Liberalizing Democracy: Property, Citizenship, and the Constrained Promise of Self-Governing Houseless Communities

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Abstract

As cities in the U.S. continue to experience increases in unsheltered houselessness, houseless encampments are becoming far more common throughout urban landscapes. Along with the increase of encampments there has been new rights-claims by houseless communities, claims for rights to organize communities on public and private properties. As a result, cities are beginning to sanction organized encampments as a strategy for managing the current crisis of houselessness. Based on a combination of qualitative methods, this dissertation analyzes the ways in which property affects the lives of houseless people residing in self-governing encampments in Portland, Oregon. It does so by drawing from ethnographic research with self-governing communities to examine the benefits and limitations of encampments. The experiences from Portland’s encampments are assessed by way of liberal-democratic procedures more generally to better understand the realm of justice available within democracy. What the dissertation seeks to show is that houseless encampment residents cannot have their rights of citizenship fully protected due to how property rights and relations are prioritized in the liberal model of propertied-citizenship. For, the dialectical relationship between property and citizenship, which liberal-democracy is premised upon, leave the houseless in a peculiar bind. And that is, while houseless people hold equal political citizenship to that of the housed, the very means by which property is prioritized through social, economic, legal, and political relations all but assures that houseless people hold only the appearance of citizenship. The dissertation ends by addressing what sense of justice there is for a democracy produced by property as such.
Liberalizing Democracy: Property, Citizenship, and the Constrained Promise of Self-Governing Houseless Communities

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# Table of Contents

Acknowledgements.................................................................................................................. iv
List of Figures .......................................................................................................................... viii
List of Acronyms .................................................................................................................... ix
Introduction .............................................................................................................................. 1
  Portland and the Rise of Self-Organized Encampments ..................................................... 5
  Houselessness and the Model of Propertied-Citizenship .................................................. 13
  Framing Liberalism .............................................................................................................. 18
Chapter 1: Property’s Relations: Beyond the Right to Exclude .............................................. 20
  Property and the Right to Exclude ..................................................................................... 22
  Bundle of Rights .................................................................................................................. 25
  Property as Relations .......................................................................................................... 27
  Geographies of Property ...................................................................................................... 33
  Geographies of Houselessness and Property ..................................................................... 35
  Producing Houselessness .................................................................................................... 38
  Property’s Production Processes ......................................................................................... 40
Chapter 2: Properties of Liberal-Democratic Citizenship ....................................................... 42
  The Dialectical Nature of Property and Citizenship ............................................................ 45
  Property, Liberalism, and Citizenship ................................................................................ 49
  People as Property .............................................................................................................. 56
  Homeownership as Proper Citizenship ............................................................................. 58
  The Proper Social Order: Property as Propriety or Commodity ....................................... 64
  Liberal or Democratic Propertied-Citizenship? ................................................................. 71
  From the Political to the Economic ..................................................................................... 74
  The (Negative) Right to Property Insecurity ....................................................................... 79
  Houselessness and the Properties of Citizenship ............................................................... 82
Chapter 3: Preserving the Values of Propertied-Citizenship .................................................. 89
Positioning Portland’s Encampments.................................................................................. 93
Delegitimizing Houseless Citizenship.................................................................................. 97
Institutionalizing Property’s Values.................................................................................... 102
Limiting Houseless Citizenship.......................................................................................... 106
Balancing Rights of Property ............................................................................................ 113

Chapter 4: A Possessory Interest: How Property Rights Shape Citizenship Rights for Portland’s Houseless Encampments ............................................................................. 116
The Benefits of Houseless Encampments ........................................................................ 119
Citizenship Through Self-Governance ............................................................................. 126
Enacting Citizenship .......................................................................................................... 131
Limits to Self-Governing Encampments ........................................................................... 134
Removing, Not Evicting .................................................................................................... 135
Delimiting Personal Rights Through Rights of Property .................................................. 139
Conclusion ........................................................................................................................ 143

Chapter 5: Before the “End of Politics:” The Injustice of Property in Democracy .............. 146
Situating Liberal Justice ..................................................................................................... 151
Rescaling Universal Identities .......................................................................................... 159
After Post-Politics: Tracing a Geography of Democratic Injustice .................................... 163
Ontologies of the Political ................................................................................................. 169
Resituating Democratic Justice .......................................................................................... 172
Why Democracy Needs the Demos .................................................................................. 175
Returning to Hazelnut Grove ............................................................................................. 179
Propertied-Citizenship: Democracy For and Against the Demos ....................................... 184
Conclusion ........................................................................................................................ 190
Confronting the Limits of Propertied-Citizenship .............................................................. 194

Appendix A: Methodology .................................................................................................. 200
References .......................................................................................................................... 216
Vita ....................................................................................................................................... 228
List of Figures

Figure 1: Dignity Village facing the municipal composting facility. The site hosts a commons and restrooms (center picture) in addition to its many tiny houses.....................7

Figure 2: Second location of Right 2 Dream Too, pictured in exact center of photo highlighted with blue tarp .............................................................................................................8

Figure 3: Front entrance of Hazelnut Grove, bound by a biking path and perimeter fencing ..................................................................................................................................................9

Figure 4: New Kenton Women's Village, with Columbia Boulevard at top of picture....10

Figure 5: Four of five sanctioned houseless encampments in Portland (May 2020).........11

Figure 6: Looking South over Hazelnut Grove from the top of the bluff ....................89

Figure 7: Centered in this picture is the H.G. commons, with a pantry and a tool shed to its sides, and tiny homes in the background .................................................................92

Figure 8: Security desk at front of R2DT. Those on security check in overnight sleepers and monitor the areas around the perimeter of the gate ........................................................................121

Figure 9: Kenton Women's Village original location, summer 2018 ..........................125

Figure 10: General Assembly at Hazelnut Grove, summer 2018 ...............................210
List of Acronyms

DV- Dignity Village
HG- Hazelnut Grove
JOHS- Joint Office of Homeless Services
KWV- Kenton Women’s Village
OKNA- Overlook Neighborhood Association
R2DT- Right 2 Dream Too
SOE- State of Emergency for Housing and Homelessness (City of Portland)
Introduction

On Tuesday, August 15, 2017, Portland, Oregon’s Overlook Neighborhood Association (OKNA) convened for their monthly general meeting. At the top of the list for this OKNA meeting was a vote to amend its bylaws. The proposed amendment to the bylaws delineated who could and could not be members within the association. As one of two bylaw amendment votes scheduled for the meeting, “Revision B” laid out for neighbors what was at stake in the vote. The summary for the proposed amendment read:

The second bylaws amendment for consideration on Tuesday clarifies who qualifies for membership in OKNA and therefore may vote and hold office.

Under a city Office of Neighborhood Involvement interpretation of neighborhood bylaws, it is possible that anyone who happens to be in the neighborhood on the day of a meeting could be eligible to vote. This includes houseless individuals camping illegally in Overlook or squatters occupying a vacant building.

This revision reflects the view that a greater commitment to the neighborhood should be necessary to vote and serve on the board. To that end, this amendment would require residents to provide a legal home address to qualify for membership. That would exclude houseless campers and squatters in vacant buildings. However, it would not preclude a houseless village that has [city-sanctioning] from receiving full membership privileges. A city-sanctioned and permitted houseless village would have a legal address, and its residents therefore would qualify for OKNA membership. Alternatively, a houseless village with a nonprofit component could have a designated representative member in OKNA.
Businesses and non-profits in the neighborhood would continue to be eligible to have a designated member in OKNA (OKNA 2017).

Cloaked in broad language, the amendment proposed denying membership for most houseless persons wanting to participate in the neighborhood organization. But for anyone who had been following OKNA’s politics regarding houselessness during the two years prior to the meeting knew to what this membership-restriction was specifically referring: Portland’s then-newest self-governing houseless encampment, Hazelnut Grove (HG). HG was an encampment that was never officially permitted by the City to operate. While the City’s government never issued an official land use permit to the encampment, HG was officially tolerated by the City. For OKNA members, this was the problem. HG was there, in the Overlook neighborhood “illegally,” and the City was supporting the encampment.

To attempt to get around the City’s support of HG’s occupation of the site, OKNA’s proposed bylaw amendment required that neighbors would need “to provide a legal home address to qualify for membership.” Given that “a city-sanctioned and permitted houseless village encampment would have a legal address” the amendment stated, HG residents would not be allowed to participate in neighborhood association affairs because the encampment was unsanctioned.

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1 Throughout this dissertation I use the term houseless and houselessness rather than homeless or homelessness. Following the language used by encampment residents to describe themselves, I also have adopted the term. As the general sentiment goes, home is where the heart is. For those without a “home,” the implication is not only that there is no heart left, but that the physical nature of housing itself constitutes “home.” Clearly this is not always true. Home, as geographers know well, is where meaning is imbued within a space. To use the term houseless, therefore, prioritizes what houseless individuals need most: housing.
The OKNA proposed bylaw amendment was posted to its website one week prior to the day of the vote. The proposed amendment elicited reaction from local media, who honed in on the bylaw’s language seeking to exclude houseless people. In one local news report, the OKNA chair, attempting to explain why OKNA would require a legal address for its members to participate, stated “if you're an undocumented immigrant and you rent here you're welcome on the board, but if you happen to plop down on a city park bench for the night, that's not sufficient to say you have a commitment to Overlook. So, in some sense, yes, we're going to exclude some people, and it's those without an address” (Hewitt 2017). This statement made clear that it was particularly the houseless that were seen to not be responsible enough to satisfactorily meet the obligations of citizenship desired by the neighborhood association.

That OKNA intended to exclude houseless people did not resonate with the City. In response to the move by OKNA, the City’s Office of Neighborhood Involvement (ONI), the office responsible for overseeing and funding each of Portland’s neighborhood associations like that of OKNA, stepped in and argued against the proposed bylaw amendment. In a letter to the OKNA, ONI stated that “if the Overlook Neighborhood Association were to move forward with adoption of such a restriction, ONI would have to consider exercising its authority to suspend, and perhaps eventually terminate, the Overlook Neighborhood Association's benefits of formal recognition” (Hewitt 2017). For, the City saw a repression of rights for houseless people that was going to be unduly enforced.

On the night of the vote around 130 people were in attendance, no small feat for a neighborhood general meeting. The contentious amendment was the main order of business. Perhaps with the City’s condemnation in mind, the OKNA board unanimously voted to remove
language of houseless exclusion from the bylaws (OKNA 2017). There would be no change to the bylaw which restricted membership for houseless people. Yet, the fate of houseless people’s acceptance within the neighborhood did not end there.

