

Book Review: Theft is Property! Dispossession and Critical Theory by Robert Nichols

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Nichols, Robert. *Theft is Property! Dispossession and Critical Theory*. Durham, NC: Duke University Press, 2020. x + 160 pages. Softcover, \$25.95.

Dr. Robert Nichols is an Associate Professor of Political Theory at the University of Minnesota, specializing in contemporary European philosophy and political theory. His most recent book, *Theft is Property! Dispossession and Critical Theory*, is an examination of the history and usage of dispossession as a means of property and wealth acquisition. His examination demonstrates how the law, and views of property, race, and rights have shifted to accommodate this usage. Dispossession, in the simplest definition given, is the “illegitimate transfer of property from the original owners” (p. 17). He also states that, in its final term, dispossession means “unjust expropriation” (p. 11). The usage of the word and the thesis of the book are more complex and nuanced than this simple definition. Nichols demonstrates how European colonial settlers used the process of dispossession to acquire land in the settled areas. He examines this process as it was used in Australia, New Zealand, Canada, and the United States.

The thesis of the book is that dispossession is a process that has been used by colonial settlers to change unowned land into property that can then be acquired and owned. The analysis of this process focuses on European settlers and their dealings with Indigenous peoples inhabiting the lands being settled. In so far as this acquisition of property was “illegitimate” and “unjust,” it is theft. Nichols makes his case in three chapters. The first chapter traces the history of land ownership from feudal and medieval Europe to the usages and definitions of the new American nation. The second chapter sets out the theoretical and philosophical framework for the definitions of recursive dispossession and the analysis provided throughout the book. Nichols uses Marx’s work *Das Kapital* as the lens through which he builds his framework. The third

chapter details the resistance of Indigenous peoples to dispossession. In chapter three, Nichols uses critical theory as a way to “‘examine the very idea’ of structural critique” (p. 86). Then, calling on various Indigenous scholars, politicians, activists, and leaders, he examines the different ways dispossession has been resisted. The fourth chapter builds on the work of the previous chapters and makes a turn in Nichols’ argument, in that, it changes from looking at dispossession applied to land acquisition to dispossession applied to the acquisition of humans. There is much in these four chapters to consider.

The book is short, only 160 pages. The topics covered in these pages, however, are complex and troubling. Nichols devotes a good amount of time on definitions: what is dispossession? What is theft? What is property? Once these definitions are accepted and understood, a story unfolds of the illegitimate treatment almost every people group European settlers met. The word “almost” here operates as a buffer against claiming absolute knowledge. Dispossession is the unjust acquisition of something the acquirer had no right to take. When the European colonists arrived in the New World, they set out boundaries and claimed the land as their own. By doing so, what was not owned became property, and the Indigenous Indians were pushed out. Treaties gave land to the Indigenous Indians to own, until the land became valuable, then the Indians were pushed out again, and so it goes. The discussion in chapter four on the deeper meaning of personhood and self-ownership opens a far more complete understanding of what it means to be an “owned” property. The hubris of some people, to look on other people, and see them as objects to be owned and exploited. Drawing on the writings of scholars and activists Nichols’ analysis of the system of dispossession exposes many hard truths. The explanation here barely touches the surface of the analysis on Nichols’ book.

Theft is Property is both a study of this complex subject and an indictment of those who allow dispossession to happen. No doubt there will be pushback from other scholars, yet Nichols' case will not easily be dismissed. Furthermore, the book is unsettling to read. The whole system of the acquisition of property, whether it is land or another person, is laid bare. Nichols' indictment is comprehensive. It includes the methodology and history of dispossession. It also includes the thinking behind the methods and the effects dispossession has on those who are its victims. His indictment leaves no room for reader neutrality. It is impossible to finish this book and not feel something, be it anger, guilt, or conscious ambivalence, the reader will have some reaction.

Nichols' book certainly adds to the scholarly literature about the subjects of property, dispossession, slavery, and the resistance of the various people affected to the injustices done to them. The book is timely: this is the right moment in history for such a book to appear. In fact, the book is so good that one might fear this review does not do justice to the subject matter Nichols lays out before us. Needless to say, the book is highly recommended.

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