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Disruptive practices within the state of exception

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Abstract

In his work *State of Exception*, the Italian philosopher Giorgio Agamben has recently studied the consequences of the exception becoming the rule. He explains a situation where the law requires the partial exclusion of the legal order so as to preserve its legitimate character. It forms the basis of the so-called "spaces in suspension", where the rule is the exception in the form of the suspension of the legal order, the anomie. In those spaces the act of government is located in a threshold area of ambiguity between general and particular spheres.

The transference of Agamben’s concept into architecture is possible. There are physical scenarios where the norm is not a security shield since it is accomplished and questioned at the same time. What type of architecture is responding to those spaces in suspension? Is there a critical attitude boosted by those kinds of architectural practices?

The paper approaches the topic through a theoretical contextualization of the idea of the state of exception in architecture. This approach is based on the analysis of some case studies, which are considered as disruptive practices since they are proposing new ways of practising architecture. They utilize strategies such as new interpretations of the law (urban prosthesis, occupation of public spaces), the replacement of the authorities’ duties (occupation of public buildings and empty plots) or the proposal of new teaching practices. Their analysis lets the authors define a specific context in architectural practice, which reflects a new paradigm called "architecture in suspension".

1. Introduction

The Italian philosopher Giorgio Agamben has recently studied the consequences of the exception becoming the rule, and furthermore, when the law requires the partial exclusion of the legal order so as to preserve its legitimate character. It forms the basis of the so-called "suspended spaces" or "spaces in suspension", where the rule is the exception in the form of the suspension of the legal order, the anomie. Spaces in suspension are the basis of the state of emergency or state of exception (SoE), in which the act of government is located in a threshold area of ambiguity between general and particular spheres (Agamben 2005).
This paper proposes a relationship between the SoE and architecture. Architecture with SoE is not understood here as the discipline for creating buildings within a political system governed under that state. However, it concerns architectural works that are self-sheathed within that state to achieve their survival. The SoE intervention comes from the citizens themselves and not from the institutional bodies. The relationship analysed here deals with a situation in which the architect becomes an agent who establishes his ways of doing between something that is neither inside nor outside the regulations. Therefore, he suspends the rule of law to be undertaken precisely to ensure its continuity.

What would be the translation to the physical space, inherent to architecture, of the political space within the SoE? If, according to Agamben, the situation of exception is becoming the norm nowadays, what are the mechanisms or strategies used in architecture to confront the SoE with the established rules, to create those spaces in suspension?

Including its benefits and dangers, SoE is a new paradigm of the institutional governments in order to safeguard certain objectives. In the context of the Spanish institutional, economic and social crisis of recent years, is the architecture for the SoE reflecting a dislocation between state and life? Is the architecture responding to that state a proper way out of the crisis? Alternatively, is it perhaps a way of questioning and simultaneously updating the process to produce architecture itself?

2. State of exception and regulations

The main characteristic inherent in regulations is the promotion of the collective good, i.e., to put forward the norm as a public right over private interest. Therefore, it establishes the limits of individual liberties as opposed to the interest of the community. Therefore, the norm is understood as a social conquest and, as such, it is a parameter showing the development of a society, since it determines the rights of action for individuals in relation to the group interest. Namely, this legal meaning of the norm leads to mass welfare and implies social progress, as well as democratization by way of establishing limits to the standard.

All rules entail a key question: at what point do the rules become unnecessary when regulating a reality accepted as normal? If a situation is perceived as normal and, therefore, legitimate, there is no need to regulate it. In this sense, norm and habit are closely related, with the order of the factors that form the binomial becoming increasingly important. While the usual sequence is that the norm regulates the subsequent events, the tradition of a customary law, where the norm originates from common usage or custom, has historically been present.

The legislation as a collective achievement is interesting for two main reasons. On the one hand, it is an update on the concepts referring to a certain time and place, since a norm regulating obsolete material loses its reason for being. Moreover, it is a true reflection of a particular culture (Nieto, 2014).

The state of exception as a form of government should not be confused with a special law or right. As in architecture, a specific urban development or a special plan are not related to a certain space of exception. It is a period of emergency, such as certain actions in architecture or urbanism as a special urban development plan, which does not confer a special right but results in a unique situation since it evades the ordinary. It is exceptional legislation that via a government decree becomes a common practice in European democracies.

