

editorial
editorial

entrevista
interview

artigos submetidos
submitted papers

tapete
carpet

artigo nomads
nomads paper

projeto
project

expediente
credits

próxima v!rus
next v!rus

V!17

issn 2175-974x | ano 2018 year

semestre 02 semester



notas sobre direito à cidade e imunização notes on the right to the city and immunization

joão maurício ramos

PT | EN

João Maurício Santana Ramos is architect and musician, Master in Education. Adjunct Professor of the Federal University of Bahia. Researcher of the Laboratory of Multimeios in Graphic Expression and the Laboratory of Housing and City. He studies graphic expression, participative planning, contemporary city and public spaces.

How to quote this text: Ramos, J. M. S., 2018. Notes on the right to the city and immunization. V!RUS, Sao Carlos, 17. [e-journal] [online] Available at: <<http://www.nomads.usp.br/virus/virus17/?sec=4&item=2&lang=en>>. [Accessed: 16 December 2018].

ARTICLE SUBMITTED AT AUGUST, 28TH 2018

Abstract:

This text intends to register observations about the right to the city as seen under the lens of the understandings of community and immunity woven by Roberto Esposito, and understood from Henri Lefebvre as a point of convergence of the various struggles of the contemporary urban social movements that demand to take part and to work on the decisions about the city environment, along with other social instances. There are, in two apparently opposing urbanistic conceptions – the dynamics of the communities that claim the right to the city, and the dynamics of neoliberal urbanism, which aim at a valorization of the urban land and the good positioning of the city in the competitive international investment scenario – similarities regarding immunization processes that may lead to the denial of life. However, the right to the city differs itself and affirms itself because it is the available instrument to make cities more just and democratic in a scenario of extreme inequalities and power disputes.

Keywords: Right to the city, urbanism, community, immunity, Esposito

1 Introduction

The right to the city, conceived by Lefebvre in 1968, is the basis of urban social movements' arguments that claim to participate in the decision-making processes about the city's environment. In Brazil, the right to the city is present in a more significant way in the resistance speeches since the Constitutional Assembly of 1988 and today presents itself as the element that unites the diverse city's struggles in a single point of convergence. The right to the city prioritizes the community, its particularities and its demands, to the detriment of the interests of the financial and the real estate corporations that seek profit by means of the valorization of the urban soil and by the good positioning of the city in the global scenario of competition between urban centers for investments – interests these that were adopted by neoliberal urbanism. It can be said, therefore, that the right to the city and the neoliberal urbanism are moving in opposite directions. While the right to the city demands effective spaces for communities to take part (participate) and work together

(collaborate) with other social instances, in the definitions on the urban environment, neoliberal urbanism aims to simulate consensus and to make conflicts invisible to contemplate its interests.

New insights about the community emerged in France and Italy in the last two decades of the twentieth century, bringing to the surface characteristics of the communities' dynamics that approach them to the neoliberal urban dynamics, insofar as in both processes there are efforts towards self-preservation – or of immunization – against what is different to it. These understandings lead to the need to rethink the right to the city and the struggles of the urban social movements – and this is what this text proposes itself to do.

2 Right to the city as the common denominator of contemporary urban struggles

The most recent hegemonic urbanization processes, which are visible mainly from the 1990s on strategic planning, have led to major changes in the lifestyles of the urban populations. Consumerism, tourism, the culture and knowledge industries have come to occupy prominent places in urban economics ever since. Quality of life has become a commodity – purchasing power has become increasingly determinant to access the experiences that the city offers, such as the new malls and the actions of requalification or revitalization usually carried out with significant contribution of public resources. Human socialization was adjusted to neoliberal individualistic ethics, undermining the collective forms of political action that could offer some confrontation with hegemonic urban currents. However, even in this adverse scenario, urban social movements try to overcome isolation in order to remake the city in different ways from those that favor speculation and real estate development and which are supported by the state apparatus identified with market ideals (Harvey, 2013).

