

NOT QUITE CITIZEN: THE POLITICS OF CITIZENSHIP DISPOSSESSION ENGAGING A TERRITORIAL ETHICS OF BELONGING

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Abstract

The article engages with the debate on politics and practices of citizenship dispossession that affect individuals and families pushed to precarious housing conditions. Taking recent evictions cases in Bucharest, Romania, the paper tackles the right to housing as a citizenship right.

Following Foucault (1984) understanding of space as ‘fundamental in any exercise of power’ and the individual in its political territorial sense, the citizenship dispossession is a direct result of state actions. The paper discusses how in citizenship space becomes territorialized, and people are dispossessed by their right to exercise citizenship by placing a “doubt” on their territorial identity. In any modern circumstances citizenship is considered to be something that nobody can take away unless a person is classified in a state of abnormality. Still, in Romania, the state proves capable to withdraw rights guaranteed by citizenship according to a territorial ethics of belonging and consequent political methods. Thus, individuals and families without means to show their housing existence, which are defined by the state, are deprived of their rights by having the identity card issued for a temporary period of one year – a condition that deeply affects their daily life, the freedom of movement, and their human existence as these limitations are transferable to children, etc.

The territorial aspect of citizenship is embedded in nation-state. Limiting the mobility for citizens dispossessed previously by a territorial protection appeals to what Soysal calls “a citizenship model [where] the ‘outsiders’ are not only

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immigrants, but also the 'lesser' Europeans, who have the added burden of proving the potential and worth of their individuality." (2012, p. 3). *The neoliberal turn and the return to nation-state centred citizenship charges the individual responsibility and exonerates state's territorial violence.*

Keywords: dispossession, neoliberalism, ethics of belonging, territorial identity, Roma families

Introduction

Within the housing policy and rights to housing, a highly debated issue proves to be the housing nationalization and restitution in Eastern Europe.¹ It has been argued by Zerilli that "the transfer into private property of assets that formerly belong to the state represents a central dimension of the social restructuring currently experienced by the former socialist countries."² Chelcea³ has shown that "restitution should be regarded primarily as a genealogical practice, where the dispossessed kinship groups recreate relations with ancestors and recalibrate relations with living kin"⁴ which exhibits how social restructuring through housing policy has been experienced in a violent way in Romania.⁵ In recent

¹ Jozsef Hegedus, Ivan Tosics, Bengt Turner, (eds.) *The Reform of Housing in Eastern Europe and the Soviet Union*, London: Routledge, 1992; Martin Lux, "Efficiency and Effectiveness of Housing Policies in the Central and Eastern Europe Countries" in *European Journal of Housing Policy*, no. 3, 2003, pp. 243-265; Nóra Teller, Martin Lux, (eds.) *Social Housing in Transition Countries*, London: Routledge, 2012.

² Filippo M. Zerilli, "Sentiments and/as Property Rights: Restitution and Conflict in Post-Socialist Romania" in Maruska Svasek (ed.), *Postsocialism: Politics and Emotions in Central and Eastern Europe*, New York: Berghahn, 2006, p. 75.

³ Liviu Chelcea, "Marginal Groups in Central Places: Gentrification, Property Rights and Post-Socialist Primitive Accumulation (Bucharest, Romania)" in *Social Changes and Social Sustainability in Historical Urban Centres: The case of Central Europe*, 2006, pp. 107-126.

⁴ Liviu Chelcea, "Ancestors, Domestic Groups, and the Socialist State: Housing Nationalization and Restitution in Romania" in *Comparative Studies in Society and History*, vol. 45, no. 4, 2003, pp. 714-740.

⁵ Lavinia Stan, "The Roof Over Our Heads: Property Restitution in Romania" in *Journal of Communist Studies and Transition Politics* vol. 22, no. 2, 2006, pp. 180-205; Ion Radu Zilișteanu, "National Housing Policies In Romania Between 1990 And 2010" in *Romanian Economic Business Review* vol. 6, no. 1, 2011, pp. 126-132.

analysis of spatial and racialized marginality, Vincze and Raț⁶ depict the mix conditions of classism and racism that exclude Roma ethnics from housing regulations. Moreover, Vincze explains how anti-Roma "racism legitimizes neoliberalism and its actions by defining Roma and non-Roma relations as a relation of (inborn) difference and not one of inequality produced by in-built systemic power hierarchies."⁷ Suffering from continuous spatial and racial segregation, limited and forced mobility, besides being rendered victims of structural violence, Roma ethnics are taken responsible for their socio-economic exclusion. My argument here builds on the nation-state's territorial ethics of belonging underlying on citizenship dispossession's neoliberal practices that affect in Romania especially, already a racialized and socio-spatial excluded category of citizens.

The article examines the influence of neoliberal politics and practices implemented in post-socialist Romania through an analysis of the territorial dimension of citizenship. First, the argument is exposing the theoretical debate on neoliberal impact as conditioned, among others, by political mobility, i.e. the Westernization of Eastern European states' politics. Then, the second section details on the de-territorialisation of the state and the loss of the right to housing as results of citizenship dispossession under neoliberalism. The case study of Vulturilor 50 evictions in Bucharest reflects and details the building of neoliberal politics of citizenship dispossession disclosing state's territorial ethics of belonging and its structural violence. The final section of the paper follows the argument showing a potential territorial ethics of belonging embedded in the nation-state's power structure that dilutes and hierarchizes citizenship.

