

BOOK REVIEW

Brenna Bhandar, *Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership*. Durham, NC: Duke University Press, 2018. 280pp. Bibliography. \$102.95 hbk.

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Colonial Lives of Property focuses on the juridical formation of modern property law and modern conceptualizations of race via an extensive history of land appropriation in Canada, Australia, and ‘Israel/Palestine’ (Bhandar’s term). The book allows readers to benefit from a narrative that examines these three settler colonial contexts, *despite* their differences. It builds on Cheryl Harris’ article ‘Whiteness and property’, which argues that whiteness is an analogue of property because race and modern laws of property share conceptual logics. Cedric Robinson’s conceptualization of a ‘racial regime’ and Stuart Hall’s theorization of articulation are used to show how modern race and property developed in conjunction with each other across these colonial geographies. In four chapters that move from the long nineteenth century with roots in a much earlier history to present-day land struggles, we see how this legal form emerged with and through colonial modes of appropriation in ways that sustain the settler colonial present.

Chapter 1 tackles the question of ‘Use’, and how land value came to be defined by agricultural production with origins in Ireland that relied on the racialized taxonomy of people, binding people and land to each other. We see the history of the land survey most clearly derived from John Locke’s ideas of ownership and William Petty’s conceptualization of value that had devastating consequences for those who did not cultivate lands and became in need of improvement. Bhandar shows how surveys and technologies of measurement were used as legal devices to settle unseeded Aboriginal lands in British Columbia to anchor the significant stakes of the 2014 Supreme Court judgment on *Tsilhqot’in v British Columbia* that recognize Aboriginal claims to land. Chapter 2, ‘Propertied abstractions’, traces the move from forms of quantification and measurement that subtend the ideology of ‘improvement’ to the commodity logic of abstraction through land titling that created the possessive individual. We learn how the Torrens system of title by registration was implemented in the colony of South Australia in 1858 even before being fully implemented at a national scale in England. Such abstraction relied on racial theories that categorized Aboriginal people as lower on the scale of civilization and erased prior collective interests in land deeming them *Terra nullius*. Title by registration is also used to diminish older forms of claims as evidenced in the case of Palestinians in East Jerusalem, who are dispossessed precisely because of the Israeli State’s non-recognition of their Ottoman-era deeds.

Chapter 3 investigates ‘Improvement’ through the heavily ideological phenomenon of cultivation in Israel and Palestine showing how it is not dissimilar to the colonial settlement of indigenous lands in British Columbia. The history of agricultural settlements in Palestine was advocated for by Zionist thinkers like Theodore Herzl and Arthur Ruppin who drew from German Idealism to advocate for attachment to the soil through acts of cultivation. Working the land by uprooting Palestinian olive groves and crops provided a basis for the Zionist narrative of a successful return to the land. The Zionist fantasy of ‘make the desert bloom’ that Anglo and European notions of civilization rely on and the ongoing non-recognition of Bedouin stewardship and cultivation forces them to fight dispossession by claiming recognition of their land in a manner cognizable to the European settler project. Chapter 4 shows how property and identity are bound together through the judicial concept of ‘Status’. Despite status being a legal persona and not an identity, it becomes fixed to the bodies of those occupying a specific judicial category like ‘immigrant’, ‘refugee’ or ‘Indian’. Using the example of the ‘Indian Status’ in British Columbia, Bhandar excavates the ‘identity property nexus’ – where racial and gender properties of the subject become affixed to specific property relations. Privatization of land became intimately connected to colonial identity in British Columbia as elsewhere because the self-possessive individual has a racial and gendered ontology.

While scholars rightfully advise applying the settler colonial framework to Palestine, *Colonial Lives of Property* is evidence of its productive power. However, two questions that pertain to the renaissance of settler colonial studies arise when reading such a comparative history as this book. The first is how we can map racial regimes of property across contexts that do not have histories of primarily British colonialism (or Mandate) in common such as those recounted here. A second question is how to negotiate contexts like Ireland that are integral to this history but do not fall within the ‘logics of elimination’ framework or its limits in Palestine where imperialism and national liberation cannot be disentangled from land struggles under settler colonialism. Nevertheless, this is a remarkable book that demands alternate political imaginaries of property and the transformation of established social order with urgency by effectively showing us how the history of private property in early modern England cannot be recounted without simultaneously addressing its formation in Ireland, North America, South Australia, Israel/Palestine and beyond.

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