After the proposed bylaw amendment was dropped from the meeting’s agenda a resolution was introduced. Rather than using neutral language like the proposed bylaw had done, the new motion directly implicated HG, mandating that the encampment be removed from its site in the Overlook neighborhood. The resolution proposed that if no good neighbor agreement was reached within six weeks, HG would need to relocate within the next two and half months (OKNA 2017). The resolution had a good chance of passing. For, after the bylaw amendment was dropped from the meeting’s agenda, HG residents and some of its supporters had left. When the new motion to remove HG was proposed, a supporter of the encampment who was still in attendance called HG members to have them come back for the vote. HG members and a few of its supporters made it back in time to cast a vote against the proposed resolution. When the motion was finally put to a vote, it failed, with 49 voting against and 38 in favor (Hewitt 2017). Once again, OKNA’s attempt to exclude HG from participating within the association had failed.

Although OKNA lacked the authority to remove HG from its site, the very pursuit of this resolution affirmed a broader commitment from many OKNA members and neighborhood residents that something needed to be done about houselessness in the neighborhood and as well as throughout the city. Particularly, something needed to be done about the rise of organized

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2 At that time, there had been ongoing good neighbor agreement discussions. Good neighbor agreements are non-binding agreements between, say a neighborhood association and another neighborhood entity, which lays out the concerns and expectations around a particular issue. In the case of OKNA and HG, the good neighbor agreement wanted to set expectations about when the encampment would leave the neighborhood, along with other regulatory criteria for how the encampment could operate.
houseless encampments. For, the City was now supporting organized encampments in their operations.

Reflecting on the events of the general meeting, OKNA’s chair indicated that there had taken place a spirited debate about houselessness the night of the meeting. “Neighbors and homeless advocates offered passionate arguments for and against the measure [to remove HG]” he stated. “A handful of disruptive attendees were not able to prevent an excellent show of local democracy and civil debate in action” (OKNA 2017). The implication was that despite houseless people “disrupting” the otherwise usual “civility” of debate, OKNA was stronger for the event because it had engaged in proper democratic practice. But its support was not strong enough to exclude the encampment it had been trying to force out of the neighborhood for the past two years.

Portland and the Rise of Organized Houseless Encampments

The events of the OKNA general meeting offer a glimpse into the contested politics of houselessness in Portland today. Like many U.S. west coast cities, Portland has experienced increases in unsheltered houselessness in recent years. More than half of Portland’s estimated 4,000 houseless people on any given night are unsheltered (AFHE 2019), a nearly 42% increase in the city’s unsheltered population since 2007 (Smock 2015). Given the increases in the houseless population, coupled with steadily increasing rents and lack of affordable housing options in the city, Portland’s government declared a State of Emergency on Housing and Homelessness (S.O.E.) in October, 2015. Declaring the S.O.E. allowed the City to reallocate funding for extra shelter spaces and provide increased financial support for low-income renters.
The S.O.E. also eased zoning restrictions which paved the way for houseless encampments to proliferate.

In February, 2016, the City announced its “Safe Sleep” policies as part of the S.O.E. Safe Sleep was an official recognition from City Government that houseless people had nowhere to go at night as the city’s shelters were full. In response to this, Safe Sleep allowed for camping on public property overnight as well as the establishment of organized, sanctioned encampments on City-owned property (VanderHart 2016). The result was chaotic. There was no clarity about what was and was not public property exactly, or how long one could camp overnight.

Many unorganized and unsanctioned encampments proliferated at this time, although small, informal encampments had existed before then. Unorganized encampments are often small in number, usually with only three to ten people, and they generally have no central organizing code of conduct. It is often the unorganized encampments that capture the attention of media and the public. Even today, unorganized and unsanctioned encampments are ubiquitous throughout the urban landscape. On an average week in Portland during winter 2020, around 235 active unorganized campsites were reported to the City (City of Portland 2020). Compared with the number of organized and sanctioned encampments, therefore, unorganized encampments remain abundant.

In this dissertation, however, I focus solely on sanctioned and organized encampments. Portland currently has five City-sanctioned or City-supported self-organized houseless

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3 The true number of houseless campsites throughout Portland is almost impossible to calculate. The City calculates the number of campsites in its “One Point of Contact” system. There Portland residents may identify active or abandoned campsites. Unfortunately, the data does not identify how many unique campsites—those not counted multiple times—exist throughout the city. As houseless people will often come back to sites after they are cleared, it is nearly impossible to find an accurate count of unorganized camps.
encampments, four of which are the encampments with which I conducted this research: Dignity Village (DV), Right 2 Dream Too (R2DT), Hazelnut Grove (HG), and Kenton Women’s Village (KWV). The encampments range in size and in setting. DV is the largest encampment. It holds roughly 60 tiny houses on site, with an extra 10-12 beds that can accommodate more people during emergency weather. The encampment is located far from the city center, about seven miles north of the downtown core. Although it is adjacent to a composting facility owned by the City, a minimum-security correctional facility, and Portland’s International Airport, there is a lot of open space surrounding the site. On a clear day, one can see Mt. Hood, which lies 60 miles to the east. And one-half mile to the north lies the Columbia River. Because of its location, DV is somewhat removed from the politics that newer encampments within the central city are dealing with.

Figure 1. Dignity Village facing the municipal composting facility. The site hosts a commons and restrooms (center of picture) in addition to its many tiny houses.

R2DT, the second oldest encampment, is quite different than DV. R2DT began in the downtown business district, operating on a small corner lot of about 50 by 100 feet. The original location which lasted from 2011-2017 had no tiny houses; it had only single tents for its members and open-air tents for guest sleepers. The encampment has since moved about a mile out from its original downtown location, where it now sits adjacent to the east bank of the

4 The fifth sanctioned encampment in the City was just beginning to develop as I was ending my fieldwork. As the encampment was not a protest site, and thus had much pre-planning, I did not meet anyone who will be staying there. I only attended a few early meetings about the encampment. See the methodological appendix for more.
Willamette River. The site is hosted on City of Portland property. It is wedged between a grain-mill which loads cargo ships and a parking lot for the Moda Center, where the city’s professional basketball team plays, which is located directly across the street from the encampment (Figure 2). The encampment site is also directly adjacent to the Rose Quarter Transit Hub, one of the city’s main transportation connections, where five of the city’s light rail lines and many bus routes meet. Today the encampment has about 15 tiny houses where its members stay as well as three shelter spaces which accommodate more than 60 guest sleepers every night.

Figure 2. Second location of Right 2 Dream Too, pictured in exact center of photo highlighted by blue tarp.

About one mile north of R2DT sits HG. HG is situated at the precipice of where the central eastside industrial part of Portland meets residential North Portland. The encampment is isolated by two major thoroughfares, a railyard, and the Willamette River. Although isolated by roadways and the topography of the landscape, just a minute north of the encampment begins the heart of the Overlook neighborhood. Overlook was once home to a majority of the City’s black population, primarily from the 1960s to the 1990s. Along with urban renewal and the I-5
highway expansion in the late 1960s, and City-led planning agendas facilitating gentrification on Mississippi and Williams Avenues in the 1990s and 2000s, the neighborhood today is like many other middle-to-upper class, predominantly white, neighborhoods throughout Portland’s central city.

The most recently opened encampment (opened in 2017), KWV, is also located in North Portland but is miles away from the downtown core. Approximately six miles north of downtown, the encampment resides in the part of the Kenton neighborhood where the industrial areas meet the residential parts. Originally hosted on City-owned property, KWV moved in 2019 to another municipal property adjacent to its original site. The site is fenced in and borders the busy Columbia Boulevard, an east-west thoroughfare connecting Portland’s primarily industrial neighborhoods (Figure 4). The encampment hosts about 20 tiny houses all recently designed by architects at Portland State University and built with donated labor.
Figure 4. New Kenton Women’s Village, with Columbia Boulevard at top of picture (Source: Kenton Women’s Village Facebook page).

As a result of the increase in encampments, Portland’s government and its residents are navigating new rights-claims from houseless groups, forcing local government, neighborhood groups, houseless groups, and activists into complex dialogues about what rights houseless encampments ought to hold. These City-wide discussions address common topical concerns with houselessness: public sleeping, substance use, fear, crime, health, and so much more. But they also highlight broader rifts in political values in society, values regarding the meaning of property within liberalism and democratic society more broadly.
This dissertation engages with these political themes by examining the socio-political and legal interactions surrounding houseless encampments in Portland, Oregon. In response to municipal oversight of organized houseless encampments, scholars have articulated concerns over the means by which encampments are managed by urban governments. Herring and Lutz (2015) argue, for instance, that because organized encampments are now sanctioned, municipalities are simply advancing neoliberal approaches to policy-making, with encampments “becoming appendages of a growing shadow state,” (p. 697), by containing houseless populations in shelter-like settings. Organized encampments are seen to function as “a spatial tool of containment for the local state” (Herring 2014, 306), a tool used by governments to lessen the “threat” of houselessness throughout urban landscapes. At their most extreme, Speer (2018)
argues that some encampments function more akin to “tent wards,” or as spaces of carcerality, whereby surveillance and discipline of the state are extended into the sanctioning of encampments. From these perspectives, urban governments are implicated in extending the paternalizing and pathologizing aspects of contemporary approaches to poverty management more generally.

In that organized houseless encampments are spaces of social and economic marginality, scholars have also examined the ways in which encampments produce themselves socially. Mitchell states that organized encampments are not only interstitial spaces for houseless peoples’ survival; encampments also facilitate political organization, and with that, individual and collective autonomy (2013, 82). As many houseless encampments are self-governing, individuals residing within these encampments are being recognized for their active role in political organizing. Sparks (2017), for example, highlights the ways in which houseless individuals residing in organized encampments resist their social and economic marginality. He argues that, although self-governed encampments are semi-autonomous spaces, individual citizenship is practiced “not as a formal relationship between sovereign individual and state, but as a set of practices of agency, belonging, and governance within the informal terrain of the camp itself” (p. 8). He suggests that as self-governed encampments are limited by the sovereignty of municipal and state government control, encampments advance political interests informally. So too are encampments challenging the very ways in which these types of shelter are understood more broadly. As Speer (2016) has shown, organized encampments make transparent houseless people’s claims and need for the security of a domestic space, or “home,” claims that undermine the privatized function of urban housing markets. Such scholarship suggests that encampments
provide needed safety and security for houseless individuals, and from this, a sense of dignity and autonomy when there is otherwise little control over one’s self.