Discussing the neoliberal turn in post-socialist Romania, the article is prone to engage with the debate on the right to housing as a citizenship right. Particularly, here I will tackle the commodification and dispossession of citizenship in the neoliberal state through the politics of privatization,

⁶ Enikő Vincze, Cristina Raț, "Spatialization and Racialization of Social Exclusion. The Social and Cultural Formation of 'Gypsy Ghettos' in Romania in a European Context" in *Studia Universitatis Babeș-Bolyai Sociologia*, no. 2, 2013, pp. 5-21.

⁷ Enikő Vincze, "Urban Landfill, Economic Restructuring and Environmental Racism" in *Philobiblon: Transylvanian Journal of Multidisciplinary Research in Humanities* vol. 18, no. 2, 2013b.

expressly what in post-socialist Romania took the form of property restitution (*retrocedări*) that affects individuals and families pushed to precarious housing conditions.

One crucial transformation of the neoliberal turn has been the shift in the political regime in Eastern European countries during the 1990s, leading to what is still being called “transition” – commonly qualified as the shift from state-centred system to the democratic regime based on capitalist market economy. In order to fulfil the standards for admission to the European Union, the countries’ politico-economic evaluation has been structured by neoliberal ideology and has been put into practice through politics of privatization of states’ assets, state’s withdrawal from social security support, simultaneously doubled by administrative shrinkage. The transition meant for ex-socialist states the change towards a clear individualization of responsibility together with the creation and development of civil society organizations. A bonanza of projects and idealistic enthusiasm increased the number of non-governmental organizations and social activities, regardless of the damage produced to social support and against the obvious benefit of capital owners.

During the transition context, the processes of state’s de-territorialization and re-territorialization designate certain norms and regulations run according to the neoliberal principle. Embedded in the paradigm of the nation-state, the territorial aspect of state power stretches its meaning as an organizing principle of the social and political life of people and institutions. Under the neoliberal logic, the transition suggest a redefinition of territory – its meaning, its politics and its boundaries. Focusing on the right to housing, I will depict the consequences of neoliberal politics on the loss of rights, and the implications of the abstract notion of territorial identity used by the state as means of control and surveillance of its population. Then, deciphering the commodification of territory that permits “the market to decide” against the state structure, I will point to the politics of house stock privatization in ex-socialist Romania built on this ideology.

Finally, the case study reveals how the sovereign power has been entitled to disregard families by invoking the right of the individual to be protected while, for example, is sending separately husbands and wives, women and children or teenagers to shelters. The evictions following

property restitution show how the state lawfully dispossesses the individual of its citizenship rights by placing a doubt on his/her territorial identity, manipulating an ethical label – “they don’t belong here”. Thus, the state’s authorities unaccountably dismantle without replacing the locative spaces of citizens.

The structural violence enables the state power to legitimize the citizenship dispossession by removing fundamental rights, such as cancelling permanent ID cards and replacing them with “temporary” legal documents of citizenship. I will argue that the citizenship dispossession starts with the imposed status of a person defined as belonging to a territory, particularly to a dwelling place. The territorial ethics of belonging represent that aspect of structural violence which controls and surveils persons by limiting or forcing their mobility, by limiting or incapacitating them to exercise the right to housing. This translates a form of violence that recalls to the understanding of the territory as structural to the nation-state power, and applies the universalization of rights and market deregulation as desired mechanisms of neoliberal strategy.

The people dispossessed by citizenship are left to enact strategies of resistance: turning their life present to the political realm, pointing the intentional dispersed responsibility among authorities, demanding the right to housing as citizenship right, claiming back their full citizen’s status. People submitted to state violence are enacted politically only after dispossession. They become politically active from the outside, demanding their belonging to the political corpus of the nation-state.

Neoliberalism and global political mobility

Neoliberalism as a theory has been considered the most powerful ideological and political project of global governance. Far from being a clear cut concept, neoliberalism “stands for a complex assemblage of ideological commitments, discursive representations, and institutional practices, all propagated by highly specific class alliances and organized at multiple geographical scales.”⁸

⁸ James McCarthy, Scott Prudham, “Neoliberal Nature and the Nature of Neoliberalism” in *Geoforum* vol. 35, no. 3, 2004, pp. 275-283, p. 276.

Scholars have already distinguished among geographically and temporally political disparities⁹, developmental unevenness¹⁰ or capacity to cope with globalization demands¹¹ when analysing the triumph of neoliberal practices.

The logic of neoliberalism entails the deregulation of the financial system and state's restructuring through: privatization and commodification, financial shrinkage of administrative power, shifting responsibility towards the local level administration without the basic endowments or the unaccountable international institutions, and towards the voluntary sector characterized by non-binding standards and rules.¹² David Harvey explains how this deregulation has led to a direct collaboration between the capital and the citizen, in lack of state institutions' involvement, putting to work the framework of "accumulation by dispossession". Moreover, the process of "commodification of everything", of social relations, nature and ideas, has been translated in a production of goods that can be sold in a de-regularized market under the neoliberal ideology of capitalism.

