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## Cultures of Dispossession: Rights, Status and Identities

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### Introduction: Critical Reflections on Status, Rights and Identities

The realities of contemporary forms of dispossession are constantly before us when we examine the disproportionate incarceration rates among indigenous and racialised populations, growing global inequality created by ideologically-driven structural adjustment and austerity policies, and territorial and border encroachments that are currently displacing millions of people. There is a virulent resurgence of racism worldwide, evidenced by growing incidences of Islamophobia, anti-Semitism, hate crimes, and racial profiling. The incredible acquittal of two Greek farmers who in April 2013 shot and wounded 28 Bangladeshi migrant farm workers who demanded six months of back-pay<sup>[1]</sup> testifies to the increasingly hegemonic anti-immigrant policies of austerity-stricken European nations, while also reflecting modes of violence endemic to historically entrenched, racially stratified labour markets. The current migrant crisis unfolding in the European Union, which is seeing the re-fortification of national borders at alarming speed, reveals the tenuous status of international legal norms designed to protect the vulnerable, together with the enlightenment ideals that inspired them.

Cultures of dispossession, rooted in the technologies of eighteenth-century policies of colonial acquisition have arguably entered a new phase in contemporary societies, which are witnessing a “new extensive expansion of capital’s frontiers”.<sup>[2]</sup> In a timely and fascinating special issue, *The Dispossessed Eighteenth Century*, Rosenberg and Yang have brought together a series of texts that map the *longue durée* of capitalist production, analysing accumulation, dispossession, and enclosure as historical formations in order to augment our understanding of how these “often violent processes” inform contemporary circuits of capital.<sup>[3]</sup> Strategies of accumulation and dispossession, traversing both material worlds and forms of consciousness, interiority and affect that emerged in the eighteenth century remain with us in temporally, spatially and politically differentiated forms. Further, as the editors note, understanding contemporary forms of capital accumulation and dispossession requires attention to how they are reproduced through social relations of race, gender and class.

Dispossession has long been a concept pervasive in the work of scholars and activists seeking to describe, analyse and challenge racial capitalism. To be dispossessed of one’s home, land, territory, means of subsistence, history, language, and sense of self has been a defining experience of much of the world’s population in the modern era. The global reaches of imperialism have not been relegated to a distant past, but are a networked legacy instrumental to shaping contemporary forms of modernity. Yet the acceleration of dispossession, and the extension of its grasp in contemporary late capitalism have produced its own cultural logics, affects and ways of being, which we refer to here as “cultures of dispossession”. With this formulation we seek to highlight the normalised practices of dispossession that cannot be singly located in an economic, social or legal register. Cultural formations of dispossession reflect the uneven impact of several hundred years of capitalist accumulation, centralised through the agency of the possessive individual and its corollary, the subject (always-already) ontologically and politically dispossessed of the capacity to appropriate and own, to be self-determining. The racialised and gendered formations that constitute the primary focus of the essays collected in this volume are not contingent but constitutive of dispossession – as it unfolds across material, social, psychic and juridical fields. Taken as a whole, the essays chart some of the ways in which the geopolitical realities of territorial dispossession and displacement are intertwined

with cultural, psychic and affective forms of dispossession.

In focusing on cultures of dispossession as one of the prime modalities of power in colonial capitalist formations, the essays in this volume each highlight the juridical apparatus that subtends myriad forms of exclusion and marginalisation. Possession is, after all, fundamentally a juridical concept, one that took hold of modern political philosophy and economics in various ways. The self-possessive individual, discussed in further detail below, occupies a central role within the nexus of law, politics and economy. Its formative logics are manifest in modalities of colonial settlement, as well as in the rationales used to fortify national borders and to define citizenship according to racialised and gendered norms of belonging and exclusion. The essays in this volume contend with several juridical concepts that correspond to particular political formations and instances of dispossession (the appropriation of indigenous lands, the struggle for a decolonised vision of sexual rights, the forced displacement and assimilation of migrant populations, and the incarceration of racialised communities). For the purposes of this Introduction, we have grouped the essays into three broad themes: status, territoriality and migration, and criminalisation.

*Reflections on Dispossession* seeks to trace a path for contemporary critiques of neoliberal capitalism and colonial dispossession. The authors show the compelling need for complex strategies and tools to evaluate the interlocking or intersectional practices of dispossession and their effects on racialised, indigenous, sexualized, gendered, and migrant bodies. The putative ontological fixity of liberal democracy and its attendant technologies of dispossession has been unsettled in contemporary neoliberal rationalisation, which has the propensity to flexibly turn its deepest criticisms into its greatest assets. An anti-racist, Marxist, feminist critique today requires a materialist analysis of contemporary forms of identity and dispossession. It is to these that we now turn.

