Unreal Property: Anarchism, Anthropology and Alchemy

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1. Ambiguities of 'Property'

'Property' is complicated. We shall argue that property is constituted within a paradoxical field of vague boundaries, personal relations, poetry and violence. It is not constituted by a set of universal rules (although rules may grow around it), but by ongoing culturally negotiated, psychologically based and *enforced* categorisations, disorders and persuasions. Consequently, there are many different types of 'property' and relations we can define as 'ownership' across different cultures. We use anarchism because it notices the violence of property, anthropology because it notices the strangeness and variety of property, and alchemy as a way of thinking about transformations, that make or undermine property.

Property, piracy and State are connected. As French anarchist philosopher Pierre-Joseph Proudhon (1809-1865) argued, 'property is robbery' (nd, p.36). Piracy and slavery were part of the Islamic state; the Barbary Pirates promoted a 'worldwide' slave trade that, according to some, resulted in the depopulation of parts of Europe (Davis, 2003). Slavery epitomises property relations, as a person is turned into property by force without their consent. In Elizabethan England, piracy provided a significant part of State and personal wealth based on theft from those who were themselves stealing from South Americans; conquest is also piratic property epitomised. The rebels used piracy during the American Revolution to make their enemy (who previously guaranteed property), pay for their own destruction (Patton, 2008). The white American State supported slavery and 'theft' of Native American liveable ecology as part of its power and property relations. Later, Americans pirated novels and technologies. More recently, the contemporary State makes laws to take people's property for 'nation building projects' involving the private profit of corporations (often in secretive 'Public-Private Partnerships'), usually for less compensation than the property is worth.

Piracy enabled private accumulation of disposable wealth – and has been hallowed by the State. It was a basic form of what Marxists call 'primitive accumulation': that is, the extraction of property by force (justified by State law) which allowed the beginnings of capitalism and forms an ongoing part of its mode of operation (Luxemberg, 2015; Harvey, 2003, pp.137). Continual 'privatisation' through the State, involves a 'liberation' of profitable

public property from public control and its placement in private hands (Hildyard, 2016). There is, therefore, the piracy of the strong that gives birth to hierarchy and reinforces it, and the piracy of the weak which challenges that hierarchy. The strong legitimate themselves in law, and attempt to prevent piracy of the weak. Proudhon laments that laws are '[c]obwebs for the powerful and the rich, [and] chains which no steel can break for the little and the poor' (cited in Eltzbacher, 1908, p.70).

Pirarchy (attempted rule by pirates) is hence ambivalent (Marshall & da Rimini, 2015). It has the potential to be either radical or to favour established power and force. It exploits the conflict around the impossibility of definite and clearly defined property rights or relations, and the necessity of violence to gain or maintain property. Property relations based in violence and keeping others out, are always open to potential conflict and instability, even as they provide the perception of stability.

With this history, the violence defining contemporary capitalist property seems inseparable from the State (although there are many types of States, and bases for State power). 'Private property is at once the consequence and the basis of the State' says Bakhunin (cited in Eltzbacher, 1908, p.128). Is there ever a State without property being allocated to some and not allocated to others, with this guarantee of property and dispossession involving superior might and force, presented as laws, police, military, courts and so forth? Without violence and its threat, property borders are vague. The violence works both against those who are excluded from particular property, and against the Earth in general as ecology is transformed to become property. In this transformation, the 'properties' or functioning of nature or materials become part of the owned 'property'. The ambiguity of the word in English is marked and part of property's poetry and magic.

The ordering system of property not only requires successful exercise of power and violence, but also may require what it brands as disorder to be justified. Without the disorder property generates, the violence of property could be too clear; but granted that disorder, then the State must enforce order, or society would face total chaos (Marshall et al, 2015).

