

The Right to the City Is the Right to the Surface: A Case for a Surface Commons (in 8 Arguments, 34 Images and some Legal Provisions)

1. Sabina AndronSurfaces are intensive, expressive and deep
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1. Surfaces are intensive, expressive and deep

Surfaces are spaces of friction, tension and expression. They are the patchy areas between the hard and soft parts of the built environment, between stuff and air, between private solids and public fluids. Surfaces separate and expose, they contain and endure, and they brandish their cracks and colours in public view, often for public access. Classes of surface materials can be read as inventories of building technologies, but they are also objects of expressive interest and textural intensity, exquisite imperfections and variations on the battered body of the city.

Just like derma on living creatures, the skin of the city is deep and multi-layered: it accumulates paint and colour, creating a palimpsest of testimonies and experiences, but it also sheds its fabrics in an unaffected process of self-preservation. Like skin, surfaces develop rifts and intervals, signs of deliberate modelling and trauma, which they continue to flaunt nonchalantly, always prepared for more.













[12 types of skins, bruises, lines and shapes which mark the surfaces of the city.]

2. Neutral surface mode does not exist

There is no such thing as an impartial surface, free from invisible tensions and palpable material constraints. All surfaces are part of the lawscape (Philippopoulos-Mihalopoulos 2015); some form artsapes and communicative networks (Stewart 1988); and most contribute to economies of exposure and visibility (Tripodi 2009). Surfaces generate capital by hosting consumerist messages or promoting city-wide agendas of regeneration and placemaking; they become objects of adoration and unattainability when embellishing contemporary architectural icons; they evolve into bi-dimensional monuments of aesthetic and heritage interest; and they are tools of exclusion and control in the fight for the image of the city. In fact, I would suggest that surfaces *are* the image of the city, hence the high stakes in protecting their desired aspect and predicting any potential threats to their integrity.

The spaces of exclusion of the neoliberal city often appear in the form of private ownership of public spaces, which also reflects in the treatment of surfaces. Hostile surfaces, just like hostile architecture, are designed to preclude any unwanted inscriptions and to offer customised, built-in rejection of nonconformist signage. Anti-graffiti coatings densify surfaces even more, and they slyly politicise the materiality of the surface by sometimes not declaring their presence. The resulting under-cover surfaces will less readily accept dispute and inscription, but they will nevertheless maintain their exposure and vulnerability, albeit in a less accessible way. Ultimately, it all goes down on the surfacescape: reinforcements, breaches, commodification, struggle, acceptance, segregation, conviviality, occupation – and there is no better way to examine these than by looking at inscriptions.



[Surface as tool for exclusion, geared up against inscription through warning signs and invisible protective coatings. It is not that a protected surface cannot be written on – but the removal of unwanted writing is much smoother.]



[Surface as collateral casualty of urban change: the graffitied walls of the former Heygate council estate in London come down to make room for newer, more resilient and sanitised facades.]



[Surface as generator of capital: authorised commercial displays are given privileged spots of visibility, while remaining vulnerable to additions and contestations. The transparent plastic sheet on the side of this bus shelter mediates between privileged ads and outsider inscriptions, simultaneously protecting the former and enabling the latter.]

Surfaces host a conflict between the institutionally-enabled dominance of monophonic discourses, and the fluid, editable, re-inscribable proposals of a communally produced, polyphonic language. The single discourse can appear as a policy of cleansing and eradication, support for fiscally-conformist commercial messages, or strategically backed muralisation and artification of specific urban areas. Political agendas and administrative strategies determine the visual forms of surfaces, from localised, plural, materially-embedded inscriptions to prolific, replicable, globally-palatable icons.



[Detail of a London mural painted by superstar artist Shepard Fairey in 2012. The mural went up to support Fairey's exhibition at Stolen Space Gallery in October 2012, and was afforded protected surface status from the beginning: a prominently placed, large scale single discourse, intolerant of expressive plurality within its bounds.]



Mural threatened/ Multiple inscriptions empowered

[A few months later, territorial inclusion was still being fought for, between the privileged “art” in the background and the unwanted “crime” in the foreground.]



[Finally, multiple layers out-marked the fiercely protected mural, claiming a right to surface participation despite their lack of authorisation or endorsement.]

