# Writing Open Architecture as a book on Human Rights (and against Nation-States)

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When I conducted my first recorded interview with a resident in Berlin's Kreuzberg, which made its way, first, to an article on Álvaro Siza's *Bonjour Tristesse* building (2009), and then, to my book *Open Architecture* (2018), I had not anticipated that this curiosity would turn into a book-length project and occupy me for a decade.<sup>1</sup> [Fig. 1] Nor did I have the concept of open architecture in mind. Indeed, I arrived at this concept while researching the urban renewal of Berlin's immigrant neighbourhood, rather than at the start as if it were a theoretical recipe I had inherited to employ during research. Composing a theory of open architecture felt like manufacturing the key I had been looking for.

The word 'open' had been used in conjunction with other nouns, such as 'open plan' by Mies van der Rohe, 'open work' by Umberto Eco, 'open society' by Karl Popper, 'open city' by Roberto Rosselini, and in a very different sense by Alison Smithson, 'open form' by Oskar Hansen and Zofia Hansen, and yet 'architecture' was curiously absent.<sup>2</sup> I settled on defining open architecture as a new ethic of hospitality toward the immigrant, a new welcoming of the mind that had been hitherto perceived as the 'other'. The book asked what would have happened if the architecture discipline and profession were more welcoming to the immigrant, and called this open architecture. This was a history in the past subjunctive sense, a history of possibility, if you wish, that found clues to open architecture in the past, but also realised how they came up short in matters related to global migration.3

The book articulated the formal, programmatic and procedural aspects of latent open architecture, in the sense of prerequisites or inspirations for an open architecture-to-come. These included flexibility and adaptability of form, collectivity and collaboration, participatory processes, and multiplicity of meaning. An astonishingly large number (about 200) of cutting-edge and established architectural offices from Europe and the United States had been invited to contribute to design public housing during Kreuzberg's urban renewal (Internationale Bauausstellung (IBA) 1984/87), including, in alphabetical order, Peter Eisenman, Vittorio Gregotti, Zaha Hadid, John Hejduk, Herman Hertzberger, Rem Koolhaas, Rob Krier, Aldo Rossi, Álvaro Siza, Frei Otto, Oswald Mathias Ungers, and many other important but understudied professionals whose due acknowledgment is hopefully given with this book. Chapters discuss a number of projects from Kreuzberg's urban renewal in relation to one way of achieving open architecture, and by conducting oral histories with the immigrant residents of these buildings. Above all, the book's aim is to make its readers realise that it is the expansion of human rights and social citizenship that would achieve open architecture.

This last sentence might cause a reader to pause and ask what a flexible plan, for example, has to do with human rights (one of the book's reviewers asked what architecture has to do with racism). Looking back, I can see even more clearly how I tried to exist in two very different sets of literatures and audiences: those interested in architecture, and those involved in migration. And indeed, the book emerged out of my dissatisfaction with the gap between the two. Open architecture as a concept is the result of weaving them together: it calls architects to be more attentive to the issue of global migration, and migration scholars to pay heed to architecture. Migration brings both conflicts to architecture, such as housing shortages and racist discrimination in urbanisation, but also inspiring transformations and potentials for cosmopolitan ethics and sociocultural rejuvenations. The impact of architecture on migration is equally foundational. Hannah Arendt did not fail to notice that housing is the first major human right lost to the refugee:

The first loss which the rightless suffered was the loss of their homes, and this meant the loss of the entire social texture into which they were born and in which they established for themselves a distinct place in the world.<sup>4</sup>

While there are many layers in the book *Open Architecture*, this article foregrounds the relation between migration, racism and human rights, and how this calls on us to change our conventional ways of designing buildings and writing architecture histories.

