



**CRITICAL
CARE
ARCHITECTURE
AND URBANISM
FOR A **BROKEN**
PLANET**

Edited by Angelika Fitz, Elke Krasny
and Architekturzentrum Wien

Critical Care
Architecture and Urbanism
for a Broken Planet

Angelika Fitz and
Elke Krasny, editors

Architekturzentrum Wien, Vienna
The MIT Press,
Cambridge, Massachusetts,
and London, England

Imprint

Co-published by Architekturzentrum Wien and The MIT Press
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Library of Congress Cataloging-in-Publication Data is available.
Library of Congress Control Number: 2018954436
ISBN 978-0-262-53683-7

Editors: Angelika Fitz, Elke Krasny, Architekturzentrum Wien
Project Assistant: Maitri Dore
Graphic Design: Alexander Ach Schuh
Proofreading: Brian Dorsey
Translations: Brian Dorsey (German–English), 183, 187-9, 233, 237, 251-5, 275 and 279
Timothy Savage (Spanish–English), 91-8
Cover: © Chip Somodevilla/Getty Images
Paper: Salzer Design White 1.5 100g
Printed and bound by: Holzhausen Druck, Austria

This book was published on the occasion of the exhibition *Critical Care. Architecture and Urbanism for a Broken Planet* (April 24, 2019–Sept 9, 2019), Architekturzentrum Wien.

Director Architekturzentrum Wien: Angelika Fitz
Executive Director Architekturzentrum Wien: Karin Lux
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Exhibition Design: the next ENTERprise
Exhibition Graphic Design: Alexander Ach Schuh

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Introduction to Rio's Favelas, Their Qualities and Historic Role in the City

Since 2000, I have been running Catalytic Communities (CatComm), a charitable organization in Rio de Janeiro with its roots in urban planning, but which operates largely as an advocacy group recognizing the value of informal settlements (i.e., favelas) and supporting an Asset-Based Community Development (ABCD) approach¹ building on those qualities. Over the years we have documented numerous qualities of informal settlements in Rio de Janeiro, which unfortunately are still commonly described as *slums* in English. And we have implemented a range of initiatives from the favela journalism site *RioOnWatch* to the development of a Sustainable Favela Network all the way to promoting land rights through the new tool of Favela Community Land Trusts (CLTs). All these approaches seek to catalyze what works best in sustainably developing and building on the potential of informal settlements.

Among urbanistic qualities, Rio's favelas are typically characterized by a number of attributes:² they offer affordable housing in central areas; provide residences close to workplaces; develop as low-rise, high density, mixed-use neighborhoods; typify flexible and need-based architecture; are based on narrow streetscapes favoring pedestrians and engendering safe leisure spaces; benefit from the high usage of bicycles and public transportation; are highly creative and adaptive, with cutting edge use of technology; have supportive economies generated through mutual support; exhibit a high rate of entrepreneurship and growing upward mobility; and, when necessary, improvise public services, guaranteeing access where otherwise necessary services would not reach.

Rather than broadly defining favelas through the typical stigmatizing lens based on what they are seen as lacking,³ we have come to look across Rio de Janeiro to define the city's favelas based on what they all have in common. Our definition thus includes no objectively positive or negative element, but simply recognizes that what all favelas have in common is that their housing and construction is: (1) affordable; (2) informal; (3) self-built; and (4) unique. These characteristics can result in a range of dysfunctional or highly functional outcomes. The news media, unfortunately, rarely portray the latter, so few see them through this light.

Over the years, CatComm has come to support thousands of favela community organizers, each committed to improving his or her community using resources and opportunities at hand. And since 115, settlements by nature are incredibly diverse—due to the fact that they develop bottom-up through individuals and are not regulated or planned by centralized institutions—resident initiatives are diverse too. The result is complex neighborhoods—difficult to generalize about—that only increase in complexity over time.