Agamben defines the state of exception as a threshold situation, such as those that occur when the rule of law is suspended to ensure its continuity. According to him, the state of exception is the political situation that lies between anomie and the rule of law, between violence and law, between staying outside and being within government institutions. It is defined and explained through public law and
It is a period of emergency, such as certain actions in architecture or urbanism as a special urban development plan, which does not confer a special right but results in a unique situation since it keeps away from the ordinary.


constitutional law, between the legal order and life itself. Agamben demands the need to investigate the reason for the disconnection between opposite poles, not so much to articulate them but to get to know them from the perspective of this intermediate situation.

In a republic, a president can order a SoE on three grounds: national independence, territorial integrity, or execution of its international obligations. In the sphere of architecture, architects also apply a self-designated SoE under similar conditions, in situations that are neither totally outside the urban regulations nor completely inside. It is an ambiguous situation of non-institutionalization, not sufficiently appreciated nowadays, although it is a common practice and an additional field of action for architecture.

The suspension of the norm does not mean its abolition. Instead, it creates an ambiguous scenario whereby those situations that are neither inside nor outside do not exclude it but make it indefinite (Agamben, 2005). It is not anomie, since it is still associated to the legal status. Therefore, the SoE for Agamben carries the concept of *nuda vida* (bare life), which refers to a situation where life is unprotected since it is neither within the law nor outside of it.

As it occurs in politics, the SoE in architecture is not based on a state of necessity since this necessity does not become objective, but it is also a norm. It is a way of being outside and yet belonging the structure of the state. The SoE in architecture is undoubtedly a time of violence without logos.

3. Disruptive practices within the state of exception

The following case studies illustrate the translation of the situation previously explained in relation to architecture. In these, architects utilize a sort of SoE to ensure ethical guidelines are retained in architecture, both to avoid costly and numerous legal procedures at the institutional level and the dangers of unstable conditions arising from illegality. All except for last one are focused on the contemporary architectural context in Spain.

Agamben argues that when there are no fixed rules or principles for all, management imposes itself to solve the problems in whichever way it deems necessary (Rojo, 2004). The case studies shown here share an emphasis on management procedure, over other instruments explicitly drawn from the field of architecture (*the great principles are increasingly useless*, Rojo, 2004).

All the following cases are based on a temporary situation, which is closely linked to the character of a SoE, i.e. as if everything is about return to a normal situation even though it will not. The analysis of the case studies are used to draw conclusions that lead to a theoretical categorization of what we have called architecture in suspension.

All examples deal with spaces in suspension from different perspectives. Each one is explained through a dichotomy (tangible and intangible): an intellectual space (what kind of SoE is proposed) and a physical space (what spatial, material means are used to define that SoE). The examples have in common the importance given to participatory management, since the citizens take the lead in the situations shown. They are classified according to the response offered to the SoE in which they negotiate their conditions:

- State of exception through… urban prostheses
- State of exception through… the occupation of public buildings
- State of exception through… the occupation of public space
- State of exception through… replacing roles
- State of exception through… disruptive teaching projects
3.1. State of exception through urban prostheses

3.1.1. Housing extension on a scaffolding, Seville, 1998

In 1998, the Spanish architect Santiago Cirugeda proved how someone can get to build a physical SoE in response to the regulations of a historic city center. In the city of Seville, very strict protection regulations seek to value the historical architectural qualities, but fail to recognise the changing needs of its inhabitants. Hence, the simple need to expand a dwelling can become an insurmountable problem, unless exceptional tactics are used.

To expand an existing dwelling, Cirugeda uses a request to install scaffolding to the City Planning Department, in order to repaint a facade where he had previously painted graffiti. After making the usual health and safety project, required for such installation by the city regulations, he gets the license from the Professional Association of Architects and then from the City Council of Seville. Therefore, he can place the scaffolding in the street (Figure 1).

Once the scaffolding has been installed and the 4-square-meter expansion of the dwelling executed through this legal void, the architect denounces himself and notifies the municipality of what has occurred. He acts this way neither to let the authorities improve the regulations, nor to make them more specific or define further ones, but to raise awareness of the social need for the temporary growth of some housing in the city.

The importance of space in suspension in this case lies in disrupting the idea of temporality conceived by the municipal authority when granting the permission to build a private premise on a public plot.