Legitimation of violence, or the skirting around the issue of violence, is clear in what is usually considered the foundation of Western property theory. John Locke (1632-1704) notes that God gave the world to humanity in common; 'a dominion in common with the rest of

mankind' (1824, p.233),[i] but observes there is 'disproportionate and unequal Possession of the Earth' which he says, 'men have agreed to' (ibid, p.366). Given his agenda, this unequal property must be shown to both guarantee liberty *and* the social order of his day. Locke attempts to explain as follows:

> Though the Earth… be common to all Men, yet every Man has a Property in his own Person. This no Body has any Right to but himself. The Labour of his Body, and the Work of his Hands, we may say, are properly his. Whatsoever then he removes out of the State that Nature hath provided, and left it in, he hath mixed his Labour with, and joyned to it something that is his own, and thereby makes it his Property… that excludes the common right of other Men (1824, p.353)

Property hierarchy is justified as those who work harder theoretically have more property, something still implied today. However Locke does not use any of these supposed fundamental principles to dispute slavery, feudalism, dispossession, tenant farming, wage labour, or why inheritance should not involve redistribution (cf 1824, p.280). Locke also cannot explain how a patch of land, for example, can have cultural value independently of the labour applied to it, or how history can give value to objects.

Labour does not solve the problem of ownership (especially massively unequal ownership), as labour is not private and personal. There are, in general, no clear boundaries between our own labour and general social labour. Anarchists argue that commonality is fundamental to property and labour, as property nearly always depends on material provided by nature, collaborative work, borrowing and the collective context of that work. That is, we work with tools made by others, we use the knowledge, experience and ideas of others, we use the presence of others, other people provide us with food and light, and so on (Proudhon, nd, pp.100). As Kropotkin points out:

> Science and industry; theory and practice; the invention and the putting the invention in operation, which leads to new inventions again; head work and hand work, – all is connected. Every discovery, every progress, every increase in our wealth, has its origin in the total bodily and mental activity of the past and present. [If so] then by what right can anyone appropriate to himself the smallest fraction of this vast total and say 'this belongs to me and not to you'? (Kropotkin cited in Eltzbacher, 1908, p.162).

Even the languages and gestures we use are not 'ours', but are rooted in generations of collective creation, mutation and transmission of meaning. They are intersubjective processes

that occur from the moment we are born or even earlier (Stern, 1985). Production is ultimately collective and social.

Libertarian pro-capitalist anarchists can argue that intellectual property laws infringe common 'heritage' and 'production', are a form of piracy, a monopoly corruption of the market, and even used to dilute responsibility for murder as when potential poisons are concealed through those laws. However, they refuse to see that this is so for most property (Boldrin & Levine, 2008; Carson, 2016a). Again, as Kropotkin states:

> The laws about property do not exist to secure to individuals or to society the product of their labor. On the contrary, they exist to rob the producer of a part of his product, and to protect a few in the enjoyment of what they have stolen from the producer or from the whole of society (Kropotkin cited in Eltzbacher, 1908, p.146).

Violence is also implied when Locke argues that we can legitimately expand our property by taking over that which is 'waste', or is not being improved by someone else's labour in the ways we consider appropriate (1824, p.360); 'land that is left wholly to nature' (ibid, p.362, but see pp.442). Whatever Locke's intentions, the argument was taken to give the 'right' to expand into North America, Australia and parts of India and dispossess the original inhabitants by violence as they were not using the land in the 'right way' (Whitehead, 2010, 2012). More recently we might note the violence of waste when the products made by industrial manufacturers and their labourers belong to the manufacturer, but the waste made in producing them becomes common, as pollution and poison is pushed into the skies. The profits of property remain privatised, the costs of risk and mitigation are socially distributed. Land is similarly laid waste by mining as part of the process of profit, often violating property 'rights' despite being defended in terms of property (Carson, 2016b).

