



# Dis/possessive collectivism: Property and personhood at city's end



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## ABSTRACT

This article uses the case of anti-eviction politics to examine the urban land question. Following the ideas and practices of the Chicago Anti-Eviction Campaign and its global interconnections, it traces the potentialities and limits of poor people's movements as they battle displacement and enact a politics of emplacement. In doing so, it seeks to expand existing understandings of dispossession. Drawing on critical race studies and postcolonial theory, the article pays attention to the relationship between property and personhood in the context of long histories of racial exclusion and colonial domination. It asks: what politics of home and land is possible outside the grid of secure possession and sovereign self? The work of the Chicago Anti-Eviction Campaign points to how various modes of collectivism can be asserted through practices of occupation as well as through global frameworks of human rights. Challenging the secure categories of property and personhood through which liberalism is constituted, such politics is attuned to the present history of racial banishment but is also subject to aspirations of resolution and possession.

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*"Riding down the street, we stop at the preacher's and seat ourselves before the door. It was one of those scenes one cannot soon forget:--a wide, low, little house, whose motherly roof reached over and sheltered a snug little porch. There we sat, after the long hot drive, drinking cool water,--the talkative little storekeeper who is my daily companion; the silent old black woman patching pantaloons and saying never a word; the ragged picture of helpless misfortune who called in just to see the preacher; and finally the neat matronly preacher's wife, plump, yellow, and intelligent. "Own land?" said the wife; "well, only this house." Then she added quietly, "We did buy seven hundred acres up yonder, and paid for it; but they cheated us out of it. Sells was the owner." "Sells!" echoed the ragged misfortune, who was leaning against the balustrade and listening, "he's a regular cheat. I worked for him thirty-seven days this spring, and he paid me in cardboard checks which were to be cashed at the end of the month. But he never cashed them,--kept putting me off. Then the sheriff came and took my mule and corn and furniture--" "Furniture?" I asked; "but furniture is exempt from seizure by law." "Well, he took it just the same," said the hard-faced man."*

[W.E.B. DuBois, *The Souls of Black Folk*, 1903: 92]

## 1. Home and land

On the day that I was to spend with JR in Chicago in April 2015, he asked that we first meet at the Richard J. Daley Center and its courtrooms. There were various court hearings underway for foreclosed properties in Cook County. Willie Fleming who goes by JR, or Just Righteousness, walked from courtroom to courtroom to see if any of the cases involved Freddie Mac and Fannie Mae loans. The Chicago Anti-Eviction Campaign, of which he is a co-founder, had recently negotiated a mortgage loan modification program for Freddie Mac and Fannie Mae borrowers but he was worried that judges were not aware of the program or simply not abiding by it. As I kept up with his busy stride, watching him greet various court clerks and police officers, I realized that he was a familiar and frequent presence in these corridors. The courtroom was the first stop in an itinerary, one that was meant to reveal and connect various locations of struggle in the city. Our next stop was the Cabrini Green public housing project, or rather what still exists of it. JR had spent some of his childhood years there, as well as in the Robert Taylor homes, and it was where he first became involved in activism, organising residents facing eviction. Driving past the remains of Cabrini Green, the abandoned rowhomes and "blank slate" open space, he noted that Cabrini Green represented the absurd brutalities of urban transformation: "We were evicted so that the city could have all of this empty land." This specific history is an important part of JR's activism. Indeed, in various portals of communication he goes by the name "iamcabrinigreen."

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Our discussions at Cabrini Green were abruptly interrupted by an urgent text message to JR's phone: a family was being evicted in the Auburn Gresham neighborhood of South Side Chicago. They had contacted the Chicago Anti-Eviction Campaign and he was urged to hurry to the home. We pulled up at the Lee home a few minutes after the sheriff deputies had departed. Nestled among neatly trimmed hedges on a quiet residential street, the house showed few signs – except for a green eviction sticker and an unhinged front door – of the violence that had unfolded just before our arrival. A distraught Mr. Lee invited us into the home, stumbling over his words as he explained to JR that he and his wife had been at the Richard J. Daley Center that morning contesting a pending eviction by Charter One Bank. The circuit court judge had postponed the hearing but the Lees returned home to find their front door broken and sheriff deputies in their dining room ready to implement an eviction. Since the Lees were able to demonstrate that the court case was ongoing, the eviction was called off and the deputies departed. But the moratorium was temporary and it was that realization that hung over our presence in the Lee home. In the midst of the negotiations with the sheriff deputies, Mrs. Lee had contacted the Chicago Anti-Eviction Campaign, having heard about the movement from a friend in the neighborhood. JR quickly determined that what the Lees had faced was a “pre-emptive eviction,” noting that this was a new strategy being undertaken by banks seeking to foreclose on homes. As they talked, JR sitting on the couch, Timothy Lee pacing frantically, Eugenia Lee trying to calm their dog who had been caged by the sheriff deputies to be taken to an animal shelter, I could not find words to respond to the moment. This was home – a living room filled with framed diplomas and family photographs, carefully placed crochet doilies, lovingly curated shelves heavy with curios, cream colored lamp shades covered in plastic, a mantelpiece rich with dolls and statues. But this domesticity was now tenuous, forty-five years of habitation on the brink of eviction.