_Houselessness and the Model of Propertied-Citizenship_

Critical scholarship on houseless encampments has centered on the role of the state in managing houselessness as well as on how houseless people informally organize themselves against and within the neoliberal state. Although sharing these concerns about urban governance generally, this dissertation will argue something different. At the heart of my analysis throughout the following chapters is a concern with the role of property in shaping the experiences of houseless people living in encampments. It is property, I argue, that requires sustained attention. For, property is the primary political and economic relation affecting houseless people lives, particularly for how it limits citizenship benefits for those residing within self-governing houseless encampments.

Liberal citizenship is often understood as a legal status. If one is a citizen, they are member of a polity with rights-protections and privileges of citizenship which is conferred on them by the sovereignty of a nation-state. The way in which liberal citizenship has been understood has changed throughout the last three centuries. But formal citizenship today is predominantly recognized through government protection of an individual’s liberty rights. Essential to this idealized citizenship, I argue, is an individuals’ access to or ownership of property. While property ownership once constituted citizenship itself, the values of property and the rights which protect property owners continue to shape the ideal liberal citizen. Throughout the dissertation, therefore, I am critical of liberal citizenship as form of “propertied-citizenship” so as to underscore the durable relationship between property and citizenship.
What follows from the notion that property is indispensable to liberal citizenship is that one cannot have their citizenship rights and privileges protected without ownership or access to property. The ownership of, and ability to access, land is a relationship with property that is particularly fraught for houseless people. Without a secure interest in property, specifically by holding rights to exclude others from land, houseless people are denied citizenship protections essential to their livelihoods. The model of propertied-citizenship has detrimental effects for houseless people, therefore, because it is a model of citizenship actively maintaining the ability for those with secure interests in property to leverage their power against those without secure interests in land through economic, political, and legal means. To be a propertied-citizen is to have one’s citizenship benefits protected, if not promoted, over those lacking an interest in property as most houseless people do.

While acknowledging propertied-citizenship as a status helps us see how power can be enhanced for those with security in property, we ought not to think of propertied-citizenship as only a legal status. Such a definition restricts our ability to see how those without secure interests in property must navigate the relations of property and how these actions shape citizenship more substantively. Helping to move beyond the confines of a citizenship binary of “legal” or “not legal,” a more “substantive” approach to citizenship suggests that citizenship must also be seen as a practice that is “enacted” (Isin 2008), a process unfolding in different ways over time and in space. Such a perspective urges that we can better understand what citizenship means when we examine how it is that individuals make claims to rights, are denied protection from them, and rework the different ways in which law regulates and orders citizens within a given polity (Staeheli et al. 2012, Neveu 2015). A substantive approach to citizenship is more relational in its analysis, taking as a starting point the relationship between how law regulates and orders citizens
by examining how this legal regulation becomes normalized within social space. But it also attends to the ways in which individuals struggle for rights or resources beyond the law by asserting claims to the benefits and privileges of citizenship that are promised within democratic politics.

Throughout the dissertation I draw from a relational approach to critique the ways in which propertied-citizenship is normalized within liberalism and how this citizenship demarcation is actively reproduced through democratic politics. My particular focus within these property-citizenship relations is on houseless people, or those who are without secure interests in land. It illustrates the ways in which houseless people are limited in their citizenship privileges because of their precarious relationship with property. Even within Portland’s self-governing houseless encampments, which are allowed access to municipal properties, houseless people still must navigate dominant relations of property in attempt to realize key aspects of democratic citizenship that are meant to be protected for all citizens.

While the literature on houseless encampments has not addressed property relations, other houselessness scholars have been critical in bringing to light the manner in which houseless people are rendered marginal in society, through social stigmatization and from being physically excluded from space. Following from legal scholars of property like Waldron (1993), much of the geographic work examining the nexus between property and houselessness has emphasized the power of property as a right to exclude. Given the real exclusions of houseless people from private and public spaces, scholars have demonstrated the power of a property right in shaping houseless peoples’ lives. The emphasis on exclusion tells us much about the workings of law and how houseless people are often at the “negative end” of liberal property rights.
Perhaps due to this legal focus, the emphasis on exclusion has overlooked certain aspects about property that help us understand how houseless people are denied citizenship within liberal democracies. I argue this in Chapter 1, where after reviewing legal and geographic scholarship on property, I advocate embracing a relational approach to property scholarship. When we see property dialectically, we are better able to make sense of how property exceeds the domain of law, shaping everyday interactions. An approach that takes law and social relations surrounding property seriously, I suggest, shows us how property relations reside at the core of houseless peoples’ inequities.

Chapter 2 develops an historical understanding of how property has been closely intertwined with citizenship. It details how the model of “propertied-citizenship” is rooted within liberalism and how that has shaped democratic citizenship up to the present moment. Examining the historical and dialectical relations of property with citizenship shows us how those without secure interests in property have always been remaindered from “proper” citizenship. But this history is not linear. As the values of property have changed through time, the political values connecting property with citizenship have shifted. Thus while property is still resolutely political, houseless citizens today are affected by relations of property in distinct ways from those of the property-insecure in the early American republic. The chapter shows how houseless citizenship represents well the liberal paradox of holding political citizenship while lacking the privileges of propertied-citizenship rooted in property rights protections.

After making the case that property maintains distinct political values which limit citizenship for houseless people, I return to Portland, where I seek to demonstrate how the liberal model of propertied-citizenship effects houseless people residing in encampments. In doing so, I
emphasize the unique relations of property through which self-governing houseless encampments operate, encampments where residents are positioned as rights-bearing propertied citizens while still being property-insecure in their citizenship. Chapters 3 and 4 each demonstrate how these tensions are lived out on the ground. Chapter 3 picks up the case of Hazelnut Grove once again to show how the long-held values of property continue to shape the politics of houselessness within the city. Chapter 4 examines the benefits of self-governing encampments and how semi-rights to property leave certain privileges of citizenship vulnerable for encampment residents. Together, the chapters provide answers to a core question driving this research: What potential and what limitations do Portland’s self-governing houseless encampments hold for realizing more substantive modes of citizenship for the houseless?

In recognizing that property plays a fundamental role in shaping democratic citizenship, and that self-governing encampments both benefit and are limited by semi-property rights, a series of conceptual challenges arise for encampment residents. These challenges center around matters of equity as they relate to democratic equality and of justice within liberal-democracies. Chapter 5 takes up core themes of democratic theory and justice to help make sense of what is at stake for self-governing encampments at a time when urban governments are continuing to sanction houseless encampments. After reviewing core ideas within these literatures, and how geographers have contributed to these debates, the chapter analyzes whether the process of democracy in Portland functions as a means of equity-making for houseless encampment resident. In doing so, the chapter focuses less on defining what justice looks like absolutely for houseless encampments. Instead, it addresses how democratic procedures may identify injustices regarding property inequities within the realm of liberal justice.
Framing Liberalism

My goal throughout the following chapters is to keep sustained and critical attention on how liberalism as an ideology and as set of institutional parameters for organizing political life delimits citizenship boundaries through property relations and to identify the contradictions in the construction of those boundaries. As a political ideology, liberalism provides the very source of ideas from which the model of propertied-citizenship was developed and is maintained. The enhancement of individual liberty is the core value promoted within this thinking. As a set of institutional parameters guiding political practice, liberal-democracy tightly protects the rights of property as the means of realizing liberty. For, liberal democracy assumes citizenship to be equal among all people. Therefore, it is necessary to follow the logic of liberalism as a systemic ordering of social relations to illustrate how it assumes universality and therefore erases the differences of liberal citizens that such a mode of organizing itself produces through its implementation. By examining liberalism on its own terms, it becomes clearer how the promise of liberal citizenship is an unattainable type of citizenship for those without secure interests and thus access to property.

Given my focus on how houseless people fare within the model of propertied-citizenship, the dissertation is limited in its attention to how liberal-democratic citizenship is unevenly experienced more broadly. It does not address at length how houseless people’s race or gender, for instance, specifically shape their experiences with property. Certainly these aspects of identity matter for how citizenship is uniquely realized, as one’s identity differently shapes how Portland’s houseless residents experience the self-governing encampments. That encampment residents I spoke with reflected little on these particular issues may be a reflection of how the
encampments are comprised, majority male and primarily white (excepting KWV). Similarly, this study does not address the history of how liberalism and liberal-democracy were ideological and legal tools facilitating settler-colonial expansion and how the legal production of property erased indigenous relations to land. The development of settler cities like Portland, which sits on the traditional lands of the Multnomah and Clackamas bands of the Chinook people, eradicated secure and fruitful interests in land for indigenous people which continues today. The “legal” exclusion of indigenous people from property was thus not so much the erasure of indigenous people from legitimate citizenship, but one means by which liberal citizenship defined itself as the absence of indigeneity (Bhandar 2018).

In many ways, liberal-democratic citizenship remains neutral to these differences. So too does liberal citizenship appear not to mark a distinction between houseless people as an economic class. That is, liberal citizenship assumes equality between those with and without secure interests in property. Liberal, capitalist democracy, however, necessitates exchange for one to have security in property. In this way, the model of propertied-citizenship differentiates citizens—property-secure from the property-insecure—through economic status, which then has the effect of mediating political standing within liberal-democracy. It is my intent first and foremost to illustrate why those who lack secure interest in property experience diminished citizenship privileges. Rather than looking only at the exclusions of liberal-democracy, therefore, this study analyzes the problematic effects of how such a system of political organization attempts to universalize and thus negate differences in relations of property.
Chapter 1: Property’s Relations: Beyond the Right to Exclude

Property can be just about anything. Property can be nearly any material thing, such as resources in land, or property can be intangible resources, such as intellectual content. A general definition of property is simply the entitlement of an individual or group to some resource for the benefit it provides them. What makes something “property” is that property is owned.\(^5\) For the purposes herein, I mean property ownership to signify that someone or some entity has exclusive control over some thing. Ownership is significant because it nearly always necessitates *legal* enforcement; someone or something must intervene to secure or maintain that ownership. Most often, the work of maintaining property as a system is done through the sovereignty and thus the force of states. A state protects the power of property owners by extending and reinforcing their rights of ownership. But merely the fact that property is owned is not in itself meaningful. *How* ownership affects others in relationship to a property is what makes it a matter of significant political and social interest.

