

**DECONSTRUCTION, PROPERTY, AND
POLITICAL RESISTANCE**

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Abstract

This thesis reconceptualises the politics of resistance by rethinking property across a range of traditions. It rethinks property, deconstruction, the commons, democracy, and Black radicalism in novel ways to theorise how political resistance disrupts and remakes social orders that distribute inequality. In recent years, wide ranging scholarship in critical theory, decolonial legal theory, and feminist philosophy has drawn attention to how the partition and allocation of land, resources, political infrastructure and precarity relies on categorisations of being and subjectivity. These order and distribute a raft of interrelated oppressions and inequalities. In short, the relationship between ontology and political logics of appropriation has been made explicit. This thesis intervenes in this scholarship as well as Black Studies, the Black radical tradition, Indigenous scholarship, and post-Marxism to theorise political resistance in ways this literature has yet to consider. I reconceptualise Jacques Derrida's under-developed notion of *ex-appropriation* to think how political resistance unsettles the relationship between logics of appropriation and ontology, disrupting the distribution of inequality, and remaking social relations. This rearticulation of *ex-appropriation* responds to the anti-foundational analysis of property I develop. This demonstrates the limited character of deterministic analyses of property. I argue that property is not the "base" of material inequality but participates in interrelated oppressions and inequalities. Colonial incursions, projects of racialisation, gendered violence, ethno-nationalisms, wage theft, financial extractivism, and ecological breakdown are overdetermined, but related forms of oppression. I contribute to scholarship on the commons, democracy, and theories of Blackness by analysing – in turn – the extent to which each disrupts the reproduction of these interrelated oppressions through what I term *ex-appropriation*. I conclude that *ex-appropriation* provides fertile ground for developing democracy and theories of Blackness in ways that disrupt the violent relationship between logics of appropriation and modes of being.

Keywords: resistance; ownership; property; proprietary; deconstruction; colonialism; the commons; democracy; black radicalism

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Author's Declaration

I declare that the research contained in this thesis, unless otherwise formally indicated within the text, is the original work of the author. The thesis has not been previously submitted to this or any other university for a degree and does not incorporate any material already submitted for a degree.

Signed: H. Lechley-Yuill

Dated: 20th December 2024

In mid-December 2021, Josh Arce, president of the Partnership with Native Americans (PWNA), told The Guardian that the COVID-19 pandemic exacerbated health inequities for Indigenous populations caused by inadequate infrastructure, particularly on reservation land in the US¹. Researchers at Princeton University corroborated this. They found that people of colour had ‘high rates of vulnerability to COVID-19...attributed to long-standing structural inequalities’², with Indigenous populations the most at risk in the US. In 1887, The Dawes Act forcibly transformed Indigenous land into “Indian Reservations” and was the culmination of ‘decades of agitation for a change in Indian land tenure’³ and centuries of colonial land theft and genocide. As Imre Sutton notes, the act was ‘designed to create freehold tenure and to end tenancy-in common’⁴ by transforming what little land Indigenous populations had left into private property to better “assimilate” and “civilise” Indigenous populations⁵ yet its patchwork implementation means there is no coherent property regime that exists across all reservations⁶. One constant theme however is that this dispossession⁷ and displacement moved Indigenous populations onto land with poor natural resources and soil quality which was made toxic by the industrial expansion of the US, leading to poorer health outcomes for Indigenous populations⁸. These health outcomes are exacerbated by a “chronically underfunded”⁹ Indian Health Service, for which the US federal government bears responsibility. Here then, “assimilation” into US property regimes entails the transformation of land into property permitting the sale of profitable land to developers and industry and the fatal abandonment of Indigenous populations through underfunding of the very services the US is required to provide after displacement onto “valueless” land¹⁰. There are few opportunities for subsistence or economic development. All of this culminates in the higher death and severe illness rate for COVID-19 that Josh Arce spoke about in December 2021.

¹ Oladipo, “Native American communities lashed by Covid, worsening chronic inequities”, 2021.

² Leggat-Barr, Uchikoshi, and Goldman, “COVID-19 risk factors and mortality among Native Americans”, 2021.

³ Otis, *The Dawes Act and the Allotment of Indian Lands*, 2014, p. 1.

⁴ Sutton, “Private Property in Land Among Reservation Indians in Southern California”, 1967, p. 69.

⁵ William Hagan already noted back in 1956 that questions of “civilisation” in regard to Indigenous populations were well-worn and that politicians sought to frame common ownership as a form of barbarism antithetical to civilisation and needing to be eradicated through property ownership. See Hagan, “Private Property, The Indian’s Door to Civilization”, 1956.

⁶ Sutton, “Sovereign States and the Changing Definition of the Indian Reservation”, 1976.

⁷ As is commonly known, often the sale of Indigenous land was achieved through force and coercion whilst greatly underpaying for the value of land. See Akee, “Land Titles and Dispossession”, 2020.

⁸ Hooks and Smith, “The Treadmill Destruction”, 2004.

⁹ Leggat-Barr, Uchikoshi, and Goldman, “COVID-19 risks factors and mortality among Native Americans”, 2021, p. 1190.

¹⁰ Singer, “A Companion to the Anthropology of Environmental Health”, 2016.

A week prior, the UK government had just ordered an additional 114 million doses of the Pfizer/BioNTech and Moderna COVID-19 vaccines¹¹ having already vaccinated 85% of its population. As UK readers know, the UK government had a myopic approach to the pandemic and focused on vaccination as the primary if not sole method of dealing with COVID-19¹². In part, this high-vaccination rate was possible because the UK government had a supply agreement with AstraZeneca to secure 100 million doses if trials proved successful. AstraZeneca patented the Oxford-AstraZeneca COVID-19 vaccine (and thus owned its intellectual property rights) which was developed by themselves and Oxford University (and thus in some part through public funding). It was actually manufactured in the Serum Institute of India¹³, one of the largest manufacturers globally. Early in 2021, India had a second wave of COVID-19 infections which took its death total to 200,000 people, in no small part because Global North countries such as the UK had priority agreements over the vaccines manufactured in India¹⁴. Meanwhile countries across Africa only had enough to inoculate 2% of the population by the end of 2021. The UK government hoarded millions more vaccines, leading many to campaign against “vaccine apartheid” which replayed a colonial distribution of inequality¹⁵. Such events – and perhaps then so too the unequal distribution of precarity and resources – are only more likely in the coming decades as cross-species infection itself becomes more probable as food production encroaches on wildlife habits¹⁶ and land becomes commercial property for profitable enterprise, accelerating climate breakdown¹⁷.

¹¹ See Morris, “COVID-19: UK government secures 114 million more vaccines doses for the next two years as cases of the new Omicron variant rise”, 2021; Ivanova, “Vaccine apartheid is prolonging COVID – not vaccine hesitancy”, 2021.

¹² See Sky News, “COVID-19: Boris Johnson prepares to reveal winter plan based on vaccines not lockdowns”, 2021; BBC News, “Lockdown: Boris Johnson unveils plan to end England restrictions by 21 June”, 2021; The Guardian, “The Guardian view on Boris Johnson's Covid plan: a risky bet on vaccines”, 2021; Nelson, Hall, and Connor, “Boris Johnson to abolish lockdown laws and pursue booster vaccines in Covid Winter Plan”, 2021.

¹³ Frayer, “The World's Largest Vaccine Maker Took A Multimillion Dollar Pandemic Gamble”, 2021.

¹⁴ Thiagarajan, “Why is India having a covid-19 surge?”, 2021; Kamran, “Covid-19: India’s crisis is everyone’s crisis”, 2021.

¹⁵ See Keep Our NHS Public, “End ‘vaccine apartheid – nobody is safe until everybody is safe”, 2021; Guerrero, “Vaccine apartheid, a strategy of social murder”, 2021; Lerner, “World Faces Covid-19 ‘Vaccine Apartheid’”, 2020; Elliott, “The Omicron variant reveals the true global danger of ‘vaccine apartheid’”, 2021.

¹⁶ Rohr et al., “Emerging human infectious diseases and the links to global food production”, 2019; Brice et al., “The relation between different zoonotic pandemics and the livestock sector”, 2021.

¹⁷ Ritchie, Rosado, and Roser, “Environmental Impacts of Food Production”, 2022; Lakhani et al., “Our food system isn’t ready for the climate crisis”, 2022; Saladino, *Eating to Extinction*, 2021.

Introduction

In different ways, property is at the heart of this story. It is land transformed into property that facilitates dispossession, economic hardship, and health inequities. It is biological material transformed into data and then intellectual property which facilitates death and disease amidst ecological collapse. It is people transformed into propertied subjects or those incapable of owning property which determines bodily autonomy, adequate or insufficient healthcare provision, and ascribes markers of identity. It is often demands made through property that resist the unequal distribution of all these. This gets to the heart of this thesis. In the excerpt above, the pandemic acts as a lightning rod highlighting how property relations operate, in discrete fashion, across a variety of different geopolitical and social contexts to facilitate the distribution of material inequalities which intersect with one another and are exacerbated in crises. This thesis is concerned with how property, as a tool or technology, participates in the (re)production of inequalities. I reconceptualise the politics of resistance in a range of traditions by rethinking property. I develop the analytics of *ex-appropriation*, proprietary regimes of ownership, the commons, democracy, and Blackness across these traditions to accomplish this.

In doing so, the project scope is two-fold. First, it researches how interlocking inequalities are secured through proprietary forms. Here, propriety governs the partition, appropriation, and distribution of resources and precarity. I term this nexus – between property and propriety – a set of proprietary relations. I demonstrate that colonial incursions, projects of racialisation, gendered violence, ethno-nationalisms, financial extractivism, wage-theft, and ecological breakdown are (and always have been) interlocking forms of exploitation and oppression. These rely upon ontological categories – sex, class, “race”, gender, nationalisms, sexuality, disabilities, Indigeneity, neurodivergence, and more – as forms of propriety. These operate in tandem and are overdetermined. No single one determines the others. This refuses determinist analyses of property. Nevertheless, this commitment to overdetermination acknowledges the deep sedimentation of the histories we find ourselves in and the difficulties of attempting to shift them. Second then, the project investigates how interlocking forms of inequality are disrupted by political resistance. Here, resistance remakes proprietary regimes of

ownership by reconstituting relations to land, resources, political infrastructure, and beyond. This disrupts the proprietary nexus between ontology and property. I demonstrate that often political resistance constitutes social relations which cannot be contained by this nexus. In doing so, I argue that activists, demonstrators, workers, Indigenous groups, Black, racialised and colonised populations, women, Trans, neurodivergent, disabled and gender non-conforming people, and displaced and targeted groups amongst so many others produce new forms of equality which displace accepted “common senses” produced by proprietary regimes of ownership.

This thesis deepens scholarship on property as a technology of propriety which participates in the (re)production of interlocking oppressions. It theorises how political resistance disrupts, displaces, and altogether remakes social relations governed by proprietary regimes of ownership. Precarity, land, resources, food, energy, housing, citizenship, rights, etc. are unequally allocated. These are the infrastructures upon which life is sustained. This unequal allocation depends upon the symbiotic relationship between intersecting ontological justifications and modes of appropriation. Political resistance *simultaneously* disrupts *and* remakes these social relations rendered as property and interpolated into unequal proprietary relationships. I argue that contemporary scholarship on property fails to adequately theorise this. The thesis thus intervenes here. It develops resistance across a number of traditions – from Indigenous scholarship, Black Studies, the Black radical tradition, feminist philosophy, decolonial legal scholarship, to post-foundational political theory, and deconstruction. The politics of property delimited by economically reductionist readings of Karl Marx’s work remains insufficient. But so too does any analysis which remains isolated within one of these traditions. Instead, I cut across these domains to deepen the understanding of property as an overdetermined complex. I develop *ex-appropriation*, proprietary regimes, the commons, democracy, and the category of Blackness as analytical tools to rethink resistance across the aforementioned traditions. Each chapter primarily focuses on one of these tools. In doing so, I contribute to contemporary scholarship on property across these traditions.

Thesis Argument

This thesis makes two arguments. First, I argue proprietary regimes of ownership govern interlocking inequalities. Property is a tool interpolated within proprietary relations. This tool facilitates the distribution of colonial incursions, anti-Blackness, gendered violence, ethno-nationalisms, financial extractivism, wage-theft, ecological breakdown and beyond as overdetermined oppressions. I draw upon Mark Devenney's theorisation of proprietary regime to do. But I also develop this analytic in relation to Indigenous scholarship, decolonial legal, and feminist philosophy as well as my own theorisations of *ex-appropriation*, the commons, democracy, and the category of Blackness. In doing so, I demonstrate property is a capacious, malleable tool interpolated in proprietary relations but is not a tool of proprietary regimes. I thus refuse any account which considers property to be a "fundamental" tool that structures *all* forms of inequality and acts as the "base" upon which these operate. It is not then a structuring principle which lays bare a formulaic criterion for *how* forms of inequality are reproduced. Instead, I view property as one tool among others which is used in a range of interlocking forms of oppressions which cannot be an exhaustive list. Second, I theorise forms of resistance against these interlocking and interrelated forms of inequality. I demonstrate how forms of resistance do not institute proprietary relationships. This relies upon my development of *ex-appropriation*, democracy, and Blackness as complimentary analytics. I develop these concepts *across* the traditions from which they emerge. I argue that relating to land, resources, political infrastructure, one another, and beyond, without recourse to proprietary concepts of appropriation and being – which always rely upon colonial, racialised, gendered (and so forth) logics – is a political act which makes possible that which proprietary regimes foreclose. This produces new forms of equality that exceed proprietary orders.

This thesis rethinks *ex-appropriation*, proprietary regimes, the commons, democracy, and the category of Blackness to generate a novel analysis of property. This analysis emphasises the importance of property as a tool in the distribution of inequality, something that has been neglected from post-foundational political analysis¹⁸. In recent

¹⁸ See Laclau and Mouffe, *Hegemony and Socialist Strategy*, 2001.

years Brenna Bhandar, Mark Devenney, Aileen Moreton-Robinson, Robert Nichols, Eva von Redecker, and Clare Woodford have rethought property as a tool in the distribution of inequality¹⁹. Prior to this, radical political theory has largely understood property as the material base upon which inequality took place such that all forms of exploitation were reduced to an economic analysis of class²⁰, or was overlooked in favour of viewing various oppressions as a set of political antagonisms which must be negotiated through hegemonic politics²¹. Despite this rejuvenation of the analysis of property within political theory, there has been little work on theorising resistance against property as a tool in the distribution of inequality. Instead, much of this important work has focused on analysing the way in which property facilitates colonial dispossession²², racialised exploitation²³, far-right authoritarianisms²⁴, and the delimitation of what constitutes democratic politics²⁵. This thesis intervenes here, re-working those concepts across deconstruction, the Black radical tradition, Black Studies, Indigenous scholarship, decolonial legal scholarship, feminist philosophy, and post-foundational political theory to theorise resistance. Here, property is a post-foundational complex facilitating interlocking and interrelated oppressions. I argue that theorising resistance movements as incipient forms inaugurating a common regime of ownership often underplays the radical refusals of ownership often taking place. My analysis theorises the disruption of regimes of ownership, even communal ones, that are rendered possible by proprietary relations. Here, resistance remakes social relations without the necessity of partition and ontology governing their allocation. This moves away from concepts of ownership in the distribution of resources.

¹⁹ See Bhandar, *Colonial Lives of Property*, 2018; Devenney, *Towards an Improper Politics*, 2020; Nichols, *Property is Theft*, 2020; Moreton-Robinson, *The White Possessive*, 2015; von Redecker, "Ownership's Shadow", *Critical Times*, 2020; Woodford, *Disorienting Democracy*, 2017.

²⁰ See Althusser et al, *Reading Capital*, 2016; Balibar, *Equaliberty*, 2014; Marx, *Capital: Volume 1*, 1990.

²¹ Laclau and Mouffe, *Hegemony and Socialist Strategy*, 2001.

²² See Bhandar, *Colonial Lives of Property*, 2018; Nichols, *Property is Theft*, 2020; Moreton-Robinson, *The White Possessive*, 2015; Coulthard, *Red Skin, White Masks*, 2014.

²³ See Bhandar, *Colonial Lives of Property*, 2018; Bonds and Ranganathan, "Racial Regimes of Property", 2022; Moreton-Robinson, *The White Possessive*, 2015.

²⁴ von Redecker, "Ownership's Shadow", *Critical Times*, 2020.

²⁵ Devenney, *Towards an Improper Politics*, 2020.

Notes on Terminology

Already, I have used a number of key phrases that will appear throughout this thesis and require some clarification because they are used by a number of writers in different ways across a wide variety of scholarship. These include: property, appropriation, propriety, proprietary, proprietary regime, and deconstruction. A genealogical or etymological investigation of each would be necessary to fully capture these phrases, their history, and their contemporary uses. That is another thesis entirely. For now, I wish only to offer a brief definition of each to contextualise how these concepts will be employed in this thesis. In academic scholarship, property has long been understood as a set of social relations²⁶ rather than an object per se or the buildings we live and work in, even if the latter are interpolated in those social relations. Property is, by definition, a legal relation of entitlement. This legal relation is distinctive in that it licenses a whole raft of other entitlements and properties in an almost endless deferral. In this sense, it is ripe for the work for deconstruction. Yet, as Marx long ago demonstrated such entitlements are determined by a whole host of other social relations which come to define the contours of these legal relationships. I understand property as a legal relation that is overdetermined by social relations. Yet, unlike Louis Althusser²⁷, I do not consider such overdeterminations to be curtailed in the last instance by “economic” concerns. Instead, I view the logics of Indigeneity, “race”, sexuality, gender, religion, cultural ties, nationalisms, class, and so forth as interrelated projects which are always overdetermined and remain irreducible to one another. There is no singular determinative cause of inequality. Though, of course, in specific socio-historic relationships and entitlements different logics may take greater precedent. In this way, I view property as Brenna Bhandar²⁸ views ownership: juridico-legal relations that rely upon political, social, cultural, and philosophical architectures. Cheryl Harris²⁹ work on whiteness as property, that is as a self-possession that engenders and licenses other entitlements, is perhaps the most well-known example of theorising property as a legal complex that nevertheless remains irreducible to the law itself. I refer to property as a tool, technology,

²⁶ This is the case for both Marxist and legal scholarship on property. See Marx, *Capital: Volume 1*, 1990; Baron, “Rescuing the Bundle-of-Rights Metaphor in Property Law”, 2014.

²⁷ Althusser et al, *Reading Capital*, 2016.

²⁸ Bhandar, *Colonial Lives of Property*, 2018.

²⁹ Harris, “Whiteness as Property”, 1993.

and complex interchangeably throughout the thesis, with this complexity in mind because property cannot be adequately understood as legal titles alone.

To thoroughly capture this complexity – and ensure property does not simply remain either a narrow legal entitlement nor product of class relations alone – I view property as a specifically proprietary tool. Following Mark Devenney³⁰, I understand proprietary regimes as overdetermined social orders that escape closure. Property is legal entitlement interpolated within and overdetermined by these regimes of ownership. The term proprietary captures the complex and overdetermined relationship between appropriation (property) and being (propriety). This analytic highlights the way in which property and propriety interact with another in order to police the proper bounds of the social formation and place limits upon these orders and forms of equality. Here, the partition, appropriation, and allocation of resources is governed by colonial, racialised, gendered, and so forth conceptions of propriety³¹. This determines the kinds of beings and subjects that are allowed to participate in forms of appropriation and those that are not. Importantly, “regime” here refers to social formations and so refers to the demos, nation-state, corporations, and all forms of organisation without primacy. I use the phrase, proprietary regimes of ownership, to denote the coeval relationship between property and various forms of propriety such that they are concomitant with one another in the unequal distribution of resources and precarity. This gets to the heart of property as a tool in proprietary forms of ownership. Inequality is governed through symbiotic nexuses of partition and subjectivity.

Throughout this thesis, I develop this analytic beyond Devenney’s work, especially in relation to *ex-appropriation*, the commons, democracy, and the category of Blackness. I specify two ways in which proprietary regimes of ownership operate. First, I utilise Eva von Redecker³² and Robert Nichols’³³ work on “propertisation” as a process by which social relations are transformed into property so that that which have been rendered as alienable objects can be appropriated. Here, appropriation must be understood as a double operation in which this process of transformation is coupled with theft or the

³⁰ Devenney, *Towards an Improper Politics*, 2020.

³¹ Which as I noted above, and throughout this thesis, are interconnected and cannot be neatly divided.

³² von Redecker, “Ownership’s Shadow”, 2020.

³³ Nichols, *Property is Theft*, 2020.

redistribution of access rather than the taking of an already existing object. Second, I build upon Brenna Bhandar's³⁴ analysis on the overdetermined character of property and ownership. I use the term propriety to denote the ways in which "proper" characteristics are ascribed to those permitted access to those social relations rendered as property – be it housing, food, energy, or land to name just a few. Propriety thus denotes presumptively ontological characteristics that regulate access to property: Indigeneity, "race", sexuality, gender, religion, cultural ties, nationalisms, and so forth. In this way, I aggregate the work of several scholars³⁵ who all point out the way in which unequal access to and distribution of social relations rendered as property is partitioned by these logics.

Finally, I cannot hope to offer a conclusive definition of deconstruction. As far as Derrida himself is concerned, no such thing is possible: 'all sentences of the type "deconstruction is X" or "deconstruction is not X" a priori miss the point'³⁶. However, I have already begun a certain deconstruction of property which might help to define the former. In the first edition of *Of Grammatology*, Derrida used Heidegger's "destruction" in place of his own deconstruction³⁷. For Heidegger, "destruction" is the contextualisation of philosophical and ontological concepts, and everyday language with their historicity leading towards their "positive" breakdown³⁸. In many ways, this seems to tally with Derrida's own description of deconstruction as 'a singular adventure whose gesture depends each time on the situation, the context, above all political, of the subject, on his or her rootedness in a place and a history'³⁹. Here then, we happen upon the common understanding of deconstruction: it draws attention to the absences upon which, what Derrida names, the metaphysics of presence and universals, essences, and ontological foundations in general are constituted⁴⁰. For some though, deconstruction is taken to be

³⁴ Bhandar, *Colonial Lives of Property*, 2018.

³⁵ See Bhandar, *Colonial Lives of Property*, 2018; Devenney, *Towards an Improper Politics*, 2020; Nichols, *Property is Theft*, 2020; Moreton-Robinson, *The White Possessive*, 2015; Coulthard, *Red Skin, White Masks*, 2014.

³⁶ Derrida, "Letter to a Japanese Friend", 2008, p. 6.

³⁷ Spivak, "Translator's Preface", 1997, p. xlix.

³⁸ See Heidegger, *Being and Time*, 1996, p. 43.

³⁹ Cheah and Guerlac, "Introduction", 2009, p. 5.

⁴⁰ To be clear, I do not mean to imply that deconstruction mirrors Heidegger's "destruction". I agree with Derrida that Heidegger's work continues (a) to be bound to metaphysical assumptions even as he tries to escape them and (b) continues to prioritise the necessity of origin and telos which, as I discuss further on, deconstruction refuses. I negotiate the relationship between Derrida and Heidegger's work

the simple *destruction* of these. In this sense, deconstruction comes to be relativistic, holding no such co-ordinates, and is always in the habit of destabilising the ground beneath our assumptions such that there is no steady ground upon which a position or action can take place⁴¹. I reject the necessity of this stability (that requires a centre, origin, or telos to determine a structural analysis). Derrida has described this as the product of attempting to manage an “anxiety”, itself ‘invariably the result of a certain mode of being implicated in the game, of being caught by the game, of being as it were at stake in the game from the outset’⁴². This invocation of the “game” is not to minimise the violence of colonial incursions, projects of racialisation, gendered violence, ethno-nationalisms, financial extractivism, and ecological breakdown – that is of politics in general – but rather to demonstrate that there is no necessary metaphysical nor ontological structure within which these take place. These *are* the very structures, and these structures can always be remade because we are always in the habit of reproducing them. Thinking, doing, acting *deconstructively* is then not simply playing the “game” but playing the “game” in such a way as to *also* play with or subvert the very rules that govern the “game”.

Proprietary Ownership and Deconstruction

I follow Derrida in viewing no such stability as necessary for philosophy nor politics. Yet I also engage in an unfaithful⁴³ interpolation of deconstruction – one which Derrida would no doubt object to. This thesis is invested in a committed form of politics, one that has been developed throughout an engagement with post-Marxism, Indigenous scholarship, Black Studies, the Black radical tradition, feminist philosophy, and decolonial legal scholarship. This politics, as I have already outlined, resists the inequalities reproduced through proprietary forms of ownership. There is a tension and aporia in Derrida’s work between, on the one hand, the perpetual openness, endless signification, and constant unsettling that *différance* names; and, on the other, the importance of decision to undercut this and intervene without delay. In short, for Derrida, justice is this impossible

throughout this thesis. See Chapters 1, 4, and 5. Elsewhere I offer a more detailed analysis of their theoretical relationship, see also Lechley, “Review: ‘Geschlecht III: Sex, Race, Nation, Humanity’”, 2021.

⁴¹ See Eagleton, “Marxism without Marxism”, 2008; Ahmad, “Reconciling Derrida”, 2008.

⁴² Derrida, *Writing and Difference*, 2001, p. 352.

⁴³ I invoke and engage in this infidelity in much the same spirit that Derrida himself offers an unfaithful reading of Marx. See Derrida, *Spectres of Marx*, 2006.

and insurmountable aporia between the two. I take him seriously when he says that, ‘the undecidable is...the experience of that which...is still obliged to give itself up to the impossible decision’⁴⁴. In this thesis, I lever that urgency in Derrida’s writing on decision⁴⁵ and put it to work with that committed politics in ways that Derrida would not be entirely comfortable. The issue of course is that this decision, this politics, can never be just nor final and the incalculable unsettling character of *différance* haunts it. I nevertheless consider it a decision worth taking.

In this way, my interpolation of deconstruction is akin to Judith Butler’s use of *iterability* in their theory of performativity for rethinking sex/gender. For Butler, repurposing *iterability* allows them to theorise the performativity of sex/gender such that ‘materiality is constituted in and through iterability’⁴⁶ and sex/gender becomes a performative act reproducible but also resistible through signs of legibility. Derrida would not be entirely comfortable with the way in which Butler uses *iterability* to rethink materiality and theorise a social ontology⁴⁷. Nevertheless, this rethinking makes possible a political project for Butler in which sex/gender is ‘ritualized production’ mediated by social constraints (prohibition, taboo, ostracism, death and their threats) but can nevertheless be reconstituted anew. Similarly, this thesis interpolates deconstruction in an analysis of proprietary ownership to take Derrida down uncharted paths. I attend to the proprietary character of interlocking antagonisms - coloniality, class, “race”, Indigeneity, sex/gender, sexuality and beyond – in ways Derrida does not. I theorise resistance to proprietary regimes of ownership in ways that Derrida does not. I rethink his work on the impossible, *l’avenir*, and *ex-appropriation* in novel and, perhaps, disconcerting ways. Yet in doing so, it becomes possible to develop *ex-appropriation* as an analytic for political theory which theorises resistance to proprietary forms of ownership; to think the analytic of Blackness as resistance to the specifically proprietary character of the afterlives of slavery and

⁴⁴ Derrida, “Force of Law”, 1992, p. 24.

⁴⁵ See also Derrida, “Structure, Sign, and Play in the Discourse of the Human Sciences”, 2001. Here this urgency on the importance decisions and action remains an undercurrent in Derrida’s writing.

⁴⁶ Butler, *Bodies That Matter*, 1993.

⁴⁷ As Butler herself notes Derrida’s iterability is at odds with the ‘convergent relations of power’ that performativity interpolates through Michel Foucault’s work to theorise sex/gender identities: iterability ‘is the nonthematizable difference which erodes and contests any and all claims to discrete identity’. See Butler, *Bodies That Matter*, 1993, p. 245. Italics original.

colonialism; and to theorise democracy as a mode of resistance to proprietary ownership.

Theorising deconstruction and property in this fashion requires developing them together with and across the traditions of Indigenous scholarship, Black Studies, the Black radical tradition, feminist philosophy, and decolonial legal scholarship. I write the final parts of this thesis from New Zealand/Aotearoa. Here, the sense that places are perpetually deconstructed is visible. Māori words exist alongside English ones. The languages of Indigenous and settler populations appear on Auckland (*Tāmaki-makau-rau*) and Wellington (*Te Whanganui-a-Tara*) buses, on bush trail and road signs in Northlands (*Te Tai Tokerau*), the Bay of Plenty (*Te Moana-a-Toi*), Hawke’s Bay (*Te Matau-a-Maui*), and beyond. These inscriptions denote that which too often remains invisible in settler colonial contexts: these places are home to Indigenous communities colonised by settlers. Wealthy, suburban neighbourhoods are overwhelmingly resident to white populations descendant of settlers. Their homes are lucrative financial assets which sit on stolen land. Poorer and more rural areas are often home to Indigenous, Māori populations and people of colour. Too often state infrastructures fail these communities. The inadequate state response on Aotearoa’s rural east coast to Cyclone Gabrielle typified this⁴⁸. Those bilingual signs then mark past, present, and future places which are deconstructible. That is, places capable of being rebuilt because they *have already been* rebuilt. This cannot be understood outside the lenses of feminism, settler colonialism, and projects of racialisation. I develop the analytics of proprietary ownership, *ex-appropriation*, the commons, democracy, and Blackness to capture this.

Thinking property across the aforementioned traditions less evokes tearing down edifices than it does (re)building *differently*, that is *constructing* differently the social relations which *are rendered as property* and that we are always already in the habit of (re)building. Social relations describe the way in which land, people, animals, plant matter, ecologies – but also the seemingly inanimate objects like the dwellings and buildings that make up towns and cities – interact with one another⁴⁹. These relations are never quite built but

⁴⁸ See *Human Rights Commission/Te Kāhui Tika Tangata*, “Making Human Rights Real in a Disaster”, 2023.

⁴⁹ I am purposefully describing these in the passive tense to refuse the idea that there is a single agent, such as the “human”, negotiating these relations.

always in the habit of being (re)built. In this sense, there is no bedrock nor foundation⁵⁰. As I detail in the opening excerpt, these relations are transformed into property. This is perhaps most obviously the case with housing and office buildings but people, animals, viruses, information, bacterium are all rendered as forms of property in daily life through vaccines, food, and as subjects of the law, to name a few. Property is a tool. This tool denies access to some whilst granting it to others. Property is implicated in the allocation of food, land, vaccines, energy, housing, and so many other resources. This is not a novel analysis. Both Marxist and liberal analyses of property acknowledge this. However, I argue that this tool is interpolated within a proprietary web which works to govern the distribution of various forms of inequalities by managing access to resources. I use the term proprietary to denote the way in which forms of appropriation are tied to forms of subjectivity. Ontological categorisations and the production of “beings” inform how the modes of partition are instituted. In this sense, social relations are enveloped in proprietary webs that govern allocation and access to resources unevenly through interrelated classed, gendered, racialised, colonial, sexualised, able-bodied, and more demarcations which produce interlocking inequalities. These proprietary relations are always being (re)built. They, like the homes, towns, and cities that are produced as part of them, are never finished.

More accurately then, thinking property in kaleidoscopic fashion through deconstruction but also the analytics of proprietary regimes, *ex-appropriation*, democracy, and Blackness, as well as across the range of traditions from which they emerge means (re)building anew without the proprietary webbing that, in so many ways, stitches social relations together. The aim here is not to tear down property down, though that may well be a part of the strategy as much as demolition is part of city planning. Instead, it is to (re)build social relations such that modes of partition and being no longer govern the allocation of resources and thereby distribute uneven access and reproduce interlocking forms of inequality. If proprietary webbings are the building blocks that constitute our social relations, then thinking property alongside *ex-appropriation*, democracy, and the category of Blackness means (re)building with new theoretical blocks to (re)construct

⁵⁰ Perhaps this is where the metaphor ends unless we think about how the foundations for building work can be also rebuilt.

social relations anew. It is then (re)building homes, towns, cities, (food, energy, and housing, etc.) distribution networks, the relations between one another, and the relations with animals, plant matter, bacterium, viruses, and ecologies *without* weaving them through logics of appropriation and being into a constitutive lattice.

Thesis Structure

This thesis consists of five chapters. The first two chapters set out my framework for analysing the way in which property is interpolated as a proprietary tool to distribute interlocking inequalities which cannot be reduced to their singular forms: Indigeneity, “race”, gender, able-bodiedness, neurotypicality, class, and so forth. I then use this framework in the final three chapters to assess, in turn, how the commons, democracy, and the category of Blackness as theoretical tools resist the distribution and reproduction of inequalities.

In Chapter 1, I develop *ex-appropriation* and proprietary regimes as tools for theorising political resistance. I remake Jacques Derrida’s⁵¹ concept of *ex-appropriation* into an analytic for political thought. As I have already indicated, I develop Derrida’s work in ways he might not have been comfortable. This is one such development. I develop *ex-appropriation* to theorise resistance against proprietary ownership: that is the appropriation of resources that are justified through ontological categories of being and subjectivity. Developing post-foundational, Black radical, and Indigenous studies criticisms of Marx, I demonstrate that the “capital relation” is often read as producing the “economic” as an endogenous, “race”- and gender-neutral sphere. I refuse this. Material inequalities are interconnected and cannot be reduced to singular modes of class, colonialism, gender, “race”, and so forth. I highlight the way in which Mark Devenney’s⁵² proprietary regimes as an analytic makes visible the overdetermined relations are made into property such that these can be partitioned and appropriated along the lines of ontological classifications. I also go beyond Devenney and theorise *ex-appropriation* as the animation of that which this nexus of appropriation-ontology renders impossible. I demonstrate this is not a simple case of affording participation within proprietary regimes

⁵¹ Derrida, *Monolingualism of the Other*, 1998.

⁵² Devenney, *Towards an Improper Politics*, 2020.

to those these regimes have rendered incapable of participation, due to their status as colonised, racialised, gendered and so forth subjects. Instead, *ex-appropriation* theorises the disruption of this very nexus appropriation-ontology so that relations are reconstituted without the logics of partition and being as necessary for the distribution of precarity and resources. In this way, this chapter contributes to scholarship on deconstruction by developing *ex-appropriation* in novel ways and conceptualises resistance in ways that contemporary anti-foundational literature on property, including Mark Devenney⁵³, Brenna Bhandar⁵⁴, Eva von Redecker⁵⁵, Aileen Moreton-Robinson⁵⁶, and Robert Nichols⁵⁷, Malini Ranganathan⁵⁸, and Anne Bonds⁵⁹, have not.

In Chapter 2, I develop property as an overdetermined complex. I thus build on that first chapter and demonstrate that property is not the “base” of all inequalities. Neither can it be understood as the universal framework through which inequalities necessarily take place. Instead, I theorise property as a tool which participates in the distribution of a raft of interconnected and interrelated oppressions. I demonstrate analyses wedded to so-called primitive accumulation as an analytic can only ever conceive property as a flat tool which situates the capital relation, wage-labour exploitation, and Marx’s labour theory of value as the apex of exploitation. I argue that recent developments in this scholarship, including contributions by Glen Sean Coulthard⁶⁰, Siddhant Issar⁶¹, and Nicholas Brown⁶², emphasise the imbricated character of material inequalities in ways that the scholarship of Samir Amin⁶³, Massimo De Angelis⁶⁴, and David Harvey⁶⁵ fails to do. However, these revisions offer little in the way of facilitating a more capacious conception of property. They continue to theorise the accumulation of capital as the governing principle of material inequalities. This narrows the role property plays in the

⁵³ Devenney, *Towards an Improper Politics*, 2020.

⁵⁴ Bhandar, *Colonial Lives of Property*, 2018.

⁵⁵ von Redecker, “Ownership’s Shadow”, 2020.

⁵⁶ Aileen Moreton-Robinson, *The White Possessive*, 2015.

⁵⁷ Nichols, *Property is Theft*, 2020.

⁵⁸ Ranganathan, “Rule by difference”, 2018.

⁵⁹ Bonds, “Race and Ethnicity I”, 2019.

⁶⁰ Coulthard, *Red Skin, White Masks*, 2014.

⁶¹ Issar, “Theorizing ‘racia/colonial primitive accumulation’”, 2021.

⁶² Brown, “The logic of settler accumulation in a landscape of perpetual vanishing”, 2014.

⁶³ Amin, *Accumulation on a World Scale*, 1974.

⁶⁴ De Angelis, “Marx and primitive accumulation”, 2001.

⁶⁵ Harvey, *The New Imperialism*, 2003.

(re)production of material inequalities. I develop property as a capacious tool which (re)produces the intertwined projects of settler colonialism, racialisation, gendered violence, wage-labour exploitation, and beyond through proprietary infrastructures. I draw upon Brenna Bhandar's racial regimes of ownership, Eva von Redecker's propertisation, and Robert Nichol's dispossession to articulate two processes by which this takes place: the transformation of social relations into property and the production of dis/possessive subjectivities to whom this property can be allocated or denied. Here property is a malleable tool with no universal configuration, such as class. I thus contribute to contemporary analyses of property by specifying the way in which this tool participates in colonial incursions, projects of racialisation, wage-labour exploitation, and beyond under the rubric of proprietary regimes. These first two chapters develop an analysis of property, proprietary relations, and resistance which I use throughout the remainder of the thesis to assess the commons, democracy, and the category of Blackness as modes of subverting the inequalities distributed through proprietary regimes of ownership.

Chapter 3 begins this examination. I demonstrate that communal regimes of ownership continue to participate in the policing of equality and do not escape the logics of appropriation and ontology that I outlined in the first two chapters. I establish that theorising the commons as a mode of production remains inadequate. Even accounts – like the work of Antonio Negri and Michael Hardt⁶⁶ – which refuse a narrow account of class, fail to account for settler-colonial invocations of the common which act as a “middle passage”⁶⁷ towards private property. Recent scholarship from Pierre Dardot and Christian Laval⁶⁸ and José Esteban Muñoz's⁶⁹ thinks the commons as an idea, not a mode of production. This escapes any narrow conception of the commons. Here, the commons is theorised in response to range of interlocking exploitations, not simply nor primarily wage-labour exploitation. I conclude that this scholarship loosely resists the ontological categories that proprietary regimes institute. However, I also determine that these developments are limited. Muñoz overly relies upon affect and does not consider the

⁶⁶ Hardt and Negri, *Commonwealth*, 2009.

⁶⁷ Veracini, “Afterword: a history of the settler colonial present”, 2016, p. 175.

⁶⁸ Dardot and Laval, *Common*, 2019.

⁶⁹ Muñoz, *The Sense of Brown*, 2020.

logics of appropriation and partition that structure the *demos*. Moreover, Dardot and Laval's excellent work on unappropriability falls back on the need to institutionalise this principle through regimes of governance, thereby rearticulating proprietary relations as necessary to politics. This chapter thus contributes to contemporary scholarships on the commons by asserting that the link between appropriation and ontology must be disrupted to resist the policing of equality that modes of governance establish. For this reason, I argue communal regimes of ownership do not accurately describe the way in which political resistance refuses proprietary relations. On these terms, the commons remains a blunt tool.

In Chapter 4, I develop the concept of democracy as a tool for political resistance, retheorising it from the traditions of democratic theory, post-foundational thought, and deconstruction. I rethink Derrida's *l'avenir* (to come) as a political analytic. In doing so, I theorise democracy as 'impossible' acts of resistance against proprietary regimes of ownership. This resistance disrupts the allocation of inequality through proprietary regimes in ways that the commons cannot. I performatively theorise democracy, following Jacques Rancière⁷⁰, as a mode of resistance rather than a regime. I argue there is no definitive definition of democracy. All such definitions are performative in that they make possible different kinds of politics. I argue that theorising democracy as the enactment of equality makes possible forms of equality that democracy as a regime cannot. Here, equality is restricted to the formal equality exercised under the law. I demonstrate that Derrida's *democracy-to-come* offers a limited reading of democracy. It relies upon the very logics of appropriation that regimes require in order to police the boundaries of the *demos*. However, I theorise a more radical conception of *l'avenir*. I draw upon Derrida's earlier work to offer a novel development which nevertheless remains irreducible to Derrida's own conception of *l'avenir*. I draw out the implications of this for democratic theory today. I situate *l'avenir* as a future perfect temporality in which what is made impossible becomes possible akin to my theorisation of *ex-appropriation*. I thus come to use the phrase 'impossible' not in strict Derridean terms but as a descriptor for what is foreclosure as politically possible under proprietary regimes of ownership. I use *l'avenir* and impossibility in this way to push back against contemporary literature –

⁷⁰ Rancière, *Disagreement*, 1998.

notably by Clare Woodford⁷¹ and Samuel Chambers⁷² – that theorises Rancière’s democracy as necessitating forms of subjectivation. Adding my developments of *ex-appropriation* and *l’avenir* to the lexicon of democratic theory makes possible forms of equality *without* the subject. Here, animal rights activism, the politics of climate breakdown, and relationships to ecologies are remade as democratic acts beyond androcentrism. I thus add to contemporary democratic scholarship by theorising democracy as the enactment of equality beyond that which has been rendered possible by proprietary regimes and the logics of appropriation and ontology which are used to police equality.

In Chapter 5, I examine Blackness as an analytic in Black radicalism and Black studies. I retheorise the category of Blackness to encompass *political* resistance that rearticulates proprietary relations without recourse to modes of appropriation underpinned by colonial and racist ontological categories. I thus develop the category of Blackness in relation to both proprietary regimes and *ex-appropriation*. I demonstrate that in rendering Black subjection outside the domain of politics, Afropessimists (Frank B Wilderson III⁷³, Jared Sexton⁷⁴) and Black Optimists (Stefano Harney⁷⁵, Fred Moten⁷⁶, Nahum Dimitri Chandler⁷⁷) cannot conceive the ways in which the category of Blackness is both a product of the subjection that proprietary regimes institute *and* a mode of resistance against the inequalities they institute. I redraw their work on the category of Blackness as an ontological and “paraontological” force, respectively, onto the politicised terrain of proprietary ownership through analyses of property and “race” by Aileen Moreton-Robinson, Brenna Bhandar, Malini Ranganathan, Anne Bonds, and Ananya Roy⁷⁸. I demonstrate that racialised, ontological categorisations are used to (re)produce the partition and appropriation of housing, work, social life, and beyond such that Blackness – as an ontological category – is caught up in the proprietary distribution of property in

⁷¹ Woodford, *Disorienting Democracy*, 2017.

⁷² Chambers, *The Lessons of Rancière*, 2011.

⁷³ Wilderson, *Afropessimism*, 2020.

⁷⁴ Sexton, “Afro-Pessimism”, 2016.

⁷⁵ Harney and Moten, *The Undercommons*, 2013.

⁷⁶ Moten, “The Subprime and the beautiful”, 2013; Moten, “Blackness and Nothingness (Mysticism in the Flesh)”, 2013; Moten, *Black and Blur*, 2017.

⁷⁷ Chandler, *Toward an African Future*, 2013; Chandler, “Of Exorbitance”, 2008.

⁷⁸ Roy, “Dis/possessive collectivism”, 2017.

ways that Wilderson, Sexton, Harney, Moten, and Chandler do not fully acknowledge. Building on this, I contribute to this scholarship by re-theorising Moten’s “animateriality” through the lens of property and political resistance in order to demonstrate the way in which Blackness as a “paraontological” force remakes proprietary relations and establishes forms of value that cannot be contained by forms of property – even communal regimes – and are rendered impossible by racist, colonial, and proprietary forms of domination.

Chapter 1: Ex-appropriation, Proprietary Regimes, and Economic Reductionism

Introduction

In this chapter, I develop *ex-appropriation* – a neologism coined by Jacques Derrida – as an analytic for political theory in ways Derrida would not recognise. Following Ernesto Laclau, Chantal Mouffe, Stuart Hall, and Cedric Robinson, I argue that economically reductive analyses of material inequalities remain insufficient in that a “race”- and gender-neutral endogenous sphere of the “economic” structures inequality. I draw upon Mark Devenney’s “proprietary regimes”⁷⁹ to avoid this. Proprietary regimes name the various social formations that are secured through modes of appropriation and racialised, gendered, colonial, and so forth subjectivities. I conclude that common regimes of ownership are proprietary – that is forms of appropriation subtended by propriety and ontological categorisations. Instead, I theorise *ex-appropriation* as the animation of that which proprietary regimes of ownership foreclose. *Ex-appropriation* describes the disruption and displacement of modes of partition and appropriation that rely upon ontological categorisations without denoting new “proper” forms of being to which the allocation of property can be assigned. In short, *ex-appropriation* displaces ownership: theorising the way in which political resistance disrupts rather than secures proprietary relations. I utilise this framework throughout the rest of this thesis to analysis the politics of the commons, democratic theory, and theories of Blackness⁸⁰.

I begin by outlining Marx’s analysis of capitalist exploitation. I hone in on the relationship between labour-power and the creation of value in the circulation of commodities and capital. I argue that Marx’s⁸¹ analysis of the wage-labour conditions he saw in late 19th century England fails to capture not only other forms of exploitative labour but also renders all forms of inequality through the lens of value expropriation, wage-labour, and his labour theory of value. This echoes but also develops Stuart Hall⁸², Cedric Robinson⁸³,

⁷⁹ Devenney, *Towards an Improper Politics*, 2020.

⁸⁰ Specifically, the work of Stefano Harney and Fred Moten. See Harney and Moten, *The Undercommons*, 2013.

⁸¹ Marx, *Capital: Volume 1*, 1990.

⁸² Hall, *Selected Writings on Race and Difference*, 2021.

⁸³ Robinson, *Black Marxism*, 2000.

and Ernesto Laclau and Chantal Mouffe's⁸⁴ criticisms of "economic reductionism"⁸⁵. Second, I argue that Marx's analysis requires thinking labour-power and use-value as property in which the working class are rightful owners. Here, I draw upon Mark Devenney's "proprietary regimes" to demonstrate that reductive readings of Marx institute a set proprietary of limits to resistance in which regimes of ownership remain but are tied to a subject category: the "race"- and gender-neutral working class. I conclude that this fails to adequately rethink questions of ownership. In the final section, I develop a reading of Jacques Derrida's *ex-appropriation* to theorise the way in which political resistance disrupts the modes of appropriation and being that define proprietary regimes of ownership. *Ex-appropriation* is an under-theorised concept in Derrida's texts. However, I read *ex-appropriation* in relation to *the gift* and *dissemination*, concepts which are well-known in scholarship on Derrida's work. I theorise *ex-appropriation* as the animation of that which has been foreclosed by definitions of what is "proper". In doing so, I draw *ex-appropriation* onto terrain Derrida did not consider: property, ownership, and the distribution of land, resources, and inequalities.

Section 1 – "Capital" and Economic Reductionism

In this section, I briefly replay Marx's analysis of capital noting that this rests upon the expropriation of wealth from those who sell their labour to those who buy this labour, the owners of capital. I concur with Hall, Robinson, and Laclau and Mouffe that Marx's labour theory of value offers a narrow scope. It is restricted to expropriation of the surplus-value which wage-labour creates. However, I argue that viewing labour as the *property* of workers institutes a set of proprietary relations as necessary co-ordinates for resistance. I conclude that an analysis of surplus-value and labour-power expropriation only makes sense when labour is framed as property. This is not to argue that capitalist exploitation as Marx understands is *not* a set of exploitative practices but rather that material inequality must be understood as a proprietary formation. Failing to do so provides problems for (a) understanding inequalities – reducing these to Marx's labour theory of value – and (b) theorising resistance, as I detail in the following section of this chapter. A

⁸⁴ Laclau and Mouffe, *Hegemony and Socialist Strategy*, 2001.

⁸⁵ The phrase "economic reductionism" is one that I take from Hall, but I regard all these scholars as levying a similar critique of Marx, if in very different ways as I outline.

logic of ownership (which includes both propertied resources and proper owners, who are often racialised, gendered, classed and so forth) pervades this analysis which reinforces the necessity of proprietary relationships. To this end, I propose that language of “expropriation” remains inaccurate. Further, communal regimes of ownership often presuppose the very proprietary relations which enable land-grabs, the displacements of racialised and colonised populations, violent policing and coercion, enforced labour as well as the wage-labour exploitation that Marx analyses.

i – Marx, Labour-Power, and Value

Marx views capitalist exploitation as the ‘silent compulsion of economic relations’⁸⁶ wherein wage-labour creates surplus-value which is extracted by the owners of capital through the exchange of commodities in order to accumulate capital. All of this turns upon labour, its ability to create value in commodities, and the expropriation of the fruits of this labour to the owners of capital. The expropriation that takes place in capitalist exploitation is then, according to Marx, the extraction of the surplus-value produced by workers’ labour-power and its transformation into capital through the exchange of commodities. Marx proposes that the value of the commodity is a product of the labour it took to produce it: ‘the value of each commodity is determined by the quantity of labour materialized in its use-value, by the labour-time socially necessary to produce it’⁸⁷. Value is then quantified by the labour-time necessary to produce a commodity which has a use-value, that is ‘things which serve to satisfy needs of one kind or another’⁸⁸. Labour-time consists of both “past labour” and “living labour”⁸⁹. Together these constitute Marx’s conception of value: the total labour that is necessary to produce a commodity which serves a need. In this sense, he argues against, what he terms, “vulgar” political

⁸⁶ Marx, *Capital: Volume 1*, 1990, p. 899.

⁸⁷ Marx, *Capital: Volume 1*, 1990, p. 293.

⁸⁸ Marx, *Capital: Volume 1*, 1990, p. 283.

⁸⁹ The means of production – because they were constructed with labour – and all the raw materials or processes up to the current work being undertaken which enable it to take place (such as the construction of a computer in the writing of a novel or the building of a door in the construction of a house) are considered “past labour”; “living labour” is simply the labour any given worker provides to turn these raw materials via the means of production into an exchangeable commodity.

economists of his time⁹⁰ who assume that value is the price someone is willing to pay for a commodity⁹¹.

Though Marx does not propose that value simply reflects the labour that has been undertaken. Instead, labour *creates* value – and this is where capitalist exploitation takes place. He names this latter process valorisation and argues that value and valorisation ‘are two entirely different magnitudes’⁹². Marx notes the difference between these is ‘what the capitalist had in mind when purchasing the labour-power’⁹³. In other words, value is the labour-time necessary to produce the commodity, but valorisation is the time beyond this point that a labourer has worked to produce commodities which the capitalist can sell. In sum, this difference is surplus-value i.e., value beyond that which is socially necessary to produce a use-value. Marx denotes valorisation as ‘the continuation of the former [value] beyond a definite point’⁹⁴ that is socially necessary to produce a commodity. It is then the expropriation of surplus-value by the capitalist – through the ownership of the means of production and labour-power and all that is produced from this labour – which constitutes capitalist exploitation. Marx is clear about this. He writes that, ‘surplus-value is purely the result of an alteration in the value of v [valorisation], of that part of the capital which was converted into labour-power’⁹⁵. The degree of exploitation is directly correlated to the capital which was used to buy labour-power. It is there where valorisation and surplus value are created. Here surplus-value –

⁹⁰Marx specifically refers to John Broadhurst but also includes Adam Smith and David Ricardo in this group who, even as its best proponents, continue to ‘proclaim for everlasting truths, the banal and complacent notions held by the bourgeois agents of production about their own world’. See Marx, *Capital: Volume 1*, 1990, pp. 174-175, notes 33-34. See also: Broadhurst, *Political Economy*, 1842; Ricardo, *The Principles of Political Economy and Taxation*, 2004; Smith, *The Wealth of Nations*, 1977.

⁹¹ Adam Smith recognises that there is a difference between ‘value in use’ and ‘value in exchange’. The latter is the ‘real price of commodities’ whereas the former is what constitutes this real price and Smith acknowledges that this relies upon labour in that value ‘is precisely equal to the quantity of labour which it can enable them to purchase or command’. However, Smith goes on to make a number of theoretical displacements which side-line labour as determinant of value. Because commodities are easier to compare with other commodities (rather than labour), ‘it is more natural...to estimate its exchangeable value by the quantity of some other commodity than by that of the labour which it can purchase’ and subsequently, ‘by the quantity of money, than by the quantity either of labour or of any other commodity which can be had in exchange for it’. Here labour is merely factored into the determination of value *only* in that it is a conduit for money – that is that it represents what someone is willing to pay for a commodity, in the form of the labour they would have saved through purchasing rather than labouring to make the commodity themselves. See Smith, *Wealth of Nations*, 1977, p. 48-53.

⁹² Marx, *Capital: Volume 1*, 1990, p. 300.

⁹³ Marx, *Capital: Volume 1*, 1990, p. 300.

⁹⁴ Marx, *Capital: Volume 1*, 1990, p. 302.

⁹⁵ Marx, *Capital: Volume 1*, 1990, p. 321.

made possible by labour's process of valorisation – *is* capitalist exploitation: the 'rate of surplus value is therefore an exact expression for the degree of exploitation'⁹⁶.

It is important to note here that, for Marx, value itself is only realised through the exchange of commodities. For Marx, value acts as a supplement to use-value. The latter is proper to commodities in that it 'is their plain, homely, natural forms'⁹⁷ and designates 'things which serve to satisfy needs of one kind or another'⁹⁸. In a value-relation⁹⁹ (that is the creation of value through commodity exchange), a commodity is remade as a value rather than something to satisfy a need. Value is understood as an appendage to use-value which is proper to a commodity: exchange 'give[s] them a form of value distinct from their natural form'¹⁰⁰. Consequently, although valorisation takes place through a surplus of labour-time (that beyond which is necessary to produce a commodity that serves a need), the expropriation by capital is only possible through commodity exchange. Surplus-value is created in production but only "realised" through exchange. Poignantly, Marx argues that under capitalism commodities are only produced insofar as they are exchangeable: 'use-values are produced by capitalists only because and in so far as they form the material substratum of exchange-value, are the bearers of exchange-value'¹⁰¹. The capitalist thus needs exchange-value in order to extract the surplus-value which can be accumulated as capital. Exchange-value is then the *necessary* supplement of use-value, for the capitalist. For Marx then, it is the capitalist's position as *owner* of (a) the means of production, (b) the labour-power bought from workers, and (c) the fruits of their labour-power which means that wealth can be expropriated as rightful property. Here the final piece of puzzle is laid, and capitalist exploitation is understood *strictly* as an exploitative relationship between capitalist, worker, the value they produce, and its expropriation through commodity-exchange. In short, this is Marx's labour theory of value.

⁹⁶ Marx, *Capital: Volume 1*, 1990, p. 326.

⁹⁷ Marx, *Capital: Volume 1*, 1990, p. 138.

⁹⁸ Marx, *Capital: Volume 1*, 1990, p. 283.

⁹⁹ For Marx, a value-relation is the act of exchanging commodities or comparing the value of commodity to another such that 'the natural form of commodity B becomes the value-form of commodity A, in other words the physical body of commodity B becomes a mirror for the value of commodity A'. Here use-value is *remade* or transformed as the value of another object. See Marx, *Capital: Volume 1*, 1990, p. 144.

¹⁰⁰ Marx, *Capital: Volume 1*, 1990, p. 141.

¹⁰¹ Marx, *Capital: Volume 1*, 1990, p. 293.

ii - Property and Economic Reductionism

This neat and rather narrow version of Marx's labour theory of value provides the foundation for a wide range of contemporary scholarship on so-called primitive accumulation¹⁰², the commons¹⁰³, and revolutionary politics¹⁰⁴. I offer critiques of these throughout this thesis on the basis that they are economically reductive. Prioritising class over and above other antagonisms, they (1) fail to adequately assess the interlocking character of material inequalities and situate the narrow labour exploitation described above as the primary antagonism in capitalist societies; and (2) thereby delimit property as a narrow tool used primarily for this thin form of exploitation. Massimo De Angelis¹⁰⁵, Samir Amin¹⁰⁶, and David Harvey¹⁰⁷ all rely upon this labour theory of value to rethink so-called primitive accumulation as forms of debt, credit, and financialisation, as part of a world capitalist system that underdevelops periphery economies, and as the privatisation of state assets to solve capitalist crises, respectively. For each, so-called primitive accumulation is distinct from, though of course related to, capital accumulation which is understood as the exploitation that takes place through the labour theory of value I have outlined. Michael Hardt and Antonio Negri¹⁰⁸ rely upon this labour theory of value to theorise the commons as a "biopolitical" mode of production. They rethink Michel Foucault's¹⁰⁹ biopolitics to conceive all social relations as the labour of the "multitude" which is produced in the commons but mined by capitalist production to extract value, generate capital, and facilitate exploitation. For Hardt and Negri, overthrowing capitalist production is the communal ownership of the "biopolitical" to undo this primary exploitation. Similarly, Cesare Casarino and Slavoj Žižek's conceptions

¹⁰² De Angelis, "Marx and primitive accumulation", 2001; Coulthard, *Red Skin, White Masks*, 2014; Harvey, *The New Imperialism*, 2003.

¹⁰³ See Sevilla-Buitrago, *Against the Commons*, 2022; Harvey, "The future of the commons", 2011; Linebaugh, *The Magna Carta Manifesto: Liberty and Commons for All*, 2008; Federici, "Feminism and the Politics of the Common", 2012; Foster, Clark, and Holleman, "Marx and the Commons", 2021; Hardt and Negri, *Commonwealth*, 2009; De Angelis and Harvey, "The commons", 2013; Satgar, "Marx, the Commons and Democratic Eco-socialism", 2022.

¹⁰⁴ Casarino, "Time Matters", 2008; Casarino, "Universalism of the Common", *diacritics*, 2009; Žižek, *The Sublime Object of Ideology*, 2008.

¹⁰⁵ De Angelis, "Marx and primitive accumulation", 2001.

¹⁰⁶ Coulthard, *Red Skin, White Masks*, 2014

¹⁰⁷ Harvey, *The New Imperialism*, 2003.

¹⁰⁸ Hardt and Negri, *Commonwealth*, 2009.

¹⁰⁹ Foucault, *The Birth of Biopolitics*, 2008.

of revolutionary upon this labour theory of value. For Casarino¹¹⁰, revolution is dawning of a new temporality that abolishes surplus-value such that proper material inequality is defined by the exploitation of labour I have outlined. For Žižek¹¹¹, the event of revolution is the overthrow of capitalist class relations, that is the capitalist exploitation of labour, which – drawing on Lacanian psychoanalysis – acts as the impossible Real of the Symbolic structuring of the social formations. A thorough engagement with this scholarship takes place in forthcoming chapters. For now, it is important to understand how this category of the “economic” has been rethought to better theorise material inequalities.

Stuart Hall, Ernesto Laclau and Chantal Mouffe, and Cedric Robinson all demonstrate that this narrow, proper reading of capital I have described divorces Marx’s labour theory of value from other antagonisms and inequalities within social formations. I use the phrase “proper” in ways reminiscent of Jacques Derrida who argues that no structure is “proper” to itself. All structures determine their own boundaries through a central organising principle which denotes what is part of that very structure and what is beyond that very scope. However, I depart from Derrida in arguing that what is positioned outside those boundaries – that which is foreclosed as “impossible” – may always appear within. It is in this sense, that the propriety of any border regime can always fail and thus no structure can ever be considered “proper” to itself: its reach never totalising. In part, I situate *ex-appropriation* as the *general* dislocation which pervades all structures in which the impossible or foreclosed may return. It thus announces the aporia central to the “proper”, that despite attempting to name the general conditions and limits of a structure, these are never totalising. Similarly, Hall, Laclau and Mouffe, and Robinson all demonstrate the limit of an economically reductive reading of capital that becomes totalising. Here, the “economic” is a “race”- and gender-neutral analysis of labour that is severed from questions of colonialism, “race”, gender, disability, and so forth. I argue this produces a “proper” theorisation of inequality in which capitalist exploitation is the rather narrow “expropriation” of surplus value that labour-power creates at the expense of the wide variety of interlocking inequalities.

¹¹⁰ Casarino, “Time Matters”, 2008; Casarino, “Universalism of the Common”, *diacritics*, 2009.

¹¹¹ Žižek, *The Sublime Object of Ideology*, 2008.

Stuart Hall extends Antonio Gramsci's¹¹² work on "articulation" to situate "race" as neither a reflection of (nor subservient to) this endogenous economic sphere – a material "base" – nor entirely irreducible to or independent of economic questions¹¹³. Hall sits between these two positions and uses Gramsci's "articulation" to emphasise that whilst 'it may not be possible to explain away race by reference to the economic relations exclusively...racial structures cannot be understood adequately outside the framework of quite specific sets of economic relations'¹¹⁴. For Hall, Gramsci continues to rely upon a functionalist conception of "articulation" wherein cultural, political, and ideological concerns remain "expressions" of an 'economic nucleus'¹¹⁵. Hall counterposes "articulation" as a form of nonreductionism where 'the economic level is the necessary but not sufficient condition for explaining the operations at other levels of the society'¹¹⁶. Laclau and Mouffe similarly agree that an 'essentialist conception of the structuring of the economic space' remains in both Gramsci's analysis of "articulation" but also in Althusser's¹¹⁷ work on overdetermination. They argue that Althusser, Gramsci, and Rosa Luxemburg¹¹⁸ are all 'concern[ed with] the relative weight of the economic space in the determination of social processes external to itself' rather than the 'nature and constitution of economic space'¹¹⁹. Laclau and Mouffe argue that three false presuppositions maintain this misapprehension: (1) that relations of production are neutral processes unaffected by anything but themselves; (2) that a population unity exists defined by these relations of production ("the working class"); and (3) as a consequence of these first two assumptions, a set of "historical interests" emerge from and underscore this unity of "the working class" in that they want socialism. For Laclau

¹¹² Gramsci, *Selections from the Prison Notebooks*, 2005.

¹¹³ For Hall, the first tendency (materialist) takes precedent in his Marxist contemporaries who 'view ethnic or racial conflicts are really manifestations of deeper, economic contradictions'. The second tendency (sociological) 'draws attention to the specificity of those social formations which exhibit distinctive racial or ethnic characteristics' but fails to offer a coherent theorisation of race as each social formation is taken on its own terms, 'which in the end are descriptive rather than analytic'. See Hall, "Race, Articulation, and Societies Structured in Dominance", 2021, p. 198-199.