### Critical methods

The on-going expansion of capital's frontiers requires intensifications of various kinds: in the concept of the liberal self-possessive individual; in the dogma of the self-made, entrepreneurial subject;<sup>[4]</sup> in the legal and financial techniques used to expropriate public goods and wealth.<sup>[5]</sup> The cultural logics of dispossession, rather than exposing the "relationality" inherent in dispossession – as outlined by Athena Athanasiou and Judith Butler in their recent book *Dispossession: The Performative in the Political* – refers to the constitutive bond between strategies of accumulation and the onto-epistemic grounds on which they depend. Well-entrenched critiques of the self-possessive individual, of central import to the dual valence of dispossession described by Athanasiou and Butler, have fundamentally challenged the idea that all political subjects, actors and bodies are (dis)possessed of the self in a universal or uniform way. The two valences of dispossession for these authors are, on the one hand, "the constituted, pre-emptive losses that condition one's being dispossessed (or letting oneself become dispossessed) by another: one is moved to the other and by the other – exposed to and affected by the other's vulnerability".<sup>[6]</sup> On the other hand:

*[D]ispossession refers to processes and ideologies by which persons are disowned and abjected by normative and normalising powers that define cultural intelligibility and that regulate the distribution of vulnerability: loss of land and community; ownership of one's living body by another person, as in histories of slavery; subjection to military, imperial, and economic violence; poverty, securitarian regimes, biopolitical subjectivation, liberal possessive individualism, neoliberal governmentality, and precaritization.*  
[7]

While some people are not "born into a sustaining world" it seems that the *a priori* condition of being is one of dispossession, defined by an inescapable interrelationality. An apparent universalism creeps

into the assertion that “we can only be dispossessed because we are already dispossessed”.<sup>[8]</sup>

We suggest that dispossession is not a universal condition of becoming that everyone labours under albeit in radically unequal circumstances. While Butler asserts that the two valences that Athanasiou identifies at the outset of their conversation are bound to one another, Athanasiou maintains that “there is no ontological, causal, or chronological link between ‘being dispossessed’ (as a primordial disposition to relationality that lies at a fundamental level of subjection...) and ‘becoming dispossessed’ (as an ensuing, derivative condition of enforced deprivation of land, rights, livelihood, desire, or modes of belonging)”.<sup>[9]</sup> In our view, there is an inescapable relation between processes of subjectivation and material forms of dispossession; the very constitution of the racial subject, for instance, is conjoined to an economic system premised on its subordination. As Fanon put it, with searing clarity:

*The originality of the colonial context is that economic reality, inequality and the immense difference of ways of life never come to mask the human realities. When you examine at close quarters the colonial context, it is evident that what parcels out the world is to begin with the fact of belonging to or not belonging to a given race, a given species. In the colonies the economic substructure is also a superstructure. The cause is the consequence; you are rich because you are white, you are white because you are rich.<sup>[10]</sup>*

What is required in our view is a close investigation of the practices and technologies, systematic and systemic, through which propertied subjects are actualised, and how “we” experience the interiority of personhood in radically different ways.

Social relations of race, gender, sexuality and class are a primary concern for the authors included in this collection. The challenges put forth by this collection as a whole underline the necessity of an intersectional analysis that views race, gender, and class as intrinsically connected in the production of the differences of personhood. Challenging liberal and mainstream feminists who persist in their view that race and colonialism are somehow not feminist concerns, this collection positions itself squarely within a feminist tradition that places racial capitalism at the forefront of its analytical frameworks and political concerns. The Combahee River Collective (CRC), writing in the 1970s, established a clear framing of the need to address (what has more recently been referred to as) “intersectional” relations of power when examining the experiences and politics of dispossession. As they stated:

*The major source of difficulty in our political work is that we are not just trying to fight oppression on one front or even two, but instead to address a whole range of oppressions. We do not have racial, sexual, heterosexual, or class privilege to rely upon, nor do we have even the minimal access to resources and power that groups who possess any of these types of privilege have. The psychological toll of being a Black woman and the difficulties this presents in reaching political consciousness and doing political work can never be underestimated. There is a very low value placed upon Black women’s psyches in this society, which is both racist and sexist. As an early group member once said, “We are all damaged people merely by virtue of being Black women.” We are dispossessed psychologically and on every other level, and yet we feel the necessity to struggle to change the condition of all Black women.<sup>[11]</sup>*

This statement by the CRC establishes the necessity of a critique based in the social experience of Black women to examine interlocking forms of oppression brought about through systemic and psychic forms of dispossession. It is from this position of the ‘subaltern’ that the CRC articulates a politics of anti-racism, anti-sexism and anti-capitalism.