Perhaps no idea has been more discussed than property being a right of exclusion. The “right to exclude” plays a fundamental role in property ownership and has been well-covered in property scholarship (Alexander and Peñalver 2014). In the first section of this chapter I review this powerful idea, drawing from political and legal discourse on property rights primarily from the latter half of the twentieth century. I also focus on how legal scholars have extended property conceptually beyond the single “right to exclude” to that of a set of entitlements and obligations to society broadly. In reviewing this relational turn in property scholarship, I suggest that examining property “relationally” is valuable for socio-political analysis. Yet, what we mean by

\(^5\) There is much debate over what constitutes ownership within property scholarship, but that discussion is well beyond the scope of this research (see Merrill and Smith, 2010).
relationality is understood in many different ways. I suggest a relational analysis that looks
historically at property’s effects on citizenship is useful for understanding how houselessness has
been produced within liberal-democracies.

As a legal system of forms, as well as a set of social relations, property necessarily affects
all people. But houseless people are acutely affected by the legal and social relations of property.
Violating land use ordinances as well as social norms surrounding use of property brings a
multitude of penalties for the property-less, from legal sanctions to social and political
stigmatizing. Without access to or ownership of property, property-less people struggle to adhere
to such legal regulations and to normative socio-political values surrounding property. In this
way, how property is legally and socially produced and how it is regulated matters enormously,
as the property-less are enveloped within highly uneven relations of legal and socio-economic
power.

The regulation of property affects people uniquely, at specific times and in specific
spaces. Geographers examining property have been critical in showing the ways in which
property is practiced in places. The second main section of the chapter addresses geographers’
contributions to property scholarship. There I focus particularly on how the scholarship on
geographies of houselessness have analyzed property in relation to houseless people. Central to
this scholarship has been an emphasis on how rights of exclusion affect houseless bodies, by
spatializing the effects of land use ordinances and the interests of capital in shaping such
exclusionary spaces. By focusing on exclusion as the dominant relation to property, however, I
suggest that we miss critical aspects of property’s relationship to houseless peoples’ lives.

The purpose of this chapter is to show that although property is most apparently affected
by law, it is important to see property as thoroughly socialized. The normative values associated
with property shape social life tremendously, establishing dominant forms of property uses and
the legal regulations of those uses, which determine where and when people are able to be in
certain places. In ending, I suggest that property matters most to and for those without secure
interests in property and urge that property analyses take the material relations around property
and citizenship for houseless people seriously.

**Property and the Right to Exclude**

Property can most simply be defined as "enforceable claims to the benefit of resources" (Blackmar 2006, 51). This definition suggests that property is an entitlement of individuals or
groups to make use of some given resource. When one has a “right” to property one has an
individualized, often legal, entitlement to a given resource, an “enforceable claim” to benefit
from or use that resource. A more encompassing definition suggests that property “is a set of
claims that people have in resources that correspond to duties of respect in others generally”
(Merrill and Smith, 2010, 9). As typified by Hohfeld (1919), rights have correlative duties as
well. That is, property rights require that other owners and non-owners obey the legal regulations
of an individuals’ property. Property rights thus place certain duties or obligations on society
more broadly.

Rights of property differ from other personal rights in that they give individuals power to
control how a given resource is used. That is, property rights give individuals a right over and to
a *thing*. An individual’s right to a thing, or their right to a property, is called a right “in rem.” If
property rights *in personam* create a contract between two people, *in rem* property rights
establish exclusive ownership over a thing by an individual (Merrill and Smith, 2010). That *in
rem* property rights establish exclusive control over a thing is significant. A property right is
attached to the property-object, rather than between particular people, thus “universally binding
[the right] on all who encounter the object” (Merrill and Smith, 2010, 9). Put another way, property rights affect people not simply based on the entitlement of right in a property-object itself, but through the wider effect of an owner having control over a given property-object as well. In this sense, property “binds the world,” (ibid) in that rights to property delineate individual control over a given resource for all of those who encounter the resource.

The action of having control over property has long been a focus of property rights rhetoric. Writing about common law property and rights in the late eighteenth century, for example, William Blackstone put forth the idea that ownership is one’s absolute right to exclude. Blackstone’s well-cited definition stated that property was the “sole and despotic dominion which one man claims and exercises over the external things of the world, in total exclusion of the right of any other individual in the universe” (Blackstone 1803, 1). Following Blackstone’s thought to its most extreme, then, a right to property is an absolute right to exclude all others from one’s personal property. The extent of the right “to exclude” is perhaps the most discussed aspect of property within property scholarship. Merrill (1998) argues, for instance, that exclusion is essential to the very definition of property. The right to exclude others, he states, “is more than just ‘one of the most essential’ constituents of property— it is the sine qua non. Give someone the right to exclude others from a valued resource… and you give them property. Deny someone the exclusion right, and you do not have property” (p. 730). While Merrill recognizes that property ownership comprises more than the right to exclude, he is adamant that the essential component of property should not be overlooked: exclusion. For, the right to exclude has had, and continues to have, an enormous effect in the functioning of property systems.

6 Merrill and Smith (2010) suggest that Blackstone was “engaging in some self-conscious hyperbole” with this specific definition of property. For, later on in his Commentaries, Blackstone spoke of exceptions to this absolute right to exclude.
The right to exclude is especially apparent in private rights to landed property. Private property, in relation to public (collective) or common property in land, is owned by individuals or co-owned by private entities. Critical property scholars make much of how private rights to landed property affect society. Legal scholar Jeremy Waldron, for instance, argues that private (and public) rights to landed property are a means of ordering society within space. For Waldron (1993), one of the primary functions of property is to determine which people are allowed to be where within certain spaces. Applying this logic to the situations that houseless people generally face in urban spaces, Waldron argues that “there is no place governed by a private property rule where he is allowed to be whenever he chooses, no place governed by a private property rule from which he may not at any time be excluded as a result of someone else's say-so” (1993, 313).

Waldron’s larger point about private rights to landed property is that such rights afford owners a certain freedom that others (the houseless) do not have, in that private rights allow for individuals and entities to restrict individuals’ right to be somewhere (p. 315). Rights to exclude, therefore, establish legal boundaries for landed property which must be respected by all others encountering the property.

The legal boundaries defining landed property reinforce a system of social exclusion within space. Land use restrictions tied into the use of public spaces, for example, often mandate that certain behaviors do not take place there. A person laying down their sleeping bag on a busy downtown sidewalk, for instance, is regularly disrupted by police on account of use of space ordinances. Being physically excluded from a property directly maintains inequities within society. And in doing so, spatial exclusions reinforce larger social and political stigmatizations about certain groups of people (Sibley, 1995). The houseless are a common example, but so too
are racialized or ethnicized people who are treated as other and thereby deemed out of place in certain spaces.

Exclusion remains a powerful component of property given that ownership rights to property afford control over the access to and benefits from property. But the right to exclude does not constitute property rights in their entirety. Property scholars have also articulated the ways in which property is more than an individuals’ exclusive right of control over a resource, a bundle of rights that helps us see the social aspects of property.

Bundle of Rights

The traditional ownership model of private landed property is the most commonly understood form of property. The traditional ownership model is one premised on a single, identifiable owner having absolute control through their right to a property. By assuming the owner holds absolute control over a property, the model reinforces a notion that property ownership is bounded, which protects the property owner from nonowners (Singer 2000a, 4-5). Such a model of ownership is commonly realized through a legal title which defines the spatial boundaries of a given property.

The power of control vested in private rights to landed property is not absolute, however, despite the certainty of Blackstone’s formulation. Property scholars have corrected for the assumption that private rights afford owners absolute control over property. Influenced by the work of the “legal realists” in the early twentieth century, critical property scholars deny that property can be understood only through absolute rights of exclusion (Cohen 1927; Merrill and Smith 2010, 5). Rather, realists suggest that rights to property afford a set of entitlements, entitlements such as one’s privilege to use the property and the power to transfer the property
rights to others; to immunize oneself from harm to, or loss of, the property; in addition to the right to exclude non-owners from using the property (Singer 2000a, 3). Beyond a singular right to exclude, therefore, private rights to property offer individuals different options about the use of a property and varying degrees of control over that property.

This expanded view of property rights is often referred to as a “bundle of rights” approach to property. The idea behind the bundle of rights analogy is relatively straightforward. Here property rights are conceived of as a bundle of sticks, whereby each stick represents some privilege or entitlement associated with property rights. If sticks are added or removed from the bundle, the overall composition of the pile still remains “property” (Merrill and Smith 2010, 5).

Put into the language of rights, then, property is understood as an aggregation of equally important rights. The bundle metaphor allows a definition of property that is more than a right to exclude; property can also be the ability to allow others to use a property, for instance. Property rights are far more nuanced in this sense than those depicted in the traditional ownership model.

The bundle of rights metaphor visualizes a more complex understanding of property rights in legal terms. But the metaphor also shows how thoroughly integrated property rights are within society more broadly. The bundle metaphor insists that property needs to be thought of as a system needing careful attention to the unique powers and responsibilities of each right in the bundle. As such, what legal realists emphasize through this concept is that property rights are not simply a power over a thing by a property owner. Instead, property rights are realized through and upon their application in the world, affecting the relationships among people and institutions which are subject to the different rights of property.

While those adhering to the bundle metaphor of property are critical of the traditional ownership model, they too have their critics. Singer (2000b), for example, argues that the bundle
of rights metaphor recognizes only the formal aspects of property rights, and in doing so, it acknowledges only in abstraction that formal rights “impose duties on others and that liberties impose vulnerabilities on those affected by the exercise of those liberties” (p. 11). What, Singer suggests, this perspective overlooks is how those formal rights of property affect social relations beyond their institutional function. Legal realists like Singer suggest it is more useful to see how legal systems of property are justified given that they are socially produced and maintained. From this perspective, property is a legal system dependent on social interactions which interactively shape the larger legal institutionalization of property rights. It is in this interactive sense that property and rights scholars have been more recently arguing for a need to better understand the social relations producing and being affected by our socio-legal systems of property.

Property as Relations

What legal realists seek to bring forth through their critiques of property is the seemingly intractable control vested in traditional rights of property ownership. What comes out of their critiques is an understanding that the socio-legal system necessitates larger relationships for there even to exist entitlements to property in the first place (Cohen 1927). In other words, while control over property does come through owners’ rights, these rights are contingent upon a larger social system through which they can be realized. Such a relational approach to property rights has been articulated to better show how property is socialized beyond strictly legal understandings.

Central to the relational approach to property is an emphasis on how liberal citizenship rights themselves function. Jennifer Nedelsky has been influential in identifying why we ought to consider rights as relationships. Arguing against the traditional conception of liberal rights as
absolute powers, Nedelsky asks: from where is the underlying power of a private right originally
developed? The standard conception of the liberal citizenship right, she states, is one where
individual rights act as “barriers that protect the individual from intrusion by other individuals or
by the state” (1993, 7). In this way, liberal rights are thought to “define boundaries others cannot
cross and it is those boundaries, enforced by the law, that ensure individual freedom and
autonomy” (ibid). Such an understanding of liberal citizenship rights, she argues, marks
independence as the essence of autonomy. Private rights are thought to secure individuals from
outside social influence, affording individuals their independence because of their isolation from
society broadly defined.

