walking up and down the stairs and I have my door open you see my bed and you see my kitchen and you see my living room and you see my guitars and there’s no separation. The hallways are large enough public spaces that they really become gathering points for each floor. There’s really a community for each floor, it would be interesting for you to come here and spend an evening sometime and see what that’s like. But the gist of it is that we have an enormous amount of shared space and because of the physical design of the building and the stairwell which connects top to bottom running through the center, each of our apartments joining to that center as a hub its impossible not to be conscious of each other and interact with each other.

27 Each is about three hundred square feet.
I don’t know, I mean, you know the one thing that is funny about the conversion? I guess it’s on my mind a little bit. We talked earlier about the fact that some people are probably going to sell their apartments. And we talked earlier about how these spaces would be a little small to have a family. Stuff like that. I know some people will leave this building for various reasons over time. But one of the other things that has changed in this building since I moved in is the population has become much more stable. There used to be all of this turnover, all these transients. We still get travelers but the rooms don’t turn over as much. I honestly think that most of the people in these rooms in this building now are going to remain in this building for decades. So the part about this whole conversion process moving forward and all of that that is kind of wild and funny to me is these people, my neighbors, and sort of my chosen family, are the people I’m going to be living with for the rest of my life basically. That’s crazy. Isn’t that wild?

Starecheski: That’s wild [laughs]. You have like a really mixed look on your face [laughs].

Roehm: I’m sure, yeah! [laughs]

Maggie Wrigley: And the community that was existing—I was here [in the U.S.], I didn’t have a family here. The way everybody worked together and the community of squatters and how they helped each other was so fantastic. And so awe inspiring. We had a fire. People just, all day, came over with tools. Because they smashed all the windows, the firemen smashed all the windows in the building, which opens you up to being declared an unfit building, or an uninhabitable building.
People just rode up all day, “What size windows do you need? Give me some measurements. I’ll go through our stocks.”

There was a big support beam that had got burned out downstairs and by nightfall there was a new one up. I went to the hospital because I had smoke, but I came back and there’s all these wonderful men in my apartment, installing windows and just cleaning shit up from the water damage. The community has just been amazing. As varied as we all are, the power of that kind of community and rushing out at the crack of dawn because you’ve got an Eviction Watch call, and all the support that wrapped around this movement was so, it was incredible. It was very inspiring. It was something that was unique to its time and its place. And it’s still a community. It’s amazing what we’ve achieved from this rat bags and riff raff and rabble-rousers that we were perceived as.

We didn’t really have walls, at least on my floor, for a long time. So my next-door neighbors, and the kids, and the animals all thought they lived in—they’d just barge through whatever plastic dividers we had between our apartments. It was this lovely mayhemic—we’re not a commune but somehow it all ends up rolling together. It’s a pretty great building.

Baby born up there. Baby going to be born next month. The big, beautiful, crazy family. There’s a bunch of kids that grew up in this building, which is wonderful. Andrew has his sons growing up here now. Little Alfie next door, three year old. It’s lovely, new generations. And now we have something solid to give them, all our hard work. The kids get to hold onto that history. It’s kind of fantastic the way that goes.
Starecheski: Some people say that they feel more at risk of losing their homes now, because they’re in this whole mortgage thing—there’s a legitimacy to evicting someone who doesn’t pay their mortgage as opposed to someone who’s squatting and ready to defend themselves. Do you feel that way? What do you think about that? Have you heard that?

Wrigley: Well, you can’t really—I mean, yes. Sure. And we have to worry about the survival of the building with the survival of everybody else. So now we’re completely tied in with these people, for better or worse. With the people in the co-op. And that’s a fragile ecosystem. Two are elderly. One is sick. One is a young, poor family. There’s a lot of factors. It seems like everybody is always on the edge.

It’s a lot more of a burden. But, like I said, we have the security. It’s something that we can anticipate. When we were squatters, there was a constant insecurity and a constant fear and a constant onslaught of whatever. If your neighbor fucks up and sets fire to the place, they could kick you out. If they want to evict, then we go through that process.

It’s a different set of worries. My life’s a little more stable than it was before, now that I’m legal. I’m in a better position to hold onto something that is legal, which I never could have before.

Starecheski: Do you mean legal as a homeowner, or legal in terms of immigration?

Wrigley: Both. I mean, being legal now, having my green card, means that I can do this. I am a homeowner and it is incredible. As long as we keep our act together, nobody can put us out. It’s our building. It’s ours to lose.
Amy Starecheski: As you were going through this process to try and get a space, this is probably a hard thing for you to talk about but what do people take into account for you as a potential house member? What are people looking for in a house member? What do you do or how do you be to be a good house member, an eligible house member?

Johnny Coast: That’s a good question. Someone even brought this up as this was happening. Like, “Oh, it’s probably going to be this guy because he’s a white dude and he’s into punk. Obviously he looks the part so he’s going to get the room.” I was like “Ooh damn, ouch.” It’s not my character? No, maybe not. It’s more, “Does this person fit the part?”

So I’m just going to be honest and say that probably subconsciously weighs on people’s minds. And that sucked, I didn’t like thinking about it that way. The others I think, I don’t know—are they a positive influence on the building, are they helpful, do they do work? Are they taking care of things that they’re supposed to be taking care of? Can they hold it down, can they handle living here?

This is a weird scene to be in. Some people lose their minds and think, “I can do whatever I want, I'll never have to work again and I can do all the drugs I need, yeah!” And then there’s just these fucking losers that just get wasted on drugs and it’s like, “Wow you’re not going to make it. You can’t handle this kind of living. Because it’s too hard for you.” I think that’s a big one for me. When I’m looking at other people and thinking maybe they have a chance to get a spot—no they’re wasted every day because they don’t have any responsibilities.
Starecheski: What year was it that you were going through this?

Coast: It was four years ago.

Starecheski: So it was around 2008. So you had agreed to the UHAB deal but in this building there’s holes in the walls and in the ceiling and clearly you were a little bit further from converting.

Coast: The building had agreed to it, I was stepping into the middle of it. Which is also supposed to be like, is that cool? I don’t know, maybe.

Starecheski: So I’m also just wondering how the impending legalization affected this whole process. Did you feel like this was heavy on people’s mind that not only would you get a space to use but you’d also become a co-op owner in their co-op? I’m wondering if people make decisions about potential housemates differently when legalization is happening or has happened.

Coast: I think that people maybe thought that I could handle—we do have a mortgage now, we borrowed a lot of money. All that free money I guess dried up so we had to borrow a bunch of money to fix the building up. I wasn’t at the meetings so I have no idea. They didn’t allow me to be in those meetings. I don’t know but I do think that was part of the equation. “Can he handle being in this environment, can he make those payments? Is this guy going to be someone who just lays around and doesn’t work?” That sort of deal.
**Erin Williams:** I have a very 50/50 feeling about whether we’re going to survive after the legalization, frankly. I think it’s entirely possible that we could. I would love to have the positive view that we’re all going to get our shit together and it’s going to work out. This building has positively surprised me a number of times. We are very good at pulling our shit together collectively at the last second and managing to scrape by. This is that kind of building. We all butt heads about things constantly and there’s a large number of very strong-minded individuals that are constantly pushing their own agendas. But when push comes to shove, we’re also good at all getting together to make really important decisions. We, as a building, are a little weird because we are very disorganized on some levels. Some of the other buildings are so together when it comes to—they had their shit together 10 years ago. They were ready to convert to legal, like, two months after the deal was made.

We definitely were not in that boat. We were living in rubble. Literally. But we have a community mind that is much stronger than some of the other buildings. I think some of the other buildings have much more interpersonal tension that doesn’t exist—we all still—I think it remains one of the last squats that really has a very strong social aspect to it. We still all hang out together. I still know all of my neighbors very well. And we do socialize together on a certain level. There is a much stronger remaining social world here than I think in many of the other buildings.

It’s almost a family here, in a way. Especially for long-time residents. That’s how you deal with your family. You may freaking hate their guts one minute, but you really know that you’re all in the same boat together at the end of the day. That’s a pretty good analogy, actually, for the social structure of this building, is that we’re sort of like family. We are all stuck with each other, there’s nothing we can do about it, there definitely are some crazy people in the family, some people you actually just don’t
like. We’re all in it together, and we’re family, and there’s nothing we can do about each other and we have to deal with each other. But the real possibility is that we won’t be financially responsible. The issue is that these people are also our friends. And how you deal with a situation where, again, it’s like family. Don’t go into business with your family. This is old advice. In a way, this is what we are facing.

This community has been built on a very us-against-them mentality. So to turn on your own is heresy. It’s been very contentious. And I actually don’t know how we’re going to end up dealing with it in the future. It’ll be an interesting thing to come back here in a few years and see what has happened. I think this has been the one issue that will make or break us. Everything else we’ve sort of managed to rise to the occasion for. And I think this is the one thing that we may or may not end up being able to do.

At a certain point, you have a bank loan to pay and if you don’t pay it the bank doesn’t fucking care that these are your friends, they just want your money. And if they don’t get it somebody else will pay it for them. Too bad, so sad, you’ve lost the building. It would be a damn shame if that happened. But it is a possibility. I’m only one person, with one set of opinions, which matters only 1/16 of the time. My personal feelings about it is that people do need to take responsibility for themselves. And I think most people agree with that. The only thing is that it just gets very complicated.

If you look at it from the outside perspective, it looks so silly in some ways to say, “You guys are paying half of what everyone else has to pay, and you still can’t pay? What the fuck? What’s wrong with you dysfunctional weirdoes?” That’s the whole thing. At the end of the day, we are
dysfunctional weirdoes and this has sort of been a dumping ground for people that either have some mental instabilities or are not at all interested in living any conventional way. But that can be positive or negative. The problem is that things have changed around people and they themselves are happy with their own lifestyle. At this point I just think that it’s not compatible. If you’re not living in a situation that’s not compatible with your lifestyle then you should go to someplace that is.

And I would be sad to lose some people that are my close friends. At this point I feel like if you’re threatening my ability to live my life, you need to look at that as a friend also. This is also the harsh side of how I feel about it as well. I also feel like these are my friends and I completely understand that there is a sense and a desire to take care of these people as though they are family. This analogy almost is also very personal for a lot of people. You wouldn’t necessarily kick your brother out of the house because he wasn’t paying your rent, even though he said he was going to, and he really needs to.

I think it would be a shame to lose it. We’ve been here so long, it’s somewhat of a landmark. It would be rough to have that be gone for a lot of people. Myself, personally included. I don’t want to lose my home.

The Squat as House

In these oral histories, we see residents of squats being converted into co-ops struggling to make sense of their changing relationships with their neighbors. In this section, I will look specifically at one trope: that of the squatters as a family, sheltered by a shared family home. Anthropologists have debated whether kinship is a universal human concept or a category imposed
by anthropologists themselves (Finkler 2001; Schneider 1984), but it is clear that family is an important native category used by the squatters who were a part of this project. Homeownership in the United States is generally imagined as a family enterprise, with the home and the nuclear family closely connected in the national imaginary. Calling the squat a family may aim in part to legitimate the social relations of squatters still on the offensive after decades of feeling attacked and misunderstood by outsiders. Kath Weston’s path-breaking ethnography of queer kinship, *Families We Choose* (1997), demonstrated that groups and individuals can take up and strategically use hegemonic kinship discourses, describing themselves as family as a way to legitimate their relationships. As described in Chapter Two, one key way in which illegal squatters claimed legitimacy for their occupations was by recruiting and displaying families with children. Marisa DeDominicis described the 13th Street squatters’ attempts to attract and support people with children, and her hope that “when they came to see what we did they could say conditions in the squat were advanced enough so that it was a safe and healthy place to be able to claim, ‘Oh! You gave birth to somebody in the squat? Let’s look and verify that it is indeed a fine place to call home for children’” (DeDominicis 2012). Giving birth in the squats cemented them as homes, both privately and in DeDominicis’s imagined encounter with a certifying “they.” Jessica Hall remembered Michael Shenker’s exhortation to put the kids and families up front when the squatters presented themselves to Councilperson Margarita Lopez.

However, while the squats may include families and that fact may be highlighted for political reasons, it is an entirely different matter to call a larger group of squatters sharing a building a family. The hegemony of the nuclear family may be waning, but most American homes are not collectively

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28 Two pivotal Supreme Court decisions in the 1970s declared that a town could zone residential areas to prohibit the co-habitation of unrelated individuals in the interest of preserving “zones where family values…and the blessing of quiet seclusion and clean air make the area a sanctuary for people” but that the family could not be defined solely as a nuclear family for zoning purposes (*Moore v. East Cleveland* 1977; *Village of Belle Terre v. Boraas* 1974).
owned. Less than one percent of owner-occupied homes in the United States are collectively owned co-ops (Low, Donovan, and Gieseking 2012, 283). Little research exists on social relations within co-ops, but there is no indication that most residents of either market-rate or low-income co-ops see themselves as members of an extended family, although low-income co-ops do foster social ties and cooperation among residents (Leavitt and Saegert 1990; Low, Donovan, and Gieseking 2012; Saegert and Benitez 2005). In fact, it was not at all universal even for squatters to talk about themselves as being part of a family, and plenty of people living in the buildings did not participate much in collective life either within their building or between the buildings. But residents of one building in particular, C-Squat, repeatedly used the model of the family to explain their social relations. While most squatters refer to their building collectively as “the house,” and there are family-like elements in most of the buildings, it is on C-Squat that we will focus here, as the building with the most prominent discourse of their collective as a family. Why do C-Squat residents invoke the idea of family when describing their social relations, and what do they mean by it?

There are several particularities of layout, culture, and history that contribute to making C-Squat feel like a family to some residents. As Diane Roehm described, C-Squat’s specific floor plan certainly facilitates intense social interaction: the apartments are small and the hallways and roof function as communal space to some extent. At C-Squat housing units are called “rooms” rather than “apartments,” buttressing Roehm’s assertion that this apartment building can be imagined as a large family house. As noted earlier, before it became the Museum of Reclaimed Urban Space, the community room on the ground floor was like C-Squatters’ living room (Pants 2014). During the earlier periods of squatting and even into the early 2000s many apartments lacked front doors, or even walls between apartments, literally breaking down the divisions between individual spaces.

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29 However, Leavitt and Seagert’s study of tenant organizing through the co-op conversion process in Harlem found that women tended to be leaders, and that they applied the same skills and models they used in household management to building management (1990).
Apartments may have been delineated by plastic sheeting or beams; privacy was minimal. In the following chapter we will explore the changing physical character of the buildings in more detail. Here we will focus on the social, although it is clear from the excerpts above that the two are deeply intertwined.

Other squats have small apartments and do not have the same level of social interaction as C-Squat, and some with larger or more varied apartments, such as Umbrella House, also have a lively social scene. To a greater extent than most other squats, C-Squat residents are actively involved in a shared culture. C-Squat has an international reputation as a center of the New York City punk scene, a haven for travellers and runaways, and the setting for both legendary parties and solitary drug abuse. Many current residents are musicians and play in bands together. While C-Squat is not exclusively white, male, and punk only three of the sixteen apartments in the building are controlled by women and most members are white. Jerry the Peddler ruefully described himself as the lone hippie in the building, and one resident proudly noted that they recently broke with tradition and, braving some controversy, accepted a member of another musical subculture as a member: C-Squat’s lone raver. C-Squat is more homogeneous than other squats, and to an outsider can seem cliquish. Especially during the period between when the building became predominantly young, white, and punk and when legalization got seriously underway, the building was almost exclusively the preserve of young punks. Many members came to the building as teenaged runaways or as adults with long histories of intermittent homelessness and found a relatively stable home and community, adding to the feeling that the building works as a family.

Creating a shared home under difficult circumstances, C-Squat residents developed an ethos of care that mirrors that of families in some ways. Especially in an environment of material scarcity,

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30 When it was first opened it was more diverse, and for a time was known for its population of refugee Eastern Europeans and their love of opiates.
the ties of an extended kinship network also become paths for the circulation of food, care, and resources (C. B. Stack 1974). While the hegemonic, white middle class discourse of kinship in the United States identifies the blood ties of birth and the legal ties of marriage as the dual foundations of kinship (Schneider 1980), some anthropological studies of kinship emphasize relatedness as produced through processual practices such as feeding and co-habitation (Carsten 1997; Strathern 1992; Weismantel 1995). Carsten has written that “for many people all of the different processes involved in living in houses, taken together, make kinship” (2004, 55). Until recently, most apartments at C-Squat did not have working kitchens, and in the early decades of the building’s occupation the ground floor community room was a space where food was collected and shared. Even as cooking and eating moves into individual rooms, cheap beer and cigarettes circulate among those socializing in the hallway spaces or on the roof. As Roehm described in her story of setting off the smoke alarm in another building, at C-Squat there continues to be a shared ethic of care and attention, even as the physical experience of being in the building has changed.

At C-Squat, the idea of the house as family was centrally important during the challenging and dangerous years of illegal squatting, and for long-time residents the family bonds created during this period are those that circumscribe the “real” C-Squat family – in this way of thinking, those who came after the deal was made with UHAB are not even squatters, and certainly not family. As noted above, house members fed each other and worked together to build a livable shelter from a building with no stairs, roof, water, or electricity. The entire back half of the building was an empty open shell when they moved in. The network of houses in the neighborhood, organized through Eviction Watch, provided essential protection against eviction. C-Squat was not, of course, always a happy family. The stress of drug addiction, poverty, and mental illness took its toll and serious, even violent, conflict was endemic. The idea of the family as a group that includes people you might not

31 And see Carsten (2004 Chapter 1) for an overview of anthropological studies of kinship.
like, but are tied to, people with whom you will fight but not sever ties, kept the group together as the history of conflict deepened over time. C-Squat resident Brett Pants described it best:

The building’s a family. And nobody’s family is perfect. Everybody fights. There’s no perfect family. It’s really hard to explain. There’s family feuds. I don’t know. I can’t really explain it because it’s hard to explain. We try to work together as much as we can. Ups and downs, like rollercoaster. Things fell apart, came together, fell apart, came together. When we vote, we vote together. Sometimes the vote might be split down the middle. It usually doesn’t happen that way, but it can (Pants 2012).

While some scholarship and popular discourse in queer and activist communities contrasts “chosen” families and “blood” families (Weston 1997), for the squatters I interviewed and spent time with for this project one salient aspect of the family was that it is a group of people who you do not fully choose. You are stuck with your family. You may choose a family, but family is not the same as friends. Family are people to whom you have deep and enduring responsibilities, with whom your past and your future are intertwined. One non-squatter involved in the process described it this way: “What was happening in the squats as I witnessed was that people were redefining their families. They were very much making their families become their neighbors and sometimes their neighbors were chosen through democratic means and sometimes they just happened upon their neighbors, not unlike a family where you don't chose your siblings or your cousins or your—but they were redefining family.”

In squatted buildings, apartments were passed along in several ways: a building might select a new member in a house meeting, a departing resident might pass their apartment directly to another person, or an apartment might be taken by force (the latter was relatively rare). In some buildings
with effective central organizations, such as Umbrella House and C-Squat, most members were chosen through a group process. In others where governance was weaker it was more common for new residents to move in without being approved by the group. While the power of the group to control access to the space has waxed and waned over time, C-Squat residents have for the most part chosen their neighbors. This is one reason why members at C-Squat feel particularly tied to each other. However, while the group may have chosen a new member, the process was often acrimonious and divisive and, as Pants noted above, the majority ruled, so any individual member may not have personally chosen all of their neighbors. As the co-op conversion loomed, the house developed new strategies to perpetuate itself and protect its property. One strategy was recruiting new members with the skills and inclinations to take on the responsibilities of cooperative homeownership. Newer members such as Diane Roehm, Johnny Coast, and Erin Williams both took on management tasks (negotiating with UHAB, finding a tenant for the storefront, calling meetings) and paid their rent regularly, and as Coast notes were chosen in part because of their capacity to fulfill such roles.

While C-Squat members may be particularly prone to calling themselves a family, most groups of squatters living in a building together refer to themselves as a “house” or as “the building” – the central organizational structure of all squats is the house meeting where the building makes decisions. When Michael Shenker passed away I spent the afternoon helping his neighbor, Fly, scan old photos of him from her archives to use in the memorial service and tribute zine. She chose some because the light in them was beautiful, or they showed Shenker doing the things he loved – playing the piano or laying a new floor, or they captured a familiar expression on his face as he looked at her through the camera. The best, she said, were the ones that showed him “with the house.” In one, he is talking and eating on the sidewalk surrounded by adults and children during a break from a workday. In another, the house poses around a long dinner table after a house meeting. Finally, they
walk down the street together, smiling and dressed in their best, on their way to agree to the deal that will legalize their residence in the building. Years of careful strategizing had paid off, and the building that sheltered, symbolized, and even produced the house was safe.

In anthropological studies of kinship, the house is actually a unit of kinship, a type of family. A “house” as initially described by Claude Lévi-Strauss is defined as “a corporate body holding an estate made up of both material and immaterial wealth, which perpetuates itself through the transmission of its name, its goods, and its titles down a real or imaginary line, considered legitimate as long as this continuity can express itself in the language of kinship or of affinity and, most often, of both” (1982, 174). The house, as a social group, exists in part to maintain collective assets. As Susan Gillespie has written, “houses define and socially reproduce themselves by the actions involved with the preservation of their joint property, as a form of material reproduction that objectifies their existence as a group and serves to configure their status vis-à-vis other houses within the larger society” (2000b, 2). The anthropological literature on house societies can help us to understand how squatters, and C-Squat residents in particular, used the tools and language of

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32 The house society – a set of “sketchy but powerfully suggestive ideas” (Waterson 2000, 181) – occupies a fascinating place in the history of kinship theory. As he developed the idea of the house society, Lévi-Strauss was struggling to find a balance between accurately portraying all of the bewildering variation in human systems of kinship and working within a taxonomy that can make that variation intelligible. In his writing on the house Lévi-Strauss proposes a form that reunites all of the binary oppositions of structuralism, including filiation-residence, solidarity-extension and blood-land, “replac(ing) an internal duality with an external unity.” The house society idea also transcends divisions between so-called complex and primitive societies and between history and anthropology (Gillespie 2000a, 23). Lévi-Strauss initially based his model of the house society on European noble families, the Yurok, and the Kwakiutl. This institution, he argues, has been incomprehensible, and therefore invisible, to anthropologists because it not only combines elements of matrilineal and patrilineal systems, it “transcend(s) the traditional categories of anthropological theory” (1984, 192).