These urban social movements do not limit their actions to denounce the segregating character of the changes in the urban fabric made in alignment with the hegemonic urbanistic thinking; above all, they claim to participate in decisions about the city in order to make it more just and democratic. This claimed participation finds foundation and inspiration in the right to the city, which was initially conceived by the French sociologist Henri Lefebvre (2001) in publication of 1968. Lefebvre understands that the right to the city goes beyond the access to the spaces or services that the urban environment offers; it also contemplates “the right to the work (to the participant activity) and the right to the appropriation (quite distinct from the right to property)” (Lefebvre, 2001, p.134, our translation). Currently, the right to the city occupies a central place in the demands of urban social movements to confer dignity to the lives of the inhabitants of the city and against gentrification processes, the privatization of public spaces and basic services, the use of public resources to promote projects that meet to the economic interests of large corporations, the increase of informal settlements and the precariousness of the poor population's districts, which increases the socio-spatial segregation in the cities. The right to the city flag has been unfurled as a support argument in the name of urban equity, social inclusion and political participation of the population, among other demands.

Recently, Lefebvre's ideas have boosted several struggles such as the restoration of housing estates destroyed by Hurricane Katrina in New Orleans in 2005, the defense of the maintenance of trees in the Gezi Park, which would be overturned to build a mall in Istanbul in 2013, and the defense of the maintenance of the largest remaining part of the Berlin Wall, which would be removed for construction of luxury apartments in 2013. In Brazil, the right to the city based the actions of the Free Pass Movement in the major cities between 2013 and 2014, the actions against the accomplishment of the World Cup in 2014, the Ocupe Estelita movement in Recife in 2015, but it was already present in the housing movement of the Constitutional Assembly of 1988 when the National Forum for Urban Reform was created, among whose lines were the *Right to the City and Citizenship* and the *Democratic Management of the City*.

In Brazil, several analysts agree that the right to the city is not restricted to the demands of social movements for specific rights or services, but it rather corresponds to the sum of these demands, which opens up ways to strengthen values such as citizenship, democracy, autonomy and sharing of experiences among social movements. For these analysts, the right to the city is the common denominator of contemporary urban fragmented struggles, it connects diverse demands in an attempt to unify guidelines and enlarge the resistance and potency of various groups, expanding their horizons for more remote political goals.

The social demands for the right to the city crave community participation in local decisions, defending collective deliberations, in a movement in tune with decolonialist and feminist thinking. They find support in decolonialist theorists, in that they reject ready and closed solutions to community problems and they request for social, cultural and political contextualization, refusing relations of subordination and domination. The feminist theories applied to urbanism maintain that the definitions about the space of a community must come from within the community, respecting their specificities (Berner and Melino, 2016).

It is seen that the participation of the community and the recognition of their demands are basic components of the right to the city. However, new reflections about the concept of community lead to rethink its

implications on the right to the city, as will be discussed below.

3 New reflections on the community and its unfoldings in the right to the city

The understanding of the community as advocated by the movements that are linked to the right to the city corresponds to the prevailing view among theorists during the most part of the twentieth century: community is understood as what gives belonging and ownership to specific subjects. The community is linked to the common and to the self, to the idea of identity. The community is a process of becoming one, of becoming the same, an identification. It would make the subjects more subjects, a bigger and better subject. This idea has been started in the thought of Habermas and of communitarian, organicist sociology. According to this thinking, the commons own what is common to them (Ferraz, 2018).

However, in the last two decades of the last century a new interpretation about communities has emerged: "the community turns to be referred to a constitutive otherness that subtracts it from any connotation of identity, which does not eliminate a relation with subjectivity" (Ferraz, 2018, p.25, our translation).

Roberto Esposito stands out among the thinkers who defend this conception for the articulation between community and politics and for the approach that he develops around the Latin meaning of the term *communitas*. In investigating the genealogy of the term, Esposito throws his focus on the *munus* particle, which holds the ambivalent meaning of "law," "gift," or "law of gift" – it would be the gift concept presented by Marcel Mauss (1998), the gift which is given and not the one that is received, therefore, the obligation to give. Then, the community (*cum munus*, according to the etymology of the term) would be the meeting of those who have this obligation to others and it is this obligation that links the members of a community. The community is understood as necessary, since it is the place of human existence. On the other hand, this common law and the oblivion and perversion of this same law are both constitutive of humanity. Therefore, the community has never been realized or will be realized, it is both necessary and impossible.