Nedelsky argues that this traditional conception of private rights is unsound. Particularly
of issue for her is from where autonomy is thought to derive. She argues that autonomy derives
not from individuals’ separation from society, as is traditionally assumed with liberal rights, but
through their relationship with society (p. 8). This is so, she argues, because autonomy, when
defined as self-governance, “requires the capacity to participate in collective as well as
individual governance” (ibid). If this is the case—that autonomy is collectively produced—then
“the constitutional protection of autonomy is no longer an effort to carve out a sphere into which
the collective cannot intrude, but a means of structuring the relations between individuals and the
sources of collective power so that autonomy is fostered rather than undermined” (ibid).
Nedelsky thus re-conceives of liberal rights not as something functioning to protect individuals
from society, but rather, as a relationship which strengthens individuals’ autonomy through their
social connections.

What is wrong with the traditional liberal isolationist conception of liberal citizenship
rights, Nedelsky suggests, is that it does not account for how our “essential humanity is neither
possible nor comprehensible without the network of relationships of which it is a part” (1993, 12). And it is this relational perspective on rights which has been expanded through critiques of the traditional ownership model of property. As Joseph Singer suggests, a relational approach to property suggests property rights are “socially situated, contingent on their effects on others, and therefore set within the context of relationships involving mutual obligations” (Singer 2000b, 131). Similarly to citizenship rights, a relational approach to property views property rights not as absolute powers that enable property owners absolute freedom. Rather, the powers realized by individuals through property ownership are limited by others’ rights to livelihood as well as to their own rights of property.

Singer sustains his critique of the traditional ownership model of property by emphasizing the incommensurability of property rights themselves. The traditional ownership model, Singer argues, “fails to incorporate an understanding of property rights as inherently limited both by the property rights of others and by public policies designed to ensure that property rights are exercised in a manner compatible with the public good” (2000a, 7). What the traditional model of property ownership does, therefore, is obscure “the fact that property rights exist on both sides: the right of the store owner to exclude and the right of members of the public to enter public accommodations and to engage in contractual relationships to purchase property” (2000a, 7-8). Singer’s point is that in practice, property rights, like personal rights of liberty, naturally conflict. And these points of conflict cannot be justly understood by resorting to rights analysis alone. Rather, a relational analysis is necessary to better identify the social imbalance of conflicts within property ownership.

What is more helpful for understanding property than the traditional model, Singer suggests, is one which examines property’s entitlements. Looking at property entitlements helps
identify "not simply the owner of the property right, but the conflicting interests of everyone with legitimate claims to rights in the property in question" (2000b, 91). Because he sees rights as correlative, in that property rights have duties or obligations attached to them, he suggests the purpose of relational approaches to property is to make transparent the tension between ownership and obligation (2000a, 17). In this way, we can better make sense of how property owners’ obligations to others are justified in relation to their right in property.

Supplementing Singer’s relational perspective on property is Hanoch Dagan’s (2011) approach to property. Like Singer, Dagan critiques the traditional ownership model, suggesting it entrenches “an understanding of property as an exclusive right [which] might misrepresent owners’ social responsibility and nonowners' right to entry as suspicious intrusions to property, rather than necessary entailments of property” (p. 44). To better see the effects of property’s “entailments,” Dagan suggests we see the different types of property forms as “forms of institutions.” He considers forms of institutions to represent “default frameworks of interpersonal interaction that consolidate people’s expectations and express the law’s normative ideals for core types of human relationships” (2011, xii). As such, what property analyses critical of the traditional ownership model of property ought to examine is “the human values underlying the existing property forms… normative analysis [examining] property law’s material effect on people’s behavior, … its expressive and constitutive impact, and… the intricate interdependence of the two effects” (p. 29). As such Dagan believes, like Singer, that given that law shapes dominant “forms” of property, it is necessary to examine how the traditional model of property ownership implicates owners and non-owners within such forms or relationships of property.

I agree with Singer and Dagan that we better understand property when seeing property’s relationships. Simply understanding the function of property and property rights through law—
through institutional analysis of how property functions—avoids key aspects of social conditions related to property and its regulation. I suggest that Singer and Dagan’s legal realist approaches help move us in that direction, to re-conceptualize property, as Singer does, as a set of “relations among people—between owners and nonowners and among owners” (2000, 29). The two split on how to go about doing so. Examining their positions gets us closer to finding a working definition of what a “relational” analysis of property can look like.

Dagan suggests that relational property analyses must stay close to the legal forms of property law. Naturally, as a law scholar, Dagan grounds his analysis within the forms of property that laws already recognizes. Dagan insists that, against the traditional ownership model of property, therefore, that the task for relational analysis is to see property as “forms of institutions.” Understanding property as forms of institutions, he argues, helps us to identify “unifying normative ideals for core categories of interpersonal relationships” (p. 30). In other words, for Dagan, what is necessary when examining property’s relationships is to develop categories of property representing discourses regarding the values of society. However, when such discursive analyses remain rooted within law’s forms of property, the manner in which property does or does not fit into property’s recognizable forms through law becomes the object of property analysis. In other words, while property’s material effects on society may be of concern, legal analysis is less apt for explaining how unjust forms of property came to exist in the first place. The object of legal analysis seeks to critique extant legal forms, and in doing so, to change property forms along legal metrics.

Singer, although working within a legal realist framework, suggests that the very point of relational property analysis is about justifying the relationships of property within society. In other words, analyzing property and its material effects on society requires normative judgement
over what is *just* about property relations. Such exercises are largely overlooked within legal analyses of property, he suggests. For example, Singer notes how “rights” and “efficiency” theories of property may reinforce certain assumptions about the ownership model. 7 When rights are assumed in a rights-based model, for instance, presumptions of natural ownership can place burden on non-owners to show how they are negatively affected by an owners’ rights of property, rather than a relational approach which incorporates the obligations of owners as well as non-owners (2000a, 10). Put another way, property law tends to assume certain constants about social life as it relates to property ownership, which inhibits a more relational understanding of how law and society iteratively shape one another.

Some sense of what is meant by relationality is necessary to clarify why such an approach is necessary. I define what a relational approach looks like for my own work in the conclusion to the chapter. There I defend a materialist approach to property relations, one concerned less with identifying new legal forms of property and more focused on detailing how and when property as a socio-economic and political set of material relations establishes inequities. But to do so, I first review how geographers have contributed to property analysis. For, geographers provide useful analytical tools for grounding legal analyses through relational understandings of space and how property is produced in places over time. Particularly, I consider how geographers have examined houselessness in relation to property. I suggest there is more to be understood about property’s relations than the houselessness literature covers.

7 “Rights-based” and “efficiency” theories of property are particular metrics through which to understand issues within property law. Rights-based theories identify property disputes by deferring to titles and deeds; that is, who holds which rights particularly. Rather than evaluating property disputes through moral theories, rights-based theories stress obligation to adhere to legal definition in arbitrating such disputes. Similarly, efficiency theories look at property through a market-oriented lens, deriving decisions over property allocations based on economic utility, not morally-derived theories.
Geographies of Property

Alongside a relational turn in property rights scholarship in the late 1980s and early 1990s, geographers too were advancing analytical approaches to spatial phenomena as something comprised of or contingent upon social relations. A relational understanding of space, in its most general form, posits that space is not simply a physical object, a container for social interactions and human relations. Instead, space is understood as inherently socialized, whereby space expresses social, economic, political, or legal relationships, and, in turn, these social relations react back upon or within space, producing or constructing socialized spaces (Soja 1989, 81). Such understandings of space inspired geographers to retheorize the implications of social relations being “stretched out” unevenly at different spatial scales and within places (Massey 1994). What followed from these theoretical insights were analyses examining how space becomes imbued with power and how spatial relationships influence social and political-economic relations themselves.

One result of this relational thinking about space is an attention by geographers to matters of landed property. Supplementing critical legal scholarship on the traditional ownership model of property, geographers have critiqued the ways that the private property model limits or inhibits the diversity of lived socio-spatial experiences. Of general concern is with how the private model of property ownership naturalizes the bounding of spaces by fixing legal regulations over them, thereby making property appear as a “finite” or objective thing designated

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8 I acknowledge that the term “relational space” is understood to mean something very specific by some. Harvey (2009) for instance defines relational space as space being “contained in objects in the sense that an object can be said to exist only insofar as it contains and represents within itself relationships to other objects” (p. 12). Such a view of space is in distinction to “absolute” space, space as a thing in itself, or “relative” understandings of space, where space is the relationship between objects.

9 I also acknowledge that the term “dialectical” connotes something distinct from that of the term “relational.” In Chapter 2, I develop a dialectical understanding of property and citizenship.
in space (Blomley 2004). What this naturalizing process does, argues Blomley, is reify for property owners that space is isolable as a legal thing, thus denying the spatial relationships between individual owners and other people in society more broadly. The notion that property is a finite space, that property is spatially-fixed by law, reinforces an understanding of private property as that which is “pre-political, obvious, and unproblematic” (Blomley 2004, 6). Landed property through this lens becomes territory-like, space which is individually-managed to control access to a property.

Adopting Doreen Massey’s conception of how social relations stretch-out unevenly within space, Blomley argues that property’s territorializing of space reflects a “power-geometry,” one in which “people are differently-placed in relation to spaces of property and the processes and social resources that they are constituted by” (2010, 208). In other words, the process of territorializing spaces through the production of property is a means of enhancing, if not sanctioning, uneven social relations within space. This territorializing process, then, through which private property is enacted, converts “a network of social relationships into a set of discrete, bounded things” (Blomley 2010, 205). Through such a conversion, the ownership model appears to “settle” the definition of what property is and thus what property is not (Blomley 2004, 14). Here property becomes naturalized as something privately-held, individually-controlled with identifiable legal boundaries to it. In this way, the traditional model of ownership expresses a set of relations over things, over bounded spaces, obscuring the ways in which property establishes relations among people about resources that are not necessarily spatially bounded.

Geographic understandings of property show us that property is a process unraveling over space and through time. A system of private landed property does not exist on its own; it has
been created in practice over time. Property thus requires an active “doing,” it is a process “enacted upon material spaces and real people, including owners and those who are to be excluded” (Blomley 2003, 123). As such, landed property necessarily engages people in relationships concerning how specific material spaces are used; how those propertied-spaces are made and remade over time; and who has the ability to control these processes.