33 A society organized around the house can be called a “house society.” While there may have been points in the 1980s and ’90s when one could have usefully characterized Lower East Side squatters as a house society, at this point the remaining buildings do not engage in enough shared activity to be called a society of any kind. I follow Gillespie in finding it useful to use the heuristic device of the house as a unit of social organization without deploying the house society as a social structure (2000a, 39–47).
kinship to build and protect their house (Carsten 1995; Joyce and Gillespie 2000; Lévi-Strauss 1984).

In particular, thinking of C-Squat as a house in the anthropological sense helps bring residents’ valuation of shared history into focus. As the legalization process gained momentum, it became increasingly clear that some members were going to have serious problems paying their $600 monthly fees to be a part of the co-op. As Erin Williams described, residents struggled to find a balance between protecting individuals from eviction and protecting the whole group from foreclosure. As their property relations were shifting, so were the nature of the group and the roles of individual members in it. When C-Squat was an illegal squat, some people worked hard on the building and others did not, some paid the minimal monthly dues and others did not, and the group could function this way. As Popeye noted, in April of 2012 they were very close to converting and it seemed like all of the major hurdles had been cleared: they were in the final stages of obtaining a certificate of occupancy, meaning that the building was in compliance with all building codes and officially suitable for habitation. Everyone I interviewed there, even the most pessimistic, estimated that it would be a matter of months before they became a co-op and got title to the building. As the group prepared to assume responsibility for the mortgages taken out by UHAB on their behalf to fund renovations, the lending institution wanted proof that they had a strong record of collecting rents from all members for three months, as they would have to in order to be able to make their mortgage payments. This milestone is called “rental achievement.” This was a major struggle, as several people in the building still had never regularly paid their monthly fees. In order to show these “clean” months, some people, such as Popeye, scrambled to get jobs. Once or twice members with a particularly strong commitment to bringing the whole group through the legalization process paid other members’ rent for them, and they squeaked by.
However, the bank was still not convinced. It was 2012, flowing into 2013, and the days of easy credit were long over. The bank was not going to hand over the title to this newly-formed co-op unless the group showed they could handle the debt, and this bunch of “dysfunctional weirdoes” (as Erin Williams described them) did not look like a safe bet. The next month over a third of the people in the building did not pay their rent on time and in full, and the bank asked for six to twelve more months of rental achievement. This was harder to patch together, and the resources of those paying for others were stretched to the breaking point. The financial burden of bringing along those who were not paying was beyond any one or two community-minded residents’ ability to bear. Individually, most people in the building qualified: they made their monthly payments and came up with the $250 to buy their shares in the building when the time came to do that. Some people did not, and sustained attempts by several members to bring everyone in the building along through the legalization process began to fail.

The issue of who could pay rent and chose not to, versus who really could not, became central. As early as 2008 Diane Roehm took on the task, with a UHAB staffer working off the clock and outside of their job description, of trying to get government assistance for those who were too sick or too old to make the shift to paying hundreds of dollars a month for housing: “I mean obviously, I’m sorry but I differentiated between young able-bodied people who chose not to adapt and those who I thought couldn’t adapt. I was more worried about those I thought couldn’t adapt. … We haven’t invested the same amount of energy in folks who work and just haven’t paid their house dues” (2012). By that point Section 8 was functionally impossible to get, unless you were “a pregnant woman and a war veteran” (Roehm 2012, sarcastically) so they focused on getting emergency assistance to pay off individuals’ arrears and getting two people in particular into programs that directly pay the housing costs of seniors (SCRIE) and people with disabilities (DRIE). However, these programs do not kick in until the conversion process is complete and the residents
have mortgage costs that can be covered; as the conversion process dragged on, the strain on these individuals became intense. So far, the person waiting for SCRIE has been managing to pay at least a portion of his dues most months.

In working with UHAB staff to seek access to these government resources, C-Squat residents developed new subjectivities and new relationships to each other. What had once been imagined as a relationship of family members with varied capacities supporting each other took on aspects of the social worker-client relationship, as the disciplinary apparatuses of the welfare state entered into the building’s collective life. A collective of people who had aimed to structure their lives to protect themselves from state interference – sheltering underage runaways, supporting those with mental illness or addictions who might otherwise end up in the “soft incarceration” of the shelter system, or excluding building inspectors who could declare their shared home uninhabitable – now found some of their members inviting the state in, in many of its manifestations.

By the early summer of 2013, one long-time resident (a hoarder who had been squatting for longer than anyone in the building, had refused government assistance for people with disabilities because it would have meant clearing out his apartment and had not paid his monthly dues for over two years) had been evicted by UHAB, which still owned the building, through a formal legal process. Marshalls came to serve him papers and physically remove him. The collective was changing, a process which had actually started as soon as the legalization deal was made. Some people who opposed the deal left then. The people who replaced them were generally younger and either prepared to take on monthly bills or able to adapt to that requirement, as Johnny Coast

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34 Based on the experiences of this group, one could perhaps argue that these disciplinary apparatuses only grew stronger as the available pool of resources shrank: in order to access rent subsidies one had to work harder and longer, show more documentation, and prove oneself truly exceptional. This is a case that allows us to challenge the assertion that the neoliberalizing state is shrinking and removing itself from the management of everyday life (Kingfisher and Maskovsky 2008).
described. One new resident called this a process of gentrification of the building and, as Maggie Wrigley notes above, it was true that people who lived “outside of the grid” experienced “huge hardship” because of the legalization of the squats. At the time of this writing in August 2013 the group was approaching the six-month mark and hopes were again rising that conversion was near. However, many still doubted that the building would ever convert, and there was a real risk that everyone in the building would lose the chance to own their apartments and either become renters or be evicted because they were trying to act like a family, in which members who could not or would not contribute financially were still allowed to live in the family home.

While C-Squat residents’ abilities to collectively feed, shelter and care for their extended squatter family were compromised by the legalization process, at a time of crisis these networks and practices of care reemerged. In late October 2012 Superstorm Sandy hit New York City. The Lower East Side, a former wetland dotted with tall willow trees and plagued by flooding, was inundated at the peak of the storm. Water poured down Avenue C, and C-Squat’s basement flooded to within a foot of the ceiling. The area was without electricity for four days. Food, water, and light were in short supply, especially for those living in high-rise public housing towers by the East River. MoRUS had been preparing to open the new museum in C-Squat’s basement and storefront in November, and one of the artifacts they had collected was an electricity-generating bicycle used at Zuccotti Park by Occupy Wall Street protestors the previous fall.

When the waters receded MoRUS volunteers created a cell phone charging station powered by the electricity bike, drawing crowds to the power and the spectacle. C-Squat residents collected food being discarded by blacked-out grocery stores and took over the sidewalk in front of their building for days, setting up grills and tables and serving free meals to hundreds of passers-by. Once the project gained momentum it was self-sustaining: strangers pulled up to the curb to offload bags of charcoal or boxes of hamburgers, and C-Squat residents worked in shifts to feed the crowds. The
people leading this effort, it is important to note, were not the same people centrally involved in the negotiations with UHAB or the efforts to get social services for those struggling with the transition to homeownership. These were the hard-core crusty punks, those having trouble paying rent, displaying another side of the C-Squat family’s ethic of care. Perhaps most importantly, this was a public display. I heard anecdotes about neighbors, local police and others who passed by during those days expressing shock that disreputable C-Squat was the building feeding everyone. Residents noted with some pride that they, well known as the irresponsible, wild, apolitical druggie squat, were the only squat to make any organized public effort to help in the aftermath of the flood. Some told me that they had redeemed themselves through this public display of care.

Figure 24: In front of C-Squat after Sandy, 11-2-12
Temporality, History and the House

Referring to the people living together in a squat as a family, or as like a family, invokes temporal relationships different from those of business partners, friends, or neighbors. Diane Roehm talked about how lovely, odd, and scary it was to realize that she had redefined her family and began to think of her neighbors as a permanent part of her life. In her ethnography of gay kinship, Kath Weston noted that queer families were defined in part by their permanence and longevity, in contrast to more ephemeral friendships or “blood” family relations that could be severed by homophobic members (1997). Families extend through time, encompassing ancestors and descendants. The housing co-op has certain temporal rhythms: monthly payments, annual tax bills, and the decades-long durations of the mortgage, the tax abatement and the resale restrictions. Family time is measured in births, deaths, marriages, and generations.35

Property and kinship are deeply intertwined, and kinship can be seen as a way to structure property relations, in particular through inheritance.36 Many of the squatters with children I spoke to mentioned the desire to pass their apartments on to their descendants. Frank Morales framed this in opposition to selling an apartment: inheritance is one way to keep this housing out of the market (2012). Maggie Wrigley talked about the legalized building as a secure asset that could now be

35 In this sense, C-Squat is an unusual family, because there is little space for births. The apartments are small and even as legalization has smoothed out and somewhat formalized social life in the building most people agree that it is has been an unsuitable place to raise a child. In the anthropological literature, house societies based on sibling relations rather than intergenerational ties are considered to be weaker (Gillespie 2000a, 37). However, this may be changing: in the summer of 2013 the apartment newly vacated by the person who was evicted for nonpayment was given to the girlfriend of a current member. Rumor has it that they are planning to combine their two apartments and start a family. Interestingly, in a building where residents commonly describe themselves as a family, the potential for a biological nuclear family to form in their midst is seen by some as heralding the death of the squat and the destruction of their squatters’ family.
36 The earliest anthropological studies of property all focused on kinship and inheritance (Fustel de Coulanges 1864; Gluckman 1965; Maine 1861; Malinowski 1935; L. H. Morgan 1877). See Povinelli for a detailed account of one group of Aboriginal Australian’s attempts to make land claims in court based on the construction and reconstruction of kinship, both patrilineal and “socially recognized” (2002b, 211).
handed down to the generation of children born and raised in it: “And now we have something solid to give them, all our hard work. The kids get to hold onto that history” (2012). Note that not only the building itself, but the history of squatters’ accomplishments, becomes part of the patrimony of the squatters’ children. (Wrigley is one of the squatters most actively involved in preserving and documenting squatters’ history.) The house, then, is more than a collection of apartments. It is an entity in itself and includes both the material resource of the space and the symbolic resources of history and stories, shared by far more people than those who currently inhabit the building. As Erin Williams said, “We’ve been here so long, it’s somewhat of a landmark. It would be rough to have that be gone, for a lot of people.” This is an idea we will return to in more detail in Chapter Five.

The squats stand as an important reminder of the history of resistance on the Lower East Side. For some, legalization was a defeat, the destruction of a precious network of autonomous spaces in the heart of capitalist New York City. For most, it represented a victory, the creation of long-term low-income affordable housing in a neighborhood transformed by gentrification. While Lévi-Strauss framed the house society as a transitional form between kin-based and “complex” societies, positing that “houses, as the basis for sociopolitical/economic organization, are superseded in class-based societies, particularly the capitalist formations of the modern era” (Gillespie 2000a, 34), others have argued that the house can exist as a site of resistance within the nation state, persisting through processes of industrialization and shifting macroeconomic forms (Pine 1996).

The family can be seen as an engine of capitalism, producing workers and reproducing the social structures necessary for capital accumulation, but it can also be seen as a rare site in which unalienated labor is possible within a capitalist economy. When done within the family, the work of caring, feeding, cleaning, of giving birth and nurturing children, is not counted by the hour. It is also
not paid. Structures of gender inequality may coerce (mostly) women into doing this work, but at the same time many people experience the work of making a family as labor they freely give out of love. Similarly, many people’s narratives about squatting emphasized the freedom of being able to control their own time and labor as one of the main benefits of living as a squatter. Like the family, the squats were imagined as refuges from the social relations of capitalism. Rather than selling their time to get money to pay rent and buy food, squatters could build their own housing and scavenge food to collectively feed themselves. This was the aspect of squatting lost through the legalization process. When their housing became a commodity, squatters were forced into the labor market to get money to pay their mortgages. By describing themselves as a family, or as like a family, squatters may have been invoking their history and ideals of unalienated labor, the labor of love that builds a family.

It is typical of house societies to draw strength from a shared history, and especially from shared origins. Here is Brett Pants describing how his C-Squat family was made as they worked on the building together:

Another thing I would like to say is a lot of the work before UHAB that helped if not stopped this building from collapsing [was done by people who] don't live here anymore and either moved out of the squatting scene or started families or went to other buildings in the neighborhood. The list is very long but without their help this building might not have even been here anymore burnt down fell down whatever. Squirt (Sean P. McArdle) of Choking Victim, Lisa Lind who lives in 7th Street now, Amy Avella, Dirtbag Mike, Trish Piper, Jeff Piper, Scott Roth, Smiggs(RIP), JP Toulon(RIP), Jamie Toulon(RIP), Summer Townsend, Grumpy Mike, Happy Mike, Vegan Mike, Disco Dave, Christine Reimel, Issac (Pez), Rose, Eric Jenkins, Tiffany Jenkins, Michael Fisher, Vairamie Tedesco, Tawyana Yerekco, Eden
Brower, David Lawrence, Brad Roberts, Chris Ennis, Michelle and so many more that I can't even remember their names.

People who helped first before UHAB to take this building apart and put it back together and who definitely kept this building from dying falling down burning down whatever. Without their input and all of our limited skills at the time and to the best of our abilities this building might not be here and just be a memory. Yes we’re still here and we kept it going and it changed and evolved into what it is today. Bald Mike has the pictures and the proof of what it was which leads us to today. Yes we might of drank and partied hard but we also worked very hard with no heat no water no roof no stairs a basement full of garbage and rubble. In a way I just want to thank the ones before us now who aren't here anymore. We should thank our existence to them. The real C-Squatters [are] the ones who moved on but without them we might not be here now (2014).

During the period of legalization the meaning of squatters’ shared history was often sharply contested, among a flurry of history-making activity. As noted above in the story of how Diane Roehm got her room, the rights of founding residents had to be renegotiated as conversion loomed. One story encapsulates many issues around temporality, history, and the house. It takes place in the basement. C-Squat has a large open space in the rear of the ground floor that has traditionally been used for punk shows and parties, and used to hold a legendary skate ramp. It was also a place where travellers could crash. Especially during the summer, it could be full of itinerant and homeless people, many of them young and using drugs. After legalization, the building decided they could no longer host travellers, and in 2007 the basement was locked. A few die-hard basement-dwellers
remained after 2010, though, and the issue of what to do with them, if anything, became another challenge for the collective.

One elderly basement dweller, a Lower East Side legend since the days of the Beats who was now incapacitated by severe addictions, posed a particular challenge for C-Squat’s changing residents. This person’s health was deteriorating and it became a very real possibility that he would die in the basement, a fate that he claimed to welcome. Following the libertarian strand in C-Squat’s ideology, some framed this as his choice, and his powerful and heartbreaking protests at any attempt to remove him seemed to support this position. As a beloved long-time resident, many felt he had an irrevocable right to shelter in the building. Others felt obligated to save his life, even if it meant depriving him of liberty. And the fact that having someone die in squalor in their basement would not help build the bank’s confidence in the collective’s ability to self-govern could not be ignored.

All attempts to help him without involving the state failed. They then tried calling an ambulance to take him away, or locking him out and then asking homeless services for support. Finally he became ill and unconscious enough to be removed by an ambulance for long-term hospitalization. He sobered up and survived, spending months in a rehabilitation center and then moving to supported housing. Once again, we see how squatters’ practices of collectivity were tested, strained, and changed by the pressures of legalization, and how residents developed new subjectivities—the social worker, the welfare client—as they were brought into new relations with the collectivity of the state.

The story we will explore in more depth, however, is that of Mike Scott. When I met him, Scott (aka Bald Mike) was a well-spoken, clean, sober, white-haired man, one of the earliest residents of C-Squat and part of the crew that opened the building. Many C-Squat residents and others in the wider world of Lower East Side squatting looked up to him, and he was widely acknowledged as the founder of C-Squat in its present incarnation. He was also one of the last basement dwellers to leave. Among squatters, the question of who opened a building is highly significant: opening a new
squat conveys bragging rights and even some property rights. Scott claimed that he had a permanent right to a rent-free space in the building because he had opened it, but after a series of conflicts with others in the building (partially over legalization, which he opposed) he had left and given up his apartment. By the time he came back legalization was well under way, and even those who thought he should get a room were unable to convince the group that they could afford to give it to him for free. And so when he returned he moved into the meter room, accessed through a small metal door in the back of the basement. This was actually prime basement territory, as it came with a locking door and some privacy; other basement dwellers shared the main open room and were occasionally displaced by loud punk shows or parties.

I visited him there, where he slept on a cot surrounded by the milk crates that held his belongings, kept company by Stella, a sweet liquid-eyed hound dog with expressive brown eyebrows.

In her ethnography of squatters in Amsterdam, Nazima Kadir found the same phenomenon: those who opened a new building maintained special rights to it, even if they failed to conform in other ways to squatter norms (2010, 218–220, 237–240). In the case of C-Squat, while most residents accepted that Mike Scott was the person who founded the community and in every important way “opened the building,” a small question remained, centered on a seemingly arcane issue: When he put his own lock on the building and claimed it, had Mike Scott cut the lock to enter the building or merely opened it with a key provided to him by others? George Vlad Marco, another old-school squatter, claimed that he had scouted the building, found it too decrepit to occupy and put on his own lock. Marco said that he had given a key to Mike Scott, who with others used it to open the building. As Scott told the story, he broke into the building and put on his own lock. Did Marco have any residual bragging or property rights, if he had been the one who put on the original lock? If Scott simply used a key to open the building, could he really claim to be the one who “cracked” it? These questions were the subject of active and lively debate among squatter history aficionados, while most long-time squatters recognized and respected Mike Scott as the person who put together the initial group that occupied, repaired, and defended the building. Other Lower East Side Squats have had similar issues. In one especially public example, in the comments section of an article in the New York Times about Bullet Space’s history, residents and former residents debated whether credit for “cracking” the building should go to the group of three women who first broke in and explored with a flashlight, or to those who came a few days later and much more dramatically broke through the cinderblocks with a sledgehammer, or to everyone who had worked on the building, especially in those rough early days (Moynihan 2010). As noted in the section in Chapter Two on door ceremonies, the process of translating symbolic possession (putting on a door or a new lock) into active possession (making a home in the building and defending it over a long stretch of time) was self-conscious and labor-intensive.
(who had her own sidecar cot). At the foot of the cot Scott had a desk set up with a dirty white MacBook and a scanner, surrounded on all three sides by high piles of negatives and photographs. The desktop of the laptop was jammed with image files: numbered, overlapping, layered, crowded. Scott was a photographer and spent his days absorbed in the task of scanning his work, which (as noted by Brett Pants above) documented the building’s early history. He said that he expected to be dead within a year, and had an unknown but limited amount of time left in the basement, so he urgently needed to preserve his legacy of photographs before they all ended up in the trash after his death.

Ironically, the new Museum of Reclaimed Urban Space, whose lease included the room where he was living, was displacing Mike Scott and his archive. Once when I visited Scott the crew of volunteers working on the MoRUS space were washing the floor, and soapy water was dripping down the inside front wall of the building into Scott’s space. The people gathering content for the squatting museum caught a glimpse of his photos when they came down to the meter room to see if he was getting dripped on. They wanted them – there are lots of photos of the early days of squatting out there, but few if any of the quality of Mike Scott’s. However, he resisted sharing, and MoRUS never got any of his pictures. When MoRUS started construction, Scott temporarily moved into a hallway and bathroom by the show space, and then disappeared with all of his belongings after over a year in the basement. The photos were gone. Another basement resident, about to be kicked out on the eve of legalization, spent his time composing an Onion-style satirical article: “Last Squatters Kicked out of C-Squat to Make Way for Squatting Museum.”

The focus on if and how to remember, respect and live their shared history is actually typical of house groups. Gillespie enumerates the temporal scales of the house society thus:
The temporal dimension [of the house society] includes the domestic cycle of individual house groups, the life history of the structures, the continuity and changes experienced by social houses over generations, and the time depth inherent in the ideology of the house or its valued heirlooms that serves to embody a collective memory about the past, a reference to origins that often forms a salient bond uniting house members. (2000b, 3)

The collective ideology of the C-Squat house includes a vision of the space as open to all, especially those in need. In fact the very last basement dweller to leave was a refugee from another legalizing squat, evicted for non-payment of monthly maintenance. A house is organized to preserve their collective property, which includes the actual house as well as its ideology and heirlooms. As C-Squat members worked to sort their residents into members and non-members, rent-payers and delinquents, their collective ideology came into conflict with their need to protect themselves from foreclosure. It was extremely difficult to protect their home and their ideology at the same time. By paying others’ rent, helping others to get government assistance, and choosing a museum about squatting as their storefront tenant, they tried to balance respect for their shared history and ideology with collective fiscal responsibility. However, stories such as Mike Scott’s show how sometimes this conflict was irresolvable.

As squatters’ property relations were brought into a legal framework, the fragile balance in their world between the autonomy of the individual and the security of the group was upset. Each building had to become a legal cooperative and take on shared debt. In order to pay their share of these debts, individual squatters went back to school, got professional degrees, or otherwise intensified their work lives. A gap between people who could pay their monthly maintenance bills and those who could not or would not opened up, and the old world of the squatters, which could
accommodate a few freeloaders and those who had valuable non-monetary contributions to make, was destroyed. Each person in the collective now had to be responsible for an identical monetary contribution to the group’s shared bills. Even the collective form of ownership entered into by squatters led to a certain amount of individualization, producing persons who were measured and valued in new ways. Some of the new owners began to act like social workers, while others were transformed into needy or resistant clients.

Debt was one major factor transforming people and social relations. Bureaucracy was another. While in the past buildings had a wide range of governing practices, from exhausting but civil consensus-based meetings to chaotic and violent modes of resolving conflicts, now every building had to keep minutes, elect a board, and maintain complex financial records. This led to more changes for individuals, as some squatters became leaders in their buildings, taking on the bureaucratic labor of managing the legalization process and governing the newly minted co-ops. Others were marginalized, both those who had ruled by force in the lawless spaces of the squats and those who lacked the cultural capital or the desire to thrive in bureaucratic spaces.