Observing and working with numerous favelas, we have come to recognize that many of the assets produced in them are generated through the practice of *commoning*. Commoning is a social process whereby individuals benefit conjointly from combining forces and working together. With few financial resources, residents are forced to use commoning approaches if they want to successfully improve their lives. Commoning is also associated with *pooling*, or the joining of resources by individuals with the goal of maximizing advantage while reducing risk to all those who participate. In favelas, the pooling of human labor is the most frequent commoning strategy. The traditional *mutirão*, or collective action event—whereby residents set aside time to help a neighbor build a room or add a rooftop slab, or work together to build a ping pong table or a public square—is largely responsible for any early favela development and still relatively commonplace today.

In Rio de Janeiro, since we host some of the oldest informal settlements in the modern world that have been left to develop primarily on their own, the result is an incredibly rich complex ecosystem of informal settlements, with varying degrees of effective development. Over 120 years, more than 1,000 favelas have emerged, ranging from dozens of residents to 200,000 in one settlement. The Brazilian term for such settlements, *favela*, was coined in 1897 and the original community that bore this name, along with a number of others that preceded it, still stand today. In fact, 24% of

³ Ava Rose Hoffman, "Social Media Campaign #StopFavelaStigma Highlights Resistance and Creativity in Favelas," *RioOnWatch*, August 29, 2016, <http://www.rioonwatch.org/?p=31812>.

¹ See www.catcomm.org/abcd for more information.

² Theresa Williamson, "Rio's Favelas: The Power of Informal Urbanism," *Perspecta 50: Urban Divides*, *The Yale Architectural Journal* (2017).



Men occupy vacant land in a waterlogged area deemed unsuitable for construction and begin a new favela, driving stakes into the ground through the water and building a home from scratch. Each is forming a separate family and helping one another build homes in these difficult conditions. At the end of each day, they eat a communal meal. After three months, they had filled in the area with construction debris and literally lifted the community away from future flood risk. This community is now 17 years old, with homes of three to four stories and no flooding has taken place since. Photo: Theresa Williamson

Rio's population currently lives in favelas and there are 11 community museums across them, a testament to their historic role and long-lived presence in the city.

The Olympic Threat to Affordable Housing in Rio de Janeiro

It is in this context that we began working to defend favela land rights in 2010. When Rio de Janeiro was announced home to the 2016 Summer Olympic Games, favelas were targeted for eviction for the first time in decades, with 80,000 residents ultimately evicted and many more displaced through the highly speculative real estate market that took over the city, particularly in favelas where residents were receiving official, physical land titles. Some of these favelas experienced gentrification for the first time. Favela residents in gentrifying communities had never seen so much money offered to them. Some would take an offer, only to end up in worse situations far away from their jobs and without the non-monetary (and therefore immeasurable) assets of their deeply tied communities. Yes, some residents benefited, particularly those who were elderly and had aspirations to return to their cities of origin. But we heard endless stories of the opposite: people who had sold out unaware of the true (use) value of their homes and regretted their decisions. Not to mention all the renters who were automatically displaced by the increase in land values and speculative potential.



Woman at a community meeting in the Babilônia favela declaring „We don't want titles!“ having realized that individual land titles would spur displacement, not facilitate permanence, in her community. Photo: Theresa Williamson

There is a basic rule in urban land markets: at least 20% of the population of a typical city cannot afford market-rate housing. The bottom fifth of the economic pyramid is always left out because housing and land are expensive, and by definition they will not be affordable and the market will not have an incentive to provide them to the lowest income residents of a city. In developed contexts, governments find strategies to provide for this basic need: public housing, inclusionary zoning, subsidized rent, rent control, rent stabilization, or encouraging non-profit housing solutions such as cooperatives, to name a few. But in developing countries, civil society addresses this basic need as it addresses many others: by simply taking initiative with what they have at hand. This is why one-third of urban humanity today lives in informal settlements, and why the UN predicts nearly one-third of all humanity will be by 2050. Human population growth today is happening in informal settlements in developing countries.