¹¹⁴ Hall, "Race, Articulation, and Societies Structured in Dominance", 2021, p. 198.

¹¹⁵ Hall, "Race, Articulation, and Societies Structured in Dominance", 2021, p. 236.

¹¹⁶ Hall, "Race, Articulation, and Societies Structured in Dominance", 2021, p. 225.

¹¹⁷ Althusser et al, *Reading Capital*, 2016.

¹¹⁸ Luxemburg, *The Accumulation of Capital*, 2003.

¹¹⁹ Laclau and Mouffe, *Hegemony and Socialist Strategy*, 2001, p. 77.

and Mouffe, there is no singular antagonism of class. Instead, multiple antagonisms – of class, colonialism, “race”, gender, ability, nationalisms and beyond – operate all at once.

Similarly, Cedric Robinson’s analysis of chattel slavery means the primacy of wage-labour exploitation and value extraction can no longer hold. Robinson argues that Marx was so ‘driven...by the need to achieve the scientific elegance and interpretive economy demanded by theory’ that slave labour was situated as an ‘embarrassing residue of a precapitalist, ancient mode of production, which disqualified them from historical and political agency in the modern world’¹²⁰, rather than a constituent feature of so many capitalist social formations. Robinson argues that chattel slavery was systemic to capital. He draws upon W. E. B. Du Bois¹²¹ to situate ‘slavery [as] the specific historical institution through which the Black worker had been introduced into the modern world system’¹²². Robinson is at pains to point out that Du Bois views the enslaved person as a *worker*. He notes that slave labour was a ‘particular historical development for world capitalism that expropriated the labor of African workers as primitive accumulation’¹²³. Robinson does not eschew an analysis of slavery *over* wage-labour exploitation but notes that (a) wage-labour exploitation is not a *primary* form of exploitation under capitalism and (b) that there is no endogenous “economic” sphere. Rather, economic questions of labour and value are shot through with the politics of racialisation. In this sense, Hall and Robinson articulate a similar criticism of Marx’s economic reductionism. Both advocate a form of nonreductionism wherein no singular form of inequality determines social formations. Capitalist exploitation, as a monolithic framework of surplus-value expropriation and the valorisation of labour, inadequately describes inequality under Robinson’s “racial capitalism”.

In short, what Hall, Laclau, Mouffe, and Robinson point out is that which Indigenous scholars¹²⁴ evidence: that a range of exploitations occur across different social

¹²⁰ Robinson, *Black Marxism*, 2000, p. xxix.

¹²¹ Du Bois, *Black Reconstruction in America*, 2013.

¹²² Robinson, *Black Marxism*, 2000, p. 199.

¹²³ Robinson, *Black Marxism*, 2000, p. 200.

¹²⁴ In particular, the work of Glen Sean Coulthard, Alyosha Goldstein, Jodi Byrd, Audra Simpson, Patrick Wolfe, and J. Kēhaulani Kauanui. I engage with some of this scholarship later in this chapter and through the rest of thesis. See Coulthard, *Red Skin, White Masks*, 2014; Goldstein, “Toward a Genealogy of the

formations which are *not* reducible to an economically reductive analysis of capitalist exploitation which overly focuses on the expropriation of surplus-value made possibly by valorisation. In recent years, Glen Coulthard¹²⁵, Alyosha Goldstein¹²⁶, and Audra Simpson¹²⁷ have all demonstrated that capitalism and colonialism operate in tandem in North America and that there is no singular account of inequality. Goldstein uses the phrase “colonial present” to underscore the fact that colonialism is not *only* part of US capitalist history but continues today. He argues that ‘the United States...remains reliant on the ever-expanding dispossession and disavowal of indigenous peoples, global circuits of expropriated labor, economies of racialization, and its expansive network of military bases’¹²⁸. Meanwhile Audra Simpson¹²⁹ and Patrick Wolfe¹³⁰ highlight that colonial dispossession is engaged in projects of elimination. For Marx, dispossession of people and their land in pre-capitalist regimes leads to an expropriated peasantry and feudal population who have no choice but to be drawn into the wage-labour exploitation I outline above¹³¹. For Simpson and Wolfe, there is no sense in which Indigenous populations are remade into labourers who can be exploited. As Simpson writes, ‘this is a territorial project—the accumulation of land—whose seemingly singular focus differentiates it from other forms of colonialism’ in that ‘it is not labor but territory that it seeks’¹³². Wolfe argues that because settlers need a permanent place to reside, elimination (rather than the incorporation) of Indigenous populations takes place. There is then even greater impoverishment and violence than Marx imagined. Even menial remuneration through wage-labour exploitation is foregone because the state does not require Indigenous people to work this land. This is not to say that wage theft is unimportant in an analysis of inequality nor that Indigenous people are *never* forced into exploitative employment. Instead, I conclude that an endogenous sphere of economic

U.S. Colonial Present”, 2014; Byrd, “What’s Normative Got to Do with it?”, 2020; Simpson, *Mohawk Interruptus*, 2014; Wolfe, “Settler Colonialism and the elimination of the native”, 2006; Kēhaulani Kauanui, *Paradoxes of Hawaiian Sovereignty*, 2018.

¹²⁵ Coulthard, *Red Skin, White Masks*, 2014.

¹²⁶ Goldstein, “Toward a Genealogy of the U.S. Colonial Present”, 2014.

¹²⁷ Simpson, *Mohawk Interruptus*, 2014.

¹²⁸ Goldstein, “Toward a Genealogy of the U.S. Colonial Present”, 2014, p. 1-2.

¹²⁹ Simpson, *Mohawk Interruptus*, 2014.

¹³⁰ Wolfe, “Settler Colonialism and the elimination of the native”, 2006.

¹³¹ I discuss Marx’s “so-primitive accumulation” in greater detail in chapter 2. See also Marx, *Capital: Volume 1*, 1990, pp. 873-904.

¹³² Simpson, *Mohawk Interruptus*, 2014, p. 19.

exploitation – separate from the logics of “race”, gender, colonialism and so forth – cannot be the sole nor the primary means by which we understand inequalities and exploitation¹³³.

A narrow analysis of capital institutes a set of proper boundaries on inequality: expropriation and the labour theory of value are the singular framework for conceptualising inequality. In situating capitalist exploitation as *solely* the expropriation of wealth through surplus labour-power and surplus-value, capital becomes a narrow framework. Robinson’s analysis of slave labour, Hall’s work on “race”, Laclau and Mouffe’s multiple antagonisms, and Indigenous scholarship on dispossession cannot be contained within this formula. A general dislocation haunts economically reductive analyses of capital in that an array of processes are omitted. In this sense, relations of colonisation, racialisation, gender and so forth are, as Robinson notes, consigned ‘with slave labor and peasants, into the imagined abyss signified by precapitalist, noncapitalist, and primitive accumulation’¹³⁴. As Hall notes, no escape from this logic exists. Instead, other inequalities must be *funnelled through* wage-labour exploitation such that they are a precursor to it, a reflection of base economic relations, or remain secondary to the broader class struggle which, as Laclau and Mouffe, noted is defined by a false sense of unity.

Section 2 - Ex-appropriation, Labour-Power, and Proprietary Regimes

Hall, Laclau and Mouffe, and Robinson offer important caveats to Marx’s analysis. I argue though that they all miss the way in which economic reductionism frames political resistance in proprietary terms, thereby relitigating them. First, Marx’s analysis of labour-power transforms different kinds of work into property – just as land and enslaved populations have been – to render an analysis of surplus-value, accumulated as capital, permissible. Second, the relationship between property and forms of labour is a contingent rather than necessary and exhaustive one. Consequently, I determine that expropriation inaccurately describes the work taking place. Expropriation, as an analytic,

¹³³ Interestingly Mark Devenney argues that Laclau and Mouffe’s analysis serves to underplay material inequality in ways that, I would argue, Robinson and Hall’s nonreductionism do not. See Devenney, *Towards an Improper Politics*, 2020, pp. 22-25.

¹³⁴ Robinson, *Black Marxism*, 2000, p. xxix.

assumes that labour-power is an inherent property of the worker, rather than a constructed process to accumulate capital or fight wage theft. Missed here are two things. First, a set of *ongoing* exploitative and violent processes including but not limited to dispossession (as Indigenous scholars demonstrate) and the forcible coercion of workers (as Laclau and Mouffe rightly outline) are obfuscated. Second, this analysis continues to participate in modes of appropriation and being which distribute forms of inequality based on colonial, racialised, and gendered rationalities. The terminology of expropriation thus perpetuates these logics by continuing to invest in proprietary assumptions.

i – Labour-Power and Property

For Marx, labour-power is a commodity whose use-value is labour which, as outlined above, can be utilised to create value, extract surplus-value, and expropriate wealth and capital. The fruits of labour are owned by the capitalist because they have purchased the worker's labour-power. In this sense, Marx argues that labour-power is simply another kind of commodity in that the capitalist purchases something they use for their own needs (the creation of value and expropriation by capital): 'the use of a commodity belongs to its purchaser, and the seller of labour-power, by giving his labour, does no more, in reality, than part with the use-value he has sold'¹³⁵. However, Laclau and Mouffe argue this assumes that the use-value of labour-power, that is the creation of surplus-value, is an autonomous process which is 'automatically effective from the very moment of its purchase'¹³⁶, rather than something which is coerced, violently if necessary, by those who purchase labour-power. As such, they propose that Marx misses the way in which processes of labour extraction are *part of* capitalist organisation. There is then no '*silent compulsion of economic relations*'¹³⁷. For coercion and violence *always* haunt these relations in order to extract the use-value from labour-power and beget surplus-value and expropriate capital. The reductionism here is the assumption that economic relations are autonomous. This misses the extra-economic violence and coercion that saturates economic relations. In doing so, Marx frames the "economic sphere" as

¹³⁵ Marx, *Capital: Volume 1*, 1990, p. 292.

¹³⁶ Laclau and Mouffe, *Hegemony and Socialist Strategy*, 2001, p. 78.

¹³⁷ Marx, *Capital: Volume 1*, 1990, p. 899.

capitalism's mature state and thus relegates all other inequalities – colonialism, process of racialisation, cis-heteropatriarchal logics – as separate from it, even a precursor to it¹³⁸.

Laclau and Mouffe are correct but they also miss the way in which Marx situates labour-power as a property relation *as well as* a commodity. In simple terms, Marx situates labour-power as the property of the worker. He argues that the capitalist expropriates the fruits of this labour but they should belong to the worker for they have toiled and created the surplus-value which enables the capitalist to expropriate wealth at the worker's expense. As others have noted, this is not dissimilar to John Locke's¹³⁹ account of labour and property¹⁴⁰. The worker is thus the rightful owner¹⁴¹ of not only "their" labour-power but so too that which it creates: commodities, value, valorisation, and surplus-value including the capital accumulated through its extraction via commodity exchange. This is why Marx famously proposes that when capital begets its own downfall, 'the expropriators are expropriated'¹⁴¹ because, for him, this 'negation of the negation...does indeed establish individual property on the basis of the achievements of the capitalist era: namely co-operation and the *possession* in common of the land and *the means of production produced by labour itself*'¹⁴². In other words, that property which has been stolen – namely their labour-power – is returned to those to whom it rightfully belongs: the workers.

However, there is *also* a more complex arrangement at work here. Announcing labour-power as property of the workers too quickly *accepts*, perhaps for expedience, the proprietary relations within which labour-power operate. As I have outlined, I do not use the phrase proprietary here in the intellectual property sense. Instead, I draw upon the work of Mark Devenney to understand how notions of propriety and "proper" beings or subjectivities are deployed in order to secure regimes of property which appropriate and

¹³⁸ This, of course, poses problems for any analysis of Marx's "so-called primitive accumulation" which are often understood as the incipient processes foundational capital accumulation. In the next chapter, I demonstrate that contemporary analyses of "so-called primitive accumulation" continue to prioritise "economic" exploitation as the apex of material inequality.

¹³⁹ Locke, "Of Property", 2003.

¹⁴⁰ See Arthur, "Personality and the Dialectic of Labour and Property – Locke, Hegel, Marx", 1980; Andrew, "Inalienable Right, Alienable Property and Freedom of Choice", 1985; Vaughn, "John Locke and the labor theory of value", 1978.

¹⁴¹ Marx, *Capital: Volume 1*, 1990, p. 929.

¹⁴² Marx, *Capital: Volume 1*, 1990, p. 929.

distribute land and resources unevenly. Property has long been understood not as an object nor having absolute dominion over it¹⁴³ but a series of rights¹⁴⁴ which organises ‘multiple parties [are] tied together in relationships that are social as well as legal’¹⁴⁵. In this sense, we are analysing a ‘set of relations that distributes rights, benefits and control over things *now made property*...articulating a range of subject positions’¹⁴⁶. Mark Devenney argues that this distribution is *not* even but rather takes place in accordance with notions of propriety. Here, ‘the maintenance of property [requires] the definition of what is proper and improper’¹⁴⁷, that is *who* is legitimatised through these definitions as the bearer of rights, benefits, and control over social relations rendered as property. Cheryl Harris¹⁴⁸ and Brenna Bhandar¹⁴⁹ have similarly demonstrated that property law regulates regimes of ownership through the definitions and logics of “race”. Here, what Cedric Robinson¹⁵⁰ terms, “racial regimes” are used to justify the dispossession of racialised groups as well as their cheapened labour in segmented labour markets¹⁵¹. Although Sylvia Wynter¹⁵² does not think about property nor propriety in relation to the human, there is no doubt that her work on the “Human” underscores the point that Bhandar and Devenney make. A proprietary conception of the human – one who has the capacity to own and appropriate *based upon* certain *proper* characteristics such as whiteness, their gender, their status as a settler, their physical capacity, and so forth – is necessary to institute unequal distribution of resources and precarity. In this sense, I agree with Devenney¹⁵³ that there is an ‘intrinsic relationship between modes of being and modes of appropriation’¹⁵⁴ expressed through the concept of proprietary relations. It

¹⁴³ As per William Blackstone. See Blackstone, *Commentaries on the Laws of England*, 2016.

¹⁴⁴ This is commonly referred to the *bundle of rights* metaphor. I offer a fuller account of this in chapter 2 where I detail other criticism as well as the revisions I make above.

¹⁴⁵ Baron, “Rescuing the Bundle-of-Rights Metaphor in Property Law”, 2014, p. 58.

¹⁴⁶ Devenney, *Towards an Improper Politics*, 2020, pp. 37, 39. Italics mine.

¹⁴⁷ Devenney, *Towards an Improper Politics*, 2020, pp. 37-38.

¹⁴⁸ Harris, “Whiteness as Property”, 1993.

¹⁴⁹ Bhandar, *Colonial Lives of Property*, 2018.

¹⁵⁰ Robinson, *Forgeries of Memory and Meaning*, 2007.

¹⁵¹ See Du Bois, *Black Reconstruction in America*, 2013, p. 11-12, p. 18; Bhandar, *Colonial Lives of Property*, 2018, pp. 187-188; Issar, “Theorizing ‘racial/colonial primitive accumulation’”, 2021, p. 36.

¹⁵² Wynter, “Unsettling the Coloniality of Being/Power/Truth/Freedom”, 2003.

¹⁵³ It is interesting to note that Devenney draws upon Carl Schmitt’s racist and colonial account of *nomos* in order to develop the analysis of being and appropriation. Devenney points out that Schmitt’s assumptions (around the division of a global order through recourse to an ontological account of *who* can participate in this division) neatly cohere with those of the nation state but are also foundational to any property regime. See Devenney, *Towards an Improper Politics*, 2020, p. 28-36.

¹⁵⁴ Devenney, *Towards an Improper Politics*, 2020, p. 28.

points towards the way in which ontology and property work together to prop each other up such that wherever borders are drawn, ‘property [is] articulated and modes of being established’¹⁵⁵. The division and delimitation of borders that property necessitates demands that modes of being – conditions of propriety and “proper” subjectivities – are announced and policed. Proprietary relations (that is racialised, colonial, gendered modes of “proper” being) thus overdetermine the distribution of legal entitlement and reproduces these logics. But, moreover, proprietary relations are entirely contingent in that – unlike Althusser, Gramsci, or even Etienne Balibar’s¹⁵⁶ analyses – there is no final determination or “last instance” of the “economic” which orders them¹⁵⁷. Instead, material inequalities are interrelatedly colonial, racialised, gendered, able-bodied, classed and so forth.

Returning to labour-power, Marx’s analysis too readily accepts this link between modes of being and appropriation. If labour-power is the property of the worker, then processes of appropriation (justified through modes of being) create (a) “the worker” as someone who can be exploited through wage-labour, (b) their labour as a property which can be sold as a commodity and (c) racialised, gendered and colonised populations as those who can either be underpaid, overworked, refused work, or even enslaved. Yet without a proprietary analytical framework, these are accepted as historical processes rather than as processes which are ongoing and can be undone. Moreover, returning labour-power to workers does not dismantle the proprietary relationships at the centre of this nexus. Historically wage-labour exploitation has excluded so many populations. I have already noted the way in which Robinson and Du Bois point out that Marx’s analysis excludes enslaved African populations in the US as intrinsic to an analysis of capital. Similarly, Brenna Bhandar¹⁵⁸, Audra Simpson¹⁵⁹, and Patrick Wolfe¹⁶⁰ have argued that in the US and Canada, Indigenous populations are often excluded from incorporation into exploitative wage-labour practices. The goal here is elimination of Indigenous populations. Meanwhile Siddhant Issar has powerfully argued that wage-labour exploitation itself

¹⁵⁵ Devenney, *Towards an Improper Politics*, 2020, p. 31.

¹⁵⁶ Balibar, *Equaliberty*, 2014.

¹⁵⁷ Althusser, *Reading Capital*, 2016.

¹⁵⁸ Bhandar, *Colonial Lives of Property*, 2018.

¹⁵⁹ Simpson, *Mohawk Interruptus*, 2014.

¹⁶⁰ Wolfe, “Settler Colonialism and the elimination of the native”, 2006.

necessitates these two exclusions. For Issar, there is a ‘racialised and gendered hierarchical continuum of labour regimes under capitalism’¹⁶¹ in which wage-labour exploitation is secured through the anti-Black violence of slavery and Indigenous dispossession and, in Simpson and Wolfe’s words, elimination. Issar notes that the latter makes wage-labour exploitation possible in that the dispossession and elimination of Indigenous population makes land available for colonial industrial investment. Meanwhile anti-Blackness ‘anchors the “unfree” end of the labour spectrum’¹⁶², haunting employment relations such that workers accept exploitative conditions less they be drawn into ‘unfree’ labour. At work here is a set of proprietary relations. Racialised, gendered, and colonial conceptions of being govern who can appropriate their own labour-power and sell it and who cannot or, worse still, who is deemed disposable altogether. The proposed reappropriation of labour-power rests upon these same divisions and does not interrogate them. In assuming that the entitlement to sell one’s labour-power – that is to become an owner of labour-power – operates equally across geopolitical contexts and populations, Marx misses that questions of ontology are tied to property. Marx’s analysis thus replays these proprietorial assumptions and reproduces incumbent logics.

ii – Proprietary Regimes

In so far as Marx’s analysis of capital relies upon the expropriation of surplus-value and surplus labour-time and continues to invest in proprietary relations, “capitalism” thus becomes a difficult term theoretically. It either inaccurately describe the inequalities it names or funnels these through the analysis of expropriation, rearticulating the necessary link between modes of being and appropriation. In light of this, I turn to Mark Devenney’s theorisation of “proprietary regimes” to name the social formations which distribute inequality through the tool of property, using definitions of propriety and what is “proper” to do so. Devenney coins the phrase proprietary regimes to consider social formations in ways that Laclau and Mouffe fail to. The focus is on how propriety determines the distribution of who has access to resources made into property and who participates in the *demos*. Briefly, ‘a proprietary order includes relations of propriety and

¹⁶¹ Issar, “Theorizing ‘racial/colonial primitive accumulation’”, 2021, p. 36.

¹⁶² Issar, “Theorizing ‘racial/colonial primitive accumulation’”, 2021, p. 36.

property, the policing of the proper bounds of a social formation, and the anonymous logistical orders that glue together these relations'¹⁶³. This analytic thus 'insist[s] upon the intrinsic relationship between modes of being and modes of appropriation'¹⁶⁴. Here propriety turns from a simpler phrase denoting proper and improper behaviours (what certain classes within society reproduce as normal, acceptable, or aspirational) to an analysis of how the policing of propriety participates in the reproduction of property relations which distribute inequalities. In other words, property is understood as a set of social relations which distribute relations of ownership over and access to resources through logics of propriety based upon ontological claims over what is "proper" to subjects and beings who are afforded rights to ownership. Here, ontology is remade as a political determination which, Devenney notes¹⁶⁵, can be observed in the racist and colonial work of Carl Schmitt¹⁶⁶. In this way, the proprietary regime captures the complexity of ownership, rendering the dynamic between appropriation and being/subjectivity visible. It does so by pronouncing 'the forms of political identification which give subjects a place in the social order' and 'the silent, infrastructural processes that coordinate the movement of subjects and objects through the world' which gain traction as "common senses"¹⁶⁷.

This is not to turn away from Marx's analysis of capital nor disavow class struggle altogether. Instead, it is to point out the imbricated character of inequalities and highlight that, as I have insisted thus far, material inequality cannot be divorced from questions of colonialism, "race", gender, and beyond. I argue that the proprietary regime as an analytic offers three important revisions. First, material inequality is here imbricated in a set of interrelated and interconnected struggles and forms of oppression which are nowhere reducible to class, "race", colonial, gender, disability, and so forth as *singular* forms of exploitation. There is no "proper" analysis of capital wherein a singular form of inequality – such as Marx's value theory of labour – takes precedent over others. Instead, there is a recognition that different forms of material inequality are constructed (as Indigenous, Black radical and other scholarship notes) *through* "race", gender, colonialism, disability,

¹⁶³ Devenney, *Towards an Improper Politics*, 2020, p. 28.

¹⁶⁴ Devenney, *Towards an Improper Politics*, 2020, p. 28.

¹⁶⁵ Devenney, *Towards an Improper Politics*, 2020, p. 28-36.

¹⁶⁶ Schmitt, *Nomos of the Earth*, 2006.

¹⁶⁷ Devenney, *Towards an Improper Politics*, 2020, p. 28.

and so forth. Further, these operate differentially in specific geopolitical contexts. There is then always a certain indeterminacy to this analysis in the sense that it must continually remade in light of the new forms that inequality takes.

Second, proprietary regimes emphasise the importance of property in the facilitation of these interconnected inequalities. This is not because property is their defining feature nor the ahistorical “base” which structures them. Rather, as Devenney notes, post-Marxist accounts of the social formation, such as Laclau and Mouffe’s, *under-emphasise* property (as a technology of appropriation and being) in the distribution of material inequality. Third, recognising proprietary relations as contingent enables the possibility of social relations which are *not* constituted as property in order to facilitate inequalities. This acknowledges the importance of proprietary relations *without* situating these as the necessary conditions for politics nor its determining base. This question of appellation is then important. In the last part of this chapter, I theorise *ex-appropriation* as resistance which animates what structures of domination foreclose. Resistance thus remakes social relations beyond that which proprietary borders – that is modes of appropriation and being – demand or legislate. Proprietary regimes highlight the relationship between property and propriety without ever announcing these as the *limit* of politics. For these reasons, I find the phrase useful: it identifies the modes of being and appropriation that are reproduced through the policing of borders and ensuing distribution of inequality, understanding that these are contingent and can thus be remade.

Section 3 – *Ex-appropriation* and Resistance

In this final section, I theorise *ex-appropriation* as a conceptual apparatus for understanding the way in which political resistance disrupts the modes of being and appropriation which proprietary regimes of ownership inaugurate. *Ex-appropriation* is a neologism – of expropriation and appropriation – that Derrida uses sparingly in his work¹⁶⁸ but whose meaning haunts that oeuvre. I rework *ex-appropriation* in relation to *the gift* and *dissemination* (other well-known concepts in Derrida’s work) and contemporary

¹⁶⁸ See Derrida, *The Postcard: From Socrates to Freud and Beyond*, 1987, p. 359, p. 393; Derrida, *Limited Inc.*, 1988, p. 141; Derrida, *Spectres of Marx*, 2006, p. 26, p. 72-73, p. 112, p. 136-138, p. 142-143; Derrida, *Points...: Interviews 1974-1994*, 1995, p. 269-274; Derrida, *Monolingualism of the Other*, 1998, p. 23-27; Derrida, *Adieu to Levinas*, 1999, p. 99; Derrida, *Of Hospitality*, 2000, p. 89; Derrida, *Acts of Religion*, 2002, p. 78.

Indigenous and Black radical scholarship on property. In my rendering, *ex-appropriation* describes the way in which the politics of resistance disrupts the modes of being and appropriation. As I have argued, proprietary forms of ownership constitute social relations and resources as property so that they can be appropriated by subjects afforded colonial, racialised, gendered (and beyond) notions of propriety. *Ex-appropriation* theorises the way resistance acts *without* necessitating nor re-asserting new forms of property as essential to their projects. I begin by offering a close reading of *ex-appropriation* in relation to Derrida's criticisms of the gift and appropriation in Heidegger and Derrida's own aporia of impossibility. I then develop *ex-appropriation* as an analytic for political theory by rethinking impossibility through the work of Patrice Douglass, Frank B Wilderson III, and Fred Moten from the field of Black Studies. I repurpose and misuse Derrida's work on iterability – as Judith Butler does for performativity – and impossibility to conceive *ex-appropriation* as the disruption of proprietary regimes. I contrast this analysis of political resistance to deterministic readings of Marx and Heidegger which develop revolutionary politics as a new temporality. I conclude by demonstrating the way in which Indigenous resistance to contemporary colonial incursions in North America refuses the settler appropriation of land and disrupt ontological assumptions utilised to facilitate this. I argue that *ex-appropriation* describes the way in which these forms of resistance *animate* that which settler colonial logics foreclose as disposable or worthy of elimination.

i– *Ex-appropriation*: animating the impossible

Jacques Derrida offers no complete theorisation of *ex-appropriation* but only refers to the phrase intermittently through his work¹⁶⁹. It is a neologism Derrida coins – one of many – demarcating a space within the dialectical relationship of expropriation and appropriation that names neither. I theorise *ex-appropriation* as the political animation of that which a proprietary regime forecloses. As I have already detailed, proprietary regimes theorise the way in which modes of appropriation and being work together in the distribution of material inequalities. I therefore theorise *ex-appropriation* as the disruption and displacement of this nexus. The appropriation and division of land,

¹⁶⁹ See my previous footnote for a list of places where Derrida uses this phrase. The list is not exhaustive.

resources, and so forth is legitimised and reproduced through the articulation of racialised, gendered, colonial (and beyond) forms of propriety in which definitions of what is “proper” to subjectivity police this distribution. I use *ex-appropriation* to theorise the productive disruption of this distribution. Derrida describes *ex-appropriation* as the ‘radical contradiction of all “capital”, of all property or appropriation’¹⁷⁰. However, this is not simply expropriation as Marx would have it. Theorising *ex-appropriation* in relation to *the gift* and *dissemination*, this “radical contradiction” cannot then be the re-establishment of proprietary relations through the reappropriation of property by different owners. This is merely a rearticulation of new forms of appropriation and being. Instead, I theorise *ex-appropriation* as that which is foreclosed as *impossible* by the modes of appropriation and being which use property as a tool to distribute interlocking inequalities. I theorise *ex-appropriation* as the possibility of relating to land, resources, and one another *beyond* (a) their division and appropriation and (b) without recourse to notions of propriety. As such, *ex-appropriation* denotes resistance which refuses “proper” qualifications for the distribution of resources. Here then I remake this “radical contradiction” as the very *refusal* of proprietary relations that prop up regimes of ownership and the violence they enforce.

I theorise this refusal of the ontological-appropriation nexus by first returning to Derrida’s analysis of *différance* in relation to Heidegger’s *Being and Ereignis* (event). In Heidegger, we already find the connection between modes of appropriation and being well developed – albeit in a rather dense philosophical construction rather than the more overtly political arrangement that Devenney finds in Carl Schmitt¹⁷¹. For Heidegger, *Ereignis* is the event, the “thrownness”, through which *Being* comes into presence or existence. Of course, this is tied to being in that it is being’s ‘own thrown ground’¹⁷² and not something external to it¹⁷³. As Joan Stambaugh¹⁷⁴ notes, in later work Heidegger transforms *Ereignis* into the “event of Appropriation” which, as before, continues to ‘make

¹⁷⁰ Derrida, *Spectres of Marx*, 2006, p. 112.

¹⁷¹ See Devenney, *Towards an Improper Politics*, 2020, p. 28-36.

¹⁷² Heidegger, *Being and Time*, 1996.

¹⁷³ Heidegger writes that: ‘Da-sein is the thrown being *as self*. *Not through* itself but *released to* itself from the ground in order to be *as this ground*’. Heidegger, *Being and Time*, 1996, p. 262. Italics original

¹⁷⁴ Stambaugh, “Introduction”, 1972.

any occurrence possible'¹⁷⁵. The process of appropriation is (like “thrownness” before it) the ‘opening out’¹⁷⁶ through which *Being* and time are possible, for Heidegger. It also constitutes a ‘transformed interpretation of Being’¹⁷⁷ where (unlike metaphysical determinations and his earlier work) ‘Being belongs into Appropriating’¹⁷⁸, not the other way around. Thus, *Being* is constituted through the process of appropriation¹⁷⁹.

For Derrida, Heidegger’s *Ereignis* continues to be bound by ontology in that it only removes the question of the “ontic” and the origin of “Being” to a primordial stage¹⁸⁰. *Différance* does not subscribe to questions of ontology. It outright refuses this question of origin and, as such, ‘*différance* would be no more a species of the genus *Ereignis* than Being’¹⁸¹. It is not that which (like *Ereignis*) constitutes “Being” nor that which (like “Being”) constitutes the possibility of beings. Yet, Derrida also goes further and argues that: ‘*différance* is not a process of appropriation in any sense whatever. It is neither position (appropriation) nor negation (expropriation) but rather other’¹⁸². Here then marks not just an ontological indeterminacy but a refusal of the nexus that Heidegger (as well as Schmitt) circumscribes – and that, I argue, plays out in proprietary regimes – in the relationship between appropriation and being. *Ex-appropriation* denotes this “space”¹⁸³ insofar as it points towards this “radical contradiction” which ‘does not justify any bondage’ to that nexus but disrupts the ‘servitude [which] binds (itself) to appropriation’¹⁸⁴.

In this manner, *ex-appropriation* functions in much the way Derrida’s *the gift* does. *The gift* is a metaphor Derrida uses to denote objects which are excluded or foreclosed by

¹⁷⁵ Heidegger, *On Time and Being*, 1972, p. 19.

¹⁷⁶ Heidegger, *On Time and Being*, 1972, p. 19.

¹⁷⁷ Heidegger, *On Time and Being*, 1972, p. 21.

¹⁷⁸ Heidegger, *On Time and Being*, 1972, p. 21.

¹⁷⁹ It is important to note that for Heidegger, ‘Appropriation is not the encompassing general concept under which Being and time could be subsumed.’ See Heidegger, *On Time and Being*, 1972, p. 21.

¹⁸⁰ Elsewhere I have argued that, for Derrida, Heidegger is perpetually caught between breaking with and returning to this metaphysical inclination. See Lechley, “Review: ‘Geschlecht III: Sex, Race, Nation, Humanity’”, 2021.

¹⁸¹ Derrida, *Margins of Philosophy*, 1982, p. 26.

¹⁸² Derrida, *Margins of Philosophy*, 1982, p. 26.

¹⁸³ It is important to note that when using the term ‘space’ here I am using it in the same way Derrida utilises the phrase. It does not denote an actual space but refers to the alterity inherent in every repetition or iteration. It thus denotes the difference that occurs in each iteration. See Derrida, *Limited Inc.*, 1988.

¹⁸⁴ Derrida, *Spectres of Marx*, 2006, p. 112.

relations of exchange. Derrida situates *the gift* as an ‘impossible’¹⁸⁵ object. He argues that the economy – that is relations of exchange – sets in motion the circulation of objects (or, for Marx, commodities) in which reciprocity operates as the underlying motif. This tallies with Marx’s analysis. For him, as is well-known, capital is only relinquished by the capitalist (through the purchase of the means of production and labour-power) in order to produce commodities and accumulate more capital: ‘the buyer lays out money in order that, as a seller, he may recover money...he releases the money, but only with the intention of getting it back again’¹⁸⁶. The “capital relation” thus turns on this circulation of money-commodities-money (M-C-M) in which reciprocity is imbedded. The capitalist expects the worker to reciprocate with labour when their labour-power is bought. The former also expects that the requisite surplus-value is realised through the exchange of commodities. In this equation, a true gift would disrupt this reciprocity, that is the expectation or necessity of further exchange. In this sense, *the gift* is not impossible in that it cannot occur but rather in that forces of exchange necessitate its occlusion. This foreclosure operates as a prerequisite for participation in those very relations. *The gift* then makes relations of exchange possible. Yet, it is only through exchange that it becomes possible to speak of *the gift*. It is thus an aporetic (im)possibility. Derrida puts it like this: *the gift* ‘would not name what one thinks it names...unless the gift were the impossible but not the unnameable or the unthinkable, and unless in this gap between the impossible and the thinkable a dimension opens up where *there is gift*’¹⁸⁷. *The gift* is then both *always* possible and necessarily impossible, forcibly foreclosed by relations of exchange. This aporia becomes a general dislocation of the determinacy of relations of exchange just as *ex-appropriation*, for Derrida, is the general dislocation of ontology and appropriation.

It is important to recognise that *the gift* does not simply “mirror” *ex-appropriation* as an aporia that announces a general dislocation. Rather, *the gift* itself is intimately tied to appropriation and being. This is evident in the way in which Derrida’s reading of *the gift* differs from Heidegger’s. For Heidegger, the gift is an “opening out”. It is used to describe the way in which *Ereignis* and *Appropriation* make possible *all* beings, all occurrences

¹⁸⁵ Derrida, *Given Time*, 1992, p. 7.

¹⁸⁶ Marx, *Capital: Volume 1*, 1990, p. 248.

¹⁸⁷ Derrida, *Given Time*, 1992, p. 10. Italics original.

and time itself: 'Being can only be thought from Appropriation as the gifts of Appropriation'¹⁸⁸. It is then almost an "ontic" relation in that it provides the possibility of ontology to exist. It makes ontology possible. Derrida's notion is, of course, quite different. In no small part, this can be understood through the tracing of a single difference between Heidegger and Derrida: on origin. For Heidegger, an origin is possible, even necessary though he finds metaphysical explanations unsatisfactory. For Derrida, quite simply, there is no origin. As such *the gift* is not an "opening out" but - insofar as it *appears* as the *start* of relations of exchange - it actually gestures towards their dissolution. *The gift* is what reciprocity forecloses as impossible. In this way, we must read Derrida's interpretation of *the gift* as a response to Heidegger's gift. The former cannot be thought without reflecting upon its relationship to *Ereignis*, *Appropriation* and the origin of *Being*. In this sense, *the gift* is intimately connected to *ex-appropriation*. If for Heidegger, 'the gift of presence is the property of Appropriating'¹⁸⁹, then for Derrida, *the gift* resists the logic of appropriation *because* it refuses this question of origin that appropriation demarcates. Therefore, both *the gift* and *ex-appropriation* can be understood as general dislocations of that nexus between appropriation and being.

Whereas Derrida conceives of *ex-appropriation* as the general dislocation of this nexus, I develop *ex-appropriation* as a political analytic that theorise resistance to nexus and proprietary regimes of ownership. On my reading, *ex-appropriation* *resists*, in equal measure, Heidegger's *Ereignis*, the ontological question of "Being", and the assumption that the division and appropriation of the world is the point of departure for conceiving social relations. I use the phrase resistance rather than general dislocation. To do so, requires a re-purposing of Derrida's impossible to frame it anew in relation to proprietary regimes. For Derrida, the impossible is not 'simple negative'¹⁹⁰ i.e. what is not possible, but a form of non-knowledge. This non-knowledge is 'not merely ignorance...not lack...but simply something that is not of the same nature as knowing'¹⁹¹. Specifically in relation to *the gift*, Derrida proposes the 'gift is possible only when it appears impossible'¹⁹² so much so that the gift giver cannot know if they are giving a gift nor be

¹⁸⁸ Heidegger, *On Time and Being*, 1972, p. 23.

¹⁸⁹ Heidegger, *On Time and Being*, 1972, p. 22.

¹⁹⁰ Derrida, "A Certain Impossibility of Saying the Event", 2007, p. 449.

¹⁹¹ Derrida, "A Certain Impossibility of Saying the Event", 2007, p. 448.

¹⁹² Derrida, "A Certain Impossibility of Saying the Event", 2007, p. 449.

sure that giving itself has even taken place. It is under these conditions of impossibility that *the gift* becomes possible. Similarly, Derrida writes that forgiveness is only possible when we dare to forgive what is unforgivable: ‘forgiveness, if there is any, must forgive that which is unforgivable otherwise it is not forgiveness’¹⁹³. In both instances, the impossible is an almost non-ideological, quasi-universal condition that structures the aporia of (im)possibility.

Yet in the very same breath, Derrida argues that because this impossibility is not simply negative, ‘this means the impossible must be done’¹⁹⁴. My theorisation of *ex-appropriation* leverages these moments in Derrida’s texts in ways that he would not be entirely comfortable. I take this demand for the impossible, the necessity of decision¹⁹⁵, and the obligation to a politics without the right to property¹⁹⁶ and turn it against the aporetic (im)possibility that Derrida holds to. In this way, I draw lessons from Patrice Douglass and Frank B. Wilderson III’s work on the impossibility of the category of Blackness for metaphysics. For Douglass and Wilderson, metaphysics is a violent project. This ‘violence not only makes thought possible, but it makes black metaphysical being and black relationality impossible’¹⁹⁷. Here then, thought emerges on condition of this violence. As Douglass and Wilderson note this means that so often violence against Black people is illegible not because it is improperly represented but because it is the very condition of legibility. Here then, impossibility – Black relationality, Black metaphysics, and Black harm – describes that which is foreclosed by metaphysics as its very condition of possibility. The impossible acts as the condition of possibility. This is an aporia of (im)possibility – but not in the way Derrida imagines. I use the phrase ‘impossible’ throughout this thesis in similar ways – to refer to that which proprietary regimes foreclosed as their conditions of possibility. Yet, I do so in ways that diverge from Douglass and Wilderson’s account. For Douglass and Wilderson, this impossibility institutes a social death that remains and endures without qualification. Black harm remains illegible and cannot be registered. I am instead interested in resistance that produces this ‘impossibility’ – that animates what has been foreclosed by proprietary

¹⁹³ Derrida, “A Certain Impossibility of Saying the Event”, 2007, p. 449.

¹⁹⁴ Derrida, “A Certain Impossibility of Saying the Event”, 2007, p. 449.

¹⁹⁵ See Derrida, “The Force of Law”, 1992. I discuss this in the Introduction.

¹⁹⁶ See Derrida, *Monolingualism of the Other*, p. 24. I discuss this below.

¹⁹⁷ Douglass and Wilderson, “The Violence of Presence”, *The Black Scholar*, 43(4), pp. 117-123, 2013.

regimes. In this way, there is a clear difference between our accounts. Douglass and Wilderson offer a structural account of metaphysics in which the Real of Black subjection remains a permanent foreclosure. I view proprietary regimes as instituting a set of contingent forecloses. In many ways, this fissure can be understood akin to that between, on the one hand, Judith Butler and Ernesto Laclau, and on the other, Slavoj Žižek's conceptions of social formations and foreclosure¹⁹⁸. Akin to Butler and Laclau, I refuse the necessity of a primary and insurmountable foreclosure. I thus use the phrase impossible in reference to proprietary regimes and their foreclosures not to evacuate nor replace Derrida's (im)possibility but alongside it, in almost a second valence, to use yet another Butler turn of phrase.

Accordingly, I name this disruption of proprietary ownership, its violence and inequality – in an abuse of Derrida's (im)possibility – *animations of the impossible*. It is the animation of that which proprietary regimes (that is, modes of appropriation and being) have foreclosed, rendered disposable or unimaginable. This phrasing – animation – draws upon Fred Moten's "animateriality"¹⁹⁹ in ways that are incommensurable with Douglass and Wilderson's account of Blackness²⁰⁰. For Moten, "animateriality" combines both animation and materiality to describe 'the story of how apparent nonvalue functions as a creator of value'²⁰¹ akin to my own use of the impossibility I sketch out above. I come back to "animateriality" in the fifth chapter where I develop *ex-appropriation* and "animateriality" together in greater depth. For now, it is important to recognise that I use the phrase animation when describing *ex-appropriation* to interpolate Moten's analysis for three reasons. First, animation describes the construction of something out from under forms of subjection. It thus echoes Moten's analysis in which something valuable is produced from apparent nonvalue. Second, the animation of the foreclosed does not signify a reversal but opens onto a future yet to be written. In short, *ex-appropriation* does not necessarily denote a *reanimation*. Third, as per "animateriality", animation emphasises both material *and* ideational content in equal measure. This refuses analyses which determine property as a "material" and thereby foundational base for

¹⁹⁸ Butler, Laclau, and Žižek, *Contingency, Hegemony, Universality*, 2000.

¹⁹⁹ Moten, *In the Break*, 2003.

²⁰⁰ I deal with this in more detail in Chapter 5.

²⁰¹ Moten, *In the Break*, 2003, p. 18.

inequality. Animation thus points to the errancy of resistance. It captures the way in which resistance remakes proprietary relations in unexpected ways – often remaining illegible or “impossible” until they are the normative condition of possibility²⁰².

Ex-appropriation is then not a point of departure from proprietary regimes. I interpolate Derrida’s work on *iterability* and *dissemination* to theorise *ex-appropriation* as the reproduction of social relations without proprietary forms of ownership as their necessary co-ordinates. In short, I do not theorise *ex-appropriation* as announcing a new temporality nor regime that might overcome proprietary ownership. In many ways, this resembles Judith Butler’s²⁰³ own interpolation of *iterability* to theorise the performativity of sex/gender and its reproduction I mentioned in my introduction to this thesis. On my reading, *ex-appropriation* denotes the “space”, or rather the incursion, *against* this nexus, that is the resistance against the reproduction of “proper” beings or subjectivities through which the division and appropriation of land, resources, and so forth can take place. Pointed to here is the ways in which these incursions thereby remake our relations in ways this nexus cannot contain. As a fugitive mode of resistance, it is the *iteration* of a different relationship to land, resources, and all that has been colonised by proprietary regimes.

For Derrida, iterability describes the way in which ‘a written syntagma can always be detached from the chain in which it is inserted or given without causing it to lose all possibility of functioning, if not all possibility of “communicating”’²⁰⁴. It is well-known that Ferdinand de Saussure’s²⁰⁵ work on the “signified” and “signifier” forms two components of any given sign and provides meaning within a semantic “field of difference”. Derrida argues that this field of difference is infinite²⁰⁶ and that there is no necessary relationship

²⁰² I attend to this discussion of illegibility, resistance, and politics in Chapter 4 when I develop together democracy as resistance and *l’avenir* as a future present tense.

²⁰³ Butler, *Bodies That Matter*, 1993.

²⁰⁴ Derrida, *Limited Inc.*, 1988.

²⁰⁵ Saussure, *Course in General Linguistics*, 2016.

²⁰⁶ Derrida’s infinite is not the same as Spinoza nor any theological conception, both of which – for Derrida – amount to a metaphysics of presence in which the field of difference is unified through the universal presence of an ontology or God. Instead, it is the absence of these and thus of the ensuing closure of the field of difference which means that an infinite deferral of meaning takes place: ‘This field is in effect that of play, that is to say, a field of infinite substitutions only because it is finite, that is to say, because instead of being an inexhaustible field, as in the classical hypothesis, instead of being too large, there is something missing from it: a center which arrests and grounds the play of substitutions’. See Derrida, *Writing and Difference*, 2001, p. 365. For more of Derrida’s discussion on the infinite in relation

between “signified” and “signifier”²⁰⁷. Instead, a sign is only recognisable to the extent that it is *different from all other signs*. It is the difference that it represents. Further, Derrida argues that insofar as signs within the semantic field of difference are contingent demarcations denoting a “signified” and “signifier”, they are then not substantive objects but contingent and reproducible. This reproducibility means that each iteration of a sign is unique. Every demarcation of a sign is thus the repetition of a copy: there is no original. Iterability denotes that this necessary repetition brings with it the possibility of change: it is a ‘logic that ties repetition to alterity’²⁰⁸. Rupture from existing paradigms and conceptions of meaning are thus the very condition of possibility for the sign: ‘a written sign carries with it a force that breaks with its context, that is, with the collectivity of presences organizing the moment of its inscription’²⁰⁹. Insofar as meaning is constituted through this reproduction, so too misapprehension is possible in equal measure due to the infinite character of the field and contingency of the sign. In this sense, there is no guarantee²¹⁰.

Iterability thus announces a “spacing” of *différance* within each repetition: ‘this spacing is not the simple negativity of a lacuna but rather the emergence of the mark’²¹¹. This “spacing” denotes two characteristics. First, this “space” is not empty but a repetition within the field of difference, a *differential* reproduction within the chain of signification. For Heidegger, *Ereignis* and the “event of Appropriation” announce a new temporality, that is they constitute the possibility of time itself, all possible times, and all possible beings. It is a properly Copernican revolution in that way, reorientating the very coordinates of what is possible and the frames of references themselves. *Ex-appropriation* is that “spacing” which does not generate an origin, a new temporality, nor modes of appropriation and being. It is a *differential* reproduction, that resistance *against* the “proper”, in relation to the modes of appropriation and being which, as I have outlined,

to theology, God, and the metaphysics of presence, see also Derrida, *Of Grammatology*, 1997, p. 71-72, 79, 157, 257, 283.

²⁰⁷ Derrida, *Of Grammatology*, 1997.

²⁰⁸ Derrida, *Limited Inc.*, 1988, p. 7.

²⁰⁹ Derrida, *Limited Inc.*, 1988, p. 9.

²¹⁰ This indeterminacy is central to Derrida’s own thought. His work on the “undecidable” – as well as later work on “autoimmunity” – can be understood as stemming from this point within his analysis of structuralist thought on language. See Derrida, “Force of Law”, 1992; Derrida, “Autoimmunity”, 2004.

²¹¹ Derrida, *Limited Inc.*, 1988, p. 10.

operate in tandem to distribute inequalities. If *différance* marks the “spacing” within a chain of signification, then I develop *ex-appropriation* as the reproduction of social relations *as their displacement from* the modes of appropriation and being which distribute forms of inequality. In other words, resistance is not framed as – per Heidegger and Marx – the establishment of a new temporality but the everyday resistance to and remaking of proprietary relationships as they are reproduced *and* displaced.

Second, this “space” refuses the *necessary* reappropriation that structuralist accounts of language imply in which a structure is “closed”, the infinite deferral of signification is shut down and *différance* is curtailed. In this sense, this “spacing” cannot be thought outside, what Derrida calls, *dissemination*. In literary criticism, Derrida situates *dissemination* – much like *the gift* – as quasi-impossible: ‘dissemination is precisely the impossibility of reducing a text as such to its effects of meaning, content, thesis, or theme. Not the impossibility, perhaps, since it is commonly done, but the resistance...of writing that can neither adapt nor adopt such a reduction’²¹². It is not then impossible in that it never happens but rather forces of domination curtail this movement. Curtailing the errancy in which new and unexpected readings are foreclosed institutes a reappropriation, that is a ‘total reappropriation of presence’²¹³. In other words, a proper meaning of the text is announced and constituted as its *only* possible interpretation. *Dissemination* then announces the *alterity* within this spacing in which the impossible – i.e. that which is foreclosed by a structure – is made possible. In this sense, it is the refusal of a reappropriation or a *return* which would attempt to close a text, to seal its meaning, and deny the articulation of new iterations. *Dissemination* is then a refusal of the dialectical method in which the event of revolution generates a new temporality. *Dissemination* marks the possibility of refusing this telos, that is a displacement of the dialectical method which institutes effects as origin. For Derrida, ‘dissemination interrupts the circulation that transforms into an origin what is actually an after-effect of meaning’²¹⁴. As an iteration *without* telos, *dissemination* marks iterability, that is a differential repetition, and the possibility of resisting the “proper”: ‘it does not remain, however, as the labor of the negative in the service of meaning, of the living concept, of

²¹² Derrida, *Dissemination*, 1981, p. 7-8.

²¹³ Derrida, *Of Grammatology*, 1997, p. 295.

²¹⁴ Derrida, *Dissemination*, 1981, p. 21.

the telos, supersedable and reducible in the *Aufhebung* of a dialectic²¹⁵. In brief, *dissemination* is a movement which does not partake in a pre-given nor pre-determined path. The *return* to an original or teleological path is refused and new, unforeseeable articulations are made possible. *Dissemination* is then the movement which makes *the gift* possible in that it resists the very foreclosures necessitated by relations of exchange. I render this a form of resistance in that the impossible is made possible: that which has been eliminated or erased becomes viable.

For Cesare Casarino²¹⁶, Marx's communism is the revolution in truest sense, constituting a new temporality altogether: one in which surplus-value becomes impossible. The abolition of value is not a new epoch per se but the very pronouncement of all possible epochs, wherein value is not a co-ordinate. In Heideggerian terms, this is not a new being then but "Being" itself, that is the inauguration of the very possibility of all beings. This conception of revolution requires origin and event in much the way that Heidegger does. Yet as I have already outlined this new temporality is also a *return*, the kind of *return* that *dissemination* refuses. As is well-known, Marx reworks Hegel's dialectical method. For Hegel, *aufhebung* describes the progressive movement of world history in which humanity *returns* to itself as a self-conscious rather than alienated subject²¹⁷. For Marx, the dialectical and revolutionary "the expropriators are expropriated"²¹⁸ is the reappropriation of labour-power by the workers: a communal regime of ownership. This is the *return* of the nexus appropriation and being. This revolution continues to invest in the division and appropriation of land, labour, and resources which can be distributed through "proper" subjectivities, that is through the requirement that labour be the property of those who have toiled. This origin, the point of departure, and new temporality is then *also* a point of return, a reproduction of the ontology-appropriation nexus. In this

²¹⁵ Derrida, *Limited Inc.*, 1988, p. 10.

²¹⁶ Casarino, "Time Matters", 2008.

²¹⁷ Humanity (that is human knowledge and being as such) moves from *being-in-itself* (1) to *being-for-itself* (2) and finally to *being-for-us* (3). In brief, the final dialectical movement of *aufhebung* is a return to being: a first negation moves humanity from the alienated, universal state of being (1) to consciousness where one is aware of particular forms of worldly knowledge (2) which are always partial; a second negation marks humanity becoming self-conscious (3) where this worldly knowledge is viewed in relation to abstract universals. In this sense, humanity *returns* to itself, to its universal state, but now appears as a self-conscious entity capable of relating to both world knowledge and universal reasoning. See Hegel, *The Phenomenology of Spirit*, 2018.

²¹⁸ Marx, *Capital: Volume 1*, 1990, p. 929.

sense, the dialectical return marks a teleology: ‘that movement through which the concept already announces itself, precedes itself in its own telos, establishes the text within the element of its meaning from the outset’²¹⁹. Its telos is that which continues to govern the distribution of inequality: proprietary relations.

This reappropriation of labour-power resists relations of exchange *within* a proprietary regime. I instead theorise *ex-appropriation* (via *the gift, dissemination* and iterability) as marking the very possibility of animating that which proprietary regimes foreclose: be it the flourishing of Blackness, non-exploitative working practices, the preservation of Indigenous value-systems, and beyond. Derrida uses the phrase ‘*ex-propriety* of the proper’²²⁰ to articulate the sense of disidentification that occurs when touching someone else in much the way that Judith Butler argues that we are ‘*undone* by each other’²²¹ whenever we interact with one another. Similarly, *ex-appropriation* announces a general dislocation within the nexus between modes of appropriation and being – which as I have outlined are always tied to ontological conceptions of being and subjectivity. For Derrida, reappropriation is the ‘second trick’²²² of the logic of appropriation, rearticulating the propriety of this nexus. Alternatively, he thinks ‘the ex-appropriation of language, more precisely, of the “mark,” opens out onto a politics, a right, and an ethics...*prior to any program* and even any axiomatics, the right and *the limits of a right to property*’²²³. Here, *ex-appropriation* haunts the very paradigm of appropriation – and thus being – demonstrating that its limits are always artificial and contingent. One reading of Derrida here is that this general dislocation announces a politics of indeterminacy, not necessarily of delay nor hesitation, but of the forever revisable, such that there is no fixed commitment. His work on the aporia of (im)possibility would bear that out. Another reading is one of a politics committed to not being committed – in typical Derrida parlance – to property itself. As I have highlighted, his work on decision bears this reading out too. In fact, the two readings are housed here. I leverage both in my theorisation of *ex-appropriation*, though in ways that are unfaithful to Derrida’s own writings.

²¹⁹ Derrida, *Dissemination*, 1981, p. 35.

²²⁰ Derrida, *On Touching Jean-Luc Nancy*, 2005, p. 75. Italics mine.

²²¹ Butler, *Precarious Life*, 2006, p. 23.

²²² Derrida, *Monolingualism of the Other*, p. 24.

²²³ Derrida, *Monolingualism of the Other*, p. 24. Italics mine.

Whereas Derrida views the indeterminacy of *ex-appropriation* as a general dislocation which therefore disavows commitments to property, I flip this arrangement. I theorise *ex-appropriation* as a dislocation of proprietary ownership specifically such that non-proprietary relations are always possible but never determinant. These are never new forms of the proper, announcing *the* new temporality as Casarino's determinative reading of Marx and Heidegger would have it. Instead, these modes of resistance are always haunted by their possible undoing as they remake propriety relations. Such disruptions are *iterative incursions* which *remake* relations, rearticulating *as possible* – that is as achievable, perhaps even necessary, though never guaranteed – that which has been foreclosed or designated as “impossible” in order to justify inequalities. To be clear, this disruption is not merely a destabilising force but is *productive* in that any disruption does not simply render proprietary relations inoperative but *remakes them differently*. Theorising *ex-appropriation*, as I have, conceptualises the way in which social relations are reproduced every day. In that very reproduction, resisting and disrupting the logics of colonialism, “race”, gender, and so forth is possible, however deeply sedimented our histories are. More than this though, I theorise *ex-appropriation* as the disruption of the modes of appropriation and being which distribute inequalities through the displacement of the social relations which articulate and reproduce this nexus.

This analysis deepens contemporary criticisms of post-Marxist scholarship. Mark Devenney²²⁴ uses deconstruction to rethink post-Marxist antagonism. The development of *ex-appropriation* as an analytic adds specificity to criticisms of counter-hegemonic politics. Laclau and Mouffe use deconstruction to rethink political antagonism beyond Marx. For them, antagonist politics that resist hegemonic forms of domination do not necessarily respond to class politics. Their interpolation of Derrida leads them to conclude that there is no single “proper” form of inequality. Instead, counter-hegemonic projects rely upon the articulation of a universal empty signifier that coheres a number of different struggles²²⁵. However, Devenney argues that this interpolation of deconstruction does not go far enough. For him, Laclau and Mouffe view this lack of a “proper” object for politics in ontological terms such that they ‘reintroduce an ontological

²²⁴ Devenney, *Towards an Improper Politics*, 2020.

²²⁵ Laclau and Mouffe, *Hegemony and Socialist Strategy*, 2001.

need, now framed in terms of the distinction between politics (the ontic) and the Political (the ontological)²²⁶. In other words, “proper” politics concerns *only* social movements that disrupt but still operate *within* institutional mechanisms. Laclau and Mouffe institute boundaries on what is properly “Political”. For Devenney, it is the enactment of equality *itself* which is political. The “improper” act disrupts the boundaries of the improper and proper that demarcate what is legitimate. *Ex-appropriation* intervenes here. I argue that “improper” politics disrupt these boundaries by animating that which proprietary regimes foreclose as “impossible”. These acts construct new possibilities, new social relations, new forms of equality. Resistance animates and enacts the “impossible”. In theorising *ex-appropriation* as such, I bring deconstruction and property together in ways neither Devenney nor post-Marxists do.

ii – No More Regimes of Ownership

For Étienne Balibar, *ex-appropriation* constitutes a ‘negative characteristic’ which rearticulates property as the very limit of politics. As is clear from the above, I argue that Balibar mischaracterises *ex-appropriation*. I theorise *ex-appropriation* as the possibility of animating that which proprietary regimes have foreclosed as impossible through modes of appropriation and being which delimit who has access to land, resources, political infrastructure, and beyond. In the final part of this chapter, I demonstrate the way in which Balibar’s characterisation is misleading in that he relies upon a dialectical reading which Derrida draws into question and whose conclusions Balibar does not reckon with. I finish by analysing two examples of resistance to proprietary regimes: Indigenous resistance in the settler colonial US and Canada, and a student occupation here at the University of Brighton. I argue both announce the possibility of remaking social relations without recourse to property as a tool. Here the modes of appropriation and being which legitimise and justify the unequal distribution of land and resources are disrupted and displaced. I determine that Balibar’s analysis – like that of Marx as well as Hall, Robinson, and Laclau and Mouffe – cannot make sense of these resistances in the way that my theorisation of *ex-appropriation* does.

²²⁶ Devenney, *Towards an Improper Politics*, 2020, p. 61.

For Balibar, *ex-appropriation* is a contradiction which rather than effacing or subverting the distinction between appropriation and expropriation *contains both of them*. He argues that: ‘ex-appropriation would thus be a "property without property," a property that does not appropriate without expropriating, a process of appropriation whose object or effect is indefinitely frustrated’²²⁷. In this sense, property continues to be the normative framework for conceiving politics. It is the *very limit* of politics but this framework is constituted – in dialectical fashion – by negation. Nowhere is this clearer than Balibar’s analysis of *the gift*, which he characterises as a “counterlogic” within processes of subjectification and capitalisation. As I have argued, *the gift* reveals much about *ex-appropriation* as a deconstructive force: announcing that which a structure forecloses as impossible but always remains as a possibility which might rupture it. For Balibar though, *the gift* is ‘caught in the transcendental movement that tends to release or disentangle the subject’, a movement which would ‘allow us to exhibit the antinomy lodged in the heart of the conditions of possibility of every subject’²²⁸. Here, *the gift* and *ex-appropriation* articulate a negation *within* the subject, that is – much like Marx’s first negation of capital or Hegel’s first negation of world history – a negation which is part of the telos of the subject.

This curtails the radical potential of *ex-appropriation*. Rather than the animation of the impossible (what elsewhere Derrida names the unforeseeable²²⁹), *ex-appropriation* is simply read as the necessary negation constitutive of any form of property which includes the subject who is here, of course, an appropriating being. However, this analysis misses the way in which *ex-appropriation* is – as noted – part of a wider deconstruction which destabilises the very dialectical assumptions inherited here. Thomas Clément Mercier notes that Balibar’s analysis of *ex-appropriation* relies upon ‘the formal protocols of a theoretical-political argument founded on a genealogical historiography’²³⁰. Yet, Derrida’s own analysis is precisely a disruption of this in that his ‘reading of “appropriation” subverts and exceeds the onto-logics of effectivity, of dialectical position/negation, of

²²⁷ Balibar, *Equaliberty*, 2014, p. 87.

²²⁸ Balibar, *Equaliberty*, 2014, p. 89.

²²⁹ Derrida names the unforeseeable in relation to his work on *l’avenir* and democracy-to-come. I draw the link between *ex-appropriation* and *l’avenir* in my rethinking of democracy in Chapter 4. See Derrida, *The Politics of Friendship*, 1997.

²³⁰ Mercier, “review: Étienne Balibar reading Jacques Derrida”, 2018, p. 5.

subjectivation/objectivation, and of individuality or ipseity as power-to-be-one-self'²³¹. In other words, Balibar's reading of *ex-appropriation* relies upon the very nexus of appropriation and being which, as I have argued, *ex-appropriation* disrupts. This is because Balibar's subject must *incorporate* – or *appropriate* – negativity into its being in order to emerge as a subject. For Balibar, *ex-appropriation* points to the “contradictions” inherent in every subject in that every appropriation marks an expropriation as well. Here, this negation is not only a property of the subject *but a necessary one* which acts as foundational for the subject to exist: ‘every subject is in fact a nonsubject, that is, negatively constituted by an ensemble of relations among human beings’²³². The negation must be reappropriated in order for the subject to emerge. Balibar cannot conceive a world in which social relations are constituted outside the nexus of appropriation and being, in which forms of appropriation are *proper* to beings, and the very conditions through which people relate to land, resource, political infrastructures, and one another.

The implication of this is that politics and resistance names the organisation and division of the world, that is its appropriation – as per Schmitt – by subjects who can appropriate, dividing it along the lines of who is *most appropriate*. The question merely becomes: who *is* most appropriate? Devenney points out that Schmitt's *nomos* provides an all-too-accurate account of how a proprietary regime ‘explicitly politicises ontology’²³³ such that the old philosophical question is no longer “what is being?”, but “how is being linked to the division of the earth, *who* has what parts of it, and on what grounds?”. Balibar refuses to critically engage with this question and accepts that proprietary arrangements are necessary. Theorising *ex-appropriation* as the acknowledgement of antinomies in which negation (expropriation) is necessarily constitutive of the subject does two things. First, it *redoubles* appropriation and being as necessary. Second, it proposes that the proper distribution (appropriation) of the political is organised through regimes of ownership. Balibar's analysis is not the economic reductionism that Marx's “expropriation of the

²³¹ Mercier, “review: Étienne Balibar reading Jacques Derrida”, 2018, p. 5.