From this approach, Esposito develops the "immunity paradigm": if *communitas* refers to an obligation that unites all members, *immunitas* is related to exemption from obligation. In a world where individuals are faced in competitions to be rewarded with power and prestige, the only way to escape from a catastrophe is to establish between them a large enough distance to immunize each one in relation to others. It is immune that one who is safe from the dangers and obligations that touch others:

[...] modernity sets in motion an immunization process, according to the paradigmatic contrast between *communitas* and *immunitas*: if the former forces individuals to something that impels them beyond themselves, the latter reconstitutes their identity by protecting them from a risky contiguity with the different from them, freeing them from any onus on themselves, re-closing them in the shell of their own subjectivity (Esposito, 2017, p.129, our translation).

Observing the etymology of the terms, it is perceived that *communitas* and *immunitas* are opposites. Esposito affirms that community and immunity are simultaneous, synchronous, inseparable facts. Every ensemble has its immunization strategies. Without immunization there is no communization, there is no life. The organism, naturally, has its immunization processes: from a certain contact, a battery of cells protects the organism, acting for its preservation.

Esposito warns, however, that immunization, which is necessary to protect life, if it is carried beyond certain limits, can deny life itself, for it forces life to a kind of cage or armor that annihilates freedom and the very meaning of the individual and collective experience – a life of changing of senses when exposing itself outside itself. The same force that protects the individual and collective body is the one that hinders its development and can lead to its annihilation, as an autoimmune disease, in which the immune system turns against the very body it should protect, destroying it.

The need for immunity devices never before experienced is imposed on humanity by globalization, which establishes more broadly the communication and the interlacing between people, ideas, languages and techniques, as to prevent from a global contamination, according to the Italian philosopher. The prism of security goes through all contemporary issues – freedom, for example, is understood as the possibility of displacement without fear for own life or for own goods, rather than participation in the political conduct of the polis.

Immunization practices in the contemporary city are easily detectable: closed condominiums, shopping malls that expel unwanted beings, gentrification processes, interventions in public spaces called "requalification" or "revitalization" that disregard existing qualities and lives in these spaces and that propose new configurations and new uses incompatible with those which existed there before. These urbanistic facts are aligned with the

competitive cities of neoliberalism, which want to be attractive to local, national or global investors. Professionals and social movements who are engaged in the right to the city rise against these facts. However, observing the city more closely, it can be seen that even a housing estate of My House, My Life Program represents an attitude of immunization of the individual against the uncertainties of not owning a home; immunization is not only characteristic of communities, but also of individuals.

Therefore, reflecting carefully about the right to the city under the light of Esposito's considerations leads to a finding that deserves attention: the communities that claim the right to the city also wish the immunization against what is strange to them. By wishing to preserve their specificities, their identity, they are, at the same time, immunizing themselves against everything that moves away from this identity. Every process of identification is immunitary. As we have seen, the communities' desire for identification, which corresponds to immunitary processes, can lead to the denial of life itself, if it is taken to high levels.

A rapid reflection on this realization can put neoliberal urban planning practices and the right to the city side by side, since both, taken in intense levels, can unfold a denial of life. However, it is necessary to take into account the relations of domination and the unequal exercise of power in urban space, real estate speculation, the difficulty of access to public services and situations of deprivation that some communities go through. If, on the one hand, neoliberal dynamics and the struggle for the right to the city are similar, on the other hand the right to the city is based on the struggle for more inclusive, just, democratic and sustainable cities.

Therefore, it is not plausible to delegitimize the right to the city by using the argument that it retains the same immunitary character as neoliberal urbanistic processes. Any possible attempt to delegitimize the right to the city under this justification seeks, in truth, to delegitimize the struggles of urban movements in order to open fronts for more production of inequalities and injustices in the city.

4 State, communities and the right to the city from the perspective of the concept of immunization

The State, whether aligned with neoliberalism or with the right to the city, is an immunitary operator in urban space. Whether in the definition of urban planning legislation, whether in the granting of credits for commercial enterprises or social housing, or whether in the "revitalization" or "requalification" of public spaces, the state will always prioritize the interests of some part of the population to the detriment of interests of others. By answering the needs of specific communities, the state also strengthens its immunities. And immunization is always a way of generating consensus, eliminating conflicts, but conflicts will always be present, especially in urban space – 'the place where people of all types and classes mingle, albeit reluctantly and conflictually, to produce a common life, though permanently mutable and transitory' (Harvey, 2014, p.134, our translation). However, city management takes care for that this difference does not produce politics, by subjecting everyone to the government of women and men.