Some of the squatters’ practices of collectivity persisted as they became owners, even as they produced new ones. The new co-ops had to be run like businesses, and bureaucracy was only one part of that. Squatters talked about the buildings as houses, and some described themselves as families. Especially for buildings like C-Squat, many of whose members came to the building as teenaged runaways or did not have other networks of support to draw on for other reasons, the discourses and practices of the house as a family were important. Members of a family might not like each other, and they may not have chosen to be tied together in lasting ways, but they are deeply connected nonetheless. They can fight and disagree without breaking their ties. Members of a co-op are governed by different rules, with inclusion tied to financial qualifications, not shared history or ideology. They are a collective in a different way than squatters were.
Squatters controlled their space by occupying it and excluding others, particularly representatives of the state. Squatter collectives managed their membership to prevent fires, drug dealing, and excessive violence – outcomes that could attract the attention of the police, fire department, or buildings department and lead to eviction. The new owners that emerged through the legalization process worked with representatives of the state, banks, and nonprofits to manage their population and ensure individual and collective fiscal responsibility. Especially for those in the liminal space between squatting and ownership, burdened by increasing monthly payments but not yet legal owners, they now occupied their spaces at the whim of the banks that owned their mortgage and the nonprofit that managed their building. If the new co-ops continued to shelter members who did not pay their share, their group survival would be threatened. They might fail to qualify for a mortgage or lose the building to foreclosure. At the same time, they still had to control drug dealing and violence.

As they moved through the legalization process, squatters tried to continue acting like a family without risking their collective property. They sought ways, either by marshaling collective financial resources or individual government benefits, to keep the group together and protect their property. One other important way that they did this was by protecting their shared history, and in the next chapter we will look more closely at the historical practices that emerged in the context of legalization. In the following and final chapter of this work, we will explore in more depth how the material processes of renovation, both before and during legalization, were informed by ideas about labor, value, stewardship and time.
Chapter 5: Fixing the Buildings

James Holston, in his study of “insurgent citizenship” in the urban peripheries of Brazil, found that the experience of building one’s own home changed people and their relationships to each other, to the state, and to the city (2009). It is worth quoting at length from his introduction:

As residents spent decades transforming shacks into finished, furnished, and decorated masonry homes, this autoconstruction became a domain of symbolic elaboration. It expresses both collective and equalizing narratives of settling the peripheries and individual ones of unequal achievements. Thus autoconstruction turned the peripheries into a space of alternative futures, produced in the experiences of becoming propertied, organizing social movements, participating in consumer markets, and making aesthetic judgments about house transformations. … The city is not merely the context of citizenship struggles. Its wraps of asphalt, concrete, and stucco, its infrastructure of electricity and plumbing also provide the substance. The peripheries constitute a space of city builders and their pioneering citizenship (2009, 8).

The work of Lower East Side squatters as they rebuilt and defended their homes was similarly both material and symbolic. As people rebuilt buildings, they also built “alternative futures” and new social relations.

The amount and type of work squatters did on their buildings during the period of illegal squatting is astounding. In New York City, even in neighborhoods devastated by abandonment
where housing was almost economically worthless, truly habitable buildings were rarely available to squatters. The buildings they claimed were often barely buildings anymore. Already run-down and often over one hundred years old at the time of abandonment, many had been used by transient populations of junkies and homeless people or had hosted drug dealing operations for some time before the squatters came along. In order to deter squatters, building owners would remove fixtures (those left behind after scavengers had ripped out anything of even marginal value) and take out the first few flights of stairs. Most had been through a fire, or several. A building with a full roof, or working stairs, was a real find, a building with a roof and stairs a nearly impossible dream. In order to make these buildings even marginally habitable, the occupants had to rebuild roofs from scratch, replace structural beams, recreate stairs and even build structural brick walls. They had to reconstruct water and electrical systems from scratch. All of this after removing the accumulated rubble of inhabitation, abandonment, and ruin. Doing this work, and doing it together, transformed people and, of course, buildings.

In order for the buildings to legalize, a whole new phase of work had to happen, some of it done by squatters and some by contractors. While some buildings had more organized work processes and had water and electricity in most apartments when the legalization process started, others worked in a more ad hoc style and had many apartments that lacked basic amenities. To “pass codes” and be certified as habitable by New York City, every apartment needed hot and cold running water, a kitchen and a bathroom, electricity, and central heat, something none of the squats had in 2002. Squatters who had been incrementally and unevenly doing it themselves for decades were suddenly in the position of hiring and supervising contractors. As we saw in Chapter Three, the cost and management of these contractors became a major issue as construction costs ballooned out of control. The Urban Homesteading Assistance Board blamed the rising costs in part on the squatters, who they said had planned to contribute substantial “sweat equity” labor but had failed to
come through (Anderson 2009). It is true that many of the squatters struggled to transition to working to code and under deadlines. A few buildings were vacated for full professional gut renovations, in some residents stayed put while contractors did most of the needed work, and in others contractors were brought in only for the biggest and most technical jobs, such as the installation of a heating system. In the first section of this chapter we will look at how squatters experienced their labor, and particularly how they valued it, both before and after legalization.

Ruins are evocative, but what they evoke is historically and culturally situated (Hell and Schönelle 2008). As I argued in Chapter One, many squatters saw ruins not as melancholy reminders of a lost past or romantic objects, but as provocations to work, as a materialized critique of capitalism. In a recent essay on dialectical archeology, Shannon Dawdy draws on Walter Benjamin’s *Arcades Project* (1999) to develop a way of studying ruins as part of a critical project challenging both the concept of linear, progressive modern time and that of decline (2010, 769). Dawdy writes

Benjamin’s method encourages us to view the history of the object through its life course but with the distinct demand that we pause on its death and rebirth … in order to comprehend the contradictions, failures, subterfuges and comic-tragedies of the society that produced it…. For him, ruins represented the impermanence and bluster of capitalist culture as well as its destructive tendencies. He understood that the ongoing creation of ruins in the modern city affected the social imagination. Studying why and how ruins are not only made but also erased, commemorated, lived in, commodified, and recycled can tell us at least as much about society as the processes that created the original edifices (769, 772).
In the second half of this chapter we will describe the affective, social and physical labor of squatters as they reinvigorated ruins. This is a history and an ethnography of the process through which ruins are reborn. We will focus particularly on the temporality of rehabilitated ruins, and how squatters found, made, and shared history through their buildings. As squatters built their apartments, transforming rubble-filled wrecks into empty shells and then livable homes, their selves became intertwined with their spaces and they developed identities tied to the places they lived. In order to meet the city’s elaborate building codes, some of the unique spaces in the squats had to be standardized, while others were preserved. In this section we will explore how the physical changes to the buildings reshaped social life.

All of these buildings were old. When squatters entered them they were on the verge of collapse. By renovating them they extended the buildings’ future and intertwined their lives with those of the buildings. As they renovated their apartments, both before and after the legalization deal, squatters uncovered fragments of the past, artifacts that showed how others had lived in the buildings before them. As they rebuilt, they built themselves into the buildings in surprising ways. Having made history through their physical and political labor, they used their rebuilt and now protected buildings as a base from which to preserve and amplify the stories of their lives as squatters. As Holston found on the autoconstructed peripheries of Sao Paolo, the squats became “space(s) of alternative futures.” Now that the squats are becoming legalized, some propertied squatters have found themselves living in the future they once only imagined, inhabiting the ossified substance of their struggle and now working to make sense of their pasts. Following Nancy Munn’s

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1 Gaston Bachelard’s *The Poetics of Space* (1994) is an extended phenomenological exploration of the ways our bodily and affective habitus is shaped by the experiences of living in domestic spaces. See also Bourdieu (1977). See Hummon (1989) for an interdisciplinary overview of ways in which American personal and collective identities and housing intersect, including the home as a container for and link to the past, and Miller (2008) for a more recent ethnographic portrait of Londoners’ homes, possessions and identities.
“exploration of the becoming-past-of-places” through “analyzing the complexity of people’s heterogeneous ways of configuring the spacetime of places in their lived worlds” in pre-Civil War New York City, here we will seek to understand how the squats became part of history while remaining everyday homes (2004, 2,3).

After our close engagement over the past few chapters with squatters’ struggles, from the East 13th Street adverse possession case through the negotiation and execution of the legalization deal, at the end of this chapter we will return to the larger scale that opened Chapter One, looking at how squatters used their renovated homes as a foundation for historical production, a complex mode of social and political engagement in the context of the neighborhood’s gentrification.
The Narrators

Tauno Biltsted (see above, Ch. 3)

Famous Chrome, b. ~1968 in Shreveport, Louisiana to young working class parents. They moved a lot, and she ended up in college in Madison, Wisconsin, where she got involved with activism around homelessness. After travelling around the US and Mexico for a few years she moved to New York City in 1994, with all of her “dresses and bicycles and lovers,” working on and trying to get a space in Umbrella House, then “becoming landed,” as she says, at 209 East 7th Street. She gave birth to a daughter there in 1995, and lost her apartment to her daughter’s father after legalization started. She is an acupuncturist and at the time of our interview paid $2300 per month for a small market-rate walkup apartment on the Lower East Side.

Figure 25: Famous Chrome, 1995 (courtesy of Karoline Collins)
Nigel Clayton, b. 1968 in Bridgeport, Connecticut and raised in a family of schoolteachers. He started working in a record store when he was thirteen, and at age twenty hitchhiked to New York City to break into the music industry. Even though he immediately became homeless he found a home among the artists and musicians on the Lower East Side. He got connected with squatters such as Jerry the Peddler and Adam Purple by hanging out in Tompkins Square Park, crashed in many buildings and eventually landed a spot in Dos Blocos, a racially mixed building he remembered as a multicultural utopia. When that was evicted in 1999 he moved to Serenity House, where he lived as one of a few people of color in a predominantly white building. He works as a DJ and as staff for music events.

Figure 26: Nigel Clayton

Brett Pants (see above, Ch. 3)

Eric Rassi (see above, Ch. 3)
Edgar Rivera, b. ~1966 in a small town in Colombia, has been involved in activism and music since he was a teenager. He moved to the United States, to study music at CUNY, and arrived in New York speaking little English. When he split up with his wife and needed a place to live he was introduced to squatting and moved into the newly opened Umbrella House in the late 1980s, at the age of 22. Edgar led a chain migration of Colombians into the squats, and now several of the buildings have large Colombian populations. He travelled regularly back and forth often between New York and Colombia, where he has a wife and children. In 2013 he sold his apartment in Umbrella House.

Peter Spagnuolo (see above, Ch. 2)
Erin Williams (see above, Ch. 4)
Maggie Wrigley (see above, Ch. 4)

Building Community: Labor and Value

Lower East Side squatters occupied buildings that were truly decrepit. They often lacked roofs, stairs, and floors. They pretty much never had windows, water, electricity, or heat. They were full of horrifying garbage and rubble, in quantities that seemed impossible to remove. Maggie Wrigley likes to say that her “dog used to shit rubble.” It took years and even decades of hard physical labor, of both the mind-numbing and skilled varieties, to make them habitable. What made squatters work?

In Part One of this work we tried to understand what made it seem reasonable, even honorable, for people to illegally take over and work on city-owned abandoned buildings. Squatters were part of a movement, acting in the context of dual crises of housing abandonment and homelessness to which the occupation of these buildings seemed like a neat solution. Working on
the squats was a way to make a real difference, a difference one could see, in addressing problems that could appear insoluble. Some rare squatters did this work for the sake of the movement, not primarily seeking an apartment for themselves. Some sought shelter, community and purpose for the time being, without hope or expectation that they would find a permanent home through their labor. And some planned to stay forever and worked tirelessly to gain title to their buildings or secure their occupation through other means. Over time, as the occupations continued on, some who had planned temporary stays began to expect a longer tenure.

The ideology of homeownership, and of private property more broadly, posits that ownership provides one with the security and incentive to work on, maintain, and improve one’s property (Reeve 1986). In this formulation, ownership produces industriousness. But what is ownership? These illegal squatters were industrious and talked about the buildings as “theirs” in the absence of any legal title, showing that ownership is more than legal title. However, while some worked hard believing that they owned their buildings by virtue of their occupation and work, and expecting that they would someday own them legally, others worked without these ideas. They were industrious in the absence of ownership, even broadly imagined. Why? Did the work squatters did change in meaning or structure as they got closer to ownership, and even became legal owners? This section will look closely at the value squatters placed on work, time, and shelter, and how this was inflected by diverse and shifting discourses of ownership and belonging.

The Transformative Power of Work

Work was highly valued in the squats, although as we saw in the last chapter, physical labor, political labor, and bureaucratic labor were not always equally valued. Work on the buildings produced valued affective states, personal qualities, and group solidarity. (However, when some
worked more than others this could lead to conflict, resentment, and anger.) Squatters valued their work on the buildings not only because it provided them with shelter, but also because of its potential to transform them and give their lives meaning and structure.

Umbrella House resident Edgar Rivera said that, while the requirement to become a member in his building was to work three days a week, many worked much more:

Sometimes, most of the time, we never worked three days per week. Sometimes we work four days per week, or the entire week, or the whole month. Because we love our house, we say this is our house—there is no limit to working here. It was up to you if you want to work more or just to comply with your requirements. But you forgot about your requirements because you love it. It’s yours, its something that is yours—you’re putting your soul in there (2012).

Here, labor is explicitly tied to possession, even if not legal ownership. They made the building theirs by working, and they worked because it was theirs. One might work the minimum needed to get access to shelter but because, as Rivera said, “we say this is our house,” most worked much more. According to Rivera, the building was effectively and affectively theirs, long before legalization. Working on the building is also tied to an affective experience of love, and a merging of person and shelter: “you’re putting your soul in there.” (In the second section of this chapter, we will return to a deeper exploration of the identity between persons and buildings produced through the squatting experience.)

Others found meaning in work for different reasons, and were transformed by it in different ways. Here is Peter Spagnuolo, who never expected to own his apartment, describing the condition of his building when he arrived, and how his work on it changed his life:
I had some construction trade skills from living in California. When I was a student at Berkeley I took some jobs with contractors as a laborer during the summertime to get money for tuition and books and stuff like that and pay rent. So I had learned how to do some basic things like demolition and hang sheetrock and stuff like that. I was a junkie but I did know how to work. I had a job at The Strand [Book Store] so I had a steady income.

These buildings were in terrible shape. They'd been neglected for decades and when I arrived there had been five years or something of people trying to fix them up by self-help seat of the pants methods without very much money. So when I moved in there, there were some people in 541 [East 13th Street] whose apartments were starting to look OK. Like they'd got some windows in. There were a lot of apartments that had no windows at all. Probably one third of the apartments in the building were still just buried in rubble or if not buried in rubble were in some untouched burned out state. Just sort of charred with all the plaster down and no windows.

And I got a space like that, that was sort of in an untouched state. I think I spent the first winter there in 1989 with my girlfriend Megan Howard. She lived there for a number of years. We had sleeping bags and we lived in sleeping bags with just plastic over the windows. We put some garbage bags over the windows just to keep the draft out. But we spent a very very cold winter living like that. That was not unusual, there were a number of people living that way in my building. There was a chap named Stanley and he was, I think he was from Honduras and he actually had set up a backpacker tent in his room and he never did any, he never put in any windows, he never tried to cover the stuff up, he just sort of put in a
backpacker tent and just lived like he was camping in the wilderness and that's actually how he lived in that space.

I moved into a back apartment at 541 and the stack was burned out in the back of the building. So to get to our apartments you had to cross over a pit that dropped four stories and was basically the front entryways and kitchens that had burned out as the fire took out like one two three four stories. I think the fifth floor and sixth floor kitchens were left intact. But all of those apartments you had to build a bridge from your front door across this eight foot by eight-foot hole that was a three or four story fall to the basement. Just right away you had to deal with stuff like, “Well how do you safely get in and out of this place?” There were no bathrooms. All the bathrooms were burned out. The entire stack of bathrooms was a complete charred ruin in a shaftway that was five or six stories of just rubble down at the bottom of the building.

I looked at it as a spiritual requirement to basically build my shelter. I was really committed to the idea that I live in this shelter and I made it myself. Whether that was some sort of vestigial adolescent boy's treehouse kind of thing or the pride of being able to make stuff with your own hands, I'm not sure but I took great pride in that and I really wanted to constantly make the place better. I never really thought we'd survive. Not forever. I kind of was like, “Well I'm doing a good job on this and at some point we're going to get thrown out or I'm going to leave, I'm going to move somewhere else.”

Honestly, that whole acquiring of building construction skills and getting a skill set was the thing that probably saved my life. I went from being someone who was an IV drug user and
deeply in the drug trade and because I had to do all this work and I had to be functional I had to get this skillset going and it transitioned me out of being a drug addict and I ended up getting on the methadone program at Beth Israel Hospital. And I started getting jobs as a carpenter, commercial jobs. Going out and working on apartment renovations or building a pub or a bar or something like this, this is like '91, '92 I started doing that kind of thing. And all the time I would take part time, just whatever jobs I could get and then work on the squat on weekends or days when I wasn't working. But that whole process of having to get decent or learn how to do things was really personally critical for me because it made me turn my life around and get off drugs (2011).

Looking back on his experiences from the vantage point of a long sobriety, fifteen years after leaving the squats, Peter Spagnuolo focuses here on the individual experience of labor, and how both learning and using construction skills allowed him to get off heroin and become sober.\(^2\) The material condition of the building, as he describes it, forced him to labor. However, his narrative also makes it clear that this effect was not universal – in the face of the decaying buildings, some declined to work and sought only the most minimal shelter. Spagnuolo came to squatting with both an urgent housing need and a desire to be a part of a shared endeavor; he was predisposed to take up construction work with enthusiasm. For many squatters, work on the buildings provided them with freedom in two ways: it saved them from having to work to pay the high rents of New York City, and it allowed them to develop construction skills which were valuable in the labor market when they did need cash. While Spagnuolo came to the squats with some construction skills, 

\(^2\) Readers may remember that Spagnuolo later became deeply involved in the adverse possession case for East 13\(^{th}\) Street, developed the skills of a paralegal and in 2013 still worked as the assistant to Stanley Cohen, the squatters’ lawyer in that case. While many squatters turned their construction skills into paid work, Spagnuolo is among the few who got jobs using the white-collar skills they learned in the squats.
others learned through processes of trial and error as well as skill sharing among squatters. While in the quote above Spagnuolo emphasizes the personal transformation he experienced through work on the buildings, many squatters also valued the effects of work on the group.

Much of the work done was collective and this collective labor was central to the development of the squatters’ community. Even work on one’s own spaces could be considered part of the collective good, depending on the building’s attitude and state of repair. For example, working in a stripped-down shell of a building, when someone built a floor their downstairs neighbor then had the beginning of a ceiling. Famous Chrome explains the prevailing attitude at 209 East 7th Street in the late 1990s:

> Maybe I was working common areas, maybe I was working on my own space but the development of my space propelled his space forward. My shit didn't fall down, since he was above me his shit wasn't gonna fall down, you know, so there's self-interest there. And for the most part, especially at 7th Street—I don't think it was like this in every building, I know some buildings held these kind of ideas more than others—but definitely at 7th Street the fact that anybody was working on their own space was—that was a common good, you know. Put windows in so I'm warmer, put your floor together so I can put my ceiling together. And if they needed help putting in their floor, well my benefit was that that was my ceiling. Or you know, WE were getting stronger with each individual's steps. So that was the exchange I think. It never was thought about otherwise, you know (F. Chrome 2011).

Brett Pants is one of the earliest C-Squat residents still living in the building and here he talks about how both he and the group developed their capacities through work:
In the building everybody worked together. We had a workday. The cops would come and we’d be like, “We have to fight the cops, hold them up. Tell them we want the press to come.”

I was really young until I moved into C-Squat, that’s where I really learned how to actually sheetrock and build walls, put in stairs. And from reading through books, really. Like, how do you put stringers in stairs? Because we had to take all the stairs in C-Squat out, grind them all up, knock them up with a hammer and a screwdriver, all the bolts. Knock all the cement out of them. Take them down, take all the joists out, put the new joists in, cement them all back together. And then put the stairs back in, fill the stairs with cement again and then put the floors down.

We had people who helped us, like Castrucci, Paul Castrucci, helped us do the basement stuff and told us what stuff was right and what was wrong. A lot of help. It was a bunch of little kids trying to build a building. And reading books on how to build a building. It’s not falling down. It’s better than it was before. They came through, we passed codes. We built it the right way (2012).

While in the standard progression through the ladder of life one gains maturity by getting a mortgage and buying a home, here the process of building a home is what allows Pants to grow up. Collectively “a bunch of little kids trying to build a building” became adults by working together, by learning to work. Pants concludes his account by noting triumphantly that they “passed codes,”

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3 An architect who lived in the squats and assisted the squatters. Also, Marisa DeDominicis’s ex-husband.
meaning that the building was inspected by the Department of Buildings and was found to be in compliance with all of the relevant building codes. While the banker must certify the homebuyer as credit-worthy in order to pass the threshold into full adulthood (and we saw in Chapter Four how the residents of C-Squat struggled to be collectively certified as credit-worthy), here the squatters’ work must be certified by the building inspector. While some buildings did try to follow building codes, or “work to code,” when working on their buildings prior to legalization, work after legalization was all done for the eventual audience of the building inspector, not for the everyday use of the squatters. Before legalization, residents could pick and choose which official guidelines were truly useful in determining the right or safe way to do things—rules that governed the use of electricity were most commonly followed—whereas after legalization the rules came as a set to be wholly implemented. This led to oddities such as a brand new kitchen used for the storage of books in the apartment of a person who never cooked, never planned to cook, but was required by building codes to have a full kitchen.

Pants describes how the group came into being as a mature collective through their collective labor, and he also links work on the building to work defending the building. Both political and physical labor was needed and the experience of collective physical labor built solidarity that could be deployed in the political arena. As illegal squatters they worked together at workdays and responded together to visits from the police. At C-Squat, this work of defending the building later extended, as we saw in the last chapter, to defending the collective from the stresses of the transition to collective ownership. In this process they had to manage their finances, but they also had to manage their work.

