



Property in Common: The nexus between architecture and real estate

Dr. Catherine Ingraham

Spring 2015, Columbia University, Center for Urban Real Estate

Time and Place TBA

Syllabus

Property both in law and in logic means enforceable rights, not things. It is a political relation between persons that includes private (right to exclude) and common (right not to be excluded) property. —C.B. Macpherson, Property

...a possession may be defined as an instrument of action, separable from the possessor. — Aristotle, Politics(1131-1132)

This course is oriented toward architecture students, urban planning and urban design students, real estate students, historic preservation students, and Earth Institute students.

Students from the Columbia law school, business school, and economics are also welcome if the subject matter is of interest to them. The course looks at systemic and theoretical issues that underlie contemporary dilemmas in architectural design and real estate development. It examines architecture as both an autonomous and a contingent practice; and it examines real estate practices in relation to that autonomy and contingency. Questions of design, sovereignty, finance, juridical systems, urban and rural development, as well as environmental and ecological systems, are deeply instrumental in this context.

There are points of confluence and conflict (nexus) between architecture and real estate that are significant not only for specific buildings or development projects but also for the systems of production, design, law, justice and nature that they advance or inhibit. Students will be asked to participate in formulating and analyzing case studies that model these design and property relationships.

There are persuasive contemporary reasons for undertaking this subject matter: the puzzling undervaluation of design and architecture in the marketplace and in the public imagination; the emergence of more flexible and economic production and valuation systems; the difficulty in designing credible public space in American cities; a housing crisis that has revived political debates over fundamental entitlements; and multi-tiered conflicts between property, infrastructure, politics, and ecological systems that architecture and global development encounter at every turn.

Grading is based on one class presentation (20 minutes) by each student and a final paper (12-15 pages). Students are expected to attend every class, do the required reading prior to the class, and actively participate in discussion.

Session 1 Introduction: Property in Common: Architecture and Real Estate

Session 2 Possession vs. property (appropriation, territory, land, rights)

Readings: John Locke, "On Property," excerpt from *Second Treatise on Civil Government* (*Two Treatises on Civil Government*); excerpt from *A Possible Way Out*, Hernando de Soto (see IDL)

Case studies/presentations: *Favelas* in Rio de Janeiro and Guatemala City; Native American reservations (Lakota/Sioux reservation, The Badlands); The Louisiana Purchase (1803: \$11 billion, 828,000 square miles); Dutch settlement of lower Manhattan

Session 3 Control and regulation of resources: who owns the ground?

Readings: J.W. Singer, "What is Property?" from *Introduction to Property* (Aspen Publishers, 2005); Morris Cohen, "Property and Sovereignty" (PDF); Jeremy Bentham, excerpt from "Principles of the Civil Code," Chapters II-XII (online www.laits.utexas.edu/bentham) (utility; cost/benefit analysis)

Case Studies/presentations: U.S. Dept. of Energy/FEMP (Federal Energy Management Program); Agua Caliente Solar Project, Yuma County, Arizona; Blenheim Palace (Nicholas Hawksmoor and Capability Brown) (1705-1722), Oxfordshire, England; *Foreclosed* projects Buell/MoMA (use of R.E.I.Ts)

Session 4 **Happiness, security, entitlement** (“clear acts”)

Readings: excerpt from William Blackstone’s *Commentaries on the Laws of England* (in reader); Carol M. Rose, “Possession as the Origin of Property” (in reader); Teddy Cruz TED Talk: “How Architectural innovations migrate across...” (YouTube) and Lecture by Teddy Cruz at California College of the Arts April 2, 2013 (YouTube)

Case studies/Presentation:

Tijuana/Santa Cruz border; World Trade Center (Yamasaki); Dubai and Abu Dhabi architectural projects; Fruit Igoe Housing Development (Hellmuth and Yamasaki); Unité d’Habitation (Le Corbusier); Berlin wall/US-Mexico wall