Let's think about the 20% rule within the context of Rio de Janeiro. It is not a coincidence that 24% of Rio's population lives in favelas. They are the affordable housing option that has been made available to them historically: occupy vacant land and make it productive. This right is even recognized in Brazil's constitution.

Now, what happens if that land is transferred to the private market? The consequence will be the effective removal of that affordable housing stock. The market will see to it that those lands be occupied by interests who will purchase and redevelop them. And that redevelopment will surely *not* be for affordable housing.

Thus, the individual titling of favela housing, purported as a strategy to fight poverty, instead causes, in many cases, non-consensual displacement and exacerbated inequality, just as forced evictions have in the past. This is why the endemic term for gentrification in Rio is *remoção branca*, or white eviction. And since the logic structures that accompany formal institutions do not easily recognize non-monetary assets (the primary assets of favela communities are non-monetary in nature), the true loss of resources resulting from a massive individual titling policy would not be quantified.

It was in this context of a gentrifying Rio, where the cost of living had increased 86% in a brief eight-year period from 2006-2014, and historic favelas were experiencing gentrification, that we began studying the potential of applying a Community Land Trust logic to informal settlements. What would happen if favelas were titled collectively to the land under their homes and permitted, even encouraged, through formal instruments, to carry on commoning for improvements to their neighborhoods? Given the historic nature of Rio's favelas, their unquantifiable assets, and the threats they would face from formalizing in accordance with currently available instruments (which would bring a greater cost of living on the one hand and reduce the tendency for commoning on the other), might there be a "middle way?"

The Potential of Community Land Trusts as a "Middle Way"

Community Land Trusts in the Global North are characterized as non-profit organizations that develop affordable housing for perpetuity by buying land and/or buildings, developing housing, and then selling or renting that housing at below-market cost to low-income individuals. They can do so because the land remains under CLT ownership for perpetuity, so what is being sold is simply the building or home, not what is often the most valuable element, the land, which is kept out of circulation. And the CLT ensures to never sell that land because its governance structure is comprised of a mix of residents, technical allies and other interested parties such as neighbors, political appointees, etc. (typically in thirds), all committed to permanent affordability as the primary objective of the CLT. Residents who buy into the CLT do so with the understanding that the intention is to guarantee affordability, as was done for them, for others who come after them too. So if and when they sell, they make a profit, but not a speculative profit, on their investment.

Since its inception as a product of the United States' Civil Rights movement of the 1960s, CLTs have grown in application, with over 250 in the United States, and now across Europe, notably with a significant presence in the UK and Belgium, as well as in Australia, New Zealand, Kenya and Puerto Rico. Research has found the CLT to be the most robust housing approach to ensuring permanence both in periods of market growth (when gentrification would be a risk) and in periods of recession (when foreclosure would be a risk) in the United States. Unlike New York City's housing cooperatives, for example, CLTs remain affordable for perpetuity.

It was a complicated comparison to make when we began thinking of CLTs with regard to favelas. It was not going to be a question of a non-profit purchasing land and developing housing to later sell to low-income families and build a community. We were considering a reverse approach to the same objective: the land was already in the public domain or claimable through adverse possession laws, the housing was already developed, and the individuals already had a developed community and the legal claim to their homes. What the CLT is ideally suited for instead is as an instrument to formalize the existing qualities of the favela-style development pattern while addressing its challenges.