3. Surfaces visibilise law, specifically private property and public order

Urban surfaces are thoroughly legally bound and materially produced, beyond the obvious razor wires, keep out signs and anti-climb paints. Surfaces are relational spaces and legal products (Blomley 2014), and they are uniquely relevant to understanding two fundamental postulates of the legal city: private property and public order. Property and order are inscribed in the way surfaces are equipped to deal with approved and unapproved signage, and can be inferred through an understanding of surface inscriptions and materialities. The surface lawscape becomes an engulfing, dominating force, whose influence is exerted past the obvious physical markers, and whose subversions are resilient objects of further legal contention. Space is law is surface.

The first claim at territories is always associated with ownership and is often exclusionary, as the rights to public visibility and display come second to the right to property and its integrity. When ownership takes precedence, there is no envisioning of property scenarios by non-owners, which is why graffiti is damaging and not welcome.

Any writing, letter, picture, device or representation, painting, writing, soiling, marking or other defacing by whatever means, etching, obliterating, displaying and scratching: listed together, the legal definitions of graffiti as unwanted mark making read like a comprehensive list of surface alterations, a presentation of everything that can possibly be done to change the appearance of a surface without permission (see Part 6, Sections 43-44 of the Anti-Social Behaviour Act, 2003, Part 4 the Clean Neighbourhoods and Environment Act, 2005, Part III of the London Local Authorities Acts 1995 and Part 3 of the London Local Authorities Act, 2004). Offending against property is therefore not just an offence against a thing, but also against the values that make it and the bodies who own it. Breaking, cutting, scratching, tearing and damaging are all done to the physical surface, but they acquire symbolic meaning as being done against the owned property, and against the right to private ownership itself. Scratching a surface is not just altering the surface matter, it is also violating the idea of property and its implicit entitlements and restrictions.



[The comprehensive semantics of anti-graffiti legislation, which includes all possible alterations done to a surface and on a surface.]

4. Communal surface production outwrites exclusive ownership

Surfaces offer some of the best examples to illustrate the links between property and exclusion, but they are also the best places to observe the numerous contestations of this social and legal postulate. Legally, surfaces are the border between private property and public order, but they also represent political possibilities for establishing an urban commons and a claim to the right to the city.

The surface lawscape is of the material world, but is conditioned by social manipulation and legal instrumentation: the law produces it, and it produces law. It is a semiotic, material, cultural and political artefact, reinvented with each new development of surface coating technologies, reconfigured by each addition of a billboard display and strained with every conviction of criminal damage and vandalism. Non-definitive boundaries between public and

private, surfaces are actualized anew with each occupation, in a recurring process of activation, materialisation and visibilisation.



[The law protects private property and prescribes public order, while surfaces flourish in communal production in-between.]



[The surface lawscape is constantly strained and reconfigured, as trespassing marks install themselves in heavily regulated and surveilled environments.]



