

T a k *Marcell Mars*
e n
l i t e
r a l *Tomislav Medak* l
Dubravka Sekulic' y

Free people united in building a society of equals, embracing those whom previous efforts have failed to recognize, are the historical foundation of the struggle against enslavement, exploitation, discrimination and cynicism. Building a society has never been an easy-going pastime.

During the turbulent 20th century, different trajectories of social transformation moved within the horizon set by the revolutions of the 18th and 19th century: equality, brotherhood and liberty – and class struggle. The 20th century experimented with various combinations of economic and social rationales in the arrangement of social reproduction. The processes of struggle, negotiation, empowerment and inclusion of discriminated social groups constantly complexified and dynamised the basic concepts regulating social relations. However, after the process of intensive socialisation in the form of either welfare state or socialism that dominated a good part of the 20th century, the end of the century was marked by a return in the regulation of social relations back to the model of market domination and private appropriation. Such simplification and fall from complexity into a formulaic state of affairs is not merely a symptom of overall exhaustion, loss of imagination and lacking perspective on further social development, but rather indicates a cynical abandonment of the effort to build society, its idea, its vision – and, as some would want, of society altogether.

In this article, we wish to revisit the evolution of regulation of ownership in the field of intellectual production and housing

as two examples of the historical dead-end in which we find ourselves.

THE CAPITALIST MODE OF PRODUCTION

According to the text-book definition, the capitalist mode of production is the first historical organisation of socio-economic relations in which appropriation of the surplus from producers does not depend on force, but rather on neutral laws of economic processes on the basis of which the capitalist and the worker enter voluntarily into a relation of production. While under feudalism it was the aristocratic oligopoly on violence that secured a hereditary hierarchy of appropriation, under capitalism the neutral logic of appropriation was secured by the state monopoly on violence. However, given that the early capitalist relations in the English country-side did not emerge outside the existing feudal inequalities, and that the process of generalisation of capitalist relations, particularly after the rise of industrialisation, resulted in even greater and even more hardened stratification, the state monopoly on violence securing the neutral logic of appropriation ended up mostly securing the hereditary hierarchy of appropriation. Although in the new social formation neither the capitalist nor the worker was born capitalist or born worker, the capitalist would rarely become a worker and the worker a capitalist even rarer. However, under conditions where the state monopoly on violence could no longer coerce workers to voluntarily sell their labour and where their resistance to accept existing class relations could be ex-

pressed in the withdrawal of their labour power from the production process, their consent would become a problem for the existing social model. That problem found its resolution through a series of conflicts that have resulted in historical concessions and gains of class struggle ranging from guaranteed labor rights, through institutions of the welfare state, to socialism.

The fundamental property relation in the capitalist mode of production is that the worker has an exclusive ownership over his/her own labour power, while the capitalist has ownership over the means of production. By purchasing the worker's labour power, the capitalist obtains the exclusive right to appropriate the entire product of worker's labour. However, as the regulation of property in such unconditional formulaic form quickly results in deep inequalities, it could not be maintained beyond the early days of capitalism. Resulting class struggles and compromises would achieve a series of conditions that would successively complexify the property relations.

Therefore, the issue of private property – which goods do we have the right to call our own to the exclusion of others: our clothes, the flat in which we live, means of production, profit from the production process, the beach upon which we wish to enjoy ourselves alone or to utilise by renting it out, unused land in our neighbourhood – is not merely a question of the optimal economic allocation of goods, but also a question of social rights and emancipatory opportunities that are required in order secure the continuous consent of society's members to its organisational arrangements.

OWNERSHIP REGIMES

Both the concept of private property over land and the concept of copyright and intellectual property have their shared evolutionary beginnings during the early capitalism in England, at a time when the newly emerging capitalist class was building up its position in relation to the aristocracy and the Church. In both cases, new actors entered into the processes of political articulation, decision-making and redistribution of power. However, the basic process of (re)defining relations has remained (until today) a spatial demarcation: the question of who is excluded or remains outside and how.

① In the early period of trade in books, after the invention of the printing press in the 15th century, the exclusive rights to commercial exploitation of written works were obtained through special permits from the Royal Censors, issued solely to politically loyal printers. The copyright itself was constituted only in the 17th century. Its economic function is to unambiguously establish the ownership title over the products of intellectual labour. Once that title is established, there is a person with whose consent the publisher can proceed in commodifying and distributing the work to the exclusion of others from its exploitation. And while that right to economic benefit was exclusively that of the publishers at the outset, as authors became increasingly aware that the income from books guaranteed them an autonomy from the sponsorship of the King and the aristocracy, in the 19th century copyright gradually transformed into a legal right

that protected both the author and the publisher in equal measure. The patent rights underwent a similar development. They were standardised in the 17th century as a precondition for industrial development, and were soon established as a balance between the rights of the individual-inventor and the commercial interest of the manufacturer.