#### **Migration and racism**

Many agree that the twenty-first century will be the age of migrations as a result of the global challenges of our time, including climate change, political unrest, social and economic inequality, and food insecurity. On the one hand, migration sounds awfully familiar to our ears. On the other hand, we are constantly exposed to its wounds. On the one hand, Germany owes much of its post-war prosperity and cultural richness to immigrant labour and arts, but, on the other hand, it has hardly acknowledged itself as an immigrant country. On the one hand, the United States is celebrated as a nation of immigrants, but, on the other hand, it has deported almost fifty-seven million people since 1882 – more than it has legally allowed as permanent habitants in the last century.<sup>5</sup> I wrote Open Architecture in wake of the world's biggest refugee crisis since the Second World War due to the War in Syria and the violation of academic freedom around the globe that pushed countless academics and journalists into exile, and the continuing travel ban, DACA (Deferred Action for Childhood Arrivals) termination and family separation in the US. Among many different fault lines, the Covid-19 pandemic exposed the hypocrisy of immigration policies: we realised once more that the undocumented immigrants that rulers consider deportable and disposable are actually the essential workers who maintain the food supply chain when the rest of the population can stay at home to protect themselves from the virus. I am writing this article in the midst of another refugee crisis as the NATO forces pull out of Afghanistan without accountability for the war damages they have participated in creating. You will probably be reading it during another crisis.

Migration and racist discrimination are indeed long-standing and intertwined phenomena that reproduce each other. They also require our attention because the future is prone to their multiple impacts and possible injuries. Despite the reality of migration that looms over our planet's future, the current international laws that determine the human rights regime fall well short of facing up to this challenge in a way that secures the dignity of the migrants or in a way that brings global, social and environmental justice. World authorities are reacting to this challenge with anti-immigrant and nationalist policies, rather than rethinking the border systems that block migrations, or preparing the legal framework of reparations to refugees.

These issues were already at stake during Kreuzberg's urban renewal throughout the 1980s. Examples abound of the racialisation of and discrimination against immigrant workers, both socially and legally. During the 1960s and 1970s in Berlin, the immigrant workers from Turkey were pushed into the war-torn Kreuzberg, where landlords did not



Fig. 1: View from the exhibition: Esra Akcan, 'Open Architecture: A Book on Migration', Hartell Gallery, AAP, Cornell University, 30 September to 9 October 2019, Ithaca, New York.

perform legally required maintenance, since noncitizen families could hardly make official complaints about the decaving state of their apartments. Many other social practices took advantage of immigrants' lack of rights. Toilet decrees explaining how to handle human waste, foreigner classes segregating the education of German and Turkish children, and newspaper advertisements that made it clear that immigrants were not eligible to rent apartments all made clear the social separation and othering of 'quest workers'. There is abundant evidence and examples recorded in the oral histories with immigrant residents in Open Architecture, but in order to paint a more concrete picture, let me bring your attention to a movie that is not mentioned in the book. Sohrab Shahid-Saless's Far From Home (1975) starts, ends and is rhythmically divided with a scene where the main protagonist repeats the same action in front of a machine, like all factory workers on assembly lines whose labour is alienated from the end product. It is clear that the Turkish-speaking man is in Germany as a worker, and only as a worker. The Germans he encounters away from work, on the street, in the park or U-Bahn, either look down on him, ignore his conversation starters or tell him to go back to his home country. He is a 'quest worker' in legal terms, an Ausländer (foreigner) in daily parlance. It is as if he should do his work to help West Germany prosper, but become invisible. It is as if he should not take up any space in the train while commuting to work; as if he should not take the stairs up to his apartment after coming back from work; as if he should not have a family; as if he should not have a decent apartment with a room of his own; as if he should not leave the immigrant neighbourhood during his free time; not take a walk in the park; not socialise; and not have sex.6

Nor was there any shortage of racist discrimination in the legal sphere and urban policy that shaped Kreuzberg's urban renewal. This public housing initiative took place in the context of discriminatory housing laws and regulations instituted by the Berlin Senate, such as the ban on entry and settlement, and the moving quota. Justified as the 'integration of quest workers', these Senate laws prohibited the movement of additional migrant families to certain boroughs, and mandated that only 10 per cent of residential units be rented to non-citizens in West Berlin. Mid-way through the realisation of IBA, the majority in the Senate shifted to the Christian Democrats, who mobilised additional anti-immigration policies. These laws were transposed into the functional programme of new buildings during Kreuzberg's urban renewal mandating only a small percentage of new housing to be flats large enough for extended migrant families. In particular, this urban renewal programme would either diminish non-citizen families' chances to move into new public housing, or welcome them only after they had changed their lives to fit German standards of family size. In this context, architects found themselves participating in designs sanctioned from above, policies against equal rights for immigrants, and hindrance of immigrant public housing. But it was important for me to also find out about practices that moved toward a just, collaborative and cosmopolitan understanding despite the regulatory regimes. Open Architecture discloses how policymakers used architecture as a mechanism of social control and displacement, but at the same time also discusses how architects responded with varying degrees of complicity, irony, or subversion to these discriminatory housing regulations.