3.1.2. Housing prosthesis on rooftops, Seville, 2008

Something similar happens in Seville’s historic downtown with the occupation of houses on rooftops (Figure 2). In this case, an internal contract or procedure agreement between the architects and the residents whose roofs are occupied solved the legal problems of a settlement without any plot cost. Here the SoE to the established regulations has to do with a perversion of the idea of temporality in the solution proposed, through the contrast between the final solution executed as semi-permanent cabins, and the ephemeral character supposed in the placement of light structures on rooftops, solutions completely accepted by the regulations.
3.2. State of exception through the occupation of public buildings

3.2.1. La Tabacalera (The Tobacco Factory). Self-managed social center in Lavapiés, Madrid, 2010

The former tobacco factory in Madrid La Tabacalera is a space with about 32,000 square meters located in the central district of Lavapiés, a very typical neighbourhood in the city where a large population of immigrants are located and where social problems exist. The building structure, finished in 1790, is a classic typology of manufacturing facilities from the eighteenth century, with large structural spans and three courtyards (Figure 3). After the privatization of the company La Tabacalera/Altadis, the building was closed for ten years without any maintenance.

In 2009, the Ministry of Culture released an architectural competition to convert the building into a cultural centre dedicated to visual arts, a museum with aspirations to be a national reference, due to the building’s strategic position in the city centre. The economic crisis paralyzed the project and pushed it into a legal limbo. In early 2010, the Ministry commissioned an art installation from a cultural association. This non-profit association responded with a proposal to reopen the building and boost its self-management by utilising involvement from all the neighbours. The government accepted the proposal and since then, through renewing one-year or two-year contracts, the license for self-management and building occupancy has been continued.
3.2.2. La Casa Invisible (The Invisible House), Málaga, 2007

Something similar has happened in the social and cultural centre of self-management, the so-called La Casa Invisible (The Invisible House) in Málaga, on the coast of Southern Spain. This bourgeois house completed in 1876 and approximately 2000 square meters in size (Figure 4), was abandoned for many years until an occupation in January 2011. The main difference with La Tabacalera is that this building was occupied illegally from the beginning. With the support of certain social groups and intellectuals, it finally got a contract to legalize the occupation of the building, which has been renewed every so often.

The physical spaces generated in these cases are organized by active self-management, which constitutes a suspension of the law that results from the collective occupation of an empty building. There the management of the activities offered is boosted through assembly decision making by their users, based on an actual participatory democracy.

In both cases, the abandonment by the institutions of historic buildings in places with strong social demand is an opportunity to respond to those social needs. Buildings with strong potential in space qualities and strategic urban location are able to welcome numerous public activities. Again, a temporary contract continually renewed becomes an established law that orders the architecture invisibly. Activities and spontaneous refurbishments carried out in these buildings are designed and developed based on this feature, since temporary premises can hardly get building permits or develop an official program of activities.

However, these activities ensure the liveliness of the buildings and help to uphold their maintenance, since the programs housed by such buildings prolong their useful life.

3.3. State of exception through the occupation of public space.
Acampada Sol (Occupy Puerta del Sol), Madrid, 2011

On May 15, 2011, against the backdrop of the Arab Spring, within a hectic economic crisis in Spain, amidst the highest rate of unemployment in the European Union, and a continuous reduction of social rights for citizens by the government, the so-called Acampada Sol took place in Madrid. It was a peaceful occupation of public space in the emblematic square Puerta del Sol in the city center, which spontaneously gathered more than 19,000 people in the square and surrounding streets, before fading away after a few weeks. Due to its starting date, the movement was well known in Spain as the 15-M movement. One year later the architectural value of that event was recognised with the award of the best European public space (Figure 5).
The concentration of people in and around Acampada Sol began during the days leading up to the regional and municipal elections. The protest-camp took place under the right of freedom of assembly afforded by the Spanish constitution. It allows indefinite and peaceful meetings in a public space without prior notice being given to the authorities, provided that there is no public manifestation of opposition to or in support of any particular political party. Such partisan political expression would have not been allowed due to the established period of "ideological silence" in the days previous to all elections.

Nowadays, this kind of concentrations could not have been held because of the so-called "Ley Mordaza" or "Gag Law", an Act relating to public safety that was adopted by Spain in March 2015. This law prevents actions such as demonstrations near to Congress or Senate buildings, taking pictures of police officers, stopping an eviction, protesting on top of public monuments, or meeting for peaceful sittings and resistances. Basically, social actions usually used as protest towards official institutions are punished.