²³² Balibar, *Equaliberty*, 2014, p. 89.

²³³ Devenney, *Towards an Improper Politics*, 2020, p. 29.

expropriators” announces. Balibar views political, cultural, and ideological infrastructure as having ‘relative autonomy’²³⁴ in the articulation of capital. I argue this itself is insufficient. Nevertheless, Balibar views property as the structure of contemporary inequality rather than a universal determination. The issue is that viewing *expropriation* as a reappropriation rather than a general dislocation means Balibar returns to Marx’s communal regimes of ownership. Here, property is owned by those who create value and necessitates a subject to theorise resistance²³⁵. The limit of politics becomes the modes of appropriation and being that act as constitutive building blocks of the *demos*. Disrupting and remaking these is foreclosed.

Yet, this “impossible” is not beyond the limit of politics. Even if, the policing of appropriation and being works to achieve this. In recent years, Indigenous and decolonial scholarship has highlighted how social relations are made into property and land is reduced to an economic resource in order to facilitate colonial theft. Simultaneously, settler notions of propriety undergirding citizenship are refused, and the invigoration of value-systems which are borne from relationships to this land mark forms of resistance against Indigenous elimination²³⁶. For Marx, capitalist exploitation is reduced to *only* wage-labour expropriation in mature capitalist societies. More importantly though, as I have demonstrated, the logics of appropriation and ontology are rendered as necessary foundations for resistance against this exploitation – something which Hall, Laclau and Mouffe, and Robinson’s analyses all miss. Marx’s analysis renders no space for a politics which conceives land, resources, and the *demos* in general beyond modes of appropriation tied to forms of propriety. Balibar reasserts this nexus as the necessary foundation for any subject, and thus so too, for politics. Here, there is no space for the refusal of racialised, gendered, classed (and beyond) modes of being which legitimise some and disqualify others from taking part in this appropriation. Glen Coulthard argues that Dene resistances to the settler colonial state of Canada are ‘struggles not only *for* land, but also deeply *informed* by what the land as a mode of reciprocal *relationship*...ought to teach us about living our lives in relation to one another and our

²³⁴ Althusser et al, *Reading Capital*, 2016, p. 187.

²³⁵ I come back to this point on the necessity of the subject for politics in Chapter 4.

²³⁶ See Coulthard, *Red Skin, White Masks*, 2014; Betasamosake Simpson, *As We Have Always Done*, 2018; Nichols, *Theft is Property*, 2020.

surroundings in a respectful, nondominating and nonexploitative way'²³⁷. Here resistance does not entail the demand that land is reappropriated by the Dene population as “their property” because they do not view land as something which can be owned but something with which they are in a reciprocal relationship. This is a distinct break from reappropriations of labour-power as *property* to resist capitalist exploitation. Coulthard notes the way in which land is *reduced to* property under capitalist modes of extraction. Dene resistance thus disrupts land as property and animates a different kind of relationship to land. This relationship does not view land as a purely economic resource – that is ownable property which can be used to develop practices of extraction and accumulate capital for the owner. The reappropriation of property – be it labour-power or land – inaccurately describes the work being undertaken by Dene populations. *Ex-appropriation* – that is the animation of relations which settler colonial states try to eliminate and make impossible – constitutes a much more accurate account of this resistance.

Similarly, Leanne Betasamosake Simpson, a member of the Nishnaabeg Indigenous population in Canada, notes that ‘we don’t have this idea of private property or “the commons.”’²³⁸ We practice life over a territory with boundaries that were overlapping areas of increased international Indigenous presence, maintained by more intense ceremonial and diplomatic relationships’²³⁹. Betasamosake Simpson argues that Nishnaabeg anticapitalism is resistance to colonial dispossession but there is no sense in which this dispossessed land is thought as a form of property which must be *reappropriated*. Instead, it is about ‘physically disrupting settler colonial commodification and ownership of the land’²⁴⁰ so that different relationships to land can flourish. For Betasamosake Simpson, this means that land must become pedagogy, as a resurgence of Nishnaabeg intellectual systems, so that land becomes a site of reciprocal learning: ‘like governance and leadership and every other aspect of reciprocated life, education comes from the roots up. It comes from being enveloped by land...liberation and freedom – my freedom to establish and maintain relationships of deep reciprocity

²³⁷ Coulthard, *Red Skin, White Masks*, 2014, p. 60.

²³⁸ I come back to this question of the commons, settler colonialism, proprietary regimes, and *ex-appropriation* in Chapter 3.

²³⁹ Betasamosake Simpson, *As We Have Always Done*, 2017, p. 78

²⁴⁰ Betasamosake Simpson, *As We Have Always Done*, 2017, p. 152.

within a pristine homeland my Ancestors handed down to me'²⁴¹. The establishment of a different relationship to land, one beyond racialised and colonial extractivism, cannot be contained by a narrow analysis of “economic” exploitation as a relationship between value and labour. It is not *simply* the expropriation of a surplus-value from the workers’ labour power and its capacity for valorisation which constitutes exploitation here. It is the settler colonial destruction of entire value systems in regard to land, resources, and kinship. Consequently, resistance as the recuperation of a surplus-value which has been expropriated and a labour-power which is the property of workers makes little sense.

Economic reductionism only serves us so far in the analysis of social formations and material inequalities refracted *through* continued colonialism, cis-heteropatriarchy, a myriad of different racialisations, and more, all of which overlap and intersect. Dene resistance and Nishnaabeg anticapitalism thus demonstrate the limits of a politics premised upon the reappropriation of use-value. The language of expropriation, which itself relies upon notions of appropriation and proper modes of being, fail to capture resistance which evades the settler state’s requirement that demands are made legible through the language of property. Once again, *ex-appropriation* marks the resistance taking place. These resistances are “impossible” under the settler colonial regime. They emerge, in part, from proprietary regimes but do not replay its presuppositions regarding property. As “impossible”, they puncture the very fabric of that regime, demarcating its limit, and pointing towards that which it cannot conceive but remains. Repurposing Derrida’s work, I describe these forms of resistance as “impossible” in that they are “not the unnameable or the unthinkable” and so are always possible.

Ironically, the politics of occupation – outside a settler colonial context²⁴² – also mark this disruption that my rendering of *ex-appropriation* theorises. Here, at the University of Brighton – in *whose* buildings this thesis was partly written as the institution which grants my doctorate in lieu of this thesis – students occupied the Vice-Chancellor’s office in the Moulsecoomb Campus on Thursday 25th May 2023. The occupation lasted 11 days²⁴³. It

²⁴¹ Betasamosake Simpson, *As We Have Always Done*, 2017, p. 154, 163.

²⁴² In Chapter 3, I came back to the difficulty of occupation and “reclaiming” stolen Indigenous land on behalf of settlers in settler colonial contexts.

²⁴³ A suspicious firearm being raised forced students to leave on health and safety grounds. See: Topple, “Some oddly-timed fire alarms have ended the student occupation at Brighton University”, 2023.

protested the University Executive Board's decision to put 400 members of staff in a redundancy pool where, at the end of "consultation process", 130 people would lose their jobs. The students who occupied the university buildings disrupted the regimes of ownership at the University but also displaced the modes of extraction in the wider UK Higher Education sector. A radical yet economically reductionist account of the occupation would argue that the students' protest demonstrated, however briefly, that the university is rightly the property of the staff and students who actually run the place day in, day out: students, lecturers, administrators, cleaners, student services, technical support staff, catering staff and more. If this were true, then the occupation's end on 4th June²⁴⁴ would have announced its failure. The reappropriation of property – the university – remains allusive in the long-run.

However, clearly the occupation has not failed. Instead, the students evidenced as contingent that which the University Executive Board at Brighton – and so many like them across the Higher Education sector in this country, at SOAS²⁴⁵, Queen Mary's²⁴⁶, Manchester²⁴⁷, BIMM²⁴⁸, and beyond – has tried to determine as necessary: university fees, students-as-customers, education as a commodity, government underfunding of higher education²⁴⁹ and uncapping of university places²⁵⁰ (which has contributed to the wider degradation of higher education top-down), financial mismanagement by VCs and UEBs (compounding this degradation²⁵¹), the inevitability of this, and the rejection of staff members' own solution to these crises. The occupation exposed that universities have been hijacked by people employed to extract profits from paying students and underpaid staff – which has always been worse for Black and racialised populations and women²⁵² – as state money to fund education dwindles year-on-year. In making this plain, these

²⁴⁴ Zachary, "As things heat up in Brighton, university students and staff refuse to back down", 2023.

²⁴⁵ Duffy, "University faces anger after 'morally indefensible' 100% pay deductions from staff over marking boycott", 2023.

²⁴⁶ Fazackerley, "University accused of 'vindictive attack' as staff lose 21 days' pay over protest", 2022.

²⁴⁷ See Halle-Richards, "University of Manchester students occupy three campus buildings amid row over rent", 2023; Virgo, "Manchester University takes students to High Court over occupation of Simon building", 2023.

²⁴⁸ Nicholson, "BIMM Institute students in Brighton campaign against staff changes", 2023.

²⁴⁹ Hillman, "10 'killer facts' about higher education finance", 2022; Gillespie, "Higher education funding shake-up: what it means for students and universities", 2022.

²⁵⁰ Kernohan, "Student number controls won't fix higher education in the UK", 2021.

²⁵¹ Wandsworth, "University to make 110 staff redundant", 2023.

²⁵² Croxford, "Ethnic minority academics earn less than white colleagues", 2018; Amery et al, "Why do UK universities have such large gender pay gaps?", 2019.

students politicised the terrain which university senior management situated as apolitical. As political, not neutral, circumstances, these can – and must – be re-arranged. The occupation thus formulates this question: “how is being linked to the division of the university, *who* controls university infrastructure (be it curriculums or physical buildings), and on what grounds?” In other words, why are *some* members of staff and students denied access to decision-making within the university? Why are racialised, gendered, and disabled populations made more precarious? Why are they at greater risk of losing their jobs and having their wages stolen (as has been exacerbated across Higher Education in the UK for the past 13 years)? Why are these inequalities *always* exacerbated for those who are racialised, gendered, disabled, and so forth? Here then, as the occupation poses these questions, an animation – that is a kind of *expropriation* – takes place in which different kinds of education are made possible.

Conclusion

I began this chapter by arguing that Marx’s analysis of capital is often understood as a reductive one which constitutes a range of inequalities as secondary to his labour theory of value. This is not a novel claim. As I have shown, Stuart Hall, Ernesto Laclau and Chantal Mouffe, and Cedric Robinson have all – in different ways – made this argument. What is novel though is I argue that this economic reductionism accepts the nexus of appropriation and being as foundational to politics. I demonstrate that, on this reading, labour-power is a property – as well as a commodity – which must be reappropriated by its proper owners. Yet this does not disrupt the politicisation of ontology. I turn to Devenney’s proprietary regime as an analytic for this thesis to theorise how regimes of ownership distribute inequalities. I demonstrate that proprietary regimes of ownership analyse interlocking oppressions which remain irreducible to class, “race”, gender, disability, etc., as singular determinations without underplaying the importance of property. In light of this, I use “expropriation” in quotation marks throughout the rest of this thesis²⁵³. This analytic signals towards a labour theory of value I find inadequate and remains incompatible with proprietary regimes. Nevertheless, I do so to acknowledge

²⁵³ When analysing Marx’s so-called “primitive accumulation” in Chapter 2, literature on the commons in Chapter 3, and Black Studies and Black radical literature on the category of Blackness in Chapter 5.

that the literature I engage with is drawing – in no small part – inspiration from Marx’s analysis when deploying this term.

In the last part of this chapter, I theorise *ex-appropriation* as the very disruption of proprietary regimes of ownership. I “appropriate” this neologism from Jacques Derrida’s work and theorise it in relation to political resistance, the politics of property, and the distribution of inequality in ways he does not. I develop *ex-appropriation* as an analytic that describes the way in which Indigenous resistance and ways of living, occupations, and so much more disrupt proprietary regimes of ownership. They disrupt the unequal access to resources, land, political infrastructure and beyond. They animate and *make possible* that which structures of domination situate as “impossible”. This analysis moves scholarship which views appropriation and ontology as *constitutive of* or foundational to politics. This both radicalises resistance but also means that there is no “event” which will finally upturn these regimes. It radicalises resistance because – as the phrase “*expropriety of the proper*” gestures – resistance is always possible. This is not to say it is likely, only that we can always reproduce our lives and their interpolation within proprietary relations differently. In this sense, the possibility of resistance haunts these regimes, much like absence haunts the metaphysics of presence for Derrida. Fittingly, there is no “event” of revolution. New proprietary arrangements are always possible. Structures of domination can always attempt to foreclose what is possible in any political landscape. Thus, communal regimes of ownership cannot be the limit of political theory, even if we concur that transport, energy, and housing networks should be nationalised, and food price-capped in times of high inflation. These forms of political resistance must not be confused with the proprietary apparatus that institutes them.

I remake *ex-appropriation* as a tool for political theory, thinking this analytic in relation to proprietary regimes. This goes further than Devenney’s analysis. *Ex-appropriation* explains *how* resistance disrupts and remakes proprietary relations under the purview of ownership. The disruption of proprietary regimes of ownership – the nexus of appropriation and being – underpins the rest of this thesis. In Chapter 2, I outline the way in which social relations are constituted as property and people as proprietary subjects to facilitate this unequal distribution in ways that “expropriation” does not. In Chapter 3, I argue that communal regimes of ownership fail to divest from proprietary relations.

Chapter 4 performatively theorises democracy as political resistance which – like *ex-appropriation* – disrupts regimes that distribute precarity and resources through modes of appropriation and being. In Chapter 5, I remake the category of Blackness as a political analytic which theorises the kind of resistance that *ex-appropriation* does – resistance which cannot be contained by the proprietary relations that define material inequalities.

Chapter 2: Property and Proprietary Regimes

Introduction

In this chapter, I develop property as an overdetermined complex. I define two ways in which property operates as a tool within proprietary regimes of ownership to distribute interlocking forms of material inequality. Property is a capacious tool which participates in the distribution and reproduction of material inequalities through the intertwined processes of “propertisation” and the production of dispossessive subjectivities which rely upon forms of appropriation and being. Unlike other recent contributions²⁵⁴, I propose that property is a mechanism that operates across innumerable interlocking material inequalities such as Indigenous land dispossession, racialised exploitation, gendered and sexualised violence, and wage-labour exploitation, facilitating these as *interrelated* oppressions which rely upon one another. In doing so, I refuse reductive readings of the capital relation as the telos of material inequality and property as the “material base” that facilitates colonial, racialised, gendered, and other oppressions and renders these as foundational to capital accumulation. I intervene in recent Black radical and Indigenous studies reworkings of “so-called primitive accumulation”, arguing that these continue to prioritise the capital relation in material inequality and view property as a tool for capital accumulation.

First, I analyse recent re-workings of Marx’s analysis on so-called primitive accumulation. Indigenous and Black radical scholarship that examines the politics of property often relies on Marx’s theoretical tools²⁵⁵. This analysis of property rests upon the distinction between capital accumulation and so-called primitive accumulation. I argue that the distinction between so-called primitive accumulation and capital accumulation no longer holds when viewing the social formation as a proprietary regime rather than a

²⁵⁴ See Bhandar, *Colonial Lives of Property*, 2018; Nichols, *Property is Theft*, 2020; Moreton-Robinson, *The White Possessive*, 2015; Ranganathan and Bonds, “Racial regimes of property”, 2022.

²⁵⁵ See Coulthard, *Red Skin, White Masks*, 2014; Issar, “Theorizing ‘racial/colonial primitive accumulation’”, 2021; Brown, “The logic of settler accumulation in a landscape of perpetual vanishing”, 2014; Moreton-Robinson, *The White Possessive*, 2015; Ranganathan and Bonds, “Racial regimes of property”, 2022.

capitalist one structured by the primary antagonism of wage-labour exploitation. I thus interrogate the work of Glen Sean Coulthard, Siddhant Issar, and Nicholas Brown which theorises capitalist accumulation as an integrated process of Indigenous land dispossession, racialised “expropriations”, and wage-labour exploitation²⁵⁶. I take the lead from and intervene in Black radical and Indigenous scholarship but also develop these. I argue that so-called primitive accumulation serves to prioritise the capital relation in analyses of material inequality. Second, I argue that preserving the analytic of so-called primitive accumulation, even with an Indigenous studies and Black radical lens, continues to presuppose that property is a tool for the accumulation of capital. I propose this flattens the theoretical analysis of property as a tool in the distribution and reproduction of material inequalities. Glen Sean Coulthard, Nicholas Brown, and Justin Paulson and Julie Tomiak²⁵⁷ continue to view Indigenous dispossession and racialised forms of violence as modes of so-called primitive accumulation. I demonstrate that, in different ways, this presupposes that property functions merely in the interests of capital accumulation. Third, I theorise the relationship between property and proprietary relations, outlining two ways in which property is used as a proprietary tool: the transformation of social relations into property and dispossessive subjectivities. In offering conceptual clarity over the role property plays in proprietary regimes of ownership, the chapter sets up the analytical framework that will be used throughout the rest of the thesis when theorising political resistance against the material inequalities proprietary regimes of ownership distribute.

Section 1 – “So-called Primitive Accumulation”

This section offers a genealogy of select analyses on the concept of primitive accumulation. I demonstrate that this analytic confines material inequality to wage-labour exploitation. This argument lays the groundwork for the following section. There, I demonstrate the problems of primitive accumulation as an analytic for theorising property. I begin by briefly outlining Karl Marx’s work on “so-called primitive

²⁵⁶ See Coulthard, *Red Skin, White Masks*, 2014; Issar, “Theorizing ‘racial/colonial primitive accumulation’”, 2021; Brown, “The logic of settler accumulation in a landscape of perpetual vanishing”, 2014.

²⁵⁷ Paulson and Tomiak, “Original and Ongoing Disposessions”, 2022.

accumulation” within his analysis of the transition to capitalist societies and processes of capital accumulation. I then demonstrate how developments of so-called primitive accumulation have failed to displace the capital relation as the central antagonism of material inequality: from Samir Amin’s²⁵⁸ critique of Marx’s developmentalism, De Angelis’²⁵⁹ expansion of so-called primitive accumulation beyond enclosure, and David Harvey’s²⁶⁰ development of dispossession. In the second half of this section, I turn to recent reworkings from Black radical and Indigenous scholarship. I argue that Glen Sean Coulthard, Siddhant Issar, and Nicholas Brown all offer important caveats to these developments by integrating Indigenous dispossession and anti-Blackness as interrelated processes within capital accumulation. However, I conclude that these contemporary accounts do not displace the capital relation as the telos of their analyses such that these material inequalities are *figured through* the accumulation of capital. I argue that this refuses economic reductionism but continues to prioritise the capital relation in ways that the analytic of proprietary regimes does not.

I focus on Black radical and Indigenous scholarship that interpolates so-called primitive accumulation at the expense of fuller explanatory accounts of inequality such as those of Rosa Luxemburg²⁶¹ and Friedrich Engel²⁶². In doing so, my critique so too forgoes an articulation of explanatory power. I do this for two reasons. First, this thesis develops proprietary regimes in relation to Black radical and Indigenous scholarship. Thus, my focus lies in those reworkings of so-called primitive accumulation which attend to the violence and inequality suffered by racialised and colonised populations. There already exist a number of excellent anti-colonial critiques and engagements with both Luxemburg and Engels on this²⁶³. This thesis is more concerned with the assumptions regarding property inherent in Black radical and Indigenous scholarship that interpolates so-called primitive accumulation as an analytic. Second, my theorisation of proprietary regimes explicitly refuses explanatory power in the way that Engels develops. I take the

²⁵⁸ Amin, *Accumulation on a World Scale*, 1974.

²⁵⁹ De Angelis, “Marx and primitive accumulation”, 2001.

²⁶⁰ Harvey, *The New Imperialism*, 2003.

²⁶¹ Luxemburg, *The Accumulation of Capital*, 2003.

²⁶² Engels, *The Origin of the Family, Private Property, and the State*, 1972.

²⁶³ Gordon and Cornell, *Creolizing Rosa Luxemburg*, 2021; Vögele, “Familiar Ownership”, 2024; Said, *Culture and Imperialism*, 1994.

lead from Hannah Vögele²⁶⁴ on this, whose excellent work demonstrates the importance of Engels to contemporary feminist scholarship on gender and class as well as its critical reception in Black Studies and queer scholarship. Yet, Vögele also points out that the explanatory power of Engels' analysis relies upon Lewis Henry Morgan's²⁶⁵ colonial, ethnographic work, racist characterisations of Indigenous populations as primitive, and assumes colonial dispossession has already taken place. As I demonstrate throughout this chapter, settler colonialism persists in the present and dispossession is a continuous rather than purely historical task²⁶⁶. I do not consider proprietary regimes of ownership to offer such an exhaustive and explanatory account of inequality. Instead, this thesis is interested in the way in which property is interpolated as a proprietary tool in forms of ownership and how to theorise resistance against ownership. This mediation on property, proprietary ownership, and resistance thus lacks explanatory in the way Engels offers but provides a more nuanced theorisation of ownership and resistance.

i – The Developmentalism of “So-called Primitive Accumulation”

As is well-known to readers of Marx, his analysis of “so-called primitive accumulation” is a fundamental rejection of political economic narratives at the time²⁶⁷. Such narratives justified the ‘great poverty of the majority’²⁶⁸ as a kind of original sin tale. Here, the intelligent and frugal accumulated wealth and property as the ‘lazy rascals [were] spending their substance, and more, in riotous living’²⁶⁹ such that they had nothing to sell but themselves and were forced into exploitative wage-labour. For Marx, a pre-history of capitalism, wherein ‘accumulation...is not the result of the capitalist mode of production but its point of departure’²⁷⁰, certainly exists but the division between the frugal and lazy is ‘insipid childishness’²⁷¹. It is a fairy-tale burying the ‘conquest, enslavement, robbery,

²⁶⁴ Vögele, “Familiar Ownership”, 2024.

²⁶⁵ Morgan, *Ancient Society*, 1877.

²⁶⁶ As Vögele notes, Engels visited New York State at the very time Haudenosaunee populations were resisting dispossession by the US settler colonial state but continued to use Morgan's story of the Iroquois Gens to explain German nationhood. See Vögele, “Familiar Ownership”, 2024.

²⁶⁷ Particularly the work of liberal philosopher Adam Smith. See Smith, *The Wealth of Nations*, 1977.

²⁶⁸ Marx, *Capital: Volume 1*, 1990, pp. 873.

²⁶⁹ Marx, *Capital: Volume 1*, 1990, pp. 873.

²⁷⁰ Marx, *Capital: Volume 1*, 1990, pp. 873.

²⁷¹ Marx, *Capital: Volume 1*, 1990, pp. 873.

murder, in short, force'²⁷², which is a necessary precursor to capitalist accumulation. Marx's so-called primitive accumulation is then a violent process which precedes capitalism and works to create the "capital-relation" by 'divorcing the worker from the ownership of the conditions of his own labour'²⁷³. In this process, 'subsistence and production are turned into capital' and 'the immediate producers are turned into wage-labourers'²⁷⁴. Here, Marx posits wage-labour exploitation as proper to capitalism; all other modes of dispossession and exploitation are situated outside the "capital-relation". What Marx terms "extra-economic" force is prior to the "capital-relation", part of capitalism's pre-history and "primitive" in that it is the origin of wage-labour exploitation – the historical foundation which made it possible.

Samir Amin²⁷⁵ refuses this, arguing it is a Eurocentric analysis of capitalism, one centred on the wage-labour exploitation in Europe (particularly England). This means Marx consigns primitive accumulation to the pre-history of capitalism – a stage *prior to* the "capital-relation" proper. For Amin, contra Marx, neither countries nor industries can be divided into capitalist and pre-capitalist modes. Instead, Amin views capitalist accumulation as it operates *across* countries and sectors in a 'world capitalist system'²⁷⁶. This does not necessarily describe a universal framework for conceiving capitalist accumulation. It instead points to the way in which extra-economic forces, what Marx considers "primitive" forms of accumulation, operate in tandem with the "silent compulsion" of economic forces to transfer capital and wealth to the Global North centres of capitalist production. This "underdevelops", what Amin terms, the "peripheries"²⁷⁷ of this world system through value and capital extraction: 'whenever the capitalist mode of production enters into relations with precapitalist modes of production, and subjects these to itself, transfers of value take place from the precapitalist to the capitalist formations, as a result of the mechanisms of *primitive accumulation*'²⁷⁸. Here, primitive accumulation continues to name the violent

²⁷² Marx, *Capital: Volume 1*, 1990, pp. 874.

²⁷³ Marx, *Capital: Volume 1*, 1990, pp. 874.

²⁷⁴ Marx, *Capital: Volume 1*, 1990, pp. 874.

²⁷⁵ Amin, *Accumulation on a World Scale*, 1974.

²⁷⁶ Amin, *Accumulation on a World Scale*, 1974, p. 2.

²⁷⁷ See Amin, *Accumulation on a World Scale*, 1974.

²⁷⁸ Amin, *Accumulation on a World Scale*, 1974, p. 3. Italics original.

processes which make wage-labour exploitation possible. But it is not necessarily confined to *only* those violent processes which, in Marx's terminology, alienate workers from the means of subsistence and production, turning them into wage-labourers. Rather, so-called primitive accumulation is the violent extra-economic force which instigates the 'transition from precapitalist social formations to the social formations of *peripheral* capitalism'²⁷⁹. It draws people and communities into the "capitalist world system", transforms ways of living, subsisting, and producing, and transfers value, capital, and wealth from these communities to the centres of capitalist production which rely upon wage-labour exploitation.

However, this analysis is inaccurate. Amin focuses too heavily upon proletarianization. For Amin, 'two conditions are essential for the development of capitalism: proletarianization, and the accumulation of money capital'²⁸⁰. In doing so, he misses (at least) two modes by which capital is accumulated beyond proletarianization and wage-labour exploitation: the segmentation of Black and racialised labour and the dispossession of Indigenous land. This happens in two ways. First, Amin proposes that so-called primitive accumulation is *proper* to the "capital-relation" – that is wage-labour exploitation – not something external to it. Second, whereas Marx's analysis conceives of so-called primitive accumulation as a precursor to states maturing into "developed" capitalist states²⁸¹ which rely upon wage-labour exploitation (i.e. the "capital-relation"), Amin dispenses with this idea by demonstrating that centres of capitalist production hold – by force, if necessary – periphery capitalist social formations in a position of underdevelopment. As such, Amin rightly offers a corrective to the developmentalism inherent in Marx's analysis of so-called primitive accumulation. Yet he continues to offer a narrow focus when it comes to so-called primitive accumulation by centring proletarianization and wage-labour exploitation which belies the complex way in which capital accumulation takes place. This continues to reinforce a developmentalist narrative.

²⁷⁹ Amin, *Accumulation on a World Scale*, 1974, p. 138. Italics mine.

²⁸⁰ Amin, *Accumulation on a World Scale*, 1974, p. 139.

²⁸¹ Marx, *Capital: Volume 1*, 1990, pp. 899-901.

In many ways, this mirrors the economic reductionism, which I evidenced in Chapter 1. Amin argues that the manoeuvre from precapitalist to peripheral capitalist social formations, requires ‘the creation and expansion of an internal market that is formed through the break-up of previously existing modes of production’²⁸². Here precapitalist modes of production include, for Amin, the ‘slave-owning mode of production’ as well as the feudal, tributary, and simple commodity modes of production. Consequently, chattel slavery is not a capitalist relation for Amin but a precapitalist operation of forced labour, a mode of production which is broken up in order for the capital relation proper – proletarianization – to take hold and function as the central method of underdevelopment. Yet as Du Bois famously argued, chattel slavery was not incidental to capital accumulation, particularly in the US. Chattel slavery, as forced and *unpaid* labour, was the very foundation upon which industries across the US accumulated capital, built profits, and exploited white workers by keeping wages superficially low as enslaved people provided a surplus of free labour²⁸³. Du Bois’ work thus refuses the assumptions – shared by both Amin and Marx – that chattel slavery is a precapitalist social formation, that wage-labour exploitation is the primary mode of exploitation, and that “extra-economic” force (which makes wage-labour exploitation possible) is beyond capitalist production. I will come back to the specifically racialised exploitation of Black, colonised, and racialised populations later. I propose that contemporary segmented labour markets, mass incarceration, and the constitution of “surplus populations” demonstrates that the racialised exploitation of Black populations is integral to material inequalities today. In doing so, I argue that these cannot be separate or foundational processes that operate *prior to* capital accumulation.

The developmentalism of Marx and Samir Amin’s analysis of so-called primitive accumulation has been, somewhat, countered by Massimo De Angelis²⁸⁴ and David Harvey²⁸⁵. Both view so-called primitive accumulation as a contemporary mode of “expropriation” which is integral to the reproduction of capital accumulation. However, I argue that De Angelis and Harvey offer slightly contradictory accounts of so-called

²⁸² Amin, *Accumulation on a World Scale*, 1974, p. 139.

²⁸³ Du Bois, *Black Reconstruction in America*, 2013, p. 11-12, p. 18.

²⁸⁴ De Angelis, “Marx and primitive accumulation”, 2001.

²⁸⁵ Harvey, *The New Imperialism*, 2003.

primitive accumulation's role in relation to capital accumulation. De Angelis situates primitive accumulation as a continuous process that is necessary to capital accumulation. Whilst Harvey rethinks primitive accumulation into his own "dispossession by accumulation"²⁸⁶ and positions it as capital's response to its own crises. Despite this difference, I propose that both continue, as Marx and Amin do, to view the capital relation as the primary mode of inequality into which all other forms of oppression cohere, reaffirming it as the telos that organises these. As such, they fail to account for the interrelated character of material inequalities.

As is well-known to Marxist scholars, Massimo De Angelis expands so-called primitive accumulation. With him, this analytic becomes more than just a set of enclosures. De Angelis returns to Marx, highlighting that both the capital relation and so-called primitive accumulation rest upon the separation of producers from the means of production. For De Angelis, this is central to Marx's analysis of political economy. He proposes that the key difference between the capital relation and so-called primitive accumulation is 'not...a substantive one' but a 'difference in the conditions and forms in which this separation is implemented'²⁸⁷. De Angelis writes that, primitive accumulation 'implies the *ex novo* production of the separation' between labourer and the means of production. Meanwhile, the capital relation 'implies the reproduction – on a greater scale – of the same separation' such that the difference is 'in the conditions and circumstances in which this separation is enforced'²⁸⁸. In doing so, De Angelis, highlights how not just enclosures but other forms of so-called primitive accumulation exist. Interestingly, Onur Ulas Ince²⁸⁹ has developed De Angelis' assertion to include settler forms of accumulation. For Angelis, these include: public debt²⁹⁰, the modern fiscal

²⁸⁶ See Harvey, *The New Imperialism*, 2003.

²⁸⁷ De Angelis, "Marx and primitive accumulation", 2001, p. 6.

²⁸⁸ De Angelis, "Marx and primitive accumulation", 2001, p. 8-9. Italics original.

²⁸⁹ Ince, "Primitive Accumulation, New Enclosures, and Global Land Grabs", 2014.

²⁹⁰ De Angelis quotes from Marx who argues that public debt 'endows unproductive money with the power of creation and thus turns it into capital, without forcing it to expose itself to the troubles and risks inseparable from its employment in industry'. See De Angelis, "Marx and primitive accumulation", 2001, p. 11.

system²⁹¹, and an international credit system²⁹². Similarly, for Ince, land grabs in Africa are not simply the enclosure of land at the final frontier of capitalism but, viewed through the prism of colonialism *and* capitalism, already integrated parts of this ecology. Later, I will discuss how this analysis resembles scholarship that views *contemporary* forms of colonial dispossession under the purview of so-called primitive accumulation as well. For now though, I highlight the fact that, as De Angelis himself notes, this analysis situates primitive accumulation as continuous *with* Marx's capital relation rather than a historical process in the development of mature capitalist societies²⁹³. For De Angelis, the former is "inherent-continuous primitive accumulation"²⁹⁴. Rosa Luxemburg can be viewed as a proponent whilst Vladimir Lenin adopts the historical approach. He builds upon Luxemburg to argue that 'separation does not only indicate the rupture between modes of production in an epochal period of "transition" [which] implies that primitive accumulation cannot be confined to a distant past'²⁹⁵. As such, he proposes that, for Marx, 'there is nothing indicating that this separation may not occur any time, even within a "mature" capitalist mode of production'²⁹⁶.

De Angelis views the adoption of the inherent-continuous rather than the historical approach to so-called primitive accumulation as a political manoeuvre. This is because it dispenses with the Trotskyite and Stalinist idea²⁹⁷ that countries – like Russia after the

²⁹¹ Again De Angelis quotes Marx who writes that the modern fiscal system's 'pivot is formed by taxes on the most necessary means of subsistence (and therefore by increases in their prices)' so the taxing of necessary items creates an over reliance upon wage-labour to source more of these which labourers have been separated from. See De Angelis, "Marx and primitive accumulation", 2001, p. 11.

²⁹² For De Angelis, this grows alongside national debt and provides the main source of so-called primitive accumulation: lots of capital generated by national debt which appears abroad such as the UK during its colonisation of various countries or US imperialism. See De Angelis, "Marx and primitive accumulation", 2001, p. 11.

²⁹³ There has been a lot of scholarship inferring that primitive accumulation is *only* a historical process by drawing on Marx's account of so-called primitive accumulation in the development of English capitalism in his own time. Maurice Dobb is particularly influential in this scholarship. See Dobb, *Studies in the Development of Capitalism*, 2008.

²⁹⁴ De Angelis, "Marx and primitive accumulation", 2001, p. 4.

²⁹⁵ De Angelis, "Marx and primitive accumulation", 2001, p. 9.

²⁹⁶ In this way, De Angelis demonstrates (akin to Amin and contra the historical account that view land enclosure as part of the development from feudalism to capitalism) that 'primitive accumulation is consistent with an understanding of the capitalist economy as a world economy...in which accumulation in one place may correspond to primitive accumulation in another place, in which the *ex novo* production of the separation can be the condition of the reproduction of the same separation in another interlinked place'. De Angelis, "Marx and primitive accumulation", 2001, p. 9; 11.

²⁹⁷ Sheila Fitzpatrick outlines that Trotsky and Stalin disagreed over *how* to implement this idea and develop the economy but that both involved the separation of workers from the means of production so

1917-1923 revolution – must go through the historical stages of capitalist development that Marx identifies in order to gain class consciousness. In short, people must first be separated from the means of production and alienated. De Angelis writes despairingly that, ‘to consider "primitive accumulation" as an historical phase rather than a recurrent strategy vis-à-vis the continuous character of struggles, has opened the way even for "revolutionaries" to welcome it and promote it as a necessary stage towards "socialism"'²⁹⁸. I agree with De Angelis that such an assertion is plainly absurd. However, I have a wider concern with De Angelis’ analysis of so-called primitive accumulation and the capital relation, rather than an intricate dispute within Marxist theory, interesting though these are. For De Angelis, so-called primitive accumulation is no longer historically incipient to capitalism. In many ways, this refuses the developmentalism of Marx, Amin, and others like Leon Trotsky. Yet, an undifferentiated alienated labour continues to be the key determinate of exploitation for De Angelis’ analysis: ‘the divorcing embedded in the definition of primitive accumulation²⁹⁹ can be understood not only as origin of capital vis-à-vis pre-capitalist social relations, but also as a reassertion of capital’s priorities vis-à-vis those social forces that run against this separation’³⁰⁰. In other words, so-called primitive accumulation is a *direct result* of capital’s reaction to social forces that try to keep producers as owners of the means of production. Here, so-called primitive accumulation is subservient to the logic of capital, existing as a *consequence of* a teleological capital that drives to separate producers from their means of subsistence. Once again, an undifferentiated labour is the primary antagonism of material inequality. In short, this reproduces the very economic reductionism that I outlined in Chapter 1. This analysis misses that material inequalities of class, gender, “race”, colonialism, sexuality, disability, and so forth are interlocking and proprietary.

that the state could repossess these. This has been termed ‘socialist primitive accumulation’. See Fitzpatrick, *The Russian Revolution*, 2017, p. 115; Preobrazhensky, *The New Economics*, 1967.

²⁹⁸ De Angelis, “Marx and primitive accumulation”, 2001, p. 19.

²⁹⁹ That is between so-called primitive accumulation and capital relation i.e., the reproduction and the production of the separation of labour from the means of production.

³⁰⁰ De Angelis, “Marx and primitive accumulation”, 2001, p. 14.

In many ways De Angelis' work can be read as a response to the proliferation of "New Enclosures" scholarship from which David Harvey's work emerges. De Angelis does not accept that so-called primitive accumulation simply refers to enclosure. Yet Harvey, Federici, and others viewed the privatisation of states assets in the USA, UK, and Africa as new forms of enclosures³⁰¹. However, I argue that De Angelis and Harvey's work also are complementary. Despite their theoretical differences over enclosure, both De Angelis and Harvey view so-called primitive accumulation as a response to processes of accumulation and the reproduction of capital. This stems from their appreciation for Rosa Luxemburg. Harvey analyses the privatisation of public, state-owned assets that has occurred in Britain and across the world since 1979 as a 'new round of "enclosures of the commons"'³⁰². Here, the public and state are dispossessed of nationally owned assets which are sold off cheaply to private investors who can make vast profits and accumulate wealth. He terms this "accumulation by dispossession". This lays the groundwork for cheapened labour in the privatisation of state services (as in Britain with railway, water, energy and postal services) as well as rising costs of these services to the general public (which further boosts profits) despite widespread decline as capital investment abandons industries once the asset boom is over and investment is no longer profitable (as took place in Argentina, South Africa, and after the collapse of the Soviet Union³⁰³).

Accumulation by dispossession reworks so-called primitive accumulation and begins with Luxemburg's analysis of capitalist accumulation. Luxemburg proposes that crises of underconsumption result from the expanded reproduction of capital³⁰⁴. Harvey disagrees and proposes that overaccumulation is the proper capitalist crisis³⁰⁵. For

³⁰¹ See The Midnight Collective, *The New Enclosures*, 1990; Christophers, *The New Enclosure*, 2018; Federici, "Who Owns the Land?", 2001.

³⁰² Harvey, *The New Imperialism*, 2003, p. 158.

³⁰³ Harvey, *The New Imperialism*, 2003, p. 159-160.

³⁰⁴ Luxemburg follows Marx's account of so-called primitive accumulation – noted above – and situates 'predation, fraud, and violence to an "original stage" that is no longer relevant' as silent economic compulsion is the *modus operandi* of capitalist accumulation. Luxemburg argues the expansion of the latter, what she terms "expanded reproduction", is the guiding force of imperialist expansionism as 'trade with non-capitalist social formations provide the only way to stabilize' the crisis of underconsumption that results from capitalist exploitation – thus profitable investment lies *outside* capitalist borders. See Harvey, *The New Imperialism*, 2003, p. 143.

³⁰⁵ Here, the lack of profitable investment in capitalist social formations requires ever cheaper inputs (labour, resources, land, etc) or new markets to be opened up from its 'outside' (such as non-capitalist

Harvey, expanded reproduction leads to overaccumulation – the surplus capital accumulated from exploiting new markets must be reinvested lest its value dwindle over time. Without internal political reform and wealth redistribution, there is a compulsion to further grow capital. Harvey argues that this necessitates the cheapening of resources and results in the neoliberal privatisation of state assets³⁰⁶ – the “expropriation” of what was held common to further capital accumulation. Here then, contra Luxemburg, expanded reproduction is not opposed to primitive accumulation. Rather expanded reproduction leads to accumulation by dispossession. Similarly, as noted above, De Angelis views so-called primitive accumulation as a response by capital to the gains of resistance movements. He writes that, ‘to the extent class conflict creates bottlenecks to the accumulation process in the direction of reducing the distance between producers and means of production, *any strategy used to recuperate or reverse* this movement of association is entitled with the categorisation – consistently with Marx’s theory and definition – of primitive accumulation’³⁰⁷. The difference between the two is that De Angelis views so-called primitive accumulation as *part of* the capital relations whereas Harvey, perhaps following Luxemburg more closely, situates dispossession as external to the capital relation. For the latter, it is the exercise of drawing assets, labour, and land into capitalist relations from its “outside”. In this analysis, “primitive” accumulations are merely a set of extra-economic tools for managing capitalist crises, either internal or external to the logic of capital³⁰⁸. Regardless, the capital relation is the telos of material inequality.

ii – “Primitive” Accumulations and Settler Colonialism

formations or hitherto socialised, nationalised, or common assets) to aid reinvestment and further grow profits.

³⁰⁶ It is often understood that neoliberal privatization begins as a political project in 1979 with the election of Margaret Thatcher in Britain. However Harvey dates this back to 1973 when the Bretton Woods System of US currency value control broke down and made it easier for new countries, regions and organizations to enter into the global financial order, creating ‘new’ markets for capital expansion but also generating the capacity for IMF and World Bank debt restructuring arrangements to take hold as they focused on the privatization of previously common assets which could or rather *should* (as political orthodoxy dictated in the Global North) be privatized in order to generate profit to subsidise interest payments on IMF loans.

³⁰⁷ De Angelis, “Marx and primitive accumulation”, 2001, p. 15. My italics.

³⁰⁸ Onur Ulas Ince, Jodi Byrd et al, and Siddhant Issar have all articulated this critique of Harvey’s analysis of dispossession which separates colonialism from capitalism and thinks dispossession outside of Indigenous dispossession. See Ince, “Between Equal Rights”, *Political Theory*, 2017; Byrd et al, “Predatory Value”, *Social Text*, 2018; Issar, “Theorizing ‘racial/colonial primitive accumulation’”, 2021.

In recent years, scholars have intervened at the intersection between capitalism, settler colonialism, and so-called primitive accumulation to disrupt capital as a telos, showing that on-going colonial incursions are important for the reproduction of capitalism³⁰⁹. Glen Sean Coulthard³¹⁰ and Siddhant Issar³¹¹ have developed the colonial relation and the anti-Black relation, respectively, as analytics which refute the idea that so-called primitive accumulation is capital's response to the problem of expanded reproduction. Instead, Indigenous dispossession and, what Issar terms, "racial/colonial primitive accumulations" are foundational to the reproduction of capital accumulation in settler colonial states such as the US and Canada. Nicholas Brown³¹² provides perhaps the most integrated analysis of settler colonialism and capital accumulation through his concept of "settler accumulation", in which the priorities of settlers and capital play off against one another. I begin this section by demonstrating how Coulthard and Issar expand Marx's capital relation by refusing Harvey and De Angelis' analysis (of expanded reproduction, crisis, and so-called primitive accumulation), to constitute racial "expropriations" and Indigenous dispossessions as central to capital. I then reflect upon Brown and Ince's work to demonstrate the theoretical specificity of so-called primitive accumulation they develop. Throughout, I draw upon Sandy Grande's³¹³ work to support my analysis. I conclude that despite these important revisions, so-called primitive accumulation, continues to misapprehend the interlocking character of material inequalities. In the following section, I argue that this has important consequences for theorising property as a tool in the distribution of material inequalities.

Glen Sean Coulthard argues, contra Amin, that dispossession is a contemporary mode of "expropriation" which (a) must be understood as a form of primitive accumulation and (b) is integral to the reproduction of capital accumulation. For Coulthard, like Harvey, dispossession is a concurrent phenomenon which runs alongside, what Marx and Amin might think of as, capitalist exploitation proper. Both Coulthard and Harvey figure

³⁰⁹ Alyosha Goldstein offers a compelling account of how Harvey's analysis is insufficient for settler colonial states like the US and Canada wherein colonialism is the foundation upon which capitalist relations rest. See Goldstein, "On the Reproduction of Race, Capitalism, and Settler Colonialism", 2018, pp. 44-45.

³¹⁰ Coulthard, *Red Skin, White Masks*, 2014.

³¹¹ Issar, "Theorizing 'racial/colonial primitive accumulation'", 2021.

³¹² Brown, "The logic of settler accumulation in a landscape of perpetual vanishing", 2014.

³¹³ Grande, "Accumulation of the primitive", 2013.

dispossession as a form of primitive accumulation – processes which are foundational to capitalist exploitation and are, if necessary, supported by modes of “extra-economic” force. Novel to their accounts is that primitive accumulations are *ongoing* processes which operate as the foundation upon on which capital accumulation takes place. Coulthard analyses on-going Indigenous land dispossession in Canada and demonstrates that this settler colonial state incorporates liberal modes of recognition in order to pacify Indigenous resistance at the behest of capitalist exploitation. Sandy Grande³¹⁴ also assesses how deep-seated the project of settler colonialism is by way of so-called primitive accumulation. They argue that resistance movements like Occupy Wall Street are in the habit of “accumulating” without reflecting on what they position as “primitive”, such as Indigenous forms of protest. Here, so-called primitive accumulation does not necessarily mean violent dispossession. Coulthard concurs. For him, so-called ‘primitive accumulation no longer appears to require the openly violent dispossession of Indigenous communities and their entire land and resource base, [but] *it does demand that both remain open for exploitation and capitalist development*’³¹⁵. Primitive accumulations are then contemporary functions of capitalist exploitation, not its precursor. They pave the way for wage-labour exploitation (such as cheap labour in the extraction of oil, development of oil pipelines, and oil transportation to US industries from dispossessed Indigenous land) and facilitate capital accumulation.

Coulthard names these so-called primitive accumulations dispossessing people *for their land* rather than to utilise their cheapened labour (as Marx and Amin’s developmental focus on proletarianization prioritises): the “colonial relation”. The colonial relation not only complicates Luxemburg’s stark distinction between expanded reproduction (legal, economic force) and so-called primitive accumulation (illegal, extra-economic force). It also reverses Harvey’s analysis. For Coulthard, dispossession is a mechanism *for* the expansion of capital accumulation upon Indigenous land – what Luxemburg terms expanded reproduction. The dispossession of the Dene people through a politics of recognition enables the expansion of capital and the transformation of Indigenous resources and relations into market ones. Once this orthodoxy gains

³¹⁴ Grande, “Accumulation of the primitive”, 2013.

³¹⁵ Coulthard, *Red Skin, White Masks*, 2014, p. 77. My italics.

traction, Indigenous resistance becomes about jockeying for a market share of the capital accumulated on their stolen land. In this context, Indigenous dispossession less solves the overaccumulation created by expanded reproduction than it facilitates capitalist expansion. In sum, dispossession is the *foundation* for capitalist accumulation, not a solution to one of its crises. Coulthard’s analysis outlines the way in which Indigenous dispossession is central to capitalist accumulation, even if this differs across different geographies and temporalities. The colonial relation *is* the capital relation – not its outside.

Drawing upon Glen Coulthard’s “colonial relation”, Siddhant Issar³¹⁶ develops the “anti-Black relation” and demonstrates the way both are interrelated and foundational to Marx’s “capital relation”. For Issar, primitive accumulation in US capitalism does not refer to all extra-economic violence but denotes two very specific forms of violence which *enable* and thereby *make possible* capital accumulation: the “expropriation” of Indigenous land and Black labour. Siddhant Issar argues that so-called primitive accumulation is ‘prone to conceptual stretching, frequently standing in for a range of phenomena, including any and all forms of racialised extra-economic violence’³¹⁷. Issar’s “racial/colonial primitive accumulation” does not situate violence under capitalism as distinct from economic relations *nor* a precursor to these. Instead, this determines the ways in which extra-economic and economic violence work in tandem. More importantly, it denotes the specific modes of “expropriation” which enable capital accumulation. Issar argues that Indigenous dispossession and the “super-exploitation” of Black labour are not markers of racial capitalism’s past but endure into the present. Moreover, these form the very bedrock of wage-labour exploitation and the surplus value this generates in aid of capital accumulation.

This reworks Marx’s analysis of the “capital relation” and capital accumulation. The anti-Black relation is invoked ‘to avoid collapsing anti-Black domination as simply a product of capitalist exploitation’³¹⁸. This emphasises the “expropriation” of Black labour, the mass incarceration of Black populations as “surplus populations”, and the disposability

³¹⁶ Issar, “Theorizing ‘racial/colonial primitive accumulation’”, 2021.

³¹⁷ Issar, “Theorizing ‘racial/colonial primitive accumulation’”, 2021, p. 30.

³¹⁸ Issar, “Theorizing ‘racial/colonial primitive accumulation’”, 2021, p. 38.

of Black people in times of crises³¹⁹. The anti-Black relation does not situate anti-Black domination as a mere stepping-stone on the way to “mature” capitalist exploitation. Rather, it is the foundation upon which capital exploitation takes place and thus a necessary component to understand racial capitalism. The “super-exploitation” that Black populations face – whether it be racialised slavery in the nineteenth century or mass incarceration and cheapened, racialised labour markets today – demonstrate that modes of ‘racialised expropriation anchor the “unfree” end of the labor spectrum and...form a precondition for the exploitation of normative wage-labour’³²⁰. Here then the “unfree” slave, but also the Black prisoner, or precarious worker today, ‘gives stability and meaning to the “free” white male proletariat’³²¹. For Coulthard, capital accumulation is premised upon the dispossession of Indigenous land wherein resource extraction takes place fuelled by exploitative wage-labour conditions. Similarly, for Issar, capital accumulation and the surplus-value acquired through *necessary* wage-labour exploitation is premised upon (that is *made possible* by) the “expropriation” of Black labour populations who are exploited over and against the “normative” expectations of wage-labour exploitation to keep the latter in check³²². Once again, the conclusion remains – as it does with Coulthard – that the anti-Black relation *and* the colonial relation are foundational to the capital relation. They are the *preconditions* for its realisability and accumulation in ways that my analysis of material inequalities in Chapter 1 does not. There is no sense here that the capital accumulation might be understood as anything other than the apex of inequalities. Other violences are neatly in line behind the logical of capital, forming the conditions that are determined, as per Althusser and co., by it.

³¹⁹ Issar uses the COVID-19 pandemic in the US, but this is also true for the UK, where Black populations were disproportionately affected by the illness as an example of this disposability.

³²⁰ Issar, “Theorizing ‘racial/colonial primitive accumulation’”, 2021, p. 36.

³²¹ Issar, “Theorizing ‘racial/colonial primitive accumulation’”, 2021, p. 37.

³²² Issar draws upon the work of David Roediger and Joel Olsen who each build upon Du Bois’ analysis that ‘compensatory privileges extended to poor whites in lieu of their status as “not Black”’ during reconstruction continues today, albeit differently, to prevent cross-racial class solidarity and maintain cross-class white supremacy. See Issar, “Theorizing ‘racial/colonial primitive accumulation’”, 2021, p. 37. See also Olson, *Abolition of White Democracy*, 2004; Roediger, *The Wages of Whiteness*, 2007; Du Bois, *Black Reconstruction in America*, 2013.

Nicholas Brown³²³ agrees with Coulthard and Issar that Indigenous dispossession is intertwined with capitalist accumulation in settler colonial societies such as the US. However, Brown does not view the projects of settler colonialism and capitalism to be neatly integrated forms of a singular and, perhaps, coherent project. Instead, Brown views settler colonialism and capitalism in a dialectical relationship with one another, which he names “settler accumulation”, in which each is pitted against the other. Importantly, this dialectic is driven by the demands of capital. Brown draws upon Jim Glassman and Alyosha Goldstein, respectively, to theorise primitive accumulation and settler colonialism as “conditions of possibility”. Goldstein, following Patrick Wolfe³²⁴, understands settler colonialism as ‘not so much an “event” or a static relationship as a condition of possibility that remains formative while also changing over time’³²⁵. Glassman views so-called primitive accumulation as ‘not just preconditions of capitalism but ongoing conditions of its existence’³²⁶. For Brown, these two are strikingly similar. However, settler colonialism and so-called primitive accumulation are *not* the same nor do they operate in harmony. Instead, Brown situates both as necessarily “failed projects”. Both require the existence of that which they are destroying – pre- or non-capitalist relations and Indigeneity – in order to continue to exist and transform these into capitalist relations and settler logics, respectively. Brown argues that ‘a distinct form of accumulation emerge[s] from the dialectic between primitive accumulation and settler colonialism, which cannot be reduced to either of its constitutive elements’ such that ‘settler accumulation proliferate[s] by pitting one flexible structure or “condition of possibility” against another structure’³²⁷. In short, where one “fails”, the other succeeds. This is because, for Brown, in settler colonial societies, ‘the continuous character of primitive accumulation [is] contingent on and enabled by the failure of settler colonialism’³²⁸, that is by the fact that there are still relations which can be turned into capitalist ones. Here, Brown is quite clear that the dialectic of settler accumulation is *overdetermined* the demands of the capital relation and processes of accumulation. He

³²³ Brown, “The logic of settler accumulation in a landscape of perpetual vanishing”, 2014.

³²⁴ Wolfe, “Settler colonialism and the elimination of the native”, *Journal of Genocide Research*, 2006.

³²⁵ Goldstein, “Where the Nation Takes Place”, 2008, p. 835.

³²⁶ Jim Glassman, “Neoliberal Primitive Accumulation”, 2007, p. 94.

³²⁷ Brown, “The logic of settler accumulation in a landscape of perpetual vanishing”, 2014.

³²⁸ Brown, “The logic of settler accumulation in a landscape of perpetual vanishing”, 2014, p. 7.

asks, ‘would settler colonialism, if successful, actually impede the proliferation of these accumulation practices?’³²⁹ In doing so, Brown implies that it is the logic of capital that pits these two conditions of possibility against one another in order to ensure that processes of accumulation are always preserved. Once again, the telos of capital – as the summit of material inequality – remains intact.

Coulthard, Issar, and Brown’s accounts are excellent in many ways. They disavow Marx, Amin, De Angelis, and Harvey’s developmentalism. This developmentalism situates the “silent compulsion” of economic relations as a mature set of capitalist relations such that contemporary racial and colonial disparities cannot be accounted for as a set of ongoing primitive accumulations foundational to capital accumulation. Situating Indigenous dispossession and racial “expropriations” as inherent parts of on-going capitalist accumulation means that so-called primitive accumulations can no longer be considered an analytic separate from, or an overture to, capitalism. However, their interventions continue to situate a set of “expropriations” – be it of land or labour – as the foundation upon which capital accumulation takes place, rather than the interrelated processes which have no universal priority. As such, they all continue to prioritise the capital relation such that we only move from economic reductionism to what we might call an economic prioritisation. Coulthard, Issar, and Brown thus enrich Patrick Wolfe’s argument that settler colonial ‘invasion is a structure, not an event’³³⁰. This expands Marx’s analysis of so-called primitive accumulation by integrating an Indigenous studies and Black radical lens but *without ever disrupting the logic of capital as the apex of material inequality*.

Section 2 - Property: A Mechanism for Capital Accumulation?

In this next section, I outline the implications for an analysis of property by continuing to use so-called primitive accumulation in the examination of material inequalities. As I have argued above, I consider so-called primitive accumulation to be a difficult concept. Even recent, interesting revisions, continue to theorise the accumulation of capital and, in some cases, wage-labour exploitation as the archetypal form of inequality, for which

³²⁹ Brown, “The logic of settler accumulation in a landscape of perpetual vanishing”, 2014, p. 7.

³³⁰ Wolfe, “Settler colonialism and the elimination of the native”, 2006.

Indigenous dispossession, anti-Blackness, and other forms of violence and oppression are foundations such that dictates of capital guide material inequalities. I further argue that theorising material inequality as such means that property can only ever be theorised as a tool *for* the reproduction of capital accumulation. I begin by briefly replaying Marx's analysis of property before turning to Black radical feminist critiques which de-prioritise capital as an overdetermining function of violence. I then illustrate that recent developments of so-called primitive accumulation fail to acknowledge these critiques. Few scholars have examined how Indigenous and Black radical developments of so-called primitive accumulation effect analyses of property. However, I draw out the implications of Nicholas Brown and Glen Sean Coulthard's work for theorising property before engaging with Justin Paulson and Julie Tomiak, who do explicitly theorise the relationship between property and so-called primitive accumulation in view of settler colonialism. I conclude that these flatten property as a tool for material inequalities. This sets up the final section of this chapter where I outline that property is a capacious tool which operates in reproduction of a variety of interlocking forms of inequality and cannot be restricted to the singular purpose of capital accumulation.

i – Property Beyond Marx

In Marx's analysis, private property is structurally akin to the "capital relation": it is separate from, or better yet subsequent to, so-called primitive accumulation. Private property marks the transition from precapitalist modes of production to capitalist ones and is a mechanism by which capitalist accumulation takes place. Private property is contrasted with communal forms of property where (in feudal England at least) the same lands, farms, and fields which were once common (though still tied to feudal property relations and ownership through the local manor and its lord³³¹) were enclosed through thousands of Parliament Acts starting in 1604 which sequestered these into private hands³³² – dispossessing those who had communal rights to this land. There are broadly two interrelated ways in which private property acts as the *sin qua non* of capitalist accumulation. First, this privatisation of land as an asset means that what were once,

³³¹ See Kerridge, *The Common Fields of England*, 1992.

³³² See Sharman, "An Introduction to the Enclosure Acts", 1989.

and for Marx should be, communal resources cannot be used as such to generate subsistence for all members of a community. This “expropriation” of social wealth and production thus forces people into wage-labour exploitation. Here, ‘social wealth becomes to an ever-increasing degree the property of those who are in a position to appropriate the unpaid labour of others over and over again’³³³. Second, this now-privatised social wealth enables the owners of private property to immunise themselves from wage-labour exploitation by accumulating wealth at the expense of those who *are* exploited through wage-labour on this very land or within an industrial asset such as the factory. As Marx writes, ‘property turns out to be the right, on the part of the capitalist, to appropriate the unpaid labour of others or its product, and the impossibility, on the part of the worker, of appropriating his own product’³³⁴. Property is a tool that reproduces the conditions for perpetual capitalist accumulation through the expropriation of cheapened wage-labour. For Marx, private property is then the *modus operandi* of capitalist accumulation which itself stands distinct from so-called primitive accumulation. The latter encompasses the processes by which communal property turns into private property – in short, dispossession – but it is private property itself which enforces and maintains the *conditions necessary to* capital accumulation.

The Black radical tradition has long critiqued the idea that property is a “race”- and gender-neutral mechanism for capitalist accumulation. W. E. B. Du Bois famously argued that chattel slavery – as a set of violently enforced property relations between enslaved African people, white slave-owners, and the state – was not incidental to capital accumulation, particularly in the US but also for industries in Europe which relied upon cheap resources made possible by racialised slavery. It was the constitution of Black people as *property-like objects* in law which created the enforced and *unpaid* labour to provide cheap resources necessary for US (both in the North and South) and European industries to boom³³⁵. Cheryl Harris³³⁶ inverts this analysis by pointing out the ways in which contemporary property law constructs *whiteness* itself (as opposed to

³³³ Marx, *Capital: Volume 1*, 1990, p. 733.

³³⁴ Marx, *Capital: Volume 1*, 1990, p. 730.

³³⁵ Du Bois, *Black Reconstruction in Americas*, 2013, p. 5.

³³⁶ Harris, “Whiteness as Property”, 1993.

enslaved Africans) as a property interest which can be legally guarded and protected³³⁷. For Harris, *whiteness* is the ‘quintessential property for personhood’³³⁸ because those constructed or appearing as “white” can *expect* the legal protection of their whiteness to be enforced. Moreover, this protection afforded to *whiteness* inherently excludes Black and Indigenous people and marks it as a mechanism in structural dispossession; a legal mechanism which generates the right to exclude as a necessary and legally protected function. Here *whiteness*, is no longer (if it ever was) a mere category of “race” but is transformed into something more than an identity or status: a property interest under the law. Harris is less concerned with property as a mechanism for racialised “expropriation” and capital accumulation and more interested in the differential distribution of the law along racialised lines. Nevertheless, her analysis is fruitful for considering how *whiteness*, protected by the law, results in the segmented labour markets and “super-exploitation” of Black labourers that both Du Bois and Issar argue means racialised “expropriation” cannot be subsumed under Marx’s capital relation.

Meanwhile Black radical, feminist analyses have problematised treating property as merely a set of abstracted, material conditions. Saidiya Hartman³³⁹, Alys Eve Weinbaum³⁴⁰, and Ned Sublette and Constance Sublette³⁴¹ have all demonstrated the way in which enslaved labour within the US was reproduced through the gestational and sexual labour of enslaved Black women. Du Bois’ work demonstrates that the enslaved person is a worker and a cheap resource to be exploited in lieu of capital accumulation. For Hartman, this ‘obscures as much as it reveals, making it difficult to distinguish the constitutive elements of slavery as a mode of power, violence, dispossession, and

³³⁷ Harris actually defines four features of whiteness which constitute it as a property interest that is protected by the law: whiteness as an inalienable right like those in the US constitution; the rights to use and enjoy whiteness as a ‘resource deployable at the social, political, and institutional level to maintain control’; whiteness as a reputational which enables the acquisition of further properties such as employment opportunities, voting rights, the capacity to own property, etc; and the absolute right to exclude racialised populations from these benefits such that “white” people have exclusive use of these legally protected benefits. See Harris, “Whiteness as Property”, 1993, pp. 1733-1734.

³³⁸ Harris, “Whiteness as Property”, 1993, p. 1730.

³³⁹ Hartman, “The Belly of the World”, 2016.

³⁴⁰ Weinbaum, *The Afterlife of Reproductive Slavery*, 2019.