However, the balance of interests between the productive creative individuals and corporations handling production and distribution did not last long and, with time, that balance started to lean further towards protecting the interests of the corporations. With the growing complexity of companies and their growing dependence on intellectual property rights as instruments in 20th century competitive struggles, the economic aspect of intellectual property increasingly passed to the corporation, while the author/inventor was left only with the moral and reputational element. The growing importance of intellectual property rights for the capitalist economy has been evident over the last three decades in the regular expansions of the subject matter and duration of protection, but, most important of all – within the larger process of integration of the capitalist world-system – in the global harmonisation and enforcement of rights protection. Despite the fact that the interests of authors and the interests of corporations, of the global south and the global north, of the public interest and the corporate interest do not fall together, we are being given a global and uniform – formulaic – rule of the abstract logic of ownership, notwithstanding the diverging circumstances and

interests of different societies in the context of uneven development.

No-one is surprised today that, in spite of their initial promises, the technological advances brought by the Internet, once saddled with the existing copyright regulation, did not enhance and expand access to knowledge. But that dysfunction is nowhere more evident than in academic publishing. This is a global industry of the size of music recording industry dominated by an oligopoly of five major commercial publishers: Reed Elsevier, Taylor & Francis, Springer, Wiley-Blackwell and Sage. While scientists write their papers, do peer-reviews and edit journals for free, these publishers have over past decades taken advantage of their oligopolistic position to raise the rates of subscriptions they sell mostly to publicly financed libraries at academic institutions, so that the majority of libraries, even in the rich centres of the global north, are unable to afford access to many journals. The fantastic profit margins of over 30% that these publishers reap from year to year are premised on denying access to scientific publications and the latest developments in science not only to the general public, but also students and scholars around the world. Although that oligopoly rests largely on the rights of the authors, the authors receive no benefit from that copyright. An even greater irony is, if they want to make their work open access to others, the authors themselves or the institutions that have financed the underlying research through the proxy of the author are obliged to pay additionally to the publishers for that ‘service’. ×

② With proliferation of enclosures and signposts prohibiting access, picturesque rural arcadias became landscapes of capitalistic exploitation. Those evicted by the process of enclosure moved to the cities and became wage workers. Far away from the parts of the cities around the factories, where working families lived squeezed into one room with no natural light and ventilation, areas of the city sprang up in which the capitalists built their mansions. At that time, the very possibility of participation in political life was conditioned on private property, thus excluding and discriminating by legal means entire social groups. Women had neither the right to property ownership nor inheritance rights.

Engels' description of the humiliating living conditions of Manchester workers in the 19th century pointed to the catastrophic effects of industrialisation on the situation of working class (e.g. lower pay than during the pre-industrial era) and indicated that the housing problem was not a direct consequence of exploitation but rather a problem arising from inequitable redistribution of assets. The idea that living quarters for the workers could be pleasant, healthy and safe places in which privacy was possible and that that was not the exclusive right of the rich, became an integral part of the struggle for labor rights, and part of the consciousness of progressive, socially-minded architects and all others dedicated to solving the housing problem.

Just as joining forces was as the foundation of their struggle for labor and political rights, joining forces was and has remained the mechanism for addressing the

inadequate housing conditions. As early as during the 19th century, Dutch working class and impoverished bourgeoisie joined forces in forming housing co-operatives and housing societies, squatting and building without permits on the edges of the cities. The workers' struggle, enlightened bourgeoisie, continued industrial development, as well as the phenomenon of Utopian socialist-capitalists like Jean-Baptiste André Godin, who, for example, under the influence of Charles Fourier's ideas, built a palace for workers – the Familistery, all these exerted pressure on the system and contributed to the improvement of housing conditions for workers. Still, the dominant model continued to replicate the rentier system in which even those with inadequate housing found someone to whom they could rent out a segment of their housing unit.

The general social collapse after World War I, the Socialist Revolution and the coming to power in certain European cities of the social-democrats brought new urban strategies. In 'red' Vienna, initially under the urban planning leadership of Otto Neurath, socially just housing policy and provision of adequate housing was regarded as the city's responsibility. The city considered the workers who were impoverished by the war and who sought a way out of their homelessness by building housing themselves and tilling gardens as a phenomenon that should be integrated, and not as an error that needed to be rectified. Sweden throughout the 1930s continued with its right to housing policy and served as an example right up until the mid-1970s both to the socialist and (capitalist) wel-



fare states. The idea of (private) ownership became complexified with the idea of social ownership (in Yugoslavia) and public/social housing elsewhere, but since the bureaucratic-technological system responsible for implementation was almost exclusively linked with the State, housing ended up in unwieldy complicated systems in which there was under-investment in maintenance. That crisis was exploited as an excuse to impose as necessary paradigmatic changes that we today regard as the beginning of neo-liberal policies.