The camp in Puerta del Sol consisted of a spontaneous, lightweight construction, carried out without permission. This ephemeral construction was based on ropes, garbage, plastics and tapes, which formed textile covers with the help of various urban elements in the square (poles, fences, monuments, urban lighting). The construction management and development acquired a complex organization based on street-like corridors and specific areas for activities, including a library and a kindergarten among other facilities. The construction was carried out without infringing any damage to the elements that already existed in the square. Acampada Sol disappeared a few weeks after its appearance, and cleaning groups formed by the same citizens who stayed there left the existing space as it had been before the occupation.

The SoE that occurs here is once again an ambiguous situation that takes place under the protection of the law, which subsequently had to be modified to avoid similar situations. Acampada Sol emerged from illegality since it was a delicate situation that blurred the needs of public safety with those of civil rights of protest and demonstration. It supposed a SoE where architecture was able to respond to the lack of a precise link between protest and law.

3.4. State of exception through replacing roles. El Campo de la Cebada (The Barley Field), Madrid, 2010
In 2009, the City Council of Madrid demolished a municipal sports facility in the central district of La Latina. The plan was to build a replacement and respond to the pressing demand for public facilities in the city center, in the context of a considerable lack of such facilities. After demolishing the existing building, and
before the beginning of the construction of the new premises, the economic crisis emerged and the project was interrupted. The result was an empty plot of more than 5,000 square meters, surrounded by a fence in the middle of one of the most popular and inhabited districts of the downtown area.

Since 2010, an exemplary model of management by citizens has transformed the plot into a lively space full of activities of all kinds, involving the local community and attracting new visitors (Figure 6).

This is an example of casual participatory planning, similar to Acampada Sol, but here with a broader content of activities replacing those of municipal management. It is a public space limited by a fence, with multifocal space development and a sporadic but constant celebration of activities, different from the 15-M Movement, which was a continuous occupation during only a certain period.

In this case, the suspension of normality occurs from transiency, the main characteristic of the SoE. Therefore, it is a project with an expiration date, the one corresponding to the re-establishment of the new premises planned for the site. Here a situation of anomie occurs in the municipal management as a rule of law. It is a suspension of the norm in the sense of an exception to a normal situation, where the City Council is supposed to be in charge of providing uses or activities in relation to public buildings or spaces.


The next case study consists of an exercise in the Architectural Association School of Architecture in London. It shows how the Academy can assume the condition of infringement or infraction as a project strategy or planning tool for students (García Triviño, 2014b). In 2010, David Knight and Finn Williams developed a studio course focusing on recent minor developments in the context of urban planning and building construction.

The government had introduced changes to the regulations in the General Plan for Development. In order to control and reduce the number of requests for building extensions, the exercise of the studio course engaged in locating those
extensions made under the control of the new regulations. Based on this situation, small urban development extension projects were analysed (home entrances, temporary structures or small entry pergolas).

After their field work, the researchers suggested the generation of a catalogue listing the new constructive possibilities for urban growth, making strict utilization of regulations but also utilizing the ambiguity within the rules. The prohibition for adding new rooms to existing house structures, together with the lack of regulation in the number and size of roof pipes that can be added to any building, ended with a student proposal to create chimney-cabinets that solved the need for space in the dwellings (Figure 7).


4. Architecture in suspension

Throughout the previous case studies, the SoE in architecture brings along a number of principles that directly question the conventional approach to producing architecture. They all reflect an understanding of the architectural project from a context that does not necessarily coincide with the strategies or tools of architectural production in previous decades.

The state of suspension in architecture involves a rethinking of the value of the established "normal" architecture, i.e. one that meets the law firmly and consciously. Such architecture is the precise result of what is required by the regulations, applauded by the established media and valued by professional groups. Architecture in suspension is not an emotional activism without consequences, but has become a response to legislation and to the latest architectural creations. It is a new form of production that has not been recognised so far, involving possibilities that professional ingenuity has failed to realise before. The mere presence of an architecture in suspension not only puts the institution on notice of its inability to respond to social concerns, but demonstrates the inefficacy of architecture to accommodate what is really happening in contemporary society.

Housing expansions in historic city centers, social centers in abandoned buildings, or public spaces experienced as collective protests, are all spaces with a strong political reading. They are born under social demands and transmitted through communication methods that are a world away from the usual media of professionals. Architecture in suspension is transmitted digitally and almost virally, as if it is seeking to teach others how to break the law under the yardstick of the suspension.

It is not an object or a work that can be transmitted, but a system that is formed through the linking of different social agents who exist outside of normative architectural practices. Hence, the importance in the first case study of...
transmitting how to get a building extension for your home regardless of its consequences. Likewise, in other case studies analysed here, the occupation of buildings not only challenges the exclusivity of activities that have previously occurred in those spaces, but anticipates new ones yet to be realised or enacted there.