³⁴¹ Sublette and Sublette, *The American Slave Coast*, 2016.

accumulation or to attend to the forms of gendered and sexual violence that enable these processes'³⁴². Hartman persuasively interrupts the masculinism of a Black radical tradition which, echoing Marx, would situate the striking worker as the 'placeholder of political aspirations'³⁴³. Hartman's imbrication of the material and psychological damage that Black women experienced thus points to the variegated suffering experienced under chattel slavery such that the violence of the plantation and its afterlives *cannot* be reduced to a *mere* function of capital. She writes that 'the value produced by and extracted from enslaved women included productive labor – their labors as farm workers, cotton pickers, tobacco hands, and rice cultivators – and their reproductive capacities created "future increase" for farms and plantations and human commodities for markets' such that 'even the unborn figured into the reproductive calculus of the institution'³⁴⁴. It is not merely then that property is a racialised mechanism, that enslaves Africans as enforced, un-remunerated workers, for capital accumulation as Du Bois insinuates. Nor did property relations *only* enable the legal reproduction of this labour force through enforced gestational labour and sexual violence. Rather, property produces uneven modes of trauma along racialised and gendered lines such that the suffering it engenders remains irreducible to capital.

ii - Property and Developments of So-Called Primitive Accumulations

What Saidiya Hartman³⁴⁵, Alys Eve Weinbaum³⁴⁶, and Ned Sublette and Constance Sublette³⁴⁷ point to then is the way in which property is a capacious tool embroiled within and reproducing a set of interlocking inequalities (which cannot be reduced to class, gender, "race", colonialism) rather than a single-purpose tool that works towards the accumulation of capital. Glen Sean Coulthard offers important revisions to theories of so-called primitive accumulation to (a) conceive dispossession as integral processes of capital accumulation and (b) demonstrate the settler colonialism and capital accumulation are intimately intertwined processes. However, Coulthard's analysis

³⁴² Hartman, "The Belly of the World", 2016, p. 166.

³⁴³ Hartman, "The Belly of the World", 2016, p. 167.

³⁴⁴ Hartman, "The Belly of the World", 2016, p. 169.

³⁴⁵ Hartman, "The Belly of the World", 2016.

³⁴⁶ Weinbaum, *The Afterlife of Reproductive Slavery*, 2019.

³⁴⁷ Sublette and Sublette, *The American Slave Coast*, 2016.

presupposes that property operates to maintain the reproduction of capital, thereby flattening property as a tool and missing the insights that Black radical feminist analyses provide. Coulthard highlights the plight of the Dene people, an Indigenous population for whom Deneendeh (the land stretching from the Northwest Territories which is governed by settler colonial state of Canada to Hudson Bay in the east of the state) is home. I argue that Coulthard's analysis of (a) Dene experiences of so-called primitive accumulations by the Canadian settler colonial state since the 1950s and (b) how their leaders' analyses of colonial development has changed since then does not realise the capacious character of property.

Coulthard argues that primitive accumulation in Canada is no longer the open violence of the colonial era but rather the forcible demand that 'Indigenous communities and their entire land and resource base...remain open for exploitation and capitalist development'³⁴⁸. Today, dispossession occurs through what Coulthard terms the politics of recognition: the state actively settles (rather than actively refusing or ignoring) Indigenous land claims through its legal system and courts such that this land can be prepared for market capture. This is an 'asymmetrical exchange of mediated forms of state recognition and accommodation' which facilitates the 'reproduction of colonial hierarches in liberal democratic states'³⁴⁹. For Coulthard, the implication here is that property is a tool for the reproduction of capital. Property rights encompass the transformation of land into property as an economic resource and the transformation of Indigenous identities into state-recognised subjectivities capable of owning property. Either way, this functions to transform non-capitalist relations and Indigenous frameworks *into* property in order to abet the accumulation of capital. The Mackenzie Valley Pipeline is one such example, proposing to construct the infrastructure necessary to transport natural gas from Beaufort Sea to Alberta through the Northwest Territories – which is Indigenous land – after the discovery of a huge oil reserve off Prudhoe Bay in Alaska in 1968³⁵⁰. Since the 1990s, Canada has been keen to settle Indigenous claims in

³⁴⁸ Coulthard, *Red Skin, White Masks*, 2014, p. 77.

³⁴⁹ Coulthard, *Red Skin, White Masks*, 2014, p. 15.

³⁵⁰ Pressure to pursue the project and 'advance northern economic initiatives, most notably in the form of nonrenewable resource development' came from non-Native citizens who had recently settled in the area after the federal government moved its administrative government offices to the area from Ottawa.

lieu of pursuing such projects without the impediment of Indigenous resistance. For Coulthard, this is mirrored in the transformation of Dene politics, resistance, and self-determination whose leaders now accept the inevitability of dispossession. The transformation of land into a mere economic resource and its consequent exploitation for capital accumulation means that ‘the struggle that is now increasingly *for* land, understood now as material resource to be exploited in the capital accumulation process’³⁵¹. For Coulthard, property is not explicitly theorised here yet key. It is property which conditions both Indigenous dispossession *and* resistance as cheerleaders for capital accumulation. Just as Marx assumes then, property is as a tool *for* the reproduction of capital.

Similarly, though more explicitly, Nicholas Brown³⁵² situates property as a tool governed by the demands of capital. For Brown, settler accumulation is the dialectic between so-called primitive accumulation and settler colonialism, as “conditions of possibility”. As noted, Brown views both of these as necessarily “failed” in that their incompleteness makes it possible to continue to transform relations into capitalist ones and logics into settler ones. For Brown, this “denaturalizes” dispossession because dispossession assumes that Indigeneity is extinct but, in reality, settler colonialism ‘has failed to “expunge Indigenous sense of place”’³⁵³. Brown thus transforms Harvey’s accumulation by dispossession to theorise “accumulation by possession” in which the ‘possessive investment of settlers overlays but does not (because it cannot) extinguish indigenous ties to a landscape, which remains, in a fundamental sense, inalienable’³⁵⁴. I find this development useful in that (a) it points towards the process by which social relations are transformed *into* property and (b) acknowledges this process is fractious, never complete, and, thus, always resistible. In many ways, this is akin to Robert Nichols and Eva von Redecker’s analyses of “propertisation”, which I turn to in the final part of this chapter. However, Brown’s “accumulation by possession” continues to be understood

For Coulthard, this seems to be a sign of the settler colonial state’s integrationist politics. See Coulthard, *Red Skin, White Masks*, 2014, p. 55-56.

³⁵¹ Here, the question merely becomes: who gains from this transformation of land into an economic unit of capitalist accumulation? Lost is here are Indigenous knowledges and relationships which are informed by this land. Coulthard, *Red Skin, White Masks*, 2014, p. 78.

³⁵² Brown, “The logic of settler accumulation in a landscape of perpetual vanishing”, 2014.

³⁵³ See Brown, “The logic of settler accumulation in a landscape of perpetual vanishing”, 2014, p. 6.

³⁵⁴ Brown, “The logic of settler accumulation in a landscape of perpetual vanishing”, 2014, p. 6-7.

as part of the wider dialectic of settler accumulation. Brown prefers accumulation by possession *because* it acknowledges the failed character of settler colonialism which, in turn, makes possible so-called primitive accumulation, that is the internment of social relations into processes of capital accumulation. Once again then, property becomes a limited tool, one that is directed by the logics and demands of an overarching capital.

Justin Paulson and Julie Tomiak³⁵⁵ offer the most complete theorisation of property as a tool in the distribution and reproduction of material inequality in light of the recent Indigenous and Black radical developments of so-called primitive accumulation. Yet, once again, property continues to facilitate forms of so-called primitive accumulation and capitalist accumulation. Building on the work of De Angelis and Ince, Paulson and Tomiak think so-called primitive accumulation beyond enclosure. More than this, they also understand, as per Coulthard, Issar, and Brown, that colonial and racialised modes of violence form an important part of the purview of so-called primitive accumulation. They write that, ‘to call any of these enclosures, appropriations, and dispossessions – of land, water, labor, Indigeneity, life – “primitive accumulation” requires, of course, that we understand the actual role they play as preconditions for the accumulation of capital’³⁵⁶. Yet once again, the assumption is that colonial and racialised forms of violence are *merely* the preconditions or foundation for capital to be accumulated. Property plays an important role here. For, it is property that ‘require[s] first the deterritorialization of those whose relations with the land do not revolve around its commodification’³⁵⁷. Paulson and Tomiak propose that, in settler societies, property works, first, to deterritorialise land in order to enable white property rights. Over and against Marx then, property is not a “race”-neutral category but participates in the ‘co-evolution of whiteness and capital’³⁵⁸. However, property continues to be a single-purpose tool that facilitates the accumulation of capital, even if this is explicitly acknowledged as a racialised and colonial project. Once again, the necessity of preserving so-called primitive accumulation as an analytic means that material

³⁵⁵ Paulson and Tomiak, “Original and Ongoing Dispossessions”, 2022.

³⁵⁶ Paulson and Tomiak, “Original and Ongoing Dispossessions”, 2022, p. 159.

³⁵⁷ Paulson and Tomiak, “Original and Ongoing Dispossessions”, 2022, p. 158.

³⁵⁸ Paulson and Tomiak, “Original and Ongoing Dispossessions”, 2022, p. 161.

inequalities are severed into discrete, albeit overlapping, unities in which capital is overdetermining and property is a tool which facilitates this overdetermination.

Section 3 – Property and Proprietary Relations

I agree that property is a tool in the distribution and reproduction of material inequalities. However, I disagree with the Coulthard, Brown, and Paulson, and Tomiak’s theorisation of property amidst the above developments of so-called primitive accumulation by Black radical and Indigenous scholarship. Theorising material inequalities through proprietary regimes refuses this overdetermination by the capital relation. In this section, I theorise property as a tool in the interlocking material inequalities that proprietary regimes distribute. I utilise the work of Eva von Redecker³⁵⁹, Robert Nichols³⁶⁰, and Brenna Bhandar³⁶¹ to distil two ways in which modes of partition and appropriation work alongside the ontological categorisation of beings to facilitate Indigenous land dispossession, racialised labour segmentation, and capital accumulation as imbricated processes of material inequality amongst others. First, I retheorise Eva von Redecker’s “propertisation”, a process that transforms social relations into property, beyond the limited scope of dominion that von Redecker that allows. I employ Brenna Bhandar’s³⁶² critique of contemporary property law to better account for how colonial incursions are invested in the imposition of ownership upon Indigenous populations, even if, as Glen Coulthard notes, settlers are not sole owners of this property. Second, I argue that proprietary regimes of ownership produce a racialised, dispossessive subjectivity in tandem with “propertisation” to (a) constitute social relations as property and (b) construct a legal subjectivity incapable of owning this property to dispossess racialised and colonised populations of their labour and land. In this way, I contribute to recent Black radical and Indigenous scholarship by rethinking property in ways that cannot be contained by recent Indigenous and Black radical revisions of so-called primitive accumulation that continue to prioritise the capital relation as the overdetermination of material inequality.

³⁵⁹ von Redecker, “Ownership’s Shadow”, 2020.

³⁶⁰ Nichols, *Property is Theft*, 2020.

³⁶¹ Bhandar, *Colonial Lives of Property*, 2018.

³⁶² Bhandar, *Colonial Lives of Property*, 2018.

i – “Propertisation”: Turning Social Relations into Property

Drawing upon the work of German critical theorist Hannes Siegrist³⁶³, both Eva von Redecker and Philip Degens³⁶⁴ describe “propertisation” as a specifically modern process tied to the history of capitalism. Degens translates Siegrist’s theorisation of propertisation as follows: ‘propertization refers to objectifiable social, legal, cultural and economic processes that result in relations being interpreted and institutionalized, either wholly or partially, as property relations’³⁶⁵. For von Redecker, “propertisation” reworks Marx’s analysis of commodification to transform ‘not just who had access to and control over resources, but what controlling meant’³⁶⁶. Marx overemphasises the commodify-form. “Propertisation” describes the transformation of social relations into modern property such that *control itself* over resources is *remade*, not simply taking control of something. For von Redecker, this means ‘what used to be complex, disparate feudal titles, nonpropertized commons, or sacralized ecosystems, became bounded and disposable property in the modern sense over the course of a long development of registration and legislation, and in mutual reinforcement with the commodity form’³⁶⁷. It is notable then that “propertisation” also includes the transformation of older modes of property as well as non-proprietary forms into modern property. Here, von Redecker makes an important point, over and against Marx. Property is central to the task of transforming social relations and drawing them into violent processes of coercion. This

³⁶³ Siegrist, “Die Propertisierung von Gesellschaft und Kultur”, 2006. I am drawing on the work on von Redecker and Degens who utilise Siegrist and have not been able to consult this piece itself as I do not read German and currently there is no English translation. I am therefore providing this reference for the reader’s benefit and not as a scholarly reference upon which my argument rests.

³⁶⁴ Degens, “Towards sustainable property?”, 2021.

³⁶⁵ Degens, “Towards sustainable property?”, 2021, p. 218.

³⁶⁶ von Redecker, “Ownership’s Shadow”, 2020, p. 41.

³⁶⁷ von Redecker, “Ownership’s Shadow”, 2020, p. 41.

refuses the commodity-form as the basic unit of capitalist production or the singular framework of analysis for capital accumulation³⁶⁸.

For von Redecker, there are two features of modern property that separate it from other forms of property. Both ‘can be accounted for as totalizations’³⁶⁹. The first is that ‘modern property licenses absolute dominion’ and ‘total control of the object owned’ such that even its very destruction forms part of the object’s terms of ownership. Von Redecker even goes as far to argue, rather hauntingly, that, ‘after four centuries of propertization, it seems hard for us to even understand what owning would mean if it did not entail that right to violation’³⁷⁰. Second, von Redecker echoes Cheryl Harris³⁷¹ in arguing that property is ‘fundamental for many other institutions in liberal capitalist societies’³⁷². She notes that property structured the production of commodities fit for profit acted as ‘the linchpin of legitimacy for the newly emerging political bodies’ of the state. This ‘became paradigmatic for the form of rights’. As such, political and liberty rights are always defined in terms of property. Even the ‘subject itself was conceived of the basis of property, as a relation of self-ownership’³⁷³. Here then control is remade, and the concept of dominion (re-)constituted, through modern property. There is no entanglement of overlapping rights *and* a variety of theoretical conceptual frameworks governing these relations. Modern property reigns supreme as the quasi-absolutist dominion of control over owned objects – be that resources or, in the case of chattel slavery, a person.

I agree with Eva von Redecker that property is a far more capacious tool for the (re)production of material inequalities than economic reductionist accounts of property

³⁶⁸ Ernest Mandel writes that Marx emphasises the commodity as the ‘basic cells’, the most basic unit, of capitalist production. For Marx, the commodity is not only the basic unit of capitalist production but also the defining way in which resources are transformed and sequestered into processes of capital accumulation. Von Redecker notes it is the commodity-form which, for Marx, alienates and transforms the ‘self-sufficient peasant and artisan into wage-dependent laborers’. See Mandel, “Introduction”, 1990, pp. 13-14; von Redecker, “Ownership’s Shadow”, 2020, p. 40.

³⁶⁹ von Redecker, “Ownership’s Shadow”, 2020, p. 41.

³⁷⁰ von Redecker, “Ownership’s Shadow”, 2020, p. 41.

³⁷¹ Similarly, as noted above, Harris argues that whiteness is a property which enables access to other property rights such as democratic rights to vote, home ownership, and so forth. See Harris, “Whiteness as Property”, 1993, pp. 1730-1734.

³⁷² von Redecker, “Ownership’s Shadow”, 2020, p. 42.

³⁷³ von Redecker, “Ownership’s Shadow”, 2020, p. 42.

allow. However, I argue that the concept of dominion is an inaccurate theorisation of how ownership functions. Glen Coulthard's³⁷⁴ analysis of the politics of recognition in Canada provides a particular acute example of this. Coulthard demonstrates the way in which the settler colonial state is increasingly involved in less violent modes of dispossession, instead settling land claims with Indigenous communities through the judicial system on the condition that 'their entire land and resources...*remain open for exploitation and capitalist development*'³⁷⁵. As Paul Nadasdy has commented, this means that 'First Nations people must translate their complex reciprocal relationship with the land into the equally complex but very different language of "property"'³⁷⁶. Here then totalising control of Indigenous land, let alone *sole* and *despotic* ownership of it, is less of a concern for the settler colonial state. Indigenous claims to land can be upheld but *only* through the language of property such that this land and Indigenous populations can then be drawn into processes of capital accumulation. As Coulthard notes, this means that Indigenous discourses around the sustainability of the land for *all* life are transformed into the '*economic sustainability of capital accumulation itself*'³⁷⁷. Here then, we arrive at a situation where "propertisation" is a useful framework for conceiving how relations are transformed into property but *dominion-like control* inaccurately describes this process. It is not dominion-like control that is prioritised but the transformation of land into forms of property structured by economic priorities. Here "propertisation" is rather the transformation of social relations in which Indigenous dispossession can take place so that interrelated material inequalities, such as capital accumulation and Indigenous elimination, can take place.

In many ways, "propertisation" is reminiscent of Nicholas Brown's "accumulation by possession" that I discussed earlier in this chapter. Both describe the way in which it is the *transformation* of social relations *into* property rather than forms of dispossession per se which facilitates material inequality. However, as I argued, Brown overemphasises the capital relation to the extent that capital accumulation overdetermines intersecting material inequalities. Alternatively, von Redecker

³⁷⁴ Coulthard, *Red Skin, White Masks*, 2014.

³⁷⁵ Coulthard, *Red Skin, White Masks*, 2014, p. 77. Italics mine.

³⁷⁶ Nadasdy, "'Property' and Aboriginal Land Claims in the Canadian Subarctic", 2002.

³⁷⁷ Coulthard, *Red Skin, White Masks*, 2014, p. 77. Italics original.

misapprehends the contingency of ownership. I argue that interpolating Brenna Bhandar's³⁷⁸ decolonial critique of contemporary property law's "bundle of rights" metaphor perhaps is a useful tool to rethink the role of "proptertisation" in proprietary regimes of ownership. In doing so, I account for the interrelated character of material inequalities in ways that Brown's accumulation by possession cannot. This includes colonial incursions that are, unlike von Redecker's analysis, not reliant upon dominion-like control as their *modus operandi* – even if, as Bhandar herself notes, dominion itself forms part of the bundling of rights.

During the twentieth century, many legal scholars³⁷⁹ adopted the *bundle of rights* metaphor to conceptualise property law against the "ownership model" of property advocated by 18th century English jurist, judge, and Tory politician William Blackstone³⁸⁰ that continues to be pervasive in the popular imagination³⁸¹. The *bundle of rights* metaphor 'counterbalances an older absolutist picture derived from Blackstone's description of property as 'despotic *dominion* exercised by "one man" over "external things"'³⁸². This shifts the focus from the relationship between a person and objects or "external things" to the social relations *between* people³⁸³. The bundle is a 'series of rights'³⁸⁴ in which legal protections can be taken in or out and, as such, certain areas given more or less protection depending upon which rights are included³⁸⁵. The *bundle of rights* metaphor challenges von Redecker's characterisation of property as dominion. However, Brenna Bhandar³⁸⁶ notes that this ignores the political economic conditions which *fosters* and *organises* these social relations. This misses how (a) ownership is so

³⁷⁸ Bhandar, *Colonial Lives of Property*, 2018.

³⁷⁹ See Penner, "The 'Bundle of Rights' Picture of Property", 1996; Bell and Parchomovsky, "Reconfiguring Property in Three Dimensions", 2008; Ackerman, *Private Property and the Constitution*, 1977; Alexander, "Property as Propriety", 1998; Baron, "Rescuing the Bundle-of-Rights Metaphor in Property Law", 2014.

³⁸⁰ Blackstone, *Commentaries on the Laws of England*, 2016.

³⁸¹ Joseph Singer argues that this image is misleading because 'we invite owners to use their property without regard to the needs of others [and] encourage them to consider their self-interest alone'. See Singer, *Entitlement*, 2000.

³⁸² Baron, "Rescuing the Bundle-of-Rights Metaphor in Property Law", 2014, p. 58. Italics mine.

³⁸³ For Jane Baron, this means we see how 'multiple parties [are] tied together in relationships that are social as well as legal'. See Baron, "Rescuing the Bundle-of-Rights Metaphor in Property Law", 2014, p. 58.

³⁸⁴ Penner, "The 'Bundle of Rights' Picture of Property", 1996, p. 712.

³⁸⁵ We might also interpret Harris' work on whiteness as property in a similar vein wherein "whiteness" is a protected right in the bundle which, as noted, gives access to other rights (property, voting, political office) within a certain bundle. See Harris, "Whiteness as Property", 1993.

³⁸⁶ Bhandar, *Colonial Lives of Property*, 2018.

severely skewed against racialised, colonised, and Indigenous populations and (b) property law *actively produces* racialised modes of subjectivity³⁸⁷. To counter this, Bhandar situates property law as an articulation between the distinct yet contingent concepts of property and “race” which are interdependent and adapt to political, historical, and socio-economic circumstances to accumulate and expropriate wealth at the expense of dispossessed, colonised, and racialised populations.

For Bhandar, this adaptability means ‘the dramatic if not revolutionary changes in political economy...are the precondition for a substantive *rebundling* of property rights in the capitalist system of private ownership’³⁸⁸. In other words, political economic conditions – which, as Stuart Hall’s work³⁸⁹ on class has demonstrated, *cannot* be segregated from “race” but also gender, sexuality and so forth – *make possible* changes in, what Bhandar terms, the “rebundling” of rights i.e. which rights are taken out, put in, and given greater or lesser protection by the law. Bhandar utilises the work of Joseph Singer³⁹⁰ to argue that the changes made possible through property law are always subtended by social and political imaginaries. Here, ‘a normative framework [which] helps us choose between freedom and security’³⁹¹ defines what rights and whose rights are given legal protection. Moreover, Bhandar rightly points out that the ‘very concept of freedom as a social good or resource in the American political and legal landscape is itself thoroughly tainted by a racial regime of ownership’³⁹². It is then this framework of freedom which, in the colonisation of the Americas, justified ‘property law [as] a crucial mechanism for the colonial accumulation of capital’, and worked ‘in conjunction with racial schemas that steadfastly held colonized subjects within their grip’³⁹³. Today, this framework continues to justify the “rebundlings” of “race” and property which play out across different geo-historical contexts – be it in Israel/Palestine, Canada, or the US. As such, property law continues to be a mechanism for the legal protection of interlocking

³⁸⁷ I will come to this second point in the next section of this chapter. For now, I am concerned with the first and Bhandar’s decolonial political economic critique of the *bundle of rights* metaphor.

³⁸⁸ Bhandar, *Colonial Lives of Property*, 2018, p. 19. Italics mine.

³⁸⁹ Hall et al, *Policing the Crisis*, 2017; Hall, “Race, Articulation, and Societies Structured in Dominance”, *Selected Writings on Race*, 2021.

³⁹⁰ Singer, *Entitlement*, 2000.

³⁹¹ Bhandar, *Colonial Lives of Property*, 2018, p. 20.

³⁹² Bhandar, *Colonial Lives of Property*, 2018, p. 20.

³⁹³ Bhandar, *Colonial Lives of Property*, 2018, p. 2.

forms of gendered, racialised, and colonial inequality – even if these “rebundlings” take on new articulations within the law itself.

I rethink von Redecker’s “propertisation” as a set of “rebundlings” within proprietary regimes of ownership subtended by colonial, racial, gender, etc. logics – as opposed to a set of “totalisations”. Although dominion-like control seems a structural feature of ownership, especially in instances such as chattel slavery, I posit that this is merely one manner in which property operates within the broader network of interlocking material inequalities. For Bhandar, modern property is not the transformation of property and control into the kinds of dominion that William Blackstone³⁹⁴ promoted. Yet neither is property formulated as the kind of “race”-neutral concept which ignores settler colonial uses of property and its disproportionate effect on racialised, gendered, and colonised populations. Instead, Bhandar acknowledges the way in which private property is a complex set of rights, benefits, obligations, qualifications, and limitations on the social relations between people *structured by specific socio-historical articulations of “race” and property* through the judicial systems and, ultimately, undergirded by modes of state-sanctioned violence. I argue that taking this claim seriously means considering the ways in which “propertisation” is not the transformation of social relations into property such that control is transformed into having absolute dominion over these objects. It is rather the transformation of these relations into property such that a raft of interrelated inequalities are possible. This analysis enables us to see how “propertisation” is embedded in the interconnected processes of gendered violence, anti-Blackness, racialised labour segmentation, wage-labour exploitation, Indigenous land dispossession and beyond, *without priority*.

Robert Nichols’³⁹⁵ dispossession is a useful analytic to understand how “propertisation” is embedded in these practices. For Nichols, dispossession in settler colonial contexts is not the mere appropriation of Indigenous land but its simultaneous *transformation into* private property. This dual process which distinguishes Nichols’ analysis from popular usages of dispossession which miss the latter process. Nichols writes that settlers’

³⁹⁴ Blackstone, *Commentaries on the Laws of England*, 2016.

³⁹⁵ Nichols, *Property is Theft*, 2020.

dispossession of Indigenous land ‘generates property under conditions that require its divestment and alienation’³⁹⁶. As such, these violent transformations, which remake Indigenous land into private property, simultaneously institute private property as the only way of relating to it, transforming future social relations beyond the land itself as well as reframing and undermining resistance to this dispossession³⁹⁷. Nichols writes, ‘dispossession merges commodification (or, perhaps more accurately, “propertisation”) and theft into one moment’³⁹⁸. Here, Indigenous populations are retroactively repositioned as “original owners”, but this merely reinforces the logics of private property and legitimises this theft as the mere transfer of an economic asset. The argument goes that Indigenous populations cannot be both “original owners” and eschew private property relations. *If they were* original possessors, then colonial conquest was merely the legitimate transfer of an asset and Indigenous populations have no cause for complaint³⁹⁹. What Nichols keenly discerns here then is that “propertisation” – the act of generating new proprietary relations over resources which are transformed into private property – is inseparable from acts of dispossession. “Propertisation” takes place *in order to secure* dispossession indefinitely so that not only is land stolen but Indigenous relationships to land are illegitimate. In other words, Indigenous land is stolen to secure a set of other oppressions and property offers a “sustainable” mechanism for this to continue in perpetuity. This is because Indigenous populations can only ever gain any kind of relationship to this land through the logics of property – which *reduce and delimit* this relationship to an economic resource.

Nowhere is this clearer than in Glen Coulthard’s⁴⁰⁰ work where the settler colonial state of Canada has transformed not only the Dene people’s relationship to the land which has sustained their community for generations in the Northwest Territories. It has also

³⁹⁶ Nichols, *Property is Theft*, 2020, p. 8.

³⁹⁷ As discussed above, this is exactly how Glen Coulthard describe contemporary Dene resistance to the Canadian settler colonial state.

³⁹⁸ Nichols, *Property is Theft*, 2020, p. 8.

³⁹⁹ Interestingly, Nichols notes how this works to undermine Indigenous resistance which is reframed as contradictory or illogical. He writes, ‘the dispossessed are figured as “original owners” but only *retroactively*, that is, refracted backward through the process itself. The claims of the dispossessed may appear contradictory or question-begging, then, since they appear to both presuppose and resist the logic of “original possession.” When framed correctly however, we can see that this is in fact a reflection of the peculiarity of the dispossessive process itself’. See Nichols, *Property is Theft*, 2020, p. 8.

⁴⁰⁰ Coulthard, *Red Skin, White Masks*, 2014.

transformed their resistance to these colonial incursions such that Dene leaders argue *in favour* of extractive practices on this land because capitalist accumulation has become the dominant framework for conceptualising one's relationship to land⁴⁰¹. The danger in structurally disaggregating dispossession from "propertisation" (rather than *only* dwelling on each as a separate analytic operating in tandem) is that the latter becomes a "race"-neutral process which situates colonial history as *separate from* rather than *integral to* material inequality. In this sense, I argue that Eva von Redecker's "propertisation", like Brown's "accumulation by possession", is a useful concept but must be re-framed work to facilitate the insights from decolonial property law, Indigenous scholarship, and critical theory. This acknowledges the way in which "propertisation" is the theft of the land and labour of populations who are already racialised to justify this very dispossession⁴⁰². Moreover, theorising property as dominion-like control misses the way less overtly violent modes of dispossession participate in the material inequalities (re)produced by proprietary regimes of ownership. In the next section, I argue that "propertisation" does not work alone to steal the land and cheapened the labour of colonised, racialised, and gendered populations. I argue the production of racialised subjectivities is a complementary mechanism that makes possible proprietary regimes of ownership.

ii – The Propertied Subject

In this section, I outline a second function of property as a tool within proprietary regimes of ownership: dispossessive, racialised subjectivity. If "propertisation" is the transformation of resources, then I argue that racialised subjectivities – which underpin Brenna Bhandar's *racial regimes of ownership* – are the final piece of the puzzle which justifies these thefts of land and labour. I propose that under proprietary regimes, it is not enough to simply transform resources into private property, racialised subjectivities must also be reproduced to justify the oppression of Indigenous, racialised and colonised populations. It is in this way that modes of appropriation and being come together to

⁴⁰¹ The only caveat is that a proportion of capital accumulated on this land be distributed to Indigenous populations. Here then, resistance is reframed as a singular fight *for* profits at the expense of all other Indigenous epistemologies and relationships to this land.

⁴⁰² I come to the way in which this racialisation takes place to preemptively deny access in the next section.

institute proprietary relations: the transformation of social relations into property and its theft from colonial and racialised subjects incapable of owning property. Moreover, this refuses the separation of so-called primitive accumulation from capital accumulation. These are imbricated processes and dispossession does not simply take place *for the sake of* capital accumulation but instead reveal the interlocking character of material inequalities.

Brenna Bhandar argues that, in the colonisation of the Americas, racial logics and property law emerged together to produce the racialised subject it could dispossess. Bhandar posits that ‘property law and racial subjectivity developed in relation to one another’ under a juridical formation which exerted ‘disciplinary power in organizing territory and producing racial subjects through a hierarchy of value constituted across the domains of culture, science, economy, and philosophy’⁴⁰³. Bhandar terms these juridical formations *racial regimes of ownership*. These regimes culminate in property law’s production of a racialised subject but retain a symbiotic and mutually productive relationship with the cultural, “scientific”, philosophical, and so forth, constructions of the human who can appropriate, has the capacity to own, and is ‘thoroughly racial in its makeup’⁴⁰⁴. Importantly, the racialised subjectivity that undergirds Bhandar’s *racial regimes of ownership* is not limited to the “expropriation” of racialised and gendered labour and the dehumanisation of racialised, gendered subjects – as the work of Du Bois, Harris, and Hartman elucidates. Rather, Bhandar’s juridical formation theorises the specifically settler colonial character of racialisation and property law which work to justify the dispossession of Indigenous land. Here, the ‘legal and political narratives that equated English common-law concepts of property with civilised life’ were used, beyond the cheapening of racialised labour through slavery, to develop ‘an economy of private property ownership that continues to prevail over Indigenous and alternate modalities of relating to and using land and its resources’⁴⁰⁵. Bhandar underscores this by writing that, ‘if possession of land was (and remains) the ultimate objective of colonial power, then property law is the primary means of realising this desire’⁴⁰⁶. As such, property law in the

⁴⁰³ Bhandar, *Colonial Lives of Property*, 2018, p. 2.

⁴⁰⁴ Bhandar, *Colonial Lives of Property*, 2018, p. 4.

⁴⁰⁵ Bhandar, *Colonial Lives of Property*, 2018, p. 7.

⁴⁰⁶ Bhandar, *Colonial Lives of Property*, 2018, p. 3.

Americas was the mechanism which made possible the dispossession of Indigenous land and capital accumulation – through the production of the racialised subject which this juridical formation can dispossess.

The dispossessive alliance of “race” and property coalesce in the colonial encounter, for Bhandar. Yet *racial regimes of ownership* persist in the present. Bhandar remakes Stuart Hall’s⁴⁰⁷ work on “articulation” to think “race” and property as part of a historically contingent process where each re-enforces the other, existing in a nonarbitrary relationship – remade at the behest of colonial and racial capitalist objectives. Bhandar distils and reframes three functions of Hall’s work on “race” and class to demonstrate the way property law and racial logics exist in a similarly co-productive relationship without collapsing the two concepts: ‘the noninevitable yet nonarbitrary nature of this juridical formation; the (consequential) necessity for this formation to be continually renewed in the colonial drive to appropriate Indigenous land; and the recombinant nature of the constituent parts of the racial regime of ownership’⁴⁰⁸. From this standpoint, Bhandar argues that racial logics and property law are remade anew in different *articulations* across different geographies. The ‘continual renewal of racial regimes of ownership is not an inevitability’ but ‘occasioned by the resistance, refusal, negotiation, or recognition and acceptance of colonial relations of ownership by First Nations and other racialised subjects in settler colonial contexts’⁴⁰⁹. As such that there is no guarantee that ‘a given articulation of race and property ownership will appear in the same configuration across time or jurisdictions’⁴¹⁰. Nevertheless all such articulations operate to dispossess racialised subjects of their land, remake this land in terms of private property and so too facilitate the “expropriation” of labour – be it the enslavement of African people in the Americas who worked this land, the cheapening of Irish labour which was funnelled into segmented labour markets during England’s colonisation of Ireland, or the dispossession of Palestinians who work upon that very same land for menial wages.

⁴⁰⁷ Hall uses articulation to think about the way in which race and class cannot be reduced to one another but work in tandem to exploit racialised people. See Hall, “Signification, Representation, Ideology”, 1985.

⁴⁰⁸ Bhandar, *Colonial Lives of Property*, 2018, p. 9.

⁴⁰⁹ Bhandar, *Colonial Lives of Property*, 2018, p. 13.

⁴¹⁰ Bhandar, *Colonial Lives of Property*, 2018, p. 13.

This reformulation of Hall's work to think racialisation and property together means that *racial regimes of ownership* is a useful concept for understanding European colonisation of the Americas but also the reconstitution of racial logics and property law to facilitate material inequality in the contemporary settler colonial states of the US, Canada, and Israel/Palestine. Israel/Palestine provides a particular acute example of how an articulation between racialisation and property works to expropriate *both* land and labour. Bhandar interrogates the work on Arthur Ruppin, pseudoscientific proponent of race theory and one of Tel-Aviv's founders, to outline how "race" is utilised to shore up the interests of a nascent Israeli state and dispossess Palestinian populations. Interestingly, for Ruppin, it is not merely the racialisation of Palestinian as "Arabs" and "others" which operates in this process of dispossession but the racialisation of the Jewish people as well. Bhandar notes that Ruppin distinguishes between "racial Jews" and "Jewish types" because 'his concern here is whether it is possible to keep the "Jewish racial stock pure" in Palestine'⁴¹¹. Fittingly then perhaps for an ethno-national state, "race" operates to both glorify a *certain kind* of Jewishness as a superior "race" and denigrate Palestinians as racially inferior. This racialisation operates in two ways. First, it works to justify the expelling of Palestinians from their land by framing "Arabs" as unsuited to the improvement and cultivation of this land. For Ruppin, 'only by mixing one's sweat with the soil of Palestine could an authentic possessive nationalism be borne'⁴¹². Consequently, 'cultivation plays a central role in defining *who* is entitled to own land in Israel/Palestine...in ways that are similar to the colonial settlements of indigenous lands in British Columbia'⁴¹³. Second, the racial logics of "Arabs" and "racial Jews" 'produced a racialised vision of labor'⁴¹⁴. The low wages offered to Palestinians merely sanctioned a further 'indictment not only of Palestinians but of the entire geohistorical space that was imagined as the Orient'. This reaffirms the dehumanisation of Palestinians and doubles down on the justifications which led to the dispossession of their land and their cheapened labour. The perpetual *re-articulation* of "race" and property demonstrates that racialised subjectivity is a mechanism, that Bhandar

⁴¹¹ Bhandar, *Colonial Lives of Property*, 2018, p. 125.

⁴¹² Bhandar, *Colonial Lives of Property*, 2018, p. 125.

⁴¹³ Bhandar, *Colonial Lives of Property*, 2018, p. 118. Italics mine.

⁴¹⁴ Bhandar, *Colonial Lives of Property*, 2018, p. 124.

theorises under the scope of *racial regimes of ownership*, in the mutually productive theft of land and labour. There are interrelated forms of inequality operating *across different* geographical locales – even if they are rarely, if ever, reproduced in the same fashion.

Racialised, dispossessive subjectivity works in tandem with “propertisation” as a set of proprietary mechanisms that do not prioritise the “capital relation”. These mechanisms do not facilitate “racial/colonial primitive accumulations” as foundational to capital accumulation. Instead, wage-labour exploitation, racialised labour segmentation, and Indigenous dispossession operate as interrelated inequalities. Bhandar’s *racial regimes of ownership* conceptualises the way in which “race” and property are articulated in order to produce racialised subjectivities in settler colonial states that dispossesses racialised populations of their “propertised” land and cheapen their labour all at once. Nowhere is this clearer than the example of Israel/Palestine. Here Palestinian land is transformed into an alienable asset, one which must be worked and cultivated “properly”. The land, as property, is abstracted and interpolated into a set of markers around “cultivation” and “development” such that a set of proprietary relations transforms this land into a propertied object. There is a propriety regarding this abstraction which instils a proper way to live upon and enjoy it, which is already racialised. Simultaneously, the production of racialised subjectivities pre-emptively dispossesses Palestinians – framing them as always unfit to own property, unsuitable for “cultivating” this land as required. At best, they deserve to function as a cheapened labour force for Israeli settlers. Together, these mechanisms make possible racialised subjectivities *and* distribute forms of interconnected inequalities which rely upon these subjectivities. Here then, modes of appropriation and ontology work together, facilitating a set of material inequalities but nowhere is capital accumulation the apex of these.

Conclusion

This chapter argues that property is an overdetermined complex. It participates in the distribution and reproduction of material inequalities but not in the way contemporary analyses of so-called primitive accumulation allow. Property is a capacious tool. It has no singular purpose. Instead, property effects a range of violences, oppressions, and inequalities which remain irreducible to the accumulation of capital alone. I began this

chapter by contextualising recent scholarship on Marx's so-called primitive accumulation. I argue that Glen Sean Coulthard, Siddhant Issar, and Nicholas Brown offer compelling re-readings of Marx. They develop the connection between Indigenous land dispossession, racialised expropriations, and wage-labour exploitation but continue to prioritise capital accumulation, reducing the former to incipient processes. I further argue that in preserving the division between so-called primitive accumulations and capital accumulation, these accounts flatten the analysis of property as a tool in the distribution and reproduction of material inequalities. Here, property is a tool for capital accumulation. Instead, I proposed that property effects a wide variety of interlocking inequalities through proprietary mechanisms. Drawing upon decolonial property law, Indigenous and feminist scholarship as well as critical theory, I argue that there are two specific and *interrelated* mechanisms by which property operates. First, "propertisation" is the transformation of social relations into alienable property. Second, racialised subjectivities reproduce a dispossessive character. Those allotted these subjectivities are framed as incapable of owning the land which has been stolen from them and/or are only worthy of menial remuneration, if any, for their labour. In doing so, I develop an account of the relationship between property and proprietary relations, in which modes of appropriation and being operate together to facilitate material inequalities.

This examination of capacious character of property remains integral to any analysis of proprietary regimes today. It articulates the interlocking distribution of colonial, racialised, gendered, and classed inequalities. This sustains my analysis throughout the rest of this thesis. This thesis theorises the politics of resistance which work against proprietary regimes of ownership. *Ex-appropriation* displaces the processes of propertisation and dispossessive subjectivity I have described here. The following chapters theorise this relationship through the analytics of the common, democracy, and Blackness. In the next chapter, I argue that recent scholarship reframing the commons remains an insufficient mode of analysis to understand the way in which resistance works against ownership. In subsequent chapters, I develop alternative readings of deconstruction, democracy, and the category of Blackness. This analysis theorises contemporary mobilisations and resistance against the proprietary relations which underpin interlocking material inequalities.

Chapter 3 – Limits of the Commons

Introduction

This chapter analyses the commons as an analytic for theories of political resistance. I argue that contemporary literature on the commons continues to institute proprietary relations as necessary to politics. So far, I have theorised the way in which proprietary relations are modes of partition and appropriation that rely upon ontological categorisations to dispossess and enact various interrelated inequalities. Analysis cannot be reduced to class, gender, “race”, colonisation, etc. as singular forms of oppression. In this chapter, I rely upon my analysis of proprietary regimes to argue that recent theoretical conceptions of the commons fail to adequately theorise resistance. I begin by considering the commons as a mode of production. I offer a brief history of settler colonial uses of the commons to refute contemporary scholarship which presumes that communal regimes of ownership necessarily resist inequality. I demonstrate that the commons have often been nestled within a web of proprietary infrastructures. Michael Hardt and Antonio Negri’s analysis of the commons as a “biopolitical” mode of production perpetuates this. Second, I argue that Pierre Dardot and Christian Laval offer a more promising account of the common, in which things are rendered unappropriable. However, this analysis necessitates forms of governance which, again, replays proprietary relations as necessary to political resistance. In the final section, I argue that José Esteban Muñoz’s⁴¹⁵ “brown commons” is, in some ways, akin to my own analysis of *ex-appropriation*. However, Muñoz does not, as is necessary, remake the “capital relation” to reflect the way in which property (re)produces overlapping, interrelated oppressions. I conclude that any rendering of the common must resist the proprietary relations and that communal regimes of ownership fail to disrupt the modes of appropriation and being that distribute interlocking inequalities.

⁴¹⁵ Muñoz, *The Sense of Brown*, 2020.

Section 1 – The Commons: A Property Regime?

In contemporary scholarship there has been a renewed engagement with theories of the commons⁴¹⁶. This literature tends to begin from the premise that the commons is either a mode of production, a geopolitical tempo-spatiality, or the constitution of social relations prior to or without a set of enclosures. In this sense, the commons is a regime of ownership. Often, as is widely acknowledged⁴¹⁷, these analyses rely upon the commons as it existed in feudal Europe, particularly England, and Marx’s analysis of this. Missed throughout this scholarship though is the way the commons, notably in settler colonial contexts, has been used to facilitate the very private property regimes that anti-capitalists want to resist. Lorenzo Veracini names this process of establishing modes of communal ownership after Indigenous dispossession but prior to the founding of private property regimes as ‘a middle passage between indigenous and settler property’⁴¹⁸, echoing the transitory state of Africans who would either become enslaved in the Americas or die on the slave ship. I argue this oversight is troubling. Scholarship on the commons cannot ignore the way in which process of communisation have dispossessed Indigenous populations and laid the groundwork for proprietary regimes which enclosure, appropriate, and police resources according to racialised, gender, and colonial ontological categorisations. I conclude that theorising the commons as a mode of production overturning capitalism remains insufficient. It accepts the economic reductionism, which I outline in previous chapters. Further it does not contend with the proprietary logics that underpin a variety of interrelated inequalities within, but not limited to, settler colonial contexts.

i – The Commons and Settler Colonialism

For Silvia Federici and Peter Linebaugh⁴¹⁹, the commons is the ‘history of class struggle’⁴²⁰. This history connects feudal peasant revolts against landed populations,

⁴¹⁶ See Sevilla-Buitrago, *Against the Commons*, 2022; Harvey, “The future of the commons”, 2011; Linebaugh, *The Magna Carta Manifesto: Liberty and Commons for All*, 2008; Federici, “Feminism and the Politics of the Common”, 2012; Foster, Clark, and Holleman, “Marx and the Commons”, 2021; De Angelis and Harvey, “The commons”, 2013; Satgar, “Marx, the Commons and Democratic Eco-socialism”, 2022.

⁴¹⁷ Veracini, “Afterword: a history of the settler colonial present”, 2016.

⁴¹⁸ Veracini, “Afterword: a history of the settler colonial present”, 2016, p. 175.

⁴¹⁹ Linebaugh, *The Magna Carta Manifesto: Liberty and Commons for All*, 2008.

⁴²⁰ Federici, “Feminism and the Politics of the Common”, 2012.

Lords, and nobility⁴²¹ to the *Zapatistas*' 1994 "re-commoning" of land in Mexico⁴²², Occupy movements in the early 2010s⁴²³, and the 2013 Gezi Park uprisings in Turkey⁴²⁴. However, this fundamentally ignores the way in which communal property formed part of colonial architecture in the Americas. As I have argued throughout this thesis, material inequality cannot be divorced from colonial incursions. Allan Greer⁴²⁵ poignantly notes that colonial forms of the commons were introduced in the Americas just as various forms of enclosures were erected in Europe. Greer excellently outlines the way in which colonisers incorporated forms of communal property as they settled on Indigenous land. In Jamestown, Virginia, agriculture was a 'fully communal enterprise, although the experiment was shortlived'⁴²⁶. In New England, communal practices were similarly fleeting. Clearing forests and tilling soil took place collectively for practical and Christian solidarity reasons but gave way to 'communal pastures and open-field tillage, systems combining individual ownership with collective management'⁴²⁷ where the collective cattle would graze together and be managed by an appointed herdsman. However, these 'tended to erode over the course of the seventeenth century as farmers bought, sold, and traded dispersed fragments of arable land to form consolidated holdings'⁴²⁸. In French Canada, the commons 'operated somewhat like those of colonial New England, except that here they were subject to seigneurial controls and exactions. Access was always limited, and sometimes it was contested' but nevertheless 'common pastures were a basic feature of stock-raising in many areas of New France'⁴²⁹. Greer concludes that 'if we can generalize about enclosures and the inner commons in the early stages of the European occupation of North America, it would be fair to say that settlers laid claim to land sometimes as individual families cultivating self-contained farms, sometimes as a

⁴²¹ Federici's own work is excellent in this regard. She reconstructs feudal class struggles which fought against a nascent capitalist production from a feminist perspective wherein she draws attention to both the domain of production *and* reproduction. See Federici, *Caliban and the Witch*, 2004.

⁴²² See Sin Jeong, "From Decommonisation to Re-commonisation", 2018.

⁴²³ Harrison, "Occupy: 'struggles for the common' or an 'anti-politics of dignity'?", 2016.

⁴²⁴ See Özbay and Savci, "Queering Commons in Turkey", 2018.

⁴²⁵ Greer, "Commons and Enclosure in the Colonization of North America", 2012.

⁴²⁶ Greer, "Commons and Enclosure in the Colonization of North America", 2012, p. 372.

⁴²⁷ Greer, "Commons and Enclosure in the Colonization of North America", 2012, p. 373.

⁴²⁸ Greer, "Commons and Enclosure in the Colonization of North America", 2012, p. 373.

⁴²⁹ Greer, "Commons and Enclosure in the Colonization of North America", 2012, p. 375.

community sharing a given space and its resources'⁴³⁰. The commons were thus a fundamental part of Europe's early colonisation of North America.

It was the "clash" of this colonial form of the commons with Indigenous, communal regimes of land allocation that led to the colonial proprietary regimes that succeeded them. Greer notes that that in Mesoamerica, 'individual families or lineages did have particular plots of their own, subject to varying degrees of community control'. Further, 'villages and hamlets with intensively cultivated fields' belonged 'to particular households, others owned by temples, local chiefs, or urban nobles and worked by the community' in which 'plots were carefully measured, marked, and recorded'⁴³¹. This was most pronounced in New Spain where the 'expansion of colonial property out into what had been the indigenous countryside began in earnest only a generation or two after the conquest' because it became profitable to farm animals. The colonial architecture for this was lifted directly from the Spanish peninsula in Europe where a charter of privileges 'guaranteed the right to use "deserted and uncultivated lands" without distinguishing between privately owned and public lands'⁴³². This enabled the ranging of farmed animals across land unoccupied by Indigenous populations or colonists, or at times of the year when the former did not cultivate the land. At first, this 'did not...imply anything resembling "full" ownership of the soil' but denoted grazing rights and were 'exclusive only insofar as they kept out other ranchers'⁴³³ despite lacking boundaries, making them difficult to enforce. Here then, Spanish colonial architecture was superseding Indigenous forms of communal organisation.

This architecture initially protected Indigenous populations under the same terms as settlers and the former were successful in legal challenges, but it nevertheless led to the wholesale dispossession of Indigenous populations through the transformation of this land into property. Early colonisation had led to the deaths of many Indigenous people due to disease carried by colonisers to the Americas. Moreover, feral herds spread into Indigenous land, undermining ecology and Indigenous food production. This forced many Indigenous populations 'to relocate in concentrated settlements called *congregaciones*'.

⁴³⁰ Greer, "Commons and Enclosure in the Colonization of North America", 2012, p. 375.

⁴³¹ Greer, "Commons and Enclosure in the Colonization of North America", 2012, p. 369.

⁴³² Vassberg, *Land and Society in Golden Age Castile*, 1984, p. 36.

⁴³³ Greer, "Commons and Enclosure in the Colonization of North America", 2012, p. 377.

It meant that ‘colonizers could plausibly claim that great tracts of land, until recently held by native communities, were now unoccupied and abandoned’⁴³⁴, having quickly been transformed from fertile lands into semi-desert plains through the overpopulation of the animals transported and left to roam by European colonisers. These “abandoned” lands were swiftly incorporated into colonial regimes of the commons, relying upon Lockean ideas of labour to justify this sequestering⁴³⁵. Over time, private property regimes replaced this acquisition of Indigenous land into the commons. The *hacienda* is one such formation in which land was removed from the commons and sequestered into private property regimes. It was originally a financial term, referring to livestock raising enterprises but was used to assert legal and extra-legal control over the commons at the expense of Indigenous populations. The legal redress that Indigenous populations had once had success in, now floundered such that ‘what had started out as little more than a collection of licenses to graze [transformed] into something more like private property’⁴³⁶. In this way, the *hacienda* is a perfect example of Robert Nichols’ dispossession⁴³⁷. It is the *very transformation* of social relations into property that constitutes dispossession. Most importantly, these newly formed private property formations, that dispossessed Indigenous populations, were only made possible by European communal property regimes which had originally situated these lands as open for capture.

ii – The Commons and Proprietary Regimes

One might consider these colonial forms of communal ownership and their consequences to be an aberration, a misstep of colonisation, and quickly tack communal property in the Americas to the worldwide class struggle that Federici and Linebaugh announce. After all, Indigenous forms of communal property did resist colonial forms. However, this misses two things. I argue that these oversights

⁴³⁴ Greer, “Commons and Enclosure in the Colonization of North America”, 2012, p. 378.

⁴³⁵ As is well-known to readers of Locke, for him it is the transformation of land through one’s labour that justifies and legitimises its transformation into private property. James Tully argues that, for Locke this does not necessarily mean individual private property but can also mean communal private property. This of course makes sense when we consider the fact that Locke’s view of colonialism and the way in which, as I argued here, communal property was essential to colonial projects. See Locke, “Of Property”, 2003; Tully, “Differences in the Interpretation of Locke on Property”, 1993.

⁴³⁶ Greer, “Commons and Enclosure in the Colonization of North America”, 2012, p. 379.

⁴³⁷ Nichols, *Theft is Property*, 2020.

demonstrate the way in which the commons as a mode of production rearticulate proprietary relations as necessary to politics. Consequently, this rendering of the commons legitimises proprietary regimes and the inequalities they distribute. First, communal forms of property in Europe were embedded within a set of proprietary relations. In feudal England at least, commoners' rights over common land were tied into a complex regime of property rights and tied to both the property rights of the lord, perhaps other peers, and the Crown. These rights were not simply resistance against emergent regimes of private property. Common land – as Marx describes it⁴³⁸ – refers to the open-field system of agriculture and is that which was near enough abolished by the 'Inclosures Acts' that, according to Marx, heralded the dawn of capitalist private property. Prior to these acts, common land was tied to a particular manor and common rights to let animals graze, to fish, to cut turf or take wood for fuel, and to extract minerals, could be claimed by commoners – that is neighbouring people who do not themselves own any land. Further, given common land formed part of the estate governed by a lord, common land was thornily imbricated in a set of social relations which were *made* into property claims in conjunction with the English (or British) Crown and the property rights the monarch (as head of the Crown) claimed over English/British territory. This is because each lord held the manor under a feudal grant from the Crown or a higher-ranking peer⁴³⁹. As Eric Kerridge⁴⁴⁰ points out then, common land was nestled in a web of complex property rights and claims to sustain economic life and social relations. Property rights and claims in medieval England abounded: over land, rivers, forests, fields, and the minerals, wood, animals, and raw materials or resources that can be extracted from them. Common land was no exception to this and did not sit outside this complex web social relations *made into property*. As such, even *the commons* in medieval England, did not sit outside forms of partition tied to subjectivity but was nestled within a complex web of property rights and claims. Here, common land actually *relied upon* many forms of enclosures – not only the 'Inclosure Acts' themselves but enclosures, in the wider sense of the term, necessary to demarcate objects and land as property by lords, peers,

⁴³⁸ Marx, *Capital: Volume 1*, 1990.

⁴³⁹ This peer would then hold their land from the Crown itself.

⁴⁴⁰ Kerridge, *The Common Fields of England*, 1992.

and the Crown itself. Consequently, to exalt all forms of the commons as inherently resistant to proprietary regimes of ownership is a mistake.

Second, invocations of the commons within resistance movements continue to reinforce the legitimacy of the settler colonial project. Macarena Gómez-Barris⁴⁴¹ and J. Kēhaulani Kauanui⁴⁴² have both argued that the 2010s Occupy movements posed difficulties for Indigenous populations in North America because of their stated aims to reclaim public space for the 99% within settler colonial states. Here, Gómez-Barris and Kēhaulani Kauanui acknowledge not only that settler colonial projects are ongoing but that the commons forms part of the settler project across the centuries, albeit in different ways. Sandy Grande argues that this strategy of occupation ‘reconstitutes (territorial) appropriation as the democratic manifest and fails to propose something distinct from or counter to the settler state’⁴⁴³. Craig Fortier⁴⁴⁴ analyses the way in which such appeals to the commons continue to reinforce settler colonialism in activist circles. He proposes that the Occupy movement can ‘reproduce the ideology of dominion-as-domination present within past claims to the commons by settler populations’⁴⁴⁵. This is not to say that settler activists within the Occupy movement colonise Indigenous populations and land in the same way that colonisers have done (and continue to do) and pave the way for property regimes as described above. Rather settler activists, in Fortier’s ethnographic work, assumed the right to claim space and often ignored the issues raised by Indigenous activists. Here, Indigenous activists’ claims were seen as secondary to the “broader” political project of the commons. This presupposed an “all” that was built on a set of hidden exclusions. As such, settler activists missed the way in which their subjectivity informed their politics and was itself political, imbricated within a set of interrelated forms of gendered, racialised, and colonial inequalities. Any “universal” claim of equality which does not contend with these inequalities risks replaying them. In doing so, settler activists reinforce proprietary regimes that rely upon occupation, settlement, and dispossessive Indigenous subjectivities as political necessities. In this sense, they mirror and reproduce the very colonial architecture from which they are,

⁴⁴¹ Gómez-Barris, “How to Block the Extractive View”, 2018.

⁴⁴² Kauanui, “Nothing Common About ‘The Commons’”, 2013.

⁴⁴³ Grande, “Accumulation of the primitive”, 2013, p. 369.

⁴⁴⁴ Fortier, *Unsettling the Commons*, 2017.

⁴⁴⁵ Fortier, *Unsettling the Commons*, 2017, p. 17.

literally, born such that ‘the reclamation of the commons through the strategy of occupation is part of a longstanding process of settler (re)appropriations and (re)colonizations’⁴⁴⁶.

Ignoring these concerns and theorising the commons as a worldwide, “universal” class struggle against capitalism relies upon understanding the former as a regime or mode of production. I argue this replays proprietary forms of domination. Michael Hardt and Antonio Negri offer the most novel account of theorising the commons as a mode of production which can replace capitalism. For them, the commons is the site where production takes place. They continue to use Marxist terminology of “labour” and “production” but reinvent Marx by expanding these terms such that ‘labor, freed from private property, simultaneously engages all our senses and capacities’⁴⁴⁷. Production here then comes to mean creating and sustaining ‘all human relations to the world – seeing, hearing, smelling, tasting, feeling, thinking, contemplating, sensing, wanting, acting, loving’⁴⁴⁸. Arguing beyond Marx, the commons is not only ‘a given element such as land or natural resources but also and more important as a result...networks of social relations or forms of life’⁴⁴⁹. Information, codes, knowledge, images and “affects” all come to be described as products of the commons. For Hardt and Negri, *all* that which is produced, is produced in the commons and, as such, is a social product. Importantly, here the commons is remade as a site of production, a sphere *in and of itself*. Extractivist logics of capital mine this site for appropriable produce to generate surplus value and accumulate capital but can never fully destroy or deplete it. Capitalist production is then the mere “expropriation” of that which has been produced in the commons. It extracts the value of the commons into private hands abetting the accumulation of capital.

This analysis is wrongheaded in two ways. First, the “expropriation” of labour is not the only means by which inequality takes place. Second, it institutes proper forms by which occupation and ownership can be rendered legitimate, providing the foundation for proprietary regimes of ownership and interlocking inequalities to flourish. On the first, I situate the “multitude” as Hardt and Negri’s response to the problem of economic

⁴⁴⁶ Fortier, *Unsettling the Commons*, 2017, p. 18.

⁴⁴⁷ Hardt and Negri, *Commonwealth*, 2009, p. 38.

⁴⁴⁸ Marx, *Economic and Philosophical Manuscripts of 1844*, 1932, p. 351; my italics.

⁴⁴⁹ Hardt and Negri, *Commonwealth*, 2009, p. 117.

reductionism within Marx's "capital relation", that I outlined in Chapter 1. For them, the "multitude" refers to all those without political, economic, and social power who Hardt and Negri understand as partaking in the making of the commons. They argue that the "multitude" works 'in contrast to the old class-form, to name the internally differentiated struggles of altermodernity'⁴⁵⁰. It 'manages to construct political organization not only among the diverse components of the working class, and not only among the multiplicity in the racial and ethnic domain, but also *between these axes*'⁴⁵¹. Here is an acknowledgement that Marx's analysis of class offers too narrow a focus for conceiving the proper subjectivity – though to be clear not the outright denunciation of the proletariat as an historical agent that Cedric Robinson offers⁴⁵² – of political resistance. Hardt and Negri recognise that the class form cannot hold and instead propose the "multitude" as the *proper* subjectivity of historical agency which reclaims the commons because it manages to organise 'a wide variety of economic and social demands in *horizontal networks*'⁴⁵³. Vertical political organisation describes traditional forms of political resistance such as labour movements but also what is framed as more recent configurations of identity such as "race", gender, sexuality, nationality, and so forth. As such "horizontal networks" describes organisational forms that are 'always open, constitutive...such that every time it is solidified in fixed vertical relations of power', it is exceeded and overflowed 'reopening organization again to the participation of all'⁴⁵⁴. Organising *across* difference and relations of power means the "multitude"

⁴⁵⁰ For Hardt and Negri, *modernity* is the power relation between European nations and the territories they colonised; *anti-modernity* is the 'resistances to colonial domination, [which] are not outside modernity but rather internal to it, that is, within the power relation'. Modernity 'links rights to identity' in that both colonial relationships and anti-modern resistances are framed through this lens. "Altermodernity" is the attempted escape from this power relation – not as its opposition but as its 'rupture and transformation'. Hardt and Negri propose that 'whilst socialism straddles modernity and anti-modernity, communism must break with both of these by presenting a *direction relation to the common* to develop paths of altermodernity'. "Altermodernity" thus attempts to break power relation of modernity by creating a *direct relation* to "the commons". See Hardt and Negri, *Commonwealth*, 2009, pp. 67, 104-107. Italics mine.

⁴⁵¹ Hardt and Negri, *Commonwealth*, 2009, p. 110. Italics mine.

⁴⁵² Robinson writes that the 'quest for a radical social force, an active historical subject [which Marx's class analysis provides]...compelled certain blindnesses, bemusements that in turn systematically subverted their analytical constructions and their revolutionary projects'. See Robinson, *Black Marxism*, 2000, p. 28.

⁴⁵³ Hardt and Negri, *Commonwealth*, 2009, p. 108.

⁴⁵⁴ Hardt and Negri, *Commonwealth*, 2009, p. 196.

encompasses all such that the commons is not simply reclaimed and owned *only* by those exploited through wage-labour, as per Marx's class analysis.

Nevertheless, Hardt and Negri's "multitude" continues to theorise wage-labour exploitation as the primary mode of domination. The "multitude" is a phrase first used by Benedictus Spinoza⁴⁵⁵ to refer to the "common people"⁴⁵⁶. It was often used to refer to the plebs of Ancient Rome, the Levellers in England, and people in city-states in Italy, notably by 19th century anarchist thinker Pierre-Joseph Proudhon⁴⁵⁷. Yet as Samir Amin⁴⁵⁸ argues there is no singular world of Empire (in Hardt and Negri's terms) nor of capitalist exploitation that generates a homogenous exclusion from political, social, and economic power. Amin argues that the way in which workers are exploited has changed such that utilising the "multitude" as the exclusion of those without power is insufficient. For Amin, 'the long-term tendency of capital accumulation...is to proletarianize, i.e. to transform from the diverse member of the common people (the pleb, the multitude) into sellers of their labour power to capital'⁴⁵⁹. Amin further notes that proletarianization is continually changing and is unique in each space-time. This offers a limited view of the ways in which people are "exploited" through proprietary regimes. It is not simply proletarianization – and thus the exploitation of labour – which characterises oppression. Siddhant Issar⁴⁶⁰ and Brenna Bhandar⁴⁶¹ have demonstrated the ways in which racialised subjectivities work to funnel racialised and colonised populations into segmented labour markets, cheapening the value of their labour. W. E. B. Du Bois⁴⁶² and Cedric Robinson⁴⁶³ established long ago that anti-Black chattel slavery is foundational to the emergence of racial capitalism. Moreover Robert Nichols⁴⁶⁴, Brenna Bhandar⁴⁶⁵, David Harvey⁴⁶⁶ and Glen Sean Coulthard⁴⁶⁷ have all recognised that dispossession – be it of Indigenous

⁴⁵⁵ Spinoza, *Theological-Political Treatise*, 2001.

⁴⁵⁶ Grattan, "The Indignant Multitude", 2011.

⁴⁵⁷ Proudhon, *What is Property?*, 1994.

⁴⁵⁸ Amin, "Contra Hardt and Negri", *Monthly Review*, 2014.

⁴⁵⁹ Amin, "Contra Hardt and Negri", *Monthly Review*, 2014, no page reference.