## Human rights and nation-states

Looking at migration and architecture together brought me to the realisation of a fundamental and continuing paradox about human rights and nationstates. Despite its omnipresence in daily language, the definition of human rights as a concept has not been settled easily and remains unresolved. The concept of human rights has received its own share of suspicion and reproach from authors at different ends of the political spectrum. The far-right press continues to portray human rights as an alibi to protect criminals and constrain governments in punishing them.<sup>7</sup> Historically, Jeremy Bentham ridiculed the foundational premise of human rights. that all human beings are born free - perhaps to be expected from the inventor of the Panopticon, who disciplined human bodies with an architectural device - and rebuked the idea that natural and inalienable rights should be distinct from legal rights, because that, he claimed, would be an invitation to anarchy.8 Karl Marx famously opposed human rights for their equistic preoccupations that protect individuals instead of political communities, and for reducing the definition of the 'true' human being to a bourgeois.9 Despite this criticism, many subsequent thinkers from the Left have used the concept of rights to criticise inequality and oppression, in the field of urbanism most famously Henri Lefebvre.<sup>10</sup> As early as Olympe de Gouge's and Mary Wollstonecraft's appeals, feminist critique has exposed the hypocrisy of gender discrimination in the initial declarations that advocated for the rights of 'man and citizen'.<sup>11</sup> Another common objection has been the assertion that the concept of human rights is a Western invention and its universalisation therefore an imperialist expansion.<sup>12</sup> Episodes when Western superpowers used human rights as an excuse for military intervention to serve other interests stand as the worst scandals in human rights history. Gayatri Spivak has formulated a critique of the potential coloniality of human rights activism and proposes to rectify it through a 'suturing' educational programme that revises both Western and local structures.13 When the same measures and steps are applied universally, international law becomes ignorant of domestic practices and sabotages the fulfilment of human rights. When perceived as a toolkit that can be applied anywhere without translation, human rights activism defeats its own purpose.

With some of these fallacies corrected but others unresolved, the concept of human rights continues to be relevant today for moral commitment to rectify injustice and ensure equality, or for political action to protect human dignity, enable participatory democracy and foster progressive change, or still, for education of the senses to build empathy for the oppressed. Despite numerous challenges from sceptics and authors with different moral philosophical convictions, 'the claim to "natural rights" has never been quite defeated,' as Margaret MacDonald summarises:

It tends in some form to be renewed in every crisis in human affairs, when the plain citizen tries to make, or expects his leaders to make, articulate his obscure, but firmly held conviction that he is not a mere pawn in any political game, nor the property of any government or ruler, but the living and protesting individual for whose sake all political games are played and all governments instituted.<sup>14</sup>

Open Architecture argues that Kreuzberg's urban renewal exposes one of the remaining paradoxes of human rights. The Berlin Senate's laws and regulations about the immigrants constituted a violation of human rights, but were made legally possible by taking advantage of the fact that a noncitizen's rights are not protected in the contemporary human rights regime. Article 13 of the Universal Declaration of Human Rights reads: 'everyone has the right to freedom of movement and residence with the borders of each State.' Accordingly, the Berlin Senate's laws could not have been instituted for citizens. Moreover, during the time that these regulations were put in place, it was procedurally impossible for 'guest' employees from Turkey to fulfil the immigration requirements and become naturalised, which meant that the laws and regulations easily and consciously targeted this immigrant population by taking advantage of the citizenship law. The collapsibility of race and noncitizenship conveniently served to exert discrimination under the pretext of law.

Hannah Arendt, Giorgio Agamben, Gayatri Spivak and others have exposed the limits of this continuing attachment between human and citizenship rights in protecting noncitizens.<sup>15</sup> Kreuzberg's urban renewal is a typical case showing the paradoxes of the current human rights regime as it reflects on housing and urbanism. Agamben revisits Arendt's text 'We Refugees,' written in response to the biggest refugee crisis during World War II, precisely because statelessness continues to be prolific, and simultaneously exposes the limits of modern institutions in securing human rights.<sup>16</sup> The stateless put into question the limits of the human rights that presume the condition of being a citizen of a state. Ever since the first declaration of rights, the link between natural and civil rights, 'man' and 'citizen,' and birth and nationhood has continued to define human rights, making it impossible to have rights without citizenship. A refugee who loses citizenship status in a country would immediately recognise that the inalienable rights of being a human - the rights that a human being should have by virtue of being born - are actually unprotected unless one belongs to a nation-state. 'The paradox here,' writes Agamben, 'is that the very figure who should have embodied the rights of man par excellence - the refugee - signals instead the concept's radical crisis.'17