How power is produced, enhanced, and leveraged against others, therefore, remains a core geographic concern for those examining the socio-spatial relations producing property. That dominant property forms maintain uneven social and economic relations in space has been central to geographic scholarship of houselessness, a body of literature particularly emphasizing the consequences of property owners’ right to exclude people from spaces on account of their condition.

*Geographies of Houselessness and Property*

Geographers have developed a rich body of work examining houselessness. Political economies of houselessness have examined the rise of houselessness in the 1980s in regard to processes of deinstitutionalization (Dear and Wolch, 1987), how economic restructuring and deindustrialization in the late twentieth century affected waged labor and access to affordable housing options (Wolch and Dear 1993; Mitchell 2011; von Mahs 2011), and how changing governance approaches to urban land use policies restructured and policed access to public spaces (Mitchell 1997; Beckett and Herbert 2010; Baker and Evans 2016). Alongside political economic analyses of houselessness, geographers have identified the social conditions for houseless people living through stigmatization as well as criminalization (Feldman 2004; Mitchell 2003; Takahashi 1996), many in this vein offering narrative depictions of how houseless people cope without stable access to shelter or housing (May and Cloke 2014;
Deveurteil et al. 2009; Wright 1997; Herring 2014; Herring and Lutz 2015; Sparks 2010, 2012; see Urban Geography Special Issue 2011 for non-liberal contexts). This diverse body of work acknowledges the production of houselessness as an economic condition, and in turn, how houseless individuals manage to stabilize themselves within such precarious situations.

The role of property within the geographies of houselessness literature speaks to both the economic and the socio-political conditions of being houseless. Much of the research on houselessness together with property has been developed by Don Mitchell, whose work examining public space connects how rights of property function to exclude houseless people from space. In doing so, Mitchell’s work points to a paradox of being houseless: that in a world where private property relations are dominant, relying upon public space is often the means by which houseless people must survive. Yet, while public spaces often appear to be open to all, the way in which public spaces are regulated effectively works to exclude houseless people from public spaces and thus from social and political life more generally.

Within the traditional ownership model of private property, property rights offer owners direct means of excluding unwanted people from their propertied-spaces. Mitchell and others show how public spaces when seen as a form of property ownership can be just as exclusionary to houseless people as that of private ownership. Mitchell and Staeheli (2006) note, for instance, how municipally-owned properties operate as “pseudo-private spaces,” spaces that are “formally owned by the state… but that are subject to control and regulation by private interests” (p. 153). Downtown business districts (BIDs) in many cities, for example, represent such semi-private spaces, where the public infrastructure is privately policed (Ward 2006). Here public property is not privatized in the sense that ownership is privately held; municipally-owned property is still publicly-owned property. But examples like BIDs reorient the way in which public space
becomes regulated, reflecting the values of private ownership which selectively regulates who can be where within publicly-accessible spaces.

The traditional ownership model and how property is regulated through such a model therefore shapes the way in which both private and public spaces are ordered. Mitchell (1997) notes, for instance, how “anti-homeless laws” represent the very means by which private capital reconfigures public space. Laws denying houseless people access to space, denying people an ability to engage in acts of social reproduction (sleeping, urinating, etc), prohibit houseless people from doing what they must to survive. To the extent that they “annihilate space by law,” and therefore, people by law, anti-houseless laws serve to reconfigure public spaces for private gains. For, it seems, houseless people taking up public spaces reflects poorly on the socio-economic and civic health of cities’ development strategies more broadly. Mitchell argues that anti-houseless laws have become “an important ingredient in not just expanding capital, but in either attracting it in the first place, or in protecting it once it is fixed in particular places” (p. 313). Considering the use value of public space for houseless peoples’ lives, houseless people’s occupation of public space, therefore, threatens the exchange value of capital and its future creation (p. 316). In this sense, processes of redevelopment warrant the protection of propertied space from houseless people, whether that be directly protecting private property, or whether that means protecting public spaces by implementing land use ordinances.

By enabling the tools for excluding houseless people from public space, property rights function by delineating a normative social order. As Staeheli and Mitchell (2008) suggest, property and public space is a “site of structuring, but also of unstructuring, social relations. It is both a means of sorting community and social norms, and of upsetting them” (p. 142). Most explicitly, this is done through legal exclusion rights which identify who can and cannot be
somewhere, in some particular space. In this sense, the exclusion of houseless people from the public marks houseless people as outside of the legitimate public sphere (Mitchell 1995), as houseless become “involuntarily public” without access to private property. The right to exclude invested in property owners, therefore, is “more often a means of differentiating and positioning members of the public than an act of total exclusion... [it] entails an ability to reorder the public” (Staeheli and Mitchell 2008, 143). From this perspective, when excluded from property, houseless people cannot be legitimate citizens when citizenship is understood through property access or ownership.

Geographies of houselessness therefore supplement critiques of property and the right to exclude by illustrating the spatial consequences of such a powerful right. By exclusively focusing on the right to exclude, however, geographers examining houselessness have left other important aspects of property underexamined. By looking at exclusion alone, we cannot see how property “produces” or establishes certain kinds of subjects through its relations with property-insecure people. As we’ve seen, property constitutes more than the right to exclude. Property establishes multiple relationships within society that illustrate how it is that property relations mark social, economic and political differences. As a socio-economic and political relationship, analyzing the production of property, and how this establishes uneven relationships with houseless people, can help us see how property is productive of houselessness more broadly.

**Producing Houselessness**

To better understand why examining property’s relationships is necessary for understanding houselessness more broadly, it is useful to think back to Jeremy Waldron’s thesis about the plight of houseless people. Waldron (1993) suggests that in a world of private property, houseless people remain unfree to be anywhere because property rights give owners the right to exclude.
No doubt Waldron’s general sentiment is right. Houseless people, as Mitchell and others have argued, *are* excluded from private and public spaces with frequency (NLCHP 2016). But by exclusively emphasizing that houseless people are excluded from property, we run the risk of placing houseless people *outside* of property. Nick Blomley (2009) suggests as much in his critique of Waldron, where Blomley accedes that although houseless people are perhaps most immediately affected by the regulations of law—houseless people are excluded from private space because of the rights of property ownership—houseless people are not actually precluded from property. Rather, Blomley argues houseless people are “thoroughly entangled with property,” as they are implicated in the very relations producing property in the first place (2009, 581). Such a sentiment suggests that the very condition of being houseless is not only one of being excluded from particular spaces, but that houselessness is a condition whereby exclusions represent moments within property relations more broadly.

Emphasizing ownership rights to exclude helps us see how a property right is executed against houseless people. But it does not help us understand how the production of the power within that right is developed and maintained prior to those instances of exclusion. Thus, rather than place houseless people “outside of property,” we ought to examine how it is that houseless people are implicated in the very relations producing property in the first place.

Here I want to suggest what utility I see through a relational approach to property. Previously in the chapter, we heard relational property scholars suggest that we better see alternatives to the traditional ownership model when we examine the *context* of relations surrounding property. At its core, this sentiment is correct. What helps us see property’s effect on houseless people is detailing the context through which property is produced and implicated in particular places and times.
The aforementioned relational approaches struggle to reach outside of legal analyses, however. Remaining within legal frameworks alone may deemphasize that property relations are relations of material significance. That is, some relational approaches suggest that we think harder about what property is and ought to be *legally*, not about the ways in which property has been produced and maintained as a dominant value dependent on creating property insecurity itself. It is my concern that discourses seeking new ideations of property lead us away from explaining how houseless people are necessarily imbricated within traditional property systems more broadly. Such relational approaches may also sidestep normative judgement about property inequities by adhering to legal models which bracket issues of justice.

My approach in Chapter 2, then, attempts to stay close to the development of property within American liberal-democracy. It does so by examining property dialectically, by examining the conditions of property which have produced houselessness as a condition of property insecurity. In doing so, I argue that we can better see how it is that the traditional ownership model of property necessitates property insecurity for some, and thus remains the most significant set of material relations affecting houseless peoples’ lives.

**Property’s Production Processes**

This chapter has sought to show how property scholars have examined property and how this matters to studies of houselessness. I identified that the dominant form of property—the traditional ownership model—is a legal form of property representing the significant amount of power within ownership rights, none more so than the right to exclude. Geographers examining houselessness have adopted similar approaches to studies of property, showing how the right to exclude plays a critical role in disrupting houseless peoples’ lives. Although helpful, I have
suggested that focusing exclusively on the right to exclude overlooks important relations of property that are themselves productive of houselessness as a condition.

The relational turn in property scholarship asks us to see such relations. To do so may help us see the role that property relations play in mediating houseless life beyond the right to exclude. The next chapter therefore takes up a relational, or dialectical as I prefer it, analysis of property within the context of liberal-democracy specifically, by examining how the liberal citizen became synonymous with the propertied citizen. It shows how the historical relations producing property within liberal-democracies has developed property into the very definition of citizenship. In tracing the conditions of citizenship as they relate to property throughout history, I suggest that property remains today the very entity which denies houseless people the right to enjoy their political citizenship, a notion I develop through case studies of houseless encampments in Chapters 3 and 4.
Chapter 2: Properties of Liberal-Democratic Citizenship

Property has always been a fundamental component of liberal citizenship. For a period of time, landed property was indeed the primary means by which liberal citizenship was constituted in America. However, as democratic reforms extended formal rights of citizenship to groups previously excluded from them, the ways in which property connected to citizenship became less clear. The ways in which property influences citizenship today remains overlooked.

This chapter draws attention to property in this capacity. It examines how property rights and relations continue to be a critical component in shaping liberal citizenship today. Throughout the chapter, I seek to show how the political relations which produce property as a specific set of values are not relegated to the past. Rather, I suggest the social and political values historically associated with property linger on in contemporary discourse. The survival of long-held liberal values of property continue to mediate citizenship in significant ways. Property has been maintained as a necessary component of democratic life; a social, political, and economic relation that is “built-in” to the practices and institutions of liberal democracy. As I will argue in the chapter, then, the values upheld through the multiple relations producing landed property are essential in moderating “proper” citizenship practice.