Peeling the layers of welfare state and social security promise, the nation-state paradigm is reinforced by the approval of supra-state and international organizations over territory and people. The state withdrawal from social welfare provisions and the deregulation and reregulation of financial sector constitute those neoliberal practices whose achievement has been, as Harvey put it, "to redistribute rather than to generate wealth and income."¹³

⁹ Noel Castree, "Neoliberalising Nature: The Logics of Deregulation and Reregulation" in *Environment and Planning A* vol. 40, no. 1, 2008, pp. 131-151; Neil Brenner, Nik Theodore, "Cities and the Geographies of 'Actually Existing Neoliberalism' " in *Antipode* vol. 34, no. 3, 2002, pp. 349-379.

¹⁰ Ray Forrest, Yosuke Hirayama, "The Uneven Impact of Neoliberalism on Housing Opportunities" in *International Journal of Urban and Regional Research* vol. 33, no. 4, 2009, pp. 998-1013; Bram Büscher, Murat Arsel, "Introduction: Neoliberal Conservation, Uneven Geographical Development and the Dynamics of Contemporary Capitalism" in *Tijdschrift voor economische en sociale geografie* vol. 103, no. 2, 2012, pp. 129-135.

¹¹ Saskia Sassen, ed. *Deciphering the Global: Its Scales, Spaces and Subjects*, London: Routledge, 2013.

¹² David Harvey, *The New Imperialism*, Oxford: Oxford University Press, 2003; David Harvey, *A Brief History of Neoliberalism*, Oxford: Oxford University Press, 2005.

¹³ David Harvey, *op. cit.*, 2005, p. 159

Individual responsibility comes to replace the state's social protection. The individuals are left without financial resources and thus obliged to form groups and civil coalitions, NGOs and to work on advocacy campaigns in order to defend their rights. The civil society sector was from the very beginning of neoliberal turn meant to fill the lack of social provisions after the withdrawal of the state.¹⁴ The NGO-ization of civil society and the encouragement of the public-private cooperation release the state of any actual responsibility towards its citizens, making rights even more dependent to the existent or non-existent state provisions. The eviction's case from "Vulturilor 50" reveals the situation when entire families are split and left homeless by applying the "case-by-case" norm and advancing solutions available only for individuals.

The individualization and commodification operated under the neoliberal ideology have gendered consequences. Women are the most affected by the combined strategy of individual responsibility and the shrinkage of state protection. The gender gap deepened by neoliberal practices can be easily detected on women's social status and their bodies, but also in the development of women oriented and feminist NGOs or civil society informal groups.¹⁵

However, some scholars have challenged the neoliberal taking over the ideological battlefield, either from a bottom-up perspective emphasizing social movements, or from a top-bottom one, pointing to elite interests.¹⁶ Neoliberal ideology has been argued to suffer deep transformations once it meets the local contexts, with a special focus on the transition in Eastern European and ex-soviet countries,¹⁷ and particularly

¹⁴ *Ibidem*, 177

¹⁵ Leslie Kern, Beverley Mullings, "Urban Neoliberalism, Urban Insecurity and Urban Violence. Exploring the Gender Dimensions" in Linda Peake, Martina Rieker (eds.), *Interrogating Feminist Understandings of the Urban*, London: Routledge, 2013, pp. 23-40.

¹⁶ Pierre Bourdieu, *Practical reason: On the Theory of Action*, Stanford: Stanford University Press, 1998; Jean Comaroff, "Beyond bare life: AIDS, (Bio) politics, and the Neoliberal Order" in *Public Culture* vol. 19, no. 1, 2007, pp. 197-219.

¹⁷ Adrian Smith, "Articulating Neoliberalism: Diverse Economies and Everyday Life in 'Postsocialist' Cities" in *Contesting Neoliberalism: Urban Frontiers*, 2007, pp. 204-222; Nóra Teller, Martin Lux, (eds.) *Social Housing in Transition Countries*, London: Routledge, 2012; Dorothee Bohle, Béla Greskovits, *Capitalist Diversity on Europe's Periphery*, Ithaca: Cornell University Press, 2012; Sonia Hirt, Christian Sellar, Craig Young, "Neoliberal Doctrine Meets the Eastern Bloc: Resistance, Appropriation and Purification in Post-Socialist Spaces" in

on its effects and consequences in Romania.¹⁸ Furthermore, it has been recognized that neoliberalism has a polyvalent character being a geopolitical and geoeconomic project,¹⁹ emphasizing the transformation of geographical, territorial and urbanized spaces²⁰.

Reflecting further on the policy mobility from a hegemonic power to periphery, Cochrane and Ward are binding the neoliberal power expansion to global geography and geopolitics. The globalized policies "find their expression and are given their meaning in particular, grounded, localised ways, how they are translated through practice and how that translation in turn feeds back into further circulation."²¹ At the same time, the political mobility might be interpreted as challenging the locality of power if we consider the processes of adaptation to and negotiation with the hegemonic and dominant power. The inherent politico-economic organization of post-socialist countries are not considered unshakable legacies, but rather dependent on how citizens are perceiving the assets and liabilities.

Within the process of political mobility, the states unequivocally reshape their territoriality as part of the negotiation of their sovereignty. The territorial redefinition takes place not by moving borders, but rather through institutional reorganization and interpretation of citizenship.

De- / re-territorialization and citizenship dispossession

The process of de- and re-territorialization of nation-states takes place under the neoliberal expansionist logic acting through the

Europe-Asia Studies vol. 65, no. 7, 2013, pp. 1243-1254; Peter Rutland, "Neoliberalism and the Russian Transition" in *Review of International Political Economy*, vol. 20, no. 2, 2013, pp. 332-362.