As this discussion implies, property rarely has *clear* or 'natural' boundaries. 'Ownership' depends upon what people can get away with and is open to dispute in its very nature. Property boundaries are further affected by changes in technology, custom and the relative power of social groups (as with the internet and intellectual property). Lack of clarity in borders or enclosure is resolved by competition within the State, which usually acts on behalf of the dominant property enclosers and respectable hierarchy. The laws and precedents which possessors, lawyers, judges and parliamentarians collaboratively, and competitively, piece-

make to enforce property through State violence, have unforeseen consequences in subsequent transactions and create further frictions and fictions. Law produces disorder; any clarity comes with further confusion, and hence more law work.

However, while violence, or potential violence, may be fundamental, violence is not the only factor in property because property has to appeal to the imagination of people to have any persuasive reality or stability. The next section starting with the theories of British philosopher David Hume (1711-1776) elucidates this point.

2. Hume on Property

Hume argues that while property – and the security of property – is fundamental to a well-functioning society, it is not a natural 'thing' but a relationship based in human patterns of imagining and habitual social life. Hume further suggests property is paradoxical, in that it is inherently undecidable by reason and leads to unjust inequality. Despite this, it is essential for liberty and justice as property can be used to build, enable, reward, protect and project the self or the group. Proudhon (nd) takes a similar position, with property being both robbery *and* liberty, as well as 'impossible'. Both recognise that a history of violence is central to the distribution of property. As Hume states:

> [R]eason tells us, that there is no property in durable objects, such as lands or houses… but must, in some period, have been founded on fraud and injustice… we may safely pronounce, that many of the rules, there established, are uncertain, ambiguous, and arbitrary... and could be decided only by an appeal to heaven, that is, by war and violence (1987, p.482).[ii]

Any distribution of property is simply a temporary stalemate, appearing just to some and unjust to others.

Property involves struggle, passion and instability. The 'contrariety' of our passions and the 'looseness and easy transition [of material objects] from one person to another', mean that any situation in which I hold or use a resource is always vulnerable to disruption (Hume, 1896, p.488). The desire for property is disruptive in itself: of all the passions '[t]his avidity alone, of acquiring goods and possessions for ourselves and our nearest friends, is insatiable, perpetual, universal, and directly destructive of society' (ibid, p.492). Consequently, Hume argues that attempts to regulate or define property are fundamental to social order and disorder. Out of this enforcement the State is born:

> Men cannot live without society, and cannot be associated without government. *Government makes a distinction of property, and establishes the different ranks of men*. This produces industry, traffic, manufactures, law-suits, war, leagues, alliances, voyages, travels, cities, fleets, ports, and all those other actions and objects, which cause such a diversity, and at the same time maintain such an uniformity in human life (ibid, p.402, emphasis added).

As Hume's friend, the social philosopher Adam Smith (1723-1790) wrote:

> Civil government, so far as it is instituted for the security of property, is in reality instituted for the defence of the rich against the poor, or of those who have some property against those who have none at all (1979 vol.2, p.715).

Hume adds that 'when the riches are in few hands these much enjoy all the power and will conspire to lay the whole burthen [of funding the State] on the poor' that the State oppresses (1987, 265). He then justifies inequality by arguing that it encourages industry, and that: 'Perfect equality of possessions, destroying all subordination, weakens extremely the authority of the magistracy, and must reduce all power nearly to a level' (p.194). Equality of power and property is bad for authority. This reinforces the connection between the hierarchical State and property. People with property can defend themselves against the arbitrary State, but depend on that State for their property.

Although Hume and Smith do not say explicitly, it appears that property as theft – and the enforcement of such theft – is at the heart of legitimacy and freedom. Importantly, it is the victory in the ongoing struggle that determines what is labelled as property and what as theft, although this is likely to favour those with the right kind of property and the capacity to bring violence into motion. Professor of law Jeremy Waldron (2016) also notes the ambiguity: 'All property systems distribute freedoms and unfreedoms; no system of property can be described without qualification as a system of liberty.'

Hume further recognises that property rarely has natural or clear boundaries. While 'possession' of something is demonstrated by contact between person and property, a person cannot contact everything they are recognised to 'own', or use everything all the time (1896, p.506; cf Proudhon, nd: pp.77). Furthermore, properties like land, blend into other things (more land, air, water, minerals, crops, labour, etc) so the power of possession arises from the

ways the human mind connects, categorises and organises ideas – what Hume calls imagination (cf 1896, p.507).