In developing this set of arguments, I draw from a wide range of scholarship concerning property. Much writing on property’s connection to liberal citizenship emanated from classical political philosophy and liberal theory from the seventeenth through twentieth centuries. These property literatures were reinvigorated by the work of political and legal theorists as well as legal historians in the mid-to-late twentieth century.
This chapter draws broadly from key works within property scholarship to detail how property historically influenced citizenship and how citizenship is still affected by property relations. The first part of the chapter identifies how social and political values of property defined the liberal citizen as one premised on the ownership of property. It traces the ways in which property was used as means of defining the proper social order within U.S. democratic practice. The second part of the chapter suggests that property continues to demarcate a proper liberal ordering of social life. Yet, the ways in which property relations order social life have shifted over time. With the expansion of liberal democracy throughout the last two centuries political rights have been extended to all citizens regardless of their property holdings. This extension of rights ought to have strengthened citizenship for who did not possess property. Yet, the extension of liberal rights has maintained inequities particularly as they relate to class differences. This imbalance centers around property. As the political values of property were overridden by the growing economies of property, the way in which property came to moderate claims of citizenship became influenced more by economic values. Somewhat ironically, then, the process of “democratization” has established the very means by which citizenship has remained limited for property-insecure people in liberal-democratic states.

In bringing these arguments together, I end the chapter by focusing on how property shapes citizenship particularly for houseless people. Houseless people are intimately affected by property relations. While houseless peoples’ experiences vary wildly, property, I argue, is the common political and economic relation by which houseless people are primarily affected. Houseless people are confined by legal relations of property, which limits where individuals can or cannot be within space, and as a result, houseless individuals are regularly and forcefully excluded from places. But houseless people, I argue, also experience limited citizenship in more
substantive ways that reach beyond legal restrictions. As a result of the social and economic factors producing property that historically have shaped liberal-democratic values, property relations continue to define property insecurity as a condition aberrant or outside of the proper social order. Such values work to define the very limits of citizenship for houseless people.

In making these arguments, I review key interventions in houselessness scholarship concerning property rights and citizenship. The houselessness literature examining citizenship and property has emphasized the logic of legal property exclusions. Such explanations provide a foundation that can be usefully expanded upon. What I call for in the conclusion is a renewed attention to how houseless people are limited by property in tandem with and beyond that of legal exclusion. I argue we ought to examine the active production of property as a social, legal, political, and economic relation to better understand how it is that houselessness as a limited citizenship standing is produced and maintained within liberal-democratic politics. I seek to go beyond identifying simply how law excludes houseless people from space. Rather, I wish to show the powerful, everyday ways in which property moderates peoples’ lives “pre-politically.” That is, how it is that property is valued socially and politically, and in turn, how these values are actualized in laws which maintain inequities among classes, particularly for property insecure people.

I begin the chapter by setting up my methodological approach for examining the relations of citizenship and property. Property directly relates to how liberal citizenship is conceived and realized. As such, I explain this dialectical relation in order to set up a history of propertied-citizenship.
The Dialectical Nature of Property and Citizenship

Using a dialectical approach to describe the relationship between property and citizenship is merely one way to examine how these concepts affect houseless people. Certainly, examining phenomena dialectically can mean many different things. My intention is not to identify the “true” meaning of dialectical reasoning in abstraction. A description of the various ways in which dialectics has been applied in social research lies far beyond the scope of this project. Instead, and for my purposes hereafter, I understand that “propertied-citizenship” is dialectically related in that both of the two concepts are intertwined. The point of dialectics for me is that such an analytical framing brings forth how it is that certain processes (private property ownership, citizenship) are necessarily entwined with one another and how they produce or maintain themselves in the world because of this relationship. Liberal property systems rely on a citizenry for such a system to be realized. Yet because of property and liberalism’s many variations, property and citizenship are often contradictory to, or in tension with, one another. Therefore, my dialectical explanation of property and citizenship examines how citizenship has been “propertied” historically. But it also explains how citizenship remains propertied, despite the apparent lack of property qualifications for, much less restrictions upon, liberal citizenship for houseless people.

Modern propertied-citizenship presents a dilemma for houseless people. Property, on the one hand, is a legal system where houseless people are denied their full rights of citizenship. For, property rights exclude houseless people from access to spaces and resources necessary for survival, thereby denying houseless people freedom to pursue their means of social reproduction, means secured through liberal rights. To enjoy “full” citizenship in this sense, houseless people would need access to or ownership of property to fully realize their liberty rights. On the other
hand, rights of liberal citizenship are not contingent entirely upon property. In general, most houseless people hold rights of citizenship, regardless of whether they own or have access to property. Citizenship rights are “protected” by having legal status as citizen. In short: property limits liberal citizenship, but liberal citizenship is not dependent absolutely on property.

The dialectical relation between property and citizenship matters for houseless and housed people alike. The tension between how property mediates citizenship is in one instance created by legal exclusion, but then is enhanced through extra-legal relations. Citizenship is limited for houseless people through legal exclusions; owners legally deny people needed access to private or public spaces, for instance. But citizenship can also be limited by more than just rights-based restrictions, or in the case of houseless people, rights-based exclusion from property. Property, as a set of social relations, limits citizenship in more ways than those recognized through narrow legal terms of exclusion and status. Homeowners surrounding houseless encampments, for example, actively promote the eradication of organized encampments for many reasons. The social values producing liberal systems of property, therefore, also limit houseless peoples’ citizenship in distinct ways (See Chapter 3).

One issue following from the notion that liberal property systems limit citizenship is that property can rarely be dissociated from citizenship realization even for houseless people who hold legal citizenship status. Another way of putting it, when houseless people experience limited senses of citizenship, property rights and relations are implicated in the very processes limiting one’s citizenship. A common example is when a houseless person cannot get a bank account or mail services due to not having a personal address.

But property relations go deeper than simply a lack of address. Property’s deeply-embedded values also project onto unhoused people, denying houseless people the opportunity to
speak for themselves at social and political engagements directly impacting their livelihoods, such as neighborhood meetings. Such values also are promoted in political discourse in attempt to deny houseless people opportunities for self-determination in choosing how to stabilize themselves. Conversely, because citizenship is connected to ownership or tenancy, houseless people can rarely realize “proper” liberal citizenship without first obtaining access to property. Houselessness within the liberal property system is therefore illiberal in the sense that lacking a secure interest in property exudes social and political impropriety; being houseless is a socio-legal standing placing individuals outside of the proper social order. The problem with these marginalizing effects of liberal property systems is that houseless people can often experience a kind of “citizenship-in-waiting” as a result. As such, houseless people must continue to struggle for not just access to property but for citizenship at the same time.

The implications of the tensions between property and citizenship for property insecure people are usefully highlighted through a dialectical approach. By adopting such an approach, however, I am not seeking to promote dialectical modes of reasoning as a superior methodology of knowledge construction. Rather, I find such an approach useful for framing my analysis of how houseless people experience limited citizenship in modern democracies. Such an approach helps illustrate certain contradictions affecting houseless and housed people in everyday ways.

But so too does dialectical reasoning aid in geographical analysis. Drawing from Harvey’s (1996) account of dialectics, a few key points follow regarding the purpose of this framework. Perhaps most usefully, as Harvey argues, dialectical analysis brings attention to “the

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10 Ollman’s (2003) Dance of the Dialectics thoroughly explores the nuances of dialectical thinking. Ollman particularly is focused on Marx’s dialectical method. Perhaps more useful for my research is Harvey’s (1996) fairly succinct explication of dialectical thinking. Harvey breaks down what he means by dialectics and how this mode of reasoning lends itself well to geographical analysis.
concrete material conditions of the world in which we find ourselves” (p. 8). Articulating why and how contradictions arise within society, as an epistemological exercise in itself, is thus not sufficient. Dialectical means of reasoning ought also to examine how certain processes construct types of “permanence” in specific places and at different times, permanences which shape “dominant social values to which most people willingly subscribe” (Harvey 1996, 11). Examining the dialectical relations of social life through historical-material conditions producing social and physical spaces not only affords us perspective into how social “values” are constructed (p. 12). So too do these modes of reasoning indicate potential pathways for change, changes that are rooted in the material geographies of social relations.

In using a dialectical approach I develop an understanding of how citizenship has come to be valued through the intermeshing of legal and social relations surrounding property use. As Harvey (1996) suggests, the theoretical and empirical task of dialectical reasoning is to “identify those characteristic ‘moments’ and ‘forms’ (i.e. ‘things’) embedded within continuous flows which can produce radical transformations or where, conversely ‘gatekeeping’ or other mechanisms might be constructed so as to give a ‘thing’ or system… qualities of identity, integrity, and relative stability” (p. 55). To put this in the context of propertied-citizenship, what requires explaining is the stability of liberal property values and how these values continue to shape citizenship. How social values of property were produced and how such values are reworked and maintained within contemporary liberal-democratic practice is thus my object of analysis.

My arguments about how property influences citizenship develop throughout the dissertation. This chapter provides a theoretical explanation of how propertied-citizenship developed historically and how those values have residually affected citizenship today,
particularly as it relates to houseless people. The following two chapters, then, draw from the insights developed here to empirically show the different ways in which property produces limited citizenship for houseless people living in self-governing encampments in Portland. The final chapter draws from theories of justice and democracy to offer a way forward in thinking through the contradictions of houselessness and propertied-citizenship within liberal-democracies. Thus, each chapter of the dissertation develops upon the relations of property (as examined in Chapter 1) in distinct ways, showing us how the process of property relations produces a model of liberal citizenship which marginally incorporates houseless people. It shows us, that is, how houselessness is not only allowed for, but *legitimated* within the liberal model of citizenship. I now turn to detail a historical understanding of the ways in which property has been implicated within liberalism and democracy.

*Property, Liberalism, and Citizenship*

Many analyses of property within liberal theory begin with the work of John Locke. Although property was certainly talked about prior to Locke’s writing in the late seventeenth century, it was Locke who grounded them within the liberal tradition. Locke’s writings on property are significant because of how they have come to influence modern liberal ideals and values about property, rights, and the role of government in mediating them. For good reason, then, his work is a good place to begin tracing how liberal thinking on property and rights has developed over centuries.

Property, for Locke, was something one acquires simply by cultivating some resource. That is, property becomes property the moment at which an individual invests their labor into a given resource. This position is laid out in Locke’s origin theory of property, where he states that
every man has a property in his own person: this nobody has any right to but himself. The labor 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 has provided, he has mixed his labor with, and joined to it something that is his own, and thereby makes it his property (2016, 135).

From Locke’s perspective investing one’s labor into something gives one possession over that resource. In that one’s labor affords possession over a resource, possession of property is then realized when some resource is enclosed from the commons. Locke assumed no person would ever take more property than was necessary to preserve themselves and to satisfy their basic needs. In theory, then, property would only be acquired based on necessity, for an individual to meet their needs. The implications resulting from Locke’s assumption is that people could claim an unlimited amount of property as long as they were able to justify why extra resources directly contributed to their self-preservation.