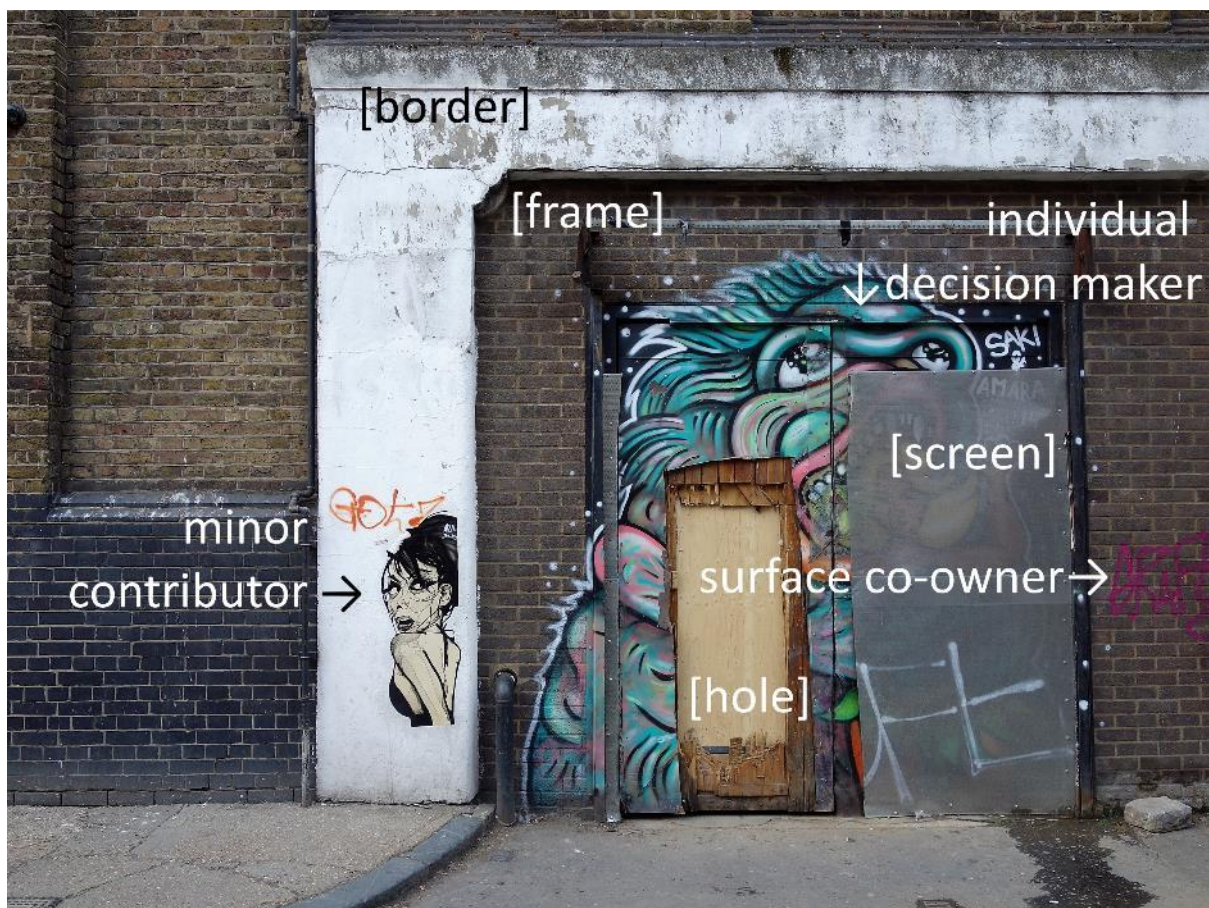
[The hard materials of the surfacescape are in place to assure control and order, but they are also populated by an array of vivid paint-and-paper creatures. A sign warns us against patrol dogs enforcing the lawscape, while cats and elephants establish their own surface dominance.]

5. Inscriptions turn private property into a precarious commons (precariousness is accessibility)

Surfaces are the territories of friction between owned and claimed, and between private and public. Envisioned as part of a commons, surfaces become a political imaginary and an organizing tool, not just the public-facing boundary of exclusionary property (Chatterton 2010). Surfaces unlock the power regimes inscribed in private property, while simultaneously triggering property's social function through their reluctant or willing acceptance of signs and inscriptions. Graffiti hacks private property again, and again, and again, until it turns it into a precarious commons, a permanently temporary communal space, which is more visible than any document or certificate, designating the property's exclusive privacy.

Surfaces are the bearers of damage to private property, but they are also the enablers of a public formation, a volatile space of public display and usage which functions despite, or regardless, the legal severity of ownership (Iveson 2007, Brighenti 2009). Not public, nor private, but communally used, in public sight, like an open-source book of urban production and participation. Surface space is determined by co-creation, inclusion, subversive opportunity and plural access, through inscriptions which eschew privileged legal status: minor contributors without documents, non-property-bound decision-makers, owning it without being the legal owners.

Unwittingly exposed to inclusion but resilient in its support for dissent: such is the nature of the surfacescape.



[An array of visual and material determinations composes the deep surfacescape, which is constantly vulnerable to severe violations and miscellaneous interventions.]



[A moment of claimed stability, where the paint on the wall mirrors its legal ownership, giving visible form to a contractual privilege.]



[A hierarchy of transgression: the open source book of surface production with its various layers of illegal claims, from flyposting to tagging.]

6. Surface conflict is spatial justice

The struggle between bodies to occupy a specific place, at a specific time, is defined by Philippopoulos-Mihalopoulos as spatial justice, a form of spatial tension that keeps bodies moving, negotiating, deceiving or dominating the situation. Inscriptions as bodies, coatings as bodies, the buff as a body, advertising and dominant neoliberal ideology as bodies, abstract and coloured bodies all fight over surface occupation in the same place, at the same time. The thing about surfaces is that multiple bodies can occupy the same space at the same time, and can co-exist in parasitic, belligerent or agreeable terms. Surfaces allow for multiple occupation because of their specific type of spatial depth, which concentrates materials and expressions within broad two-dimensional spaces. The fight for visibility and territory could then be read as a form of surface justice, with inscriptions as bodies performing a complex, fluctuating occupation.