¹⁸ Cornel Ban, "Neoliberalism in Translation: Economic Ideas and Reforms in Spain and Romania", PhD Thesis University of Maryland, 2011; Dan Cărmidariu, "Dismantling a Weak State: The crisis as a Pretext for Even More Neoliberalism in the Romanian Economic Policies", *MPRA Paper* no. 40349, 2012, pp. 196-206.

¹⁹ Neil Brenner, Nik Theodore, "Cities and the geographies of "actually existing neoliberalism"" in *Antipode* 34, no. 3, 2002, pp. 349-379.

²⁰ Saskia Sassen, "The Repositioning of Citizenship and Alienage: Emergent Subjects and Spaces for Politics" in *Globalizations* vol. 2, no.1, 2005, 79-94.

²¹ Allan Cochrane, Kevin Ward, "Guest editorial: Researching the Geographies of Policy Mobility: Confronting the Methodological Challenges" in *Environment and Planning A*, vol. 44, no. 1, 2012, p. 9.

dispossession of socio-political and existential dimensions of human beings, such as citizenship.

Following Foucault's understanding of space as "fundamental in any exercise of power"²² and of the individual in its political territorial sense, citizenship dispossession proves to be a direct result of state's actions. The territorialization of space within citizenship emphasizes the function of territory as people's appropriation of space. Consequently, I argue that the right to housing as well as the territorial identity are embedded in citizenship, reinforcing the territorial aspect of state power.

The extensive literature of interdisciplinary writings about de- and re-territorialization of the state and geo-political spaces²³ attest a scholarly concern with the dynamic of geographies of state power and spatial state intervention. The politics of de- and re-territorialization and practices of citizenship dispossession stream out not only from the neoliberal ideology, as rooted in Western countries, but rather from a particular set of socio-political conditions. The consequences of neoliberal global politics for the nation-state should be framed equally through de- and re-territorialization. First, the state has been de-territorialized through the process of withdrawal from social provisions, minimising its legislative and financial support for social housing. Second, the re-territorialization of the state emerges as part of the global geographical expansion of capital with the support of the nation-state's sovereignty. The capital accumulation is made possible by spatial strategies that preserve and increase the nation-state power. The political networks and alliances are conceived geographically: redrawing maps, renaming places, creating overlapping structures of power in order to let governmentality to action in a re-territorialized way. Specifically, I will indicate here how neoliberal expansion reshapes the power structure through two entangled and simultaneous processes that redefine the territory: the erosion of the right to housing and the commodification of territory. Subsequently, I will point to a territorial

²² Michael Foucault, Jay Miskowicz, "Of other Spaces" in *Diacritics*, 1986, pp. 22-27.

²³ David Held, *Global Transformations: Politics, Economics and Culture*, Stanford University Press, 1999; Stuart Elden, "Land, Terrain, Territory" in *Progress in Human Geography*, vol. 34, no. 6, 2010, pp. 799-817; Philippe Cauvet, "Deterritorialisation, Reterritorialisation, Nations and States: Irish Nationalist Discourses on Nation and Territory Before and After the Good Friday Agreement" in *GeoJournal*, vol. 76, no. 1, 2011, pp. 77-91.

ethics of belonging redefined by the neoliberal ideology that requires a reinforced and less accountable state, while placing people outside the framework of rights.

In the first instance, the right to housing represents both a right lost as a result of state's shrinkage, giving the argument developed above on the right to housing as a citizenship right, and as an *abstraction* that entitles the political to monitor and evaluate the territorial identity of the citizens. The other process through which neoliberalism shapes the power structure is the commodification of territory characterized as the state action directed against the very structure of the state. Here, de-territorialization points to the core meaning of territory, which was used for standardizing, homogenizing and disciplining social and material reality.²⁴ State's de-territorialization under the neoliberal political strategy is made possible by the commodification of territory that will allow and prioritize the market decision. Then, through re-territorialization the state will reinforce the power of legitimizing the status of belonging for its citizens.

However, the meaning of the territory is changed by the state withdrawal from the social provisions, including the right to housing, but also by the fact that state territorial authority is challenged by other forms of territorial governance. Once defined only by the sovereignty of state power, the territory would start signifying more and less in the political realm. If the loss of territory means harming the privilege of another state, with the commodification of territory that flows into the market, the territory has stopped belonging to the state. Thus, the state territorial supremacy coexists together with other forms of power over territory, for example, the regional model of multilevel governance and citizenship is based on nation-states' membership although it aims to construct another type of political community. Different other forms of governmentality, at local or supra-state level, might diffuse the meaning of territory as the privilege of the state.

Taking into account the territorial dimension of citizenship, I will discuss further on how citizenship dispossession occurs, by making a distinct reference to the right to housing. Specifically, in which way the

²⁴ Marco Antonsich, "On Territory, the Nation-State and the Crisis of the Hyphen" in *Progress in Human Geography*, vol. 33, no. 6, 2009, pp. 789-806; Joe Painter, "Rethinking Territory" in *Antipode* vol. 42, no. 5, 2010, pp. 1090-1118.

entwining of citizenship and territory allows state power to intervene into people's lives? How does the state act in a territorial way so the effect will be the dispossession of citizenship, a loss of right or unaccountable politics?