From the diverse range of critical race theory that has emerged from the US in particular, the concept of intersectionality<sup>[12]</sup> has perhaps made the greatest impact on mainstream feminist legal scholarship with respect to methodological concerns about the historical exclusion of race, sexuality, class and disability from legal feminism's analytical frameworks. The concept of intersectionality has been taken further afield, and has morphed into a concept with different genealogies. For instance, British feminist scholars such as Avtar Brah and Ann Phoenix write that intersectionality as a concept "signifies the complex, irreducible, varied and variable effects which ensue when multiple axes of differentiation – economic, political, cultural, psychic, subjective and experiential – intersect in historically specific contexts", departing from an American emphasis on how anti-discrimination law could account for intersecting modes of oppression.<sup>[13]</sup>

Intersectionality has thus been developed as a method of analysis that far exceeds its use as a Euclidean metaphor to remind feminists that not all women are white, and not all people of colour are men. As a method of analysis, it has the potential to highlight how intersections of gender, sexuality, race, and class are articulated through each other within particular economic, social and political conjunctures to produce conditions that make some lives less liveable. Intersectional modes of analysis thus highlight the conditions of marginalisation and violence that inform the lives of racialised women and queer communities, and they also provide a framework for understanding relations of oppression structured by what feminists of colour based in the US once termed "triple jeopardy".<sup>[14]</sup>

There is a rich and varied trajectory of feminist scholarship that has sought to reconceive the way we see political and social formations, and consequently how we analyse and understand violence and oppression. Over the course of several decades, Angela Y. Davis has developed and elaborated a framework of analysis that accounts for the "real and complex objective interconnections between economic, racial, and sexual oppression".<sup>[15]</sup> How does accounting for gender, or indeed, starting from an understanding of racial formations as always gendered, alter our way of seeing and understanding our political landscape?

In a similar vein, Silvia Federici, in her critical reading of Shakespeare's play *The Tempest*, asks whether Caliban's conspiracy would have had a different outcome had its protagonists been women. What might the outcome have been, Federici speculates, "had the instigators been not Caliban but his mother, Sycorax, the powerful Algerian witch that Shakespeare hides in the play's background, and not Trinculo and Stephano but the sisters of the witches who, in the same years of the Conquest, were being burned in Europe at the stake?"<sup>[16]</sup> This is not only a matter of remedying the invisibilisation of black, indigenous and other colonised women in radical writing and politics; these questions are meant, in our view, to reorient our gaze, to consider what the conditions for a truly emancipatory politics of freedom might be.

Sometimes it seems that the important and central legacy of the tradition of Marxist, anti-racist, anti-imperialist and feminist critique explored above is largely absent from contemporary discussions of dispossession and late capitalism. In this volume, we seek to expand the interrogation of the thinking and politics of the Left in faced with deepening racial, gender and class divisions at a global scale. Social relations shaped by cultures of dispossession simultaneously depend upon and occlude critical race and feminist analysis. The experiences of racialised, classed, gendered and sexual beings who are dispossessed of value, freedom and individuation are frequently stifled by the devastating movement of capital.

### **Strategies of accumulation: the colonial present**

Many engagements with the contemporary operations of dispossession have abided Fanon's injunction to "slightly stretch" Marxist categories when analysing racial capitalism in the colonies. Scholars working in the Black Radical tradition, and black, indigenous and other feminists, have recast analytic categories that could otherwise not fully account for the central role of race, gender,

slavery and colonialism in capitalist formations. From Eric Williams's *Capitalism and Slavery* to Cedric Robinson's *Black Marxism* and Federici's *Caliban and the Witch*, to name but a few landmark texts, the architecture of modern, liberal, democratic state forms have been revealed as intricately bound to a globalised if differentiated system of racial capitalism.