⁴⁶⁰ Issar, "Theorizing 'racial/colonial primitive accumulation'", 2021.

⁴⁶¹ Bhandar, *Colonial Lives of Property*, 2018.

⁴⁶² Du Bois, *Black Reconstruction in America*, 2013.

⁴⁶³ Robinson, *Black Marxism*, 2000.

⁴⁶⁴ Nichols, *Theft is Property*, 2020.

⁴⁶⁵ Bhandar, *Colonial Lives of Property*, 2018.

⁴⁶⁶ Harvey, *The New Imperialism*, 2003.

⁴⁶⁷ Coulthard, *Red Skin, White Masks*, 2014.

peoples' land or nationalised public services – is an ongoing process in which resources and relations are transformed into property in order to deny access to those who previously had it and often even menial wage-labour remuneration does not follow. All in all, the *exploitation of labour*, that is the “expropriation” of surplus value over and against use value, is an extremely limited lens through which to conceive the oppression that exist under proprietary regimes.

Of course, this mirrors Marx's own account of communism but more importantly, and here I come to my second criticism, this is a proprietary characterisation of political resistance, relying upon settler colonial presuppositions: originary possession and rightful possessors. Hardt and Negri thus institute proper forms by which occupation and ownership are rendered legitimate. Conceiving the commons as a mode of production anchored by this new subjectivity – the “multitude” – replays proprietary logics, that is the very logics that underpin settler colonial dispossession and impoverishment of Indigenous populations. As I demonstrated in Chapter 2, the regimes of ownership that emerged after European colonization of the Americas are proprietary because they rely not simply upon the appropriation of land but racialized and colonial subjectivities which justified this Indigenous dispossession and a whole raft of interrelated inequalities. Hardt and Negri reinforce proprietary regimes by theorising the commons as a site of labour and “the multitude” as labourers. They argue that the commons ‘appears as the basis and goal of struggles’, it is the ‘networks of social relations or forms of life’⁴⁶⁸, and is formed ‘through collective social practices’ and as such ‘lays claim to truth...constructed from below’⁴⁶⁹. The “multitude” are then the creators of the common in that they produce *everything* – be it information, codes, knowledge, infrastructures, and so forth – and, as noted earlier, this production always exists *within* the commons. Nowhere is this point made clearer than when Hardt and Negri expand labour to include ‘all our senses and capacities’⁴⁷⁰. Thus “the commons” is the *labour* of the “multitude”. This is a return to Marx's prioritisation of use-value over and against surplus-value.

⁴⁶⁸ Hardt and Negri, *Commonwealth*, 2009, p. 117.

⁴⁶⁹ Hardt and Negri, *Commonwealth*, 2009, p. 121.

⁴⁷⁰ Hardt and Negri, *Commonwealth*, 2009, p. 38.

The attempt here is to retain Marx's analysis of labour and the "capital relation" all the while dispelling his reliance on class analysis and the proletariat as historical agents which disregards the many other forms of interrelated oppression I have been discussing. Yet in doing so, Hardt and Negri replay a set of proprietary assumptions. They institute proper qualifications for occupation, settlement, ownership which act as the criterion necessary to institute proprietary subjectivities and justify the forms of partition and appropriation integral to proprietary regimes. In constituting the commons as the labour of the "multitude", Hardt and Negri situate the latter as the *rightful* and *proper* owners of all that is produced within it. Thus far from abolishing proprietary relationships, they simply create ones where, in rather dystopian fashion, *all* social relations including our senses are appropriable and can be remade as property – to be *owned* by "us", whatever that might come to mean. Here, economic reductionism lays the groundwork for occupation and ownership being rendered legitimate *if* proper qualifications – such as the labouring of lands – are met. In a strange twist, this replays the very Lockean qualification for property that Marx, Hardt, and Negri decry and provided the basis for colonial forms of the commons to supersede Indigenous regimes of land habitation, paving the way for colonial proprietary regimes.

Section 2 – Making Things Unappropriable

In this section, I rethink Pierre Dardot and Christian Laval's analysis of the common in relation to proprietary regimes and settler colonial uses of the commons. I argue that any theory of the commons must be thought as a form of resistance against these rather than a regime of ownership. The latter relies upon constituting social relations as forms of property which can be seconded into proprietary regimes. This merely reproduces the distribution of inequalities. I begin by analysing Dardot and Laval's theorisation of the common as a principle in which social relations are constituted as common. I argue that this interruption of property coheres with my own analysis of *ex-appropriation* which theorises resistance against modes of appropriation and being that distribute inequality within proprietary regimes. I argue thinking the common as a principle moves away from the politics of ontology which continues to structure Hardt and Negri's account. However, Dardot and Laval's analysis also situates this principle of the common in relation to modes of participatory governance. I argue that this remains incompatible with my theory

of *ex-appropriation* and resistance. The former replays the proprietary relations necessary to the border regimes that modes of governance institute. I thus conclude that, despite its promise, Dardot and Laval's account of the common fails to escape the proprietary relations that settler colonial projects are invested in and reasserts the necessity of regimes of ownership.

i – The Common: Resisting Proprietary Relations

Rather than a mode of production, Pierre Dardot and Christian Laval think the common as 'an idea that always threatens the legitimacy and enjoyment of private or state property'⁴⁷¹. In this sense, it is the idea that, for them, animates the "commune" (as a 'specific, local, self-governing polity'⁴⁷²) and the "commons" (as object or resources managed by a group of people) but also the social movements that have and continue to operate under this moniker – be it feudal peasant revolts, the *Zapatistas* in the 20th century, or Occupy movements throughout the last decade or so. Key is the fact that they view the common "in the singular", as a principle, and not a mode of production. Some have found this puzzling. Alfonso Giuliani and Carlo Vercellone propose that this is a 'theoretical contradiction' because such a principle must surely be 'laying the foundations of an alternative economic and social system, that is, what Marx called a mode of production'⁴⁷³. However, this rests upon a fundamental misconception: that political resistance is concerned with the institution of new regimes. As I have demonstrated in this thesis so far, I consider political resistance the work of disrupting and displacing proprietary regimes *without* instituting new forms of the proper. I will come back to theorising politics and resisting domination without imposing new regimes in the next chapter on democracy. For now, it is important to note that Dardot and Laval's analysis can be thought on similar terms to my own theorisation of political resistance: a form of refusal rather than a mode of production. This plays out in two ways. First, thinking the common as a principle rather than a mode of production means in no sense are ontological categorisations a prerequisite for politics. Second, the common is the act of

⁴⁷¹ Dardot and Laval, *Common*, 2019, p. 6.

⁴⁷² Dardot and Laval, *Common*, 2019, p. 7.

⁴⁷³ Giuliani and Vercellone, "From New Institutional Economics of the Commons to the Common as a Mode of Production", 2019, p. 773.

constituting things in common. Dardot and Laval return to Ancient Roman law to argue that constituting things in common requires rendering them unappropriable.

Dardot and Laval refuse the ontological categorisation that continues to underpin Hardt and Negri's view of the common. The commons as a regime – as underlined in Hardt and Negri – requires a revolutionary subject. For Marx, it was the proletariat. For Hardt and Negri, it is the “multitude”. This subject is necessary because they are the proper to the relevant mode of production, who can rightfully own relations of production. Yet, as I have outlined, this merely reinforces the necessity of possession, propriety, and their entanglement. As Mark Devenney notes, Dardot and Laval ‘refuse ontology as the basis for a politics’⁴⁷⁴. They acknowledge that ‘the passage from ontology to politics can only ever be a leap of faith’⁴⁷⁵. In other words, the constitution of various forms of subjectivity such as the proletariat or the multitude are no guarantee of any kind of politics nor regime that enacts equality. Where Hardt and Negri replay a set of proprietary assumptions, Dardot and Laval refuse to rely upon these. They understand that ontology – and so too, proprietary relations – are always political. This moves us from ontology to politics, that is to the contestation of what constitutes the *demos*⁴⁷⁶, without recourse to any *necessary* nor *a priori* subject that might act as the foundation for this contestation. Accordingly, Dardot and Laval do not institute, as Hardt and Negri do, new forms of propriety – be it definitions of the proper or forms of subjectivity – that undergird and delimit the kind of politics that are possible. This refusal of ontology as constitutive of politics is where the common can begin to disrupt the proprietary relations that distribute inequality. In this way, the common cannot be understood a mode of production, much less a regime, which makes way for the proprietary regimes which emerge in settler colonial societies after the “middle passage”, in both senses of that phrase. Instead, this reading of the common can be understood akin to the forms of *ex-appropriation*. It resists the modes of appropriation and being which characterise the proprietary relations underpinning settler colonial invocations of the commons, I have outlined thus far, and reinforce the distribution of interlocking inequalities.

⁴⁷⁴ Devenney, *Towards an Improper Politics*, 2020, p. 94.

⁴⁷⁵ Dardot and Laval, *Common*, 2019, p. 190.

⁴⁷⁶ I delve into the relationship between the *demos* and politics in Chapters 4.

Refusing ontology as a prerequisite for a politics of the common, Dardot and Laval instead propose that ‘the common must rather be thought of in terms of *co-activity*, and not co-belonging, co-ownership, or co-possession’⁴⁷⁷. This, of course, refuses Hardt and Negri’s analysis which thinks the “multitude” as co-owners of a communal mode of production. The concept of *co-activity* rethinks *res communis* inherited from Ancient Roman law. *Res communis* is a legal category that denotes “things in common”, things that are unappropriable, and is distinct from *res nullius*, which is unowned objects. Drawing upon the work of Yan Thomas⁴⁷⁸, they demonstrate that in Ancient Roman Law, *res* denoted an object that existed *because* it was in dispute. Under this law, there is no “natural” object and the distinction between subjects who have rights and objects over which rights can be exercised. Instead, *res* marks the thing that is in dispute. Importantly Dardot and Laval argue there was no natural resource that was deemed unappropriable. As such, those seeking to build a politics around *res communis*, such as Joseph Ortolon⁴⁷⁹, miss that *res* does not refer to natural resources and relies too heavily upon collapsing the two. Here then, Ortolon and others underplay the power of the law. For them, the law ‘does not proscribe the unappropriability of common things, but simply observes it. The law, in this case, is thus reduced to cataloguing a pre-existent reality that bears its own legal standard, rather than creating its own reality through the development of its own legal categories’⁴⁸⁰. Instead, Dardot and Laval argue that the utility of Yan Thomas’ distinction is that it demonstrates that the law constitutes things (*res*) as unappropriable. It is then an ‘institutional decision’⁴⁸¹. They thus propose that social relations must be *made* unappropriable through *co-activity* just as they are made into property via “*propertisation*”⁴⁸². It is the constitution of things as unappropriable which generates a politics of the common: ‘if the common is to be instituted, it can only be done on the basis of unappropriability, and in no case can it become the object of property’⁴⁸³.

⁴⁷⁷ Dardot and Laval, *Common*, 2019, p. 27. Italics original.

⁴⁷⁸ Yan Thomas, *Legal Artifices: Ten Essays on Roman in Present Tense*, 2021.

⁴⁷⁹ Ortolon, *Explication historique des institutes de Justinien*, 1883.

⁴⁸⁰ Dardot and Laval, *Common*, 2019, p. 21.

⁴⁸¹ Dardot and Laval, *Common*, 2019, p. 178.

⁴⁸² See Chapter 2.

⁴⁸³ Dardot and Laval, *Common*, 2019, p. 157.

The principle of unappropriability refuses settler colonial invocations of the commons which centre land reclamation, reinforce appropriation, occupation, and settling as essential to forms of equality, and thereby legitimise proprietary forms as necessary to politics. For Macarena Gómez-Barris⁴⁸⁴ and J. Kēhaulani Kauanui⁴⁸⁵, the politics of the Occupy movement was tied to the long history of settlement, occupation, and colonialism in North America. As I demonstrated, colonial forms of the commons were mechanisms by which colonialism and Indigenous dispossession took place, and private property emerged. However, Dardot and Laval’s principle of unappropriability refuses the notion that even presumptively unoccupied and unowned land can ever be appropriated or owned. They highlight the distinction in Roman law between two types of *res nullius*. The first is the more general kind of *res nullius* described above: objects which are forms of property and, because they do not yet have an owner, remain unowned. The second, *res nullius in bonis*, ‘designates that which is unappropriable and inalienable’⁴⁸⁶. The latter category was an institutional mechanism. It transformed what, had previously been made into property, into unappropriable objects: ‘the categorization of “things” (res) within the sphere of appropriation and exchange was accomplished by means of a “detour” which allowed certain objects that had been previously “entrenched” within the sphere of appropriation to be removed and “assigned to the gods or to the city”’⁴⁸⁷. Here objects are transferred as a form of inheritance to the city and its heirs *without a property title*. This relied upon two different renderings of public. One rendering of “public” designated public use whilst the other referred to state property. The state could not appropriate the first and this could not be used against various forms of indebtedness, unlike the latter. *Res nullius in bonis* referred to objects for “public use”, understood these as ‘inherently unappropriable’, and that they remain as such so they can be held for public use ‘in perpetuity’⁴⁸⁸.

To institute land, non-human life, and other parts of our ecology as unappropriable in this way, is to inaugurate a politics that means even when settlers refuse to perceive Indigenous relationships to land which would foreclose its possession as theft, social

⁴⁸⁴ Gómez-Barris, “How to Block the Extractive View”, 2018.

⁴⁸⁵ J. Kēhaulani Kauanui, “Nothing Common About ‘The Commons’”, 2013.

⁴⁸⁶ Dardot and Laval, *Common*, 2019, p. 179.

⁴⁸⁷ Dardot and Laval, *Common*, 2019, p. 178.

⁴⁸⁸ Dardot and Laval, *Common*, 2019, p. 179.

relations are not situated as resources, form of property, nor objects that are appropriable. This forecloses the possibility of appropriation, and all the implications (including various forms of dispossession and material inequality) thereafter, from the off. The narrative that these were always property – could only have been property – and that Indigenous dispossession was merely the legitimate transfer of ownership crumbles in much the way it does when we consider dispossession as propertisation⁴⁸⁹. The refusal to appropriate and to make things unappropriable is an important political tool. Craig Fortier highlights that ‘interest in and admiration for the political, spiritual, and social practices of Indigenous peoples can easily slip into appropriative and harmful behaviours’⁴⁹⁰. One settler activist Fortier spoke to argued that some settlers ‘tokenize and appropriate Native spirituality and customs’, which can ‘commodify or claim Indigenous spiritual traditions and practices rather than developing relationships with those communities’⁴⁹¹. Developing relationship *with* Indigenous communities was key for both Indigenous and settler activists committed to a politics of decolonisation. We might consider this refusal to commodify and appropriate Indigenous customs a small, concrete step within a broader politics of the common committed to unappropriability. Similarly, Brenna Bhandar has argued that viewing land – as one particular but important example – as not-property but also as non-commodifiable and not-a-resource (of which Glen Sean Coulthard⁴⁹² has demonstrated the importance) is essential and foundational to any project that refuses the settler colonial project⁴⁹³. In this sense, Bhandar’s demand can be made through Dardot and Laval’s common and the principle of unappropriability. Here, land is unappropriable and understood as part of an ecology that Indigenous forms of knowledge have long produced. Akin to Roman law, there is no human and non-human distinction that would enable the former to appropriate the latter.

ii – Unappropriability and the *Demos*

Accordingly, I agree with Mark Devenney that Dardot and Laval’s common is compatible with an analysis of social formations and inequality that centres proprietary relations.

⁴⁸⁹ See my analysis of this in Chapter 2. See also Nichols, *Theft is Property*, 2020.

⁴⁹⁰ Fortier, *Unsettling the Commons*, 2017, p. 35.

⁴⁹¹ Fortier, *Unsettling the Commons*, 2017, p. 35.

⁴⁹² Coulthard, *Red Skin, White Masks*, 2014.

⁴⁹³ See Bhandar, von Redecker, Lechley, Voegelé, “Unsettling Our Relationship to Things and People”, 2022.

However, I also argue that Devenney misses the way in which Dardot and Laval delimit the scope of unappropriability, tying it to regimes of governance rather than modes of resistance. In this way, they reinstitute proprietary forms, at the last moment, through the institution of forms of governance as necessary to a politics of unappropriability. I argue this reinforces proprietary regimes of ownership through border control. Dardot and Laval argue that contemporary resistance movements are in a bind. On the one hand, ‘nothing is more urgent than defending public services against neoliberal reforms’⁴⁹⁴. On the other, it is ‘equally risky to oppose the democratization of public services on the basis of a reflexive need to “defend the state” against neoliberal attack’⁴⁹⁵. This merely reifies political power within state apparatus. It is a particularly concerning point for Indigenous communities where the state co-opts Indigenous populations into liberal regimes of recognition which destroy their relationship to land and transform these into merely economic resources, all under the guise of “recognising” their territorial claims⁴⁹⁶. On this matter then, I do not question Dardot and Laval. I agree wholeheartedly. However, they presuppose that this leads to the question of ‘how to transform public services into *institutions of the common* that are oriented toward use rights and democratically governed’⁴⁹⁷. It is the latter part of this that interests me. Dardot and Laval assume that unappropriability can be incorporated into forms of democratic governance. I argue though that unappropriability itself is a form of democratic politics. To remake land beyond a form of property that can be commodified, as Bhandar suggests, or for settlers to develop relationship *with* Indigenous communities rather than appropriate their customs so they can be commodified within the settler colonial project *is itself* a form of democratic politics in that these enact forms of equality that proprietary regimes foreclose. In short, self-governance of the commons *may form part of* a strategy of democratic politics but cannot be instituted with a democratic regime. No such regime exists.

Unlike radical or deliberative democrats, I argue that democracy cannot be a regime. Instead, I follow Devenney in theorising democratic politics as the enactment of equality

⁴⁹⁴ Dardot and Laval, *Common*, 2019, p. 355.

⁴⁹⁵ Dardot and Laval, *Common*, 2019, p. 355.

⁴⁹⁶ I speak about this in detail in Chapter 2. See also Coulthard, *Red Skin, White Masks*, 2014.

⁴⁹⁷ Dardot and Laval, *Common*, 2019, p. 356. Italics mine.

that disrupts the inequality that proprietary regimes institute⁴⁹⁸. Devenney⁴⁹⁹ rethinks the work of Jacques Rancière⁵⁰⁰ and Josiah Ober⁵⁰¹ to conceptualise democracy as the “improper” enactment of equality which disrupts proprietary relations. Ober argues that the Ancient Greek suffix *-kratos* that forms part of democracy’s etymology does not denote a regime type but is power in the sense of ‘the capacity to do things’⁵⁰². Meanwhile, Rancière figures politics as the interruption of regimes. Drawing these together, democratic politics is not the representation of all – including those without property or qualification – within the *demos*. Instead, democratic politics is the very remaking of the *demos* (which translates as ‘the place where people live’ and has come to mean ‘people’) *without qualification* because if democracy means ‘the demos, without qualification, exercises power’ then ‘this says nothing about who counts as a member of the demos and nor does it determine the proper space of its power’⁵⁰³. Any attempt to institutionalise this power necessarily demands a set of qualifications: on the scope of this power, the range of it, and who is included within it, to name but a few. In this way, democracy is the very disruption of the proprietary borders that structure the *demos* in order to resist the inequality they distribute.

The principle of unappropriability makes sense with this conception of democracy. Instituting land, Indigenous customs, or “public services” such as water, energy, or transport, as unappropriable is democratic. This resists the attempt to enclose and appropriate these and distribute access (as well as the profit made, and inequality derived, from this enclosure) unevenly, utilising racialised, colonial, and gendered subjectivities as “qualifications”, as I outlined in Chapter 2. However, Dardot and Laval fail to realise that unappropriability *itself* – the very constitution of things as not-property, and thereby resistant to proprietary relations – is democratic. For Dardot and Laval, ‘rather than simply trying to defend the public services, we must try to *transform them into truly democratic organizations* that allow professionals and also citizens – the ultimate recipient of these services – the ability to intervene, deliberate, and make

⁴⁹⁸ I develop this account of democracy in the next chapter, in more detail.

⁴⁹⁹ Devenney, *Towards an Improper Politics*, 2020.

⁵⁰⁰ Rancière, *Disagreement*, 1998.

⁵⁰¹ Ober, “The Original Meaning of Democracy”, 2008.

⁵⁰² Ober, “The Original Meaning of Democracy”, 2008, p. 3.

⁵⁰³ Devenney, *Towards an Improper Politics*, 2020, p. 7.

decisions about the public service in accordance with the general laws and ethical mission of the public service itself'⁵⁰⁴. In short, unappropriability must be enshrined *within* the “democratic” institutions of participatory regimes. Dardot and Laval argue that public services ‘require a form of governance’⁵⁰⁵. I do not necessarily disagree here but we cannot view these modes of governance themselves as democratic. The obligatory bordering that regimes require in order to demarcate who is and is not included under their purview is inherently undemocratic. It requires forms of qualification and delimitation that institutes unequal treatment and works against the democratic demand for equality without qualification. Using the transformation of water supply ownership in Naples, Dardot and Laval propose that ‘by linking “common goods” with “participatory democracy,” Italian activists concretely implemented what we have been calling the “common.”’⁵⁰⁶. There is no doubt that providing free, better, water access to all is democratic but it is the very enactment of this that is democratic not the *procedural means* by which this takes place. Democratic politics might well use or engage with the state or forms of governance. In fact, it often does. But we cannot confuse the enactment of equality, in which we perhaps utilise or work against these forms of governance (often doing both in the same breath), with those very regimes of ownership that demand qualifications and limitations on equality. In assuming that unappropriability requires forms of governance, Dardot and Laval reinstitute the proprietary borders that marshal these as necessary, rather than that which must be disrupted by the principle of unappropriability to enact forms of equality.

Section 3 – The Brown and Queer Commons

Situating ownership as the *sine qua non* of politics is a proprietary manoeuvre which works to delimit the kinds of social relations which are possible. The work of Indigenous, anti-colonial, and other resistance movements disrupt the proprietary relations of colonial infrastructure. Neither Hardt and Negri nor Dardot and Laval accurately theorise this. In different ways, both require regimes of ownership. In this section, I consider how recent developments of the queer and brown commons theorise this resistance. Nadja

⁵⁰⁴ Dardot and Laval, *Common*, 2019, p. 360.

⁵⁰⁵ Dardot and Laval, *Common*, 2019, p. 361.

⁵⁰⁶ Dardot and Laval, *Common*, 2019, p. 360.

Millner-Larsen and Gavin Butt situate “queer communing” as a riposte to the ‘privatizing and commodification of the gay agenda...the failures of mainstream LGBT politics [and] to twenty-first century austerity and gentrification’⁵⁰⁷. Meanwhile José Esteban Muñoz’s⁵⁰⁸ “brown commons” theorises both the colonial creation of racialised identities to dispossess, extract, and exploit populations *and* resistance against this “browning” of the world. Here *communing* aims to not just remake space to be more queer- or brown-friendly but remake it against colonial, capitalist, and cis-heteropatriarchal oppression as interrelated antagonisms. I argue though that even these developments fail to adequately theorise the commons beyond ownership and thus offer a limited account of resistance to proprietary regimes and the interrelated antagonisms that permeate them.

i – Queer Commons/Queer Communing

Millner-Larsen and Butt, Cenk Ösbay and Evren Savci, and Julie Toletino et. al all render *queer communing* as a way to conceive queer activism which remakes property relations and the propriety of space in order to refuse cis-heteropatriarchal violence. Cenk Ösbay and Evren Savci⁵⁰⁹ argue the Gezi Park uprisings in 2013 mark a nascent form of the “queer commons”. The uprising emerged in response to the violent eviction of a sit-in protest in Istanbul’s Taksim Gezi Park over urban development plans to remove the park, one of the few remaining green spaces in the city. For Ösbay and Savci, the Gezi Park uprisings differ from pre-neoliberal queer spaces such as bathhouses, parks, and movie theatres because (a) despite being cheap, these were still for-profit institutions which excluded ‘the truly poor or the homeless’⁵¹⁰, and (b) they were historically masculine spaces which rejected diverse queer representation. The Gezi Park uprisings thus mark a remaking of space beyond cis-heteronormative expectations to include lesbian, Trans, and other queer people but also beyond privatisation of space which would exclude those who cannot afford the entrance fee of bathhouses and movie theatres. Despite this ‘performance of [a] queer commons’⁵¹¹ inspiring the reconstitution of social relations, Ösbay and Savci do not challenge proprietary assumptions. The commons must be

⁵⁰⁷ Millner-Larsen and Butt, “The Queer Commons”, 2018, p. 401.

⁵⁰⁸ Muñoz, *The Sense of Brown*, 2020.

⁵⁰⁹ Özbay and Savci, “Queering Commons in Turkey”, 2018.

⁵¹⁰ Özbay and Savci, “Queering Commons in Turkey”, 2018, p. 516.

⁵¹¹ Özbay and Savci, “Queering Commons in Turkey”, 2018, p. 519.

“reclaimed” as a possession owned by a body politic – even if this is expanded to include queer and marginalised populations. In other words, the “queer commons” expands *who* can appropriate and own space but does not question relations of ownership themselves.

Similarly, Julie Tolentino, Vivian Crockett, Tara Hart, Amira Khusro, Leeroy Kun Young Kang, and Dragon Mansion⁵¹² argue that 1990s nightclub and performance venue, *Clit Club*, was an “undercommon” that ‘offered a sex-positive, racially, economically, and culturally-mixed queer space of encounter for self-identified lesbian, gay, and trans people’⁵¹³. Drawing on the work of Stefano Harney and Fred Moten⁵¹⁴, they utilise the “undercommons” to denote a communal space where improvisation and renegade behaviour is not policed such that the club ‘resisted the glare of visibility and capture’⁵¹⁵ by the mainstream LGBT politics that Millner-Larsen and Butt argue has privatised and enclosed queer activism. For Tolentino et al., *Clit Club*’s refusal of individualised rights-based politics and a commitment to free access to *all* queer people – including those excluded by the masculine bathhouses and movie theatres – constitutes a ‘a sexual undercommons’⁵¹⁶. In many ways, *Clit Club* disrupts proprietary relations. Participation takes place on a free-for-all basis where the excluded can meet and collude without needing to own space nor one another, where ‘improvisation and renegade behaviour’ beyond propriety is celebrated. Queer people under the US drinking age with fake identification are not sold alcohol but allowed to enter and cared for by staff, not turned over to the police. Perhaps most interestingly, possessive romantic relationships are put into question as a sex-positive, ‘unabashed culture of sexual desire’⁵¹⁷ refuses the monogamist conceit that one can own a partner as “theirs”. Tolentino et al. thus utilise the “undercommons” to theorise this space as fugitive where “improper” behaviour flourishes instead of being policed. However, there is little consideration for the way in

⁵¹² Tolentino et al, “The Sum of All Questions: Returning to the Clit Club”, 2018.

⁵¹³ Tolentino et al, “The Sum of All Questions: Returning to the Clit Club”, 2018. Quote lifted from abstract.

⁵¹⁴ In Chapter 5, I deal with Harney and Moten’s work in greater detail. See Harney and Moten, *The Undercommons*, 2013.

⁵¹⁵ Tolentino et al, “The Sum of All Questions: Returning to the Clit Club”, 2018, p. 467.

⁵¹⁶ Tolentino et al, “The Sum of All Questions: Returning to the Clit Club”, 2018, p. 469.

⁵¹⁷ Tolentino et al, “The Sum of All Questions: Returning to the Clit Club”, 2018, p. 469.

which property is a tool in such a space as possession itself remains less central to their analysis.

ii – The “Brown Commons”

Tolentino et al’s analysis of the *Clit Club* goes further than Ösbay and Savci who continue to view the commons as a possession to be owned by those who have been excluded which, as I have argued thus far, offers a limited account of politics and resistance. The former draw upon José Esteban Muñoz’s work which theorises the possibility of remaking that which capitalism and colonialism has destroyed or “browned” without recourse to the very logics of capital nor Marx’s analysis. As I have argued this analysis is limited. It conceives resistance within a framework of capital, circulation, surplus-value, use-value, “expropriation”, and dispossession that cannot disrupt proprietary regimes. However, I argue that Muñoz’s “brown commons” fails to articulate the ways in which resistance works against the continued transformation of social relations into property *and* the reliance upon ontological categorisations in the distribution of interrelated inequalities. I conclude then that the “brown commons” does not adequately theorise the problem at hand which means that ownership and property continue to be tools for political resistance.

Muñoz’s work draws on Frantz Fanon’s “blackening” of the world, theorising the “brown commons” as an attempt to utilise the common experience of racialised dispossession and exploitation in the fight against colonialism and its legacies. For Muñoz, colonial logics have constructed brown and Black identities to distribute ‘a certain vulnerability to the violence of property, finance and to capital’s overarching mechanisms of domination’⁵¹⁸. Muñoz flips this rendering of “brown” though to argue that ‘brown people, places, feelings, sounds, animals, minerals, flora, and other objects...are brown in so far as they smolder with life and persistence’⁵¹⁹. It is this persistence which provides the

⁵¹⁸ Muñoz, *The Sense of Brown*, 2020, p. 2.

⁵¹⁹ Muñoz, *The Sense of Brown*, 2020, p. 2.

‘insurrectionist promise of the commons’⁵²⁰ for Muñoz. As such the commonality of brownness – a mark of persistence in the face of precarity – is remade as a weapon for resistance against ongoing colonisation and capitalist exploitation. Here, Muñoz shifts gear from the commons as a mode of production. For Hardt and Negri, the “multitude” exist as the “biopolitical production of subjectivity” in contrast to capital which is rendered as a reductive “economic” form of exploitation. The “multitude” tries but fails to overcome this “economic” exploitation because it returns to use-value via the *ownership* of the commons. For me, Muñoz’s “browning” refuses this narrowing of the antagonisms that exist under proprietary regimes of ownership. It coalesces a range of inequalities ‘beyond the singular subjectivity and the individualised subjectivities’⁵²¹ including Hardt and Negri’s “biopolitical” subjectivity which continues to situate “economic” exploitation as the primary antagonism.

Muñoz remakes Ancient Greek term *methexis* to develop the “brown commons”. In Ancient Greek philosophy, *methexis* is the ‘relation between a particular and a form in Plato’s sense’⁵²² such as the extent to which an object *partakes* in a given form such as beauty. In Ancient Greek theatre, *methexis* denotes audience participation within a performance such that they also create and improvise the piece. Muñoz reworks these two definitions as one in order to conceive a “brown commons” in which those *affected* by colonial violence begin to make new *affects* and relations beyond that which has constituted their exploitation. Muñoz writes that: ‘the brownness of a commons, its very nature, is the response to salient forces that have rendered circuits of belonging and striving with the world brown’⁵²³. Here, brown issues a double meaning: used to refer to both the *affective* destruction of ecologies and habits, the exploitation and dispossession of racialised people; and the collective counter-*affect* in *response* to this communal suffering. In many ways this resembles my analysis of *ex-appropriation*: *methexis* describes the process of remaking contemporary political configurations through the displacement of that which has been foreclosed or constituted “brown”. Muñoz thus remakes the meaning of *participation* in *methexis*. Not simply a case of active

⁵²⁰ Muñoz, *The Sense of Brown*, 2020, p. 4.

⁵²¹ Muñoz, *The Sense of Brown*, 2020, p. 2.

⁵²² Mautner, *Dictionary of Philosophy*, 2000, p. 352.

⁵²³ Muñoz, *The Sense of Brown*, 2020, p. 130.

participation, it is here understood as creating new *affects* which reverse or undo the common inequalities “browned” people and ecologies face. *Methexis* is then the process by which the “brown commons” is instituted: the creation of new *affectations* wrought from colonial *affect* but refusing to replay them.

This is reminiscent of Dardot and Laval but Muñoz ignores the politics of property which undergirds the browning he describes. He theorises the dual process of browning and “brown commons” through *affect* to ‘chart a provisional de-universalising of reason for the express purpose of imagining and describing multiple modes of being, feeling, and knowing in the world’⁵²⁴. In other words, there is an attempt conceive inequalities as intersecting. This is important: not only is *affect* itself a useful framework but browning offers exactly the kind of “de-universalising” Muñoz describes. However, I caution that a politics of *affect* severed from property, as in this case, remains limited. It ignores the ways in which “propertisation” and racialised, gendered, and colonial subjectivities are proprietary tools functioning to materially harm those rendered as “brown” and suffering colonial *affectations*. In other words, questions of property, ownership, possession, finance, poverty, and insecurity cannot be remade as questions of gender, “race”, colonialism, disability, queerness, and so forth. Mark Devenney provides the most useful illustration of this severing and its consequences when he outlines criticisms of Ernesto Laclau and Chantal Mouffe’s conception of hegemony and populist politics. For Devenney, Laclau and Mouffe ignore property altogether and overly focus on collective identification. Below, I re-work his critique of Laclau and Mouffe’s populist politics with a focus on the “brown commons” in order to demonstrate the importance of an *affective* politics which does *not* refuse property and proprietary regimes as analytics.

Laclau and Mouffe revise Marxist theory to eschew economic reductionism⁵²⁵. For them, ‘it is not the case that the field of the economy is a self-regulated space subject to endogenous laws’⁵²⁶. As such, they propose that a range of antagonisms are organised in hegemony through chains of equivalence such that there is no economic base determining social formations. Instead, they ‘consider the openness of the social as the

⁵²⁴ Muñoz, *The Sense of Brown*, 2020, p. 101.

⁵²⁵ See Chapter 1.

⁵²⁶ Laclau and Mouffe, *Hegemony and Socialist Strategy*, 1985, p. 85.

constitutive ground...and the diverse social orders as precarious and ultimately failed attempts to domesticate the field of differences'⁵²⁷. Counter-hegemonic resistance is based upon the articulation of different antagonisms through an always temporary and precarious alliance. This is the 'empty signifier' in populist politics⁵²⁸. This relies upon collective identification in which populations with diverse interests are mobilised through affective investment in this counter-hegemonic project or populist politics⁵²⁹. Laclau proposes that 'the complexes we call "discursive or hegemonic formations"...would be unintelligible without the affective component'⁵³⁰. In other words, there can be no politics – populist or otherwise – which does not evoke either a sense of belonging or a demand to change contemporary structures rooted in a certain place over specific issues. There is no resistance without collective identification through *affect*.

However, Devenney proposes that Laclau and Mouffe overly focus on collective identification to the extent that that fail to engage with property altogether which, for him, is 'tantamount to giving up on the critique of material inequality'⁵³¹. Offering an "improper" reading of Marx, Devenney proposes that property cuts across the division between economic base and super-structure. Laclau and Mouffe miss this. Instead, they attempt to overcome the limitations of Marx's analysis but invest too heavily in *affective* identity formation through logics of equivalence at the behest of material inequality⁵³². Yet, this is to not say that property is necessarily incompatible with an account of a post-Marxist hegemonic politics. Reading Etienne Balibar, Devenney proposes that property can be read as a 'technology of articulation that shapes space, objects, and the relations between subjects' which 'can only be understood within an overdetermined social

⁵²⁷ Laclau and Mouffe, *Hegemony and Socialist Strategy*, 1985, p. 95-96

⁵²⁸ See Laclau, *On Populist Reason*, 2005.

⁵²⁹ As Clare Woodford has argued, we might understand Jeremy Corbyn's rise to leader of the Labour Party in the UK as example of such a populist politics which united a range of different interests: from Marxists of the older British left to those involved in anti-austerity and the student occupy movements, trade unionists, climate change activists and beyond. See Woodford, "Too left-wing or not populist enough?", *British Politics*, 2023.

⁵³⁰ Laclau, *On Populist Reason*, 2005, p. 111.

⁵³¹ Devenney, *Towards an Improper Politics*, 2020, p. 22.

⁵³² Devenney adds that there are a whole host of technologies or processes which hegemonise the social field without depending upon *affectivity*, identity, and subjective identification with a political project. He cites the ways in which within the university 'measurable equivalence bypass the political, phantasmatic, and symbolic logics' that Laclau and Mouffe present such that 'accounting stands in for accountability; equivalence stands in for equality and a feeling of consultation for democracy'. See Devenney, *Towards an Improper Politics*, 2020, p. 146.

formation which it both shapes and is shaped by'⁵³³. It is in this sense then that the analytic of *affect* and an analysis property might come together in order to rethink both economic determinism and post-Marxist logics of equivalence and collective identification fruitfully for Muñoz. Property is here framed as an *affective* tool which remakes the proprietary relations constituting bodies and subjectivities as proper to the political and deny access to racialised, gendered, and colonised populations.

For the most part though, the “brown commons” fails to do this. Thus, in much the same way that Devenney criticises Laclau and Mouffe for abandoning material inequality through a rejection of any analysis of property, we might say similar for Muñoz’s “brown commons”. His analysis continues to rely upon *methexis* as its mode of remaking social relations. Yet, this is merely a form of collective identification drawing together that which has been “brownd” under the common *affect* of colonial violence in order to “imagine and describe multiple modes of being, feeling, and knowing in the world”. This identification of brown is characterised as an “insurrectionist promise”. Yet the promise can never be realised because the “brown commons” fails to think the way *affective* communing remakes property as a tool under proprietary regimes of ownership⁵³⁴. What Muñoz misses is that in reanimating that which has been foreclosed through these racialised, colonial, and cis-heteropatriarchal processes, queer and anti-colonial acts of resistance are remaking the proprietary relations designating whose bodies are proper to the political. Nowhere is this clearer than when Muñoz considers the importance of communing: ‘for Tsang, the women of the Silver Platter, and the performers in *A Life Perceived*, this desire to be with, and to be alongside in the face of the various enclosures that consume us, is all part of why the language of commonness takes shape’⁵³⁵. Here communing is *mere* affect, not the remaking of property and ownership regimes that affective relations might make possible.

In this sense, the “brown commons” as an analytic does not go far enough. It senses the various ways in which these sites of resistance constitute *new affective relations* out from under the violence and inequalities of browning but does not conceive these as remaking

⁵³³ Devenney, *Towards an Improper Politics*, 2020, p. 26.

⁵³⁴ See Chapter 2. See also Nichols, *Theft is Property*, 2020; Bhandar, *Colonial Lives of Property*, 2018.

⁵³⁵ Muñoz, *The Sense of Brown*, 2020, p. 140.

the very proprietary relationships that produce this violence. The “brown commons” collectivises through the *affect* of “browning” but fails to theorise the remaking of proprietary relations which govern how colonised, racialised, gendered, and sexualised populations are unequally treated. Muñoz thus misses that which Devenney makes evident: that the reshaping of an “overdetermined” social formation is a remaking of property relations. *Methexis* is then a purely *affective* process. It fails to acknowledge that (a) “browning” takes place through a variety of processes which turn relations into property in order to unevenly dispossess racialised and colonised populations and (b) sites of resistance such as *Silver Platter* and *A Life Perceived* are opportunities to remake the proprietary regimes of ownership in which they are themselves produced. Consequently, the “brown commons” – in its present configuration – remains a limited framework which inadequately describes how queer and anti-colonial resistances remake property relations. It is a rendering of the commons in which participation, deeper *affect* or communing *within* regimes of ownership and property are – once again – remade as the very limit of resistance.

Conclusion

In this chapter, I argue that developments of the commons as an analytic continue to preserve a politics of possession, ownership, ontology, governance, or settlement. This takes place in two ways: either through a re-litigation of proprietary relations as foundational to the political or through eschewing an analysis of property altogether. I argue that Hardt and Negri and Dardot and Laval fall into the former category whilst Muñoz’s “brown commons” are a part of the latter. Hardt and Negri remake Marx’s analysis of labour and production to articulate the commons as the site of capitalist production. Here, resistance is the *ownership* of this production by the “multitude” to overcome “expropriated” labour and the extraction of surplus value through the inauguration of Marx’s use-value. This institutes “proper” qualifications for ownership which replay settler colonial forms of the commons that have dispossessed Indigenous populations and paved the way for proprietary regimes. Dardot and Laval’s analysis of the common is much more promising in that the common is a principle which institutes things as unappropriable in ways that foreclose the very possibility of Indigenous dispossession through the transformation of this land into property. However, Dardot and

Laval cannot escape theorising this principle through participatory regimes of governance which themselves require proprietary infrastructure. This fails to think beyond communal regimes of ownership. Muñoz’s “brown commons” works against Hardt and Negri’s economic reductionism and resembles Dardot and Laval’s principle of instituting things as common. Here “browning” is an affective relationality collating interrelated oppressions under colonial violence. However, this misses that the animation of “brown” is a *remaking* of proprietary social formations. Consequently, in different ways, each of these renderings of the commons fail to acknowledge that the displacement of ownership is necessary to political resistance under proprietary regimes of ownership.

I propose that it is the *enactment* of things as common itself (against proprietary determinations) that is important. This is what renders the common a useful analytic for resistance. Unlike Dardot and Laval, I do not propose this requires forms of governance – though these might be expedient. This argument does not necessarily render *any* analysis of the commons as inadequate. Rather, it makes plain that any theory of the commons cannot rely upon possession, ownership, governance, or settlement as its pillars. To adequately account for the way in which resistance movements work against proprietary relations and interlocking oppressions, theories of resistance must refuse ownership as its point of departure. This chapter reads the commons through the analysis I outlined in the first two chapters. Throughout, I have argued that resistance movements are continually reshaping and remaking the proprietary relations which organise and facilitate interlocking inequalities. The institution of new regimes of ownership cannot be the limit of political resistance. Any adequate analysis of resistance must acknowledge this. In the next chapter, I argue that democratic politics is a mode of resistance, rather than a regime of governance, which describes the way in which resistance works against the proprietary relations undergirding these interrelated forms of inequality. In the subsequent and final chapter, I build upon this by rethinking the category of Blackness as a radical political force which resists the interlocking inequalities that proprietary regimes distribute.

Chapter 4: Deconstruction, Democracy, and Property

Introduction

In this chapter, I develop the concept of democracy as a tool for political resistance. I theorise democratic politics as the disruption of the nexus between modes of appropriation and ontology that enable proprietary regimes to distribute inequality as interlocking forms of oppression. Jacques Rancière⁵³⁶, Mark Devenney, and Clare Woodford⁵³⁷ have all polemically argued that liberal democratic states are, in fact, oligarchies: political power is closely allied to wealth, and both are concentrated in the hands of the few whilst representative regimes offer little in the way of enfranchising the many to redistribute these. I intervene in this contemporary democratic theory scholarship which thinks about democracy not as a regime but as a mode of resistance. I agree with these accounts that theorising democracy as the enactment of equality – rather than a representative regime – broadens the scope of and better theorises how political resistance transforms the *demos* to work against interrelated inequalities. However, I offer two important caveats to this analysis. First, I argue that theorising democracy as the enactment of equality *without bounds* is a performative act. This works to generate new political possibilities for what counts as democracy and equality. Second, I argue that democratic politics do not require forms of subjectivity in order to institute this transformation of the *demos*.

I return to Jacques Derrida's *democracy-to-come* to theorise this disruptive transformation of the *demos* beyond liberal accounts of democracy which prop up proprietary regimes by theorising democratisation as inclusion within these regimes. However, I demonstrate that democracy and *l'avenir* (to-come) must be rethought against the limited framing that Derrida offers in *democracy-to-come*. Drawing upon my

⁵³⁶ Rancière, *Disagreement*, 1998.

⁵³⁷ Devenney and Woodford, "Why the US and Britain are not democracies", 2017.

theorisation of *ex-appropriation* in previous chapters, I rethink *l'avenir* as the animation of the “impossible” – again, in ways Derrida would not be comfortable. Understood in relation to proprietary regimes, this theorises the democratic remaking of relations to land, resources, and beyond without necessitating the modes of appropriation and being as essential co-ordinates. Theorising democracy as such is a performative act. This frames what is politically possible: the forms of equality that are possible. Theorising democracy as a regime type fails to do this. First, I briefly replay contemporary debates within democratic theory to outline the academic gap into which this chapter intervenes. I highlight the inadequacies of scholarship that *both* uses democracy to prop up property relations and refuses property altogether as a democratic tool. Second, I analyse Derrida’s *democracy-to-come*. I argue that his emphasis on the “law of absolute hospitality” relies upon proprietary assumptions and, as such, remains insufficient to theorise resistance *against* the inequality proprietary regimes distribute. Finally, I develop a novel account of *l'avenir* which draws upon my readings of *ex-appropriation* and *the gift*. Here, I theorise democratic politics as the displacement and remaking of proprietary relations that reproduce interlocking inequalities. I theorise how resistance produces forms of equality that extend beyond the formal equality rendered possible by, what are often called, democratic regimes.

Section 1 – The Problem with Democracy

In political philosophy, democracy has long been utilised as a tool for the protection of private property from John Stuart Mill’s⁵³⁸ early writings to Jeremy Bentham⁵³⁹ and, more recently, John Rawls⁵⁴⁰ and Charles Reich⁵⁴¹. Meanwhile, beyond the scope of democracy, property has of course been defended as necessary to any “civilised” society by both Thomas Hobbes⁵⁴² and John Locke⁵⁴³. However, there is another tradition, from Karl Marx and Friedrich Engels to Crawford Macpherson⁵⁴⁴ and, more recently, Jacques Rancière and his interlocutors. This one is perhaps a little more heterogenous in its make-

⁵³⁸ Mill, “Of Property”, 1978.

⁵³⁹ Bentham, “Security and Equality of Property”, 1978.

⁵⁴⁰ Rawls, *Theory of Justice*, 1971.

⁵⁴¹ Reich, “The New Property”, 1978.

⁵⁴² Hobbes, *Leviathan*, 2017.

⁵⁴³ Locke, “Of Property”, 2003.

⁵⁴⁴ Macpherson, *Property: Mainstream and Critical Positions*, 1978.

up but nevertheless stalks this first one and conceives property as antithetical to democratic politics. It is within this latter tradition that this chapter intervenes in order to theorise democracy as resistance *against* the nexus that demarcates modes of appropriation and being. Here, I briefly replay these traditions in order to articulate not only where this chapter intervenes but also to demonstrate how the latter tradition fails to adequately theorise property relations, as the subject of democratic action.

The defence of property is a cornerstone of liberal democratic theory and politics. For John Stuart Mill, private property ‘is supposed to mean the guarantee to individuals of the fruits of their own labour and abstinence’⁵⁴⁵. He understands the monopoly over resources that private property enables as a ‘necessary evil’⁵⁴⁶ for humanity to distribute resources – through the cultivation of land, the production of goods, and so forth. Jeremy Bentham thinks slightly differently to Mill, arguing that the *unequal* distribution of property is *necessary* to provide the greatest, most utilitarian, security or freedom⁵⁴⁷. For Bentham, ‘if all property were equally divided...the sure and certain consequence would be, that presently there would be no property’⁵⁴⁸. Property must be *unequally* divided such that some can be protected. For if all were protected, then there would be no freedom at all: there would instead exist a complete imposition upon political liberty. More recently, Charles Reich⁵⁴⁹ argues for a novel relationship between property and freedom. Broadly accepting that property enables liberty or freedom to flourish, Reich proposes that welfare must be rethought as the property of the individual. Here welfare could not be confiscated, suspended nor revoked if the recipient fails to follow correct procedure or violates the terms of receipt⁵⁵⁰. For all these thinkers then property enables freedom as a zone of privacy away from public imposition by the state, corporations, and other citizens (as well as, we might assume, non-citizens).

⁵⁴⁵ Mill, “Of Property”, 1978, p. 83.

⁵⁴⁶ Mill, “Of Property”, 1978, p. 98.

⁵⁴⁷ Bentham does not use the word freedom but uses security to describe the protection of political liberty.

⁵⁴⁸ Bentham, “Security and Equality of Property”, 1978, p. 43.

⁵⁴⁹ Reich, “The New Property”, 1978.

⁵⁵⁰ As their property, Reich argues that recipients would have the legally protected right to the ‘unemployment compensation, public assistance and old age insurance’, or Universal Credit – to use a UK example. These would each be a ‘zone of privacy for each individual beyond the all-pervasive system of regulation and control’. See Reich, “The New Property”, 1978, p. 196.

If freedom is the protection of privation through property, then democracy can quite easily become merely the egalitarian distribution of property. Nowhere is this conclusion more clearly borne out than John Rawls' work⁵⁵¹ on property-owning democracies. For Rawls, 'the wide-spread ownership of productive assets and human capital'⁵⁵² is the goal of justice and, thereby so too, democracy. Rawls reasons that between 'free and equal persons'⁵⁵³ there is no reason to deny property ownership. As such 'society as a fair system of cooperation' must provide citizens 'the productive means to be full cooperating members'⁵⁵⁴. For Rawls then, people are free and equal from the outset and property must be distributed evenly such that all can engage in democracy fairly. Democratic politics is thus construed as the protection and extension of private property to all. If property is the means by which freedom is possible, then democracy "protects" freedom by defending property. Property hereby becomes the singular mode of organising the *demos*, the political landscape, and equality.

I reject these claims outright. There is no constative statement of what democracy "is". Like any form of signification, it is caught in endless cycle of interpolation in which meaning can change. However, these accounts offer a limited theorisation of democracy. For Marx, private property does not create zones of individual freedom – it merely creates the conditions by which capital can be "expropriated" from labourers. Marx is here only partly right. As I have argued throughout this thesis, property relations are not merely the "foundation" for wage-labour exploitation. Nevertheless, Marx does correctly point towards the regimes of inequality in which property relations participate. Here the constitutive violence of property is not a necessary evil but *merely* the conditions upon which inequalities take place. I agree with Crawford Macpherson. Even on its own terms, property does not provide the kind of freedom it promises. The property right necessarily 'leads to and supports a concentration of ownership and a system of power relations...which negates the goal of free and independent individual development'⁵⁵⁵. I also agree with Brenna Bhandar who goes further, contending that the concept of

⁵⁵¹ Rawls, *Theory of Justice*, 1971.

⁵⁵² Rawls, *Theory of Justice*, 1971, p. xv.

⁵⁵³ Rawls, *Theory of Justice*, 1971, p. xv.

⁵⁵⁴ Rawls, *Theory of Justice*, 1971, p. xv.

⁵⁵⁵ Macpherson, *Property: Mainstream and Critical Positions*, 1978, p. 200.

freedom is ‘thoroughly tainted by a racial regime of ownership’⁵⁵⁶. What I take from all three is that the “freedom” or liberty gained at the expense of mass dispossession is an extremely limited one.

Another kind of equality – one without exclusion, enclosure, and the violent enforcement of these borders – is possible. Consequently, I theorise democratic politics as the disruption of the inequality that property relations distribute, particularly the proprietary orders which facilitate this through the division and appropriation of social relations as property and its subsequent distribution through various modes of dis/possessive subjectivity⁵⁵⁷. Here, democracy is equality without bounds. I theorise democracy as such, performatively, in order to disrupt the interlocking forms of inequalities I have theorised throughout this thesis thus far. This makes possible forms of equality that are rendered “impossible” by Mill, Bentham, Reich, and the broader field of liberal political philosophy with its commitment to various property regimes. Simply put, if democracy is the enactment of equality, it is not the propping up of property relations, and makes possible far broader enactments of equality.

A number of traditions within democratic theory wrestle, to varying degrees, with this propping up of property relations in order to produce (and thereby delimit) forms of equality: radical democracy, deliberative democracy, and representative democracy. For Chantal Mouffe, radical democracy is not the “total rupture” with liberal democracy but a “radicalization” of the ethico-political principles of liberal-democratic regime⁵⁵⁸. Here, ‘equality requires the construction of a people and a frontier between a “we” and a “they”’⁵⁵⁹ so that counter-hegemonic projects can put into practice the demands of equality that liberal democratic regimes have promised but failed to deliver. As Mark Devenney notes, Mouffe ‘links democratic equality with popular sovereignty and interprets democracy as the power of a defined people’⁵⁶⁰. This requires the articulation of subjectivities in order to appropriate political infrastructure, cohering a range of

⁵⁵⁶ Bhandar, *Colonial Lives of Property*, p. 20.

⁵⁵⁷ I outline this relationship between property and proprietary orders in Chapter 1. I view proprietary relations as the connection between modes of appropriation and forms of propriety which can be distilled through assigned subjectivities.

⁵⁵⁸ Mouffe, *For a Left Populism*, 2018, p. 25.

⁵⁵⁹ Mouffe, *For a Left Populism*, 2018, p. 15.

⁵⁶⁰ Devenney, *Towards an Improper Politics*, 2020, p. 226.

political demands under this subjectivity. In short, this is not the disruption of the proprietary relations which, I have thus far argued, (re)produce inequalities. It is merely the production of another set of proprietary subjectivities that aims to participate – appropriating their fair share – within existing proprietary regimes, not disrupt these. Representative democratic also props up proprietary regimes. For Nadia Urbinati⁵⁶¹, political representation is a legitimate mode of democratic decision making which is not reducible to electoral regimes. Urbinati thus sets out the ways in which representation is democratic. However, we can also understand the dicta of representative mechanisms (constitutions, parliaments, voting, referenda, etc.) as the very limits to equality in that anything beyond this scope cannot be understood as democratic for representative democrats. Mark Devenney notes that recent debates within representative democracy offer important caveats to this but continue to evade the question of representation and equality⁵⁶². Deliberative democrats do not escape this policing of equality either. Jürgen Habermas⁵⁶³ sets out the conditions under which an “ideal communication community” can exist and it is within these bounds, for him, that democratic action can take place. Once again, there are procedural limits to democratic action. Here definitions of what is “proper” police democracy and limit the kinds of equality that can emerge. As I noted, in Chapter 1, definitions of the proper define propriety (which is always tied to colonial, racialised, gendered, classed, etc. notions) and, in so doing, determine the kinds of beings that are fit for participation within the *demos* and have the capacity to appropriate. In short, to varying degrees these traditions all participate in a policing of equality because the bounds of the *demos* must be respected. Such a policing is, of course, antithetical to this thesis because the modes of partition that proprietary regimes institute require such boundaries. It is these boundaries that facilitate the division, appropriation, and allocation of land, resources, precarity, and so much more to “proper” and “improper” beings. Performatively naming democracy as equality without bounds enables the possibility of disrupting these boundaries.

i – Democracy is not a regime

⁵⁶¹ Urbinati, *Representative Democracy*, 2006.

⁵⁶² See Devenney, *Towards an Improper Politics*, 2020, pp. 180-183.

⁵⁶³ Habermas, *The Theory of Communicative Value: Volume 2*, 1985.

In recent decades, scholarship on democratic theory has rejected this policing of equality and not theorised democracy as a type of regime. Here, rather than respect these bounds, democratic politics is understood as the very contestation of the boundaries that define the *demos*. Democracy is then the very re-articulation and remaking of the *demos*. The logic goes that any *demos* whose boundaries are secure and unbreachable, is no longer participating in democratic politics. The most well-known example of thinking democratic politics as this interruption is Jacques Rancière and his work on politics and the police. Samuel Chambers⁵⁶⁴, Mark Devenney⁵⁶⁵, Liam Farrell⁵⁶⁶, and Clare Woodford⁵⁶⁷ have all, in different ways, drawn upon and extended Rancière's arguments as the irruptive force of politics. Democracy is not a constitutional arrangement governing or governed by the social order. This Rancière terms the "police". Sheldon Wolin⁵⁶⁸ offers a similar account in that he figures democracy as antithetical to political regimes. However, Wolin concludes that democracy 'may assume revolutionary, destructive proportions'⁵⁶⁹. For Rancière, democracy is not a regime but neither is it revolutionary. Instead, democracy remains the everyday enactment of equality. I follow Rancière's polemic claim instead of Wolin for my own account of democracy. Though, I diverge from Rancière in two important ways. First, I argue that theorising democracy as the enactment of equality is a performative act which widens the political scope for *what counts* as equality. In doing so, I propose that equality is not a known, pre-political quantity but is generated by political contestation such that *what counts* as equality is made through the production of political imaginaries. In many ways, this resembles Brenna Bhandar's claim⁵⁷⁰ that freedom is 'thoroughly tainted by a racial regime of ownership'⁵⁷¹. Ideas of freedom and equality are *constructed* through the cultural, political, legal, philosophical, historical, sociological narratives that we inherit and reproduce.

⁵⁶⁴ Chambers, *The Lessons of Rancière*, 2013.

⁵⁶⁵ Devenney, *Towards an Improper Politics*, 2020.

⁵⁶⁶ Farrell, "The politics of non-domination", 2019.

⁵⁶⁷ Woodford, *Disorienting Democracy*, 2017.

⁵⁶⁸ Wolin, *Fugitive Democracy and Other Essays*, 2016.

⁵⁶⁹ Wolin, *Fugitive Democracy and Other Essays*, 2016, p. 111.

⁵⁷⁰ See Chapter 2.

⁵⁷¹ Bhandar, *Colonial Lives of Property*, 2018, p. 20.

Second, I theorise democracy as resistance against proprietary regimes – not what Rancière terms police orders⁵⁷² – and, as such, I develop an account of democracy through *ex-appropriation* which works against the inequality that property relations distribute, something that Rancière does not. I argue that *ex-appropriation* offers a more compelling account of how the interruption of proprietary regimes takes place. Unlike Rancière’s account, *ex-appropriation* does not require processes of subjectivation which, I argue, delimits the kinds of politics and forms of equality that are possible. Second, but relatedly, *ex-appropriation* mirrors the performative construction of equality. I thus agree with this literature on the necessity of theorising democracy as resistance and the enactment of equality. But I also rethink *l’avenir* alongside *ex-appropriation* – in ways Derrida does not anticipate – to theorise democracy as the disruption of proprietary relations, that is the displacement of the modes of appropriation and being which organise forms of interlocking inequalities.

As both Samuel Chambers and Mark Devenney note, refusing democracy as a regime relies upon a re-reading of the Ancient Greek distinction between *kratos* and *archē*. As is well-known, democracy combines both *demos* (people) and *kratos* (power) such that it comes to mean “power of the people”. Commonly then, democracy is understood as majority-rule or regimes governing through the consent of the people, gained via electoral representation, referenda, or other framework. However, Josiah Ober⁵⁷³ notes that *kratos* does not denote a regime type. Whereas *archē* is a suffix denoting regimental power and *how many* hold power within this regime, *kratos* is a different kind of power which be understood as ‘the capacity to do things’ or ‘activated political capacity’⁵⁷⁴. Ober thus draws attention to the fact that whilst *monarchia* (the rule of one) and *oligarchia* (the rule of the few) use the *archē* suffix and thus describe power as ‘pre-existing constitutional authority’⁵⁷⁵, democracy refers to when ‘the demos gains a collective capacity to effect change in the public realm’⁵⁷⁶. Here we move from control of the *demos* to the *demos as*

⁵⁷² It is important to recognise the conceptual differences. Rancière’s police order does not theorise the way in which property and notions of propriety collide as “proprietary regimes” denotes, following Mark Devenney’s analysis. See Chapters 1 and 2 for more detail on this.

⁵⁷³ Ober, “The Original Meaning of Democracy”, 2008.

⁵⁷⁴ Ober, “The Original Meaning of Democracy”, 2008, p. 3, 7.

⁵⁷⁵ Ober, “The Original Meaning of Democracy”, 2008, p. 7.

⁵⁷⁶ Ober, “The Original Meaning of Democracy”, 2008, p. 7.

performative resistance⁵⁷⁷: it is ‘not just a matter of control of a public realm but the collective strength and ability to act within that realm and, indeed, to reconstitute the public realm through action’⁵⁷⁸. Here then, democratic politics becomes the remaking of the public realm, that is the *demos* and its borders. Already, there are allusions to my theorisation of *ex-appropriation* in that democratic politics is the *animation* of the social relations that constitute the *demos* just as *ex-appropriation* is the animation of social relations that have been foreclosed by proprietary regimes.

Rancière’s account of democracy also rests upon this distinction between *monarchia* and *oligarchia* that Ober highlights. This is because for Rancière, politics is ‘that activity which turns on equality as its principle’⁵⁷⁹. Here, politics is not the work of governance, delimited by global affairs along state lines, nor the demarcation of the friend-enemy distinction, as in Carl Schmitt’s work⁵⁸⁰. Instead, Rancière writes that politics works *against* ‘what normally goes by the name of politics and for which [he] propose[s] to reserve the term policing’⁵⁸¹. As Chambers notes, Rancière ‘insists that the rule of democracy is not based on any archē at all; it rests only on kratos. There is no principle, only a mere prevailing’⁵⁸². In this sense then, democratic politics is politics for Rancière: the power or irruption *against* the organisation and distribution of the social order. Here, the police names this ‘set of procedures whereby the aggregation and consent of collectivities is achieved, the organization of powers, the distribution of places and roles, and the systems for legitimizing this distribution’⁵⁸³ that is the social order – what is perhaps normally understood as regimes of governance. Importantly, ‘politics does not stem from a place outside of the police’ because ‘there is no place outside of the police’⁵⁸⁴. I will come back to this discussion of what constitutes politics in the next and final chapter as I discuss theories of Blackness in relation to politics. For now, it is

⁵⁷⁷ I use the phrase performative here in the sense that Derrida and, more recently, Judith Butler use the phrase. Here, performative does not oppose the constitutive, as perfunctory or futile. Rather, it marks the necessity of performance in the very pronouncement of a speech act or, as in this case, constitutive power. See Derrida, *Limited Inc.*, 1998; Butler, *Gender Trouble*, 1999; Butler, *Bodies That Matter*, 1993.

⁵⁷⁸ Ober, “The Original Meaning of Democracy”, 2008, p. 7.

⁵⁷⁹ Rancière, *Disagreement*, 1998, p. ix.

⁵⁸⁰ Schmitt, *The Concept of the Political*, 2007.

⁵⁸¹ Rancière, *Disagreement*, 1998, p. xiii.

⁵⁸² Chambers, *The Lessons of Rancière*, 2011, p. 135.

⁵⁸³ Rancière, *Disagreement*, 1998, p. 28.

⁵⁸⁴ Rancière, “The Thinking of Dissensus”, 2011, p. 6.

important to recognise that democratic politics is, like politics itself, not beyond the “police” but exists *from within* existing orders, nevertheless interrupting them. It is then irruption from within rather than an endogenous “event”.