Hume gives an example of how two Grecian colonies laid claim to a deserted city (1896, pp.507-8). Their messengers arrived at the same time and began a race to the city gates. One, finding he was slower than the other, threw a spear at the gates that hit and held firm. 'This produc'd a dispute betwixt the two colonies, which of them was the proprietor of the empty city; and this dispute still subsists among philosophers. For my part I find the dispute impossible to be decided' as the whole question hangs upon imagination. The city was apparently empty, with no prior claim. As the two persons were representatives of their colonies they are imaginally connected to those colonies. The gates of city are also marked with associations and 'satisfy the fancy best in taking them for the whole' as commonly shown in poetry. Touching with either the hand or the spear form a relation 'equally obvious, tho' not, perhaps, of equal force. Which of these relations, then, conveys a right and property, or whether any of them be sufficient for that effect, I leave to the decision of such as are wiser than myself'. If the city had been occupied, it could have been conquered and violence would have decided the issue.

Hume discusses other examples, such as bays and inlets, to show how possession of property and its laws depend on metaphors, rhetoric, technologies of occupation and imaginative interpretation (ibid, p.510-13). This suggests that culture and habit act as reinforcers and limiters of this imagining of property, so it could be important for the State and possessors to try to channel imagination in ways that supports their ownership. Symbolic and cultural value, and use, is automatically incorporated into Hume's ideas of property, and is otherwise hard to explain. Property is poetic as well as violent; the poetry perhaps has a chance of shifting the violence.

More recent research on the psychology of property tends to validate Hume's general points. Stenseth (2009) summarises this research, concluding that the sense of ownership of 'the target' comes through control: that is, interacting with the target and changing something about it. Further, this sense of ownership also requires knowing the target as well as investing the self within it (Stenseth, 2009, p.100). Loss is also something which causes distress – something that can happen materially or even if the 'owner' anticipates this loss. In this way, the 'relationship between an individual and the target of ownership is not a stable one… and

experiences of the individual vary over time' (ibid, p.100). Additionally, community and group dynamics as well as politics influence this further. Legal ownership may, or may not, correspond to psychological ownership (ibid, pp.104-5), as is demonstrated by everyday events such as living in a rented house.

3. Property in Capitalism

In capitalism (the dominant form of social relations in the world today), private property is a 'legal-philosophical concept which is protected by secular legal systems' (Babie, 2004, p.1). A property relationship allows *a person*[iii] to:

> a) dispose of, or destroy, their possessions (sometimes subject to legal boundaries) without regard to the concerns or needs of others[iv] (this includes transferring ownership to nominated others, usually kin, on their death);
> b) exclude others from using (sometimes even observing) those possessions;
> c) to sell ownership to others; and,
> d) have these 'rights' enforced by the State.

Some property theorists view this property as 'a complex of rights and relationships between individuals in relation to things', or as a 'bundle of rights' (ibid., p.7) requiring enforcement. As we have said, rights are what you can get away with. Exclusion is so important that some legal theorists argue property can be reduced to the 'right' to exclude others (Penner, 1997), even in the face of human sharing, and given that it is the relationship with others that provides reluctance to take, and categories like 'strangers', 'kin' or 'friends' are specified by culture. However, exclusion of *all* clearly requires some respectable threat.

In capitalism, ownership becomes a singular relationship between person and things, to the extent that the State legally constructs corporations as singular persons (rather than groups) to clarify what is theirs. The 'bundle of rights', applying to person and corporation, gives them the 'liberal triad': 'the right to use and enjoy, the right to exclude, and the right to alienate (sell)' (Babie, 2004, p.7).