In 1980, Roxanne Dunbar-Ortiz identified the dispossession of indigenous lands as the central motor force of primitive accumulation in the United States:

*The United States created a unique land system among colonial powers. In this system, land became the most important exchange commodity for the primitive accumulation of capital and building of the national treasury. In order to understand the apparently irrational policy of the U.S. government towards the Indians, the centrality of land sales in building the economic base of the U.S. capitalist system must be the frame of reference.<sup>[17]</sup>*

Dunbar-Ortiz maps the conquest of New Mexico through an exploration of three different but interlocking modes of on-going capitalist expropriation: primitive accumulation based on the appropriation of native land, the seizure of key resources, namely water, and the exploitation of native labour on the large estates, which was facilitated by successive imposition of non-native property law and land tenure, together with military occupation. Like Ruth Wilson Gilmore, whose work is discussed below, Dunbar-Ortiz reveals how, contrary to orthodox Marxist understandings of the development of capitalism, the “expropriation of the land, the means of production, and the resources” of indigenous populations, including their labour, overlap and continue into the present.

The on-going role of primitive accumulation in capitalist formations is a key focus of Silvia Federici's work. She argues, as Rosa Luxemburg did, that it is a mistake to relegate the *modus operandi* of primitive accumulation to the past, as a bygone if essential step in the origination of capitalist economies.

*A return to the most violent aspects of primitive accumulation has accompanied every phase of capitalist globalization, including the present one, demonstrating that the continuous expulsion of farmers from the land, war and plunder on a world scale, and the degradation of women are necessary conditions for the existence of capitalism in all times.<sup>[18]</sup>*

In *The New Imperialism*, David Harvey set out his theory of “accumulation by dispossession”, an effort to bring Marx's concept of primitive accumulation into the present. Harvey argues that “[s]ome of the mechanisms of primitive accumulation that Marx emphasized have been fine-tuned to play an even stronger role now than in the past”.<sup>[19]</sup> For Harvey, the neoliberalism of our current moment, exemplified perhaps above all by the financialisation of global economic activity, operates in conjunction with these older mechanisms. At the same time, he explores how “wholly new mechanisms of accumulation by dispossession” have also emerged to create at times contradictory and conjunctural forms of capital accumulation. Taking up primitive accumulation as the focal point in his critique of recognition politics, Glen Coulthard examines the relations of accumulation within a liberal democratic settler state.<sup>[20]</sup> In this context, Coulthard's critique of the role of recognition in liberal democratic politics is instructive. He shows, as others also have,<sup>[21]</sup> how the relation between democracy and possessive individualism has always been central to settler-colonial nationalism. This means that democracy was always broken, irreparably, in the forms of violence waged upon those that

its “non-identical twin”, capitalist accumulation, dispossessed.<sup>[22]</sup> It is with these scholarly traditions in mind that the authors in this volume seek to examine the cultures of dispossession that have become an intrinsic part of living in capitalist societies.

### Status and the self-possessive individual

As C.B. Macpherson’s *The Political Theory of Possessive Individualism* argues, the self-possessive individual of the seventeenth century was “seen neither as a moral whole nor as part of a larger social whole, but as an owner of himself”.<sup>[23]</sup> This relationship of ownership is central to the reading of the self-possessed or ‘free’ man. Indeed, Macpherson’s work highlights how in the relationship between freedom and self-ownership,

*the human essence is freedom from the will of others, and freedom is a function of possession. ... The individual, it was thought, is free inasmuch as he is proprietor of his person and capacities. The human essence is freedom from dependence on the wills of others, and freedom is a function of possession.*<sup>[24]</sup>

Macpherson’s study challenges the understanding of the individual in liberal-democratic theory, particularly in its Hobbesian and Lockean variants, by showing the centrality of possession to the conceptualisation of individual freedom. The conception of personal freedom or freedom of the individual was further developed by Orlando Patterson in his two-volume study on the concept of freedom from antiquity to modernity, which builds critically on Macpherson’s work.<sup>[25]</sup> Patterson develops our understanding of the concept of freedom in the Western canon by specifying the category of “personal” freedom, which emerges as central to the liberal-democratic and Western conception of freedom.