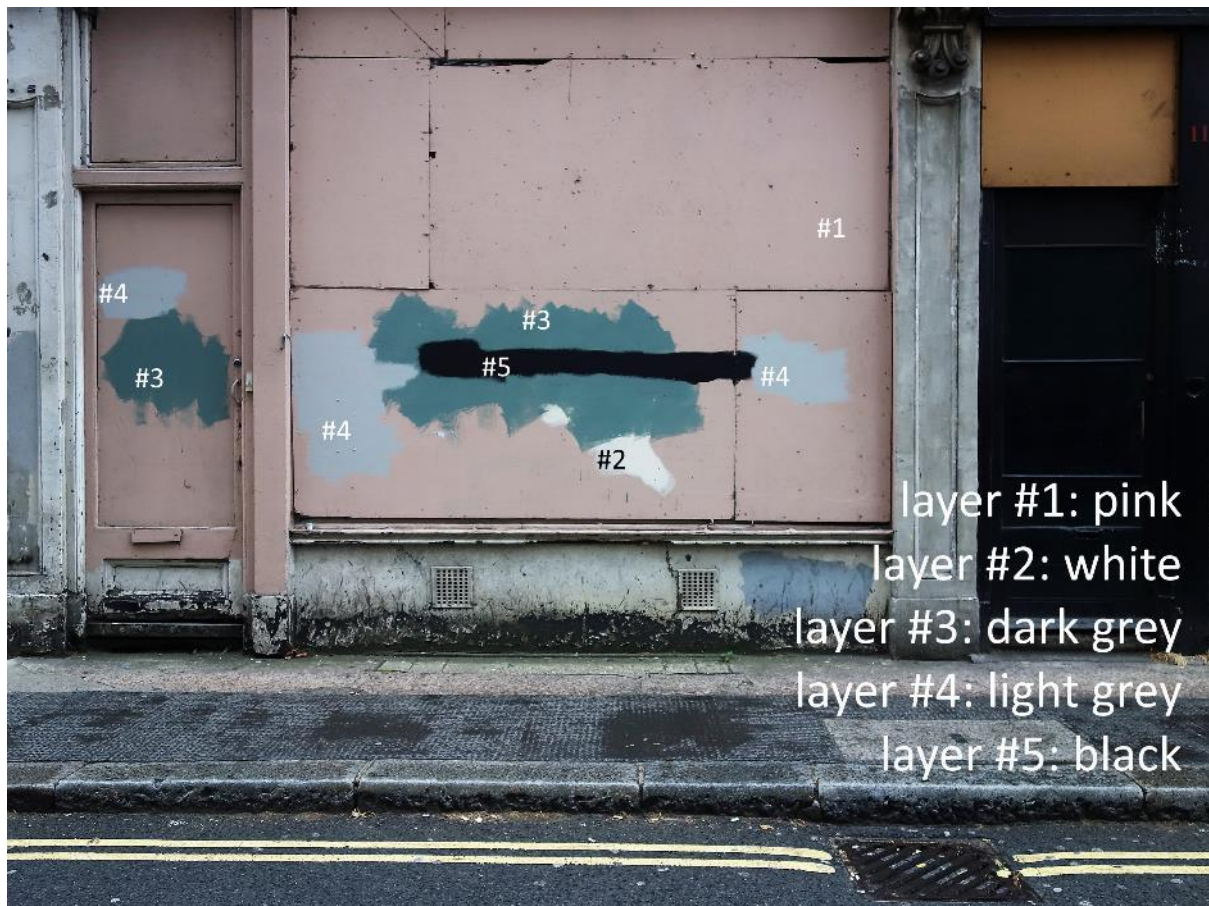
Inscriptions generate territories, they repeat and invent norms and they set up habits – all of which become legal modulations. Surface territories are not only material and cultural artifacts, but they are also political contentions, as they communicate and convey meaning about a variety of claims. Surfaces appear magnetic and matter becomes attractive, they oppress and they enable, as spatial justice unveils at surface level. The right to occupy the same space at the same time must be fought for, so there will be surface treatments and cross-overs, discrete subversions and dominant pictures, in an ongoing fertile battle. While there is conflict, there is justice, because conflict is movement, change and inclusion, and conflict is just. Conflict is the spatial justice of the surfacescape. Solve the conflict through apparent consensus, and the lawscape becomes a dictatorship, by excluding, censoring and silencing attacks against its precarious order. Embrace the surface conflict, and you are looking at the continuous making of surface spatial justice, in its thickly layered displays of entitlement and exclusion.