Singularity of ownership destroys recognition of the social relations of common property and labour. The more a group is 'market oriented' the more likely collective forms of ownership, such as 'commons' or 'public ownership, will be disapproved of. Rosa Luxemburg (2015), argued that capitalism seems driven to turn all of life's relations into purely capitalist relations, so that every relation becomes driven by profit, marked by money, or turned into

property. This is despite the system requiring a background of non-capitalist relations (such as trust, common (or free), production, common access, and common culture, art or ideas) for its survival. This background is destroyed through being incorporated into payment or ownership. This extension could be seen as a 'black alchemy' in which everything precious or golden, becomes forcibly turned into lead/poison, with everything needed for life being consumed.

Anthropology and sociology imply that in capitalism, property is the foundation of how one builds their 'self', identity and personhood. This occurs as a thing's properties become a property of you. There is no 'you' outside of property and the display or utilisation of that property. In this syndrome the more property the bigger then sense of self, as without property you do not exist. This capacity to use, and waste, property is endless, leading to further destruction of the ecological supports of life. Hume points out in a regime of unequal property, property gives 'the power of procuring the pleasures and conveniences of life' and the 'anticipation of pleasure' (1896: 315). Property provides acceptable tools for imagining future possibilities for a person.

In the age of social media, one's projection of oneself into the public sphere through platforms such as Facebook, Snapchat and Twitter complicates social and legal concepts of what constitutes imaginal property. Some legal documents such as End User Licensing Agreements and platform policies have changed in response to people's sense of psychological ownership and user agitation. For example, in 2015 Facebook declared that its users could 'appoint their digital fiduciaries to manage the accounts upon death'; however, the new digital inheritance policy did not clarify 'what happens to the effects of user expression and who owns and controls them after user's death' (Sarnek, 2016, p.95). There is still the possibility of competition between personal, corporate and common ownership. The final shape may well depend on what features of the 'property' will be seen as similar or different to already existing cases of property.

For humans, this similarity between things/events depends upon imagination, on the comparisons being made and on the purpose of the comparison: nothing is ever the same. When ideas are privatised, this leads to further cultural disputes, as nothing is ever original, as a true original would have no history, context or similarities, and a copy is never identical to the original. Girard (1987) argues copying is essential for human culture, learning and

creativity, but constantly leads to conflicts, while Boon (2010) suggests, the boundaries around copy and original are vague. Consequently, conflict arises in the necessary connection between the copying which allows a claim of originality to be recognised and the innovation that makes it special. It is likely that making cultural items and their boundaries into firm property hinders cultural production.

Copying and sharing is fundamental to evolution and life. Microbes thieve and share DNA from each other across species boundaries and, by fusing with others of their kind, unicellular slime moulds pass on learned behaviour (Vogel & Dussutour 2016).

Taking these issues seriously makes it is easier to see property and capital are embroiled in multiple factors: identity, status, imagining, copying/invention and struggle. Property and capital are always messy, disorganised and uncertain. If property is the heart of capitalism, then this heart is fundamentally disordered.

4. Property in Non-capitalist Societies

Hunter-gatherer and slash and burn agriculture societies (HGSB societies) are the stateless societies humans have lived in for the vast majority of their existence. As such, these may be considered 'normal' societies offering another approach to property.[v] Clastres (1989) suggests that many HGSB societies cultivate deliberate mechanisms to prevent unequal accumulation and the resulting State formation.

In such civilisations property is primarily used to build relationships, and emerges from relationships. People give and people receive reasonably reciprocally and personally. Often, kin and friends can demand property off you, and if you refuse you will be ostracised as a 'thief', a person who does not acknowledge others. Taking from those with whom you have a connection, and who are judged to have too much, is acceptable, although one is polite. Massively inequitable accumulation is rendered socially improbable by such mechanisms. Besides, in these societies most goods rot and cannot be accumulated and, if they could be, constant movement means personal goods need to be cartable. Hence a natural limit to accumulation and hierarchy arises. It is strategically better to give away that which will dissolve away in return for status, self-presence and the reinforcement of personal ties, or desired ties, with the cosmos and its beings. Those items which survive may accumulate a

history which gathers with the decay and builds worth but, even so, they eventually break down.