In so doing, Patterson also elucidates the missing dialectical relation in Macpherson’s work: without the positing of an unfree subject, the slave, the concept of the self-possessed individual could not have emerged. As Saidiya Hartman has noted, Macpherson’s self-possessive individual was formed (at least in the US context) in relation to the unfree, objectified body of the black slave. Hartman explores with arresting clarity the “indebtedness of freedom to notions of property, possession and exchange”.<sup>[26]</sup> Freedom for slaves meant coming into possession of an abstract legal personality defined by its capacities to alienate its labour in the market place. The concrete racial formations that were inscribed in grossly unequal labour contracts and debt-enforced involuntary servitude revealed the violence concealed in the figure of the abstract citizen, giving another valence to Marx’s famous observations in “On the Jewish Question” about the illusive equality embedded in formal citizenship and legal emancipation.<sup>[27]</sup>

The dialectical relationship between self-possession and contemporary forms of dispossession is explored in this volume through essays that inquire into the expansive dimensions of colonial and orientalist political imaginaries of possession and emplacement. Alyosha Goldstein traces the legacy of relations between American Indians and the settler state of the USA, arguing that privatisation, domestication and hetero-normativity are strategies employed by the state to undo past gains achieved in the name of indigenous sovereignty. Goldstein examines the contentious adoption case, *Adoptive Couple v. Baby Girl*, involving a Cherokee birth father, a Hispanic birth mother and a white adoptive couple. In critically analysing the judgment and the media furore surrounding it, he concludes that the counterpart to *terra nullius* is *filius nullius*, whereby the removal of Indian children in the name of civilising the natives and imposing a Victorian vision of domesticity on Indian nations is a practical inevitability within a fundamentally unreconstructed colonial framework. Here, hetero-normative and racial logics are deployed as a part of a juridical apparatus that systematically diminishes and denies indigenous sovereignty. In order to attend to the contemporary anxieties of possession and

dispossession in the settler context, Goldstein argues that the decision in *Adoptive Couple* is fraught with the “consequences of nineteenth-century US Indian removal policy and the Cherokee cases collectively known as the Marshall Trilogy.” The Marshall Trilogy, as Goldstein elucidates, refers to the US Supreme Court cases where the opinions of Chief Justice John Marshall were central to the process of domestication of indigenous claims, particularly relevant to cases where adoption was deemed preferable to respecting the rights of the birth parents. Goldstein examines the legacy of nineteenth-century policies in contemporary neoliberal forms of dispossession by highlighting how the rationales of privatisation, hetero-normativity, domesticity and racial dispossession work as interlocking systems within this specific judgment.

Brenna Bhandar examines the juridical apparatus of Indian status in Canada and the complicated history of its exclusions of First Nations women. Through a detailed reading of the circuitous and complicated route to political status, Bhandar maps out “a dual structure of originary dispossession: first in the conceptualisation of the self-possessive subject rooted in a racial ontology, which is then compounded by and realised through the juridical and patriarchal structure of Indian status.” She underlines the necessity of examining the racial ontology implicit in the act of dispossession as expressed in the opposition to the making of Native women’s political status. She examines Indian status as a form of juridical identity produced through the colonial capitalist logics that inform the *Indian Act* legislation. In this analysis, Bhandar foregrounds the constitutive nature of property relations and the forms of political status and identity attached to them, detailing the capitalist colonial logic that governs the process through which status becomes a form of property in and of itself.

Leticia Sabsay further explores the fusing of identity and the politics of dispossession in her contribution to this volume, in which she tracks the political expansion of a “sexual democracy” across the European Union, the United Nations and sundry international human rights organizations. In this contribution, Sabsay homes in on the intersection of cultural difference and the hegemonic interpretation of sex, gender and subjectivity in order to ask how the universalising imposition of sexuality leads to the production of the liberal subject as possessive of that sexuality. As Sabsay argues, the very foundations of democratic political orders are embedded in colonial histories and Orientalist frameworks that have constrained the subject of sexual rights within a Western sexual onto-epistemology. The prevailing model of the self-possessive individual is bound to a sexual epistemology that posits sexuality as a possession, while “demarc[at]ing the battleground of the struggle between liberation and control.” Importantly, Sabsay establishes a necessary counter-reading of these dynamics through “a dialogue between queer and decolonial perspectives” that “challenge the possessive liberal ‘citizen subject of sexual rights’, as well as the universalising and therefore exclusionary logic that characterises it.”

As explored throughout the volume, the abstract citizen subject is foundational to the juridical frameworks that sustain multiple forms of dispossession, including those of both First Nations and racialised migrant communities. The focus on status, a juridical concept that defines one’s legal relationship to the state, as well as one’s relation to other citizens and non-citizens, is one means of accounting for modalities of colonial governance that relegate First Nations to the margins of the political, territorial and legal orders of settler states; at the same time, it is central to the deployment of the border as a technique of control and exclusion of racialised migrants.