[Multiple bodies occupy surfaces simultaneously, under different degrees of entitlement. Some should be there, while others not – and their fight for territory and legitimacy is a production of spatial justice.]



[The absence of consensus or visual dominance guarantees the justice of the surfacescape.]



[Graffiti removal by buffing, or painting over undesired inscriptions. Aside from the lack of resources or interest that often lead to such patchy cleaning jobs, these spots of mis-matched colour show the traces of removal and wield the visual dominance of the remover – if only temporarily.]

7. Artification and criminalisation are attempts to stabilise surfaces

Property owners want to stabilize surfaces by conditioning access on ownership, while municipal authorities attempt surface domination by either criminalisation or artification. Criminalise surface inscriptions, and you can achieve clean surfaces through removal and erasure; artify inscriptions, and you can police them by using an aesthetic argument. Both approaches are aimed at the same result, which is to achieve controlled and predictable territories of single expression and visual consistency. Surfaces might be strained by fixed jurisdictions and legal claims, but they keep bending, swelling, retracting and peeling like the city they are facing. Surfaces are political because they are accessible and visible, despite attempts at control and predictability. Legislate them, coat them, clean them, fence them, art them – but surfaces remain precarious when facing the city. Surfaces are city more than they

are rules, permanently becoming, and defiantly showcasing the minor in order to make it significant.

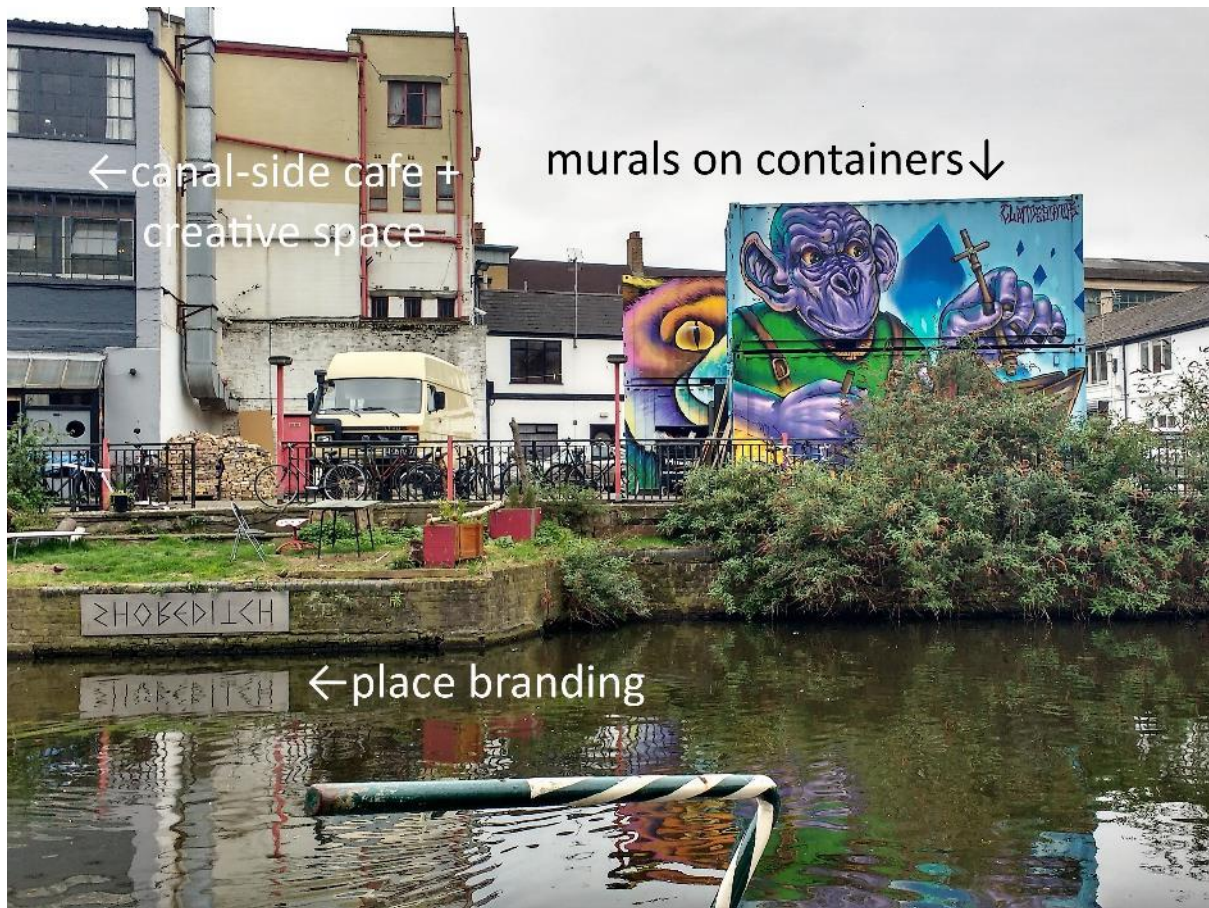
This lack of stability makes surfaces more resilient and ultimately impossible to control by any single discourse, be that of private property or urban order. Surface bodies can outwrite, obscure or sanction each other, and this continuous tension and lack of resolve is the very bloodline of surface production and participation.