It is important to remember that people have been excluded from citizenship throughout the history of citizenship. Slaves, women, colonial subjects, guest workers, legal aliens, undocumented immigrants, and refugees have all been identified as noncitizens at some point in the past, and some of them continue to be identified in this way today. Moreover, when applied to the notion of social citizenship, noncitizens also include people excluded from citizenship because of socially constructed notions of class, race, gender, ethnicity, or religion. Much has been said about T.H. Marshall's tripartite definition of citizenship as civil, political, and social citizenship, and others have challenged him on numerous fronts, especially for his account of the concept's historical evolution and his assumption of a unitary process tied to the British context.<sup>18</sup> Nonetheless, his insight into the three types of rights continues to have an explanatory power. According to this

framework, social citizenship rights are those tied to economic welfare and security, such as insurance against unemployment and rights to health care. education, housing and a pension. People who were once noncitizens often continue to be denied social citizenship after naturalisation, as the exclusion of former slaves, colonial subjects, or guest workers is projected onto the present in the form of class difference and white supremacy. Étienne Balibar also theorises the relation between internal and external exclusions from citizenship, to understand the mechanism that denies legal citizens the right to have rights. 'An "external" border is mirrored by an "internal" border,' Balibar writes, to such an extent that citizenship becomes a club to which one is admitted or not regardless of one's legal rights.<sup>19</sup>

It is always citizens 'knowing' and 'imagining' themselves as such, who exclude from citizenship and who, thus, 'produce' non-citizens in such a way as to make it possible for them to represent their own citizenship to themselves as a 'common' belonging.<sup>20</sup>

Exposing the violability of noncitizens' human rights in Open Architecture therefore caused me to question the order of the global nation-state itself. Any nation, as Benedict Anderson made us aware in his foundational work Imagined Communities, is by definition constructed and limited.<sup>21</sup> Today, a nation seems to us as a natural, given category that must always have existed. But the concept of nationalism is a product of modern times, and constructed simultaneously with the concept of human rights. Nation-states as new sovereign forces filled in the void that had been left by the decline of dynasties, monarchs or religious communities from the eighteenth century onwards. A nation is a constructed, imagined community, far from one whose members are attached to each other by a biological glue. A nation is by definition limited, because it is restricted to a certain number of people and bound by a territorial and conceptual border, beyond which another nation starts. In the modern world, it is expected

that everybody has a nation, just as everybody has a name or gender. The constructed idea of a nation has been naturalised and normalised to such an extent that nations are regarded as essential, unchanging, and fixed attributes of human beings that are supposedly attached to them from birth. The world is organised as a series of nations, and being a citizen of a nation-state is an international norm.

But isn't it also this premise of a nation-state that produces noncitizens and refugees, and that consequentially deprives humans from their human rights? Agamben also exposes this paradox:

The refugee must be considered for what he is: nothing less than a limit concept that radically calls into question the fundamental categories of the nationstate, from the birth-nation to the man-citizen link, and that thereby makes it possible to clear the way for a long overdue renewal of categories.<sup>22</sup>

Architecture alone, of course, cannot revolutionise this global norm that is unlikely to change soon, but architects can design open architecture in a way that expands migrants' rights and social citizenship. And some architects have indeed done so, even though our professional history is full of closed works. Open Architecture analyses Kreuzberg's urban renewal from the perspective of this criterion, and identifies different ways of achieving open architecture in this sense. It also shows the agency of racialised subjects in the making of cities, buildings and interior spaces. Today, under the threat of gentrification, many immigrants rightfully take credit for Kreuzberg's urban renewal and its symbolic significance in the global imagination by pointing out their own financial and cultural contributions in making the area a pleasant place to live. As a matter of fact, residents appropriated many apartments designed by high-end architects, whether the architect had anticipated, welcomed or prohibited it, confirming the agency of immigrants in shaping the neighbourhood: bridges were repurposed as bedrooms; voids

were converted into kitchens; unfunctional wintergardens were turned into playrooms; additional rooms from buildings next door that were on higher levels were integrated into apartments. [Fig. 2–4]