## **Territory and migration**

Mezzadra and Neilson<sup>[28]</sup> propose understanding the practice of the border as instrumental to the regulation and structure of labour, capital, law and subjectivity. Through their analysis of neoliberalism, they propose reading the contemporary border as a method that brings to light how cultures of dispossession and expropriation are significantly tied to sovereignty, territory and governmentality. Mezzadra and Neilson investigate multiple struggles of workers’ organizations that include migrant subjects living with precarious status to reveal the many-sided work that bordering does in the service of capital.

The contemporary migration crisis is but one instance of this renewed entrenchment of capital. In a recently-translated Japanese interview from 1979, Michel Foucault, commenting on the movement of Vietnamese and Cambodian refugees, declared that “The refugee problem is a foreshadowing of the 21<sup>st</sup> century’s great migration”. In pointing to the role of the modern state system in this process, Foucault starkly observes:

*There are no less than 80,000 people for whom death is a daily presence. No discussion on the general balance of power between countries of the world, and no argument about the political and economic difficulties that come with aid to refugees can justify states abandoning those human beings at the gates of death.<sup>[29]</sup>*

In this interview, Foucault recounts how the refugee crisis in 1979 resembles the crisis of the Jews fleeing Europe only forty years beforehand. Flashing forward from this moment nearly forty years, human populations moving into Europe are being placed on trains and finding temporary shelter even on the sites of former death camps.<sup>[30]</sup> While refugees are attempting to enter Europe via Albania and Hungary, among other routes, some European citizens are aiding their movement and holding signs in protest of their own governments’ efforts to bar the movement of the asylum seekers. In the face of mounting pressures to house and care for human life, states are effectively defining certain human lives as expendable, while asserting that state budgets and security must be defended. The exiling of populations to carceral spaces is evocative of border practices that work to exclude racialised populations from the bounds of citizenship and national belonging. Three papers in this volume – by Davina Bhandar, Rafeef Ziadah and Sara Farris – address the consequences for women migrants of increasingly securitised border control regimes, as well as the relationships between immigration policies and the racial imaginaries of nation-states which seek to either exclude or assimilate racialised immigrant women.

Davina Bhandar’s contribution analyses the way in which status functions to differentially demarcate, securitise and police borders for both immigrant and First Nations communities. By placing migrant justice and indigenous movements together, she analyses the complicated set of relations that are revealed through the work performed by the concept of status. She asks: “How is it possible to speak in the name of decolonisation when immigration and settlement are the very tools of dispossession that the settler-society uses to perpetuate its own acts and processes of colonisation?” She further argues that: “The politics of sovereignty and border control engage strategies which both confirm and deny the very nature of foundational settled identities.” Bhandar also explores how both indigenous and migrant rights activists are reconceiving status to challenge state control over their mobility and land rights, together with the denial of citizenship. She considers how these forms of activist resistance can be understood as a movement to decolonise status itself.

Rafeef Ziadah traces the political and economic effects of dispossession through the study of the movement of Palestinian refugees fleeing the current crisis in Syria and the anti-asylum politics they encounter in the EU. Here Ziadah points to the extension of border controls and to the manner in which these technologies shape the multiple forms of dispossession faced by Palestinian refugees. Ziadah’s focus on the experience of Palestinian women refugees highlights the gendered dynamics of mobility and migration in Fortress Europe. In this analysis Ziadah articulates how the historical dispossession and displacement of Palestinians centrally informs the contemporary experience of these refugees. Drawing on the work of Mezzadra and Neilson, she analyses the legal regime and techniques that impose borders across and within nation states, barring access to women claiming asylum. The criminalisation of these women has become an endemic feature of the fortification of Europe’s borders.



Sara Farris explores how the colonial legal taxonomy that rendered matters of family law, sexuality and gender as “personal” and “religious” effectively consigned them to a putatively private sphere of law. This also had the effect of rendering such issues discursively and analytically separate from the sphere of civil and human rights. This colonial genealogy of family law returns in the present in a racial-nationalist discourse that seeks to integrate and assimilate racial-cultural Others (especially Muslim women) under the aegis of women’s equality. Farris powerfully demonstrates how, with a specific focus on the Netherlands and France, many European countries have implemented regulations that have the “explicit goal ... to extract Muslim migrant women from the backward” private sphere of the home so as to emancipate them. This renewed mode of colonial governance occurs “[u]nder the label of ‘civic integration programmes’” and through the contractual obligations that must be met in order to gain full entry into Dutch or French society.