Taking Ober and Rancière together, democracy describes how the many or the *demos* become politically active which, given Rancière’s understanding of politics, means disrupting the constituted authority of existing regimes by becoming the ‘part...who have no part’⁵⁸⁵. This is where Devenney takes us. He argues that Ober fails to realise the radical implications of his own analysis, rearticulating, in later work, the boundary as an important question but a necessary imposition upon the *demos*. Ober proposes democracy is ‘collective self-government by an extensive and socially diverse body of citizens...stable over time’⁵⁸⁶. For Devenney, this is an attempt to limit who is counted as a citizen within the *demos*. Ober’s pronouncement is vague, perhaps in order to prevent collapsing the *kratos* of democracy into an *archē*, that is into a regime. However, Devenney points out that the emphasis on stability merely accepts constituted forms of authority, the very distinction that Ober has already informed us is crucial to animating new readings of democracy. Here, Ober conceives democracy through the logics of appropriation and partition. These are the necessary foundation of democratic politics and re-assert the regime as its *modus operandi*. For, there can be no borders without constituted authority to police them. In bounding the *demos* – that is in accepting there are necessary limits to who can participate within the *demos* – Ober fails to adequately theorise a democracy not governed by the pre-constitutional authority of the regime. Instead, Devenney concludes that democracy is ‘the very site for the improper enactment of equality’⁵⁸⁷. Here I disagree with Devenney slightly. I argue that there is no “proper” definition of democracy. Such a constative statement would be contradictory the undecidability of political resistance that I theorise via *ex-appropriation*. Instead, claiming democracy “is” the improper enactment of equality is a performative act which widens the scope of what constitutes equality beyond that which theories of radical, representative, and deliberative democracies make possible. Nevertheless, I agree that rethinking democracy in light of Ober’s insights, but not his conclusions, is important.

⁵⁸⁵ Rancière, *Disagreement*, 1998, p. 11.

⁵⁸⁶ Ober, *Demopolis*, 2017, p. 14.

⁵⁸⁷ Devenney, *Towards an Improper Politics*, 2020, p. 5.

From this, we can render equality as the disruption of the policing of the boundaries and borders of the *demos*. This makes possible forms of equality which the formal equality of representative regimes do not.

ii – Property and Democracy

Theorising democracy in the name of equality, against the borders that shore up representative regimes, quickly leads to questions of proprietary ownership. Modes of partition, appropriation, and being are essential to the demarcation of these regimes. Rancière’s democracy has an interesting relationship with property. He situates freedom as improper to the *demos* – which is itself an ‘indistinct mass of men [sic] of no position’⁵⁸⁸. In this sense, Rancière refuses Marx’s analysis in which the subject of politics – the proletariat – are qualified to overthrow bourgeois classes through their “privileged” position since they are in prime position to view capitalist exploitation by virtue of being forced to sell their labour. This is of course not a qualification in the sense that Ancient Greek thinkers such as Plato and Aristotle would understand. Nevertheless, it is a qualification – and one which has important consequences for economic reductionism as I have already outlined in the first three chapters of this thesis. Rancière offers no such qualification for the *demos* and democratic action. Despite this absence of any qualifications, Rancière continues to view freedom as form of property, an “improper property”, in which those of “no position” make the claim that they are propertyless. In so doing, they disrupt police orders and engage in politics, announcing themselves as those who have no property but ought to, the “part who have no part”. As Clare Woodford⁵⁸⁹ notes, this is where aesthetics becomes important for Rancière’s politics. She writes that it is the *demonstration* or *appearance* of the poor, the propertyless, those without rights, that ‘will effect transformation by demonstrating that the party in question is equal to everybody else’⁵⁹⁰.

For Rancière, this aesthetics of politics, what he terms elsewhere “dissensus”⁵⁹¹, takes place through an “improper property”. We might render this announcement as the mere

⁵⁸⁸ Rancière, *Disagreement*, 1998, p. 9.

⁵⁸⁹ Woodford, *Disorienting Democracy*, 2017.

⁵⁹⁰ Woodford, *Disorienting Democracy*, 2017, p. 29.

⁵⁹¹ Rancière, *Dissensus*, 2013.

appropriation of one's own form of property within existing regimes such that proprietary relations continue, undisrupted, to distribute forms of material inequality but newly constructed subjectivities are accorded (some of) the benefits of existing ones. This critique might seem especially prescient considering that Woodford reaffirms Rancière's commitment that appropriation demonstrate that one is 'free *like* the rest'⁵⁹². However, what Rancière names "improper property" is not the *becoming* of a nascent property that will emerge within existing regimes. Woodford clarifies that, for Rancière, 'the freedom of the people operates as an "empty property"' and is not 'based on any concrete property'⁵⁹³. Instead, it is merely the aesthetic production of those who are treated unequally *as if* they were equal. Speaking of a joiner whose work diary entry dismissed the grandiosity of a palace, Rancière writes that 'the aesthetic judgment acts as if the palace were not an object of possession and domination'⁵⁹⁴. For Rancière, this marks 'a redistribution of the sensible, a redistribution of the parts supposedly played by...the higher and the lower classes'⁵⁹⁵. There is then a presumption of equality that breaks with the unequal conditions of the *demos*.

I venture that this presumption of equality is a *production* of equality in that equality is not pre-given but *made through* its very enactment. Rancière writes that when people appropriate the *demos*, 'the qualification that [they] bring is a contentious property since it does not belong exclusively to the people, but this contentious property is strictly speaking only the setting-up of a contentious commonality'⁵⁹⁶. This "improper property" is then nothing more than a contention, that is a disruption of existing ways of being, saying, doing. Rancière describes this contention as 'the initial twist that institutes politics as the deployment of a wrong or of a fundamental dispute'⁵⁹⁷. This punctures what Rancière terms the "sensible" and reshapes contemporary forms of inequality because this wrong is *apprehended as such* and can no longer hold. In this way, regimes – and Rancière's ways of being, saying, doing – must themselves adapt to this distribution of the "sensible". The appropriation of the *demos* constructs new (contentious) forms of

⁵⁹² Rancière, *Disagreement*, 1998, p. 8. My italics.

⁵⁹³ Woodford, *Disorienting Democracy*, 2017, p.

⁵⁹⁴ Rancière, "The Aesthetic Dimension", 2009, p. 8.

⁵⁹⁵ Rancière, "The Aesthetic Dimension", 2009, p. 8.

⁵⁹⁶ Rancière, *Disagreement*, 1998, p. 9.

⁵⁹⁷ Rancière, *Disagreement*, 1998, p. 13.

equality which disrupt pre-existing forms of domination. Whilst Rancière makes this point in terms of property, there is no sense in which this “improper property” must be articulated in proprietary terms. “Politics” might then name the production of forms of equality which disrupt the idea that equality is produced through proprietary regimes, that is politics might produce forms of equality without reproducing the violent relationships between being and appropriation.

To adequately assess whether Rancière’s politics animates that which is foreclosed by proprietary regimes, it is necessary to consider *how* this politics interrupts contemporary forms of domination. Alain Badiou⁵⁹⁸, Yves Citton⁵⁹⁹, and Peter Hallward⁶⁰⁰ have all rightly criticised Rancière for failing to outline a strategical analysis which can help social movements politically activate the *demos*: there is no strategy for enacting democratic action. There is also then no strategy for how to performatively *construct* equality. This makes it difficult to discern to what extent Rancière’s politics might then disrupt proprietary regimes. However, Clare Woodford⁶⁰¹ intervenes on this question of strategy and offers a deeper conceptual theorisation of Rancière’s politics, building on the little he does offer. Woodford devises three concepts that, for her, are key to constructing politics (i.e. the disruption of contemporary forms of oligarchic organisation): dis-identification, appropriation, and subjectivation. In this trifecta, Woodford powerfully argues that what Rancière terms politics is, in fact, dis-identification with modes of domination. Here, people ‘break with the ways of being they are meant to effect in the spaces they have been assigned’ such that ‘that one’s given identification or allotted role is incomplete in some way’ or ‘that assigned positions no longer make sense’⁶⁰². In this way, an identification with one’s position within society and the modes of domination that govern this position become “impossible”, in Woodford’s words.

Dis-identification occurs through appropriation and subjectivation. For Woodford, appropriation is a form of taking. More specifically, Woodford neatly dovetails this

⁵⁹⁸ Badiou, *Metapolitics*, 2005, Verso: London.

⁵⁹⁹ Citton, “Political Agency and the Ambivalence of the Sensible”, 2009.

⁶⁰⁰ Hallward, “Staging Equality”, 2009.

⁶⁰¹ See Woodford, “‘Reinventing modes of dreaming’ and doing”, 2014; Woodford, *Disorienting Democracy*, 2017.

⁶⁰² Woodford, *Disorienting Democracy*, 2017, p. 32.

“taking” with Rancière’s own and well-known ‘ways of being, saying, doing’⁶⁰³ such that appropriation is a taking which fails to reproduce dominant ways of being, saying, doing. Instead, it is being, saying, doing *differently*. This is, of course, akin to my own *ex-appropriation* which theorises the enactment of *differential* relations, specifically the iterability of relations foreclosed by proprietary regimes. For Woodford, appropriation has two characteristics. First, it is primarily concerned with creating rather than disrupting. To put it better, appropriation is concerned with creating *to* disrupt in the sense that one must first be productive, that is be, say, do differently in order to interrupt the dominant forms of being, saying, doing. Second, this taking must constitute a ‘persuasive challenge’ and ‘offer a viable alternative to current ways of being, saying or doing’⁶⁰⁴. Importantly, this viable alternative does not mean that appropriation must institute a new regime. Far from it. For Woodford, this must merely ‘demonstrate in the short term the contingency of the current configuration’⁶⁰⁵.

In turn, this doing differently constitutes the emergence of a new subject. Woodford names this subjectivation. Here, one ‘no longer relat[es] to the dominant order as a subordinate...but as an equal’⁶⁰⁶ which involves ‘subjects portraying their reason as equal to those who dominate them’⁶⁰⁷. For Samuel Chambers, ‘subjectivation names the process whereby those who are of no account make a claim to be counted, thereby disrupting the math of the police’⁶⁰⁸. This miscount is, as Woodford notes, produced through aesthetics, that is the *appearance* of the poor or any other marginalised, property-less, or unqualified group within the *demos*. Consequently, miscount is the very articulation of politics, that is when police orders are challenged. The miscount thus provokes regimes to adapt according to “improper property” and the very terms of equality it has produced. For Chambers, the process of disrupting the arithmetic of the police order takes place through the announcement of oneself to be a subject that has not been counted: ‘subjectivation is disidentification; it is the refusal to not be

⁶⁰³ Rancière, *The Emancipated Spectator*, 2009.

⁶⁰⁴ Woodford, *Disorienting Democracy*, 2017, p. 32.

⁶⁰⁵ Woodford, *Disorienting Democracy*, 2017, p. 32.

⁶⁰⁶ Woodford, *Disorienting Democracy*, 2017, p. 32.

⁶⁰⁷ Woodford, *Disorienting Democracy*, 2017, p. 55.

⁶⁰⁸ Chambers, *The Lessons of Rancière*, 2011, p. 104.

counted'⁶⁰⁹. It is the emergence then of this new subject, through forms of appropriation, that initiates dis-identification with contemporary structures of domination such that allotted roles are broken. Woodford outlines it best when she writes, subjectivation involves subjects 'asserting their equality not to the rest, as separate distinguishable parts, but equality with the rest, asserting collectivity over the whole and thereby rupturing the justification for existing partitions'⁶¹⁰. Miscount demands that those who have dis-identified with the police order are accounted for, but this transforms the very terms of equality. It is then this miscount, through the announcement of the subject, their appropriation of the *demos*, and the transformation of the *demos* in response, that Woodford and Chambers, building on Rancière, name politics.

In this way, Woodford's development of appropriation can be understood in similar terms to my own theorisation of *ex-appropriation*. However, I argue that theorising democratic politics as a mode of resistance that disrupts proprietary regimes through *ex-appropriation* diverges from appropriation in two important ways. The first concerns Woodford's analysis of subjectivation and the limits of what can be considered democratic forms of equality. The second revolves around the performativity of *ex-appropriation* as a concept. On the first point, I argue that Woodford's triumvirate analysis of dis-identification, appropriation, and subjectivation is tied to the subject. As such, this analysis cannot conceive forms of democratic politics which do not revolve around the production of a new subject as the basis of politics. As I outlined in Chapter 1, *ex-appropriation* is the animation of that which proprietary regimes foreclose through the nexus of being and appropriation. In this way, *ex-appropriation* does not require the production of a new subject to enact and produce forms of equality previously considered "impossible". There is no sense in which identification and dis-identification are integral to *ex-appropriation* as a concept. In fact, Derrida writes that *ex-appropriation* retains the irreducibility of the other and the other 'resists all subjectivation, even to the point of the interiorisation-idealisation of what one calls the work of mourning'⁶¹¹. This means Derrida is extremely sceptical of "the subject" because to philosophically define who or what is a subject is to institute a closure which refuses the irreducibility of the

⁶⁰⁹ Chambers, *The Lessons of Rancière*, 2011, p. 104.

⁶¹⁰ Woodford, *Disorienting Democracy*, 2017, p. 55.

⁶¹¹ See Derrida, "'Eating Well' or the Calculation of the Subject", 1995, p. 270-271.

other. Such a closure announces that the other cannot be the subject because a border divides them. *Ex-appropriation* refuses this border because resisting subjectivation demonstrates the contingency of the subject, and the possibility of doing philosophy *without* first defining the *who* of the subject. In theorising *ex-appropriation* in relation to proprietary regimes, I agree with Derrida on the difficulty of beginning with the subject. I argue that *ex-appropriation* – as a political theory analytic – animates that which modes of being and appropriation foreclose. This includes the possibility of doing politics, that is interrupting modes of domination, without the emergence of a new subject and the ensuing processes of identification and dis-identification that Woodford presumes are incipient to producing democratic modes of equality. In short, I agree with Woodford that forms of taking – i.e. appropriations – presume modes of equality that rupture ‘the justification for existing partitions’⁶¹² and thereby remake property relations but I am sceptical that forms of subjectivity are necessary for this process.

This is an important point. Racialised, colonial, and gendered forms of propriety – as I have argued throughout this thesis – undergird ontological categorisations of the “human”. More than this though, subjectivity as a prerequisite to political resistance or politics *tout court* limits both to acts performed by “subjects”. This refuses enactments in which non-human life such as animals, ecologies, and beyond are rendered equal. As I outlined in Chapter 1, for Leanne Betasamosake Simpson, Nishnaabeg forms of knowledge do not divide beings into subject and non-subject. Betasamosake Simpson’s politics stems from this knowledge production such that she views the freedom of Nishnaabeg and other Indigenous populations as intimately tied to the necessity of refusing settler colonial divisions between human and non-human life. We can theorise this political commitment through the lens of democracy and *ex-appropriation*. Betasamosake Simpson *presumes* the equality of human and non-human life. In this way, she refuses that which is foreclosed by the settler colonial project: the equality of all beings. *Ex-appropriation* helps us here in ways that Woodford’s development appropriation – through its alliances with subjectivation – for Rancière’s politics cannot. For Woodford, the democratic enactment of equality emerges from the production of a new subject but Betasamosake Simpson’s politics refuses the subject, processes of

⁶¹² Woodford, *Disorienting Democracy*, 2017, p. 55.

subjectivation, and subjectivity. *Ex-appropriation* thus better names the interruption of contemporary modes of domination. First, it does not require the production of a new subject in order to disrupt these. Moreover, it names the very disruption of proprietary relations which rely upon modes of being and appropriation as their point of departure for the production of equality.

This brings me to the second reason why I develop *ex-appropriation* as an analytic for democratic politics rather than continue with Woodford's appropriation in her development of Rancière's politics. As I outlined at the start of this chapter, I consider democracy to be embroiled within a set of performative manoeuvres (my own included) which designate what democracy "is" in order to effect political outcomes. In this sense, it is performative. Claims over what is democratic are claims over what *kind* of equality is possible and thus set the terms of order for engaging in politics and resistance. This fight over what constitutes democracy and equality is itself, of course, then always political. Similarly, I theorise *ex-appropriation* as a performative concept. I argue that the "ex-" in *ex-appropriation* performs a double movement. First, it emphasises "*appropriation*" in *ex-appropriation*, that is the act of building and producing forms of resistance, in ways that refuse Marx's expropriation of the expropriators, as a double negation, without ever being final. *Ex-appropriation* denotes the necessity of producing new forms of knowledge, resistance, practices, and processes. It is only through the production of these that, and here I agree with Woodford, disruption is possible. To put things rather too simple, it would be foolish to forget the "-construction" in deconstruction. However, this means that knowledges, resistances, practices, and processes that resist proprietary regimes always carry the threat of becoming dominant modes that produce inequalities. This is caveated by the second movement of the "ex-" in *ex-appropriation*. This refuses the closure of appropriation. There is no finality of any "proper" mode of organising to terminate the movement of *différance*, to pin down the field of difference. The possibility of signification, of iteration, and repetition remain. To take us to politics more directly, the possibility of organising differently always remains.

In this sense then, *ex-appropriation* is performative. Democratic acts of resistance posit the possibility of new forms of equality, which can only ever be read as "proper" forms of organising, but this is a performative act. The radical and democratic character of

resistance is not the institution of new, “proper” forms of organising but ways in which they demonstrate the contingency of contemporary proprietary regimes and the inequalities they distribute. As such, democratic acts of resistance *produce* new forms of equality as constative statements of equality but these are never rigid principles. They are productive acts of equality which work to demand a different kind of politics. Following Derrida, it is up to us how we “inherit” these principles of activists and scholars before us, deciding which ones to follow and which to discontinue. In this sense, I agree with Woodford to some extent: “viable alternatives” demonstrate the contingency of contemporary orders. However, I argue that *ex-appropriation* better theorises this complex performative character of democracy, without resorting to the necessity of ontological categorisation and “the subject” which are embroiled in proprietary relations.

I theorise democratic politics as the very *transformation of property* – that is the disruption of the partitioning that ownership requires and the subjectivities that it relies upon in the appropriation of the *demos*. This is a performative act in that enactments of equality produce the very definitions of equality that disrupt proprietary regimes, producing new forms of “sensible” that can never be considered forms of closure, in the Derridean sense. In this way, I find Rancière’s account of politics as a future perfect tense compelling. Here, equality performatively presumes something *were already* the case, acting *as if*. I theorise democratic politics as not *only* the expansion of *demos* to include the “part who have no part” (though often this can be the case) and the appropriation of space *within* the *demos*. I also theorise democracy as the very transformation of the *demos as a proprietary space*. Unlike Rancière and his interlocutors though, I consider the enactment of “impossible” forms of equality to be performative acts which transform proprietary regimes through the production of equally contingent but no less powerful nor legitimate forms of equality. Second, these do not necessarily require forms of subjectivity to ground them. I have already noted the ways in which Indigenous resistance – theorised in the work of Glenn Coulthard, Leanne Betasamosake Simpson, and Audra Simpson – demands the dismantling of settler colonial domination rather than simply the

incorporation into the settler colonial state⁶¹³. We see this most clearly in Coulthard's description of Dene resistance and the refusal of the liberal frames of recognition that the Canadian state employs to try and assimilate Indigenous populations, sucking them into extractive practices, and eliminating Indigenous ways of life. The demand is not to be counted as a subject and thereby be conscripted into the dispossessive subjectivities that Brenna Bhandar demonstrates apportion one's position within judicial frameworks and govern access to land and resources⁶¹⁴ but to refuse counting and the dispossessive subjectivities it requires. As I have argued in earlier chapters, the forms of equality being made here are "impossible" in that they are forcibly foreclosed by proprietary regimes. They disrupt and transform the very fabric of proprietary relations such that logics of appropriation and ontology no longer *necessarily* govern this allocation. As such, I theorise democracy as the disruption that these forms of resistance announce and that *ex-appropriation* theorises to remake the horizon of what constitutes equality.

Section 2 – *Democracy-to-come: A democracy worth arriving?*

On closer reflection, the quibble over subjectivation and equality reflects a broader distinction that I insert between myself and Rancière and his interlocutors. Theorising democratic politics as the very remaking of the proprietary relations and systems of distribution that organise inequality makes little sense if forms of subjectivation are requirements for democratic processes or equality is something pre-constituted prior to political contestation. I argue that returning to Jacques Derrida's *democracy-to-come* on terms he did not theorise makes such a democratic theory possible. However, in this section I demonstrate that Derrida's *democracy-to-come* reproduces a set of proprietary assumptions regarding the *demos*. In this way, I argue that his analysis fails to disrupt the link between modes of appropriation and being so that the relationship between them no longer governs the allocation and distribution of land, resources, and so forth. *Democracy-to-come* relies upon the law of absolute hospitality. Hospitality expands this allocation and distribution as far as possible, to those who are rendered "outsiders", even enemies of the *demos*. Yet, there is an implicit assumption that the regimes of inequality themselves – that is the systems of distribution – must remain intact. I reject this

⁶¹³ See Chapters 1 and 2.

⁶¹⁴ See Chapter 2.

assumption. First, I home in on the law of absolute hospitality to make plain its architecture vis-a-vie *democracy-to-come*. Second, I draw out the implications of relying upon this construction. I conclude that *democracy-to-come* polices the boundaries of the *demos* because, whilst Derrida deconstructs ontological opposition of host and other, there is no consideration for the way in which these ontological categories participate in the division and appropriation of the *demos*. This means that modes of appropriation and being are rendered invisible and situated as the neutral terrain upon which democratic contestation takes place. I argue that democratic politics is the very disruption of this terrain, the *demos*, which is constituted through the use of ontological categorisations to justify modes of appropriation and the subsequent unequal allocation of propertised relations through ontological categorisations. *Democracy-to-come* thus fails to take the very liberties that Derrida promises, instead mobilising the proprietary mechanisms of the state (such as citizenship, immigration control, and state welfare) as ipso facto the *only* place for the enacting of equality.

i – The Law of Absolute Hospitality

Derrida announces *democracy-to-come* as a daring proposition: the ‘underbelly’ of democracy. He argues that democracy or democratisation (at its most radical) has always⁶¹⁵ been concerned the licentious, taking liberties and being free to engage in the lewd, shameless, and lustful⁶¹⁶. *Democracy-to-come*, like democracy, is about taking liberties. In this sense, *democracy-to-come* does not signify a perfect democratic regime that will one day in the future arrive. It is instead that which haunts democracy as ‘*another truth*’ of the democratic, namely the truth of the other, heterogeneity, the heteronomic and

⁶¹⁵ Derrida notes Plato’s description of democracy as ‘the most beautiful, most seductive of constitutions’ which entices women and children, and is colorful and diverse. See Derrida, *Rogues*, p. 26.

⁶¹⁶ Derrida notes that political discourse in Anglophone countries, after the Cold War, divided nation states into those which were hospitable to a neoliberal consensus and those considered *rogues* (translated as *voyou* in French), outlaws who refused this agenda and therefore democracy. Derrida plays on this discourse of rogue states and its etymology to think about the way in which *democracy-to-come* must be understood as a form of ‘license, [of] taking too many liberties’. Derrida links the English rogue to French synonyms: *rouée* (wily), *roué* (wheel/tricky), *rouerie* (cunning). Derrida outlines that *roué* named men without morals during the Regency period (1700-1730 CE) in France, in particular those closest to the Duke of Orleans and his ‘dissolute life’, and as such deserved to be put on the wheel (*roué*). *Roué*, and by extension Derrida argues *voyou* (rogue), thus came to be associated with debauchery: a certain ‘worklessness, the interruption of labor...a crisis in the job market (*embauche*)...but also, as a result, the playful and lustful, the shameless, lewd, and dissolute, the licentious and libertine’. See Derrida, *Rogues*, 2005, p. 20-21.

the dissymmetric, *disseminal* multiplicity'⁶¹⁷. The first 'truth' of democracy, so Derrida argues, is the aporia of sovereignty. Thus both democracy and *democracy-to-come* – its deconstructive "other" – *turn* upon sovereignty and its other, a well-worn concept from the political philosophy cannon: hospitality. Drawing on the work of French linguist and semiotician Émile Benveniste⁶¹⁸, Derrida argues that this aporia at work within the logic of hospitality is between *hospes* and *ipse*⁶¹⁹. The aporia at the heart of hospitality is then one between domicile privation (*ipse*) and an opening to others (*hospes*). For Derrida, *democracy-to-come* must preserve this aporia. He argues that democracy espouses an egalitarian demand to include or host (*hospes*) all, especially the outsider or the marginalised: an appeal to absolute hospitality. Yet, for him, democracy also preserves the sovereignty of individual freedom and the self (*ipse*) – particularly (if not exclusively) of men, brothers, citizens, the propertied, and those racialised as 'white'⁶²⁰. In preserving the self, a bordering and hostility occurs which disavows the very hospitality which itself is only made possible by the self as proprietor and host. Derrida argues that *democracy-to-come* must preserve this aporia by working in the undecidable space between these two contradictory demands: preservation of self and openness to others.

The aporia of hospitality is not a site of sanctuary. It necessitates two regimes. The first is the 'law of absolute hospitality'⁶²¹ which describes an ethical injunction. This is an 'unprecedented historical situation'⁶²², an event which compels questioning, choice, and political action: 'one must filter, sift, criticise, one must sort several different possibilities'⁶²³. The second is, following Derrida's assertion that sovereignty is the first

⁶¹⁷ Derrida, *Rogues*, 2005, p. 14. Italics mine.

⁶¹⁸ Emile Benveniste, *Dictionary of Indo-European Concepts and Society*, 2016.

⁶¹⁹ According to Benveniste, the Latin *hospes* (from which hospitality derives) is a compound of the roots: *potis* and *hostis*. *Potis* can appear as *-pet*, *-pot* but also as *-pte* or *¬ipse*. Benveniste translates *potis* (or as Derrida utilises it *ipse* which stands in for ipseity) as part of 'the family group (*dem-*), it is the master who is eminently 'himself''. Benveniste even goes so far to point out that '*ipssismus*, in Plautus, means the master'. In brief, *potis* or *ipse* can be understood as master of the house/clan, the owner, the one who has the right to offer hospitality. *Hostis*, on the other hand, can translate as both guest and enemy. Benveniste argues guest is the Latin translation and enemy appeared as a 'classical meaning' wherein guest (or foreigner) came to be equated with stranger and someone to be wary of and therefore hostile towards. See Emile Benveniste, *Dictionary of Indo-European Concepts and Society*, 2016, p. 61.

⁶²⁰ As I have demonstrated throughout this thesis, whiteness has historically been a contingent category that changes in different geographies over time.

⁶²¹ Derrida, *Of Hospitality*, 2000, p. 25.

⁶²² Derrida, *Of Hospitality*, 2000, p.149.

⁶²³ Derrida, *Spectres of Marx*, 2006, p. 18. Here Derrida describes an injunction akin to inheritance. This does not describe something that can be legitimately passed down through filiation (i.e. patrilineal

truth of democracy, political infrastructure which prop up the *ipse* portion of that *ipse-hospes* aporia and are regimes of ‘conditional hospitality’⁶²⁴. As Samir Haddad notes, ‘these laws are anything but unconditional, as they are constituted by complex systems of the norms, customs, rules, and regulations stating when hospitality is appropriate, and how to go about performing it’⁶²⁵. We might name these proprietary regimes. He further proposes that, for Derrida, ‘one must nonetheless follow both regimes, at once’⁶²⁶. Two things emerge from this balancing act *democracy-to-come* engages in, as the aporetic undecidability of these two regimes. First, violence is always possible. A *democracy-to-come* engaged in political struggle means that state violence, the abuse of political office, and the capture of government by fascistic or antidemocratic forces is always possible⁶²⁷. As Meriem Chabani and John Edom indicate, for Derrida, this universal right to hospitality is ‘mediated by tolerance’ and ‘tolerance is merely postponed hostility’⁶²⁸. For Derrida, *autoimmunity* describes antidemocratic forces returning *from within* democracy. It is this deferred hostility. However, *autoimmunity* (this deferral of hostility) is only ever possible through hospitality. The aporia of hospitality does not then promise a utopia.

This brings us to the second point. If, as Derrida proposes, sovereignty is the first rule of democracy, then judicial frameworks demarcating the boundaries of hospitality always intervene as a mode of calculation and arithmetic to puncture the “infinite responsibility” that absolute hospitality issues. Alternatively, we might view the injunction of absolute hospitality as that which levers open “the norms, customs, rules, and regulations stating when hospitality is appropriate” to displace its most virulent instantiations. This is because, as Derrida argues, ‘the law of absolute hospitality commands a break with hospitality *by right*, with law or justice *as rights*...just hospitality breaks with hospitality

names or generational wealth). Rather, for Derrida, all inheritance must sort through. We must decide what to carry forth and what leave behind. Choice is key here. Inheritance, like the injunction, forces us to choose. It thus compels political action – if we think the injunction in relation to *democracy-to-come*. *Democracy-to-come* is not a waiting. The inheritance of political infrastructure (be it parties, workplaces, education settings and so forth) compels us to reckon with them, inhabit them and remake them anew – or dispel with them entirely.

⁶²⁴ Derrida, *For What Tomorrow . . . A Dialogue*, 2001, p. 60.

⁶²⁵ Haddad, *Derrida and the Inheritance of Democracy*, 2013, p. 12.

⁶²⁶ Haddad, *Derrida and the Inheritance of Democracy*, 2013, p. 13.

⁶²⁷ I have discussed above the way in which the undecidability or autoimmune function of democracy always make this return or delay of hostility possible through new forms of “the proper”.

⁶²⁸ Chabani and Edom, “Reassessing the conditions for hospitality in public space”, 2020, p. 325.

by rights; not that it condemns or is opposed to it, and it can on the contrary set and maintain it in a perpetual progressive movement'⁶²⁹. Derrida has been read as an idealist⁶³⁰ but this reading demonstrates the necessity of working within existing regimes to demand greater hospitality than such regimes are willing to give. There is an acknowledgement of the resistances and unjust compromises that take place in political struggle and the battles for survival and flourishing without allowing these regimes to become neutral arbiters dictating what counts as just.

In many ways, this “infinite responsibility” as the obligation towards the other that absolute hospitality marks is reminiscent of Rancière’s “the part who have no part”. In both cases, the other is incorporated into the schemas of recognition as one who is foreign to the *demos*. For Rancière, this inaugurates the “miscount” of politics. For Derrida, this recognition that the other defines the host creates the responsibility to accommodate them and offer the former hospitality. However, Clare Woodford argues that *democracy-to-come* remains insufficient because Derrida situates the other as *perpetually* other: ‘Derrida’s concept of otherness denotes an other who is outside of citizenship and is never substitutable in the role of brother: the wholly other. Thus democracy-to-come involves a commitment to one who can never be “one of us”’⁶³¹. Here, the law of absolute hospitality renders the other as *always* a non-citizen. The other may be extended hospitality but cannot be rendered as the host. For Woodford, Rancière’s account overcomes this inherent dispossession. Rancière’s “as if” in his demand ‘to act “as if it were the demos”’⁶³² means that this other *can* be part of the *demos*. There is no strict division between insider and outsider that holds the other as universally beyond the *demos*. Contrastingly, the fact *democracy-to-come* extends hospitality but does not situate the other as a host, means that ‘it is rendered impotent and sterile; a democracy without a *demos* and without a relevant people’⁶³³.

I disagree with Woodford’s reading here. Absolute hospitality breaks with conditional hospitality. In doing so, Derrida deconstructs the binary of host and other, *ipse-hostis*, in

⁶²⁹ Derrida, *Of Hospitality*, 2000, p. 25-27. My italics.

⁶³⁰ Jameson, “Marx’s Purloined Letter”, 2008.

⁶³¹ Woodford, *Disorienting Democracy*, 2017, p. 76.

⁶³² Woodford, *Disorienting Democracy*, 2017, p. 76.

⁶³³ Woodford, *Disorienting Democracy*, 2017, p. 76.

order to demonstrate that the host can always become the other and, vice versa, the other might well have been or be the host under different conditions. In fact, for Derrida the aporia of hospitality turns on this very conundrum:

‘the question of hospitality begins: must we ask the foreigner to understand us, to speak our language, in all the senses of this term, in all its possible extensions, before being able and so as to be able to welcome him into our country?’⁶³⁴

The implication here is that any hospitality which requires the foreigner to speak “our” language, the language of the host, is a limited and conditional hospitality. This conditional hospitality regulates and reproduces the division between host and other, of which Woodford warns us. Derrida proposes that this is the kind of hospitality found in classical political philosophy. The foreigner is provided hospitality but only if they are marked out as a foreigner and then policed to remain as such. Instead, the unconditional hospitality he advocates requires ‘a break with hospitality in the ordinary sense...with the right to or pact of hospitality’⁶³⁵. Here, ‘I give not only to the foreigner...but to the absolute, unknown, anonymous other...without asking of them either reciprocity (entering into a pact) or even their names’⁶³⁶. Drawing on Levinas, Derrida argues that this obligation to the absolute other without reciprocation situates the host as a hostage. The injunction commands that one “give place” to this unknowable other: ‘it is indeed the master, the one who invites, the inviting host, who becomes the hostage’⁶³⁷. Here the dialectical relationship of host and other is pronounced. The host is hostage to the other just as the other is as the mercy of the host. Quickly then, Derrida argues that we are all hostage to one another and implicated in a raft of unknowable obligations to unforeseeable “others”: ‘the guest becomes the host's host. The guest (*hôte*) becomes the host (*hôte*) of the host (*hôte*)’⁶³⁸. There is no singular, nameable host who governs laws of hospitality. Instead, this deconstruction of the dialectical host-other demonstrates that within this network of obligations, anyone might be in the position of needing hospitality, of *commanding* the host to offer hospitality. It is, for *this* reason, that the infinite

⁶³⁴ Derrida, *Of Hospitality*, 2000, p. 15.

⁶³⁵ Derrida, *Of Hospitality*, 2000, p. 25.

⁶³⁶ Derrida, *Of Hospitality*, 2000, p. 25.

⁶³⁷ Derrida, *Of Hospitality*, 2000, pp. 123-124.

⁶³⁸ Derrida, *Of Hospitality*, 2000, p. 124.

responsibility becomes an injunction to offer hospitality and hold the host hostage to their responsibility. There is no distinct division between foreigner and host; both are positions in a deconstructible dialectical relation which constitutes the infinite responsibility of hospitality.

My issue though is the political implications within proprietary regimes of ownership: infinite responsibility may break with rights, but it does not renounce ownership, the necessity of the proprietor, nor proprietary relations themselves. It continues to signify the self as host and the other as guest. Derrida deliberately points out the dissoluble nature of these positions: one can always be the other. The host is never immune nor invulnerable; they may need the hospitable of the other in some impossible future that is to come (*l'avenir*). As such Srinath Jagannathan, Rajnish Rai, and Christophe Jaffrelot point out unconditional hospitality 'involves giving up the imagination of vengeance against the other'⁶³⁹. Yet the law of absolute hospitality continues to view one as a proprietor, who has ownership over place, and can grant access. Hospitality requires that, 'I *give place* to them, that I let them come, that I let them arrive, and take place in the place I offer them without asking reciprocity'⁶⁴⁰. Derrida here describes a set of allowances, tolerances, or provisions that take place. Yet these allowances – however far-reaching they are – never question the host as a proprietor, as the owner of space, and the decider of who can dwell as resident or guest. Thus, this hospitality is always premised pre-emptively upon the notion of ownership.

The law of absolute hospitality is then always already caught up within a set of proprietary relations. Both *ipseity* and hospitality are predicated upon the individual as proprietor and place as a *domicile* – a dwelling constituted as property through law. Being open to the other can only ever be thought on the condition that one already owns this space – be it the dwelling as a property or the city, nation, or state as land which requires visas to police entry and citizenship to police residence. To open spaces (be it land or shelter) to the other, is firstly to enforce ownership over them. Only from this standpoint does one have the authority to *allow* the other to come, to enter. The “hospitality” of states to those seeking refugee status is predicated on ever increasing border control and

⁶³⁹ Jagannathan, Rai, and Jaffrelot, “Fear and Violence as Organisational Strategies”, 2022, p. 466.

⁶⁴⁰ Derrida, *Of Hospitality*, 2000, p. 25.

surveillance⁶⁴¹. The “tolerance” of people migrating or claiming asylum does not signal a refutation of citizenship as a proprietary mode demarcating who counts nor of proper and improper subjects. It does not mark a politics beyond the proper citizen, the proprietary mechanisms of subjectivity, and modes of partition and appropriation. It is a symptom of these. It reinforces the propertisation of land and resources⁶⁴² made sovereign by a nation-state, the propertied subject who can be bestowed rights and citizenship as well as the propriety of those deemed worth of entering the former and being given the latter. Hospitality then is not the renouncement of ownership itself. It participates in proprietary forms of ownership: deciding who can and cannot own. It therefore legitimises modes of partition and appropriation even if their reliance upon who counts as host and other are stretched to their limit. Proprietary infrastructure is reproduced as necessary to political infrastructure such that the expansion of appropriation (and ensuing subjectivities devising to whom these resources are allocated) is considered democratic.

This reading shifts what we count as the problem of *democracy-to-come* for democratic theory. Woodford understands the issue with Derrida’s analysis of democracy is that there must always be an “other”. I argue the issue is there must be a host. For Derrida, the host and other are always substitutable and the “other” can always be incorporated. What remains silent is: a host is always required such that democracy is a proprietary regime, where a decision on who can and cannot participate is necessary. The law of absolute hospitality is not a blunt analytic because it fails to enable others to become the host; it is blunt because it assumes a host – and all the proprietary architecture this implies – is necessary. Within this framework, the demand is merely to participate within regimes of hospitality rather than disrupt the very scaffolding which enables regimes of exclusion, justified through notions of propriety. On this reading, we move from a problem of participation to one of proprietary relations which denotes *who* can participate in the distribution of material inequality, tying modes of being and subjectivity to the logics of appropriation.

⁶⁴¹ See DeBono, “Plastic Hospitality”, 2019; Carpi and Senoguz, “Refugee Hospitality in Lebanon and Turkey”, 2018; Kemp, “Solidarity in spaces of ‘care and custody’”, 2019; Friese, “The Limits of Hospitality”, 2010; Bosworth, “Border Control and the Limits of the Sovereign State”, 2008.

⁶⁴² See von Redecker, “Ownership’s Shadow”, 2020; Nichols, *Theft is Property*, 2020; Bhandar, *Colonial Lives of Property*, 2018.

ii – Proprietary Frames of Recognition

The subordination of democratic politics to the law of hospitality rearticulates proprietary limits as necessary to democracy as a political theory. This diminishes the radical character of democracy – as the irruption and remaking of the *demos* which constitutes forms of equality rendered “impossible” by proprietary regimes. In this way, the logics of appropriation and being that distribute interlocking inequalities are *redoubled*, to use Derrida’s phrasing against him⁶⁴³. Even though Derrida deconstructs the ontological assumptions of hospitality as a political philosophical concept, he fails to disrupt the nexus *between* appropriation and ontology. This expands the (liberal) frames of state recognition to include the “foreigner” without disrupting that very apparatus. This can be most clearly seen in the way the Canadian state assimilates Indigenous populations⁶⁴⁴. Ananya Roy names this a ‘radical dispossession’ and argues that the law of hospitality ‘shares some of the same conceits of liberalism’, amounting to a haunting of ‘postcolonial whiteness’⁶⁴⁵. On Derrida’s reading, we can push proprietary relations to their limits, but our resistance is delimited by their necessity as part of the infrastructure of regimes. Here, proprietary regimes of ownership become synonymous with democracy, securing their legitimacy. This wedding ensures that *democracy-to-come* limits political resistance, political action, and democracy itself to the requirements of proprietary regimes: the transformation of relations into property; the division, appropriation, and allocation of resources through this transformation; the requirement that this allocation is predicated upon possessive subjectivity; and definitions of

⁶⁴³ Derrida describes *redoubling* as an act of legitimisation – an imitation which legitimises that which it has reproduced. Derrida argues that ‘imitation redoubles presence, add itself to it by supplementing it. Thus it makes the present pass into its outside...the outside is split and it is the reproduction of the outside in the outside’. Two things take place here. First imitation ‘redoubles presence’ through a supplement. In other words the supplement is an imitation of a claimed original – be it text, art or a political demand. There is a duplication of presence. Second this duplication marks a ‘reproduction of the outside in the outside’. Presence marks everywhere: inside and out. This imitation, as supplement and duplication of presence, has therefore legitimised presence as the foundational, even transcendent, categories for production. Production (be it of writing, art or political infrastructure) cannot be thought outside of these categories. Redoubling then is the process of legitimising structures through the production of its very terms, properties and classes. These terms, properties and classes (as supplements and simulacrum of those structures) reinforce and legitimise the very terms of the debate and thus naturalise the structures of which they are products. See Derrida, *Of Grammatology*, 1997, p. 203.

⁶⁴⁴ See my discussion of the Dene population in Chapter 2. See also Coulthard, *Red Skin, White Masks*, 2014; Bhandar, *Colonial Lives of Property*, 2018.

⁶⁴⁵ Roy, “The city in the age of Trump”, 2019, p. 771.

propriety which police these subjectivities. As such, absolute hospitality conceptualises a *democracy-to-come* which can only think of the democratic, liberation, and equality through the lens of contemporary proprietary mechanisms: nation-states, citizenship, the United Nations, its Security Council, and the International Monetary Fund⁶⁴⁶.

It is not so much that *democracy-to-come* advocates *for* these institutions but rather that Derrida's analysis is too narrow, misses the way in which inequality is distributed through this proprietary architecture, and thereby fails to theorise resistance adequately *against* those proprietary regimes of ownership. This is most evident in Derrida's analysis of *ipseity*. Simply put, *ipseity* can mean individual identity or selfhood. The Latin root *ipse* is an alternative for *potis* and both are part of the family group *dem-* which translates as 'master who is eminently himself'⁶⁴⁷. According to Jakub Walczak *ipse* also comes to denote master in the sense of having 'power over something'⁶⁴⁸ such as a household, land, a clan and so forth. Derrida's conception of *ipseity* evokes a similar concern regarding a kind of ownership that the logic of property invokes. He describes *ipseity* as follows:

'by ipseity, I thus wish to suggest some 'I can' or at the very least the power that *gives itself* its own law, its force of law, its self-representation, the sovereign and reappropriating gathering of self in the simultaneity of an assemblage...being together'⁶⁴⁹

Ipseity here then refers to an auto-generating function. *Ipseity* marks the 'power that *gives itself*', a power that one gives to oneself, or that an institution gives to itself. The logic of *ipseity* proposes that an institution or an individual is (a) sovereign from all others and (b) generates its own power by (c) gathering the different parts of itself together as a unitary whole. Here, *ipseity* names nothing more than a self-authorized power which claims 'a principle of legitimate sovereignty'⁶⁵⁰. Yet, this legitimacy itself is simply the "'reason of the strongest"' as the right (*droit*) granted to force or the force granted to law (*droit*)'. This

⁶⁴⁶ Derrida, *Rogues*, 2005, p. 98.

⁶⁴⁷ Emile Benveniste, *Dictionary of Indo-European Concepts and Society*, 2016, p. 61.

⁶⁴⁸ Walczak, "The Conditions of Christian Hospitality", 2021, p. 86.

⁶⁴⁹ Derrida, *Rogues*, 2005, p. 10.

⁶⁵⁰ Derrida, *Rogues*, 2005, p. 13.

is not the distribution of equality, enactments of freedom, nor treatment as equals. It is the self-anointed force of those with greatest power.

Derrida is of course critical of this. My issue though is that his criticisms do not enable a reading of the link between appropriation and ontology that, as I have theorised thus far, distribute interlocking inequalities. The logic of *ipseity* alone is not a democratic one for Derrida because it renounces an aporia that Derrida argues is fundamental to democratic politics. Samir Haddad points out that ‘indivisible sovereignty and divisible or shared sovereignty’⁶⁵¹ is one of the many aporias that Derrida finds in democracy. ‘Force *without* force, incalculable singularity *and* calculable equality, commensurability *and* incommensurability, heteronomy *and* autonomy’⁶⁵² are others. Haddad rightly acknowledges that, for Derrida, this aporetic function of democracy is fundamental. However, this assumes that the political problem at hand is the excesses of *ipseity*, which must be reined in by the heteronymic force of hospitality. In other words, it is the “I can” of a sovereignty which conceives itself as an all-powerful and self-generating determiner that *democracy-to-come* intervenes against. In this sense, *democracy-to-come* is ill-equipped to theorise resistance against proprietary regimes. As I have argued, ownership is not, as William Blackstone proposed, the despotic dominion over property and does not refer to an all-powerful authority that Derrida’s reading of *ipseity* suggests. Instead, property is a tool that transforms social relations into appropriable objects wherein ontological categorisations and dispossessive subjectivities allocate these to some and distribute precarity to others, enacting various forms of interlocking oppressions that cannot be reducible to a singular nor “foundational” mode of property. I will come back to this in the final section of this chapter where I rethink *l’avenir* to theorise resistance against this architecture. For now, I simply want to draw attention to the ways in which *if* a theory of property undergirds *democracy-to-come*, it is a narrow and insufficient one.

In this way, the law of absolute hospitality (that aporia of *ipse-hospes*) invisibilises proprietary relations. Rather than disrupt the appropriation-ontology nexus that undergirds the inequalities that proprietary regimes distribute, *democracy-to-come* can only stretch these assumptions to their very limit. Derrida’s deconstruction of *ipseity*

⁶⁵¹ Haddad, *Derrida and the Inheritance of Democracy*, 2013, p. 63.

⁶⁵² Derrida, *Rogues*, 2005, p. 86.

relies upon the presumption that sovereign power is the problem. However, sovereign power is not the force against which democratic politics constructs equality. I theorise democratic politics, performatively, as the enactment of equality without bounds in order to theorise resistance against proprietary ownership. As Devenney notes, ‘power is not simply possessed by a sovereign (though it may be concentrated) but is distributed in a capillary like manner across the body politic in a variety of disciplinary, bio-political, and pastoral practices’⁶⁵³. I have demonstrated as much throughout this thesis. Proprietary regimes use a variety of different techniques of partition and appropriation to transform social relations into property. Ontological categorisations facilitate this and reproduce colonial, racialised, gendered, and class-based oppressions as interlocking forms of inequalities which operate differently across geo-political spheres. Political resistance is as diffuse as the inequalities it resists, exercising struggle in those sites where injustices take place. It is thus insufficient, I argue, to situate sovereignty as that *alone* which must be deconstructed in order to theorise political resistance as the enactment of equality. Derrida’s *democracy-to-come* misses this.

Ananya Roy⁶⁵⁴ articulates this well when she argues that subordination to the law of absolute hospitality means democracy can only ever amount to a politics of city state refuge. Unfairly one might surmise that *democracy-to-come* fashions liberation as a site of freedom or refuge away from harm, as Mill, Bentham and even Rawls. Yet, Roy acknowledges that Derrida produces a novel account of political citizenship: ‘the grounds of sanctuary are not secure possession, not even self-possession, but rather radical dispossession’⁶⁵⁵. As Roy notes, this radical dispossession is similar to Judith Butler’s “double valence” of dispossession which marks both (a) the loss of land, citizenship, and so forth and *also* (b) ‘marks the limits of self-sufficiency and that establishes us as relational and interdependent beings’⁶⁵⁶. For Butler, the latter valence of dispossession makes the former valence possible. There is then an inaugural dispossession which structures all beings and is a condition of interdependency upon which colonial theft, for example, takes place. However, Roy proposes that this

⁶⁵³ Devenney, *Towards and Improper Politics*, 2020, p. 165.

⁶⁵⁴ Roy, “The city in the age of Trump”, 2019.

⁶⁵⁵ Roy, “The city in the age of Trump”, 2019, p. 770.

⁶⁵⁶ Butler and Athanasiou, *Dispossession*, 2013, p. 3

dispossessive account of hospitality relies upon the capacity to be able to refuse property. As such, politics of sanctuary ‘also rely on Western humanism, offering refuge to racial others from the place of Europe or the free city’⁶⁵⁷. I agree with this but also argue that both Derrida and Butler⁶⁵⁸ presume an inaugural property that haunts their dispossessive accounts, as I have argued above. Nevertheless, what Roy points to is accurate. *Democracy-to-come* – as a dispossessive sanctuary which pushes proprietary regimes to their limit, without disrupting them – can only ever theorise a politics of inclusion. It is a politics which cannot theorise dismantling colonial institutions and proprietary regimes. Instead, it seeks to *expand* these to include the marginalised and the dispossessed: Derrida claims that democracy ‘has wanted to open itself, to offer hospitality, to all those excluded’⁶⁵⁹. *Democracy-to-come*, even as a practice of radical dispossession, does not then theorise living together, sharing resources, and political decision-making beyond the logics of appropriation and subjectivity. It is rather about *property-ing* the dispossessed: with land, shelter, citizenship, employment, and so forth.

Citizenship, border control, legal representation, voting rights and land ownership (to name but a few) are proprietary functions that legitimise what I performatively describe as oligarchic regimes⁶⁶⁰. They are not transcendental categories for thinking democratic politics. Yet Derrida weds these to democratic politics, situating them as the very limit for democracy through his dispossessive account of hospitality. If *ipseity* is necessary to democratic politics, as one side of the aporetic equation *ipse-hospes*, then a certain proprietary link between appropriation and ontology becomes *necessary* for Derrida. Understanding this is important to consider the otherwise bizarre pronouncement Derrida makes that proprietary state infrastructures are where *democracy-to-come* resides. He argues that: ‘the fate of *democracy-to-come* in its relation to world order,

⁶⁵⁷ Roy, “The city in the age of Trump”, 2019, p. 775.

⁶⁵⁸ I argue this is the case for Butler’s account of dispossession elsewhere. See Lechley, “Rearticulating the Political Subject in the work of Judith Butler”, 2017.

⁶⁵⁹ Derrida, *Rogues*, 2005, p. 63.

⁶⁶⁰ I use this phrase to denote the governmental regime in which elections, citizenship etc take place. This should not be confused with proprietary regime in general which cannot be contained to state apparatus. On oligarchy, I agree with Jacques Rancière, Mark Devenney, and Clare Woodford who all argue that we do not live in democratic societies but oligarchic ones in which a democratic veneer is achieved through electoral representation. However, I view this as a performative claim in that there is no “true” meaning of democracy or oligarchy but describing liberal democracies as such highlights the fact that wealth and power continue to be concentrated in the hands of the few. See Rancière, *Disagreement*, 1998; Devenney and Woodford, “Why the US and Britain are not democracies”, 2017.

depends on what will become of this strange and supposedly all-powerful institution called the Security Council'⁶⁶¹. Here, state, interstate, and trans-state institutions are the limit of democracy. Derrida argues that in post-Kantian modernity the problem of democracy 'comes to be rooted in the turbulent terrain of relations between states, in questions of war and peace'⁶⁶². In an attempt to deal with this problem of democracy⁶⁶³, Derrida proposes that the 'possible, impossible or unlocatable but not necessarily utopic... [trans-state relations] constitutes *the* place or *proper* place with any chance of giving weight to weigh or scope to the expression '*democracy-to-come*'⁶⁶⁴.

Two features mark this "proper place" of *l'avenir*, democracy, and the political. First, Derrida explicitly states that the proper place for resistance to structural, political violence, and the limit of democracy is 'interstate or trans-state relations, law and institutions of today'⁶⁶⁵. Second (and here it seems to become clear why Derrida emphasises the character of undecidability in the logics of hospitality) interstate or trans-state relations 'remain entirely to come'⁶⁶⁶. Suffice to say the ambiguity of the latter feature of this "proper place" does not efface the problematic character of the former. It is only the undecidability of these relations which prevents democratic politics' collapse into state apparatus. Here, the radical character runs thin and is incompatible with my own rubric of *ex-appropriation* as the remaking of relations to land, resources, and precarity without proprietary co-ordinates. *Democracy-to-come*, as Roy pointedly demonstrates, institutes a set of necessary borders to the *demos*. It is a dispossessive citizenship but citizenship nonetheless which rests upon the demarcation of the *demos*, and appropriation of one's space within it, through the expansion of its borders to include the absolute, unknowable other.

⁶⁶¹ Derrida, *Rogues*, 2005, p. 98.

⁶⁶² Derrida, *Rogues*, 2005, p. 80.

⁶⁶³ It seems odd but also somewhat unsurprising that having spent many years being criticized for not 'attending to the political enough', Derrida here makes the normative assumptions about what counts as the political: the (nation) state. This is especially strange given his own criticisms of Schmitt's theory of the political which determines that state politics marks this limit. See Jacques Derrida, *The Politics of Friendship*, 2005, pp. 112-137.

⁶⁶⁴ Derrida, *Rogues*, 2005, p. 81.

⁶⁶⁵ Derrida, *Rogues*, 2005, p. 81.

⁶⁶⁶ Derrida, *Rogues*, 2005, p. 81.

In articulating dispossessive citizenship as the limit of democratic politics, Derrida *redoubles* these proprietary relations as fundamental categories of democracy, mirrored back to us as the limit of politics, that which cannot be deferred, disseminated, nor resisted. The democratic cannot be thought outside ownership. The “impossible”, resisting proprietary relations, is itself refused in favour of legitimising proprietary relations *as* democracy. New and complex arrangements may emerge, but proprietary logics remain intact: the articulation between appropriation and ontology remains “the Place” of democracy. *Democracy-to-come*, in shoring up and acting as a disciplinary mechanism for these proprietary, institutional mechanisms, can only ever reinforce democracy *as* a set of proprietary relations. As Roy⁶⁶⁷ outlines, the law of absolute hospitality means *democracy-to-come* situates the city state (as refuge or sanctuary) and its proprietary implications as the radical limit of democracy and politics. In short, *democracy-to-come* is here reappropriated by, rather than taking liberties with, proprietary regimes of ownership.

Section 3 – Democracy Beyond Property

In the final section of this chapter, I argue that *democracy-to-come* need not be the limit of deconstruction’s contribution to democratic theory. I re-read Derrida’s work on *l’avenir* (to come) to theorise it as a rearticulation of the *demos* and its borders in ways that *democracy-to-come* does not allow. This is a departure from Derrida’s own reading of *l’avenir* and impossibility. *L’avenir* marks two different, seemingly contradictory, readings of the future and temporality. On the one hand, *l’avenir* describes the coming of an impossible event. On the other, it is a future perfect tense which denotes that this ‘precipitation of an absolute singularity’ operating ‘without lateness, without delay’⁶⁶⁸, akin to Rancière’s acting “as if” of politics. I argue that this complements and extends my development of *ex-appropriation* for theorising political resistance. First, I outline the difference between *le futur* and *l’avenir* for conceptualising the first reading. I do this to develop *l’avenir* for theories of resistance. On my terms, *l’avenir* marks resistance to the foreclosures that proprietary regimes institute in much the same way that *ex-appropriation* and *the gift* do. Second, I draw attention to *l’avenir* as a future perfect tense.

⁶⁶⁷Roy, “The city in the age of Trump”, 2019.

⁶⁶⁸Derrida, *Spectres of Marx*, 2006, p. 37.

I argue that conceiving democratic politics in this tense mirrors Rancière's "as if" but dispenses with notions of subjectivation. Together these constitute a democratic politics "to come" that theorises political resistance which, at one time, is considered an impossible task foreclosed by all regimes and yet, at a certain point, becomes the normative condition of politics henceforth. Here resistance ruptures proprietary relationships – the distribution of inequalities through modes of appropriation and dispossessive subjectivities – and performatively enacts "impossible" modes of equality, always assuming these to be the normative conditions of the *demos*. I conclude that my reading of *l'avenir* offers a more radical account of democratic politics than Derrida allows and, unlike Rancière's account, does not assume the necessity of the subject for politics.

i – L'avenir

Avenir is a French verb which can be translated as either 'future' or 'to come'. Throughout Derrida's later writing *l'avenir* is used to mark a distinction between *le futur* and *l'avenir* – two different modes of conceptualising the future. Yet as far as back *Writing and Difference*⁶⁶⁹, Derrida outlines this conceptual difference. Although he does not use *l'avenir*⁶⁷⁰ to do so, Derrida speaks about a future which is 'the only possible opening of time, the only pure future, the only pure expenditure *beyond* history as economy'⁶⁷¹. This future 'cannot be bound by a concept'⁶⁷² and is open to the 'infinitely-other'⁶⁷³, that which is 'unforeseeable "resistant to all categories"'⁶⁷⁴. In sum, this future marks an openness to the Other⁶⁷⁵ and, as such, to all possibilities beyond contemporary horizons of understanding and intuition. In this same volume⁶⁷⁶, Derrida outlines another future. This future⁶⁷⁷ is signposted as teleological – a marker of *telos*. This future has a "guaranteed" outcome – one which has been predicted or programmed to occur. It is a future which is

⁶⁶⁹ Derrida, *Writing and Difference*, 2001.

⁶⁷⁰ At least this is the case in the English translation. See Derrida, *Writing and Difference*, 2001.

⁶⁷¹ Derrida, *Writing and Difference*, 2001, p. 118.

⁶⁷² Derrida, *Writing and Difference*, 2001, p. 118.

⁶⁷³ Derrida, *Writing and Difference*, 2001, p. 118.

⁶⁷⁴ Derrida, *Writing and Difference*, 2001, p. 118.

⁶⁷⁵ Here Derrida is specifically referring to the work of Levinas and thus reworking Levinas' 'face of the other' into his own conception of the Other which Derrida uses to conceptualise the ethical injunction.

⁶⁷⁶ Derrida, "Violence and Metaphysics", 2001.

⁶⁷⁷ Again, this is not named as *le futur* nor demarcated *against* a conception of *l'avenir*. However, I argue that the lack of nomenclature does not matter - the distinction is still very clear in Derrida's early work.

not “open” to the unforeseeable but is constrained by contemporary “horizons” i.e., the concepts, epistemologies, histories, institutions, and (political, sociological) narratives that organise our societies and therefore delimit the kinds of futures or outcomes that are possible⁶⁷⁸.

L’avenir and *le futur* conceptualise temporality differently⁶⁷⁹. *Le futur* proposes a consequential and linear framework for understanding the temporal. Here events occur as a consequence of the past and present. The future is a consequence of the present. Our present epistemologies inform us of the future that *will* occur. *Le Futur* marks a future which determines that events *will* come to pass. Time is linear: past-present-future, in that order. *L’avenir* marks a non-linear temporality. It disavows the certainty of *le futur*; there is no guarantee that predicted events *will* occur. The future is not an inevitable consequence of present conditions. The future instead marks an openness to the impossible, in that Derridean sense. Thus, the future does not follow the present: there is no past-present-future pipeline. Instead, there is an undecidability at work. Multiple futures co-exist as possibilities of the present. The future can be anticipated by those “horizons” drawing on the past but these are *only* predictions. Any account of temporality which does not acknowledge this conceptualises the future as *le futur*, not *l’avenir*. I consider this differentiation in relation to political possibilities. Here, our “horizons” establish certain events as almost inevitable, the unavoidable or necessary outcome of proprietary infrastructure. UK Austerity politics as the necessary outcome of the 2007-08 global financial crash are one such example. These policies were often *framed* as the only possible political solution due to media reporting and political narratives which drew on neoliberal accounts of finance, state welfare, and reporting of the crash itself⁶⁸⁰. One possible response to the financial crash became the *only* possible response.

I argue this reading is a deconstruction of Judaic messianism, Martin Heidegger’s “event”, and revolutionary politics. *L’avenir* works against the ‘messianic extremity’ which theorises the “event” and revolution as an ‘immediate rupture, unheard of interruption,

⁶⁷⁸ Throughout the rest of this chapter, I continue to use the phrase *horizons* to denote this framing.

⁶⁷⁹ Shain, “Is There a Trace of the Future? Metaphysics and Time in Derrida”, 2019.

⁶⁸⁰ See “Part 1: The UK Experience” in Basu, Schifferes and Knowles, *The Media and Austerity*, 2018.

untimeliness of the infinite surprise, heterogeneity without accomplishment'⁶⁸¹. Messianism is the expectation that an event, particularly a religious event such as the arrival of the messiah, *will* occur. This determination of the future echoes *le futur*, that certainty that an event will occur. There is little hesitancy. In demanding “rupture” as a necessity, revolutionary politics resonates with this. For Antonio Negri⁶⁸² and Giorgio Agamben⁶⁸³, Heidegger is the most radical but also most *revolutionary* thinker on time in that *Ereignis* and the “event of Appropriation” announce not only a new temporality but the very origin of *all* possible, future temporalities. It is a revolution of time in which – echoing Heidegger’s philosophy of *Being* – this new temporality is constitutive of all the temporalities which come after it. I agree with Mark Devenney⁶⁸⁴ that such a fetishization of the revolutionary event paralyzes political action. Devenney argues that this is notable in Slavoj Žižek’s⁶⁸⁵ work, who situates approaching the Real as both an “impossible” event and necessary for revolutionary politics. Here the Real – unlike Derrida’s *the gift* which is impossible but also the very condition of possibility – is the very structuring principle upon which the Symbolic orders of representation are made possible. In other words, without this primary foreclosure, there is no field of representation and no space upon which politics can take place. Here the “impossible” revolutionary event constitutes an endless waiting that renders political action impotent because one is waiting for an event which ruptures the very foundations upon which politics rests. This revolutionary politics can then be read as a form of messianism, expecting that an “immediate rupture” *will* occur but requiring that it does *not* take place because its very “impossibility” structures Symbolic orders, fields of representation, and the political.

I read Derrida’s messianic against the messianism of revolution. In Derrida’s analysis, the “event” of arrival is not an expected event which describes revolutionary transformation. This reading rests upon the difference between eschatology and teleology. For Derrida, ‘we must discern here between eschatology and teleology, even if the stakes of such a difference risk constantly being effaced in the most fragile and slight insubstantiality’⁶⁸⁶.