International visitors standing atop a home in the Vidigal favela, which became known as Rio's fastest gentrifying community in the pre-Olympic years. Located between three elite neighborhoods and with incredible ocean views, some suggest that the historic and culturally rich community, over 80 years old and responsible for resisting and stopping all evictions during Brazil's military regime in the 1970s, now occupies the most valuable land in Brazil. Photo: Theresa Williamson



As we studied the Community Land Trust model with an eye to its application in favelas, we observed that the universal characteristics of CLTs also broadly apply to how favelas are typically organized, though one was formal and the other informal:⁴

- **Voluntary Membership.** Participants in a CLT choose to belong and commit to maintaining permanent affordability; residents of a favela also choose to live there—often forced initially by circumstances, but eventually because they develop a sense of belonging and invest in their community.
- **Collective Land Ownership.** The CLT owns the land on which it operates and is composed of resident-community members; in favelas, land may be owned by the government with the right to occupy based on “social benefit” or, when privately owned, residents can claim adverse possession based on “social benefit” after five years.
- **Individually Owned Homes.** In CLTs, residents may own the home in which they live and can invest in and sell that home. The home’s value is kept more affordable than elsewhere by removing the land value from the sale price (given that the land belongs to the CLT). In some cases, the home must be sold or first offered to the CLT, which resells it to those who meet eligibility criteria. Meanwhile, in favelas, structures, mainly homes, are primarily owned by their residents (65-100%) with very robust parallel informal (and thus affordable) real estate markets and, in some favelas, agencies.
- **Community Control.** The CLT Board is elected by CLT residents and empowered to conduct broad community development and manage housing. Typically the board has a tripartite structure working among other things to ensure permanent affordability. In Rio’s favelas, every community is required to have a residents’ association, which is meant to be elected by residents and is legally responsible for representing the community in meetings with public officials, when effective also undertaking local improvements. They are also the primary entities responsible for documenting home sales and land disputes.
- **Permanent Affordability.** The overarching goal of the CLT is to guarantee permanently affordable housing. In Rio’s favelas, affordability has been maintained, even on what is incredibly valuable land, because the land does not belong to residents and

because of historic neglect by the authorities in favela territories. Land value is thus not included in the sale price of untitled favela homes.

CLTs are thus a formalizing instrument that preserves the inherent logic of many favelas.

The Inspiring Case of Puerto Rico Shines a Path for Rio

Through this research we learned that our theorizing had actually been proven true. At the Habitat III conference in Quito, Ecuador in 2016, we learned of a very successful Community Land Trust in Puerto Rico, whereby community organizers and sympathetic public servants had worked together to study the potential of CLTs and act to realize one, over nearly two decades in a group of eight informal settlements in downtown San Juan. The Caño Martín Peña CLT is the first well-documented, successful case retrofitting an informal settlement using the CLT framework. As soon as we found out about their experience, we began learning from them and translating their knowledge to spark debate in Rio de Janeiro.

With support from the Lincoln Institute of Land Policy, five delegates from the Caño Martín Peña CLT came to Rio de Janeiro in August 2018 for a series of knowledge-exchange workshops with local favela organizers, public officials, academics and other interested people, introducing the CLT concept to 130 interested parties.⁵

During the workshop conducted by the Caño Martín Peña CLT leaders and Catalytic Communities with Rio favela organizers, methodologies applied in San Juan were utilized. During the activities, Rio favela residents were asked to identify threats to their communities during one segment. In another, they were asked why they desired land titles (or why they rejected them). Almost universally, the desire for titles stemmed from the security of permanence, not the desire to sell or profit off the land. Photo: Theresa Williamson

⁵ Priscilla Mayrink, “Favela CLT Workshops, Part 1: Community Workshop, Methodology and Practice,” *RioOnWatch*, November 12, 2018, <http://www.rioonwatch.org/?p=48381>.



⁶ Priscilla Mayrink and Tyler Strobl, "Favela CLT Workshops, Part 2: Legislative Workshop, Debating a CLT Law in Brazil," *RioOnWatch*, December 3, 2018, <http://www.rioonwatch.org/?p=49277>.