### **Criminalisation and incarceration**

Many scholars and activists have compellingly demonstrated how prisons (alongside slavery, indentured labour, lynching, and various forms of torture) are fundamental to a long historical trajectory that combines the extraction of surplus-value from subjugated and racialised peoples with the destruction of those populations deemed to be ‘surplus’ or waste.<sup>[31]</sup> These scholars have exposed the ways in which a globalised political economy of prisons work to prolong and transform long-standing forms of racial oppression. The prison itself becomes a racial institution, or a symptom of a “racialised statecraft”, to borrow from Avery Gordon.<sup>[32]</sup> Colin Dayan, among others, has traced the process of “unpersoning” imprisoned populations, and the use of solitary confinement as a particularly acute form of torture involved in this process.<sup>[33]</sup> The relationship between unpersoning, criminality and property (whether this is represented by prison labour or by profits from prison contracts) reveals the complicity of law in upholding the prison-industrial complex. Dating back to the medieval era, and traveling from the transatlantic history of slavery to the present, the categories of evildoer, criminal, vagrant, and terrorist operate as raced categories, which work to produce the prison as a key institution of a racial and gendered capitalism. As many prison abolitionists have shown, the presumed link between criminality and colour means that racial categories function ideologically to naturalise incarceration.

In her landmark book, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*, Ruth Wilson Gilmore maps the many different economies involved in the intensification of incarceration in California. She shows how chronic unemployment and deindustrialisation, planning laws, the use of financial instruments by public authorities to generate revenue, and of course, a racial moral panic about crime, have provided the fertile ground for prison expansion in California. Crucially, Gilmore makes tangible the human cost of the forms of expropriation detailed in the book:

*The poorer places, or global South, are also here in the global North, in both urban and rural areas “unfixed” by capital flight and state restructuring. The unfixing is not, however, an absolute erasure; what’s left behind is not just industrial residue – devalued labour, land made toxic, shuttered retail businesses, the neighbourhood or small city urban farm – but, by extension, entire ways of life that, having been made surplus, unfix people: women, men, “the kids.” [34]*

The colonial and capitalist foundations of contemporary carceral practices are explored in this volume by Jon Goldberg-Hiller. Goldberg-Hiller details how the carceral spaces of private prisons are intimately connected to the kinds of exile imposed upon indigenous Hawaiians. Goldberg-Hiller explores how a reflexive criminology focussed on the violence of the carceral transportation of indigenous Hawaiians can link the multiple and interrelated forms of dispossession that they

experience and which the state perpetuates. These forms of dispossession include the curtailment of cultural practices, physical displacement from territory, and the undermining of indigenous self-government. In this rendering of carceral exile as a technology of dispossession, Goldberg-Hiller develops a critical colonial criminology that illustrates the contradictory and ambivalent dimensions of contemporary prison reform movements, brought to light in the Native Hawaiian Justice Task Force Report of 2012. He argues that current demands for prison reform have been intimately connected to contemporary native claims to sovereignty, place and justice, but that they ultimately “exchanged the value of place for the critique of mass incarceration and did little to foreground the immediate role of mass incarceration in the ongoing dispossession of indigenous peoples from their lands.”

The effects of dispossession are myriad, and have physical, material and psychic dimensions that are impossible to disentangle. Contemporary capitalism relies on a welter of rationalities, which incorporate and reconfigure racial, gendered and commodity logics. Thus far, we have explored how dispossession remains a crucial category of analysis for understanding the relationship between historically-embedded forms of accumulation and contemporary modalities of displacement, marginalisation and incarceration, across various fields of inquiry. We have discussed the bodies of knowledge and scholarship that inform the collection as a whole. Under what conditions and within what sorts of institutional settings are we producing these inquiries? Do our institutional contexts allow for thought that seeks to counter appropriative logics? If not, how might we reconfigure our place within contemporary academic institutions?

### Countering logics of possession

Chandra Talpade Mohanty has argued that “neoliberalism has transformed material and ideological conditions in ways that have profound implications for radical critique and insurgent knowledges”.<sup>[35]</sup> As she and others have pointed out, neo-liberal logics have often worked to subsume or envelope critiques of racism, class, gender and sexual inequalities. For instance, the discourse of a “post-racial” America signalled by the election of Barack Obama emerged contemporaneously with a disproportionate impact of foreclosures on a faltering black and Latino/lower-middle class of homeowners. The financial architecture that caused such devastating losses for middle and lower-middle class communities required the intensification of the ideology of possessive individualism as it related to housing and home ownership. The promise of respectability held out by the subprime mortgage deal to communities that had been historically denied the status associated with ownership became the basis upon which fault was allocated in the aftermath of foreclosures, placing the responsibility for mortgage defaults squarely on the shoulders of individuals, thereby privatising the crisis while socialising its costs.<sup>[36]</sup> This effective dispossession of the political from neoliberal economic formations has posed new challenges for multiple social movements and political struggles.