On one hand, Harvey argues that if we consider that "dispossession entails the loss of rights," this might lead to a dangerous universalistic rhetoric of rights. This rhetoric of rights makes clear that the state and capital render rights as "derivative of and conditional over citizenship."²⁵ Further on, Harvey explains the imperialist expansion of capital as being necessary. The capital accumulation has been fulfilled through the expansion of "neoliberal regime of rights" to a global geographical scale. Moreover, following Henry Lefebvre's critique of political theory that should include a spatialized analysis of politico-economic processes, and Brenner and Elden's focus on the territorial aspect of state power,²⁶ I suggest here to decrypt the right to housing as defined by the convergence of the territorial aspect of state power and the global expansion of capital.

Consequently, if we consider the right to housing as a citizenship right, we risk strengthening the idea that the nation-state is the only legitimate source of rights, although alternative spaces for citizenship contestations are continuously produced:

undocumented immigrants, legal and illegal residents of squatter settlements, favelas and township have, in certain instances, taken charge of the local spaces they inhabit. They make their own living space and livelihood not because of, but often in spite of, the state institutions and laws."²⁷

The right to housing is a necessary fiction for capitalism. Within neoliberalism, this fantasy is traded, it becomes negotiable, having limits and a price. Thus, being part of the stock of rights guaranteed by citizenship, the enactment of the right to housing becomes dependent on

²⁵ Harvey, 2005, p. 180.

²⁶ Neil Brenner, Stuart Elden, "Henri Lefebvre on State, Space, Territory" in *International Political Sociology* vol. 3, no. 4, 2009, pp. 353-377.

²⁷ Faranak Miraftab, "Right to the City and the Quiet Appropriations of Local Space in the Heartland" in *Remaking Urban Citizenship: Organizations, Institutions, and the Right to the City*, 2012, p. 191.

the state. Using the territorial aspect of state power and the globalized dimension of neoliberal order, the right to housing qualifies as one important means of power expansion; a power constituted as a “dialectical relation between the territorial and capitalist logic of power”²⁸ that confirms the right to housing as the expression of the phenomenon of accumulation by dispossession.

On the other hand, some scholars have sought a far-reaching global perspective over dispossession as also having a social and existential dimension, while citizenship dispossession is only one aspect of a continuous violent action of homogenization.²⁹ The dispossession pushes people towards a point where their solidarity is challenged. People are entitled to act politically when they possess rights, and when that does not happen, the distinction between those that have rights and those that do not have rights (“illegals”) becomes superficial but also dangerous. First, because dispossession separates people in a dangerous way as the power acts unjustly, either if legitimate or not – “the legal means are as unjust and illegitimate as the illegal ones.”³⁰ Second, the dispossession is nothing else but violence that *relocates people outside the framework of rights*.

Crucially, the unjust acts of power are creating disruption in a social corpus, emphasizing the individualistic logic in society. The dispossession blurs the social dimension of humanity denying the individualism as much as pricing it for the alleged empowerment of people living in a life deprived of rights. The dispossession belongs to the mechanisms of political and existential exclusion decided by the sovereign power. The de-humanized, abnormal individuals are left to bare life at the complete disposal of institutional violence. The strategies of resistance to state violence and unjust acts of power end up by legitimizing the power structure once again.

²⁸ Harvey, 2005, p. 178.

²⁹ Judith Butler, Athena Athanasiou, *Dispossession: The Performative in the Political*, New York: John Wiley & Sons, 2013.

³⁰ Butler and Athanasiou, 2013, p. 25.

Case study: Bucharest, Vulturilor 50

On 15th of September 2014 in Bucharest, a walking distance from downtown, in a residential neighbourhood built in the beginning of XX century, some hundred people were evicted from the houses in which they had been living for almost thirty years. The eviction procedure requires the National Guard (*jandarmerie*) intervention only with the presence of court enforcement officer. Thus, when the court enforcement officer arrived, the National Guard took control of the entrance of housing complex and stopped people entering the yard and the buildings. No one could enter, but only those wanting to exit their goods. Further negotiations between dwellers, activists, several politicians and the court representative were conducted inside the houses. Eventually, all 23 families officially living in the housing complex signed the eviction agreement having the expectation that their situation will legally be solved. The hope relied on pressuring the state to allocate social housing, formally demanded for years and legally available and accessible.

Factually, the state put in practice the order for eviction, allowing dwellers and social activists to react to a *de facto* citizenship dispossession. According to the national legislation,³¹ the state should have provided social housing to the tenants before enacting the eviction. That did not happen. What happened was that during the next hours, days and weeks after the eviction, the authorities offered unfeasible and unacceptable solutions: sending to separate shelters women and men from same family disregarding completely the children's situation; offering for 3 days shelter in the night asylum; or offering to an extended family of 12 members to pay the rent to two-rooms' apartment for only six months period.³²

By now the story line is not breaking the news for any modern society, and could remain just a sad event unless deeper analysis into the Romanian housing system and dwelling development would show the multilevel dimension and potentiality to harm. The particularity of this

³¹ For the legislation concerning property restitution in Romania and tenants protection, see 112/1995; OUG 40/1999; law 83/1999, OUG 94/2000; law 10/2001 modified in 2009; OUG 74/2007 and Law no. 84/2008 rectifying and endorsing OUG no. 74 /2007. For social housing and protection for evicted persons, see: 341/2004; OUG 74/2007 and no. 57/2008 that modifies the law 114/1996.