⁶⁸¹ Derrida, *Spectres of Marx*, 2006, p. 45.

⁶⁸² Negri, *Marx beyond Marx*, 1991; Negri, *Time for Revolution*, 2003.

⁶⁸³ Agamben, *Infancy and History*, 1993.

⁶⁸⁴ Devenney, “Žižek’s Passion for the Real”, 2007.

⁶⁸⁵ Žižek, *The Sublime Object of Ideology*, 2008.

⁶⁸⁶ Derrida, *Spectres of Marx*, 2006, p. 45.

Whereas a teleological reading *guarantees* (much like *le future*) that the “event” will occur, Derrida’s rearticulation of the religious eschatology proposes that the “event” is always a possibility but never guaranteed. *L’avenir* is an eschatological conception of the future. It marks the *always possible* but *never guaranteed* and is what distinguishes teleology from eschatology for Derrida, who accepts that such a distinction can itself never be clear-cut and is not always easily decipherable. As such, *l’avenir* renders the “event” impossible and foreclosed because it would displace the very relations that constitute these foreclosures and structuring principles which are always contingent and never set in stone much like *the gift*. The latter is a foreclosed object that renders relations of exchange possible, and whose appearance marks the possibility of rearticulating those very relations. But relations of exchange are not universal nor a priori conditions for social relations in general. Recall, it is the very foreclosure of *the gift* that constitutes relations of exchange and, as a consequence, *dissemination* because it is the movement of *différance*, that perpetual deferral which cannot be contained by these relations and their *contingent* foreclosures. In this way, I theorise that *l’avenir* – like *the gift* – does not make the revolutionary “event” more likely but rather makes resistance itself possible. As such, I think *l’avenir* not as the Heideggerian opening to revolution and all possible temporalities. Instead, this openness demonstrates the contingency of very foreclosures upon which proprietary relations are constituted.

In this way, I think the “impossible” as a deconstruction of the proprietary assumptions that Žižek, Negri, Agamben, and Heidegger amongst others take for granted. This reading of “the Real” views it as only “impossible” because it rests upon a set of *contingent* foreclosures which philosophy, psychoanalysis, and a determinative reading of Marx render necessary and neutral but can in fact *always* be remade. Here, the messianic ‘remains an ineffaceable mark’⁶⁸⁷, that it is it remains a structural condition: the impossible remains forever possible. It cannot be *effaced*, as Žižek and Heidegger attempt, from the domain of the “Symbolic” or politics, reserved *only* for the *truly* revolutionary event. As such, the foreclosure of any number of “impossibles” is a structural condition insofar as foreclosures, exclusions, and enclosures themselves are

⁶⁸⁷ Derrida, *Spectres of Marx*, 2006, p. 33.

necessary to political decision-making and relating to land, resources, and one another. Yet these foreclosures can always be remade such that *dissemination* and resistance are always possible. In this way, I understand resistance – but also, as will be shown, democratic politics – as an everyday occurrence, not a revolutionary rupture nor the instantiation of new temporalities.

In refusing a linear temporality and deconstructing the revolutionary “event”, *l’avenir* remakes our understanding of space as always already political. And, if politics is the contestation over what is possible, then I contend that *l’avenir* demonstrates that resistance itself is always possible – however sedimented and difficult to shift the histories in which we find ourselves might be. *Le futur* imagines time as linear. As such, spatiality must exist along this linear temporality too. Space is *unmoving* and *unchanging* except *through* this linear temporality. In other words, geographical space only changes as time changes. Spatiality is limited by *le futur* in the same way our political imaginaries are. John Wylie notes that spectrality and hauntology (as apparatus of *l’avenir*) ‘displace received understandings of the constitution of space and time...the unsettling of presence, place’⁶⁸⁸. Wylie even goes so far to argue that ‘haunting is a pre-requisite to place...a place takes place through a spectral event of displacing’⁶⁸⁹. What Wylie recognises here is hauntology – that is *l’avenir*’s complication of the present by the past and future – remakes place and space. Wylie proposes that *l’avenir* institutes an ‘uncertainty regarding even the reliability of these measurements’⁶⁹⁰ which constitute place. It is not the case though that measurements are somehow not up to scratch. Rather, the very “horizons” that govern these measurements cannot be trusted to fully account for conceptualising space and place. The “horizons” of *le futur* delimit space. Spatiality can only ever be conceptualised *if it fits these inherited parameters*. Thus spatiality, like temporality, is always already political – a product of “horizons” which are inherently political. In refusing linear temporality, *l’avenir* also makes possible a spatiality beyond these boundaries and the scope of our political imaginaries. In short, I posit that

⁶⁸⁸ Wylie, “The Spectral Geographies of W. G. Sebald”, 2007, p. 172.

⁶⁸⁹ Wylie, “The Spectral Geographies of W. G. Sebald”, 2007, p. 180.

⁶⁹⁰ Wylie, “The Spectral Geographies of W. G. Sebald”, 2007, p. 180.

l'avenir makes impossible places possible. There is then no “Place” per se, as Derrida suggests.

In this way, I rethink *l'avenir* akin to my development of *ex-appropriation*, *dissemination*, and *the gift* in relation to proprietary regimes: here what is foreclosed as *impossible* can be rendered possible⁶⁹¹. To say that *le futur* names a guaranteed future or political reality might then seem a strong turn-of-phrase but it demonstrates the way in which *le futur* forecloses the impossible⁶⁹². *Le futur* offers a very limited purview of political spatial-temporality: contemporary paradigms organise politics. *Le futur* thereby designates what politics are possible. The political is only that which is conceivable from contemporary “horizons”. Anything outside this fails to be apprehended as possible. As such some spatial-temporalities and events are foreclosed as “impossible”. In *Whoops!*⁶⁹³, John Lanchester demonstrates the way in which the mathematics relied upon to generate collateralised debt obligations (CDO) and credit default swaps (CDS) judged events such as Black Friday in 1989⁶⁹⁴ so improbable they would only occur once in more time than the existence of the universe. As Lanchester points out, this is ludicrous because similar events occurred more than once in a 20-year period⁶⁹⁵. Here, assumptions built into the equations governing financial speculation resemble my interpretation of a foreclosed “impossible” event and *le futur*. The parameters used to generate CDOs and CDSs created a limited set of possible futures. All else outside these parameters, whilst always possible in practice, was determined as impossible. Thinking the future, politics, and spatial-temporalities vis-a-vie *le futur* means the “impossible” is foreclosed by certain political parameters which organise this terrain. On my reading, *l'avenir* demonstrates the impossibility as contingent – rendering it possible. Demonstrating the contingency of these parameters, acknowledges the possibility of their failure or miscalculation.

⁶⁹¹ As I argued in Chapter 1, *the gift* is not impossible in that it cannot occur but rather that the forces of exchange necessitate that its occlusion operates as a prerequisite for participation in those very relations.

⁶⁹² See Chapter 1 on *ex-appropriation*, specifically the section on *the gift* and *dissemination* for a detailed account on the impossible and the importance of it to think political resistance through deconstruction.

⁶⁹³ Lanchester, *Whoops!*, 2010.

⁶⁹⁴ Black Friday was a US stock market crash that took place on Friday 13th October 1989 and is often understood as the start of the recession in the early 1990s. See Lanchester, *Whoops!*, 2010, p. 90-92.

⁶⁹⁵ Lanchester refers to the 1989 Black Friday Crash and the 2007-08 global financial crash.

Moreover, this animation of the impossible echoes Fred Moten's⁶⁹⁶ *animateriality* in which value is produced from nonvalue. Here, what exists outside proprietary epistemologies remain a possibility just as *the gift* renders the (im)possibility of a gift without reciprocity.

ii – The Future Perfect

The animation of the impossible is one part of my theorisation of *l'avenir* for political theory and democratic politics. The second concerns its status as a future perfect tense. Whereas the first part makes the reconstitution of space possible and situates this as a political act, the second is the enactment of this “impossible” *as if* it were already the case. *L'avenir* (to come) is a future perfect tense which is often formulated in English as: “will have” + [a past participle], such as “will have happened”. Here, we are projected into a *predicted* future in which a surmised event *has already* taken place. As Derrida argues, such a calculation is impossible. As we have already noted, *l'avenir* does not guarantee the future like *le futur* but demonstrates contingency such that the “impossible” remains a possibility. Similarly, the future perfect tense ‘transforms into an origin what is actually an after-effect of meaning’⁶⁹⁷. Geoffrey Bennington conceives philosophical writing to be such a task. The philosopher writes ‘from his [sic] death, writing his [sic] life out in the future perfect tense that it *will have been*’⁶⁹⁸ but it is only their death which – through their biography as a written account – confirms them to be a philosopher. This is not to argue that the future perfect becomes unimportant. Rather, it is to politicise this tense, not view it as redundant. Derrida notes that a ‘signature is already produced by the future perfect of the countersignature, which will have come to sign that signature’⁶⁹⁹. What Derrida points to here is the way in which the signature is produced by the countersignature. It is *countersigned* by the anticipation that one *will have followed* through with what the signature promises. In this way, the future perfect tense cannot be disentangled from the present. It is irreducible in the complication of present and future that *l'avenir* announces. *L'avenir* as a future perfect tense – that is, as the anticipation of an *already* taken place event – is part of that very event’s production even if, as I have demonstrated,

⁶⁹⁶ See Chapter 1. See also Moten, *In the Break*, 2003.

⁶⁹⁷ Derrida, *Dissemination*, 1981, p. 21.

⁶⁹⁸ Bennington, “In the event”, 2008, p. 27.

⁶⁹⁹ Derrida, “The Spatial Arts”, 2021, p. 15.

there can be *no* guarantee that such a future will come to pass. Here then, such a tense remains indispensable even as, or perhaps *because*, it does not exhaustively determine the chain of signification and meaning. Anticipation without guarantee: this is the aporia of *l'avenir*. At once, this eschatological anticipation marks an event that *will have happened* and yet there is no guarantee regarding what will occur.

Democratic politics operates in this future perfect tense. Christopher Kilgore argues 'state violence (the law, *gewalt*) posits its own existence in a future-perfect tense in order to define (retrospectively) its own foundational, unjustifiable violence as *just*'⁷⁰⁰. This is true. For Derrida, there is no original nor foundational violence of the state which inaugurates and legitimises it. This rings true with my analysis of *différance*, origin, and Heidegger in Chapter 1. Instead, the claim to legitimacy is perpetually re-asserted in continued acts of state violence⁷⁰¹. However, the same is true of democratic politics as well. I render democracy as equality without bounds. Here, democratic politics is the enactment of equality. There is no foundational conception of what this equality is, against which political resistance is measured. In this sense, I agree with Mark Devenney that equality is not the 'restitution of an original state of equality' but 'the enactment of equality transforms the conditions in which lives are lived and the terms on which subjects recognise each other and themselves'⁷⁰². Moreover, this enactment is democratic precisely because it is without limit nor qualification. However, I view this as a performative task. Thus, democratic claims are productions of equality and are *constructed* in the future present tense. They are not bound by the inequalities that contemporary proprietary regimes institute. These claims are made under conditions of inequality but in terms that act *as if* they were already the case, *as if* the equality presupposed already existed. What was once the "impossible" is remade through resistance as the normative conditions under which politics takes place. Here, the *demos* is remade into that which it always *will have been*.

When suffragettes Christabel Pankhurst and Annie Kenney interrupted the speeches of Winton Churchill and Sir Edward Grey in Manchester to demand a commitment to

⁷⁰⁰ Kilgore, "Review Essay: Jacques Derrida: Acts of Religion", p. 107. Italics original.

⁷⁰¹ See Derrida, "The Force of Law", 1992.

⁷⁰² Devenney, *Towards an Improper Politics*, 2020, p. 167.

women's suffrage⁷⁰³, they acted in the future perfect. They ignored contemporary conventions dictating that only men attend political meetings and speakers are uninterrupted, materialising a world in which their political emancipation *had already been* won. When, in December 1955, Rosa Parks rejected bus driver James Blake's demand that she vacate her seat to make way for a white passenger in Montgomery, Alabama⁷⁰⁴, she acted in the future perfect. Parks disregarded the present inequality she lived in, her actions materialising, in the present, a future in which segregation *had already been* abolished. Today, when Just Stop Oil protestors disrupt sporting events – tying themselves to goalposts at Goodison Park⁷⁰⁵, spreading orange powder on snookers tables at the Crucible⁷⁰⁶, or walking onto the track at Silverstone during the F1 Grand Prix⁷⁰⁷ – or Insulate Britain creates blockages on motorways⁷⁰⁸, they too act in the future perfect. They rupture the idea that the climate crisis is just another political issue. They materialise a world in which the climate crisis is treated with the urgency that a fundamental threat to all life on earth deserves. In this world, it *would have been* ludicrous to carry on watching sport as normal because the planet is burning all around us.

Here equality – be it political emancipation, the end of segregation, or acknowledging the action which is proportionate to the urgency of climate crisis – is enacted without reference to the present. It presupposes the very “impossible” conditions that would remake the boundaries and norms of the *demos*. It is perhaps no surprise then that those with reactionary responses to Just Stop Oil protests, forget the disruptive tactics of the Suffragettes, the Civil Rights Movements and beyond. They simply assume that women's political emancipation and the end of segregation are the presuppositions of a “civil” society rather than hard-fought-for conditions achieved through political struggle⁷⁰⁹. They

⁷⁰³ Purvis, *Christabel Pankhurst: A Biography*, London: Routledge, 2018.

⁷⁰⁴ Williams, *Eyes on the Prize: America's Civil Rights Years, 1954-1965*, New York: Viking Penguin, 2013.

⁷⁰⁵ Pandley, “Just Stop Oil: Why protesters are tying themselves to goalposts”, BBC News, 21 March 2022.

⁷⁰⁶ Ingle, “World snooker championship disrupted by Just Stop Oil protesters in Sheffield”, *Guardian*, 2023.

⁷⁰⁷ Murray, “Just Stop Oil activists who staged Silverstone protest convicted”, *Guardian*, 2023.

⁷⁰⁸ Gayle, “Insulate Britain declares M25 ‘site of non-violent civil resistance’”, *Guardian*, 2021.

⁷⁰⁹ See Joanna Rossiter, “Just Stop Oil aren't like the suffragettes”, *Spectator*, 16 November 2022; Dan Wootton, “Just Stop Oil are not protestors or a suffragette-style movement”, *Daily Mail*, 10 November 2022; Daniel Finkelstein, “Sorry, Just Stop Oil, you're not the suffragettes”, *The Times*, 1 November 2022.

miss the way in which democratic politics turns the “impossible” into the necessary, or as Derrida puts it, ‘transforms into an origin what is actually an after-effect’⁷¹⁰. I also want to briefly note here the ordinariness of these acts. What my renderings of *l’avenir*, *the gift*, and *ex-appropriation* demonstrate, contra Sheldon Wolin’s account of democracy I mentioned earlier, is that the “impossible” is always possible. The production of new modes of equality are never “events”, per se, nor “revolutionary” in presupposing what proprietary regimes foreclose.

In many ways, this is similar to Rancière’s politics and the “as if”. In both readings, democratic politics is not simply demanding equality with the propertied or, at least, it is not only that. However, my analysis offers an important caveat to Rancière’s account of democratic politics. My theorisation of *l’avenir* and democracy does not require, as Woodford’s analysis of appropriation, subjectivation, and dis-identification theorises, the production of a new subject and forms of dis/identification in order to enact democratic forms of politics and produce new kinds of equality. In this way, I offer a less elaborate analysis of democratic politics but also theorise the activation of the demos without forms subjectivation and subjectivity. This expands the scope of political resistance in ways Rancière cannot account for. In re-constituting the relationship between land and populations, Indigenous modes of resistance in settler colonial states such as Canada and the US are democratic politics that enact “impossible” forms of equality to resist proprietary regimes *without* conceiving new subjectivities. Leanne Betasamosake Simpson writes that, as a member of the Nishnaabeg Nation, ‘our nationhood, my nationhood, by its very nature calls into question this system of settler colonialism, a system that is such an overwhelming, violent, normalized, and dishonest reality in Canada and so many other places’⁷¹¹. As Audra Simpson⁷¹² acknowledges, in this way, Indigeneity interrupts the settler colonial project. On the one hand, Betasamosake Simpson wants equality *like* settlers: ‘I want my great-great-grandchildren and their great-great- grandchildren to be able to live as Michi Saagiig Nishnaabeg unharassed and undeterred in our homeland’. Yet, on the other hand, this freedom

⁷¹⁰ Derrida, *Dissemination*, 1981, p. 21.

⁷¹¹ Simpson, *As We Have Always Done*, 2017, p. 7.

⁷¹² Simpson, *Mohawk Interruptus*, 2014.

remains incompatible with the settler colonial project. This freedom does not demand equality *like* settlers have. It demands the disruption and dismantling of the very regimes of power in which settlers remain unharassed and undeterred, whilst Indigenous populations are dispossessed, impoverished, provided inadequate healthcare, and their cultural practices are eliminated. Betasamosake is clear: ‘I understand my freedom is dependent upon the destruction of settler colonialism’⁷¹³. Equality is remade not as an *equal to* settlers such that Indigenous populations have the same forms of equality, rights, and property as settlers. Instead, Indigenous populations, settlers, and all forms of life and ecology beyond the subject live in reciprocal relationships without hierarchy when settler colonial practices no longer exist. This does not, however, mean that, as per the “revolutionary event”, the end of settler colonialism must be waited for. Betasamosake Simpson’s own Radical Resurgence Project is testament to the community work being done to disrupt settler colonial logics and reconstitute Indigenous relationships to land and one another, and fracture the precarity dealt to Indigenous populations. This project – and others like them – redistribute wealth in a collective practice, offer “language nests” as community projects to ensure Indigenous languages do not die out, and develop movements that reach across divisions of “race”, sex, and gender, in order to form blocs of resistances against heteropatriarchy and anti-Blackness⁷¹⁴.

Here then, equality is not inclusion within the settler colonial state but rather the destruction of the very proprietary regimes which distribute inequality through resistance, without the need for forms of subjectivation that rearticulate ontology as necessary co-ordinates for social relations. This explicitly refuses the proprietary regimes of ownership that settler colonial states and businesses rely upon to extract wealth and dispossess Indigenous communities. Under these conditions, there cannot be dispossessive subjectivities because Indigenous populations are ‘links in a chain’⁷¹⁵ with one another but also with the land that is stolen from them. At once, this resistance refuses *both* the alienation of land, the explicit refusal of social relations as property, *and*

⁷¹³ Simpson, *As We Have Always Done*, 2017, p. 45.

⁷¹⁴ Simpson, *As We Have Always Done*, 2017, p. 50-52.

⁷¹⁵ Simpson, *As We Have Always Done*, 2017, p. 8.

the ontological assumptions that practices of propertisation require. Here though, Indigenous scholarship⁷¹⁶ does not ignore or simply forget about subjectivity. Instead, this is an explicit politicisation of ontology in a reversal of Schmitt's argument: the nomos or earth *cannot* be divided among beings *because* all beings – which is broadened to include other animals, land, rivers, etc – are interrelated and cannot be divided in colonial, racialised, gendered, classed fashion nor along divisions between human-animal. As Betasamosake Simpson writes, 'Indigenous bodies exist as networked vessels, or constellations across time and space intimately connected to a universe of nations and beings'⁷¹⁷. This refuses the relationship between being and appropriation; rejecting dispossessive subjectivities which legitimise and reproduce different forms of appropriation. If subjectivation is necessary to democratic politics, the Radical Resurgence Project cannot be understood as political resistance because no new subject emerges here. *Ex-appropriation* corrects this: animating "impossible" equalities without a subject. This is not to say that this is the *only* kind of resistance that does this. Rather, I underscore that resistance disrupts and remakes (rather than demands inclusion to) proprietary regimes⁷¹⁸. Moreover, this demonstrates that the nexus of ontology-appropriation can be remade. This is something for which recent democratic scholarship does not adequately account.

Conclusion

In this chapter, I add to recent scholarship within democratic theory. I develop the concept of democracy as an analytic of resistance. Democracy describes political resistance which enacts equality. I thus theorise democracy as equality without bounds.

⁷¹⁶ See Simpson, *As We Have Always Done*, 2017; Simpson, *Mohawk Interruptus*, 2014; Coulthard, *Red Skin, White Masks*, 2014.

⁷¹⁷ Simpson, *As We Have Always Done*, 2017, p. 21.

⁷¹⁸ To be clear, this does not mean that state intervention itself is always anti-democratic. Often political struggle requires using state apparatus against their oppressive character to enact equality. We can think of the founding the welfare state and the NHS as examples of the contradictory character of struggle. On the one hand, universal healthcare and a welfare safety net were won through struggle and enacted forms of universal equality. On the other, health inequity across racialised groups and the punitive mechanisms installed to disenfranchise working class and disabled populations from state benefits mean that these are sites that also distribute inequality through proprietary mechanisms. See Leggat-Barr, Uchikoshi, and Goldman, "COVID-19 risk factors and mortality among Native Americans", 2021; Kapadia et al., "Ethnic Inequalities in Healthcare: A Rapid Evidence Review", 2022; Taylor-Gooby, Leruth, and Chung, *After Austerity*, 2017; Beatty and Fothergill, "Disability Benefits in an Age of Austerity", 2015.

This is a performative manoeuvre which accepts that democracy has no proper meaning and that battles over such definitions sets the terms for the kinds of politics that are possible. I engage in this political battle over democracy in order to broaden the very terms of equality. This develops analyses which theorise democracy *not* as a type of regime but as a mode of resistance. I contribute to this scholarship by re-reading Jacques Derrida's *l'avenir* (to come) in relation to proprietary regimes. This curtails the infinite openness of Derrida's own analysis of democracy and *l'avenir* (to-come) in *democracy-to-come*. Yet it also enables me to theorise democracy as a form of resistance in ways Derrida cannot. *Democracy-to-come* offers a limited framework for theorising democratic politics because it assumes a set of proprietary relations as the normative conditions of politics. I demonstrate this is because *democracy-to-come* turns upon, what Derrida calls, the law of absolute hospitality. I show that recourse to hospitality reasserts the necessity between modes of appropriation and ontological categories that are used to justified and legitimise proprietary regimes of ownership and the interlocking inequalities they distribute. I theorise *l'avenir* as the articulation of *both* a foreclosed "impossibility" *and* the future present tense such that this "impossible" can be animated as the necessary conditions henceforth. I argue that thinking the *demos* in these terms means acknowledging the way in which democratic politics enacts equality without reference to the unequal conditions proprietary regimes institute but presupposes that an "impossible" form of equality *will have already become* a political norm. Moreover, theorising democracy through *ex-appropriation* and *l'avenir* moves beyond the necessity of subjectivation. In this way, my rearticulation of *l'avenir* adds to recent scholarship on democratic theory by ensuring that demands to equality are not *only* made with reference to the propertied but enable the disruption of ownership and the proprietary relations that facilitates it. I thus performatively refigure democracy as political resistance, that is the enactment of contingent equalities, such that I expand the lexicon of resistance beyond the narrow institution of communal regimes of ownership that I criticised in Chapter 3.

Thus far, this thesis has argued that there is no "foundational" form of oppression or inequality which structures all others. Instead, property operates as an overdetermined complex which transforms social relations into alienable objects to be appropriated and distributed along colonial, racialised, and gendered hierarchies using ontological

categories as justification. Considering this, I reworked *ex-appropriation* as a way to theorise political resistance which disrupts and displaces these processes *without* enacting new forms of the “proper”. This merely reinforces proprietary forms of ownership. I have also demonstrated that communal regimes of ownership do not escape proprietary trappings. This chapter builds upon the first three chapters of this thesis by theorising democratic politics as the enactment of equality *against* the proprietary orders that distribute interlocking inequalities. Here, democratic politics animates and presupposes that which convergences of appropriation and being render “impossible”. In the final chapter of this thesis, I develop the category of Blackness as an irruptive force that enacts democratic forms of equality rendered “impossible” by colonial and racial regimes.

Chapter 5: Blackness and Property

Introduction

In this final chapter, I rethink Blackness – as an analytic in Black Studies and the Black radical tradition – in political terms. I remake the ‘anoriginal, anoriginary constitution of blackness as radical force’⁷¹⁹ as a democratic mode of political resistance that displaces the proprietary violence of European colonisation, its afterlives, and the distribution of material inequalities against Black and racialised populations. Here, the analytic of Blackness enacts forms of equality that cannot be envisioned by proprietary regimes of ownership that produce Black subjectivities as dispossessive, ontological categories. I begin by demonstrating that these sites of subjection are also sites of resistance. Politics is this very contestation between the two. Politics is not simply a site outside of Black life, as Fred Moten suggests. In this way, I reaffirm that proprietary regimes are political. In the second part of this chapter, I turn to discussions of ontology and Blackness. I argue that recent discussions rightly point out the way in which the production of ontological distinctions and questions of Being reproduce Black subjectivities as dispossessive forms of “nonrelation”. This justifies material inequality, precarity, and the violence suffered by Black, colonised, racialised, and gendered populations. However, this analysis largely misses the role proprietary ownership plays in these interconnected inequalities. In the final section, I argue that the category of Blackness is not simply a proprietary tool that reproduces material inequalities for Black, colonised, racialised, and gendered populations but is rather a democratic mode of enacting equality *against* the violences that proprietary regimes produce. I rework Fred Moten and Nahum Dimitri Chandler’s “paraontological” analysis of Blackness in light of scholarship on property and “race”. I demonstrate that the category of Blackness is a political and democratic force that also disrupts and remakes the modes of appropriation and being that make (intersecting) racialised, gendered, classed, and colonial inequalities possible.

Section 1 – Blackness and Politics

Black Studies and the Black radical tradition have a fraught relationship with politics. Stefano Harney and Fred Moten presuppose that Blackness – as a category – is a form of

⁷¹⁹ Moten, “The subprime and the beautiful”, 2013, p. 238.

Black life and sociality – the very force of Black radicalism – which operates as the ‘general antagonism’⁷²⁰ to politics. Meanwhile, both Afropessimists and its detractors view radical politics as inseparable from a Marxist project tied to wage-labour exploitation as the primary antagonism of capitalism. Frank B. Wilderson III⁷²¹ notes that his politics deals with the primary of antagonism of anti-Blackness whereas radical politics is drenched in “parasitic” narratives of redemption that already exclude Black suffering, which is an irredeemable condition. For Kevin Ochieng Okoth⁷²² though, radical politics cannot be thought outside anti-colonial practices which rely upon a Marx’s analysis of capital. In this section, I argue that the category of Blackness, as the “force of Black radicalism”, cannot be thought without politics because the latter is where contestation over what is *possible* takes place. I begin by briefly tracing Carl Schmitt’s⁷²³ concept of the “political” and Chantal Mouffe’s⁷²⁴ appropriation of it in order to highlight Mouffe’s failure to acknowledge that the (b)ordering of the *demos* is political. I then consider the way in which Afropessimists and Black Optimist readings of politics deny its utility as an analytic framework by relying too heavily on the same assumptions as Schmitt and Mouffe. I conclude by drawing upon the work of Andrés Fabián Henao Castro⁷²⁵ to argue that politics renders possible *both* (a) the proprietary regimes which produce material inequalities for Black and racialisation populations *and* (b) new forms of equality.

i – The Concept of the Political

As is well-known, Carl Schmitt’s definition of the “political” rests upon a division between friend and enemy which defines the modern nation state and geopolitical affairs. Schmitt proposes that the ‘concept of the state presupposes the concept of the political’⁷²⁶. Schmitt feels the need to define the political because he wants to get to the heart of what is the proper business of the state. Knowing the state’s proper domain immunises it from contamination by ‘social matters’ which Schmitt denotes as ‘neutral domains – religion,

⁷²⁰ Harney and Moten, *The Undercommons*, 2013, p. 20.

⁷²¹ Wilderson, *Afropessimism*, 2020, p. 16.

⁷²² Okoth, “The Flatness of Blackness”, 2020.

⁷²³ Schmitt, *The Concept of the Political*, 2007.

⁷²⁴ Mouffe, *The Democratic Paradox*, 2000.

⁷²⁵ Henao Castro, “Ontological Captivity”, 2021.

⁷²⁶ Schmitt, *The Concept of the Political*, 2007, p. 19.

culture, education, the economy'⁷²⁷. Yet more than this, Schmitt argues these domains alongside legal and scientific ones are 'political antitheses'⁷²⁸ and depoliticising. Schmitt situates them under the broader 19th century trend he names 'political romanticism' which as, Tracy B. Strong notes, is 'characterised as a stance of occasionalist ironism, such that there is no last word on anything'⁷²⁹. In short then, Schmitt's definition of the political is an attempt to maintain this strict division between the state and society. For him, it is only through this division, that the state can stand 'above society and as a stable and distinct force'⁷³⁰. The desire to protect the state against the destabilising forces of society is perhaps unsurprising for a conservative thinker writing in 1932. Schmitt witnessed the fall of the German Empire, and the impending demise of the Weimar Republic. Yet, this is still troubling given the events after 1933 and Schmitt's involvement with the Nazi regime.

I reject Schmitt's claim over what constitutes the political and politics. There can be no such clear distinction between politics and its supposed antitheses. However, Schmitt provides a useful starting point for understanding such debates over the domain of politics, as many scholars have pointed out⁷³¹, and the limitations of those accounts which take Schmitt's theorisation for granted. For Tracy B. Strong, the limitations of Schmitt's account of the political and his involvement with the Nazi regime are linked. Strong argues that it is 'the overly simplistic notion of the friend'⁷³² which contributed to the way in which Schmitt 'persuaded himself for some period of time...that the opponents of the regime were, in fact, his enemies, who, in fact, posed a threat to the German identity'⁷³³. I concur with Strong in that readily accepting Schmitt's concepts of state and the political, as Schmitt himself did, institutes a set of problems for politics and resistance. Chantal Mouffe readily accepts Schmitt's friend-enemy distinction. However, unlike Schmitt, Mouffe explicitly argues that politics is about constructing the enemy, the

⁷²⁷ Schmitt, *The Concept of the Political*, 2007, p. 22.

⁷²⁸ Schmitt, *The Concept of the Political*, 2007, p. 23.

⁷²⁹ Tracy B. Strong, "Foreword", 2007, p. xiii.

⁷³⁰ Schmitt, *The Concept of the Political*, 2007, p. 22.

⁷³¹ G. L. Ulmen and Paul Riccone, "Introduction to Carl Schmitt", 1987; Paul Hirst, "Carl Schmitt's Decisionism", 1987; G. L. Ulmen, "American Imperialism and International Law: Carl Schmitt on World Affairs", 1987. See also the full issue of this edition of *Telos* which is dedicated to Schmitt and draws out ways to use him on the Left.

⁷³² Strong, "Foreword", 2007, p. xxiv.

⁷³³ Strong, "Foreword", 2007, p. xxiii.

antagonist, or other that hegemonic politics works against. For Mouffe, democratic politics ‘always entails drawing a frontier between “us” and “them”’ which is ‘the condition for the very exercise of democratic rights’⁷³⁴. Similar then to Derrida’s *democracy-to-come*⁷³⁵, democratic politics and politics in general work between sovereignty and hospitality. The possibility of democratic rights and their expansion depends upon establishing ‘limits to popular sovereignty in the name of liberty’⁷³⁶. In other words, Mouffe proposes that the demarcation of the *demos* is necessary to “do” politics. This results in Mouffe arguing that ‘the democratic ideal, which is essentially political...aims at creating an identity based on homogeneity’⁷³⁷. A hegemonic identity – which resists a constructed “other”, adversary, or enemy – must be mobilised through the logics of equivalence in order for the populist politics Mouffe advocates to capture state apparatus. However, as I argued at the end of Chapter 3, this means that politics is overly concerned with the politics of affect and the mobilisation of identity, ignoring material inequalities.

Missed here, by both Schmitt and Mouffe, is that this demarcation of the *demos*, generated by the friend-enemy distinction, is itself a political manoeuvre. To institute a set of borders *as necessary* to even begin to “do” politics reaffirms that borders of the *demos* (in short, the borders of the nation state but also the borders which, for Schmitt, divide the political from its “antitheses”) themselves are necessary. As Jacques Derrida⁷³⁸ and Matthias Fritsch⁷³⁹ argue, if politics rests upon the friend-enemy distinction, before doing any politics at all, it is necessary to determine *who* is hostile and *who* is an ally: ‘the doubts must disappear not so much relative to the meaning of friendship or hostility but, above all, relative to *who* the friend and the enemy are’⁷⁴⁰. No one can remain unknowable and what is presented as merely a practical definition of terms and identification of the players involved, quickly becomes an ontological, and then proprietary, enterprise. Two things have occurred here. First, the borders of the

⁷³⁴ Mouffe, *The Democratic Paradox*, 2000, p. 4.

⁷³⁵ See Chapter 4.

⁷³⁶ Mouffe, *The Democratic Paradox*, 2000, p. 4.

⁷³⁷ Mouffe, *The Democratic Paradox*, 2000, p. 39.

⁷³⁸ Derrida, *Politics of Friendship*, 1997.

⁷³⁹ Matthias Fritsch, “Antagonism and Democratic Citizenship”, 2008.

⁷⁴⁰ Derrida, *Politics of Friendship*, 1997, p. 116.

demos have been naturalised such that they become an unquestioned part of its architecture. Second, ontological distinctions – that is the delineation of beings – become essential groundwork for politics to take place. Politics becomes the reordering of these *necessary* borders based on those supposedly pre-political – that is “natural” – ontologies. The first question is: *who* sits beyond the *demos*? The political question becomes: *how* are they excluded to shore up its borders? In this sense, Schmitt’s concept of the political is teleological⁷⁴¹ in that it determines in advance what the limits of politics as a domain are and delimits political action to *how* to deal with the ontological enemy. As Jacques Derrida writes, ‘what is called politics, an ideal politics, a regulative and programmatic aim – indeed, an idea of politics in general – could never regulate (itself on) such a “concept of the political”’⁷⁴². Schmitt’s “concept of the political” institutes a set of borders between friend and enemy and between politics, on the one hand, and religion, culture, economics, science, education, the law, on the other. This fails to consider how these might be “political” or the way in which this division situates the borderings of the *demos* as necessary.

In this way, Schmitt’s analysis of the “political” points to the way in which ontology is political – though he does not realise it. In this way, I agree, in part, with Mark Devenney who, as I demonstrated in Chapter 1, argues that Schmitt ‘explicitly politicises ontology’⁷⁴³. I say in part because I agree with Devenney that Schmitt’s account moves from being to the ways in which being is linked to questions of partition and the *demos*. However, I would also propose that Schmitt’s “political” points to this politicisation *without ever* acknowledging it. For Schmitt, questions of being are the groundwork upon

⁷⁴¹ For Derrida, the naming of politics – like any appellation – requires a certain undecidability, less it be held in the grip of a tautology. The undecidable is not a form of indecision but rather the refusal of a programmatic decision which would circumscribe in advance an outcome without proper deliberation. On justice, the law, and what is “right”, Derrida argues that any legal decision which simply carries out the law in a new case, cannot be “just” because it fails to adequately consider the “justness” of the law in light of new material before making a decision. Here, undecidability makes possible a distinction between justice and the law. It does not in any sense guarantee justice but is necessary to avoid the programmatic decision of the judge, thereby enabling the possibility of justice. As such, the undecidable refuses the telos of a decision. In this sense, it forms part of Derrida’s re-reading of eschatology. Returning to politics, if Derrida refuses a “programmatic ideal” of politics, it is because he views “the political” as marked by a certain undecidability. Removing this undecidability, determines a pre-arranged set of outcomes, deciding in advance what counts as political and what does not. I outline Derrida’s distinction between teleological and eschatology in Chapter 4. See also Derrida, “Force of Law”, 1992.

⁷⁴² Derrida, *Politics of Friendship*, 1997, p. 115.

⁷⁴³ Devenney, *Towards an Improper Politics*, 2020, p. 29.

which politics take place. This where he differs from Chantal Mouffe, who views politics as antagonistic work. Nevertheless, Devenney is right that the explicit linking of ontology to politics is made evident in Schmitt. I thus follow Devenney in regarding ontological distinctions and questions of ontology as inherently political. The demarcation of certain bodies as proper and improper and the distinction between different “types” of being are all interwoven with questions of how to organise the *demos*: who can participate and who is excluded? Once again, the determination of *who counts* – to borrow that phrase from Jacques Rancière⁷⁴⁴ again – as part of the *demos* is political because it structures how its borders are reproduced. Moreover, as I argued in the previous chapter, democratic politics is disruption of these borderings to enact forms of equality, previously foreclosed as impossible by proprietary regimes.

ii – Ontology: A Return to Politics

In the Black radical tradition and Black Studies, both Afropessimists and “Black optimists” have neglected the proprietary character of politics. For Afropessimists such as Frank B. Wilderson III⁷⁴⁵ and Jared Sexton⁷⁴⁶, Blackness is an ontological structure that conditions, beyond all else, the domain of politics. Wilderson draws upon Orlando Patterson’s⁷⁴⁷ ‘social death’⁷⁴⁸ to argue that anti-Blackness structures civil society through the categorisation of Black people as less-than-human. In this way, politics proceeds from this primary antagonism. Wilderson devises two terms, “culture of politics” and “politics of culture”, to demarcate those who do and do not deal with this primary antagonism, respectively. Wilderson is engaged in the first such that his politics

⁷⁴⁴ Rancière, *Disagreement*, 1998.

⁷⁴⁵ Wilderson, *Afropessimism*, 2020.

⁷⁴⁶ Sexton, “Afro-Pessimism”, 2016.

⁷⁴⁷ Patterson, *Slavery and Social Death*, 2018.

⁷⁴⁸ It is important to note that Robbie Shilliam has recently demonstrated that Orlando Patterson’s work has received shallow analysis despite being widely cited by many in Black Studies and the Black radical tradition. Shilliam argues that “social death” has been poorly utilised with little attention to its theoretical moorings. He demonstrates that it relies upon a European Christianity concept of master/slave which itself relies upon the exclusion of a number of anti-colonial forms of resistance including Rastafari movements of 1960s. Shilliam proposes that the ‘universalization of the condition of social death and of the pursuit of modern freedom rests upon a refusal to seriously consider that the self-ascribed “sufferers” make sense of the afterlives of slavery with reason’. Here there is a segregation of reason (logos) and Blackness (pathos) that Afropessimism through Patterson reaffirms as an inescapable ontological condition such that the pathology as slavery (even as an afterlife) cannot be overcome. As such, I do not rely upon “social death” throughout this chapter and this critical distance should be borne in mind whenever I use the term. See Shilliam, “Social Death and Rastafari Reason”, 2022, p. 14.

concerns this antagonism above all else. In this way, Wilderson seems to echo Calvin Warren⁷⁴⁹ who views politics – as per Martin Heidegger – as an “ontic” category which makes possible ontological categorisations as ethical demands: ‘politics is an ontic articulation of Being itself—perhaps a structure through which the human inhabits a particular relation with Being through care’⁷⁵⁰. Here, anti-Black violence is political and ultimately constitutes what is considered ethical but politics is itself, as per Schmitt and unlike Mouffe, removed from the domain of contestation and antagonism. Here then, one might be inclined to revise Wilderson’s suggestion that anti-Blackness is ontological and regard it as an “ontic” category. Wilderson, like Warren, proposes that anti-Blackness structures what is ontologically possible within civil society. This is why Wilderson’s “culture of politics” concerns this antagonism above all else.

Meanwhile, Stefano Harney, Fred Moten⁷⁵¹ and Nahum Dimitri Chandler⁷⁵² do not consider politics a relevant category for theorising Black radicalism against the ontological violence of racial capitalism. Chandler speaks little of politics, especially in relation to his own work⁷⁵³. Stefano Harney and Fred Moten theorise the undercommons as ‘the general antagonism to politics looming outside every attempt to politicise, every imposition of self-governance, every sovereign decision and its degraded miniature, every emergent state and home sweet home’⁷⁵⁴. Consequently, Moten theorises the category of Blackness and Black social life – as forces of the Black radical tradition – as part of the undercommons and a force that disrupts politics but remains separate from it. This moves Moten from ‘the subject of politics to the subject of life’⁷⁵⁵. He contends this is necessary because the politico-ontological categories that emerged with Europe’s colonisation of the Americas meant that, as Sylvia Wynter demonstrates, those racialised as Black were generated a ‘subhuman status’⁷⁵⁶. Politics cannot represent

⁷⁴⁹ Warren, “Onticide”, 2017.

⁷⁵⁰ Warren, *Ontological Terror*, 2018, pp. 48-49.

⁷⁵¹ Moten, “Blackness and Nothingness”, 2008; Moten, “The Case of Blackness”, 2008; Moten, “The Subprime and the beautiful”, 2013.

⁷⁵² Chandler, *Toward an African Future*, 2013; Chandler, “Of Exorbitance”, 2008.

⁷⁵³ Almost all of Chandler’s discussion of politics in *X – The Problem of the N*gro as a Problem for Thought* and *Toward an African Future* tends to revolve around the politics of others, notably W. E. B. Du Bois. See Chandler, *X – The Problem of the N*gro as a Problem for Thought*, 2014; Chandler, *Toward an African Future*, 2013.

⁷⁵⁴ Harney and Moten, *The Undercommons*, 2013, p. 20.

⁷⁵⁵ Moten, “Blackness and Nothingness”, 2008, p. 775.

⁷⁵⁶ Wynter, “Unsettling of Being/Power/Truth/Freedom”, 2003, p. 292.

Black life⁷⁵⁷. Turning to life over politics represents an ‘unsettlement...the displacement of sovereignty by initiation...a certain black incapacity to desire sovereignty and ontological relationality whether they are recast in the terms and forms of a Lévinasian ethics or an Arendtian politics, a Fanonian resistance or a Pattersonian test of honor’⁷⁵⁸. In short, politics may produce racist and colonial ontologies, but it is no place for their resistance.

Recently though, Andrés Fabián Henao Castro⁷⁵⁹ has rethought the way in which the production of Blackness as an ontological construction within racial capitalist societies is political. More importantly, he has thought politics as a domain for resisting the material inequality that these produce without Wilderson’s narrow focus. For Henao Castro, ‘the slave ship, the plantation, the reservation, the prison, the detention center, the penal colony, and the concentration camp’⁷⁶⁰ are sites of “ontological captivity” which produce populations as beings that are colonised, racialised, gendered, and so forth. As such, he argues that ‘ontological difference should be unthinkable outside a confrontation with its material conditions of possibility and impossibility’⁷⁶¹. This, of course, mirrors my own theorisation of *ex-appropriation* and *the gift* earlier in this thesis which considers this relation between possible and impossible in relation to politics. In this way, Henao Castro dismisses Warren’s analysis which determines that what is ethical is pre-assigned by anti-Black political regimes of the “ontic”. Instead, Henao Castro defines politics as the antagonistic space where what is possible and impossible is contested. In this sense, politics makes possible the ontological categorisations of “race”, gender, and beyond: ‘politics...*facilitates the differential becoming of others by referring to insurgent life’s public and collective action against the different logics by which racial capitalism holds captive the bodies that it racializes and (un)genders*’⁷⁶².

For Harney and Moten, the undercommons is antithetical to politics. For Henao Castro, politics *is* the undercommons. As an insurgency, the undercommons participates in the very contestation over what is possible and what is impossible. Here, the undercommons

⁷⁵⁷ Harney and Moten, *The Undercommons*, 2013, p. 20.

⁷⁵⁸ Moten, “Blackness and Nothingness”, 2008, p. 750.

⁷⁵⁹ Henao Castro, “Ontological Captivity”, 2021.

⁷⁶⁰ Henao Castro, “Ontological Captivity”, 2021, p. 85.

⁷⁶¹ Henao Castro, “Ontological Captivity”, 2021, p. 85.

⁷⁶² Henao Castro, “Ontological Captivity”, 2021, p. 85.

constitutes – even in a hostile capacity – part of the demarcation of *who* counts as part of the *demos*⁷⁶³. What Moten and others miss is the way in which the category of Blackness is political *as well as social*. In short, ‘politics, finally, names the public dispute over the space that allows some differences to unfold ethically on the condition that others are unethically confined there’⁷⁶⁴. In linking politics to Black radicalism, Henao Castro renders it possible to theorise the category of Blackness as a democratic mode of politics, which I do in the final part of this chapter. Politics is no longer merely the site of subjection, subjugation, and “ontological captivity” but to *live* differently (to misuse Moten for a moment), to live more equally is political because politics remakes what is possible.

Henao Castro rightly points out that ontological categorisations, questions of Being, and subjectivity in general cannot be divorced from questions of politics. However, his analysis misses the way in which the political cannot be divorced from questions of property, appropriation, and partition. As I have argued throughout, I consider ontological categorisations and modes of partition and appropriation to be inextricably linked. Proprietary regimes capture this link between property and propriety. I agree with Henao Castro that questions of the possible and impossible are political. Here, the contestation over what the *demos* is and *who* forms part of it is political rather than, as Schmitt would have, incipient to politics. As Mark Devenney⁷⁶⁵ notes, politics is the very demarcation of these boundaries of the *demos*, of *who* and *what* counts. These questions of demarcations, of borders and boundaries, of the partitioning of the *demos* cannot proceed without an interrogation of ownership. If politics contests the “material conditions of what is possible and impossible”, then it participates in the reproduction of the partitioning that takes place there too. If the demarcation of the *demos* rests upon

⁷⁶³ In many ways, Henao Castro’s analysis of politics is akin to Jacques Rancière’s account of politics. For both, politics concerns insurgency. Henao Castro even situates “the polis” ‘as a political space rather than a policing state’. Yet whereas Rancière assumes politics is insurgent and names orders of governance, the police, Henao Castro casts a wider net and names this very contestation as political. See Chapter 4 for more detail on Rancière’s politics. See also Henao Castro, “Ontological Captivity”, 2021, p. 103; Rancière, *Disagreement*, 1998.

⁷⁶⁴ Henao Castro, “Ontological Captivity”, 2021, p. 102.

⁷⁶⁵ Devenney, *Towards an Improper Politics*, 2020.

what is possible and impossible, politics is invested in modes of partition and appropriation that make this very demarcation possible.

Following Derrida, I am not inclined to provide a definitive classification of the “political”. Nevertheless, I argue that theorising politics in these broad terms (as the contestation of what is possible and impossible) means it cannot be thought outside ontology and partition. Henao Castro is, to some extent, right that ‘politics is the event by which humans and those who have been dehumanized, and animalized, publicly contest the conditions that govern their relation to that space so as to invent communal space where there is none’⁷⁶⁶. But this space is, as I demonstrate in this chapter, proprietary because sites of “ontological captivity” cannot be divorced from property relations: from the transformation of African populations into property as chattel slaves, to the transformation of Indigenous land into a possession, and the emergence of subprime debtors through banking deregulation and an economy reliant upon housing as an (inflationary) asset. The demarcation of the *demos* – and borders in general – rely upon modes of appropriation *and* reproduce ontological categorisations which are put to work in the policing of these borders. This is political in ways that Schmitt and Mouffe do not imagine. Throughout the rest of this chapter, I demonstrate that recent retheorisations of Blackness and considerations of ontology within the Black radical tradition underplay the role of politics and property. In short, I develop an analytic of Blackness which not only acknowledges the proprietary character of the regimes we live in (which I have theorised throughout this thesis) but also *resists* the way in which ontology, property, and politics work together within these proprietary orders.

Section 2 – Blackness and Property

In recent years, scholarship in Black Studies and the Black radical tradition has theorised the category of Blackness in ways that prioritise ontology as an analytic framework. Afropessimist readings, largely inspired by Frank B. Wilderson III⁷⁶⁷ and Jared Sexton⁷⁶⁸, tie Blackness to the legacies of US chattel slavery in ways that bar Black people from ontological categories of the Human. Calvin Warren’s “onticide” conceives anti-Black

⁷⁶⁶ Henao Castro, “Ontological Captivity”, 2021, p. 101-102.

⁷⁶⁷ Wilderson, *Afropessimism*, 2020.

⁷⁶⁸ Sexton, “Afro-Pessimism”, 2016.

violence as embedded in a set of overlapping oppressions in ways that Afropessimism cannot. Meanwhile Fred Moten⁷⁶⁹ and Nahum Dimitri Chandler⁷⁷⁰ theorise “paraontology” as the displacement of racialised ontological categories. Andrés Fabián Henao Castro⁷⁷¹ politicises these ontological accounts of Blackness by theorising the plantation, the slave ship, etc. as sites of “ontological captivity” that produce the category of Blackness as a mode of Being. However, none of these consider the role that property plays in the production of Blackness as a political and ontological category despite a plethora of scholarship theorising the connection between “race” and property. Aileen Moreton-Robinson⁷⁷² acknowledges the role property plays in the production of Blackness, as a category that makes possessive white sovereignty possible. Brenna Bhandar⁷⁷³ analyses the way in which racialised and colonial subjectivities are used to dispossess Black and Indigenous populations and people of colour. Whilst Anne Bonds⁷⁷⁴, Malini Ranganathan⁷⁷⁵, and Ananya Roy⁷⁷⁶ all demonstrate that property and propriety operate in tandem to segregate and dispossess racialised populations in urban areas through the politics of eviction and gentrification. Nevertheless, in all these accounts, there is little consideration for the way in which property produces Blackness as a specifically ontological category. In this section, I draw these two frameworks together to demonstrate the role property plays in the production of Blackness as a racialised, ontological project. In doing so, I demonstrate that the category of Blackness is embedded in a set of proprietary relations in which modes of appropriation are facilitated by the production of Blackness as a dispossessive subjectivity.

i – Blackness, An Ontology

There is a history critical of Humanist scholarship that considers the “Human” a universal category. This criticism demonstrates the racialised character of the “Human”, predicated as it is upon the “white” European colonisation of the Americas and the

⁷⁶⁹ Moten, “Blackness and Nothingness”, 2008; Moten, “The Case of Blackness”, 2008; Moten, “The Subprime and the beautiful”, 2013.

⁷⁷⁰ Chandler, *Toward an African Future*, 2013; Chandler, “Of Exorbitance”, 2008.

⁷⁷¹ Henao Castro, “Ontological Captivity”, 2021.

⁷⁷² Aileen Moreton-Robinson, *The White Possessive*, 2015.

⁷⁷³ Bhandar, *Colonial Lives of Property*, 2018.

⁷⁷⁴ Bonds, “Race and Ethnicity I”, 2019.

⁷⁷⁵ Ranganathan, “Rule by difference”, 2018.

⁷⁷⁶ Roy, “Dis/possessive collectivism”, 2017.

Judeo-Christian representation of “Man” as God’s human representative on earth⁷⁷⁷. For Sylvia Wynter, “Man” is a political construct of colonisation which (for colonisers) distinguishes between the “white”, “European” followers⁷⁷⁸ of Christ and *human* others. Here then, “Man” – as “white”, as European, as Christian – makes possible the mass enslavement of African people. Wynter goes further though and argues that the secularisation of this colonial and racialised distinction (“Man”) has functioned to delimit the “Human” itself as a political and an ontological category. Wynter writes that ‘what it was to be Christian...the only possible and universally applicable mode of being human...[is] overrepresented as if its referent were the human’. In other words, Wynter argues that early colonisers saw Africans and native populations in the Americas as racially and religiously inferior – as deserving of colonisation, subjugation, dispossession, and even genocide – but nevertheless recognised them *as human*. The secularisation of the category of “Man” (this “white”, Judeo-Christian European logic) cast those non-European human others into a ‘*subhuman* status’⁷⁷⁹. For Wynter, this is the ‘creation of this secular slot of Otherness as a replacement for the theocentric slot Otherness’⁷⁸⁰.

In many ways, Afropessimist readings of Blackness draw upon and extend this reading of “race” and the “Human”, drawing it onto the terrain of ontology. Frank B. Wilderson III views anti-Blackness as the structural necessity for “civil society” and Humanism. Here, Black populations are framed in the “sub-human” terms that Wynter pronounces but that status is ontological. For Wilderson, sexualised and gendered violence are part of innumerable “regimes of violence” that operate on a different scale to the ‘social death’⁷⁸¹ that Black people face. He proposes that other “regimes of violence” such as that perpetrated against the non-Black working class or non-Black women merely secures an economic order or a patriarchal order, respectively. As such, classed and

⁷⁷⁷ See Wynter, “Unsettling the Coloniality of Being/Power/Truth/Freedom”, 2003.

⁷⁷⁸ It is important to note that this distinction between “Man” and human others is not restricted to religious faith alone. Rather it is already tied up with race as it reflects and reinforces the “‘descendants of Ham” classificatory category that was to be deployed by the Europeans at the popular level...as legitimization of the mass enslavement of Africans’. See Wynter, “Unsettling the Coloniality of Being/Power/Truth/Freedom”, 2003, p. 303.

⁷⁷⁹ Wynter, “Unsettling of Being/Power/Truth/Freedom”, 2003, p. 292.

⁷⁸⁰ Wynter, “Unsettling of Being/Power/Truth/Freedom”, 2003, p. 292.

⁷⁸¹ Wilderson, *Afropessimism*, 2020, p. 16.

gendered violence secure their oppressive regimes within, what Wilderson terms, “the order of life” but this “order of life” is itself structured via a fundamental antagonism: anti-Blackness. Consequently, anti-Black violence takes place on another plane. This oppression is foundational to life itself – what Wilderson terms “civil society” – and thus excludes Black people from this “order of life” unlike those other regimes. Jared Sexton concurs and proposes that there is a ‘political ontology dividing the Slave from the world of the Human in a constitutive way’⁷⁸². This means that, whilst Black social life exists, it remains separate from the ‘universe formed by the codes of state and civil society, of citizen and subject, of nation and culture, of people and place, of history and heritage, of all the things that colonial society has in common with the colonized, of all that capital has in common with labor – the modern world system’⁷⁸³. For Christina Sharpe, this analysis remains indispensable because Afropessimism puts the afterlife of slavery front and centre so that ‘contending with the figure of the slave(’s life and death) will shift foundationally what we presume to know about slavery and its extending and extensive worlds’⁷⁸⁴ without reducing analysis to any singular angle of Black struggle.

In this way, the Afropessimist reading renders anti-Blackness as constitutive in ways that (a) disregard the interrelated and non-reductionist character of class, gender, “race”, colonisation, and beyond⁷⁸⁵, and (b) posit it an immobile force that cannot be resisted. Afropessimism draws upon Saidiya Hartman’s account of the *aftermath* of slavery. For Hartman, ‘slavery had established...a ranking of life and worth that has yet to be undone’⁷⁸⁶ such that ‘black lives are still imperilled and devalued by a racial calculus and a political arithmetic that were entrenched centuries ago’⁷⁸⁷. However, this is hitched to a psychoanalytic conception of ontology which views this racial calculus as the psychoanalytic “Real” of civil society⁷⁸⁸. As such, anti-Blackness becomes a

⁷⁸² Sexton, “Ante-Anti-Blackness”, 2012, p. 6.

⁷⁸³ Sexton, “Ante-Anti-Blackness”, 2012, p. 7.

⁷⁸⁴ Sharpe, “Response to Jared Sexton's "Ante-Anti-Blackness: Afterthoughts", 2012, p. 12.

⁷⁸⁵ Which I have developed throughout this thesis, notably in chapters 1 and 2.

⁷⁸⁶ Hartman, *Lose Your Mother*, 2007, p. 16.

⁷⁸⁷ Hartman, *Lose Your Mother*, 2007, p. 17.

⁷⁸⁸ In this way, I suggest that Wilderson is closer to many Marxists than he assumes. As noted in Chapter 4, for Slavoj Žižek, the proper revolution relies upon overcoming the “Real” – albeit a different “Real” – as well. Whilst for Antonio Negri and Giorgio Agamben, this revolutionary overcoming is, building on Heidegger, the inauguration of a new horizon that makes all future temporalities possibilities. Wilderson similarly views the revolutionary overturning of “civil society” as necessary to escape anti-Blackness but also “impossible” in Žižek’s rather than Derrida’s terms. See Chapter 4.

phantasmatic desire that undergirds material inequality and violence⁷⁸⁹. Much like the Lacanian “Real”, anti-Blackness cannot be broached nor overcome but remains the impenetrable structural condition upon which “Symbolic” orders – and thus political change and resistance – are made possible. In short, anti-Blackness violence structures civil society as its *jouissance*, that is an insatiable demand for humiliation, degradation, and injury of Black flesh that cannot be acquiesced.

In situating anti-Blackness as the primary and a priori foreclosure upon subjectivity and the “Human” comes into being, Afropessimism transfers anti-Black violence from the schema of ontological difference into a realm akin to Heidegger’s “ontic”, that is the foundation upon which ontological difference takes place. Afropessimism does not only think about anti-Blackness as ontological condition but rather views it as the schema which makes ontology itself possible. As I have argued throughout this thesis, ontology is political. The prescription of subjectivities secures material inequality through processes of appropriation. In removing, anti-Black violence from the schema of ontology and instituting it as the foundation upon which ontological difference takes place, Afropessimism de-politicises anti-Blackness, situating it as beyond the scope of political intervention. In different ways, the work of Andrés Fabián Henao Castro⁷⁹⁰, Kevin Ochieng Okoth⁷⁹¹, and Calvin Warren⁷⁹² highlight the way this analysis pathologises projects of racialisation and colonisation but also removes them from the lens of political contestation. For Henao Castro, Afropessimism misses the way in which ontological difference (and the production of Blackness as a category) is a product of racial capitalism, not something external to its material and historical realities. For Warren, this analysis cannot account for Black sexuality and the way in which “difference” operates such that the subject is presumed to be an ‘an object stripped of human qualities’⁷⁹³, which goes on to be marked by anti-Blackness alone. For Okoth, Afropessimism selectively reads Fanon’s early work in order to produce an ‘ontologically flat concept of blackness’⁷⁹⁴ which figures anti-Blackness as this “ontic” category which enables

⁷⁸⁹ Wilderson, *Afropessimism*, 2020, p. 92.

⁷⁹⁰ Henao Castro, “Ontological Captivity”, 2021.

⁷⁹¹ Okoth, “The Flatness of Blackness”, 2020.

⁷⁹² Warren, “Onticide”, 2017.

⁷⁹³ Warren, “Onticide”, 2017, pp. 398-99.

⁷⁹⁴ Okoth, “The Flatness of Blackness”, 2020.

ontological difference. Here, anti-Blackness is theorised without regard to intertwining projects of class, gender, racialisation, colonisation, and enslavement nor consideration of what Blackness means for African populations and diaspora outside the continental US. As Henao Castro notes, these failures remake anti-Blackness as ‘a negativity, irreducible to history, without which “the human” could not exist historically as the site of ontological differentiation’⁷⁹⁵. Here, ‘people of color, like gendered people, are more-or-less “human” in ways that Black people cannot be, because Blackness is the ultimate negation without which there would be no human in the first place’⁷⁹⁶. In other words, anti-Black racism is figured as a different kind of racism from antisemitism, the elimination of Native populations, Sinophobia, and beyond. But, more than this, anti-Black racism, offers no parallel to other forms of oppression (i.e. gendered and sexualised violence) such that the former is always on a different scale to the latter. There can then be no consideration of the way in which these forms of oppression interlink and operate in tandem. As I have argued, proprietary regimes of ownership offer a different view and consider the way in which these irreducible oppressions are interrelated inequalities.

Yet, theorising anti-Black violence in ontological terms, that is accounting for the way in which the (re)production of racialised subjectivities make this violence possible, does not require the reductionism that Afropessimism announces. Nahum Dimitri Chandler⁷⁹⁷, Andrés Fabián Henao Castro⁷⁹⁸, and Fred Moten⁷⁹⁹ all theorise the ontological violence of anti-Blackness *without* determining that this as an ahistorical structural condition of society, which operates as foundational to all other regimes of violence. Both Chandler and Henao Castro draw upon Jacques Derrida’s deconstruction of Being to do so. Chandler situates African American and diasporic intellectuals’ writings on the ‘N*gro American’⁸⁰⁰ or ‘N*gro Question’ as ‘explicit questions about forms

⁷⁹⁵ Henao Castro, “Ontological Captivity”, 2021, p. 105.

⁷⁹⁶ Henao Castro, “Ontological Captivity”, 2021, p. 105.

⁷⁹⁷ Chandler, *Toward an African Future*, 2013; Chandler, “Of Exorbitance”, 2008.

⁷⁹⁸ Henao Castro, “Ontological Captivity”, 2021.

⁷⁹⁹ Moten, “Blackness and Nothingness”, 2008; Moten, “The Case of Blackness”, 2008; Moten, “The Subprime and the beautiful”, 2013.

⁸⁰⁰ Unlike Chandler, I have placed a “*” in the word N*gro and do so throughout because I believe it is inappropriate for me, as a white person, to use this word freely, given its historical usage and interpolation within regimes of anti-Blackness, colonialism, and enslavement. However, I do not want to ignore this history nor the important work being done here by Chandler.

of historical existence and grounds of reflexive identification'⁸⁰¹. In doing so, Chandler argues that such enterprises inherit the language of ontology. This is a Eurocentric 'question of the possible character and order of social and historical being in general...in which a fundamental questioning of the roots of identification and forms of historical for "Europeans" or "Whites"'⁸⁰². It aids the construction of the "problem of the N*gro". In other words, Chandler argues that the construction of Black people (or to be much more accurate this figure of "the N*gro" which phantasmatically distorts the perception of Black people and effects life chances) into a "problematic" is thoroughly ontological. It is borne from the vicissitudes of "European", that is "Western Philosophical", ontology. Yet echoing Derrida, this inheritance does not determine anything⁸⁰³. Instead, inheritance offers the choice of the terms upon which to engage and reproduce the world such that it is possible to 'find a traversal that moves otherwise and perhaps beyond the limits of that tradition of questioning'⁸⁰⁴. As such, the ontological violence that is lived in the aftermath of US chattel slavery *does not* determine the subjectivities that are possible for Black populations, though it does, of course, irrevocably inform them.

