
Subversive Property Book Launch

Davina Cooper*

On behalf of the academic editors of the Routledge book series, *Social Justice*, I am very pleased to introduce Sarah Keenan's new book. *Subversive Property*¹ is a politically astute, elegantly written text. It takes us on a journey from the challenge of lesbians obtaining refugee status on grounds of their sexuality to the challenge of sustaining Aboriginal space. Typically, the right to move country because of persecution, and the right to stay in one's home place, are perceived as fundamentally different. By offering us an innovative and nuanced understanding of space and property, Sarah shows us the connections between these two struggles.

At issue – and this is a core strand running through the book – are diverse and contested relations of belonging – those spatially “held up” networks which structure what is authorised and recognised as being both in and out of place. Sarah Keenan writes, “‘Holding up’ is a more diffuse, heterogeneous, spatial process than state recognition; it invokes a wide range of social processes...that give force to relations of belonging” (p 7). Dominant “spaces of belonging” give a particular hegemonic shape to land, culture and people's identities, including those who are dominated and marginalised. In the case of lesbian refugees, for example, their ability to belong within new national landscapes conventionally happens on very conditional terms, where recognition as lesbian depends on conforming to western, liberal notions of what a lesbian is. But

* Professor of Law and Political Theory, Kent Law School, University of Kent, Canterbury, UK.

D.S.Cooper@kent.ac.uk.

¹ Keenan, Sarah, *Subversive Property: Law and the Production of Spaces of Belonging*. Abingdon: Routledge, 2014.

these dominant relations can also be unsettled as Sarah discusses in relation to Aboriginal litigation and community action in Australia; I'll return to this.

Subversive Property is a conceptually rich book that ambitiously works to redraw the relationships between belonging, property and space. It is tremendously inter-disciplinary, engaging with debates in geography, law and society, refugee and diasporic studies, and postcolonial feminism amongst others – always adding a new spin. Among the many things I personally like about the book, I want to draw attention to two. The first is the complex ways Sarah connects property as a subject-object relationship, with property as a constitutive relationship between part and whole. To take one example Sarah uses, a house may be treated as an object that is owned, but, as a home, it can also come to be seen as forming a constitutive part of who someone is. But the relationship can also go in the converse direction – as a social property, such as a Christian identity, perceived as a dimension of subjects that is recognised and power-bearing, comes to operate as a kind of object that can be mastered and exploited. We can witness this currently as anti-gay sections of the Christian right claim the right to control what Christianity means and who can be part of it; in other words, Christianity is a property that belongs to them rather than to gay Christians also.

What is key, Sarah argues, in both subject-object and whole-part relationships is that the particular relationship is “held up” by wider networks – causing it to be recognised, empowered and able to act. But, as she also argues, in ways that challenge tendencies towards solidity in conventional property law: what’s treated as property in one time and place may not be so in another. Certainly, there’s a gravitational pull towards the reproduction of property relations and the conservative stability they accomplish, as Sarah writes: “property tends to keep things in place, helping the world retain its shape” (p 7).

However, property has a contingent and variable quality; and its dominant forms remain subject to challenge by countervailing relations of belonging, whose tenacity in the face of institutional authority can create productive political and social strain.

This is the second feature of the book I want to briefly mention: “subversive property”. Sarah writes:

[S]ubjects can change a space by refusing to leave it, or by refusing to orient themselves in the way the space was designed... Subversive property unsettles hegemonic space and forces it to adapt, to reshape, however slightly... Through introducing things that do not belong or bodies that are not properly oriented, subversive property... makes possible a reshaping of space. (p 96)

In the book, Sarah primarily talks about subversive property in relation to Aboriginal legal and community politics; but she also opens up other sites for thinking about subversive property practices, including the activities of peace camps, grass-roots occupation of state buildings and anarchist squats.

For me, the concept of subversive property has huge mileage. Not just as a legal term, but also as a political one. It focuses attention on what is being forged (the new that is coming into being) as well as the relations of power being unsettled. Subversive property provides a language for thinking about political activity that decentres the emphasis political theory conventionally places on speech acts, to foreground other kinds of action instead – from the unauthorised, illegal, and covert, to the legal, playful and institutionally strategic. Thus, while subversive property highlights the struggle between different relations of belonging, through its language of squatting, trespass, destruction, appropriation, sharing, gifting, freeing (and freeing up) it also

provides a way of talking about political tactics and action. Such action may relate to tangible things that are owned, but it can also work more figuratively to describe other kinds of political activity. This is something Didi Herman and I have begun to explore.²

Fundamentally, I think, what Sarah's book does is to show us a way of re-imagining property that – from a left-wing perspective – widens our conceptual options. So property doesn't simply signal an unequivocal structure of possession or control where the only radical thing left to do is to decide whether, and to what extent, property should be communalised or discarded. Instead, by delineating a diverse set of relations of belonging, property gets rendered far more ambivalent. Property here isn't simply good or bad but rather, and I know this phrasing may overly centre human agency, is a way of directing our attention at the work and effort people undertake, collectively, politically, legally and culturally, to create a world that "holds" them up. But it also provides a frame through which we can think critically about the social and cultural effects of living in a world that continues to fail to do so.

² See Cooper, Davina and Herman, Didi, Up Against the Property Logic of Equality Law: Conservative Christian Accommodation Claims and Gay Rights. *Feminist Legal Studies*, Vol. 21, No. 1, 2013: 61-80.