³² Michele Lancione, *Interview Liviu Negoitǎ*, 2014.

event reveals the entangled neoliberal exploitation and the inherited socio-economic housing system: the consequences of the ex-regime's nationalization policies, the state's control of population, forced urbanization, lack of financial exertions and a welfare-job related right to housing. The nationalization process started in June 11, 1948, being extended towards 1950s, allowing the impoverished state to use all the housing stock in the after-war period of huge dwelling shortage. Besides an intense dwelling labour and the economic boost that the socialist regime engaged in the following decades, the bureaucratic and systematic control of the population has been maintained through the centralized welfare-job related economy. To these housing policies it should be added the state's obsession with free urban planning and eradication of nomadism.³³ Before 1989, the obligation to have a legal working place, turned vagrancy as well as nomadism into illegal actions - a racist institutional attitude converted nowadays but still in practice.

Historically, in Romania the right to housing and housing policies are stigmatized by representing a controversial civil right and a bad state management during the socialist regime. The right to housing was defined according to the socialist state Constitution, stipulating that "every citizen was entitled to the right of housing and the state had the obligation of providing adequate housing to every citizen."³⁴ The centralized socialist regime embraced a non-residential segregation policy, encouraging the mix of population in residential areas. Moreover, the welfare-job related system meant that social housing was distributed according to the recommendation from the state company for which the citizen was working. Following this principle, some Romanian Roma ethnics have been relocated to poor and old houses complex on Vulturilor 50 Street.³⁵ The

³³ National Archives of Romania, file no. 10.010/7.05.1952.

³⁴ Adrian-Nicolae Dan, Mariana Dan, "Housing policy in Romania in transition: between state withdrawal and market collapse", conference paper, 2003 [http://socioumane.ulbsibiu.ro/sociologie/NYESS/Papers_Sibiu_2003/12.%20Adrian%20Dan.pdf].

³⁵ For details informing the evictions that took place in Vulturilor 50, see: [<http://fcdl.ro/interviu-cu-o-evacuata-din-str-vulturilor-marti-23-septembrie/>]; [<http://fcdl.ro/interviu-ziua-evacuarii-din-str-vulturilor-15-septembrie/>]; [<http://jurnaldinvulturilor50.org/2014/12/17/politicapolitics/>];

twisted situation would condition the right to housing on a working place, while the working place itself would have been guaranteed by the state. The rhythm of dwelling construction during four decades ('50-'80) turned out to be not less impressive than other Eastern or Western European countries, summing by 1989 around 85% of the total state stock housing.³⁶

The situation has changed dramatically after the socialist regime fall, "in 1990 from the total of new dwellings 88.1% were built with state funds, and in 2001 only 5.0% [and] in 2002 to 2.7% from total."³⁷ Moreover, the decentralisation of housing stock management placed this responsibility on the local authorities, but without the necessary funding for maintenance. The shrinkage of the state social protection started immediately under the new regime, deploying for more than two decades politics and practices for privatization of the state assets. The public housing sector in Romania is still small comparing to any other country, even for Eastern Europe, having the renting sector stabilized only in urbanized areas, and poor social housing programs. Thus, the housing sector as a whole has been permanently expose in the post-socialist period to economic volatility.

Generally, Eastern European countries were submitted to a shift due to housing management reform, from a state centralized ownership to a market driven housing policy. Still, the differences between the countries are considerable due to both a

*result of specific 'path dependency' process which is inherent in the past pre(socialist) development, i.e. demographic, socio-economic, institutional and cultural aspects of policy development and during the process of transition from socialist to market based housing provision in 1990s.*³⁸

After the socialist regime fall, Romania has developed a specific path in housing policy, by selling out the social housing stock to the

[<http://www.vice.com/ro/read/viata-unui-copil-evacuat-125/>];

[<http://fcdl.ro/jur-de-100-de-persoane-din-sectorul-3-sunt-aruncate-strada/>].

³⁶ Dan and Dan, 2003, p. 2.

³⁷ *Ibidem*, p. 3.

³⁸ Natasha Pichler-Milanovich, "Urban Housing Markets in Central and Eastern Europe: Convergence, Divergence or Policy 'Collapse'" in *European Journal of Housing Policy*, no. 2, 2001, pp. 145-187.

tenants³⁹ and almost stop any financial support for sustainable urban development, a proper state withdrawal from housing provision. Next to it, the property restitution laws were adding a layer of legislative confusion and practical problems. From the first law issued in 1991 to the latest in 2013, the state put together a legislative framework regulating both property restitution (the right to land or other properties of those forcibly dispossessed by the communist regime through the nationalization process), as well as legal protection for the tenants of disputed properties. However, the laws on property restitution did not specify any sanctions for failing to respect the provisions regarding tenants' protection. The laws issued were not clarifying the circumstances in which the claims for a property can be done, who is entitled to reconstitute and to whom, or how the state will compensate the actual loss of the property (houses or buildings demolished during the socialist urbanistic policies). On one hand, the state lost almost immediately a huge housing stock, by transferring the state housing to the market, and on the other hand, the state kept property over another big stock of unregulated properties without the financial or legal possibility to manage it.⁴⁰

Shortly after 1989, the tenants living in nationalized houses experienced the consequences of this poor legal framework, before and after the dwellings were returned to their ex-owners or their heirs. In fact, the evictions and the housing shortage in urban areas became a phenomenon representative of the transition period in Romania. Moreover, the fact that the right to housing is not anymore a Constitutional right, being framed under the National Housing Law (114/1996), leaves homeless people at the disposal of the local authorities' regulation. The condition for the local authorities to be accountable towards people left homeless, gets down to an administrative rule: having official domicile in that territorial-administrative area. Ironically, once a person becomes homeless, the domicile stops existing. In that sense, the local administration cannot any more be made responsible for the housing needs of a homeless person.