Similarly, Andrés Fabián Henao Castro highlights the political character of ontological determinations and the way in which these cannot be divorced from analytic frameworks, such as racial capitalism or proprietary regimes, which describe how material inequalities take place. In politicising ontology and ontological violence, Henao Castro demonstrates that anti-Blackness is a production of material and historical realities operating in conjunction with gendered and sexualised violences alongside many others, countering the Afropessimist narrative that confines it to an "ontic" regime. Andrés Fabián Henao Castro uses Derrida's deconstruction of Martin Heidegger's *Dasein* to point out that beings are always sexed, gendered, and racialised in ways that attempts to conceive of a foundational antagonism upon which "Being" is predicated miss. For Derrida, Heidegger's *Dasein* relies upon bodiliness but ignores this very fact:

⁸⁰¹ Chandler, "Of Exorbitance", 2008, p. 346.

⁸⁰² Chandler, "Of Exorbitance", 2008, p. 347.

⁸⁰³ For Derrida, inheritance is never a unified category but delimits the scope of what is possible such that a decision regarding *how* we inherit *must* be made: 'An inheritance is never gathered together, it is never one with itself Its presumed unity, if there is one, can consist only in the injunction to reaffirm by choosing. "One must" means one must filter, Sift, criticize, one must sort out several different possibles that inhabit the same injunction'. Derrida, *Spectres of Marx*, 2006, p. 18.

⁸⁰⁴ Chandler, "Of Exorbitance", 2008, p. 350.

‘every body is sexed, and there is no Dasein without bodiliness. But the sequence proposed by Heidegger seems very clear: the dispersing multiplicity is not primarily due to the sexuality of the body; it is bodiliness itself, the flesh, the *Leiblichkeit*, that originally draws Dasein into dispersion and thus into sexual difference’⁸⁰⁵. Here “flesh” is de-racialised, de-gendered, and de-sexualised in an attempt to get at, in classic Heideggerian fashion, the *more primordial* character of *Being*. Henao Castro agrees with Derrida’s analysis but argues that racial difference remains hidden, even in Derrida’s deconstruction of Being. There is little consideration, in Derrida’s analysis, of the way in which the ‘Du Boisian “dark body” cannot ask the same questions that the Cartesian cogito or the Heideggerian Dasein can pose because this body is already in question’⁸⁰⁶. Nevertheless, Henao Castro argues that acknowledging ontological differences are constructed – ‘by discourses, technologies, practices, and apparatuses of power under racial capitalism, logics that endow some with humanity on the condition that others are dehumanized’⁸⁰⁷ – makes it possible to resist the “ontological captivity” that these sites construct for Black populations. Once again, ontology informs this analysis without subscribing to very script that ontological determinations reproduce which would segregate “dark bodies” from a discourse on the “Human”.

Resistance to ontological capture also describes well Fred Moten’s analysis of Blackness. Moten draws upon Chandler’s “paraontology” to situate Blackness as a radical force of the Black radical tradition. Here, the category of Blackness works alongside “ontological captivity” – using its own distinctions – to overwhelm and exceed it. For Moten, the “social death” of Blackness remakes the ‘the relative nothingness of black, which shows up for political ontology as a relation of nonrelations’⁸⁰⁸. This set of “nonrelations” remains unintelligible to Humanist and white supremacist discourses but nevertheless puts in motion effects what cannot be contained by them. Moten argues that this ‘manifestation of absence turned to the excessive, invaginative more-than-fullness of impurity’⁸⁰⁹. In short, the category of Blackness exceeds the politico-ontological categories that slavery and its aftermaths prescribe for Black populations. It

⁸⁰⁵ Derrida, “Geschlecht I”, 2007, p. 18.

⁸⁰⁶ Henao Castro, “Ontological Captivity”, 2021, pp. 96-97.

⁸⁰⁷ Henao Castro, “Ontological Captivity”, 2021, p. 107.

⁸⁰⁸ Moten, “Blackness and Nothingness”, 2013, p. 749.

⁸⁰⁹ Moten, “The Case of Blackness”, 2008, p. 191.

operates as a *paraontological* force in that it remakes the “social death” that European, Humanist ontologies dealt Black populations into *something else*. The category of Blackness reframes as possible that which racial capitalism and European colonialism foreclose as impossible: not simply Black life, but Black life as joyful sociality, what some have term “Black optimism”⁸¹⁰. For Moten, a paraontological analysis of Blackness remain incompatible with an analysis of property. He argues that Black life refuses the category of Blackness as a property of Black people given to them by European colonisation and its afterlives. This would reduce them to the “social death” that Hartman, Patterson, Wilderson, and others describe. For Moten, ‘the paraontological distinction between blackness and blacks allows us no longer to be enthralled by the notion that blackness is a property that belongs to blacks’⁸¹¹. Once again, ontological violence remains constitutive *without* being deterministic of this analysis.

ii – Ontology and Property

In many ways, Blackness as an ontological or paraontological category, as a riposte to the Afropessimist readings, politicises ontology and Blackness – whether or not they acknowledge as such. However, they all fail to recognise the way in which property relations reproduce these ontologies and how the production of racialised beings who can be dispossessed is *necessary* to the modes of appropriation which dispossess and reallocate resources away from Black populations to engender the precarity that “social death” might otherwise describe⁸¹². This is surprising. In recent years, there has been no shortage of literature demonstrating the importance of property relations to the production of racial and colonial subjectivities. Moreover, these assume a non-foundational analysis of property which resists any account that views property as the material “base” of wage-labour exploitation, and thereby positions “race” as secondary to questions of class. For Brenna Bhandar⁸¹³, property is akin to Stuart Hall’s analysis of class in that class, gender, and “race” remain irreducible, and non-reductionism must remain core to its analysis. Whilst, in different ways, Anne Bonds⁸¹⁴, Aileen Moreton-

⁸¹⁰ See Okoth, “The Flatness of Blackness”, 2020; Sexton, “Ante-Anti-Blackness”, 2012.

⁸¹¹ Moten, “Blackness and Nothingness”, 2013, p. 749.

⁸¹² See my earlier discussion and footnote in this chapter arguing that “social death” is a difficult term caught up in metaphysical distinctions that I do not presuppose.

⁸¹³ Bhandar, *Colonial Lives of Property*, 2018.

⁸¹⁴ Bonds, “Race and Ethnicity I”, 2019.

Robinson⁸¹⁵, Malini Ranganathan⁸¹⁶, and Ananya Roy⁸¹⁷ all demonstrate that property participates in forms of economic exploitation that cannot be untangled from projects of racialisation. Given this oversight, I draw these two fields together to demonstrate the way in which the modes of appropriation that proprietary regimes utilise to distribute inequality rely upon and reproduce racialised and colonial ontologies.

This scholarship on “race” and property can be broadly divided into one of two perspectives on the relationship between ontology and property. The first perspective understands that racial and colonial subjectivities are dispossessive categorisations that enable the theft of Indigenous land and exploitation of racialised labour. The second reverses this claim and proposes that forms of propertisation participate in the (re)production of “race”, as an ontological category. The work of Ananya Roy tends to fit into the first camp. Roy⁸¹⁸ argues that making a claim to property is a claim to personhood. Analysing the Chicago Anti-Eviction Campaign, she points out that much of the work in the politics of anti-eviction relies upon demonstrating one is a person and thus has a right to property. However, such claims to personhood are already racialised. This further entrenches the link between property and racialised forms of subjectivity as a *necessary* link such that racialised notions of propriety becomes constitutive of a right to housing. Moreover, racialised subjectivities produce a ‘foundational dispossession’ in which the racialised subject’s ‘claims to personhood are tenuous and [their] claims to property are thus always a lived experience of loss’⁸¹⁹. In a world in which housing, food, energy, work, and all of life’s essential resources are made into property, the racialised subject is in ‘permanently insecure possession of property and personhood’⁸²⁰. For Roy, the projections of racialisation cannot be divorced from projects of dispossession because the former makes the latter possible.

Anne Bonds and Aileen Moreton-Robinson reverse this analysis and presuppose that property itself – that is the modes of appropriation which turned social relations *into property* – produces categories of “race”. Moreton-Robinson argues that the illegal

⁸¹⁵ Moreton-Robinson, *The White Possessive*, 2015.

⁸¹⁶ Ranganathan, “Rule by difference”, 2018.

⁸¹⁷ Roy, “Dis/possessive collectivism”, 2017.

⁸¹⁸ Roy, “Dis/possessive collectivism”, 2017.

⁸¹⁹ Roy, “Dis/possessive collectivism”, 2017, p. A9.

⁸²⁰ Roy, “Dis/possessive collectivism”, 2017, p. A9.

possession of Aboriginal land in Australia facilitates and makes possible raced and gendered subjectivities. Moreton-Robinson theorises white possession as a regime of power that ‘derives from the illegal act of possession’ that is colonial dispossession but ‘is also evident in everyday cultural practices and spaces’⁸²¹ which work to invest land and the nation as the possessions of white subjects. Moreton-Robinson analyses the beach as one such space that cuts across time to engender white possession and produce bodily subjectivity. She notes the irony that British colonisers first invaded Gwagal land (what is now part of Australia) through the beaches at Botany Bay in April 1770 and it is these very beaches which produce ‘suntanned white male bodies...as the epitome of Australian manhood’⁸²². This white bodily subjectivity has an ‘ontological relationship’⁸²³ to the land and nation as white possessions. Moreton-Robinson notes that the figure of ‘white male body [is] appropriating and domesticating the hypersexuality signified by black skin’⁸²⁴. Here, the white taming of hypersexuality is a metaphor for the colonial depiction of wild lands and populations “civilised” and neutralised as a threat through colonisation. This originary illegal possession thus makes possible racialised and colonial ontologies, justifying them as natural and necessary by drawing upon colonial mythology. Anne Bonds does not consider the colonial dimension of property but similarly views property as a ‘race-making institution’⁸²⁵ in that property (re)produces “race”. Bonds analyses the politics of residential housing, looking at segregation and open housing in Milwaukee in the US. For her, housing – as a form of property – participates in the policing of “race” *and* the expansion of the carceral state. It works to discipline racialised populations but also (re)produce racialised subjectivities: ‘carceral regimes and social welfare policies [such as housing] have been enmeshed within the discursive and material production of race’⁸²⁶. Bonds highlights the 1960s’ Crime Prevention Through Environmental Design (CPTED) programme which sought to “improve” urban areas through the segregation of housing along racial lines. This segregation further legitimised the policing of communities of colour through ‘ongoing

⁸²¹ Moreton-Robinson, *The White Possessive*, 2015, pp. 34-35.

⁸²² Moreton-Robinson, *The White Possessive*, 2015, p. 38.

⁸²³ Moreton-Robinson, *The White Possessive*, 2015, p. 17.

⁸²⁴ Moreton-Robinson, *The White Possessive*, 2015, p. 38.

⁸²⁵ Bonds, “Race and Ethnicity I”, 2019, p. 575.

⁸²⁶ Bonds, “Race and Ethnicity I”, 2019, p. 575.

surveillance and routine police contact in the name of public safety and neighborhood improvement⁸²⁷ because these areas were falsely attributed high crime statistics. For Bonds then, as for Moreton-Robinson, property (re)produces racialised subjectivities. In this way, property relations are understood as productive of ontological differences in ways that Afropessimists, Henao Castro, Chandler, and Moten give short shrift to.

I argue that these modes of appropriation and ontological categorisation maintain a symbiotic relationship such that *both* the above perspectives are true. Racialised and colonial subjectivities make possible colonial dispossession, segmented labour markets, segregated housing, over-policing, and the transformation of land into a propertied resource destroying Indigenous relationships to land. These ontological categories (re)produce Black and Indigenous populations as incapable of owning property and thus not fit for these basic resources, as I demonstrated in Chapter 2. But by the same token, processes of propertisation – be it of land, housing, people and much more – rearticulate and reproduce these ontologies anew such that there is no singular nor constant set of racialised and colonial subjectivities. These evolve over time and geography in response to the contingencies of circumstance and resistance. New forms of appropriation take place to cope with this resistance and thereby rearticulate ontological categories anew. In this way, I agree with Brenna Bhandar who highlights that ‘property law and racial subjectivity developed in relation to one another’ under a juridical formation which exerted ‘disciplinary power in organizing territory and producing racial subjects through a hierarchy of value constituted across the domains of culture, science, economy, and philosophy’⁸²⁸. Interpolating Derrida, I argue that there is no origin for this relationship; the two are coeval.

This is what Chandler and Moten, as well as Henao Castro, miss. It is not only that ontology is political, but that it is tied to modes of appropriation: either legitimising them or being (re)produced through them. Property and propriety work together reinforcing one another as necessary to the other. Henao Castro acknowledges – unlike Chandler and Moten – that ontology is political but overlooks the role property plays in politics and the very production of the ontological difference that he draws onto the terrain of racial

⁸²⁷ Bonds, “Race and Ethnicity I”, 2019, p. 580.

⁸²⁸ Bhandar, *Colonial Lives of Property*, 2018, p. 2.

capitalism. Roy, Moreton-Robinson, and Bonds all demonstrate that the sites Henao Castro designates as places of “ontological capture” – to which we add the beach and city planning – are made possible by various methods of appropriation. The slave ship makes possible the transformation of African people into property: they cannot be sold to plantation owners in the Americas without this transformation. The possession of Indigenous land (through a combination of dispossessive subjectivities and legal mechanisms constituting this land as *terra nullius*) makes the plantation and reservation possible. In the US, the 13th Amendment abolishes slavery *unless* one is incarcerated and lays the foundation for the modern prison, the detention centre, and mass incarceration such that these live on in the afterlife of propertised chattel slavery. Moreover, these all participate in a set of proprietary relations which construct racialised people as alien or criminal in order to justify appropriating land, building prisons upon it, and accumulating profit and wealth. As I have noted, the beach, housing, and city planning all proceed in a similar manner, linking together various forms of appropriation which turn social relations into property and allocate this property *through* racialised and gendered ontological categorisations.

Here then, sites of “ontological capture” are made possible by these methods of appropriation but, at the same time, the former legitimises further unequal distribution of this property as a resource. The criminalisation of Black populations – made possible by the slave ship, the plantation, and the prison as sites of “ontological capture” – retroactively justifies the *need* for the prison, over-policing, segregationist housing policy and markets, and precarity engendered by these because it secures the property and safety of white subjectivities. It is in this sense that I read Blackness as a proprietary category produced within proprietary regimes. It is a racialised ontological category that is invested in and reproduced by the various modes of appropriation that make possible the site of “ontological capture” that Henao Castro highlights. Moreover, as a product of and justification for these sites, Blackness is caught within a proprietary web of material inequalities which cannot be thought outside their conjunction to class, gender, colonialism, and beyond. Moreton-Robinson’s analysis of the beach, Roy’s work on the city, Bhandar’s study of property law, and Bond’s investigation into housing, policing, and carcerality all demonstrate this. As such, thinking Blackness as a proprietary construct

gives equal weight to the trifecta of ontology, property, and politics in ways that Henao Castro's excellent analysis of ontology within racial capitalism does not allow.

Section 3 – Blackness and *Ex-appropriation*

I have demonstrated that the category of Blackness is a proprietary subjectivity that facilitates violence and dispossession. In this section, I *also* theorise the category of Blackness as a mode of resistance which disrupts the very relationship between the logics of appropriation and ontology that produce this category and confer upon it veils of legitimacy that enable precarity and material inequalities for racialised, gendered, and colonised populations. I draw upon Nahum Dimitri Chandler and Fred Moten's work on paraontology to demonstrate that Blackness is not simply an ontological category but also displaces the "ontological capture" that Henao Castro highlights. In this way, Blackness as a category theorises modes of living which cannot be captured by proprietary regimes and put to work in the production of material inequalities. This analysis reformulates questions of value and undercuts Marx's assumptions regarding capital, labour, and value in ways that resemble Indigenous resistance to the transformation of land into a resource which only has economic value, that I have highlighted throughout this thesis. In the final part of this section, I redraw this discussion of Blackness and value onto the terrain on property. I argue that paraontology – as an analytic – alone cannot theorise the work Blackness as a category does to resist the material inequalities proprietary regimes distribute because, as I have demonstrated, it fails to acknowledge the role that property and modes of appropriation play here. Theorising the analytics of Blackness and *ex-appropriation* together, the former is read as animating a set of relations which do not depend upon the racialised ontologies and modes of appropriation that distribute material inequalities. Here, value is remade beyond that proprietary regimes of ownership foreclose as possible. I conclude that the analytic of Blackness mirrors my theorisation of *ex-appropriation*, as the animation of that which sites of "ontological capture" render impossible.

i – The (Paraontological) Value of Blackness

Nahum Dimitri Chandler coins the phrase paraontology to describe the remaking of European ontologies and questions of "Being" which, for him, are always drenched in

colonial and racist logics. Paraontology does not describe the invention of a *new* ontology because Chandler categorises this as dangerous. For him, ‘counterposing [through] either the fullness of a directly oppositional, or [by] a measure of neutrality...[means] the buried recognition [of ontological distinctions] will function all the more powerfully in defining the terrain and organizing the field’⁸²⁹. Drawing upon Jacques Derrida’s work, Chandler presents paraontology as a radical remaking of ontology. He posits that Du Bois’s “colour line”, what since been rearticulated as the category of Blackness by Afropessimists as well as Fred Moten and others⁸³⁰, is a critical theoretical fiction or a real fiction. Here, Chandler echoes Derrida’s account of the spectre. As I argued in Chapter 1, deconstruction enables us to conceive the way in which phantasmatic constructions (such as “race”, gender, the nation, and so forth) participate in the production of material inequalities. These cannot be exiled, as Marx suggests in the demand to focus on the materiality of property. The spectre is a metaphor for the deconstruction of the kind of binary that Marx reproduces⁸³¹. For Chandler, the ‘necessity of...real fictions in practical-theoretical labour’ demands ‘a thought of the historical as oriented first of all or ultimately by existence as being [which] I would propose to think of the concern of such practice as *paraontological*’⁸³². As such, paraontology denotes the way in which the “real fictions” that ontological categorisations produce come back to “haunt” them, that is to demarcate the limit of these racialised subjectivities and thereby announce the possibility of remaking them.

In short, paraontology is not a mere counter-site to ontology where Black thought and history can be exercised to replace the ontologies of “white”, European colonization and the logics of racialisation. Instead, paraontology displaces the already-existing and historically-constituted ontologies that proprietary regimes rely upon to distribute and (re)produce material inequalities. Chandler proposes to begin with the constituted racialised ontologies that originated European and flourished in the Americas since the dawn of its colonisation: ‘it is radical that one must begin with the constituted’⁸³³. This is

⁸²⁹ Chandler, “Of Exorbitance”, 2008, p. 349.

⁸³⁰ See Plaattjies-Van Huffel, “Blackness as an ontological symbol”, 2020; Mills, “The Illumination of Blackness”, 2021; Day, “Afro-feminism before Afro-pessimism”, 2021.

⁸³¹ See Derrida, *Spectres of Marx*, 2006.

⁸³² Chandler, *Toward an African Future*, 2013, p. 112.

⁸³³ Chandler, “Of Exorbitance”, 2008, p. 351.

because for Chandler, as for Derrida, there is no beginning, no origin. He writes that, ‘the enunciation of Africanist figures in discourses of the N*gro emerges in a hierarchically ordered field in which the question of the status of so-called N*gro is quite indissolubly linked to a presupposition of the homogeneity and purity of the so-called European’⁸³⁴. Two things are important here. First, unlike Afropessimists, Chandler does not view the category of Blackness as the emergence of a new antagonism that structures modernity. Instead, the categories of Blackness and the N*gro emerge in an *already* “hierarchically ordered field”. Cedric Robinson long ago made this point when he demonstrated that racial capitalism is built upon European, “feudal” projects of racialisation that had deep roots and existed long before European colonisation of the Americas⁸³⁵. Second, Europe itself – along with whiteness, the West, and so forth – emerges as a *presumed* purity. Yet, it can only emerge as pure, as an origin in contrast to the racialised figure of the Other, which coheres under the categories of Blackness and the N*gro. Once again, the presupposed new, pure, original, is always already a response to the racialised Other. As a consequence, Chandler warns us to deal with the constituted figures of Blackness and the N*gro as a necessity. Any attempt to posit a new ontological categorisation amounts to the attempt to produce a “pure being” which is caught within the very colonial logic we are trying to resist. Here then, I argue that refusing to posit a counter-ontology, means refusing to rearticulate the colonial demand for purity.

Theorising the category of Blackness as a paraontological force acknowledges the radical resistance that is done to displace and disrupt the “ontological capture” that Henao Castro describes as delimiting the kinds of subjectivities possible for Black and racialised populations. For both Chandler and Moten, it is the production of difference that mobilises this disruption. Chandler theorises the “differential figure” which works *against* constituted ontologies in order to displace. This differential figure operates in much the way that Derrida’s iterability does. For Derrida, iterability is the necessary repetition of a sign within the field of difference. This repetition is necessary because it is only through the appropriation and repurposing of inherited signs (such as language) that we can

⁸³⁴ Chandler, “Of Exorbitance”, 2008, p. 349.

⁸³⁵ See Robinson, *Black Marxism*, 2000, pp. 9-65.

communicate⁸³⁶. Yet, each repetition is a new instantiation of it and the sign is never reproduced the same. A different context, a new intonation, a misarticulation, and so forth all work to ensure there is no exact reproduction. As such, this repetition is a repetition with/of difference. It is within the repetition of difference, this iterability, that it becomes possible to rearticulate inherited languages, concepts, histories, and conventions. Chandler's displacement of the figure of the N*gro echoes this: this 'displacement can be made general or decisive only *through* the movement of the productive elaboration of difference...as the performative announcement of a differential figure'⁸³⁷. Moreover, Chandler notes it is this production of difference which announces the limit of the N*gro, which destabilises it and makes possible its interruption and resists the "capture" that Henao Castro theorises. The differential figure 'makes possible a delimitation of the claim of purity and prepares the ground for an elaboration of its liability'⁸³⁸. Here, the category of Blackness disrupts and displaces the racist and Eurocentric ontological constructions of "whiteness", "race", "the N*gro", and beyond *without* announcing Black historical, social, and philosophical formations as "new" ontologies that can be included and tagged onto the former, leaving them intact.

Fred Moten echoes this and describes Blackness⁸³⁹ as the radical, paraontological force of the Black radical tradition. In this way, Moten reworks Cedric Robinson's conception of Black radicalism. As is well-known, for Robinson, Black resistance movements do not *merely* emerge in resistance to racial capitalism and colonialism but rather form part of an 'ontological totality'⁸⁴⁰ that exists prior to these and mobilises to resist against their violences. In this way, Robinson explicitly refuses the Eurocentric theorisation of historical materialism as a 'conceit' wherein 'European Marxists have presumed more

⁸³⁶ It is important to note that Derrida does not view the interpolation of signs something that occurs only when we try to communicate. This would insert a teleological concept of difference into his work that he resists. See my analysis of iterability in Chapter 1.

⁸³⁷ Chandler, "Of Exorbitance", 2008, p. 350.

⁸³⁸ Chandler, "Of Exorbitance", 2008, p. 350.

⁸³⁹ Moten does not capitalise Blackness. Instead, it is stylized as, "blackness", throughout his work. However, I have kept the same stylisation throughout to avoid any confusion. I have chosen capitalisation for the same reasons contemporary scholarship capitalises "Black" as an identifier because Black/Blackness is an appellation and proper noun which is reproduced through matrices of racialization rather than an inherent property of Black people. See Wachal, "The Capitalization of Black and Native American", 2000.

⁸⁴⁰ Robinson, *Black Marxism*, 2000, p. 168.

frequently than not that their project is identical with world-historical development'⁸⁴¹. For Robinson, Black radical consciousness is an African epistemology which cannot be understood through historical materialism. Nat Turner's insurrection at Southampton County, Virginia, US in 1830 and François Mackandal's maroonage in 18th century Haiti are understood as examples of the recovery⁸⁴² of a lost, African concept of freedom from 'the mind, metaphysics, ideology, consciousness' rather than forms of class consciousness emerging from material condition of captivity. This 'epistemology [of freedom]...granted supremacy to metaphysics not the material'⁸⁴³. Robinson's account of Black radicalism is incompatible with Chandler's paraontology. For Robinson, Black radical consciousness exists outside the scope of European ontologies. For Chandler, the histories of Africa and Europe cannot be disentangled so easily. As I outlined, Europe emerges, in part, in response to the figure of the N*gro it constructs during those first waves of colonisation and the middle passage. The figure of the N*gro, Europe, "race", whiteness, and the category of Blackness all emerge as African populations are transformed into propertied chattel slavery in the slave ship, building upon, as Robinson himself notes, the already existing racialised histories within Europe. Moten acknowledges this. For Moten, Black radicalism is best depicted as a 'historical, paraontological totality' because the 'black radical tradition...has a complex origin of rupture and collision that moves across a range of negations of Europe'⁸⁴⁴ and cannot be confined to *simply* outside Europe. In this way, Moten's Black radicalism is not entirely divorced from European bourgeois radicalism even if, equally, it certainly *cannot* be said to mark a progression nor evolution of that radicalism.

This difference can be seen in Robinson and Moten's divergent readings of CLR James' relationship to Marxism and Black radicalism. For Robinson, James breaks with Marxism and turns to Black radicalism just as he had earlier broken with parliamentarianism and

⁸⁴¹ Robinson, *Black Marxism*, 2000, p. 2.

⁸⁴² For Robinson, it is the recovery of this Black radical consciousness which produces insurrections and rebellions to take hold where others had previously failed. Black radicalism is thus a collective consciousness, for Robinson, one which emerged from "Black historical experience", and had/has been worn down by European ontologies and can be rediscovered – a collective consciousness that is passed down through generations. See Robinson, *Black Marxism*, 2000, p. 168-170.

⁸⁴³ Robinson, *Black Marxism*, 2000, p. 169.

⁸⁴⁴ Moten, "The Subprime and the beautiful", 2013, p. 238.

turned to Marxism⁸⁴⁵. However, Moten argues that James' bourgeois radicalism is not something that simply disappears when the latter encounters and fights alongside Black liberation movements⁸⁴⁶. Their different readings turn on (a) what is meant "break" and "rupture", and (b) whether Africa and Europe can be disentangled. On the latter, Moten follows Chandler in arguing that Robinson too easily separates their histories. This is because Robinson needs to break with European ontologies in order to view Black radicalism as a force which cannot be hermeneutically contained by them. However, he cannot conceive of "break" and "rupture" in the deconstructive fashion that Moten and Chandler do, by invoking Derrida. For Moten, break or arrhythmia is 'a *displacement*, a retemporization *disruptive of the very idea of absolute break* and by extension, an augmentative curvature of old harmonic notions of convergence or hybridity, a dissonant bending of the dialectic and its notes' rather than 'a complete detachment from the temporal/historical trajectory'⁸⁴⁷. Here, a "break" is paraontological: displacing the constituted. Black radicalism displaces Europe. The category of Blackness disrupts European ontologies as '(racial) *difference mobilized against* the racist determination it calls into existence in every moment of the ongoing endangerment of 'actual being''⁸⁴⁸. In other words, Blackness as the radical force of Black radicalism is a "differential figure". It cannot be contained by Europe and its colonial, racialised ontologies but emerges and mobilises, in part at least, in response to these and cannot be thought *outside* them. Blackness as a paraontological force thus interrupts the ontological captivity of Blackness. However, Moten does not go any further and continues to theorise the category of Blackness in terms of sociality – missing the way in which property relations are disrupted. As such, Blackness as a paraontological force refuses property in that it does not operate on the same plane as property. It is this separation that I argue, in the following section, cannot hold.

⁸⁴⁵ Robinson describes this as CLR James' 'second turn of consciousness'. See Robinson, *Black Marxism*, 2000, p. 266.

⁸⁴⁶ Moten, *Black and Blur*, 2017, p. 8.

⁸⁴⁷ Moten, *Black and Blur*, 2017, p. 9.

⁸⁴⁸ Moten, "The Subprime and the beautiful", 2013, p. 238.

ii – Blackness: Animating the “Impossible”

For Moten and Chandler, the mobilisation of difference alone is sufficient to produce the radical displacement of colonial and racialised ontologies. However, I argue this underplays the way in which Blackness as a category of political resistance undermines the modes of appropriation – which are, of course, always linked to ontological categories – that distribute material inequalities. I have already briefly outlined how I draw upon Moten’s “animateriality” to develop *ex-appropriation*⁸⁴⁹. However, here I rework Moten’s “animateriality” in relation to *ex-appropriation* to theorise the category of Blackness as the disruption of the proprietary relations that institute “ontological captivity”. For Moten, “animateriality” describes the way in which value is produced from the nonvalue of subjugation that renders Black life impossible. I propose that rethinking this paraontological account of difference and value in relation to property is incompatible with Marx’s analysis of value, which I outlined in Chapters 1 and 2. The category of Blackness is then *ex-appropriation*. Black life animates what has been foreclosed as valueless and impossible by figures of Blackness, the N*gro, and propertied chattel slavery. This creates ways of living that are valued and disrupts the modes of appropriation and racialised ontologies that reproduce valuelessness and material inequalities.

The category of Blackness remakes the ontological effacement of Black populations, what Orlando Patterson and Wilderson – echoing Frantz Fanon – name “social death”, into a differential figure. The N*gro is an ontological impossibility, marking a “subhuman status”⁸⁵⁰. As a paraontological force, Blackness breathes life into this “social death”. In this way, the category of Blackness theorises how Black radical resistance creates modes of living and produces lives that are valued, out from under the “social death” and “ontological captivity” that reproduce Black life as valueless. “Social death” and “ontological captivity” describe the way in which Black life is rendered as valueless and foreclosed as impossible within proprietary regimes. Moten and Chandler do not contest this. For Moten, Black people are conceived as a ‘nonrelation’⁸⁵¹ in regard to “Being”. Yet,

⁸⁴⁹ See Chapter 1.

⁸⁵⁰ Wynter, “Unsettling the Coloniality of Being/Truth/Power/Freedom”, 2003, p. 292.

⁸⁵¹ Moten, “Blackness and Nothingness”, 2013, p. 749.

unlike Afropessimists, they concur with Cedric Robinson that Black radical resistance produces value, even if what is valuable is not read as such by colonial and racialised ontologies. Here then, something valuable emerges from this relation of nonvalue, this nonrelation: a ‘revolutionary consciousness’, ‘an open collective being’, an ‘irreducible chance’, ‘the ongoing present of a common refusal’, ‘outstretched hands’⁸⁵². Moten names this process “animateriality”, a neologism of animation and materiality, which describes the ‘the story of how apparent nonvalue functions as a creator of value’⁸⁵³. It is the animation of a material, which is to say productive, response – the ‘impassioned response to passionate utterance’⁸⁵⁴ – to the politico-ontological nothingness that Black people are reduced to through the figures of N*gro and Blackness. Here then, akin to José Esteban Muñoz’s⁸⁵⁵ brown, the category of Blackness is two-fold. It is the political, ontological, and proprietary subjection experienced by racialised populations in sites of “ontological capture”, the reduction of Black life to something valueless, that is made so visible in the over policing and custodial deaths of Black people at the hands of law enforcement. Yet, out from under this, the category of Blackness is *also* the radical resistance *against* this subjection of Black peoples’ lives and the animation of value that Black life creates even under this duress. In this sense, animateriality marks the value made “impossible” by anti-Blackness. It is animation of the impossible which is how I theorise *ex-appropriation*.

Yet, unlike *ex-appropriation*, animateriality fails to acknowledge the way in which this production of valued Black life – out from under its subjection as valueless – refuses the modes of appropriation constitutive to property relations. I situate the work of Sara Safransky⁸⁵⁶, Heather Dorries⁸⁵⁷, and Mia Dawson⁸⁵⁸, as not simply abolitionist practices but as the animation of *different* relations to land, resources, one another, and beyond. Here, Black and racialised life is produced which has value beyond the subjection of proprietary regimes. Here, property relations are disrupted and reconstituted such that

⁸⁵² Moten, “The Subprime and the beautiful”, 2013, p. 238.

⁸⁵³ Moten, *In the Break*, 2003, p. 18.

⁸⁵⁴ Moten, *In the Break*, 2003, p. 18.

⁸⁵⁵ Muñoz, *The Sense of Brown*, 2020.

⁸⁵⁶ Safransky, “Grammars of reckoning”, 2022.

⁸⁵⁷ Dorries, “What is planning without property?”, 2022.

⁸⁵⁸ Dawson, “The Kings ain't playin' no one tonight”, 2022.

Black life articulates values and relations without the coeval co-ordinates of property, appropriation, and ontology. Forms of animateriality are remade as modes of *ex-appropriation*. Safransky argues that the production of different histories and narratives alone (as Chandler and Moten imply) remains insufficient without demands for reparations. More importantly, Safransky further acknowledges that calls for reparations cannot be delimited by the ‘political grammars of property’⁸⁵⁹. For her, ‘calls for reparations are rarely simply about a payout alone’ but require ‘unhinging freedom from property’⁸⁶⁰. Instead, reparations demand ‘counter-political grammars’ which break with the politico-ontological confines of Blackness as a category under colonialism and its afterlives. Safransky homes in on the way Indigenous populations in the US have used rematriation to theorise reparations as a counter-political grammar. Steven Newcomb theorises rematriation as the practice to ‘restore a living culture to its rightful place on Mother Earth’ or ‘to restore a people to a spiritual way of life, in sacred relationship with their ancestral lands, without external interference’⁸⁶¹. Here then, counter-political grammars emerge from the animation of *valued* Indigenous life, that is land, animals, people, and the connections between them, against the backdrop of continued settler colonialism. As Anne Bonds and Malini Ranganathan⁸⁶² highlight, such grammars disrupt the exclusions that regimes of possession reproduce. In this way, I interpret these counter-grammars as a kind of animateriality but, like *ex-appropriation*, these cannot be divorced from the necessity of rethinking proprietary relations which tie modes of appropriation to ontology to remake social relations as property and distribute material inequalities.

Heather Dorries and Mia Dawson offer similar accounts of the way in which Black and Indigenous populations create valuable lives and ways of belonging and living that reject proprietary relations. Dorries uses the artwork of Nadia Myre to interpolate Indigenous epistemologies into the idea of ‘planning without property’⁸⁶³. This begins by thinking *both* land and racialised populations beyond proprietary conceits. Dorries forcefully argues that, for Indigenous epistemologies in the First Nations of Canada, land has value *beyond*

⁸⁵⁹ Safransky, “Grammars of reckoning”, 2022, p. 295.

⁸⁶⁰ Safransky, “Grammars of reckoning”, 2022, p. 300.

⁸⁶¹ Steven Newcomb, “Perspectives: Healing, Restoration, and Rematriation”, 1995.

⁸⁶² Bonds and Ranganathan, “Racial regimes of property”, 2022.

⁸⁶³ Dorries, “What is planning without property?”, 2022, p. 307.

a resource and cannot be understood simply as ‘the investment of human agency in inanimate land’⁸⁶⁴. Instead, ‘humans derive agency from the agency already possessed by land and more-than-human kin’⁸⁶⁵. This is, of course, reminiscent of Leanne Betasamosake Simpsons’ politics I outlined in Chapter 1 and Glen Sean Coulthard’s criticism of some First Nation leaders in Chapter 2. Planning without property might then begin from here: thinking land, other animals, and ecologies as having agency rather than an object which can be appropriated, made as property, and unequally divided among racialised populations. For Dorries, this ‘frame-work does not simply value more-than-human beings but rather places these beings at the center of an ethical political ontology’⁸⁶⁶. This, of course, echoes Moten’s analysis of animateriality and Black life. Here, planning animates as valuable something that has been constructed as either valueless or *only valuable as an economic resource*.

Similarly, Mia Dawson demonstrates the way in which Black Lives Matters protests rendered new forms of care by disrupting the physical barriers of enclosure and appropriation. In March 2018, protestors locked arms around the Golden 1 Arena and blocked the I-5 highway in Sacramento, California before protesting outside the District Attorney’s office in response to death of Stephon Clark at the hands of law enforcement. Protests at the District Attorney’s office continued each week until authorities eventually put up a rent-a-fence around the site, with protestors throwing the fence a five-month birthday party later that year. For Dawson, who was involved in these demonstrations, the celebrations transgressed property regimes: ‘sharing food with those living on the streets and practicing collective forms of care were themselves a threat to the partitioning of social space that the terms of order demand’⁸⁶⁷. As a physical barrier of enclosure and appropriation, the fence served as a symbolic if darkly comical reminder of the devaluing of Black lives that takes place through over policing and the carceral state. On these terms, the protests in response to Stephon Clark’s death, which turned into mock celebrations and gave way to new forms of care, animated the value of Black life over and

⁸⁶⁴ Dorries, “What is planning without property?”, 2022, p. 312.

⁸⁶⁵ Dorries, “What is planning without property?”, 2022, p. 312.

⁸⁶⁶ Dorries, “What is planning without property?”, 2022, p. 312.

⁸⁶⁷ Dawson, “The Kings ain't playin' no one tonight”, 2022, p. 328.

against, but also *from within the confines of*, the devaluation of it that police enforcement reproduces.

For Dawson, this signifies the importance of “property abolition” as a related but separate project from policing and prison abolition. The former challenges the enclosures and borders which constitute physical space to ‘desanctify property by refusing its legitimacy as an arbiter of social life and movement in space’⁸⁶⁸. I view this animation of care as a mode of *ex-appropriation*, a political resistance which makes possible that which has been rendered “impossible” by proprietary regimes. The Black Lives Matter protestors in Sacramento did, as Moten and Chandler theorise, produce a differential relation to the “social death” and “ontological captivity” of US law enforcement, animating value from within the confines of valuelessness and subjection. Taking place here though is not simply the production of a set of paraontologies, as Moten and Chandler conceive. It is the disruption of Blackness *as a proprietary category*, one which is reproduced as an ontology to legitimise the modes of appropriation and enclosure that devalue Black life and distribute material inequalities among Black and racialised populations. The forms of care that Dawson highlights and the value Dorries emphasises in Indigenous epistemologies for planning disrupt the precarity, terror, and inequalities engendered by proprietary relations of colonisation and carcerality in the US. In this way, these acts of political resistance – which we might describe under the category Blackness, as the radical force of the Black radical tradition – refuses the nexus appropriation-ontology and engender something this nexus renders “impossible”, a disruption that mirrors *ex-appropriation*. Perhaps as important, they demonstrate how every day and ordinary, democratic politics and this animation of the “impossible” really is.

Moten’s paraontological account of Blackness gestures towards democratic constructions of equality I theorise in this thesis but instantly recedes from this position. In an analysis of 2007-2008 subprime debt crisis in the US, Moten argues that the force of Black radicalism appears in the suburbs as subprime mortgages made it possible for Black people to migrate from inner cities. I situate the Black subprime debtor as a “differential figure” whose very presence is a form of equality disrupting property

⁸⁶⁸ Dawson, “The Kings ain’t playin’ no one tonight”, 2022, p. 319.

relations. Moten notes that subprime mortgages made it possible for Black populations to reside in neighbourhoods that were built from the 1960 onwards for white settlers in the US to escape the mass migration of Black populations into inner cities⁸⁶⁹. Here the category of Blackness interrupts white home ownership and the entanglement of whiteness and property through ‘a kind of a carnival, a country-ass hoedown, an embarrassing barbecue’⁸⁷⁰. Moten names this – and Blackness in general – as a form of sociality. But there is more at work here. Through this sociality, the category of Blackness refuses suburban neighbourhoods as white spaces, commanding an equal right to exist and live in this space *as they please* rather than according to the forms of propriety that would make white populations feel safe and protect the investment in their homes as inflationary assets. Here then, the category of Blackness acts democratically – as I theorised in the previous chapter – refusing the nexus of property and ontology. For white suburban settlers in the US, “a carnival, a country-ass hoedown, an embarrassing barbecue” are impossible forms of socialising. Subprime debt enabled Black people to exist where they should not, doing things they should not. This socialising sparks fear by reproducing the mythology of the “N*gro” as a danger which in turn drives down house prices⁸⁷¹. As such, this behaviour must be made impossible. In enacting these impossibilities, the category of Blackness refuses the modes of propriety which secure these forms of property as inflationary assets. Moreover, the Black subprime debtor commands equality not only to use suburban space freely but also in the disruption and displacement of the home as an asset. The implication is that all equally deserve a home, rather than simply those who are white and can conform to the propriety of whiteness. The carnival, the hoe-down, the barbecue are then not only forms of sociality but also *political* acts, democratic forms of equality which disrupt the proprietary relations undergirding home ownership in the US.

⁸⁶⁹ Poll, “Can One “Get Out?” The Aesthetics of Afro-Pessimism”, 2018.

⁸⁷⁰ Moten, “The Subprime and the beautiful”, 2013, p. 241.

⁸⁷¹ There has been much scholarship on the differences in the price of homes owned by Black and white populations as well as the house price differences in residential areas that are demographically predominantly Black or white. For a good overview of this, see Dorothy Brown, “Shades of the American Dream”, 2010.

In this way, the category of Blackness as animateriality and *ex-appropriation* not only animates what is rendered impossible by proprietary regimes but rethinks Marx's⁸⁷² analysis of value. As I outlined in Chapter 1, for Marx, labour-power creates value. It is this value which must be reappropriated by the proletariat through the abolition of property to overturn the wage-labour exploitation as the defining antagonism of capitalist society. Here, value is generated through the exchange of commodities and simultaneously expropriated as the surplus-value generated by surplus labour-time is pocketed by the capitalist. However, as Antonio Negri⁸⁷³ and Cesare Casarino⁸⁷⁴ point out, the reappropriation of this labour-time means the very abolition of value because "use-value" is a retroactive analytic for Marx. it makes no sense without the surplus-value that is abolished through the reclaiming of one's labour. Thinking animateriality in relation to property, as I do above with *ex-appropriation*, demonstrates the way in which political resistance does not concern the destruction of value but rather the animation of new forms of value (and equality) that proprietary regimes have rendered impossible. Marx misses the way in which some forms of inequality and oppression require the devaluation of lives in ontological terms. It is the rendering of Black and racialised lives as a "nonrelation" or valueless that enables the dispossession of Indigenous land, the enslavement of African populations, and the mass incarceration and cheapened labour of Black and racialised lives. All of this contributes towards materiality inequalities. Marx also misses, perhaps inevitably then, that it is possible to create something out of nothing: to generate valuable lives, relations, and flourishing *out from under* "ontological captivity" to resist the very proprietary infrastructure that inaugurates that captivity. Moten's subprime debtors, Black Lives Matters protestors in Sacramento, those who demand reparations, and those who plan without property are all enacting democratic forms of equality, making possible what was once impossible, and creating value from valuelessness and non-relationality. There is no singular value that, per Marx, must be reappropriated. Instead, the *differential* value that is created here disrupts the interrelated modes of appropriation and ontology by animating relations which do not

⁸⁷² Marx, *Capital: Volume 1*, 1990.

⁸⁷³ Negri, *Marx beyond Marx*, 1991.

⁸⁷⁴ Casarino, "Surplus Common", 2008; Casarino, "Universalism of the Common", *diacritics*, 2009.

facilitate dispossession, violence, and precarity that disproportionately effects racialised, colonial, and gendered populations.

Conclusion

In this chapter, I develop the analytic of Blackness as an analytic for political resistance. I intervene in disparate scholarship on Blackness, ontology, property, and politics – drawing them together in order to demonstrate that everyday forms of Black social life disrupt the proprietary relationship between racialised ontological categories and forms of partition and appropriation that determine the bordering of the *demos* and distribute material inequalities within it. Here, what has hitherto been rendered as forms of sociality antagonistic to politics are not only political but democratic: they enact forms of equality which are foreclosed as impossible by the proprietary relations of European colonisation and its afterlives. I demonstrate that both Afropessimists and Black Optimists concede too much ground to Carl Schmitt’s concept of the political. In fact, politics – following Mark Devenney and Andrés Fabián Henao Castro – is the contestation over the possible and impossible, over what the *demos* is, which cannot be divorced from property and propriety. I draw together scholarship on “race” and ontology with literature on “race” and property to demonstrate that the category of Blackness is embedded in a set of proprietary relations in which modes of appropriation are facilitated by and reproduce what Henao Castro names “ontological captivity”. Finally, I argue that if Blackness is a political and proprietary construct – and politics is the contestation over what constitutes the *demos* – then category of Blackness cannot be merely a dispossessive category that enables material inequalities. Instead, I theorise this analytic with *ex-appropriation* – as the democratic animation of that which proprietary relations have foreclosed. As a capacious category, Blackness remains irreducible to regimes of ownership and cannot be contained by this narrow category. In this way, Blackness is a democratic mode of politics which makes possible forms of Black life and sociality that have been rendered “impossible”. This enacts forms of equality that proprietary regimes cannot envision.

This chapter builds upon the first four chapters of this thesis, bringing them all together. In the first chapter, I outlined proprietary regimes as a framework for theorising the way material inequalities are reproduced through the intersection of property and propriety. I then theorised *ex-appropriation* as an analytic for theorising political resistance against

this legitimisation. In this chapter, I contextualised the material inequalities suffered by Black, racialised, colonised, and gendered through proprietary regimes rather than racial capitalism to capture, as Calvin Warren acknowledges, the interrelated character of these oppressions. Moreover, I develop the analytics of Blackness and *ex-appropriation* together. I theorise the analytic of Blackness as resistance against these interlocking forms of inequality. In the second chapter, I analysed the politics of property and concluded there is no “foundational” form of exploitation. Property is not a “material base” that makes this and other, secondary forms of exploitation possible. Instead, property is a tool that works alongside proprietary subjectivities in order to dispossess colonised populations, segment racialised labour markets, enact gendered violence, and command wage theft as interrelated projects. I continue this analysis of property here. I demonstrate that Blackness, as an ontological category, makes possible colonial, gendered, and racialised forms of appropriation but also that these reproduce that very categorisation. In chapters 3 and 4, I weighed the merits of the commons and democracy as form of radical politics that disrupt proprietary regimes. I concluded that common regimes of ownership continue to participate proprietary relations. However, I argued that democratic politics intervenes in proprietary regimes, disrupting the nexus of appropriation and ontology that distributes material inequalities and renders some ways of living and organising social relations impossible. This chapter continues that work by analysing and contributing towards contemporary scholarship on Blackness as a political analytic as well as a social force. I view the category of Blackness as a democratic force of politics, enacting equality against the interlocking material inequalities that proprietary regimes distribute without reproducing the nexus of appropriation and ontology.

Conclusion

In the introduction to this thesis, I began with an excerpt. I distilled the proprietary regimes of ownership at work in the vulnerabilities to COVID-19 between Indigenous and settler populations in the US. I made visible the proprietary relations governing the production and distribution of COVID-19 vaccines across the globe. I began with this pandemic but could have just as easily used food, energy, or housing distribution networks (to name a few) to act as lightning rod for the way in which proprietary regimes of ownership govern precarity. These (re)produce interlocking forms of inequality by unevenly distributing security across intersecting categories of “race”, gender, Indigeneity, class, disability, sexuality, neurotypicality, and beyond. In a world where, as I demonstrate, the partitioning and allocation of resources is tied to forms of propriety and ontological categorisations govern precarity, violence, and inequality, how politics and resistance are theorised is paramount. This is especially true when climate breakdown is set to place greater strain on agriculture and financial markets, displace populations en masse, and increase the likelihood of disease and pandemic whilst the looming threat of authoritarianisms across Europe has not subsided and seem to be reinvigorated in the US and Israel/Palestine where the violence of settler colonialism persists, unacknowledged by nominally progressive forces.

The aim of this PhD was to research the politics of resistance by rethinking property. How resistance is understood sets parameters for the kinds of politics that are possible and vice versa. This thesis develops resistance across a number of traditions – from Indigenous scholarship, Black Studies, the Black radical tradition, feminist philosophy, decolonial legal scholarship, to post-foundational political theory, and deconstruction. I develop *ex-appropriation*, proprietary regimes, the commons, democracy, and Blackness as analytical tools to rethink resistance across these traditions. Each chapter primarily focuses on one of these tools. Within each, I do two things. First, I deepen the understanding of property as a technology of propriety which participates in the (re)production of interlocking oppressions. This specifies the target for political resistance. I demonstrate that property is a capacious tool which is used by states, corporations, legal and financial institutions, NGOs, government bodies, and people to (re)produce different forms of inequality through the nexus of appropriation and ontology.

Proprietary regimes of ownership describe the way in which modes of partition and appropriation render social relations as property and people as in/capable of owning this property. This facilitates the allocation of precarity and security along intersecting categories of propriety. There is no singular inequality nor mode of exploitation upon which we can understand all forms of inequality that proprietary relations (re)produce. Projects of settler colonialism, racialisation, gendered and sexualised violence, able-bodiedness, class, neurotypicality, and beyond are differential and interlocking. There is, then, no single-purpose tool that (re)produces inequality. I develop property as a capacious and malleable tool, interpolated within proprietary regimes of ownership. This remains irreducible to foundational analyses. Property is an overdetermined complex, not a material, self-contained “base”.

Second, I theorise *how* resistance remakes the proprietary relations that distribute inequalities. I develop the analytics of *ex-appropriation*, democracy, and Blackness as the disruption of the articulations between appropriation and ontology. Theorising resistance in this way, I demonstrate that political resistance disrupts the partitioning and appropriation of resources and infrastructure as well as the categorisation of beings that undergird these by remaking social relations without this proprietary webbing to stitch them together. Appropriation and being, partition and ontology, property and subjectivity are then no longer the necessary co-ordinates by which we *must* relate to land, resources, etc. and no longer the calculus through which these alongside precarity, harm, and violence are distributed. As has become clear, I have not attempted to simply approach resistance through a deconstructive, Indigenous, Black radical or other method because, quite simply, there is no such method. Instead, I develop resistance through the overlap of these traditions.

I reconceptualise proprietary regimes, *ex-appropriation*, democracy, and Blackness as complimentary analytical tools. There is no singular scaffolding. Together, these theorise resistance to proprietary regimes of ownership, even common ones. These tools demonstrate that resistance (re)builds social relations to generate “impossible” forms of life, value, and equality. First, I develop *ex-appropriation* as a tool for political theories of resistance. *Ex-appropriation* is a neologism in Derrida’s work. I reconceptualise *ex-appropriation* in political and proprietary terms. This develops but also breaks with

Derrida, if break is considered here in the same way that Moten frames it: not as a complete detachment but as a dissonant bending. In this thesis, *ex-appropriation* becomes something it was not in Derrida's work: resistance to proprietary regimes of ownership. Nevertheless, this theorisation is haunted by Derrida and appears as a theoretical apparition in the wake of his work. Here, *ex-appropriation* describes *how* resistance remakes proprietary relations. It disrupts the nexus between ontology and modes of appropriation without articulating a new definition of the "proper" which can police forms of equality. This draws upon but thinks uses "impossibility" differently to Derrida. Here, resistance (re)produces social relations which are foreclosed as "impossible" by proprietary regimes of ownership. For Derrida, *ex-appropriation* serves to denote the undecidability of *différance* that it is 'not a process of propriation in any sense whatever'⁸⁷⁵. Processes of appropriation are necessary to forms of property. There is then an implicit link to property. Yet, Derrida never develops this connection. In his work, the relationship between *ex-appropriation* and property remains obscure. There is no consideration of what *ex-appropriation* might mean for forms of inequality within which property participates, nor for theorising resistance against these. This thesis therefore contributes to the development of scholarship on deconstruction. It develops deconstructive analytical tools for theories of political resistance – in unsettling ways, to which Derrida may object. In doing so, I bring deconstruction and property together to make manifest the proprietary character of material inequalities and theorise resistance against these. This adds to recent scholarship that develops deconstruction in relation to sex and gender⁸⁷⁶, materialism⁸⁷⁷, and speculative narrative⁸⁷⁸. This thesis enables projects to examine *ex-appropriation* further and consider ways in which other deconstructive concepts might prove fruitful for political theory and resistance.

I develop proprietary regimes of ownership as a second analytical tool. For Mark Devenney, proprietary regimes are overdetermined social orders that escape closure. This analytic highlights the way in which property and propriety interact with another in order to police the proper bounds of the social formation and place limits upon these

⁸⁷⁵ Derrida, *Margins of Philosophy*, 1982, p. 26.

⁸⁷⁶ See Chris Griffin, "Immunising Birthsex", 2020; Lynes, "Domestic Violence and Metaphysics", 2020.

⁸⁷⁷ See Lillywhite, "Presencing the Past", 2022; Goldgaber, *Speculative Grammatology*, 2020.

⁸⁷⁸ See Griffin, *Dispossessive Citizenship*, 2022.

orders and forms of equality. In this way, the proprietary regime is a riposte to post-Marxist scholarship that neglects property. Here, politics is a counter-hegemonic project achieved through the articulation of popular political identities. For Devenney, the proprietary regime ‘often prevails regardless of political identifications’⁸⁷⁹. I develop this analytic in relation to Indigenous scholarship, decolonial legal scholarship, Black radicalism, and feminist philosophy in ways Devenney does not. I specify two modes by which proprietary regimes operate: propertisation and dispossessive subjectivity. Furthermore, I research proprietary regimes in relation to *ex-appropriation* to conceptualise *how* proprietary relations are remade by political resistance. As outlined above, resistance remakes social relations into forms rendered “impossible” by proprietary regimes. I thus develop property as a tool as well. It is a capacious, malleable tool that is interpolated in proprietary relations but is not a tool *of* proprietary regimes. This is a symbiotic relationship such that there is no determining cause. Unlike foundational analyses, capital accumulation is not the apex that determines property’s use as a tool. This research enables further developments in the analysis of property. I contribute to a growing field of research – including Anne Bonds, Brenna Bhandar, Mark Devenney, Eva von Redecker, Aileen Moreton-Robinson, Robert Nichols, Malini Ranganathan, and Clare Woodford – which views property in anti-foundational terms. Future research might develop this analysis of property as a capacious tool and consider the way in which property distributes and (re)produces forms of interlocking inequalities which remain irreducible to one another. The antagonisms of class, gender, “race”, colonialism, disability, neurotypicality and beyond might be analysed to better understand how forms of propriety and appropriation interact with one another in specific matrices across particular contexts. In doing so, I open up the space for historical work to investigate the development of proprietary forms of ownership in specific geographies.

Third, I conceptualise the commons as an analytic that remains limited when theorised under the purview of governance and ownership. The commons has often been a tool for conceptualising a mode of production beyond capitalism. Recently, the commons has instead referred to the idea of constituting things in common. Pierre Dardot and Christian

⁸⁷⁹ Devenney, *Towards an Improper Politics*, 2020, p. 36.

Laval's unappropriability and José Esteban Muñoz's "brown commons" are the examples I trace in this thesis. I add to scholarship on the commons by researching this analytic in relation to proprietary regimes of ownership. I argue the demand to constitute social relations, and that rendered as property, as unappropriable is an important intervention. However, this intervention presupposes that unappropriability must be instituted as a regime. This re-asserts fictions of ownership. Propriety and partition become necessary. This remains incompatible with *ex-appropriation* as I theorise it. I conclude that the analytic of the commons does not resist the proprietary distribution of inequality. The commons is too often theorised *within* regimes of ownership. Even communal regimes of ownership continue to police equality. I render unappropriability *itself* as the democratic enactment of equality. This scholarly contribution enables future research to consider the ways in which the common as an idea might reject regimes of ownership and disrupt proprietary forms of inequality. Scholarship into communal forms – such as the Occupy protests, occupations, communes, and other forms of collaborative living – can investigate the way in which proprietary forms of inequality delimit the horizon of these projects. Research can also study how projects of resistance disrupt proprietary regimes of ownership.

Fourth, I theorise democracy as a tool of resistance. Democracy produces "impossible" forms of equality that can extend even beyond the subject. I draw upon the traditions of radical democratic theory, post-foundational political theory, and deconstruction to do so. For Jacques Rancière⁸⁸⁰, Mark Devenney, and Clare Woodford⁸⁸¹, and Samuel Chambers⁸⁸², democracy is not a regime. Regimes are policed and politicised social orders. Democratic politics interrupts this policing. For Jacques Derrida, *democracy-to-come* is the undecidable 'underbelly' that haunts democratic regimes. I draw from this scholarship to develop my own account of democracy as an analytical tool. I rethink Derrida's *l'avenir* (to come) in relation to my development of *ex-appropriation*. Here, I rethink *l'avenir* theorises the "impossible" displacement of proprietary regimes. I use this to highlight how resistance produces "impossible" forms of equality that proprietary regimes of ownership police and foreclose. *L'avenir* thus becomes a useful tool for

⁸⁸⁰ Rancière, *Disagreement*, 1998.

⁸⁸¹ Devenney and Woodford, "Why the US and Britain are not democracies", 2017.

⁸⁸² Chambers, *The Lessons of Rancière*, 2013.

conceiving how acts of resistance are democratic. Resistance produces new forms of equality which propriety and partition cannot contain. It is the animation of that which is excluded or foreclosed by proprietary regimes of ownership. I refuse appropriation-ontology as the necessary point of departure for political action and social relations. Such resistance is a democratic act. Here, politics no longer requires the subject as its organising principle. This contribution makes possible developments in political and democratic theory. Leanne Betasamosake Simpson⁸⁸³ on the agency of land, Jane Bennett's⁸⁸⁴ work on matter, Jishnu Guha-Majumdar⁸⁸⁵ on carcerality and animality, and Derrida's⁸⁸⁶ own deconstruction of the human-animal binary all rethink politics beyond androcentrism and the "human". However, none of these scholars apprehend the way in which contemporary social relations are governed by proprietary regimes of ownership. This thesis facilitates research into this gap, informing and supporting research which analyses political structures which include animals, land, matter, ecologies as active agents *within* political institutions and resistance movements⁸⁸⁷ rather than simply beings and inanimate objects that bear the brunt of the political as a "human" sphere.

Similarly, I develop the category of Blackness as a political tool which theorises the animation of life and value rendered "impossible" by racialised, proprietary forms. Blackness is an analytic in the Black radical tradition and Black Studies. I draw upon these but also develop this analytic in relation to deconstruction and political theory. For Afropessimists, Blackness is an ontological category of "social death". For Black Optimists, Blackness is a paraontological force. It describes the resistance to this suffering, which is not considered metaphysical. Andrés Fabián Henao Castro⁸⁸⁸ demonstrates that the ontological construction of Blackness is political. I develop the category of Blackness further. I demonstrate that this political construction is also a

⁸⁸³ Betasamosake Simpson, *As We Have Always Done*, 2017.

⁸⁸⁴ Bennett, *Vibrant Matter*, 2010.

⁸⁸⁵ Guha-Majumdar, "Lyons and Tygers and Wolves, Oh My! Human Equality and the "Dominion Covenant" in Locke's Two Treatises", 2021.

⁸⁸⁶ Derrida, *The Animal That Therefore I Am*, 2008.

⁸⁸⁷ Susanna Borràs demonstrates the Ecuadorian Constitution and laws in Bolivia have begun to do this work. See Borràs, "New Transitions from Human Rights to the Environment to the Rights of Nature", 2016.

⁸⁸⁸ Henao Castro, "Ontological Captivity", 2021.

proprietary one. I thus redraw the category Blackness onto the terrain of proprietary ownership. This contextualises the political construction of the ontological category of Blackness. I contribute to scholarship on the category of Blackness by demonstrating that this racialised figure is interpolated with regimes of ownership to engender greater precarity for racialised and colonised populations. Here, property works in tandem with ontology to provide racist justifications for a set of inequalities that cannot be reduced to “race” alone. However, I also develop the analytic of Blackness as a mode of resistance against these injustices. I situate this analytic in relation to *ex-appropriation* and democracy. Here, the category of Blackness is rendered as the animation of the “impossible”. It thus describes the value in Black life that proprietary regimes of ownership dismiss. This analytical development opens up avenues for future research in the intersection of theories of Blackness, deconstruction, *ex-appropriation*, property, and proprietary regimes of ownership. However, this project is limited by its scope as a theoretical analysis of political resistance. As such, there is opportunity for future research to work with activists and political and community organisers – as the work of Anne Bonds, Nicholas Brown, Mia Dawson⁸⁸⁹, Heather Dorries⁸⁹⁰, Ananya Roy, Sara Safransky⁸⁹¹, and Leanne Betasamosake Simpson I explored throughout the thesis has done. This scholarship might consider the ways in which the analytical tools of *ex-appropriation*, democracy, and Blackness presented here operate in empirical contexts to disrupt proprietary webbing and (re)build social relations anew.

Together, these tools demonstrate that resistance (re)builds social relations and refuses to police the boundaries of propriety or equality, nor use property as a proprietary tool to reproduce interrelated oppressions and inequalities. I conclude that resistance is in the habit of (re)building, quite literally in some cases, towns, cities, reservations, dwellings, and the social relations between people, animals, plant life, bacterium, and ecologies in general. Indigenous populations fighting for a different kind of relationship *with* land; racialised subprime debtors in the US refusing the propriety of the suburb; protestors disrupting physical barriers of enclosure that protect sports arenas as sites of gendered and racialised extractivism; those fighting for rematriation; students occupying university

⁸⁸⁹ Dawson, “The Kings ain't playin' no one tonight”, 2022.

⁸⁹⁰ Dorries, “What is planning without property?”, 2022.

⁸⁹¹ Safransky, “Grammars of reckoning”, 2022.

buildings in a highly stratified and underfunded Higher Education sector; and policy-makers constituting social relations as unappropriable are all (re)building, however temporarily, *without* proprietary regimes of ownership as their telos. These are all forms of resistance that displace proprietary relationships. In recognising this and theorising it as such, this thesis does two things. First, it acknowledges the work *already* being done to refuse the modes of appropriation that allocate precarity along intersecting lines of class, “race”, gender, and able-bodied, etc.. Second, it reconceptualises the kind of politics that are possible. It works *with* these modes of resistance to animate a different kind of social webbing, one that does not rely upon modes of partition and being to stitch them together.

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