Each building had to decide how to manage the work of bringing their building up to code. At the time of legalization, they were in various states of repair and disrepair, and needed different kinds of work. They also had varied social capacities – residents with different skills and groups with
different dynamics. At one extreme, two buildings that needed major construction had to be vacated in order to be almost entirely gutted and rebuilt by paid contractors: Serenity House and 6th Street. At these buildings, the processes of collective, self-directed work were deeply disrupted by the legalization process. These were also among the buildings with the weakest organizational structures and least capacity for collective work—they were unable to organize to do the work themselves or present viable alternatives to a temporary dislocation. Umbrella House and 209 East 7th Street were at the other extreme, in which each person was responsible for all of the work on their own apartment, and the building either collectively did or outsourced systems-level work requiring licensed contractors, such as installing a heating system. Residents of Umbrella House and 209 had the bureaucratic management skills and the construction skills to control the amount of work done by contractors and do the rest of the work themselves. C-Squat ended up in the middle: the original plan was that each member would be responsible for working on their own space, and most other work would be done by contractors or building members. This was intended to keep costs down and maintain the building’s ethos of self-sufficiency. As at many buildings, it proved challenging to martial all of the building’s residents for the kind of structured and professional-level work required to bring the building up to code. At C-Squat several members were either unable or unwilling to do the work necessary to bring their apartment up to code. Diane Roehm explains how they managed this dilemma:

Roehm: It just happened that in terms of construction pretty much those same individuals who are most in need financially are also the only individuals who have had to rely on outside sources to complete their construction. And what happened in those cases was that the house decided to hire house members internally because there was a real sense that it was unfair that everyone else had done their own work, so this was the compromise. We hired
house members internally at rates we voted upon democratically and they completed the work on those individuals’ apartments and brought them up to code and no more. That was a loan from the house. The construction cost is now a lien against the value of their space so should they choose to leave at some point in the future and sell, that debt is immediately returned to the building. That was the way we decided to handle the situation and I think it’s a pretty equitable way of doing it. It’s really difficult. None of us had ever been in the situation before where any of us have had to look at an individual’s finances and decide whether or not they deserve to be in their home; that’s sort of the antithesis of what this place is about. We really struggled ethically to come up with solutions that are as fair as possible to everyone involved. You can’t penalize the people who are doing what they need to do as well. Every other building that I know of in the neighborhood who’s has gone through this process in the neighborhood, with UHAB, has gone through attrition. They’ve lost residents.

**Starecheski:** Bullet kept everyone.

**Roehm:** Yeah.

**Starecheski:** That’s the only other one that I know of.

**Roehm:** I really hope that we can keep everyone too (2012).

As Roehm describes it, C-Squat decided to commodify some members’ labor and formally indebt some other individuals to the group in order to attempt to bring the group through the
legalization process intact. This is a formalization as well as a transformation of an earlier model of collective work. Before legalization, a building could more easily accommodate the different work patterns of those working for ownership and those looking for raw shelter. Now, everyone’s space had to meet the same basic standards, whether they wanted to work on it or not. The previously unquantifiable but not unnoticed debts owed between members were now being quantified and written down. As noted in Chapter Four, this strategy has had mixed success, with some residents who might otherwise not have made it through the process still there, while at least one has been evicted despite all of his neighbors’ attempts to bring him along. They could fix his apartment for him but, after a certain point, could no longer pay his rent.

Umbrella House resident Tauno Biltsted also described both the shifts and the continuities between the work processes of squatting and those of legalization.

**Biltsted:** At the time [in 2001], I remember distinctly feeling like, oh, it'll be a couple of years and then we’ll knock it out and then we'll be legal, in terms of the process of being legal and finishing the work in the building. At the time I was working at Streetwork, I was working at a homeless youth program, and I was working as a counselor, case manager. I was like, “We’re going to be legalizing,” and I put in notice to quit my job. I had managed to save some money in the time that I was there and I was like, “Alright, I’m just going to go crazy on the building, fix it up. It’s going to be a year. We have to install the heating system, blah blah blah. Do some other work. I’m going to do a bunch of work, I’ll be around to coordinate it. And we’re going to just knock this out.”
So I quit my job actually to work on the building and try to bring it up to code and make the process as smooth as possible. I probably quit in June or July of 2001, after having worked there for three years.

**Starecheski:** Were you excited about doing that? What made you want to do that?

**Biltsted:** I was aware at the time of needing to keep costs down. Whatever we did, I wanted it to be affordable and was aware that the way to do that was to do as much work as possible, for us to continue to do as much work as possible. In the building, we finished most of the major systems by probably 1994, '95. The electrical, the plumbing, everything was done and distributed up to people’s homes.

From that time on, the work was just in people’s homes, in terms of fixing up the building. There was some general work on the building, but the general work was largely where we hired contractors and stuff. Not exclusively, but generally. So the building got up to a certain standard by 1995 and then kind of stayed there. There wasn’t a lot of major investments and major time stuff. We’d stopped doing the workdays. There were still community workdays, but it wasn’t every weekend. There wasn’t really major ongoing projects at that time. For probably four or five years people were largely on their own, doing stuff in their apartments.

There’s the sense, like, “Oh, we’re going to have to do this major investment and do like we were doing a couple of years ago.” I felt excited. I felt excited to try to keep it affordable. I felt excited to have the opportunity to finish the project essentially. Get done and get some kind of status. I felt excited to have some kind of stability, something I could count on in
terms of the building. For whatever reason, I have a lot invested, personally, and a sense of identity in community work and doing community things. I was interested in doing that and completing—I remember feeling pretty interested in completing this project that is this building. And I'm still working on it. I still don't feel quite completed. “I've been doing this, and I can see something through.” A sense of personal accomplishment as well, to some extent. I think that was a piece of it, too.

Biltsted imagines the period of work to legalize as a renaissance of the collective work ethic that had characterized the earlier period of intensive work on the building. In 2001 he imagined that a year of hard work would be enough to complete the project. In fact, there was another year of negotiations coming before the initial deal was even finalized, and Umbrella House did not complete the conversion process until a decade after Biltsted quit his job to “go crazy on the building” and “knock it out.” While Umbrella House did keep costs down and maintain affordability, contractors did most of the collective work, and residents did individual work inside the apartments. Biltsted also wanted to do the work for the sense of accomplishment and achievement that finishing the project will bring, and for his own personal satisfaction. He decides to use his savings to invest his time in a new period of intensive labor, thinking that the end was near. In the following section, we will look more closely at the implicit and explicit calculations squatters made when deciding if and when to work on the buildings, both before and after legalization.
The Calculations of Time, Money, Value and Freedom

Brett Pants’ account highlighted the continuity between the work done as squatters and the work done to legalize the buildings after 2002: he says that C-Squat residents did the work well all along, and so they were able to make the final push and pass codes. Others, such as Diane Roehm, described a shift in work processes as legalization loomed. For example, here Johnny Coast talks about work he did at Serenity House after the legalization process was under way:

I cleaned the airshaft\(^4\) out—it had been filled with garbage for the last fifteen years or something. That was like an excavation, that was actually fun. The deeper you got into the garbage—it was filled to the third floor with garbage, the airshaft. We just got a dumpster and started unloading it. It filled a thirty cubic yard dumpster full of crap. It was like chairs and garbage and old soda cans and piss buckets and piss containers and like—you know, I think they just filled it up back then because they didn’t think they were going to end up getting stuck with the damn building. It didn’t matter where it went (2012).

Clearly, residents of some buildings did not have the inclination to act like owners in the absence of ownership. Peter Spagnuolo described squatters who set up a tent in their ruined spaces and lived as if they were camping, not doing even minimal repairs, but they were in the minority. Most did move on from the tent stage. Still, even for those who worked on their buildings it sometimes made more

\(^4\) Most of the squats are so-called “dumbbell tenements”: I-shaped with airshafts cut into the side walls for ventilation. These airshafts are difficult to access and the temptation to dump trash into them was strong, the process of cleaning them challenging. In the worst airshaft story I heard, several people described finding a frozen dead body in an airshaft on East 13\(^{th}\) Street one 1980s winter.
sense for them to do things the easy way. This was an area of potential conflict. Marisa DeDominicis, who always thought of herself as a homesteader and was aiming for permanent legal ownership, said that she was continually arguing with those who, rather than remove rubble from the site (a challenging task when dumpsters were expensive and disposing of construction waste with household garbage illegal) would dump it in the backyard. She imagined a future where they would have to move it again, whereas others were eager to clear their apartments of rubble as quickly as possible and did not see themselves as working towards a future backyard. When the legalization process began, the time frame of their occupation suddenly extended far deeper into the future, changing people’s calculations about what kind of work was worth doing. Pre-legalization, different expectations about ownership led to planning on different time scales.

Tauno Biltsted described how the residents of Umbrella House engaged in similar calculations and decided, as a group, to plan for the long term:

As we’re talking, I’m thinking about 13th Street. It was a major eviction of a number of buildings. And we were aware at the time, in the ‘90s, Giuliani was against the gardens and against the buildings and it was clear that there was something in the political environment where we were under threat and there was the possibility of being evicted.

But people continued to make investments, both in their homes, like fixing up their homes, but also we made some pretty big investments in terms of infrastructure. Throughout the ‘90s was when we improved. We brought all of the plumbing and electrical systems up to the apartments. All this work we did ourselves with foraged pipes, for waste, and the vent pipes. We paid attention to doing it right in terms of code and stuff. We were aware that we were
doing systems work. We brought up the electricity to the individual apartments. I was pretty heavily involved in both those projects. I did a lot of the work, along with everybody else.

This was group money that was invested. The building collected maintenance from people. And made these group investments, a lot of which were about getting materials. Sometimes consulting with people, sometimes we paid people to do certain parts of the work, for example, some of the main connections to the [electrical] panels downstairs.

So we were still making investments in systems, even though the political environment was pretty uncertain. And what we’re doing will only bolster our case in the event that there is an argument for eviction or a legal action to evict. The fact that we’ve made all these investments in the building and can show that we’ve lived here openly and notoriously will support our claims to the building, and make it less likely that we’ll be able to be legally evicted.

According to Biltsted, residents of Umbrella House did their major renovations in accordance with building codes, even during times of political uncertainty when eviction seemed like a real possibility. Doing this infrastructural work at a high quality on a squatted building could be seen as an irrational act, but Biltsted explains the logic behind it: squatters believed that by doing good work on their buildings they were also building their claims on them. By acting like owners, they moved closer to ownership. In fact, this has turned out to be the case, although not only in the way they predicted in the 1990s. The squatters made successful moral claims on the buildings

Note Biltsted’s use of the language of adverse possession law here: openly and notoriously are among the criteria for an adverse possession case.
because of their labor. Like the residents of self-built homes in Brazil studied by Holston, their history of work created material and social conditions that allowed them to survive the legalization process: because Umbrella House had a history of working together and managing collective finances and had done so much work on their building in accordance with the building codes, their renovation process was cheaper, smoother, and faster. Their debt is low, and they are among the most affordable of all the squats that have converted into co-ops to date with about $48,000 of debt per unit.6

Osiris, another Umbrella House member, described the calculations of time, money and risk he made when deciding how and if to invest in his apartment.

So if I was renting I would be paying $1000 a month. So if I was living here and working I would use that number, $1000, as kind of the equivalent so that between buying some materials and buying the work if I wasn't expending much more than that it was to me very similar to if I was just renting another place. I'm always thinking of the worst case scenario, so if something were to happen here I'd say I had to leave behind all the stuff that I've done but it wouldn't be any worse off in terms of value than if I was renting from a regular place. So I figured that was a very safe way to approach because even in the end no matter what happens you still end up having to explain to people and they're gonna go, "Well what do you mean you spent $20,000 and fixed up a place and then you were forced to leave?" You

6 However, it is important to note that not all Umbrella House residents were fully on board with this work process or this vision for the future: Residents of Umbrella House decided to evict one member who opposed legalization and refused to work on her space, pay an electric bill, or even lock the front door to the building. This was a painful and contested decision, especially as it led to the former member becoming at least temporarily homeless. Others, as we saw in Chapter Four, have stayed in place but feel alienated by the buildings process of governance.
don't want to be explaining all those different things and why and all that. It was just easier to just go, “Well, I'm just slowly fixing up my place.”

That was very easy for me to explain and also I didn't really have much more time and energy to go past that anyway. Actually, even though I was one of the later ones to come into the building, when I started renovating my apartment, even at that rate I was explaining, I was still probably working at a more accelerated rate than a lot of other people in the building because they were people who had been living here for years and of course they didn't do a lot of improvements which of course was the right thing to do because you don't want to be spending a lot of money fixing it all up under those circumstances. But in my case I started kind of towards the end of all that but I was fortunate in that within a year and a half or two years I knew that we were going to be in this UHAB program and that was under Giuliani's administration. When that was approved by the city then we all knew that was a tremendous victory and accomplishment and all that. And then at that point I could justify at least to myself that I could do a little more work, spend a little more money on materials and so on, knowing that that wasn't going to get lost (2012).

While some squatters squatted in order to escape the commodification of their labor and time, Osiris’s explanation is pervaded by the logic of the capitalist housing and labor markets. He portrays himself as almost the ideal self-maximizing individual subject imagined by neo-classical economists. It is common to remind renters that, in contrast to owners, who are investing, they are throwing away the money they spend on housing each month. Osiris uses this idea to justify

7 For an example of this logic applied to squatting and property rights on the Lower East Side, see Mirvis (2004), arguing that the allocation of property rights to squatters fails to maximize returns in happiness or value.
investing significant amounts of time and money in his space. He even calculates the cost of “buying” his own work. He assumes that others were making similar calculations: “of course they didn’t do a lot of improvements which of course was the right thing to do because you don’t want to be spending a lot of money fixing it all up under those circumstances” (emphasis mine). If they kept the building, his investment would pay off in ownership. This is, in fact, what happened. If they lost the building he would have lost no more than he would have by renting that whole time. The only difference is that rather than selling his labor to others to get money to pay rent, he has been using it to create his shelter.

This is a significant difference. Osiris is a professional interior designer, and while he may seem to be treating his work on the apartment as equivalent to work he can sell in the market, he does distinguish the two modes of labor:

I will say when you’re doing something for yourself or your own apartment you do it in a different way mainly because you have a different kind of time schedule and so you’re not forced to say this all has to get done by a certain amount of time. And so what happens then is that sometimes you can kind of think about it and go well initially you have an idea of how you want to do something and then since you’re living in this place after a while you can go, “Let me see, how shall I do it now?” (2012).

While he accounts for his work in the apartment as if it had exchange value, he experiences it differently than wage labor. He is accountable only to himself, not to an outside timetable. He can

8 However, taking this alternative and even stigmatized path to ownership has potential social costs, even while Osiris may use mainstream logic to explain it. Osiris was one of the few people I interviewed who asked to have their name withheld, in part because he has hidden the fact that he was a squatter from many of the people in his life. In the above quote, he imagines their critiques of him, should they find out the truth, and rehearses his response.
do the work at his leisure. Osiris’s perfectly coordinated white, grey, and purple studio apartment is beautiful: salvaged oak flooring stained purple, shallow floor to ceiling cabinets with hidden latches that at first glance appear to be just walls, Egyptian water vessel shards in a special compartment above the sink. He has taken great pleasure in building it all exactly the way he wants it, and with almost all salvaged materials.

This is a pleasure that exists specifically in contrast to the experience of working on others’ apartments for pay. Similarly, Edgar Rivera talked about working out of love. Eric Rassi talks about the satisfaction of doing it oneself, of having control over one’s environment:

**Rassi:** The first couple of years we did a lot of work on the building and then later it fell off. Yeah, it was a good experience. Just to feel that you have your own space, you can do it yourself, gives you a certain kind of—it’s deeply satisfying to your soul. Because you know that you are fulfilling what you are born to do. You were born to be on earth and you were born to have dominion over your environment. Its just doing God’s, what God has planned.

**Starecheski:** Sounds like John Locke.

**Rassi:** Who?

**Starecheski:** John Locke.

**Rassi:** I don’t know what he said.
Starecheski: The idea that we have dominion over ourselves and over all the things we work on in the world.

Rassi: Yeah. But the thing is that we don’t, most people on earth right now don’t have dominion over any space. When you do, when you feel like this is your place, it’s very good. It’s a good feeling. I wish that more people could feel that collectively—that we have dominion over our city, over our country, and over our planet. Everyone would feel a whole hell of a lot better if they were able to do that (2012).

Rassi frames this pleasurable experience of dominion, of love, creativity, and putting one’s soul into a space, as politically powerful and capable of being expanded to a citywide or even global level. John Locke, as I clumsily noted in Rassi’s interview, made a similar argument (1964). He believed that property rights derived from labor and from the extension of our dominion over ourselves to the things we work on. Locke believed that we appropriate things in the world by mixing our labor with them. For Locke, this process was moral and in accordance with natural law because it furthered the divine mandate that humankind make the world productive and use the resources available on Earth. John Locke’s ideas are often cited as the basis of the liberal idea of private property. In this worldview, governments form when people delegate their natural authority over themselves to the state so that their property rights can be protected. Like Locke, Rassi describes a natural urge to control and develop one’s environment, and political power deriving from it. As in the case of adverse possession law, in which productive use trumps legal title, here again the case of squatting shows how Lockean logic can be used to challenge legal ownership with arguments based on the moral value of labor, rather than the logic of the market and unrestricted legal ownership. In unpaid work on their buildings, squatters found a way in which to parlay their
perceived individual freedom and dominion over their time and work into even greater liberties: the liberty to shape one’s environment to suit one’s needs and to use this free time and space to build new political futures.

The work of the squatters transformed them, their collectives, and their buildings. It created political possibilities, both through building group solidarity and through demonstrating their responsibility, their de facto ownership and their capacity for legal ownership. Deploying a Lockean ideology of private property, they claimed property rights based on their labor, and citizenship rights based on their productive stewardship of property. As the buildings legalized, some continued to work in order to complete the project of collective ownership they had been engaged in for decades. Others shifted into a new mode of work, calculating the value of their labor as an investment in their soon-to-be-owned home. Especially where paid labor was used, the artisanal and eclectic aspects of squatters’ work were sidelined in the drive to install drywall, sinks and toilets as quickly and cheaply as possible. But some found, in the security of legalization, an opportunity to fully realize their dreams for the apartments they had been slowly reshaping to fit their needs and aesthetics for so many years. For many squatters, mixing their labor with their buildings was also mixing their bodies and selves with their buildings. Their identities were tied to their lives as squatters, as well as to the actual spaces they inhabited. In the following section we will look more closely at these experiences.
History, Space, and Identity

On Cold and Heat: Social Life and the Changing Buildings

The squats of the Lower East Side are unusual spaces, much photographed, much loved, infamously smelly and odd. The aesthetics of squatters’ “finished” apartments vary widely. I put finished in quotes because many, even those now legally inhabitable, with completed certificates of occupancy, remain works in progress, with plastic sheeting veiling a half-finished shower or a temporary plywood floor holding the place of future hardwood. Some are indistinguishable from typical low-rent tenement apartments: cheap vinyl floor, generic fixtures, white walls, disposable furniture. Others remain squalid, crawling with cockroaches and bedbugs, piled with garbage, furnished with a bare dirty mattress, stinking of cats. In many, interior walls have been removed or rearranged or apartments combined to suit the occupants’ needs, creating mazelike warrens or open loft-like spaces. Exposed brick is common, as are elaborate mosaic tiling, lovingly selected scavenged furniture and fixtures, hand built loft beds, and creative use of cheap materials. One apartment has beautifully stained and sealed green plywood floors. Some are tastefully bohemian, while others are straight up luxurious. One resident went elaborately modern, using scavenged materials to build reflective metal ceilings, translucent glowing white walls and an all-stainless steel kitchen featuring hidden appliances and cabinets salvaged from a retired Pan-Am jetliner, creating a bright and efficient space in his tiny studio.
While some attempted to blend in more – Rolando Politi described hanging a “regulation grey” door at the conclusion of the first door ceremony on East 13th Street, to announce to the world that they were not troublemakers – in their heyday most of the squats were recognizable as such from the outside, even if only to insiders. Little details were telling: they had no buzzers, or the railing on the stoop was handmade welded steel, or the window over the front door was made of recycled colored bottles. 544 East 13th Street has their encaged elevated stoop watching over the block. Some were impossible to miss. Maggie Wrigley described the front of Bullet Space, a squat mostly inhabited by artists with an art gallery on the ground floor, as “our canvas” – it was covered with ever-changing murals, posters, and bright paint.
With legalization, some of this was lost. Eclectic collections of scavenged windows were replaced with new matched sets, buzzers installed, facades repaired. Much of what remained had new significance: it was evidence of a squatter past, to be preserved and even displayed. However, it is important to note that the renovations that came with legalization accelerated a process that had begun even earlier and the work processes of legalization were not a total break from the work processes of squatting. When Bullet Space originally replaced the cinder blocks that filled their window wells with windows, long before legalization, their canvas was fragmented. Wrigley remembers: “And all of a sudden you felt kind of weirdly respectable and strange. This is not my house. But it is. That was a pretty transforming moment.” Inside the buildings, as people began to seal their apartments, building real walls and doors, and then private bathrooms and kitchens, communal life changed. Here is Erin Williams describing that process at C-Squat:
When I first moved here there was only two toilets in the whole building I think. One of them was the communal toilet and one of them was this really foul toilet that somebody had in their apartment that you wouldn’t want to use anyway. Most people lived in what’s now the bathrooms. No one really had full kitchens either. It was very uncommon. People were very commonly living two or three to an apartment when I first moved here. There was what were called “front spaces” which was essentially people would put a wall where it kind of turns there, just wall it off and have a smaller room that was part of the apartment.  