At the beginning of the 1980s in Great Britain, Margaret Thatcher created an atmosphere of a state of emergency around the issue of housing ownership and, with the passing of the Housing Act in 1980, reform was set in motion that would deeply transform the lives of the Brits. The promises of a better life merely based on the opportunity to buy and become a (private) owner never materialised. The transition from the 'right to housing' and the 'right to (participation in the market through) purchase' left housing to the market. There the prices first fell drastically at the beginning of the 1990s. That was followed by a financialisation and speculation on the property market making housing space in cities like London primarily an avenue of investment, a currency, a tax haven and a mechanism by which the rich could store their wealth. In today's generation, working and lower classes, even sometimes the upper middle class can no longer even dream of buying a flat in London. ×

PLATFORMISATION

Social ownership and housing – understood both literally as living space, but also as the articulation of the right to decent life for all members of society – which was already under attack for decades prior, would be caught completely unprepared for the information revolution and its zero marginal cost economy. Take for example the internet innovation: after a brief period of comradesly couch-surfing, the company AirBnB in an even shorter period transformed from the service allowing small enterprising home owners to rent out their vacant rooms into a catalyst for amassing the ownership over housing stock with the sole purpose of renting it out through AirBnB. In the last phase of that transformation, new start-ups appeared that offered to the newly consolidated feudal lords the service of easier management of their housing 'fleet', where the innovative approach boils down to the summoning of service workers who, just like Uber drivers, seek out blue dots on their smart-phone maps desperately rushing – in fear of bad rating, for a minimal fee and no taxes paid – to turn up there before their equally precarious competition does. With these innovations, the residents end up being offered shorter and shorter but increasingly more expensive contracts on rental, while in a worse case the flats are left unoccupied because the rich owner-investors have realised that an unoccupied flat is a more profitable deal than a risky investment in a market in crisis.

The information revolution stepped out onto the historical stage with the promise of radical democratisation of communication, culture and politics. Anyone could become the media and address the global public, emancipate from the constrictive space of identity, and obtain access to entire knowledge of the world. However, instead of resulting in democratising and emancipatory processes, with the handing over of Internet and technological innovation to the market in 1990s it resulted in the gradual disruption of previous social arrangements in the allocation of goods and in the intensification of the commodification process. That trajectory reached its full-blown development in the form of Internet platforms that simultaneously enabled old owners of goods to control more closely their accessibility and permitted new owners to seek out new forms of commercial exploitation. Take for example Google Books, where the process of digitisation of the entire printed culture of the world resulted in no more than ad and retail space where only few books can be accessed for free. Or Amazon Kindle, where the owner of the platform has such dramatic control over books that on behest of copyright holders it can remotely delete a purchased copy of a book, as quite indicatively happened in 2009 with Orwell's 1984. The promised technological innovation that would bring a new turn of the complexity in the social allocation of goods resulted in a simplification and reduction of everything into private property.

The history of resistance to such extreme forms of enclosure of culture and knowledge is only a bit younger than the

processes of commodification themselves that had begun with the rise of trade in books. As early as the French Revolution, the confiscation of books from the libraries of clergy and aristocracy and their transfer into national and provincial libraries signalled that the right of access to knowledge was a pre-condition for full participation in society. For its part, the British labor movement of the mid-19th century had to resort to opening workers' reading-rooms, projects of proletarian self-education and the class struggle in order to achieve the establishment of the institution of public libraries financed by taxes, and the right thereby for access to knowledge and culture for all members of society.

SHADOW PUBLIC LIBRARIES

Public library as a space of exemption from commodification of knowledge and culture is an institution that complexifies the unconditional and formulaic application of intellectual property rights, making them conditional on the public interest that all members of the society have the right of access to knowledge. However, with the transition to the digital, public libraries have been radically limited in acquiring anything they could later provide a de-commodified access to. Publishers do not wish to sell electronic books to libraries, and when they do decide to give them a lending licence, that licence runs out after 26 lendings. Closed platforms for electronic publications where the publishers technologically control both the medium and the ways the work can be used take us

back to the original and not very well-conceived metaphor of ownership – anyone who owns the land can literally control everything that happens on that land – even if that land is the collective process of writing and reading. Such limited space for the activity of public libraries is in radical contrast to the potentials for universal access to all of culture and knowledge that digital distribution could make possible at a very low cost, but with considerable change in the regulation of intellectual production in society.