³⁹ Law 61/1990.

⁴⁰ The authority in charge of managing dwellings and other real estate properties of state's and Bucharest municipality is The Real Estate Fund Administration (Administrația Fondului Imobiliar, [<http://afi.pmb.ro/>]).

However, the territorial identity of a person converges with another 'path dependency' from the centralized state's regime, namely the control of the population. Following the bureaucratic ex-socialist system of population's control, the authorities' responsibility towards the citizens depends on the domicile recognition: the address registered on citizens' national ID card. The domicile is not the same as residence, i.e. the dwelling-place. The domicile is proven through a dwelling contract of property ownership, renting or legally living in an owner's dwelling-place. The domicile is needed by the parents in order to issue the birth certificate for their children, as well as for every child by the age of 14 in order to have issued the national identity card. An official ID card represents citizenship and is issued under the condition that a person can attest the domicile with a legal contract. The practical consequences are obvious: unless a homeless person is still using the ID card in a pseudo-legal way, the law stipulates that any change in the domicile status should be announced and leads to a change of the ID documents. The homeless people are issued a temporary ID card with the available period of maximum 1 year.

On Vulturilor 50, everybody was aware of the eviction and was waiting to happen. The families were already prepared for the worse, but having hope for a different fate. Like in a theatre scene, pretending to live a normal life with the hope that can turn real, some families have sent their children to school, others have gone to working places, but still few dozens were remaining, the elderly and the teenagers. Since the process of property restitution ended in 2002 with the verdict favouring the owner, most of them knew about the consequences and the subsequent selling. They were also aware of the real estate mafia being helped politically by different parties without exceptions. Most of the tenants with whom I talked had their own evaluation of the political actors involved: the city mayor, the district mayor, the Roma political representative, the local police, the National Guard, the activists and journalists. Out of them, the journalists and the activists' were mainly welcomed, and received with confidence. After the eviction, the social activists organized and helped as much as possible those people left homeless, by giving them tents and blankets, preparing meal for the children or providing different necessities for a certain period of time and disposing by limited resources. Social

activists' attitude was not intended to be a charity work, but a declared political voice with the clear aim of creating a resistance group.

In 2014, a couple of months before the eviction on Vulturilor 50, another eviction took place in Bucharest, in Rahova-Uranus neighbourhood, and another one was ready to be put in practice few weeks after (Șerban Vodă 113). Only in Bucharest the number of evictions increased as the locative space reaches 52%, the highest rate in Europe, and the people evicted are thousands.

The eviction in Vulturilor 50 has been announced long time before the fact took place, and nobody should have been surprised. Several factors lead to the paradoxical situation: the lack of legal representation for the evicted persons, the lack of education and self-organization of the community of evicted persons, the disproportion between the evicted people and the new landlords etc. Yet, the resistance group was enacted politically after the eviction and counts on the *de facto* homelessness of those evicted. Precisely, as one of the people evicted stated to an official meeting in the Romanian Parliament house where she was invited to talk about the eviction and the consequent situation: "I had to be first thrown in the street in order to be able to come here."⁴¹

"They don't belong here": the territorial ethics of belonging

Among the neoliberal policies, housing sector has been at the forefront of states' transformation in ex-socialist countries where it proves "central to the overall shaping of opportunity structures in societies in terms of family formation, mobility and asset accumulation."⁴² Specifically, the literature⁴³ tackling the housing policies under the Romanian neoliberalism is rather scarce, although it turns out to a good level of analysis focusing also on the particularity of Roma housing exclusion.⁴⁴

⁴¹ N.V., public conference intervention, February 2015.

⁴² Ray Forrest, Yosuke Hirayama, "The Uneven Impact of Neoliberalism on Housing Opportunities" in *International Journal of Urban and Regional Research*, vol. 33, no. 4, 2009, p.998

⁴³ Gyöngyi Pásztor, László Péter, "Romanian Housing Problems: Past and Present" in *Studia Universitatis Babeș-Bolyai Sociologia* no. 1, 2009, pp. 79-100; Adrian-Nicolae Dan, Mariana Dan, *op. cit.*, 2003.

⁴⁴ Adrian Nicolae Dan, "Excluziunea de la locuire a populației de romi" in *Revista de Asistență Socială* no. 3-4, 2009, pp. 83-103; Cătălin Berescu, Mina Petrović, Nóra Teller, "6 Housing

The territorial ethics of belonging refers to certain aspects of the state power under the neoliberal rule: the territorial prerogative of the nation-state given by its monopole of violence over a territory; the commodification of citizenship and territory; the territorial presence de-linked from the access to citizenship; the moral exclusion - placing a "doubt" over the territorial identity or belonging of citizens. The doubt fundamentals the moral exclusion in a territorial ethics of belonging. The territorial ethics of belonging refers to the abstract understanding of citizenship, where the citizens of a state would have by default a territorial identity.