Having a real-life inspirational case like the Caño to learn from, investigate and emulate has jump-started the Favela CLT process in Rio. One lesson from Puerto Rico that marked the debates in Rio⁶ was the recognition that as collective landowners, CLT residents have great bargaining power and influence over public policies that affect them, since they are not negotiating individually but collectively, with a large body of allied technical experts working on their behalf. Through the CLT, low-income citizens managed to remain in their neighborhoods *and* improve them, something rare in today's world where, as neighborhoods improve, gentrification typically seeps in.

The response to introducing Favela CLTs in Rio has been overwhelming. Thanks to the inspiring model of the Caño Martín Peña, by December 2018 the Rio de Janeiro Working Group for CLTs grew to 90 members, meeting twice monthly and holding workshops in interested communities. The Working Group includes representatives of 21 favelas, the Land and Cartography Institute of Rio State (responsible for land titling on state lands), the Land and Housing Nucleus of the State Public Defenders' Office (responsible for helping communities claim adverse possession on private lands), the Catholic Church's Pastoral de Favelas (which also provides legal representation to favelas claiming adverse possession), the Architecture and Urbanism Council of Rio (which advocates for favela upgrading programs and investments), the Favelas Observatory (which undertakes research on favela development themes), the Metropolis Observatory (which undertakes research across major metropolitan areas throughout Brazil), the Urban Planning Institute at the Federal University of Rio de Janeiro, the Housing and Urban Studies program at the Fluminense Federal University, and the Laboratory of Studies of the Transformation in Brazilian Urban Law of the Federal University of Rio, among others.

The Working Group is undertaking a two-pronged approach to realizing a CLT in a Rio favela in the coming years. First, a mobilization committee is working to introduce a pilot in a Rio favela, utilizing currently available legal instruments. The first step is to pinpoint a favela with the necessary preconditions identified by the Puerto Rican delegation during their five-day visit to Rio de Janeiro as necessary in order to introduce a Favela CLT in an informal settlement. These necessary preconditions are:

1. A *consolidated* community with a strong sense of *belonging*.
2. A large percentage of families *without titles* to land.

3. A reasonable *likelihood of acquiring titles* to the land.
4. A perceived or *experienced threat of involuntary displacement*.
5. A *mature process of community organization* supported by civil society organizations and technical advisors.

Several communities with potential have expressed interest and the Working Group will be conducting workshops in these communities throughout 2019 in order to develop their potential as pilot CLT communities. In the case of a pilot, new legislation, though ideal, is not essential. A favela that meets the above conditions and identifies a CLT as its ideal land regularization tool could, if it chose to do so, pool individual titles, once acquired, and separate the land from surface rights itself, attributing the land to the CLT they establish to govern the land and the surface rights to individual families. This is possible now without any changes to Brazilian legislation, but does require residents to be clear about their ultimate objective—permanence—over speculation well in advance, so that they can prepare to make this decision when the opportunity presents itself.

A second committee of the Working Group is simultaneously developing paths to introduce enabling legislation so that Favela CLTs become a viable and scalable option for mass land regularization (always looking not to compromise the "voluntary membership" and other universal characteristics of CLTs presented above). Three approaches are being taken: (1) identifying current legislation where slight modifications can be made that will facilitate the acceptability of communities self-organizing as CLTs within existing law; (2) identifying current legislation where CLTs can be introduced as a full concept; and (3) introducing brand new legislation specifically setting up and regulating CLTs.

The sense among the housing organizers, policy-makers, researchers and advocates that have so quickly embraced Favela Community Land Trusts is that they are the ideal formalizing instrument for highly functioning, consolidated informal settlements. State land titling technicians that have joined the Working Group describe their frustration in the past at giving title to residents thinking they are "solving the problem" of land security, only to open a "Pandora's Box of new problems" the community had never before imagined or prepared itself for. Problems like speculation, a new prevalence of market logic donating their realities, the pulverization of their community fabric, the end of commoning and other challenges. Rather than introducing individual titles in such communities, forcing residents into an individualizing market logic

that dramatically changes their way of life, such neighborhoods should be given the option of regularizing into Favela CLTs.