Since such change would not be in the interest of formulaic application of intellectual property, acts of civil disobedience to that regime have over the last twenty years created a number of 'shadow public libraries' that provide universal access to knowledge and culture in the digital domain in the way that the public libraries are not allowed to: Library Genesis, Science Hub, Aaaaarg, Monoskop, Memory of the World or Ubuweb. They all have a simple objective – to provide access to books, journals and digitised knowledge to all who find themselves outside the rich academic institutions of the West and who do not have the privilege of institutional access.

These shadow public libraries bravely remind society of all the watershed moments in the struggles and negotiations that have resulted in the establishment of social institutions, so as to first enable the transition from what was an unjust, discriminating and exploitative to a better society, and later guarantee that these gains would not be dismantled or rescinded. That reminder is, however, more than a

mere hacker pastime, just as the reactions of the corporations are not easy-going at all: in mid-2015, Reed Elsevier initiated a court case against Library Genesis and Science Hub and by the end of 2015 the court in New York issued a preliminary injunction ordering the shut-down of their domains and access to the servers. At the same time, a court case was brought against Aaaaarg in Quebec.

Shadow public libraries are also a reminder of how technological complexity does not have to be harnessed only in the conversion of socialised resources back into the simplified formulaic logic of private property, how we can take technology in our hands, in the hands of society that is not dismantling its own foundations, but rather taking care of and preserving what is worthwhile and already built – and thus building itself further. But, most powerfully shadow public libraries are a reminder to us of how the focus and objective of our efforts should not be a world that can be readily managed algorithmically, but a world in which our much greater achievement is the right guaranteed by institutions – envisioned, demanded, struggled for and negotiated – a society. Platformisation, corporate concentration, financialisation and speculation, although complex in themselves, are in the function of the process of de-socialisation. Only by the re-introduction of the complexity of socialised management and collective re-appropriation of resources can technological complexity in a world of escalating expropriation be given the perspective of universal sisterhood, equality and liberation.

WE NEED IT – WE DO IT

Croatia at the 15th International
Architecture Exhibition /
La Biennale di Venezia 2016
Reporting from the Front
28 May – 27 Nov, Arsenale

COMMISSIONED BY
**Ministry of Culture of the
Republic of Croatia**

CURATOR
Dinko Peračić

AUTHORS
**Dinko Peračić, Miranda Veljačić,
Slaven Tolj, Emina Višnić**

Split – Zagreb – Rijeka

2016

Ana Džokić and Marc Neelen (STEALTH.unlimited): With whom we make	176
Doina Petrescu: Making community and commoning, as we need it	180
Hans Ibelings: Tinkering architecture	186
Maroje Mrduljaš with contribution by Boris Vidaković: Architecture before and after the object	190
Idis Turato: Architecture of open meaning – designing significance	198
Vedran Mimica: Making architecture politically	202
Iva Marčetić and Tomislav Domes (Right to the City): Urban transition in the service of exercising power	208
Davor Mišković: Children’s Games	216
Ana Žuvela: “we need it – we do it” – policy pragmatics and utopias	224
Marcell Mars, Tomislav Medak i Dubravka Sekulić: Taken literally	228

**W E N E E D I T
- W E D O I T**

Croatia at the 15th International
Architecture Exhibition / La
Biennale di Venezia 2016

Published by
Platforma 9.81, Split,
Represented by
Miranda Veljačić

Co-publishers
**POGON - Zagreb Centre for
Independent Culture and Youth**,
Represented by
Emina Višnić
**Museum of Modern and
Contemporary Art Rijeka**,
Represented by
Slaven Tolj

Authors
**Emina Višnić, Miranda Veljačić,
Dinko Peračić, Slaven Tolj**

Editors
Emina Višnić, Miranda Veljačić

Architectural graphics
Mia Vučić with contribution
by **Marin Bodrožić**

Graphic design
Oleg Šuran and **Jelena Perišić**

Photographs by
Damir Žižić and documentation of
partners, collaborators, and artists

Translation and proofreading
Nina Antoljak, Nina Hexman Jukić
- **Jezični laboratorij**

Fonts
Typonine Sans, Typonine Sans
Monospaced, Bara, Nikola Đurek

Price
20 EUR / 150 HRK

ISBN 978-953-59052-0-2

CIP data is available in the
digital catalogue of the
University Library in Split

Print
Kezshoffset

Print run
500

Split - Zagreb - Rijeka
2016