Inheritance is largely the inheritance of relationships through exchange and kinship; and the continuing strength of these ties depend on a person's ability to use them. Consequently there is little accumulation of unearned inheritance. Goods pass away, while spiritual, practical and cultural knowledge is passed on and transformed, through the generations. Some of this knowledge belongs to the commons in these societies, and some is esoteric or sacred, with boundaries placed around who has the right to access and use it. Passing on, copying and transforming cultural items seems fundamental to being human in these societies.

While HGSB societies may have hierarchy (especially by age and gender), there is a 'natural' limit to that hierarchy. In more hierarchically stratified societies people can violate this 'natural balance' and accumulate property, rather than yield it on demand, or redistribute through collective exchange and feasting. As such, property hierarchy violates what we might call normal human behaviour.

Traditional societies rely on exchange and commons. Appropriation of land that leaves people vulnerable to selling their labour in order to survive is rare. In these societies, what Garrett Hardin (1968) calls the 'tragedy of the commons' seldom arises, partly because of this relatively equitable network of social relationships, obligations and social controls. As Hardin later recognised it is not inevitable for people to exploit the commons and cause it to fail; this can only occur when social relationships are broken and unequal, and the 'governmental process' is not connected to other users, as with capitalism and/or the State (Hardin, 1998).

5. Alchemy as a Metaphor of Contemporary Property Relations

Alchemy is an imaginal science dedicated to studying transformations of all kinds: metals, fields, souls and so on. Alchemists generally aimed at producing gold and silver from a philosopher's mercury extracted from baser materials. Gold and silver were, in Europe, a fundamental form of property, object of piracy, and the basis of exchange. Alchemy flourished in an environment in which the borders between metals were uncertain, but heavily enforced, and the borders between metals and the non-material was porous. In alchemical theory, metals live and seek to grow. They entered the laboratory clothed in symbols, which

portrayed their suffering, activity and change. This recognition of strange boundaries and the power of imagination to produce change is useful in thinking through the poetry of imaginary property, and imaginary properties.

We propose thinking of the base metals that alchemists sought to transform into metals of value, as a metaphor for the transmutation of property boundaries in the information era. This is because these boundaries become subjects of struggle, inspiring the will to break them, and creating new and apparently endless opportunities for normal human exchange. This imagining might give us another way of understanding the social slipperiness of property. The socio-legal processes that birth new laws, regulations and treaties to protect established authorities and private profits also create a new transglobal class of pirarchical actors and experimenters (da Rimini & Marshall, 2014; Marshall & da Rimini, 2015). Within this mix, there are many different kinds of pirarchs, including those we call Anarcho-Alchemist pirarchs.

We can liken a film protected by copyright law to a metal held as lead; Pb on the periodic table becomes PbF. The properties of this Lead-Film are seemingly prescribed by the laws of nature, of God, which are laws of the State; laws generally considered to be immutable. Consequently the essence of the object appears immutable.

PbF is both property (owned by some entity, individual or corporate), and 'possesses' certain 'properties' (data, excitement, colour, content, duration, medium, release date, numbers produced, screened and streamed, and so on). The language of property expands over its nature. But Anarcho-Alchemist regards both forms of PbF's 'propertiness' to be alive (perhaps potentially a 'living mercury' a formless metal), unstable and transmutable, subject to imagining; so the object becomes subject of her experimental operations to change key aspects of its property form (its properties). The material has something to say which she can free by invoking different contexts. She strives to turn this lead/mercury into a mountain of transmuted and living gold, with her counter-magic and a naming that applies *human* laws, rather than State laws. She imagines the one-thing becoming many, perhaps countless: to be blown by the tradewinds of the Nets into the sensory organs and imaginations of many.