That’s one thing that’s definitely changed in the culture of this building as we were required—as people wanted to have these amenities anyway. These things were looked upon as extremely undesirable luxuries when I first moved here. There was one phone for the entire building that everybody used. There was a change jar next to the phone that said, please put a quarter in to make a phone call, which of course everyone took quarters out of and never put a quarter in. There was one phone and one toilet and one shower. And you were really judged harshly if you had any of these amenities of life. Slowly people got toilets and everyone was like, tsk, yuppies. And then at one point everyone had one. And then it was weird if you didn’t have one. And why haven’t you worked on your apartment, asshole? That kind of stuff definitely has changed. Everybody had gotten much more consumerist. I think it was really this ideology of living off the grid was much, much more a part of the

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9 C-Squat apartments are small studios of about 300 square feet. When the kitchens and bathrooms were non-functioning, residents would commonly divide the apartment in half, splitting the area intended as a kitchen and bathroom from that intended as a living room and bedroom to create a “front space.” Each half of the apartment would have one or two residents.
culture when I first moved here. People being very proud of this survivalist lifestyle. We don’t care, we’re just building the bare essentials. There’s no comfort. Very proud of living without the creature comforts that most people take for granted. That was a defining characteristic of the community, in C-Squat particularly. I think in other squats as well, but particularly here. It was very codified that that was part of the community, that you didn’t have these things (2012).

Erin Williams locates the cause of this transformation both in external mandates that came with the legalization process – “as we were required,” she begins to say – and in internal processes of change – “as people wanted to have these amenities anyway,” she continues. The values of the group changed over time, from a system that privileged living rough, collectively, and with only the basic necessities for survival, to one that valued improving one’s own apartment. Those who did not make this shift, who did not work on their apartments, were first criticized (“And why haven’t you worked on your apartment, asshole?”) and then offered help, as when the building paid members to work on the apartments of those not doing it themselves. Some who did not want to change their ways left early in the process, and some were evicted after all attempts to bring them along had failed.

The building codes require that all apartments have bathrooms and kitchens, and that buildings have central heat. Central heating was one of the benefits of legalization almost universally lauded by squatters. While a woodstove or space heater might serve to make a building habitable, central heat is required to make it a legal residence. At C-Squat residents still choose to congregate on the front steps, in the halls, and on the roof, but they are no longer forced to meet at shared facilities. In the evening many doors may be open and social life spills out into communal spaces, but it is also common to ascend through the building and find every door closed. In many
interviews, narrators mourned the social life created in communal kitchens and around wood stoves. While it is undeniable that the addition of facilities for cooking and bathing to every apartment has changed the rhythms of everyday life in the squats, heat is the one thing everyone came back to in talking about the transformation. Or, actually, they talked about the cold. Some managed to stay reasonably comfortable without central heat but many spent a decade or more of winters permanently cold or confined to small spaces they could safely heat. Here is Famous Chrome describing her first winter at Umbrella House:

As the weather was getting cold here I was thinking about my first few years in New York, I mean, I lived without heat for eleven years in this town. And yet the first one being the toughest at Umbrella House. I got here in January with all my stuff, which was a few dresses and a coupla bicycles and a coupla lovers. It was like January 4 or 5, 1993, and there were fifteen amps of electricity, which people who don't really know how much electricity you get for what — fifteen amps is enough to either run a hot plate or one of those electric heaters. And that's it. Maybe five light bulbs. And there was bare brick walls, they were stripped down to the brick. Which is beautiful and a selling point for rentals in New York, but no insulation there. It had old wood sash windows that had been put in because the original windows were gone, they were otherwise just holes in the brick walls. And they had been plasticked over and it looked somewhat weatherized this room that I was in, that was maybe a 150 square feet. But there was no other heat source other than that fifteen amp electric heater. And I sealed up as tight as I could possibly get it.

It was below zero for, like, eighteen days straight that winter and every couple of days we had four to five inches of snow. Which was a beautiful time to be in New York and be out
and about and I was out in it probably more than I would have been otherwise because my
shit was not warm inside. It was cold. I had a recliner, one of those La-Z-Boys, and I would
kick back in the La-Z-Boy and put the electric heater in between the seat and the stool, right,
and then I would make this big ole blanket tent and I would sit in that shit for hours!
Reading, I don't know what I was reading, anything I could get my hands on, you know, just
like "Thank god I get to be warm right now!" and spent so much time that way. But that
room was cold. Cold.

I remember shuffling water a lot that winter. Putting a pot a water on the electric heater for
some humidification in the room, but also then the water would be a little bit warm in the
morning when I woke up so it wouldn't take so long on the hot plate to heat up for coffee
because I had to turn the heater off to turn on the hotplate. And also that way I might have
warm water for washing my face or something, 'cause we didn't have any running water
coming in at the time. We didn't have any drainpipes out either. I was still carrying water in
and out of the building from the street at that time.

I would go to sleep and close down as tight as I could possibly be. With that heater on full
blast. All the blankets that I could find. And I slept pretty good, sleeping was alright. I
managed to stay warm enough sleeping, that was not a problem but I'd wake up in the
morning—we didn't have toilet plumbing, we were using buckets and I would wake up in
the morning and my piss bucket would be frozen solid. I'm just like, "Man, livin's hard
sometimes." [laughs]
Starecheski: You said you’d close up as tight as you could before you went to bed, could you describe exactly what that would mean?

Chrome: Maybe a couple extra blankets over the windows if the plastic was billowing a little bit. You could really tell if the cold air was pumping up against a thin sheet of plastic may be you needed to do a little more there to keep the cold air out. And, you know, closing the door, the door had—I had weather-stripped it, put a lot of foam around the edges so when it would go into the door frame it was like a squish-squish, like, move it in there, really have to close it. So it was pretty airtight and then stuffing the crack under the door. Towels, things like that. Maybe an extra rug on the floor, you know, as I could find them (2010).

And here is Rolando Politi describing an average winter day in the early days of squatting on East 13th Street:

Everyday life was—let’s say on a winter day you would have a very hard time getting up from—and when you say up from you can't assume up from a bed—up from a floor let's say with two or three sleeping bags on top of you and going to a sink with a joint compound bucket underneath with no drains, no plumbing. And then touching metal, a knife, and you know I'm being really careful it was so cold that always my fingers get stuck to the knife and to quickly get them out before I lose them. Plastic rattling.

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10 Without running water, squatters would haul water from a fire hydrant in five gallon buckets that had previously held joint compound for drywall installation, then drain their sinks into another bucket that they would empty into the storm sewers on the street.

11 From plastic-covered windows intended to divert drafts.
And so quickly get out of there as soon as possible and go to the corner shop that was on Avenue C and get the coffee and the sweets and just spend an hour and defrost in the coffeeshop. Those days were the Latino coffeeshop types. I can't imagine if it was today living that situation they would even let me in, the kind of coffeeshop we have now with latte, cappuccino [laughs]. They would lock the door at my sight or anyone else who was looking like me. But there was Mr. Chiquito the baker, now I remember his name. Colombian guy. And you know the good life in those days, if you were short fifty cents Mr. Chiquito had no problem you'd still get your coffee and your donut and that was good. That was good community bond that is not around anymore. That was the morning.

Then there were meetings with other squatters in the building. There was always something to do everyday, you know today the toilet on the first floor—we always had one toilet for everyone in the building, it's frozen, the shit doesn't even go down [laughs]. So we had to go and look for a snake and who has the snake and then Sammy on Second Street has the snake and who's going to go get the snake. And by that time it's already 1:00, 2:00 in the afternoon.

Most evenings, and we're talking still a winter day, most evenings it gets dark earlier we'd spend time around the fire and that was nice. We'd talk about what are we doing and where are we going. And in those days there was always the threat of eviction, the city was the constant enemy, so that was good. There was always some talking about the city at night. Those were really nice times. We weren't always talking about the city or anything else, just lots of things came out. A lot of culture came out, I can't remember details but we used to get in many very interesting conversations. Always someone with a guitar and singing along sometimes. Always feeding that drum [stove] which is the oil drum, recycled. David Boyle
was very good at that, we were always hanging out in his apartment—good heat in there.

That’s a typical winter day (2010).

And here Maggie Wrigley contrasts central heating with a vivid description of the cold winters before they got a boiler:

**Starecheski:** Are there particular moments that stand out from the construction process?

**Wrigley:** Memorable moment, turning on the heat. Goddamn. That never gets old. It changes everything. It’s like you realize you’ve gone from a state of being where you’re always cold, and you can’t ever warm up. My dog’s bowl would freeze. My shampoo would freeze. Everything would freeze in the house. The toilet would freeze. It was bitter, it was very bitter. There’s no way to warm up in your house. You stay warm enough to stay alive. But you’re wearing all your clothes, you’re wearing a hat, you’re under all your covers. You watch your breath come out from between the blankets. Everything around you freezes (2012).

Cold winters are the stuff of Lower East Side squatter myth. Everyone competes to convey most powerfully the bitterness, the brutality, the pervasiveness of the cold. Without plumbing, most people peed in five gallon buckets made to hold joint compound for drywall. When the piss buckets froze it was truly cold. For those who had lived with this cold for years central heating and hot water was a wonder. Erin Williams talked about how much easier it was to join the workforce when she could regularly remove all of her clothes and bathe in hot water. One artist described how for years her creations were limited to what she could make while sitting in bed under a mountain of blankets.
Her contemporary work features tiny, solid model houses made of blankets: they feel soft and look cozy, but cannot be entered.

In her ethnography of the social and sensory experiences of former Chicago public housing residents as they transition into private housing, Catherine Fennell described the care and comfort residents found in the overwhelming heat that suffused Chicago’s high rise towers in the winter (2011). Without this heat, they had a hard time feeling at home, and they struggled to recreate it in their new apartments, which required them to pay for heat or otherwise limited access to heat. Abundant heat, for them, became a symbol that marked their role as citizens in the polity: as people who were first valued and taken care of, and then left to fend for themselves. Their visceral, florid descriptions of “project heat” and the way they link that bodily experience to a whole system of housing tenure and a whole period in their lives mirror the ways squatters talk about the cold. Squatters, in contrast to public housing residents, made claims to citizenship and property based on their stamina and sacrifices in surviving the cold. They tell these stories to show how much they put up with to gain access to their “free” apartments. Their stories of cold winters and the labor required to survive them refute media portrayals of them as lazy freeloaders or middle class kids slumming in the ghetto. Anyone with a choice, they argue, would not have chosen to live through that cold. The fact that they did proved that they were both needy and resourceful. However, while they love to talk about it, few wish to recreate the experience of unheated tenement life. Still, plenty of squatters do mourn the everyday rhythms, precious comforts, and embodied experiences of life in the pre-legalization squats, as the nostalgia in Rolando Politi’s account of winter on East 13th Street shows.
Bodies, Buildings, and Stories

As the renovations to bring the squats into compliance with building codes continued, more and more of the details that made the squats unique were destroyed. At Umbrella House, handmade mosaic stairs were replaced with standard ones. At C-Squat in the 1990s the walls were completely, from basement to roof, covered in layer upon layer of graffiti and art and it was just this explosion of color. It was so dazzlingly beautiful to me and completely visually overwhelming. Completely visually overwhelming. Every surface—not just the walls, the floors—the everything (Roehm 2012).

Bit by bit, these surfaces were covered with drywall and tile. People asked each other, “Have you been to C-Squat? Have you seen the drywall? It’s crazy!” Now, there is one wall behind the desk at the Museum of Reclaimed Urban Space with the original graffiti on it, and the basement show space still has layers of old graffiti covering the walls. The clean new drywall did not remain clean for long, and the walls inside the building are slowly refilling with color, images, tags, and (sometimes barbed) exchanges between members.
The roof is still heavily tagged, and one night I witnessed a conflict between the desire to preserve the history embedded in the buildings’ surfaces and the desire to continue the living artistic traditions that made C-Squat famous. Some young guests in the building, after sharing iPhone pictures of their other artwork to establish their credentials, asked a building member if they could add a piece of graffiti to the parapets. He said yes, as long as they were careful not to paint over anything. Later, as the spray-paint cans rattled and hissed in the night, another long-time resident came up onto the roof and sharply reprimanded them: “Hey! Watch it! There’s dead people’s tags up
here.” What may appear to an outsider as a chaotic overlapping collage of spray paint is clear to an insider as a palimpsest of traces of the buildings’ occupants and visitors, many of whom have died in recent years due to hard living and drug abuse. The renovations temporarily returned many of the building’s surfaces to blank slates; the remaining old graffiti walls are doubly precious.  

A few people in the squats were unable to adjust to the blank new spaces. The hoarder who lived at C-Squat was evicted. Around the corner at Serenity House, where the building was vacated for a gut renovation, DJ Nigel Clayton tried to live in a disorientingly unfamiliar new version of his beloved old apartment. The dimensions of Clayton’s top-floor apartment changed when the roof, floor, and interior walls were rebuilt in accordance with the building codes. In his account, the incommensurability of his old apartment and the new space is rawly apparent:

Clayton: Now when this guy’s on his cell phone in his house it’s like he’s sitting right in the middle of the room with me. [My neighbor] has his son, his son’s wife, and this kid’s got to be like a year and a half, two years old. He’s a toddler that talks and all that so maybe he’s two-three years old. The kid runs back and forth through that apartment like there’s no wall. It’s like he has a jungle gym in there, he’s jumping off of things, every time that kid jumps or runs around it sounds like they’re right here in the apartment. So if they took a foot off of this wall line and they didn’t widen the separating wall, where’d that space go to?

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12 Trevor Stack, in his ethnography of history in small-town Mexico (2012), frames history as a genre of discourse best understood in opposition to gossip. For Stack’s informants, gossip is dangerous, controversial and intriguing, with the potential to disrupt contemporary social relations. History deals with settled matters, and the power it produces is the power of the good and well-informed citizen. C-Squat’s old graffiti walls are becoming history; the power to interpret them lies with old-timers, who use this power to assert their authority over guests and relative newcomers. The new graffiti in the halls is mainly gossip: raw, personal, and not open to the same kinds up authoritative public interpretation.
If you look at the original record line in the photos there’s like a foot that’s missing from here. I can easily tell that my house has been narrowed. You can plainly see in this photograph that the width of the apartment is massive. Hence why the apartment is called the Clayton Ranch. Because it had a ranch-like atmosphere—I’ve got furniture spread across the floor there and it’s a big wide-open space.

**Starecheski:** Can you tell me more about what life was like in here before the renovations? What living was like in the apartment before all this?

**Clayton:** [big sigh] I used to babysit, at one point I had four toddlers that I was babysitting here and the apartment was so big that there were tricycles being ridden back and forth in this home, OK? Two on tricycles riding around, one sitting in the telephone chair. A lot of babysitting, a lot of house parties, benefit parties. Rent parties for people who were about to be evicted. A lot of DJ practice sessions, band practice sessions. The guy that gave me this apartment was named Rick Graves, or Rick Dregs, from The Dregs. The Dregs was a four-piece punk rock band that used to practice in this apartment. We’re talking the full band gear with the full drum kit. Now, this apartment was happy. This apartment was full of life, this apartment was full of art, this apartment had history. I’ve got a couple of the old flyers still from the parties that this apartment has hosted.

And these people are trying to tell me that I—listen, that you don’t deserve this. You don’t deserve this kind of home, you don’t deserve to live this massively. I pretty much sit in the middle of the house and just look around in circles, everything is spread out and I’ve just got
to get it all in order. My whole mind state is so screwy. I’m not comfortable here, I’m not happy when I’m at work.

And the moment the question of “Hey Nigel, where do you live?” whamp whamp whamp whaaaaamp [sad trombone sound] then I’ve got to try to come up with some rationale or some feasible excuse of why I don’t want to tell people. Well I live in this building, we were a squat and we were pretty cool as a squat but now we’ve got this homesteading organization that’s stepped in and got our building for a dollar. They call themselves renovating the apartment to make people’s lives happier but in my case my apartment got fucked all to hell, I’ve been throwing away all my personal belongings, I can’t get my DJ career back on track, I can’t get my online record store started, I sleep in the middle of the floor in my living room after having lived in the bathroom for five months because the apartment was such a wreck. I don’t have any electricity because the situation with the electrics in the apartment has been so screwy for five years and you know, I mean, it’s just oh my god with every statement the black cloud gets bigger and bigger and bigger.

If I let what’s going on here carry on outside then I’m done, I’m done because I’m so embittered and just so tired, bitter, angry, flustered, confused, broke. I mean they’re getting their arrears money. And the only money I’ve got is the money for them. I have no food money. Any of the money I get up in the next couple of days is because I’ve sold off another item. Like I sold the Keith Haring for $3,000 to get them some arrears money. I’ve got to sell them because from this moment on these people are going to be looking to be able to evict me for any little reason. “Just one reason Nigel and then it’s back to housing court with you and we’re going to get you out. We know we could easily get $300,000 for
that apartment. Plus, Nigel, listen. The amount we can get on the resale of that apartment—
your arrears are a mere drop in the bucket, what’s $7,000 Nigel? Minus 7,000 from 400,000 Nigel.”

They’ve ruined my whole life. I mean you saw two people in here we’re all pretty much
sitting in the same space and area, just kind of crammed up looking at each other like that.
You know, prior to that it would have been spread out down that line you see. That kid
Rami would have been sitting in that telephone chair, Baby Monroe would have been sitting
on that ottoman right there in the middle of the floor and we’d have this nice triangular
thing going on of space between humans, to interact with a space in the center. And then
still room to roam, that’s gone.

They haven’t really been able to explain this to me and I’ve been demanding an explanation
since moving in. It has been two years and all I get is screw you, this is our building, we
don’t care what you want with it either you pay us or you get out. We don’t care that you
lived here fifteen years before us ever coming here, we don’t care that you were able to make
a go of it before us ever coming here. We are the new owners, we are the landlords. We
decide what goes on in this apartment. We decide what the apartment looks like. Your
history? None of that means nothing. We don’t care that you were able to give it a go
before we ever came along. Pay us or get out. So in that note, I think the UHAB thing
was—I was better off as a squatter. I was way better off as a squatter paying house dues.

Nigel Clayton’s distress is palpable in this narrative. He lived in the basement at C-Squat
during the renovations, and when he returned he found his home unlivable due to shoddy
construction. As he described, to escape the dust he slept in his bathtub for months. When I visited, in the summer of 2012, he was sleeping in a bed he laid out for himself each night in the middle of the living room floor, surrounded by teetering walls of milk crates full of records. His windows were covered in newspaper, his boxes unpacked. The new refrigerator was still taped shut. While we talked I sat on a folding chair, the only chair in the house, and he stood at his desk. He did not have electricity due to a dispute with Con Ed and so he pirated electricity from the building; he told me that every day before dawn he would plug his laptop, phone and radio into the outlet in the hall to charge, removing them before anyone else was awake. When it got dark, he went to sleep.

Clayton was out of touch with his neighbors, cut off in his apartment, unable to reconstitute his social world. He did not attend house meetings, did not ask his building for help. The delicate fabric of Clayton’s life had depended on his squatted apartment, the sprawling “Clayton Ranch” of his memories, in which he could host visitors, make money, and feel at home. As Hummon wrote, “Dwellings as symbolic settings may become an integral part of identity because they are critical to the dramaturgical realization of social identities” (1989, 213). Unable to recreate his old apartment, Clayton had no space in which to make and be himself. The new apartment had heat, water, and a working bathroom but he could never feel comfortable in it. He could not develop. Still, he did not want to leave. His identity was bound up in his space.

As Edgar Rivera said, when squatters worked on and lived in their spaces they were “putting [their] soul in there.” Clayton’s soul no longer fit in his renovated apartment, nor did it fit anywhere else. Others felt that their bodies were entangled with their homes. Former squatter Famous Chrome said, mourning the loss of her former home at 209 East 7th Street: “I have pieces of flesh mixed in the mortar there” (F. Chrome 2011). Here is Maggie Wrigley:
Sebastian would make these sculptures. He’d just bind them into the bathroom wall—he tilled the bathroom with this stuff. And Rolando’s bottles in the doorway. Everybody has built themselves into the building. Their art got very connected to the building.

This is such a poor, old, tenement house. They dug a huge hole for the building next door, and the building started to crack. I was afraid the house was going to fall down, basically. And before that it was the evictions. It just seemed like such an assault. And sometimes you’d feel very—you know, your building was fragile, and you were fragile. You just kept holding on. I put blood, sweat, and tears into the place. My shoulder and my knees and my lungs are forever in this building.

Working and living in the squats was dangerous. Many squatters experienced acute or chronic illness, or both, as a result of years of dust, cold, poverty and hard work. As Wrigley’s body weakened, the building became stronger. Unlike Michael Shenker, she can imagine getting old in her home, now the repository of her youthful energy.

Nigel Clayton lost everything he put into his building. At the time of our conversation Clayton had not been paying rent and owed thousands of dollars in arrears, which he was selling off his art collection to try to pay back. However, he believed that UHAB and his neighbors would prefer to evict him and sell the apartment (the building had not yet converted, so if it was vacant at the time of conversion they could sell it for more than a hundred thousand dollars) to defray their own living costs. One of the few people of color in his building, Clayton saw this in racialized terms, believing that the contractors and others were targeting him for eviction because he was black. It may indeed be true that a white person, a person who did not feel so deeply at odds with their neighbors, facing the same challenges, may have received the understanding and active support of
the building. In 2013 Clayton was indeed evicted and moved back into C-Squat’s basement. He was the last person to live there before they finally emptied it, at which point he moved into a trailer on a job site where he was working, and then into an apartment. Clayton’s story represents an extreme case of alienation after the renovation process, and he lived in a building that had to undergo the most extreme form of rebuilding: gut renovation.

Figure 30: Serenity House interior, post-renovation

Plenty of other people had to make only a few changes to their apartments or enjoyed the changes that were made. Clayton’s sense of curtailed freedom and entrapment, however, resonated with

\[ See \text{Kadir (2010)} \text{ for an excellent account of how the norms of Amsterdam squatters’ culture mirrored those of white, Dutch, middle class habitus. In a social world premised on ideologies of egalitarianism the real and nearly insurmountable barriers to participation this produced for people of color, immigrants, and working class people were particularly challenging to identify and address.}\]
many of the accounts of those with whom I spoke. His concern that his history and experience were being devalued and even destroyed through the legalization process also echoed the concerns of other squatters.

Sometimes the history is other people’s and is literally in the building—a squatter is demolishing the last scraps of plaster walls before putting in new drywall or knocking out an old chimney and they find some clue to the past: a book printed in Hebrew, the edges scalloped by mice, a wooden bobbin, or a handmade screwdriver, still useful in the present. While some probably passed these by, adding them to the rubble bucket to be dumped with the broken bricks and plaster in a vacant lot, others treasure them. The book wound up in a glass case as part of an exhibit celebrating Bullet Space’s twenty-five years of illegal occupancy; the screwdriver sits in a cup resting on top of Diane Roehm’s refrigerator at C-Squat. By keeping these objects, people attach the building’s past to themselves. They place themselves in the line of a long series of occupants working in and on the buildings.