First, the borders of a territory represent already a violent gesture and the manifestation of power, being constitutive to the nation-state. Second, as I argued before, the processes of de-territorialization and re-territorialization imply that the territories are not fixed, they depend on each state's politics and actions that charges the individual responsibility and exonerates state's territorial violence. Third, the access to territory does not guarantee anymore the access to citizenship or to the rights or benefits that are coming with it. Fourth, the territorial identity of a citizen, namely its natural or naturalized belonging that gives him/her the potential to demand citizenship according to human rights, or to demand the rights given by citizenship, can be doubted. The doubt over the territorial identity reflects a moral exclusion with legal and normative consequences in the life of people.

Legally and administratively the state can constraint a citizen to prove its legalized territorial status, defined by the state within the local structure of authority. Particularly in Romania, the state will withdraw rights embedded in citizenship for those citizens unable to provide necessary housing documentation. Individuals and families without the means to show their dwelling status are deprived by their full rights guaranteed by citizenship and attested by the usual identity card. They found themselves having issued on their name another type of identity card. This identity card is issued temporary, according to local authorities' decision, but not for more than one year period. This condition deeply

Exclusion of the Roma" in *Social Housing in Transition Countries* no. 10, 2012, pp. 98; Enikő Vincze, "Socio-Spatial Marginality of Roma as Form of Intersectional Injustice" in *Studia Universitatis Babeş-Bolyai Sociologia* 2, 2013, pp. 217-242.

affects the daily life, fundamental rights of citizens, such as the right of free movement or other civil rights (ability to make a mortgage, to have loans, to be employed etc.), and the bare human existence as these limitations are transferable to children. For example, there are uncountable situations where children at the legal age of 14 are unable to demand the identity card if their parents cannot prove the housing contract, or that they cannot benefit from state protection because they are homeless. If anything, the Romanian state issues identity documents for children that are inheriting the same “temporary” status as their parents.

In order to remove the identity card of a citizen and issue a provisional one, the state appeals to a territorial ethics of belonging and its consequent politics. A certain doubt is placed over the territorial belonging of a citizens unless legalized housing status is provided. This doubt, this moral exclusion, is translated normatively by the state, thus inflicting violence by citizenship dispossession.

There is an increasingly complex institutional framework through which rights and obligations are stratified among citizens and non-citizens, as well as between citizens: measuring of wealth and income, discursively bounding to the politics of integration, creating levels of deservingness and belonging that enforce the individual to obey the structural political system. The citizenship becomes graduated or underpinned by “the hierarchies of deservingness/undeservingness, belonging and non-belonging.”⁴⁵ At the core definition of citizenship remains the territory, subjugated to politico-institutional spaces. “They don’t belong here” reflects the territorial boundaries settled within the citizenship. The dispossession of citizenship happens progressively, starting with the doubt over the territorial identity and the right of housing.

The political meaning of the territory has been settled as serving the power structures against the unprotected life of human beings, those that are “not-quite-citizens”. Thus, the dispossession of citizenship is necessary linked by the state of abnormality of an individual. When an individual is de-classified, dispossessed of rights, s/he enters a state of abnormality where the institutions are losing the link with the individual. The bounded

⁴⁵ Bridget Anderson, Isabel Shutes, Sarah Walker, *Report on the Rights and Obligations of Citizens and Non-Citizens in Selected Countries. Principles of Eligibility Underpinning Access to State Territory, Citizenship and welfare*, 2014, p. 5.

relationship between citizen, state and territory is reconfigured. The not-quite citizens are those individuals stripped away of their rights, pushed outside the realm of politics, outside of framework of rights. This state's production of *de facto* non-citizens through politics and practices of citizenship dispossession affect individuals and families pushed to precarious housing conditions. The analysis of the post-socialist Romanian housing policy, the geo-political positionality in negotiating the ideology to be embraced has shown the undisputable way in which the lack of the right to housing leads to the dispossession of citizenship.

Conclusion

Any eviction is a dramatic event but the state leans to convert it in a routine, giving a bureaucratic meaning to otherwise an unjust practice of power. The people left out to live in the streets are stripped away of their rights, with their freedom of movement limited to peripheral existence. The relocation outside the framework of rights leads to institutionalized destitution of human beings. Disregarding or refusing the right to housing affects deeply the social structure.

The state contributes to the political enactment of people by violently dispossessing them of citizenship rights. The politically enacted people can only become as such and create a resistance group to a *de facto* situation of homelessness and citizenship deprivation. Otherwise they are not considered political actors. The power acts unjustly and violently without being accountable for its actions, but on the contrary, legitimizing and reinforcing its status.

What lingers over pertains to the territorial ethics of belonging underpinned by the neoliberal project. While the process of capitalist accumulation has been described in concordance with territorial specific forms of state power, it is the underling territorial ethics of belonging that articulates citizenship. The dispossession of citizenship happens progressively, starting with the doubt over the territorial belonging and the ignored right to housing. Once the state institutionally and financially withdraws from supporting the right to housing, the full access to citizenship cannot be guaranteed anymore.

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