It is known since Foucault (2008) that the city is managed from the government, normalized from the discipline and legislated from the sovereignty. It is within the tripod law – norm – regulation, whose emergence occurred in the eighteenth century, that the mechanisms of power act to manage the social body, making it politically docile and economically useful. Society becomes the object of politics – from that, Foucault's concept of biopolitics, which sees life as the privileged object of politics – and individuals become to be considered as population. The concern with the "good" living of this population was a favorable scenario for the emergence of urbanism in the late eighteenth century. At this moment, urbanism turns to make cities with good circulation and free from disease – also free from anything that could infect the social body, such as the criminal, the crazy, the sexually deviant; it can be affirmed, therefore, that urbanism is an immunitary biopolitical device (Ferraz and França, 2012).

While Foucault focused on the working of power mechanisms, Hobbes (2004), in the eighteenth century, became interested in the foundation of the modern state, instituting and theorizing about sovereign power. He affirms that the state of nature is a state of war, for in it mankind tends towards the individual good rather than the common good. In the name of ensuring their preservation by defending them from the invasions of foreigners and from the aggressions that some may lead to others (that is, by immunizing them), people give up their freedom and transfer all their power to a single person or to an assembly of persons. In this way, the wills of all the people are subjected to the will of the representative, as well as their decisions to the decision of the sovereign. This is how the contract is established where people give up their rights in favor of their own life, this is how the Nation-State is established.

How can people claim the right to the city, if they have abdicated their rights in favor of sovereignty, if people have submitted their wills to the will of the representative? One sees, therefore, that raising the flag of the right to the city is to rise also against the Nation-State. It is to want to take back to oneself (or to the communities, or collectives) the prerogative of being able to decide about the making of the city. In cities with

neoliberal management, there is an attempt to impress consensus, silencing conflicts, to assert strategic planning in the urbanistic field. There, the urban movements employ strategies of articulation and visibility, also using the social networks of the Internet, to provoke the debate about their demands and to look for possibilities of agreements.

Defenders of the right to the city, as they deny the Hobbesian state, are close to Espinosa's (2009) thought. Also a thinker of the eighteenth century, Espinosa defines the state in a different way than Hobbes does. For him, the state corresponds to the power of the multitude; it is the consolidation of the natural state, not the abdication of it; is a sum of rights and not the subtraction of rights of individuals. Espinosa justifies the state by hope, while Hobbes justifies it by fear. Espinosa's state represents the union of the *conatus* – Latin term that means "desire"; for the theorist, this desire is an impulse of self-preservation, a lasting tendency to live, a permanent power to exist, to resist and to act. It can be said that Espinosa's state translates the aspirations of the defenders of the right to the city – a right that is included between the human rights, it is never too much to remember.

The fact that the right to the city is included among human rights is another clue that it is also immunity because human rights are not the ideal answer to the problem of enlarging the dignity of life, once they are the result of this problem. The greater the demand for human rights, the more biopolitics there will be. The more human rights are claimed, the more intense the immunity processes will be, the more will be claimed the right to life, biopower, insertion into the state order:

It is as if, from a certain point, every decisive political event always had a double face: the spaces, freedoms and rights that individuals acquire in their conflicts with the central powers simultaneously prepare, at each time, a tacit but growing inscription of their lives in the state order, thus offering a new and more feared instance to the sovereign power from which they would wish to be liberated (Agamben, 2002, p.127, our translation).

However, the claim to human rights can not be waived, precisely because they represent the right to life in a world of absurd inequalities. Perhaps the awareness of their immunity character is the alert so that their defenders do not adopt them at immoderate levels and, with this, produce the denial of life – which would contradict the very right to life.