Studying the relation between migration and architecture as a matter of human rights exposes the historical roots of contemporary racisms, while giving due acknowledgment to the Black and Brown migrants even in the making of places perceived to be the most white. What gets displaced and replaced here, therefore, is not only the individuals - migrant workers and refugees - but also the notions of conventional architecture and architectural history. By paying attention to immigrant appropriations of domestic and urban spaces, we can register architectural design as something that constantly evolves in time, and acquires new forms and meanings with the contribution of resident architects. By honouring the residents' stories equally with those of the architects, we can admit that architectural history does not end when a building leaves the hand of the professional architect. But open architecture as design starts before occupation and makes room for, anticipates or encourages resident appropriation, participation and interpretation. Open architecture can take different forms. Flexibility and adaptability of form is one. Collective urban design, or the collaboration of nonhierarchically positioned architects in a given urban setting, is another form of open architecture, and so is participatory design (even though its process remains unresolved), involving the anticipation of change, user appropriation, and the unfinished or ongoing nature of work. A significant form of open architecture involves viewing the inhabitant as a subject rather than an object who is supposed to behave in ways predefined by the author-architect. Still another difficult but worthy form of open architecture for the global present involves the ultimate welcoming into design of noncitizens: an individual architect welcoming the stateless, and the opening of architectural discourse to the refugee, the diaspora, and the geographical 'other.'

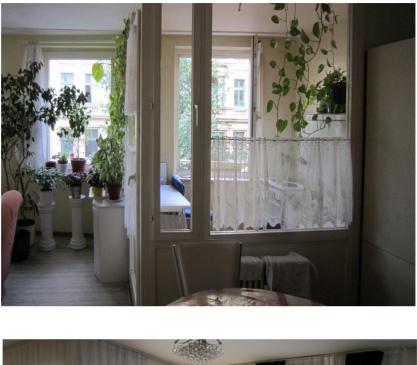




Fig. 2: View of the Karaçizmeli's appropriation of the void space as a kitchen in Álvaro Siza's Bonjour Tristesse in Block 121 for IBA-1984/87. Photo: author, Berlin, 2012.

Fig. 3: View of the Barış's appropriation of winter garden as bedroom in Oswald Mathias Ungers's building in Block 1 for IBA-1984/87. Barış appropriated one of the two dysfunctional entrance bridges into another bedroom. Photo: author, Berlin, 2011.



Fig. 4: View of the Nişancı family's apartment in Block 81, renovated by IBA Altbau (team-architect: Cihan Arın), where a room from the building next door on a higher level is integrated into the living room. Photo: author, Berlin, 2012.

#### Notes

- Esra Akcan, 'A Building with Many Speakers: Turkish "Guest Workers" and Álvaro Siza's *Bonjour Tristesse* Housing for IBA-Berlin', in *The Migrant's Time*, ed. Saloni Mathur (New Haven: Yale University Press, 2011), 91–114; Esra Akcan, *Open Architecture: Migration, Citizenship and the Urban Renewal of Berlin-Kreuzberg by IBA-1984/87* (Basel: Birkhäuserde Gruyter Academic Press, 2018).
- Karl Popper, *The Open Society and Its Enemies* (Princeton: Princeton University Press, 2013 [1945]); Umberto Eco, 'The Poetics of Open Work', in Eco, *Open Work*, trans. Anna Cancogni (Cambridge, MA: Harvard University Press, 1989 [1962]), 1–24; Roland Barthes, 'The Death of the Author', in Barthes, *Image Music Text*, trans. Stephan Heath (New York: Hill and Wang, 1977), 142–48; Alison Smithson, ed. *Team 10 Primer* (Cambridge, MA: MIT Press, 1968); Oskar Hansen and Zofia Hansen, 'The Open Form in Architecture: The Art of the Great Number', in *Opening Modernism* (Warsaw: Museum of Modern Art in Warsaw, 2014 [1961]), 7–9.
- 3. For more on the history of possibility, see Stop 6 in Akcan, *Open Architecture*.
- Hannah Arendt, 'The Perplexities of the Rights of Man', in Arendt, *The Origins of Totalitarianism* (New York: Harcourt Brace and Co., 1973), 293.
- Adam Goodman, *The Deportation Machine:* America's Long History of Expelling Immigrants (Princeton: Princeton University Press, 2020).
- Sohrab Shahid-Saless, dir., *Far From Home*, Berlin-Hamburg and Neue Film Gruppe Teheran, 1975.
- Even though many readers may recognise this perception of human rights in numerous countries, U.K. is a good example. See: Andrew Clapham, *Human Rights* (Oxford: Oxford University Press, 2007).
- Jeremy Bentham, Anarchical Fallacies; Being an Examination of the Declaration of Rights issued during the French Revolution, vol. 2, The Works of Jeremy Bentham, ed. J. Bowring (Edinburgh: William Tait, 1843), https://oll.libertyfund.org/title/bowring-theworks-of-jeremy-bentham-vol-2#lf0872-02\_head\_411.