As they pulled history out of their buildings along with the inner walls, floors, and ceilings, some sought to replace these items with clues to their own experience, transforming their lives into proto-histories awaiting discovery by imagined future residents. In his foundational work on the production of history, Michel-Rolph Trouillot argues that to understand how history works we must examine the process of production of specific narratives, starting with the production of sources and continuing to the production of archives, narratives and finally history (1995). Here, we see an example of the production of sources, as squatters turn rubble into artifacts. Many squatters’ renovated apartments retain eccentric elements: a board from a police barricade built into a windowsill or found objects embedded in a tiled floor. These, too, become artifacts when properly framed. But the acts described below are different, because they involve buried objects, hidden
clues. Here is Erin Williams, describing her experience finding traces of others, and in turn leaving traces of herself:

**Williams:** When I was knocking down the wall by my windows in the front of the building I uncovered a wood and metal inlaid wall covered in plaster that I’m really certain was an original wall from the original construction of the building. It was so well constructed that I was hitting it with this giant sledgehammer to take it apart. I tried to do it nicely, but it just wasn’t working. As I hit it with a sledgehammer, I saw that there was this piece of paper under the wall. I could see that it was something cool so I started pulling off by hand as much of it as I could. I managed to save maybe a quarter of it. But the rest I hit smack in the middle with the freaking sledgehammer.

It was this piece of paper that—after I reconstructed the thousands of tiny fragments of it that I found inside the wall. Which I did. I had probably ninety percent of it by the time I was done. It was a large, I’d say maybe two feet by two feet wall scroll which was an ad for a cigar company with a date on it from 1860, which was also a political cartoon about corruption in Tammany Hall. It was all these fat cat politicians with their stovetop hats on, eating money. And also about the construction of the first subway. Again, the smokestack of the subway had money coming out of it. All these different aspects of life in New York, political satire of the 1860s. It was so cool. I was so glad that I found this.

And also this connection with this building that clearly some worker had just decided to put this in here for someone in the future to find, and that it had been me. It was super fun. Again, I studied archaeology—and of course I got super excited about that, too.
I had gutted this apartment and I had this dream that I was going to have this beautiful exposed brick wall that I was just going to leave beautiful exposed brick. When I actually tore all the plaster off the wall I realized that they had plastered over it to begin with in the 1800s because there was a giant hole full of jagged bricks where someone had put in a wood-burning stove at some point. There was no way I could live with this in my apartment. It would just be raining brick dust on me for the rest of my life no matter how many coats of polyurethane I put over it. Below it was an original fireplace, an actual fireplace. I don’t even think it was for a stove. It was really beautiful stone façade around it, mantle. But it was also raining brick dust on me. Just dust from the ages. One time I found a bobbin, like a thread—

**Starecheski:** A spool.

**Williams:** A spool. Yeah. I found a wooden spool, also from the 1800s. Probably from when this building was some kind of sweatshop, textile sweatshop. I’m sure it was that at one point in its history. Almost definitely every building in this area was. That was pretty interesting.

When I had first moved into this apartment—I don’t know if it was even my apartment yet. I think it was still hers [former roommate’s]. And I took some acid and had some manic art attack and made some glass mirror shard collage of a bird with keys all over it or something. That was there, it just sat there forever. It had some tile mosaic thing around it or
something. Then I had a bunch of pictures on the wall, mostly things my friends had drawn that are good artists, some interesting stuff.

When I decided that I wasn’t going to keep this wall the way it was, that I was going to frame it out and put a false wall on top of it, I actually left every single thing in the wall exactly how it was to preserve that little aspect of, like, this is the original squat wall that had all this graffiti all over it as well. I actually even left the pictures that were hanging on the wall. Essentially, if anyone were to pull this wall down, it would be a little piece of—I think I had to chip part of my lovely acid glass sculpture off the wall because it wouldn’t fit under the wall. The rest of the wall is exactly how it was when I closed it up.

I guess this is the nerdy archaeologist part of me that’s leaving some little—I also felt like I took the 1860s ad out of the wall, that I should leave something as a replacement for it. It was an inspiration of that for me. And how cool, if I was the person that pulled this down—hopefully it won’t be someone, when we lose the building years from now, who’s just gutting this and renovating it. [Laughs] Hopefully it will be someone in a hundred years.

Erin Williams studied archaeology, and this could easily be taken as an outlying story. However, many squatters described collecting artifacts they uncovered while doing demolition work and showed them to me when I visited.

A smaller number told me about hiding objects as they rebuilt their buildings. One Umbrella House resident told me about how she buried a sketchbook wrapped in layers of duct tape and plastic deep at the foot of her building, hoping others might someday find it. Diane Roehm also left a hidden message:
Roehm: I told you one of the reasons I find it so comforting to be in my home is I can look at every corner and say oh yeah, that wall over there—Popeye and I framed that wall. Jay worked with me to run the wiring through it. Ezra showed me how to install a toilet. Every time I sit on my toilet I get to think about—(laughs), it sounds goofy but it’s really very true and coming from where I was when I was a kid which was not a very sentimental or happy sense of home, to then find myself in an environment which you know it’s like every object in this room is a physical expression of the love of the family that I’ve chosen. It’s a big deal to me.

Starecheski: Can you tell me again for the tape how you honored those people while putting your floor in?

Roehm: Part of bringing the place up to code—we were required to have a concrete bed around the pipes in the kitchen sink where they run behind the wall back there. I wanted to make sure that I never forgot who the individuals who helped me make my house mine were so I mosaicked their names into the concrete that is hidden in the back of my kitchen sink.

Because Roehm intended to live her entire life in that space, the message was for her self. She is working for the building inspector, installing the required bed of concrete behind the sink, but also reappropriating that work for herself. However, Erin Williams’s projection of her self into the future, her construction of herself as an historical subject and actor, is for a future audience. Who that is depends in part on the stable ownership of the building. If C-Squat loses the building to a developer who guts it, the value of the wall will not be realized: it will be discovered too soon, and
not by the right people. It needs quiet time to ripen into history, sheltered behind the sheetrock. In Trouillot’s taxonomy, these are sources that have not yet become narratives or histories. One could argue, perhaps, that in hiding them Roehm and Williams have transformed their buildings into archives.

Maggie Wrigley used pre-existing archival sources to construct narratives and histories tying her and other Bullet Space residents to past occupants of their building:

A few years ago I researched the people that used to live in this building, at the turn of the last century. And there were a lot of similarities in a way. There were printers and carpenters and gas lamplighters. Eastern European Jews, being a tenement house in this neighborhood. Regina, who lives downstairs, an artist that lives downstairs, her family is from Eastern Europe. And there was a Regina who came from Georgia. And there was a Maggie, a little five-year-old Maggie. The lives of people that walked here before us. The stories this building could tell are fantastic.

It was so exciting when people would come and say, “I lived in this building.” I love artifacts and finding things that connect you to things that happen. New York is such an incredible place of story, of history and stories and people. This neighborhood, when I came here, it felt so rich. I guess one of the reasons was because all of the—and Penny Arcade\(^\text{14}\) puts it so incredibly well—but all the misfits and the outcasts and the people that didn’t have any other place to go, could come here and make a community. And the squatters somehow fit right

\(^{14}\) Penny Arcade is a performance artist and co-founder of the Lower East Side Biography Project, which documents the lives of Lower Manhattan artists.
into that, too. And it’s an amazing history. And I guess, in a way, without thinking about it, you just hold onto stuff that’s evidence of that.

But really, it’s the fact that we still stand here, this little building, still painted crazy colors and with our beautiful bottles over the door. As everything has transformed around us—this big building went up behind us, this big apartment building, they put in a running track and a rose garden in the lot next door. They tore down our twin building and built a new building, a new facility next door. And in all the old photographs throughout history, it’s this lovely little tenement house that’s stayed there in its decrepit, crazy, constantly changing, colorful self. There’s something lovely that it’s still here and it’s still standing. And it’s still sticking out in the middle of the block. You can tell them thirty years ago, and you can tell them now, you can’t miss us. We’re in the middle of the block. You don’t have to describe it any more.

The people and the buildings are inextricably linked here. Because the squatters defended their occupation and rebuilt their homes, most of them get to stay in the neighborhood. Their buildings, many on the verge of collapse when they were occupied, were preserved through their efforts and will now shelter the aging squatters and their children, a small bastion of affordable housing in a heavily gentrified area. In the private, secret, and hidden spaces of the buildings they preserve their stories by planting artifacts that will eventually grow into history for a new generation, perhaps several generations into the future. Through these history-making practices, they connect themselves with those who lived in their buildings hundreds of years ago, who perhaps also marched, chanting, through Tompkins Square Park, with present struggles, and with an imagined future. At the same time, in their public spaces they are hosting museum exhibits and art shows celebrating and sharing
It takes work to constitute squatters’ experiences as history and to place them in the radical history of the Lower East Side. Maggie Wrigley and others are engaged in this work.

Trouillot asserts that power is constitutive of the story of history, at every stage from the production of sources to the production of narratives (1995). In the final section of this chapter, I will examine squatters’ practices of historical production in the context of a complex field of historical activity shaped by power struggles in a gentrifying neighborhood.

The Political Economy of History in a Gentrifying Neighborhood

Some have described gentrification as a process that both physically displaces low-income and marginal residents and destroys their history (Schulman 2012). Without a place to return to and a physical presence in the neighborhood, some stories cannot be remembered or retold. Keith Basso, in his study of the Western Apache, found that stories were tied to the places in which they could be narrated. Places and place names were more than mnemonic devices; they actually held stories (Basso 1996). Stories “worked on” the people Basso spoke with, making people wise through contemplation of storied places. Without these important places, a Western Apache person could not continue to develop wisdom because they could not access the stories that produce it. Thus the changes in the landscape that accompany gentrification can damage individual and group capacities to remember. However, gentrification is also often accompanied with, or even driven by, enthusiastic efforts at historic preservation. Carefully managed “local color” becomes an amenity for incoming residents (Brown-Saracino 2010; Davila 2004; Dorst 1989; Greenbaum 1990; Price 1998).

The people who live in gentrifying areas are not simply pawns or victims in this process. In his research on the Pelourinho, a UNESCO World Heritage Site neighborhood in Salvador, Brazil, John Collins examined the process through which people themselves, their bodies, practices, and
social worlds, become part of cultural heritage (2008; 2011). Indeed, there is a major movement in cultural heritage preservation to value, describe, and protect “intangible cultural heritage” such as songs and stories (Brown 2005; Reddy 2006). The people of the Pelourinho, deploying knowledge of the social scientific research practices and political economic powers that could transform them into valuable “patrimony” and allow them to stay in their gentrifying neighborhood, actively cultivated themselves as “folkloric.” Similarly, the squatters of the Lower East Side are well aware of themselves as emergent historical subjects, their lives as the subjects of historical accounts, and their neighborhood as an historic site. After all, the neighborhood’s radical history, from the Draft Riots of 1863 to the Yippies of the 1960s, is what originally attracted many of them to live there, especially those from the most privileged backgrounds. Now they can be a part of that history, which is delicately balanced between being a commodity for the consumption of tourists and gentrifiers and a resource in the long struggle to resist gentrification and displacement. By making their own history, by making themselves into history, some strive to tip this balance in favor of a more political use of history.

Homeownership, with its relative stability of tenure, is a valuable resource in this campaign. In Chapter Three I argued that, when considered as the collective property of the people who fought for them and future low-income owners, the legalized squats are a form of not-fully-alienable property. They may be sold, but not freely. They may be exchanged through what Annette Weiner, writing on inalienable Maori treasures, described as “keeping-while-giving” (1985). Here Weiner describes the relationship between these valued objects, history, and social power:

An individual’s role in social life is fragmentary unless attached to something of permanence. This history of the past, equally fragmentary, is concentrated in an object that, in its material substance, defies destruction. Thus, keeping an object defined as inalienable adds to the
value of one’s past, making the past a powerful resource for the present and the future. The dynamics surrounding keeping-while-giving are attempts to give the fragmentary aspect of social life a wholeness that ultimately achieves the semblance of immortality, thereby adding new force to each generation (224).

The squatters’ buildings, as noted above, shelter both them and their social worlds. The transition to homeownership has significantly changed, but not destroyed, the squatters’ social relations, the composition of their population, and the spaces in which they live. The way squatter culture, both everyday and historical, is enacted through practice has also changed. Squatters’ experience as cultural producers has served them well as they have increasingly turned their attention to the production of their own history. While deeply secretive, this had also always been a community of documenters: squatters saved receipts and kept records of their renovation work to use in future lawsuits and refute arguments that they were idle thieves. The many artists living in the squats made videos, took photographs, sketched meetings, and wrote their stories in zines, newspapers, and graphic novels. Many squatters felt that they were making history, and they saved files of flyers, meeting minutes, personal mementos, and legal documents for posterity. And of course they told stories: of evictions and fires, the coldest winter, wildest fight with the cops, worst neighbor, and most beautifully laid floor. Almost every building had an historian, armed with scrapbooks, photo albums, files and stories of the group’s past.

In the aftermath of the legalization deal, these documentary practices took on new energy and focus. The need for secrecy began to fade, as the illegality of their occupations became an historical fact, not a focus of everyday life. For many squatters, their illegal housing was a foundation of their identity, providing local political bona fides, an outlet for creative energies, or a social community. Famous Chrome described the conversations she had with other former squatters
around the memorial services for Michael Shenker in 2010:

I know personally some of these losses have touched upon this other grief that was less articulated. These losses felt compounded in some way. And, thinking that through and talking to my neighbors, discovering that it is a loss of this clear definition and identity, it's a loss of time, for some of us it's a little bit of a loss of youth, 'cause I don't know if I could do that shit again, like I was living at that time.

Being a squatter gave a picture in meeting other people. Where we come from, the radical politic was apparent, automatic street cred was given, automatic political cred was given. And it's a component of the way that I think of myself, the way that I know a lot of these other folks do think of themselves, that's really important. It's fundamental. It's a lot of why I ended up in the squats in the first place. I think I mentioned last time the adamancy around self-determination. That was a driving force for so many of us. And having been in the position to achieve living by that principle both tangibly as well as contextually and realizing as we've stepped away from it how much of that also informed our own sense of identity as well as our social identity with others. And that being missing or no longer obvious, I don't have a badge anymore, you know?

It's been a loss of sorts. A re-defining, of sorts. Certainly a lot of questioning. And to a lesser extent I know that a lot of my neighbors [at 209 East 7th Street] who are still in the building, now that they're converted and they're owned, they haven't really been squats for a long time—it's an exploration a lot of them are confronting in a little bit of a different way because they still have the tangible evidence of their time spent (2010).
Now that they were becoming homeowners, or at least had UHAB protecting them from the immediate threat of eviction, many squatters had to renegotiate their whole identities, their sense of their place in the world. Being a squatter no longer provided radical political credentials, decades of renovations were drawing to a close and the daily work of hauling water, feeding wood stoves, and keeping the rubble at bay had ceased, while without the city as a common enemy many squatters had withdrawn to their apartments or turned to fighting amongst themselves and against UHAB. History-making provided a new project and community for some squatters. Some dismissed these efforts as “funereal,” while others saw them as a way to share their accumulated wisdom with a new generation of activists and, if necessary, prod that generation into being. Sociologist Lynn Owens has studied the importance of storytelling and history-making in periods of movement “decline,” arguing that these are practices essential to activist theorizing and learning, and that therefore periods of apparent decline may be productive in ways that often go unnoticed (Owens 2008; 2009).

Many memoirs were begun in the years after 2002. One group of former squatters started the Squatters and Homesteaders Archive Project, getting a small grant to inventory the archival resources of the community and partnering with the Tamiment Library and Robert F. Wagner Labor Archives at New York University to create a repository for their collections: The Squatters’ Rights Collection (Moynihan 2003). Fly, a long-time squatter and artist who created the first (ephemeral) squatting museum and lives in an apartment overflowing with archives, started a collective to write a book—*UnReal Estate: A Late 20th Century History of Squatting on the Lower East Side*—based in large part on oral histories. In November and December of 2009, just after they became a legal co-op, Bullet Space hosted an exhibit in their gallery, *The Perfect Crime: Andrew Castrucci and the Bullet Space Archive, 1983-2008, 25 Years*, reflecting on twenty-five years of squatting and an unknown future of homeownership. In the white-walled, plywood-floored gallery, sculpture, video, painting, prints and
photography were juxtaposed with pieces of the original building, encased in glass, or a line of hand-welded wood stoves, from the days before the building had a boiler. As part of the exhibit, Castrucci and collaborators conducted an archeological dig in the tenement’s backyard, excavating a former privy to the level of the water table and unearthing clay pipes, pottery, and a Civil War-era coin which they displayed in a museum-style glass case in the building’s lobby.15

Figure 31: Archeological dig at Bullet Space

Figure 32: Wood-burning stoves displayed at Perfect Crime Show

15 As in the case of C-Squat’s storied graffiti walls, there was a conflict here between producing history and living everyday life. Many building residents objected to the dig, which took over their entire backyard. Eventually Castrucci and his collaborators were forced to fill it in and return the yard to the present-day users who needed it for parties and playtimes.
While there is certainly an element of nostalgia in these documentary efforts, that does not mean that they are apolitical or uncritical. Recent scholarship has shown that nostalgia can be the basis for a critical engagement with the desired past and with more valorized ways of knowing about the past, such as professional historiography or public history (Berdahl 1999; Blackmar 2001; Glazer 2005). While history may aim for a critical distance, nostalgia is intimate and personal, allowing space for the rememberer to reflect on what they wanted, what they loved, and what they hope for.

Some of the squatters’ history-making activities overtly aimed to shape the future. As the housing crisis of 2008 led to a new wave of abandonment and homelessness, former squatters revised their photocopied squatting handbook for online distribution and led workshops to share their historical knowledge of how to squat in New York with homeless people, students, artists and activists. Frustrated by the barriers to access the archives at NYU, another group formed to create a local, grassroots history museum: the Museum of Reclaimed Urban Space occupying C-Squat’s storefront, which opened to media acclaim and over-capacity crowds in 2012. MoRUS presents a largely celebratory narrative of the achievements of direct-action activists fighting for community gardens, bike lanes, and squats. This young, volunteer-run organization aims both to enlighten foreign tourists and to support local organizers. When the campaign to save Charas, a community center housed in a formerly squatted school around the corner from MoRUS, was reignited in the summer of 2013, MoRUS quickly mounted a temporary exhibit to explain the importance of the building to the community and get people involved in the campaign. For several evenings, the small storefront was filled with enthusiastic volunteers creating protest signs, sharing stories about Charas over paintbrushes and stencils.

Catherine Fennell has written about how the organizers of the nascent National Public Housing Museum in Chicago aim to elicit feelings of sympathy and vulnerability in those touring the ruined Jane Addams Homes (2012). By highlighting the resilience of public housing residents, the
public housing museum seems likely to cultivate the kinds of publics appropriate to a neoliberal state: self-organized, caring for each other but not demanding of the state. In contrast, MoRUS aims to inspire radical direct action to make demands on the state. One of its founders, long-time activist and Umbrella House resident Bill DiPaola, started dedicating his time to creating history when he realized that what he saw as a striking victory for direct action—the creation of hundreds of miles of bike paths in New York City—was being billed as a generous gift from a progressive city government. How, he wondered, could they possibly recruit new activists if no one knew how much of a difference their actions had made? MoRUS was only one of the responses to that dilemma. In the service of their goal of inspiring action, MoRUS mobilizes both the space of C-Squat (there is a preserved graffiti wall behind the counter, and wood from police barricades is built into the gallery space), the private spaces of the squatters’ homes, and the squatters themselves. One of the museum’s main offerings is walking tours, some of which include visits to squatters’ apartments and testimonies by individual squatters.¹⁶

However well-intentioned these activities, in a neighborhood such as the Lower East Side, where counterculture has been commodified and used to market the neighborhood to wealthy outsiders over and over again, history-making in the service of anti-gentrification politics is risky business (Mele 2000, 302–310). As Arlene Davila has documented in her research on the implementation of Empowerment Zone policies in El Barrio, the culture valued by local communities is rarely preserved through the development of heritage tourism, which privileges profitable experiences and large institutions (2004). Squatters treating their buildings and themselves as history operate in a complex landscape of historical production on the Lower East Side, ranging from local historical preservation groups and museums to national bodies.

¹⁶ For more on these walking tours as part of a complex of oral history practices seeking to pass on activist memories, see Starecheski (Forthcoming)
In recent years, historical preservation activities have intensified in the neighborhood. Historical preservation as a practice in the United States began with an interest in preserving the places where events happened, but through the twentieth century shifted to an emphasis on preserving great works of architecture (Klee 2012; D. W. Morgan, Morgan, and Barrett 2006). This led the field to ignore much working class history and the history of people of color. More recently, the field has shifted towards an emphasis on preserving cultural heritage and “storyscapes,” which incorporate both landscapes and the people whose memories and practices imbue them with meaning (Kaufman 2009). Whether this shift can protect the actual people is debatable. The political economy of historic preservation is complex and contested. Does the preservation of history ground and support vulnerable communities or lay the groundwork for their displacement by making their neighborhood attractive to wealthier newcomers who will drive up the rents?