5 How to look toward the right to the city facing the concept of immunization?

The concept of immunization proposed by Esposito seems to cross all contemporary life in the globalized world, dragging with it the possibility of the denial of life. And it seems to be difficult to find an escape for the duality *communitas* – *immunitas*, since both are coexistent, synchronous and one leads to another. But the author gives a sign that there is an alternative in an excerpt that is worth transcribing, although it is long:

The world – already irreversibly united – must be not only thought, but also "practiced" as a unity of differences, as a system of distinctions, in which distinctions and differences are not points of resistance or waste in relation to the processes of globalization, but their own form. Of course, I am well aware that to transform this philosophical formula into actual practice, into political logic, is no easy undertaking. And yet it is necessary to find the way, the forms, the conceptual language to convert the immunity characterization that all political fundamentalisms have assumed into a singular and plural logic, in which differences become precisely what holds the world together (Esposito, 2017, pp.146-147, our translation).

As the author himself registered, putting into practice the idea of a world lived as a unit of difference is a very difficult task. In the known scenario of disputes over power, Esposito's proposal may seem a utopia quite far from reaching. In addition, speaking of "differences like what holds the world together" may sound oppressive and cruel, when there are still extreme inequalities that lead people to starve to death or when people die from diseases whose cure is already known. Meanwhile, life is taking place amid the struggles for fairer cities. Although the right to the city and human rights (which embrace it) – as well as all contemporary dynamics – are immunity, they are the instruments available to communities and groups neglected by neoliberal urban planning to try to assert their demands in urban space. To deny the importance or validity of the right to the city means to sabotage populations that already suffer with contingencies in the city – to whom full life is already denied, in a world full of inequalities. The right to the city is an instrument of struggle in a world where the rule is still the struggle; therefore, that it may be defended and expanded.

6 Final considerations

Esposito's contributions to the understanding of the community and its opposite, immunity, are fundamental to broadening the understanding of contemporary urban dynamics – neoliberal urbanism practiced by state structures and large financial and real estate corporations on the one hand and, on the other hand, the right to the city used as an argument by social movements for greater participation and collaboration in decisions about the urban environment. Esposito opens up space to perceive the similarities existing between these two apparently opposing forces and points, as a way to overcome the paradigm of immunity, the conception of differences as what ensures the world union. However, the routing of the philosopher does not allow to glimpse a scenario with greater social equality. Therefore, the right to the city can and must be still sustained as an argument for the struggles of the urban social movements for greater participation in the decisions about the environments of the cities, in order to make them more just and democratic.

References

Agamben, G., 2002. *Homo sacer: o poder soberano e a vida nua I*. Belo Horizonte: UFMG.

Berner, V. and Melino, H., 2016. Perspectivas feministas e movimentos sociais: uma abordagem fundamental para o planejamento urbano. *Revista de Direito da Cidade*, 8(4), pp.1868-1892. [online] Available at: <<http://www.e-publicacoes.uerj.br/index.php/rdc/article/view/24960/19162>> [Accessed 04 April 2018].

Espinosa, B., 2009. *Tratado político*. São Paulo: WMF Martins Fontes.

Esposito, R., 2017. *Termos da política: comunidade, imunidade, biopolítica*. Curitiba: UFPR.

Ferraz, F. and França, G., 2012. O dispositivo urbanístico e o ocaso do espaço público. *Cadernos PPG-AU/FAUFBA*, 2, pp.98-108.

Ferraz, F., 2018. O díptico *communitas / immunitas* e o pensamento afirmativo. *Griot: Revista de Filosofia*, 17(1), pp.22-32. [online] Available at: <<http://www3.ufrb.edu.br/seer/index.php/griot/article/view/811/524>> [Accessed 04 August 2018].

Foucault, M., 2008. *Segurança, território, população: curso dado no Collège de France (1977-1978)*. São Paulo: Martins Fontes.

Harvey, D., 2014. *Cidades rebeldes: do direito à cidade à revolução urbana*. São Paulo: Martins Fontes.

Harvey, D., 2013. O direito à cidade. *Piauí*, 82. [online] Available at: <<https://piaui.folha.uol.com.br/materia/o-direito-a-cidade/>> [Accessed 02 May 2018].

Hobbes, T., 2004. *Leviatã: ou matéria, forma e poder de um estado eclesiástico e civil*. São Paulo: Nova Cultural.

Lefebvre, H., 2001. *O direito à cidade*. São Paulo: Centauro.

Mauss, M., 1998. *Ensaio sobre a dádiva*. Lisboa: Edições 70.

1

2

3

4

5

6

7

8

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34