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- Henri Lefebvre, 'The Right to the City' [1968], in Writings on Cities, trans. and ed. Eleonore Kofman and Elizabeth Lebas (London: Wiley-Blackwell, 1996); an online version is available: https://theanarchistlibrary.org/library/henri-lefebvre-right-to-the-city.
- Olympe de Gouge, 'The Declaration of the Rights of Woman', in The French Revolution and Human Rights: A Brief Documentary History, trans. and ed. Lynn Hunt (Boston: 1996 [1791]), 124–29, https:// revolution.chnm.org/d/293; Mary Wollstonecraft, A Vindication of the Rights of Women, 1792. (Mineola: Dover Publications, Inc.1996).
- Amartya Sen named this as the cultural critique, but he also showed its intellectual weakness. Amartya Sen, 'Culture and Human Rights', in Sen, *Development as Freedom* (New York: Alfred Knopf, 2000), 227–48; Sen, 'Elements of a Theory of Human Rights', *Philosophy and Public Affairs* 32, no. 4 (2004), 315–36; Sen, 'Human Rights and Capabilities', *Journal of Human Development* 6, no. 2 (July 2005), 152–66.
- 13. 'I am suggesting that human rights activism should be supplemented by an education that should suture the habits of democracy onto the earlier cultural formation ... the real effort should be to access and activate the tribals' indigenous "democratic" structures to parliamentary democracy by patient and sustained efforts to learn to learn from below.' Gayatri Spivak, 'Righting Wrongs', *The South Atlantic Quarterly* 103, no. 2/3 (Spring/Summer 2004): 523–81; 548.
- Margaret MacDonald, 'Natural Rights', in *Theories of Rights,* ed. Jeremy Waldron (Oxford: Oxford University Press, 2009), 21–40; 21.
- Hannah Arendt, 'We Refugees', *Menorah Journal* 1 (1943): 77. Also see: Giorgio Agamben, 'We Refugees', trans. Michael Rocke, *Symposium* 49, no. 2 (1995): 114–19. For a revised version, see Giorgio Agamben, 'Biopolitics and the Rights of Man', in

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- Giorgio Agamben, 'We Refugees', trans. Michael Rocke, *Symposium* 49, no. 2 (1995): 114–19. For a revised version, see Agamben, 'Biopolitics and the Rights of Man', in Agamben, *Homo Sacer: Sovereign Power and Bare Life,* ed. Werner Hamacher and David E. Wellbery, trans. Daniel Heller-Roazen (Stanford: Stanford University Press, 1998), 126–35.
- 17. Agamben, Homo Sacer, 126.
- T. H. Marshall, Social Policy in the Twentieth Century (London: Hutchinson, 1965); see also Richard Bellamy, Citizenship (Oxford: Oxford University Press, 2008); Bryan Turner, 'Outline of a Theory of Citizenship', in Dimensions of Radical Democracy: Pluralism, Citizenship, Community, ed. Chantal Mouffe (London: Verso, 1992), 33–62.
- Étienne Balibar, *Citizenship*, trans. Thomas Scott-Railton (Cambridge: Polity Press, 2015), 69–70; Chantal Mouffe, 'Democratic Citizenship and the Political Community', in *Dimensions of Radical Democracy*, 225–39.
- 20. Ibid., 76.
- Benedict Anderson, Imagined Communities: Reflections on the Origin and Spread of Nationalism (New York: Verso, 1983).
- 22. Ibid., 134.

## Biography

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