[Artification as a way of stabilising surfaces. Murals impose single visual discourses on entire surfaces, artwashing walls and attempting to design out plural participation.]



[Curated works on hoardings are the symbolic enablers of urban change and gentrification. This site is transitioning from a modernist housing block into a boutique hotel, and hoarding displays are being neatly regulated on an ‘outdoor gallery’ model – no cross-overs, no layering, just ordered individual panelling.]



[Surfaces as tools used by municipal authorities in their place branding strategies. Note the reflected Shoreditch sign on the side of the canal, and the neatly authored murals on prominent display.]



[The obliteration of graffiti takes precedence on this surfacescape as a means of projecting control and order.]



[The unpredictable nature of graffiti is seen as a menace to the visual order of the city.]



[A line was added every day this message stayed up on this wall in East London. “No. of days graffiti remains” is not just a series of marks on a wall, but a challenging of local governance via the surfaces of the city. Mobstr’s work in turn was used to challenge the hierarchy of access to these spaces and surfaces, and transformed into “No. of dickheads in Hackney Wick”.]

8. The right to the city is the right to the surface

The surface lawscape is legally suspended between the protection of within and the regulation of without. The law compresses surfaces until a point of complete reduction, where they ideally become no more than planar borders, frictionless transition points between two regimes of control that were instituted and are managed by a single system of governance. The thinner the surface, the less problems it poses, as its materiality disintegrates, its visibility is restricted and its embodied presence is obliterated by urban territory regimes. The border as concept, as legal threshold between two qualitatively different spaces of here and there, of public and private. The paper sheet that exists only

conceptually, to demarcate its public and private sides, and to reject any subversion or contestation.

However, just like sheets of paper are material objects and not just bearers of inscription, borders are never pristine lines of demarcation and exclusion: they are loci of contestation and tangible physical conflict, sites of materiality which become activated through social production. With each meddle, surfaces swell, they become larger and meatier, and they cumulate and stack every addition and reclamation. Surfaces become complicated for the law because they form interstitial repositories of potential, of the neither public, nor private, of the legal and spatial ambiguity of threshold spaces, neither within, nor without (Brighenti 2013). The thicker the surface, the harder for the law to issue comprehensive mechanisms to control it, and so surfaces become a third type of space, in-between the public and the private. Open to access and vulnerable to conflict, surfaces as commons are sites of tactical engagement and spatial co-production, where censorship and exclusion are co-designed out of the picture. Every protective coating gets nailed by a tag, and each tag is overwritten by another, which then gets cleaned by the buff, which is covered by a billboard, which is replaced by a mural, which in turn gets tagged and restored and tagged again. Exclusion prevention through multiple co-design; plural inscriptions designing out the single authority; spatial justice through ongoing conflict. Temporary concessions, with no resolution in sight.

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