We can further see the impact of neoliberal economic formations in the emergent impulses of entrepreneurial subjectivations that lead to the further devolution of class formation and unionisation. Feminist politics, whose radical edge was once grassroots and community-driven, has also steadily been institutionalised through the processes neoliberal restructuring, where influential discourses of professionalisation, entrepreneurialism, and management have become synonymous with success. The lived experience of a university sector that has also largely capitulated to the models of metrics and business reorganisation has effectively challenged not only how we as “academic producers” produce but it has also arguably had an effect on the content and structure of some feminist scholarship.

This line of inquiry is crucial to understanding how knowledge economies can lead to a general depoliticisation of scholarly engagements with the world, and at the same time, intensify sites of oppression. It is crucial to raise this question when we seek to examine how it is possible that, despite several decades of inspiring critical race and feminist scholarship, sustained critiques of racism, challenges to a white-feminist logic or class politics remain absent in many forms of progressive political work.<sup>[37]</sup> As Sirma Bilge has recently argued, this neoliberal knowledge economy is depoliticising the discourse of intersectionality, “confining [it] to an academic exercise of

metatheoretical contemplation.<sup>[38]</sup> Bilge, along with others, argues that a depoliticised intersectionality suits neoliberal imperatives, in ways that resonate, we would add, with the operation of multiculturalism throughout the 1980s and 1990s. The individualisation and commodification of diversity and difference renders racism and sexism as objects of management,<sup>[39]</sup> problems to be solved using market-based approaches.

Crucially, one of the effects of the depoliticisation identified by Bilge is the whitening of intersectionality discourse. Echoing Angela Y. Davis's critique of the failure of mainstream feminist movements to recognise that the intellectual and political origins of many of the concepts and political tools they adopted were generated and devised by people of colour, Bilge notes that "whether scholars are 'whitening intersectionality' refers to ways of doing intersectional work in the political economy of genealogical and thematic re-framings, in the citational practices, and in the politics of canonicity".<sup>[40]</sup> The scholarly work of women of colour and indigenous women is routinely treated with a level of disregard that only serves to reinforce racist and sexist assumptions about our intellectual capabilities in the first instance.<sup>[41]</sup> In the context of an increasingly privatised and neoliberal university context, how do we create spaces for solidarity and collaborative forms of knowledge production (beyond the marketised concept of the "network") when the very structures we are working within are predisposed towards our invisibilisation, marginalisation, or expulsion?

Arguing against an oppositional politics within the university, Moten and Harney warn that the "recourse to self-possession in the face of possession ... represents the real danger" in facing the seemingly insurmountable task of self-defence in the face of "repeated, targeted dispossessions".<sup>[42]</sup> Indeed, while embracing a collective, oppositional politics within the site of the university remains an unavoidable necessity for those struggling to fend off the worst excesses of the marketisation and privatisation of higher-education institutions (as is the case in the United Kingdom, for instance), Moten and Harney present a compelling argument for abandoning the struggle to be recognised and represented *as oppositional* and instead to disrupt the university, to up-end cognisable ways of engaging with the institution, "to be in but not of" it. Whether or not one fully embraces their ("criminal") prescriptions, they provide a timely intervention with regard to the real and imminent dangers of replicating appropriative logics in the university and beyond. The question persists of how to strive for and think freedom in a way not bound to the unfreedoms it has always been premised upon.

Saidiya Hartman has brought to light the double bind of freedom, interrogating the relationship between histories of dispossession and concepts of freedom. She asks: "is it possible to unleash freedom from the history of property that secured it"?<sup>[43]</sup> Here, the aim is to take apart the very categories and concepts we have inherited from a political and philosophical tradition thoroughly embroiled in an economic system wrought through histories of slavery, indentured labour, and land appropriation. Can we envisage political acts of reclaiming what has been dispossessed that simultaneously refuse a logic of possession? The essays in this collection analyse and frame contemporary cultures of dispossession so as to contribute to the scholarship and activism of those engaged in thinking anew about forms and projects of resistance.

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## Notes

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