Session 5 **Architecture/property dilemmas**

Readings: Excerpt from Phyllis Lambert, *Building Seagram* (in reader); Colin Rowe, “The Mathematics of the Ideal Villa” (in reader)

Case Studies/presentations: Seagram Building (coalescence of property law, finance, architectural iconography), Mercedes-Benz Building, Ben van Berkel (BIM building information, modeling and proprietary formats), Tugendhat House; The Blur Building (“The Making of Nothing”), Rem Koolhaas and 2014 Venice Biennale (emergence of global modernist typology); John Hancock building (contingent buildings)

Session 6 **Real Estate/property dilemmas**

Readings: excerpt from Vishaan Chakrabaty, *A Country of Cities* (in reader); excerpt from Michael Heller, excerpt from *The Gridlock Economy* (online); Robert Cervero, “Transport Infrastructure and Global Competitiveness,” (American Academy of Political and Social Science, Vol. 626, Nov. 2009, 210-225).

Case Studies/presentations: Hudson Yards; Atlantic Yards (Eminent Domain and modular construction)

Session 7 **Apparatuses and Instruments (design, legal-juridical)**

Readings: Giorgio Agamben, “What is an Apparatus? (in reader)” Tr. David Kishik and Stefan Pedatella (Stanford University Press, 2009); *Declaration of Independence*; Fifth and Fourteenth Amendments to *Constitution* (online)

Case Studies/presentations: Grand Central Terminal (historic preservation polestar case); Frank Gehry technologies; Apple Corporation; Porta Nuova, development in Milan (multiple architects, see Gerald Hines and Robert Stern conversation online); Roman cloacae system;

Session 8 **Spring Break**

Session 9 **Nature: environmental milieu vs. property**

Readings: Laurence M. Friedman “An American Law of Property” from *A History of American Property* (in reader); Timothy Morton, *Architecture and Ecology* (in reader); Online conference (about 1 hour), “Current Trends in New York City Real Estate Development” with Abby Hamlin, Bruce Beal (Related Development), Maryanne Gilmartin (CEO, Forest City Ratner), and Jed Walentas (Principle, Two Trees Company)

(YouTube, April 9, 2013, RED Alumni Forum at Low Library); “Earth in the Balance Sheet”; short article posted online, April 17, 1997 by Paul Krugman (web.mit.edu, *the dismal science*)

Case studies/presentations: Great Banks fishery in Newfoundland; New Orleans and Mississippi River systems; New Jersey coastline; Fort Collins, Colorado zero-energy district; Masdar City (Norman Foster and Partners), Saudi Arabia; Logorno Eco-City, Spain (MVRDV); Navajo Indian Reservation

Session 10 **Forms of Use, public and private**

Readings: *The Liberal Commons* article by Hanoch Dagan and Michael A. Heller (PDF, go online to 110 *Yale Law Journal* 549 (2001); Two articles by Reinhold Martin: “Occupy: What Architecture can Do” See places.designobserver.com/feature/occupy... “Public and Common(s)” See places.designobserver.com/features/public... Excerpt from Garrett Hardin, *The Tragedy of the Commons* (1968) See Garrett Hardin Society for article (garretthardinsociety.org)

(terms: *anticommons*, *liberal commons*, *creative commons*)

Case studies/presentation: Semi-public and privately-owned public space; Seagram Building, Louis Sullivan Trading Room; philanthropy and gift economies

Session 11 **Apparatuses and Instruments (data, statistics, institutions)**

Readings: *Laura Kurgan, The Million Dollar Block* (in reader); passage of information to knowledge/action

Case studies: Laura Kurgan projects; Michael Bell, *Foreclosed* exhibition project; public policy think-tanks; innovative economic structures (public housing and environment)

Session 12 **Discussion: Guest speaker TBA**

Session 13 **Summary and discussion of final papers.**

Session 14 **Final Reviews (no class)**

Session 15 **Paper due: send as PDF to me at cingraha@pratt.edu by 5pm.**