A week later I returned to the Lee home. The Chicago Anti-Eviction Campaign had organized a rally to call attention to what they insisted was unlawful eviction and to put pressure on Charter One Bank to call off any subsequent evictions. Indeed, in Cook County, the Sheriff's office under Tom Dart had for a while refused to enforce court-ordered evictions mainly because so many banks had filed inaccurate eviction orders (Hiller, 2013: p. 33). As Hiller notes, the moratorium had strengthened the position of movements such as the Chicago Anti-Eviction Campaign. That morning, in the crisp sunshine of a cold April day in Chicago, a small band of human right defenders, as they called themselves, rolled out a banner and gave interviews to the lone television reporter and cameraman who were present for the press conference. Timothy Lee spoke eloquently about his hope that a solution could be found with the bank so that he would not lose his family home. As the reporter asked details about the mortgage, a lilting voice interrupted the discussion of loans and lawyers, foreclosure and fraud. Martha Biggs, perhaps the most famous protagonist of the Chicago Anti-Eviction Campaign, whose story anchored Gottesdeiner's (2013) book, *A Fight for a Place Called Home*, prompted by JR, broke into song. “This is the people's territory,” she sang, her voice drowning out all other sounds on the street, “fight, fight, fight, for housing is a human right.” The camera pivoted towards her and for a moment that stretch of sidewalk in Auburn Gresham became charged political space.

A few days before the rally and press conference, Timothy and Eugenia Lee had attended, for the first time, the weekly meeting of the Chicago Anti-Eviction Campaign. There, in a corner storefront that had once been a coffee shop, the stalwarts of the movement gathered. Itself a site of foreclosure by Citibank, of eviction threats, and ransackings by a property management company, the office was a modest room with a few pieces of furniture and

posters. As the skies darkened, homeowners and tenants facing eviction and foreclosure also arrived at the meeting. The Trice family, for example, were tenants in a foreclosed building that had been sold to a new owner who persistently threatened them with eviction. Case law was researched, stories and photographs were posted on the website, press releases were drafted, strategy was forged. “We will fight with you,” the group chanted in response to each case of hardship.

In the months that followed, the Lees entered into new negotiations with Charter One Bank, including a possible repurchase of the home with a new mortgage of \$55,000. I asked Toussaint Losier, co-founder of the Chicago Anti-Eviction Campaign, what the Lees thought of this offer. They have mixed feelings, he said. On the one hand they did not want to be uprooted; on the other hand they were repurchasing what they already rightfully owned. Indeed, the repurchase negotiations were part of a long effort on the part of the Lees to hold on to the home, a process documented by the Chicago Anti-Eviction Campaign as part of their mobilization on behalf of the family:

Since 2013, Timothy Lee and his family have been trying to repurchase the home that his elderly mother lost to foreclosure by Charter One Bank. Unlike most home loan foreclosure cases in the Chicagoland region, Mr. Lee's mother had owned her home ‘free and clear’, except for a \$3300 home improvement loan she owed when she passed in 2010. After dealing with several attorneys that failed to take their case forward, the Lees had attempted to negotiate with the bank themselves, only to find their offers to hold onto their family home repeatedly dismissed by bank officials who purchased the property at auction in February 2013. Six months ago, the Lees were finally able to arrange to have an appraiser from Charter One view the house, but never received any responses from bank officials, except notices from the bank's lawyers that they were in the process of having them evicted (<http://start2.occupyourhomes.org/petitions/citizens-bank-don-t-take-the-lee-family-home>).

Timothy Lee's own statement on the matter, also publicized by the Chicago Anti-Eviction Campaign stated, “We are committed to taking action to stay in our home, but would rather work out a resolution with the bank.”

## 2. Poor people's movements and the social category of property

In his much celebrated book, *Evicted: Poverty and Profit in the American City*, Matthew Desmond (2016) draws attention to the persistent reality of evictions. No longer framed as the brutal but temporary crisis of the Great Recession, evictions are now being interpreted as the institutionalization of housing insecurity. However, following Rolnik, I view contemporary urban evictions as an integral part of the financialization of the housing sector, a worldwide process which she analyzes as a new frontier of capital accumulation, one that entails the “unlocking of land values” in cities (Rolnik, 2013: 1063). Evictions thus provide a window onto the urban land question, specifically who owns land and on what terms, who profits from land and on what terms, and how the ownership, use, and financialization of land is governed and regulated by the state.

Of course, evictions are not the sole analytical site at which the urban land question can be investigated. For example, my recent research studies a national program in India that sought to initiate urban land reforms, legalizing informal habitation and creating private property rights for slum-dwellers. Through genealogical analysis and ethnographic exploration, I trace the difficult, and perhaps impossible, task of converting a dizzying multiplicity of land tenure, tenancy, and shelter claims into neat little parcels of cadas-

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