The Lower East Side, listed by the National Trust for Historic Preservation as one of the eleven most endangered historic sites in the United States in 2008, is described by preservationist and Place Matters founder Ned Kaufman as a key example of an endangered storyscape, in which both people and buildings are under severe threat by development. After many years of work, in 2012 the Landmarks Preservation Commission officially designated the East Village/Lower East Side Historic District (Newman 2012). The district is centered on Second Avenue, excluding most of the area east of Avenue A where the squatting movement thrived, and I do not know of any squatters who were actively involved in this campaign. Still, in contrast to earlier campaigns by historic preservationists that emphasized the nineteenth century immigrant history of the neighborhood, this district aims to preserve both Yiddish theaters and sites such as the Pyramid Club, an incubator for 1980s drag culture. However, while the argument for creating the district drew on ephemeral cultural history, landmark status will directly protect only the buildings in the area.
Some advocates do hope that the restrictions this would impose on any development that significantly alters the streetscape will indirectly slow gentrification and displacement. Property owners, who have loudly protested the plan, seem to agree (the Real Estate Board of New York is strongly opposed to the proliferation of historic districts) (Berman 2013; Giachino 2007). However, it was not only developers who opposed the plan. Over a dozen local churches and synagogues argued that the bureaucracy and restrictions that come with historic designation would push them over the edge into financial collapse. For example, one of the few remaining tenement synagogues in the area, which had survived so long only because their rabbi worked without pay for more than four decades, was contemplating allowing their crumbling building to be demolished and replaced with a new apartment building (keeping the hundred year old façade) which would include worship space for them. This would allow their congregation to survive, even while their physical home would be lost (Berger 2012). Like the squatters and homesteaders who resisted resale caps and income restrictions that would maintain their buildings as long-term affordable housing, these religious groups feared that their ability to survive in a neoliberal age would be compromised through restrictions preserving their structures for future generations and general public enjoyment in the present.

Longitudinal research has shown that landmarking does not decrease property values: residential property values in New York City’s historical districts have increased at a slightly higher rate than in comparable non-designated areas (Treffeisen 2003). No comparable studies seem to exist for non-residential real estate. Real estate industry advocates claim that preservation increases housing costs, prevents the creation of new housing, and displaces low- and moderate-income people (Real Estate Board of New York 2013), while preservationists argue that landmarking protects against the rampant development and demolition that drive displacement (Berman 2013). If what must be preserved are storyscapes, including both the landscapes that harbor stories and the
people who can tell them, it seems that historical preservation of buildings is a weak tool to achieve this goal.

Squatters have also preserved buildings, but outside of the system of historic preservation and beyond the far fringes of the part of the neighborhood deemed historically significant by the Landmarks Preservation Commission. They have saved a few “poor old tenement building(s),” as Maggie Wrigley called them, which would have likely otherwise collapsed. They have also preserved some of their own culture, both simply by staying and through more self-conscious acts of historical production. By fixing their buildings, they have fixed themselves and their stories in place. Yet, as this chapter has shown, the stories told by the buildings, and the squatters who inhabit them, are by no means fixed: they are actively produced through material and discursive labor. Legalization has turned the squatters into former squatters, the squats into former squats. The production of history has been one crucial way for the squatters to develop power and continue to shape their neighborhood as they negotiate the world in these new roles.

Ownership provided a new social position from which squatters could contemplate and express their place in the world. No longer stigmatized by the illegality of their occupations, no longer focused on hiding from the city and the broader public, squatters now had access to powerful modes of history-making, from archeological digs to museum exhibits and archives. Many squatters had always seen themselves as historical actors, but they could now tell their stories in public. Private archives were dropped off at the university archive; public storytelling slideshows proliferated. In addition, although a few squatters actively engaged in or supported new squatting actions, for many legalization marked the end of their time as squatters, and this produced a new perspective from which to view their experiences. Squatting became history, part of a past now safely distant enough to be publicly discussed, distinct from gossip (T. Stack 2012).
Homeownership has its own temporality: a temporality of paying mortgages that last an adult lifetime or more, but also of planting trees and watching them mature, putting on a new roof that will outlast you, or etching a child’s history of growth onto a kitchen wall. As this study has shown, many squatters did make long-term social, emotional, and material investments in their homes before they owned them. They worked because they wanted to improve themselves, their homes, and their collectives, and they worked to accrue the valuable social capital that could eventually make them owners. However, the experience of becoming homeowners also produced new temporally-inflected modes of interacting with their buildings. As the material traces of their occupations were covered or destroyed in the renovation process, squatters made new and more intentional efforts to mark the spaces with their personality and record their stories in the infrastructure of their homes. Now that the buildings will be preserved as affordable housing for the long term, squatters can imagine new tenants coming after them who are not squatters, have never been squatters, but to whom they are tied as the creator and the recipient of a precious shelter from New York City’s brutal housing market. For these imagined future residents, as well as for their future selves, squatters left traces of themselves and their buildings’ unique histories.
Conclusion

It would be easy to frame squatting as outside of capitalism and the squats as “temporary autonomous zones” (Bey 2003); many squatter spokespeople do just that. However, I argue that practices such as squatting are also, and perhaps more importantly, situated within capitalism and the private property regime, drawing from and shaping hegemonic property practices in response to the gaps in and contradictions of capitalist property. This research shows that private property is not a thing, but a complex of overlapping, interacting, and sometimes contradictory ideas and practices. The workings of capital produce multiple property ideologies, which together are a fertile field for social contestation and experimentation. For example, value in property is imagined to come both from the labor invested in it and from the machinations of the market. Sometimes these two ways of thinking about property co-exist; sometimes they are in conflict. By observing how squatters valued their labor and their homes both during the period of illegal squatting and as they were transitioning to homeownership, I have been able to show in one instance how these multiple ideologies are deployed and challenged in social worlds.

Squatters on the Lower East Side took over abandoned buildings in the aftermath of New York City’s fiscal crisis, occupying land in a neoliberalizing city, in a gentrifying neighborhood, and making claims on it that challenged those ways of being in the city. In a context of austerity, in which city government was shifting its focus from caring for citizens to creating an attractive environment for business and economic elites, squatters simply took what they thought was their fair share of the city’s resources. Those empty buildings, they argued, were there to house needy people, not to create revenue for the city. They demanded resources and offered their labor in
exchange. At the same time, by taking responsibility for creating their own housing, they participated in a process through which government was outsourcing to low-income and working class people the work of providing shelter for themselves.

Squatting on this scale was possible in part because the crisis of abandonment in the 1970s and ‘80s had caused people to question not only the government’s but also for-profit landowners’ capacity to steward the city’s housing. As deindustrialization and disinvestment limited the possibility of accumulation through renting housing to working class people, landlords allowed buildings to deteriorate and then they abandoned them. The profit motive, it turned out, was not enough to keep inner city neighborhoods viable for low and moderate-income people. The market was not working, but the infrastructure of government subsidies and powerful working-class organizations that had allowed for the development of so much affordable housing in the post-war period had been destroyed by post-fiscal crisis austerity policies.

With the use value far exceeding the exchange value of these burnt out inner city tenements, neither the state nor capital had much interest in them. Policy solutions focused on incentives such as tax breaks and land giveaways to induce investors to create and maintain low-income housing. Squatters did something different, trying to keep the market at bay by at least temporarily decommodifying housing, leveraging their labor power to make property claims. Squatters used parts of the discourse of private property to make claims on their illegally occupied dwellings. The city clearly had the title to the Lower East Side squats, and according to a liberal Lockean idea of property, citizenship, and democracy, the people give some of their power to the state explicitly so that the state can protect private property rights. However, this same set of ideas also posits that property rights come from productive use and the investment of labor. In 1995 squatters on East 13th Street came very close to making a successful claim to the title of five buildings using adverse possession law, a part of the legal system of private property that privileges use and work over title.
Once squatters had occupied these spaces and built a network of self-defense that made them extremely hard to evict, the buildings were kept out of circulation for longer than they may have otherwise been, even as gentrification gained momentum on the Lower East Side. The Department of Housing Preservation and Development still had title to the buildings, but with organized populations of squatters firmly entrenched in them the city could not command their use rights, making squatted buildings nearly impossible to exchange or convert into capital.

Twenty years later, the squatters negotiated a deal to gain legal title to these illegally occupied buildings, bringing them back into the market. They had acted like owners, acted as if their claims were legitimate, until they were. The world in which they became homeowners was very different from the one in which they became squatters. What it meant to act like an owner was changing, as were the relations between capital, the state, and citizens seeking housing. By following this group of people as their property relations dramatically shifted and new forms of personhood emerged, this research makes a unique contribution to studies of property and personhood. In contrast to studies of changing property regimes in the context of major societal upheavals, such as the transition from socialism in the Eastern Bloc, this research looks for dynamism and conflict within a relatively stable and hegemonic property regime. Some of that dynamism came from the aforementioned complexities and contradictions within private property: between housing as a source of equity and housing as a shelter for the family, and between value as produced by labor or through the market. And some came from more gradual change over time, as in the neoliberalization of urban governance and accompanying processes of financialization, privatization and outsourcing of housing production.

By 2002, when the legalization deal was announced, New York City was completing a process, begun in the 1980s, of extricating itself from the role of landlord of last resort. Taking
ownership of so many tax-delinquent properties in the 1970s and ‘80s was now widely seen as a terrible mistake. By 2003 the city, which had owned 10,000 tax-delinquent buildings by the 1980s, only owned 800, and by 2009 that number was down to 156 (M. Fernandez 2009). The city had long had a firm policy of not negotiating with squatters, perhaps out of fear that others would then be encouraged, but by 2002 there were few city-owned properties available to squat. Handing over the title to the buildings to UHAB, and through them to the squatters, made perfect sense in this context. Non-profits and for-profit developers seeking tax breaks or zoning variances had become the conduits through which the state provided housing. After 2008, when the buildings began slowly completing the legalization process and the first squatters became homeowners, a very different kind of housing crisis caused Americans to once again question the way housing was exchanged on the market and the role of the state in managing housing markets.

The struggles of the Lower East Side squatters as they navigate the legalization process reflect the growing anxiety about and precarity of homeownership among Americans today, while also being inflected with their own unique decades of experience living in decommodified housing. In the aftermath of the foreclosure crisis, individual homeownership could no longer be taken for granted as an effective means to provide housing and security for families, especially low- and moderate-income families. When home values plummeted, the equity supposedly stored in Americans’ homes was revealed as fictitious. Mortgages no longer seemed like a steady path to wealth accumulation when foreclosure was epidemic. The moral economy of debt was changing as the nation debated whether “strategic defaulters” were savvy or shifty and whether those experiencing foreclosure were greedy profiteers or hapless victims.

The model of homeownership squatters used – limited-equity and cooperative – is almost the perfect inverse of traditional homeownership. Limited equity ownership is meant to allow for the security and control of ownership while insulating housing from the market. Cooperative
ownership spreads the risk and rewards of ownership among the group. Squatters struggled to find a way to become collective homeowners without destroying their collective values: control over one’s space and one’s time. They debated whether it was moral to profit from housing, how equity was produced, and how it should be distributed. They tried to find ways to create security for themselves amidst the real risks of foreclosure and eviction.

Many critics and even scholars present the neoliberalization of New York City and the gentrification of the Lower East Side as faits accomplis. New York City is widely seen as a place defined by its brutal and unrestrained housing market. However, this study highlights the failures of Giuliani and Bloomberg-era initiatives to marketize and commodify everything. While other cities bulldozed high-rise public housing, New York City’s remains intact. The percentage of rent-regulated apartments is slowly but steadily declining (Furman Center 2011), Mitchell Lama housing for middle income people is being privatized at an alarming rate, and the regulations maintaining the affordability of some housing created in the 1970s and ‘80s (including some homesteaded limited-equity low-income co-ops) are beginning to expire. However, almost half of New York City’s rental housing is still covered by rent regulation, and low-income limited equity co-ops are more common here than anywhere else in the nation. As M. Bianet Castellanos showed in her study of the privatization of collective ejido land in Mexico, the existence of privatization programs, even when backed with substantial force and attractive incentives, does not ensure that people buy into the ideology of private property (2010). As they negotiated their legalization deal, squatters were drawing on long local traditions of challenging the full commodification of housing and creating limited equity co-ops to keep the market at bay, at the same time as they were working with models created to privatize city-owned housing. This dissertation shows how the squatting movement successfully constrained the capacity of the city’s leaders and investors to create market rate housing on the Lower East Side.
The trajectory of this movement is intelligible only within the larger context of the long history of squatting in the United States and the legal framework of property that squatting movements of a variety of types have shaped. The squatting movement in New York derived from a variety of contexts, many particular to the city, including early deindustrialization, its large immigrant population and a long history of radical social movements and socialized housing. New York squatters succeeded in claiming and holding abandoned buildings in large part because they were able to draw not only on the discourses and infrastructures of urban homesteading but also on the tactics of European squatters accustomed to fighting for urban space in a context in which they might actually win. While most American urban squatters might put up a show of resistance for the media, they expected to eventually lose buildings in the face of overwhelming police power and strict enforcement of private property ownership. European squatters fought for keeps, and they taught New York squatters to do the same. Lower East Side squatters also operated in a neighborhood that was vibrant enough to attract a diverse group of squatters with the cultural capital to organize and explain themselves, the skills and physical health to rebuild crumbling tenements, and the social characteristics that could make them plausible claimants on public property. Still, while unique, this case can help us to think about the possibilities facing a host of American cities in the coming decade.

As cities today consider varied forms of modified private property, from the expanded use of eminent domain to community land trusts, to consolidate and preserve post-industrial landscapes, an understanding of the organized squatting movement in New York City helps illuminate the options available, the possible outcomes of various means of limiting the extent of the market, and the possibilities for including the most marginalized urban populations. In de-industrializing American cities, it has been challenging to find ways to promote neighborhood stability, curb
displacement, and house low-income people. For example, urban homesteading for moderate-income people, with its reliance on private property ownership and the homeowner ideology, did nothing to curb gentrification. Urban homesteading for low-income people had the potential to create a substantial pool of at least partially decommodified and community-controlled housing. This potential was not realized due to lack of access to capital for renovations and homesteaders’ resistance to the constraints of the limited-equity cooperative form of ownership promoted by organizers and attached to government subsidies. Squatters used some of the ideas from urban homesteading but, until 2002, without government subsidy or other major influxes of capital. As a group of mixed-income people with a range of skills, from construction to community organizing, they were able to turn shells of buildings into livable, if not legal, homes. Now, without major direct subsidies such as Section 8, it has proved challenging to maintain the diversity of this group as the buildings become even partially commodified, and some of the most vulnerable residents have lost their homes in the process.

Some working-class cities with high percentages of underwater mortgages and little prospect of speedy economic recovery have been considering a plan to buy up mortgages from the lenders and, if they refuse to sell them, take them using eminent domain. They would then resell them to the homeowners for a price close to the actual market value of the home. Eminent domain is usually used by a municipality to force landowners to sell their property so that the city can use it for a public good—traditionally for something such as a road or school, but more recently also for private developments such as Brooklyn’s controversial Atlantic Yards project (Bagli 2009). These cities, most prominently Richmond, California, argue that this unorthodox strategy is their only option to combat the blight overtaking their neighborhoods and that mortgages are property just as land is, and therefore subject to eminent domain (Dewan 2013a). Banks are reportedly “terrified” of the potential spreading of this approach, and the Federal Housing Finance Agency has threatened to
limit future mortgage lending in areas which use it (Dewan 2013a, 2013b). In the context of an historical trend in the direction of cities exercising eminent domain on the behalf of corporations – based on the assertion that what is good for business is good for the public – this is an anomaly: cities are threatening to use eminent domain to divest corporations of their property in the interest of low- and moderate-income citizens. In an historical moment when the overall trend is towards cities outsourcing the work of managing and providing affordable housing, these cities are trying to preserve their housing stock by becoming aggressively involved in the housing market. Meanwhile, Deutsche Bank recently settled a lawsuit brought by the city of Los Angeles, accusing the bank of acting as a slumlord, neglecting foreclosed homes, and contributing to blight (Garrison and Linthicum 2011). Some cities seem to be questioning the wisdom, once again, of leaving the preservation of low-income housing stock to the market.

At the same time, other cities are trying to figure out how deal with vacant housing for which it seems that occupants may never be found. In the second decade of the 2000s, major American cities once again faced bankruptcy, but this time finance capital did not bail them out. Detroit filed for bankruptcy in 2013, the largest municipal bankruptcy in US history. Austerity is once again being imposed on struggling cities, but now through a different mechanism: bankruptcy proceedings rather than bailouts. The problem of shrinking cities, and how to manage unevenly developed urban centers where vacant land is intermixed with inhabited houses, is a pressing one in both the Rustbelt and the Sunbelt, the US and Europe. Some urban planners now believe that prosperity is possible without growth, and even in the context of decline (Hollander 2011).

Residents of declining cities in which capital does not seem likely to return are trying to find ways to get and keep control of land and housing. Even in Chicago, a relatively prosperous city with a strong economy, a city government with a repertoire of policy based on public-private partnerships seems to be abandoning certain neighborhoods where capital cannot be enticed to return. An
attempt to use federal Neighborhood Stabilization Program funds to purchase, renovate, and resell foreclosed homes in working class black neighborhoods failed when buyers could not be found even at subsidized prices. In 2011, the city had 15,000 abandoned buildings (Knight and O’Shea 2011). Organized squatters from the Anti-Eviction Campaign and Occupy Our Homes are now working in these neighborhoods, trying to mobilize homeless people to take over vacant buildings and working towards the creation of a community land trust to hold the housing out of the market permanently (Austen 2013). Gary, Indiana, a city where one third of the homes are abandoned, recently launched a new program reminiscent of urban homesteading to sell homes for $1 to anyone meeting modest minimum income requirements willing to bring them up to code and live in them for at least five years (Yaccino 2013). In both of these cities, as in Detroit, residents and policymakers are struggling to find ways to use homes with no market value, especially in a policy landscape focused mainly on market-based solutions.

On the Lower East Side, squatters and urban homesteaders have been wrestling with similar issues for decades. Total decommodification was easiest when the buildings had no exchange value, as vacant homes in much of the country do now. Capital did come back to their neighborhood, making it even harder for local people to keep control of housing. The fact that the squatters whose stories are told in this work have managed to collectively claim, restore, manage, and partially decommodify housing, in one of the most heavily gentrified neighborhoods in a city often cited as a model of neoliberal privatization, is extraordinary. They battled public-private housing developers and their own “inner capitalists” to do it.

The legalization of the squats on the Lower East Side occurred in the specific historical context of the revanchist return of capital investment in New York City and the remaking of the inner city as a playground for the “creative classes” now widely credited for revitalizing urban life – a
process that many city governments across the nation are eager to replicate (Florida 2002). As Mele has amply shown, the radical culture of resistance produced on the Lower East Side was constantly at risk of being appropriated and commodified by the mass media and the real estate industry (2000). He identifies squatters as one of the few groups able to consistently produce decommodified politically effective radical culture in the neighborhood.

When the squatters tried to transition from living in fully decommodified housing, not exchangeable in the market at all, to the partially decommodified housing of the limited equity low-income co-op, they found it quite challenging both socially and economically. For many, especially those with marketable skills, stable jobs, or middle class privilege, legalization was a boon but, as was the case in many informal settlements in the developing world where property has been formalized, for the most marginal it ranged from tolerable to disastrous. Some of the squatters would have chosen this model, given a range of options, but many would have preferred to go on living in decommodified housing, either informally as squatters or formally in a community land trust.

While individual, private property and collective property are often opposed, this study reveals all that is obscured by that dichotomy. Each individual member of the new legal cooperatives became the owner of a share of their collective property. The collectives struggled to manage the shifting relations between the individual and the group produced by their new property relations. In some ways they were now tied even more closely together than they had been as squatters, while in others their old social relations were severed by the formal structures of the co-op. As each person was required to produce an identical monetary contribution to the cooperative’s collective monthly expenses, the squatters’ ability to accommodate people who made a diverse variety of contributions, from construction work to political strategizing, and especially to include those who could contribute little but desperately needed housing, was compromised. People who made wonderful art but not much money, or who had worked hard for the movement but were now too ill or frail to
work for cash, were either pushed into the workforce or pushed out of the buildings. For those who stayed, this was often an intensely painful process in which they had to choose between protecting the group’s collective property and protecting the group’s values and weakest members.

Group power dynamics also changed with the advent of collective legal ownership. Increased bureaucratization brought new leaders to the fore, in particular those – often women and people with middle-class habitus – with the cultural capital to perform bureaucratic labor. These new forms of governance constrained some of the bullies who had ruled through force and intimidation and marginalized those who had previously been centrally important because of their construction skills or willingness to physically defend the building from eviction. This is one important way in which new property relations produced new persons: new leaders, new winners, and new losers in the ongoing struggle for space in the squats.

Within a capitalist economy and in the context of a neoliberalizing regime of urban governance in which private property was expanding to encompass seemingly everything, from public parks to public housing, the ideology of private property at times seemed inescapable. Given the chance to become homeowners, a significant minority of squatters wanted to fully commodify their homes rather than giving up some of their own property rights for the benefit of future low-income owners. While the most radical of urban homesteaders and squatters hoped to create an entire cooperative social world on the Lower East Side, with decommodified housing as only one part of a comprehensive system of social support, this vision was not realized. For both squatters and homesteaders on the verge of becoming homeowners, the prospect of sharing in the American dream of homeownership was attractive. Equity, security, prosperity and social mobility were especially tempting after a sometimes decades-long struggle to procure decent, affordable housing had left residents depleted and sometimes isolated from the larger economy.
The story told here – of the amazing lengths to which squatters went to procure their housing and establish an alternative social world for themselves and the challenges of legalizing their tenure – shows how difficult it is to create a space inside of capitalism but in resistance to it. This case study, in part because of the particulars of the case, and in part because of the ethnographic and oral historical methodologies used, shows both how tenacious and how porous private property is as a legal institution, a social practice and an ideology. Oral history is particularly well-suited to studying how ideologies work within complex social worlds because the collaborative practice of life history interviewing supports narrators to explain both what they did and why, carefully bringing native theories and ideological frameworks into focus within the context of stories and experiences. Ethnography allows us to move beyond the discursive, focusing on what people do as opposed to what they say. Together, in this case, oral history and ethnography have illuminated the incredibly complex ways in which the practices and ideologies of private property are deployed and transformed in the world.

In the context of the current ongoing foreclosure crisis and the uneven, contested, yet pervasive process of neoliberalization and privatization, this study should both give hope and give pause to those seeking to experiment with alternatives to private property. Partial decommodification through the creation of limited equity low-income co-ops, when tried first by homesteaders and then by squatters, was a successful way to create relatively lasting and relatively affordable housing for those able to work for it and work to pay for it. Full decommodification, as in the illegal squats and the zero-equity co-ops experimented with by some homesteaded land trust buildings, could accommodate a broader range of residents. However, illegal squats did not seem likely to be tolerated forever in a city where private property rights are, for the most part, extremely well enforced. With buildings that were dilapidated or had any exchange value at all, it was challenging to raise enough capital to purchase or renovate them without indebting the occupants
and raising housing costs above the levels where the housing could be affordable to very low-income people and remain outside of the market.