This is where we have gotten to. There is no way to know where this experiment will be in one year. However, Community Land Trusts have already captured the imagination of housing activists across Rio de Janeiro and Brazil in just a few short months. And the potential is immeasurable, as are the qualities of favelas that this “middle way” may help preserve.

Theresa Williamson, PhD, is founder and executive director of Catalytic Communities (CatComm), an NGO working since 2000 in support of Rio's favelas. In addition to fostering strategic networking, training and communications support on behalf of community organizers, the organization has become known for advocating a community-controlled, asset-based development approach through Favela Community Land Trusts and CatComm's Sustainable Favela Network. Theresa is an outspoken advocate for favelas' heritage status and their residents' right to be fully served. She has published several chapters, four op-eds in *The New York Times*, won several awards, and been cited in dozens of publications and television. Williamson is editor-in-chief of *RioOnWatch*, CatComm's internationally recognized favela news service. She earned her BA in Biological Anthropology from Swarthmore College and PhD in City and Regional Planning from the University of Pennsylvania.

Towards a Radical Democratic Politics of Urban Land: The Case of (Red) Vienna

Gabu Heindl

“You don't have to live in these apartments to love Vienna, owning them will do”: In Vienna today you can read two types of messages concerning housing and, ultimately, land, which are publicly inscribed on facades. The “owning without living in it” message is of the first type: written over the photograph of a female model on a huge poster covering an inner city construction site in 2011, it is, as a variation on a common theme, typical, and is also a propaganda instrument of current neoliberal appropriations of urban space. Owning apartments in fashionable city quarters is a part of the distribution processes from bottom to top, from public to private; uncoupling the owning of apartments from living in them, more narrowly, exemplifies the increasing financialization of urban space, which is being packaged and sold as an investment product. Interest rates for excess capital are still high when it is invested in real estate. This goes for housing as well as for land, which can be reproduced to a much lesser extent than housing space. So, in times of growing urban populations, financialization goes along with extreme increases in rents and prices for housing as well as for land. And while we are witnessing the usage of public monies to subsidize private condominiums (with subsidies increasingly being directed to home ownership, subsidized housing is being sold, not rented), more and more public land is being privatized, also in Vienna.

More frequently than such explicit neoliberal messages of the kind mentioned, you find another type of inscription on Vienna's facades. It is more everyday, but not really part of today's socio-political and politico-economic reality. It reads “Built by the Municipality of Vienna in the years 19XX to 19XX from the proceeds of the housing construction tax.”¹ The designated years range from the mid-1920s to the early 1930s, when the Social

¹ “Erbaut von der Gemeinde Wien in den Jahren 19XX–19XX aus den Mitteln der Wohnbausteuer.”

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Today, architecture and urbanism are capital-centric, speculation-driven and investment-dominated. Many cannot afford housing. Austerity measures have taken a disastrous toll on public infrastructure. Extreme weather events render the planet vulnerable, even uninhabitable. This book offers an alternative vision for architecture and urbanism that focuses on caring for the broken planet. Rooted in a radical care perspective anchored by the planetary environmental crisis, this edited collection of essays and illustrated case studies documents ideas and practices from an extraordinarily diverse group of contributors.

Focusing on economy, ecology and labor, the book offers twenty-one case studies including a village reconstruction in China; irrigation in Spain; a community land trust in Puerto Rico; the revitalization of modernist public housing in France; new alliances in informal settlements in Nairobi; and a turn to traditional building techniques in flood-prone areas in Pakistan. Essays consider such topics as ethical architecture, land policy, creative ecologies, diverse economies, caring communities and the exploitation of labor. These case studies and essays provide evidence that architecture and urbanism seek to contribute to making the planet livable again.

DISTRIBUTED BY THE MIT PRESS
Massachusetts Institute of Technology
Cambridge, Massachusetts 02142
<http://mitpress.mit.edu>
Printed and bound in Austria



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