Anarcho-Alchemist already understands the Law over things (various forms of property law), and the Law within the interaction of things and people, in the experimental laboratory of her

workspace (various forms of hacking and recombination). The laws can be reassembled, and all involve poetics and violence, theft and liberty. Consulting various codices of esoteric knowledge (programming manuals, geek forums, code repositories, etc.) and employing her skills as an experimenter, tinkerer and problem-solver, she sets up her apparatus and starts work. The State attempts to impose legal, social and technological boundaries on PbF, to generate its status as a capitalist object, limited and owned, something that can only be reproduced and exchanged with the explicit permission of its singular or plural owner/s. Copyright law, trade law, internet regulations, education campaigns, digital watermarks, software and hardware locks, and so forth, designate how the 'liberal triad' might apply to PbF. This State based sorcery is made real in its enforcement by police, courts and jails or fines.

The activities of Anarcho-Alchemist challenge the Triad and its 'rights' which restrict. By transmuting the magical and material properties of PbF, imagining its borders differently and releasing the gold through online avenues of multiplication, she expands the number of those who can 'use and enjoy' PbF and its transmuted product, destroying the 'sorcery of exclusion'. She multiplies and transforms it. Furthermore, although she might not limit the force of copyright owners, broadcasters, cinemas and commercial outlets to 'thieve' their property from the common imagining, by providing people with alternative means to experience the enjoyment PbF offers, she recodes the property 'rights' to the pirarchs, who mainly exchange without monetary profit. Yet this potentially destroys the imagining which allows PbF's production by corporate film makers in the capitalism which requires sales and survival through wage labour.

While not all Alchemists in the pirarchy are motivated by political conviction, our Anarcho-Alchemist is, perhaps accidentally, co-producing experimental networks of self-governance inside capitalism, thus slowly transforming its foundations. She is aware that millions share her repudiation of the legal imaginings surrounding PbF and other forms of cultural property, and she employs her craft to support the transglobal social imaginings that these new(ish) social subjects are evolving through their participation in 'outlaw' circuits of exchange. Unauthorised exchange does not an anarchist make, but if we view this activity, and the alchemy underneath it, as sitting within the larger project of 'deliberately planning a social order based on voluntary co-operation', then the Anarcho-Alchemist is contributing, albeit in a small way, to materialising this political vision (Barclay, 1990, p.108).

6. Property as Circular Network

Focusing on the ambivalence in property (with its theft, waste, violence and poetry) recognises that, property always arises out of a historical network of co-production, distribution and conception. In Buddhist terms we can say property 'suffers' from dependent, or mutual, causation, so that it is impossible to *painlessly* extract property from a network of creation, labour, production, allocation, imagination, sharing and theft. Property has no essence: it is a disordered and confused set of relationships, not a thing in itself. Property as Proudhon says, 'is an effect without a cause' (nd, p.37). It is inherently common, despite its support for individuality and self-expression. The amount of labour involved, or the skill of labour is not measurable or boundable, any more than property itself is. We might say that property is a process not an object: a form of relating, imagining, and co-creating. Extracting property from this web, whether for liberty or slavery, is political. As such, it is a matter of imaginal representation, metaphor, rhetoric and violence. States function to support and extend the rights of large proprietors, and to legitimate the theft and potential violence excluding others.

In a State society, property and theft are bound together, as 'property' is that which is gained by theft and has to be protected from theft. Theft exists the way it exists because of the way property exists. Work has already been appropriated or stolen from its creators via wages, violence or other mechanisms, but that is an approved theft as it goes with the values that come from the hierarchy that depends on the appropriation in the first place. Hume points out that the value of labour is socially determined: the rich and powerful value their work more than they value the work of the poor, even if the poor work harder and longer.

Property, as well as dependently originating, is causal in a circular manner. It is a basis for hierarchies of power, status and violence, and yet arises from the use of that hierarchy. As Hume implies, this inequity requires imaginal consent, with no reality outside of the consent which takes it as real, or which sees advantages in self-classifying with the appropriators and the dangers of not being so classed. The appearance of solidity and independence is illusory and requires work channelling social imagining by focusing on the loss people could suffer if current enforcements where threatened.