The politics of urban property is very different today, when “urban community organizations are not contending with the effects of disinvestment so much as the consequences of opening ‘underserved’ central-city markets to mobile and under-regulated global capital” (Fields, Forthcoming, 5). Squatters’ buildings could easily have become part of these global capital flows, especially since 2005 when “the rent-regulated sector, with its weakened protections,” emerged as “a frontier for capital in search of new investment opportunities” (Fields 2013, 193). As we saw with the securitization of the tax liens on 544 East 13th Street and 377 East 10th Street, agreeing to the legalization deal did not automatically protect the squats from being incorporated into the flows of endlessly profit-seeking capital. In some ways, it put them at risk. In this environment saturated with predatory equity, squatters’ small-scale and mostly successful battle to shepherd their collective property into the realm of legal ownership without succumbing to the logic of the market shows us that resistance to the financialization of everything is still possible. Counterintuitive as it may seem, the production and circulation of commodities can be an effective means to assert values alternative to those of contemporary capitalism (Ferry 2005).

Right now there happens to be a large stock of housing, mostly single-family homes, all around the United States, that is in good condition but has no exchange value, either because the mortgage is underwater, the title is unclear, or the location is undesirable due to deindustrialization. With and without the support of nonprofits and government agencies, residents and newcomers are already experimenting with ways of making use of this land and housing, working in the complex and shifting terrain of private property ideology to assert rights and create value. Community land trusts could allow residents to remove this housing from the market permanently. As this study has shown, the decommodification of housing provides a means to house the most vulnerable people in
society. It also provides an opportunity for social experimentation, as small, fragile, but extraordinarily dynamic spaces within but challenging to capitalism open up. The squats were some of these spaces, and their rarity should not keep us from studying them and learning the important lessons they teach us about capitalism, property, and the challenges and rewards of resistance.
Appendices

Biographical Sketches: The Eleven Buildings

292 East 3rd Street, aka Bullet Space. Bullet Space, named after the brand of heroin sold on the block, was founded in 1985 and has always been especially welcoming to artists, hosting a gallery on the ground floor. Bullet Space was the first of the buildings to complete the legalization process and become a co-op, in 2009. The smallest of the buildings, with only seven apartments, Bullet Space kept all of its residents through the entire legalization process. They outsourced much of the work to contractors but managed to avoid being relocated during construction. Soon after they converted, they discovered a structural problem with one of their exterior brick walls and had to undertake and fund another major renovation process requiring another major loan. They ended up with one of the highest per/unit debt loads: $129,574. Several of their residents got Section 8 subsidies to pay their monthly costs, but the building’s finances remain precarious. Maggie Wrigley and Rolando Politi live here.

21-23 Avenue C, aka Umbrella House/Haus. Umbrella House was opened in 1988. People say it is called Umbrella House because the roof was so leaky that the interior was layered with umbrella-like tarps. Umbrella was founded by a group including several powerful women and an experienced European squatter, and has historically been one of the most organized and politically engaged buildings. Umbrella also now has a significant Colombian population. The building also had large storefront spaces which they used to host parties and meetings, and which they have now leased to
two local businesses: a barbershop and a check-cashing place. Umbrella House became a legal co-op in 2010, with a low per-unit debt load of $47,777. The co-op is probably unique among the newly converted squats in having a surplus of income, which they are using to build a roof garden. Tauno Biltsted, Marta Dann, and Geoff Dann live here, as did Edgar Rivera and Famous Chrome.

155 Avenue C, aka C-Squat or See Skwat. C-Squat was opened in 1989 and, after a period of shifting populations, including a period when the building was known for its population of heroin-addicted Eastern European refugees, it became a mainly white, male, punk rock squat by the early 1990s. Known for wild parties and punk shows, C-Squat has a large two-story event space that once held a skate ramp. C-Squat residents decided to rent their storefront space to the Museum of Reclaimed Urban Space, which opened in 2012. The building has been on the edge of conversion since 2012, in limbo since they have completed renovations but failed to convince the bank holding their $1,229,000 in loans that they can act as a responsible co-op. C-Squat has one of the liveliest social scenes of the former squats and still hosts events and parties, although mainly now through MoRUS. Erin Williams, Diane Roehm, Johnny Coast, Popeye, Brett Pants and Jerry the Peddler live here.

719 East 6th Street. Opened in 1988, 6th Street was one of the buildings with a weaker organization. 6th Street suffered a fire after the legalization deal was announced, leaving them with an especially difficult and expensive renovation process. Residents were relocated while the building was gut renovated by contractors. The building became a co-op in 2011, with the highest debt load/unit: $163,851.
209 East 7th Street. Opened in about 1987, 209 is another building well known for being organized and doing things by the books. After having been a squat for some time, 209 suffered a massive fire that burned the roof entirely off, yet residents reentered and rebuilt. The residents are diverse and co-exist relatively peaceably. They became a legal co-op in 2010 with the lowest debt load of any building: $36,053/unit. Jessica Hall and Fly live here, as did Michael Shenker and Famous Chrome.

274 East 7th Street, aka The Germans. 274 was one of the three buildings on this block, only two of which joined the legalization deal, in which tenants attempted to enter the Tenant Interim Lease program to become co-ops in the early 1980s after the buildings were abandoned by landlords. It is not clear why they were not accepted, but the buildings all became squats. Under the legal name of the “Rainbow Co-op,” 274 sued UHAB for a full disclosure of their financial records, at the same time making an adverse possession claim on their building. The adverse possession claim was rejected, and the building was able to become a legal co-op in 2012 with an unusually low debt load: $47,118/unit.

278 East 7th Street. 278 is the other building that failed to enter TIL and then became a squat. They have not yet completed the legalization process, although UHAB has taken out $550,119 in loans on their behalf to date.

733 East 9th Street, aka Serenity House. Serenity House was opened in 1987. The building did not have a consistently functioning central organization during the legalization process and residents were relocated for a gut renovation by contractors, leaving them with $3,066,822 in debt. The building has not yet completed the co-op conversion process. Nigel Clayton lived here.
377 East 10th Street, aka Tenth Door. The Tenth Door was opened in 1989. This building, which has a diverse population including several Colombians, does not have a functioning government. The building was partially burned in a fire shortly after agreeing to the legalization deal with UHAB and residents have been renovating slowly and on their own since then. UHAB has not taken out any loans on their behalf, and in 2013 HPD sold the tax lien on the building, opening the possibility that UHAB will lose ownership of the building and residents will once again become vulnerable to eviction. Frank Morales and Eric Rassi live here.

544 East 13th Street. 544 is the last of the six squats that existed on East 13th Street starting in 1984. A large building across the street from the five that were evicted in 1995-96, 544 had been partially renovated in the 1970s and was in better shape when occupied than any of the other squats described here. 544 started out highly organized, part of the 13th Street Homesteaders’ Association. The building left the association and then split into two factions that no longer meet together, each claiming to be the legitimate governing body for the building. Rosario Dawson grew up there, and her extended family now controls much of the building and leads one faction. UHAB took out an $850,000 loan on their behalf but no major renovations have happened. In 2013 the Department of Buildings cited 544 for doing construction work without a permit and a partial vacate order was issued for the rear column of apartments. Also in 2013, HPD sold the tax lien on 544, putting UHAB’s ownership in jeopardy. Rick Klemann lives here, as did Marisa DeDominicis.

7 ½ Second Avenue. This outlier is several long avenue blocks to the west of the rest of the squats. Residents of this building did not consider themselves squatters and were not part of the squatters’ scene east of Avenue A. Many were paying rent to a group that did not, in fact, own the building and were surprised to learn that they were not legal tenants. They advocated to join the 2002 UHAB
deal and were accepted into it. Residents of this building agreed that their building could be torn down and replaced with a new condo building, in which they have low-income units subsidized by a tax credit program to promote low-income homeownership. An account of one resident’s experience of moving out and watching the building be demolished is here:

http://7andahalf2ndave.blogspot.com/
Biographical Sketches: The Narrators

Tauno Biltsted, b. 1970 in Copenhagen, Denmark, to a Danish father and a Turkish/Canadian mother, and grew up in a hippie neighborhood in Vancouver. His father was an architect, but they sometimes struggled to make ends meet. At age 13 his family returned to Copenhagen in search of work. As a teenager he was into punk rock music and culture, and while in Copenhagen he was involved with the squatting scene there. He returned to the “chaotic and lovely” world of the Lower East Side when he was fifteen years old and got involved with squatting there through the homeless encampment at Tompkins Square Park. In 1989 he moved into C-Squat, and in 1992 he was voted into Umbrella House. Biltsted was deeply and consistently involved in the legalization process. Today he works with homeless youth and owns an apartment in Umbrella House.

David Boyle, b. ~1960, grew up in Queens and New Jersey, the child of a truck driver and stay-at-home mom, and returned to New York City to attend the New School for Social Research on a Teamsters scholarship. He dropped out of college after he became involved with direct action against nuclear power, then joined the Yippies and was kicked out of the party when he applied to join the police academy. He got involved with homesteading and squatting on the Lower East Side in the early 1980s and was a founder of the East 13th Street Homesteaders Coalition. Many people found his approach, inspired by Basque Mondragon cooperatives, to be too controlling, and in his own words, “Stalinist.” Boyle is married to an architect and they recently completed construction of their own home in Williamsburg, Brooklyn: New York City’s first house built from recycled shipping containers.
Howard Brandstein, b. 1953, grew up middle class in Washington Heights, a neighborhood in northern Manhattan. He attended Stonybrook University where he did his senior thesis on urban homesteading and spent time in several major cities on the East Coast researching homesteading and urban development. In March of 1978 Brandstein began work with the Adopt-a-Building program and from there worked with a variety of other housing organizations. He has lived in a contentiously governed homesteaded building on the Lower East Side since 1981 and runs the Sixth Street Community Center.

Famous Chrome, b. ~1968 in Shreveport, Louisiana to young working class parents. They moved a lot, and she ended up in college in Madison, Wisconsin, where she got involved with activism around homelessness. After travelling around the US and Mexico for a few years she moved to New York City in 1994, with all of her “dresses and bicycles and lovers,” working on and trying to get a space in Umbrella House, then “becoming landed,” as she says, at 209 East 7th Street. She gave birth to a daughter there in 1995, and lost her apartment to her daughter’s father after legalization started. She is an acupuncturist and at the time of our interview paid $2300 per month for a small market-rate walkup apartment on the Lower East Side.

Nigel Clayton, b. 1968 in Bridgeport, Connecticut and raised in a family of schoolteachers. He started working in a record store when he was thirteen, and at age twenty hitchhiked to New York City to break into the music industry. Even though he immediately became homeless he found a home among the artists and musicians on the Lower East Side. He got connected with squatters such as Jerry the Peddler and Adam Purple by hanging out in Tompkins Square Park, crashed in many buildings and eventually landed a spot in Dos Blocos, a racially mixed building he remembered as a multicultural utopia. When that was evicted in 1999 he moved to Serenity House, where he lived
as one of a few people of color in a predominantly white building. He works as a DJ and as staff for music events.

Johnny Coast, b. ~1977 in Olean, New York and grew up in Denver. His mom was a nurse and healthcare activist and his dad was an auto body repairman who built hot rod cars on the side. As a young person Johnny was involved in activism as a street medic in the alter-globalization movement. He first came to New York and was introduced to squatting in 1996. He bounced around among different squats and different cities until he landed his own apartment in C-Squat in 2008. Johnny has his own business, Coast Cycles, building handmade custom bicycles.

Carla Cubit, b. ~1968, grew up in Kansas City, Missouri. Her mother struggled with alcohol and crack addiction, and Carla often lived with aunts. When she was eighteen her boyfriend was killed, and she moved to New York City hoping to get into theater. With no contacts or resources she quickly became homeless and spent four years in shelters and homeless encampments before moving into 535 East 13th Street in 1989. While homeless she was diagnosed as schizophrenic and became involved in activism against the mental health system. As an “outsider artist” she was represented by American Primitive Gallery, and she continues to make art. After 535 was evicted she lived in a city housing project, “stuck in hell poverty,” then got into a low-income co-op, “cashed out,” and now owns a home in New Jersey.

Geoff Dann, b. ~1967 near Madison, Wisconsin, grew up in a middle class family. He was a punk rock teenager who loved skateboarding and moved to San Francisco to be in a band when he was 23. In 1989 he moved to New York City and into Umbrella House. He is the father of a young
daughter, loves to surf in the Rockaways, and works full time doing construction. In 2014 he planned to sell his apartment in Umbrella House and move to Maine.

Marta Dann, b. 1964 in Portugal and came to the United States in the mid-1980s, leaving behind a daughter. Her mother is Indian and her father Portuguese. When she first immigrated she worked as a nanny in New Jersey, then came to New York City to study interior design but never finished her studies. After nearly becoming homeless Marta moved into Umbrella House in 1989, shortly after the building was opened. Her son was born in her apartment there and is now a teenager. Marta is a singer and performance artist who teaches art and makes mosaics.

Marisa DeDominicis, b. 1962, grew up in Beacon, New York. Her parents were Italian immigrants and her background working class. She studied communications at Emerson College before moving to NYC in 1983 and becoming involved with community gardens and squats on the Lower East Side. DeDominicis was the first person to move into the squats on East 13th Street, where she lived, worked, gave birth, and raised three children for almost twenty years. She married another squatter, architect Paul Castrucci, and they built a green, energy self-sufficient home for their family on Rivington Street, on the Lower East Side (although they are now separated). She worked for the Trust for Public Land for 18 years and now is the director of Earth Matter, a nonprofit promoting composting in New York City.

Jessica Hall, b. 1966, grew up in rural Maine, the child of back-to-the-landers. She dropped out of NYU and was living on Avenue A, an activist and stay at home mom of two about to be evicted when a friend told her about 209 East 7th Street, where she now owns an apartment. Her husband was Puerto Rican and a carpenter, so they were attractive candidates – a family from the
neighborhood, and skilled – but the process to be accepted as building members dragged out and so they just clipped the lock and moved in. When she and her husband split up she finished college and became a social worker. She was the secretary for 209 for a long time and worked closely with UHAB during the legalization process.

Rick Klemann, b. 1960, grew up in a middle-class, but integrated, neighborhood in Washington, DC. He moved to New York City in 1979 to join the art scene and attend Pratt. Soon after that both of his parents died of cancer, and he entered a period of heavy drinking, heavy drugs, and heavy metal music. In 1985 he moved into 544 East 13th Street, where he still lived as of 2012. Living in the squat he found a productive outlet for his energies and threw himself into renovations. In the late ‘80s he began to make a living painting custom guitars and drums for rock bands. He now repairs generators and air conditioners and is married to a nurse.

Frank Morales, b. 1949 to a Puerto Rican father and Peruvian/Italian mother, grew up in the public housing projects of the Lower East Side. He avoided the draft, then entered an Episcopal seminary and became a priest. In the late 1970s he got involved with squatting while working at a church in the South Bronx – he led the congregants out of the church with crowbars after service to open vacant buildings. In the 1980s he returned to his neighborhood and has been a vocal and public squatting activist ever since. He is a founder of Organizing for Occupation, which has promoted squatting since the 2008 crisis, and leads walking tours of formerly squatted buildings.

Brett Pants, b. 1972 in Canarsie, Brooklyn. He was raised by a single mom who worked as a secretary and then became a nurse; sometimes they used food stamps. Bored and picked on, he barely graduated from high school. When he was a teenager Brett left home and traveled and
squatted in various places, but always ended up coming back to New York. His first “space” in C-Squat in the early 1990s was just a cot placed over rafters on the fifth floor, but eventually after moving around and watching others’ spaces he got a room of his own in the building. He is now one of C-Squat’s longest residents. He works as a maintenance worker at TriBeCa Grill, travels often to C-Squat’s other hub in rural Tennessee and plays in the punk band Dog that Bites Everyone.

Jerry the Peddler, aka Gerald Wade, b. 1949, grew up in west Texas. He was raised by his Baptist father and grandparents, and quit school and left home at age 15. At 17 he joined the army, where he became involved in Students for a Democratic Society and anti-war activism. Jerry went AWOL when he was supposed to go to Vietnam. After getting busted for being AWOL several times he went to Washington, DC for the 1971 May Day protests, where he was detained in RFK stadium with 20,000 other protesters. He stayed in DC and got involved with the Yippies. He started squatting in New York City in 1984, and has long been active in organizing street peddlers, putting on “Riot Reunion” concerts in Tompkins Square park as well as anti-police May Day pig roasts. Jerry has been arrested scores of times and still identifies as a hippie, with an abiding aversion to “straights, squares, and honkies.”

Rolando Politi, b. ~1944, is an Italian artist who came to New York City in 1980, after years of travelling around Europe and being involved in social centers and squats there. He was a leader in and spokesperson for early Lower East Side squatting efforts, including the East 13th Street Homesteaders Coalition. By the early 1990s Politi became disillusioned with squatting as a political project and turned his energy towards making art with recycled materials. His ornate soda can pinwheels and glass bottle mosaics decorate the neighborhood’s squats and community gardens. Today Politi lives in Bullet Space, the first squat to legalize after the 2002 deal.
Popeye, aka Roland Llewellyn-Thomas, b. ~1955, raised in Toronto by a British scientist father and an American mother. It was a privileged upbringing, but not wealthy. He came to New York City in 1975, after seeing a photo in the paper of CBGBs. He became a stripper in Times Square and ended up experiencing the early days of punk rock (through the white downtown scene) and hip hop (through the black and Puerto Rican scene he was involved with through hustling). He started squatting in the late 1980s and moved into C-Squat, a building full of wild twenty year olds, when he was over forty. He is somewhat of a sage there. Popeye fronts the band Banji and at the time of his interview was working full time in a metal shop.

Eric Rassi, b. 1952, grew up lower middle class in Cleveland, went to college for a few years, and spent the 1970s travelling around the country before settling in New York City in 1980. By 1988 he could not afford the rising cost of rent in New York City. A dishwasher at the restaurant where he worked suggested he move into a squat on the Lower East Side. He moved around in the squats before settling in at 377 East 10th Street. Rassi does construction work and is involved in Left politics of all kinds. His building has not taken out any loans and is not yet being renovated, even though they are part of the deal with UHAB.

Edgar Rivera, b. ~1966 in a small town in Colombia and has been involved in activism and music since he was a teenager. He moved to the United States, to study music at CUNY, and arrived in New York speaking little English. When he split up with his wife and needed a place to live he was introduced to squatting and moved into the newly opened Umbrella House in the late 1980s, at the age of 22. Edgar led a chain migration of Colombians into the squats, and now several of the buildings have large Colombian populations. He travelled regularly back and forth often between
New York and Colombia, where he has a wife and children. In 2013 he sold his apartment in Umbrella House.

Diane Roehm, b. 1983 in Sewanee, Tennessee and raised by back-to-the-landers. She ran away from home as a teenager, and then went to Antioch College. She first came to C-Squat on her 17th birthday and moved in as long-time resident’s girlfriend in 2006. In 2009 she got her own space and she plans to live there forever. Diane is an artist and works as a studio assistant. She travels a lot but always comes home to C-Squat.

Peter Spagnuolo, b. 1965, grew up in a military family and lived in seven different places before he was eighteen. He spent his high school years coming into the city to hang out, do acid in the Metropolitan Museum of Art, and explore the Lower East Side. While studying poetry at the University of California Berkeley he became a heroin addict and moved into a squat. He moved back to New York City, adjuncted for a while and then worked full time at the Strand Book Store. In 1988 he moved into a squat at 541 East 13th Street after losing his apartment in Williamsburg. He got off heroin on 13th Street. He was one of the main organizers of the adverse possession lawsuit and now works as an assistant to the lawyer from that case. He co-founded the Squatters’ Rights Collection at the Tamiment Archive. He is a poet and lives in Greenpoint, Brooklyn, with his family.

Erin Williams, b. 1979 in northern Vermont and raised by back-to-the-landers. Bored by the rural life, she came to New York City from the Montreal punk scene and moved into C-Squat in 1999. She studied archeology at Brooklyn College and now works in publishing. She has been a fire performer for over a decade, is a black belt in the Bujinkan martial arts organization and recently got married.
Maggie Wrigley, b. 1958 in Brisbane, Australia and grew up in Sydney. Her father was a chemist and her mother was a teacher. After briefly attending art school she left Australia to go travelling and stayed in San Francisco for a year, living in a punk rock warehouse and working in a punk rock club. She intended to only visit New York for a while in 1984, but felt instantly at home and has lived here and worked in night clubs ever since. She came to Bullet Space, a small building with an art gallery on the ground floor, in the winter of 1987 when she and her boyfriend were about to become homeless. She still lives there today. Maggie recently edited a book on radical communal architecture \((\textit{The Architecture of Change: Building a Better World})\) and is working on a book about her experiences squatting.
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Maggie Wrigley 1/26/12
Maggie Wrigley 2/21/12
Dan Yafet 7/29/12

* = interviews conducted for the Squatters Collective Oral History Project by Jeremy Sorgen and used for this research
Key to Acronyms

ACORN – Association of Community Organizers for Reform Now
CETA – Comprehensive Employment and Training Act
DAMP – Division of Alternative Management Programs
DRIE – Disability Rent Increase Exemption
FHA – Federal Housing Administration
HDA – Housing Development Administration
HDFC – Housing Development Fund Corporation
HPD – Housing Preservation and Development
HUD – Housing and Urban Development
JPC – Joint Planning Council
LESAC – Lower East Side Catholic Area Conference
LESHC – Lower East Side Housing Coalition
LISC – Local Initiatives Support Corporation
MHANY – Mutual Housing Association of New York
MoRUS – Museum of Reclaimed Urban Space
NCB – National Cooperative Bank
OPM – Office of Property Management
RAIN – Rehabilitation in Action to Improve Neighborhoods
SCRIE – Senior Citizen Rent Increase Exemption
TIL – Tenant Interim Lease Program
UHAB – Urban Homesteading Assistance Board
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