Architecture in suspension is read differently from the way we are used to. It is not a result but an information system where agents previously unknown to each other become related. They are not only systems built as information to be shared, but indissolubly they are also political systems demonstrating their makers' ability for self-management. That is the reason for space in suspension to become part of the answer concerning where the public space should be enclosed today. This is because it is able to gather users and creators, who really become the same. Space in suspension is, therefore, the key to activate lethargic public spaces.

Nowadays, under a new society of easy access to information, the potential of public space can be redefined to combine improvisation and societal demands while avoiding exhibitionism of social life. Within this new society, away from anomie, there is a new situation where citizens are able to act upon the information they have and co-create public space without the need of professionals. Citizens or, according to Pekka Himanen (Himanen, 2004), hackers are able to use their skills in information management, to make use of the present to transform it and act ethically against a sleeping architectural system (García Triviño, 2014a).

On the other hand, architecture in suspension questions the temporary condition of architecture itself. It is not about the portion of time that buildings take to be completed, but about multiple new readings that do not fit into the current social rhythms. Therefore, architecture in suspension demands a new time for a discipline capable of responding to spontaneous social needs, and new game rhythms for action and participation. A new reading of our time and stability in architecture means observing the cityscape as changing, as if everything was in flux and part of a constant process of trial and error learning, where the temporary or momentary becomes usual.

According to Olafur Eliasson’s deliberation in his book *Models Are Real*, we can claim to live within a new temporary situation. He argues that earlier models were conceived as rationalized stations in the way to achieve a perfect object. For instance, a model of a house would be part of a time sequence, as the refinement of the house’s image, but it was considered that the true and real home was a static and final result of the model. Thus, the model was simply an image, a representation of reality that was not real in itself (Eliasson, 2009). The process for making models was a trial and error refinement process over time. The model was a trial tested as a reflection of reality. The accuracy in the model enabled control over the final aesthetic result to be attained.

Furthermore, Eliasson explains how we are witnessing a change in the relationship between reality and representation. It is no longer about the development of a creative process to move from model to reality, but from model to model, since both are equal realities. Everything around us is potentially a model; everything acquires a different temporality.

Two consequences follow when tackling this productive perspective. The first is that a new reading needs to address and to confront reality with established models. Namely, we need to understand any architectural situation as if it was inside a continuous production time, as if any work is partly unfinished or waiting for changes according to future reactions. This is something all the case studies proposed here share in common, which are based on intervening in an existing architectural product, such as housing, public spaces or abandoned buildings.
The second consequence deals with the fact that when we approach reality, it opens and becomes politicized, so that we can all be co-producers of a reality made only through "models". Again, this is shared in all the case studies presented, whereby under this new vision for architecture, it becomes equally accessible to both people and authors, usually professionals. It is an architecture that results in a permanently open, modifiable city, which consciously allows and accepts a need for the updates demanded by contemporary society.

5. Conclusions
Architecture in suspension represents a new paradigm that responds to unstable political situations. Does it pre-suppose, therefore, a renunciation of all that has been considered as stable architecture so far?

Architecture in suspension turns the law into a decisive tool in its development. Should we understand the law as a tool or as a restriction? Accepting the law as it is, are we exempted of our ethical responsibility?

Architecture in suspension uses the state of exception as an escape hatch, capable of letting us out through an existing disconnection between the law and the pursuit of desire. Should we formalize escape hatches in order to safeguard alternative ways?

Architecture in suspension questions architecture as a stable, immovable value. It makes other types of architecture understandable as stages in a process of infinite manipulation. How should we assume the existences of those kinds of architecture?

Architecture in suspension uses the state of exception as an escape hatch, capable of letting us out through an existing disconnection between the law and the pursuit of desire. Should we formalize escape hatches in order to safeguard alternative ways?

Architecture in suspension is a way of activating the public space, to awaken the sleeping field of architecture through some agents who are at the same time its users, creators and hackers as well. Why do not we value those agents as makers who can compete with the same responsibilities and demands as other professionals?

Architecture in suspension questions architecture as a stable, immovable value. It makes other types of architecture understandable as stages in a process of infinite manipulation. How should we assume the existences of those kinds of architecture?

Architecture in suspension utilizes renunciation as an inalienable starting point. Why do we continue understanding new buildings as the most valid architectural response to space demand?

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