Throughout most of human evolution, property has been (relatively equitably) circulated: existing to build relationships, be consumed, gain status, make culture and sustain society and nature. Normal exchange and cultural production depends upon collective sharing and copying, more than on appropriation. Class structures arise when these 'normal' human modes of exchange are circumvented or enclosed. Following their Luxembergian dynamics, corporations seek to extend capitalist property 'rights' (and hence the piracy of the strong), even further into the realm of ideas, culture and self-expression. What was once partially common is being enclosed by legitimised theft and the violence of legal procedures, jail and fines. However, copying and transformation are vital imaginative and creative processes. The production of new things, displays of cultural ability, and information work, all involve some degree of copying, even though this may produce conflict. Again labour is common and distributed. Extension of property rights deprives people of their ability to create and exchange, inhibiting production and innovation. Anarcho-Alchemists rebel as thieves, taking imagining back to the commons, and in the current circumstances, undermining the modes of production they 'liberate' back into the culture from whence they came. As Proudhon claims 'the evil which is devouring us results from the fact that the law of reciprocity is unrecognized, violated' (cited in Eltzbacher, 1908, p.85)

Historian Eric Hobsbawm in his analysis of bandits across various cultures and times, shares this quote from Giuseppe Musolino, a venerated Calabrian bandit 'who believed in the old ways against the evil new ways' (2000, p.156)

> If a typical brigand wants a long career he must be or show himself to be a philanthropist, even as he kills and robs to the best of his ability. Otherwise he risks losing popular sympathy and being taken for a common murderer or robber (ibid, p.19).

If these 'social bandits' do not have common support for their incursions into property boundaries, then property regimes will remain fixed, (p.20). But if their acts appear as a form of communal redistribution, then the notions of property are immediately disturbed, becoming (if ever so slightly) unnatural or uncanny, which changes the imagining giving the reality of property.

The standard view of property we have criticised 'de-natures property' – stripping it of history and commonality, of everything that gives it its aura or desirability. This standard

view also deletes the destructive parts of property, such as the common pattern of possessing or expending more of it than we can use, or its intertwining with oppression and violence, and it deletes the web of relationships and potential possessions within the property. This latter point makes property strangely 'old fashioned', out of step with other modern currents of thought from disciplines such as complexity theory and plain old ecology, perhaps reflecting capitalism's apparent inability to deal with ecological and economic crises. Pressures on our collective survival could perhaps prompt us to focus on new, and less destructive, ways of imagining property.

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[i] Dominion assumes hierarchical property to begin with, as shown by the opposing contemporary Christian ideas of 'stewardship' whereby God owns the world and humans hold the earth in care for the benefit of future generations in common: 'Our dominion over the universe should be understood more properly in the sense of responsible stewardship' (Pope Francis, 2015, §116). This idea is also prominent in earth law discourse: 'We own property in accord with the well-being of the property and for the benefit of the larger community as well as ourselves' (Berry,1999, p.5).

[ii] In the UK there are waves of dispossession from 'property' with invasions by Celts, Romans, Angels, Saxons, Jutes, Danes, Normans, the War of the Roses, the dissolution of the monasteries, Henry VII's war against the North and creation of a new nobility, the enclosures of the commons, the Protestant invasion of Northern Island, the Highland Clearances, Socialism and nationalization, Neoliberalism and privatization and so on, not to mention struggles within families. All property in Australia depends on theft of land from the original inhabitants (Watson, 2002). Many of these outcomes are justified by laws made by victorious possessors.

[iii] In many parts of the world, property is attached to marriage partners, kin and other social groups.

[iv] 'In the matter of property, use and abuse are necessarily indistinguishable' (Proudhon, nd, p.64). Destruction of owned nature seems part of the joy of this type of property.

[v] The writing on HGSB economics and politics is enormous. General texts include: Mauss 1997; Sahlins 1974; Wilk & Cligget 2007.