What Locke’s labor theory of property suggests is that property comes into an individuals’ possession naturally. That is, the possession of property is understood as one’s natural right. Obtaining property by investing one’s labor in a resource was seen as a natural right because all individuals were assumed to have “an equal natural right to one’s own labour and to the means of labour” (Macpherson 1978, 15). Investing one’s labor in resources, thereby establishing a property right, was a means of being in possession of, or “owning,” one’s self. Self-possession mattered to Locke because he thought that individuals best “preserved” themselves by owning property, given that cultivating property constituted the very process by which people owned their own labor. And owning one’s labor was understood to be an individuals’ natural right to self-preservation (Locke 2016, xxii). In this way, cultivating and
acquiring property was an individuals’ means of preserving themselves against and before others within society.

Acquiring property for Locke was therefore an individualistic pursuit. In this way, Locke’s theory of property can be said to have inspired the classical liberal view that property ought to be a resource privately-held (Friedman 2001). Although Locke understood property ownership as natural, or pre-political, he suggested nonetheless that property would be better protected through the compact of a civil society. Government, in some form, was necessary. He believed the sovereignty of government was necessary to better protect individuals’ rights to property. Without the “neutrality” of government sovereignty, Locke believed an inevitable chaos would overcome individuals within a pre-political state, what he and others termed the “state of nature” (Locke 2016, 127). The very purpose of forming and consenting to government authority, from this perspective, was to uphold property contracts between individuals. Indeed, he thought that the very authority of the state ought to be used only to arbitrate between property conflicts and nothing else.

The notion that institutions of government were necessary to maintain people’s property holdings resonated with the framers of the U.S. constitution. Particularly impacted by Locke’s central role for property within social relations were key Federalists who argued for a stronger national government. Several essays in the Federalist Papers, for example, underscored such a position on the role of government. 11 Madison, in particular, suggested the raison d’être for creating a stronger federal government was premised on white male individuals’ ability to secure

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11 I focus here on Madison. But in the Federalist Papers, Hamilton made similar arguments to those of Madison’s. In his opening and closing statements for a stronger federal government, Hamilton states that by agreeing to adopt the Constitution, citizens were providing themselves, among other things, the “additional security which [the Constitution’s] adoption will afford to the preservation of that species of government, to liberty, and to property” (Hamilton et al. 1987, 90).
and acquire private property. His clearest statement connecting the use of government to secure property came in the Federalist Paper 10. There here stated that “the diversity in the faculties of men, from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results” (Madison et al. 1987, 123, emphasis added). For Madison, then, a stronger federal government would not only adjudicate property ownership disputes for citizens. A stronger federal government would enable and protect citizens’ pursuit of more property.

Federalist arguments emphasizing constitutional protection for property was an essential element in constructing republican government beyond the mere possession of property in itself. Protecting property mattered to Federalists because property was seen as the means by which other related rights were generated. For Madison, a government’s protection of “different degrees and kinds of property” meant that republican government could secure nearly all of the individual liberties of citizens, not just those rights limited to real property. Like Locke, therefore, protecting property rights protected the “source” of an individual’s self-ownership and autonomy.

Protecting property rights was thought to therefore establish other related personal rights. Foremost among these rights, or values in rights, was that of liberty. Liberty has long been recognized as a value attached to and deriving from property ownership (Merrill and Smith 2010). For the Federalists, property was “seen as a safeguard of liberty because it set limits on the reach of legitimate government” (Ely 2008, 1). From this perspective, an individuals’ liberty was secured through property rights in a double sense. On the one hand, government could not
impinge on one’s private rights to property, thereby protecting individuals’ rights of liberty. And on the other hand, if conflicts over property arose between citizens, the government would step in to adjudicate between those conflicts. In this sense, securing private property rights protected individual autonomy, a security seen to strengthen the legal distance between autonomous individuals and the government as well as from other citizens.

Alongside securing one’s liberty, protecting rights of property was understood as necessary for realizing a coveted component of democratic practice: self-government. Security in one’s property rights was thought to enable individuals to participate in the political process as well as provide the freedom to challenge governmental policy (Ely 2008, 1). Self-government was thought to be more viable when individuals were free to participate and effect the political process. But the political freedom of self-governance, because it was predicated on property ownership, was intimately related to an individuals’ economic freedom. Indeed, in classical republican thinking (ideas espoused by the Founders), political freedom was thought to derive from one’s economic freedoms in that “an economically independent people were best able to maintain their political independence” (Upham 1998, n.p.). As such, the economic freedom provided by property ownership enabled for citizens the independence thought to be necessary for practicing self-governance.

The notion that political independence derived from the economic freedom of property ownership strongly shaped democratic citizenship in the 18th and 19th century. Voting rights are the most common example. As a hallmark right of formal citizenship, suffrage was restricted to only property-owning white men after the ratification of the federal Constitution. Restricting suffrage to only property-owning white men was particularly encouraged by Federalist framers
of the Constitution because they saw property as essential to realizing republican values, values
of liberty and freedom.

But the acceptance of property restrictions for suffrage in the Revolutionary Era
emanated not just from the minds of the framers of the Constitution. There was widespread
social backing for property restrictions on suffrage. As Robert Steinfeld suggests, writers during
this period characterized those without possession of property as inept or unqualified for political
participation. He states that “those who owned no property were powerless and dependent; they
were nearly always subject to the will of those who commanded resources. Because they were
not their own men, they lack[ed] political capacity” (1989, 340). What followed from this line of
thinking, that suffrage rights ought to be based on property holdings, was that “those without
property were thought to be far too dependent on those with it to be able to exercise an
independent vote” (Upham 1998, n.p.). Property owners were seen to be fully governing of
themselves in that their economic freedom provided them independence from corrupting
influences particularly concerning voting. In contrast, those who lacked property were seen to be
improperly influenced, not capable of making decisions for themselves. One’s citizenship, one’s
right to vote, was predicated on owning property which only white men enjoyed.

By the mid nineteenth century, property-owning requirements for white male suffrage
were formally ending (Engerman and Sokoloff, 2005). Despite the formal end of property
requirements for male suffrage, property holdings continued to shape rights of citizenship. For,
property-owning requirements qualifying citizens for suffrage were simply replaced by other
financial mandates, such as taxpaying qualifications and even outright exclusions for the poor, or
“pauper exclusions” (Steinfeld 1989). The use of these financial exclusions to restrict suffrage
allowed many states to continue limiting political activity based on one’s economic standing.
Therefore, the mere ownership of real property was no longer the sole factor for extending suffrage, as formal voting rights were extended to some individuals who did not own property.

The type of property that qualified one for citizenship was changing. Satisfying republican desires to maintain the political significance of property was a re-conceptualization of what it meant to have property. After the repeal of formal property requirements for suffrage, “property” could be understood to be more than just “real” or landed property. This meant that qualifications for citizenship could be satisfied by those earning wages, whether or not those wage-earners owned real property. The political identity long associated with property could now be realized by more people as the capacity to earn wages from one’s labor approximated the values of economic independence as the means of self-governance that was long associated with property ownership.

The result of extending suffrage to white male wage-earners who did not own property, however, marked new socio-political distinctions between the working class and those receiving monetary relief. Now the political metric demarcating “the self-governing from the dependent was whether a person supported himself by earning wages or was dependent on poor relief” (Steinfeld 1989, 364). The mark of fitness for suffrage came down to whether or not individuals “owned their own labor,” whether individuals earned wages through their labor. Those individuals who remained without possession of property but owned their own labor through earning wages could now be included into the category of citizen. Wage-earners were seen as individuals capable of self-governing, while poorer individuals receiving economic relief were understood as property insecure, as incapable of self-governance and thus unqualified for citizenship.
People as Property

The end of formal suffrage restrictions based on property holdings in no way eradicated the relationship between property and citizenship realization for many Americans. Notably, African Americans and women were denied the privileges of citizenship even after property requirements for suffrage were repealed. For African Americans, citizenship was clearly denied as enslavement was a form of being property itself. After emancipation from enslavement, African Americans became equal citizens, in theory. Along with the promise of citizenship through the passing of the Fourteenth Amendment, formerly enslaved individuals were able to own property as well. Under law, therefore, African Americans were closer to realizing the protections of not only legal citizenship, but of the ideals of propertied-citizenship.

Despite the promise of the Fourteenth Amendment that all people born in the U.S. were equal as citizens, African Americans were routinely and violently denied the protections and privileges of citizenship. To take one example, there was a systemic deprivation of property ownership privileges for African Americans. As Kahrl (2019) notes, “whites undermined black property ownership… routinely [overvaluing] black-owned land, forcing black property owners to bear a heavier tax burden than whites (to pay for services they didn’t receive) and slowly draining families of earnings.” He continues, “if black-owned property became valuable or a black property owner challenged white supremacy, local officials could simply declare the property tax-delinquent and sell it at a tax sale.” Well into the 20th century, the white-controlled regulation of the property market regulated if, and when, African Americans could realize the privileges of property ownership. Thus even after African Americans became equal under the law, the privileges of citizenship were mediated by property rights and relations.
Despite the right to own property and to equal citizenship under the law, African Americans faced further citizenship struggles. Stemming from the 1790 Naturalization Act which recognized citizenship for only free whites (Bakken & Kindell, 2006), whiteness powerfully constituted the values of citizenship in practice post Reconstruction. As Cheryl Harris (1993) argues, whiteness itself was a form of property, a property naturally held by whites against those of African Americans, a property that disadvantaged African Americans through all legal, political, and economic relations. White values defining propertied-citizenship were structured into liberalism and its institutions. As such, white citizenship was a guiding metric for property relations. As Mills (2017) argues, liberal polities based on contractarian notions of justice—nations of liberalism embodying a polity of self-owning proprietors—naturally excluded African Americans from citizenship rights by denying them property rights. For, he argues, the liberal conception of propertied-citizenship was and remains one in which “the property rights of non-self-owning people of color are systematically violated… rights, liberties, opportunities, income, and wealth are continually being transferred from the nonwhite to the white population” (2017, 47, emphasis added). For African Americans, then, the struggle for citizenship was a process of becoming not-property in themselves by attempting to become propertied-citizens; self-owning citizenship that was structured through the liberal lens of white citizenship.

So too was the struggle for women’s citizenship rooted in relations of property. Not only did women in the American republic not have the legal right to vote until the Nineteenth Amendment was ratified in 1920. Women also lacked the right to own property until the mid-nineteenth century, when many states followed New York’s passage of the Married Women’s Property law. It was then that some states began to piece together a set of legal rights for married women to have some control over their husband’s assets (Married Women’s Property Act, n.d.).
Thus, as Herzog and Adams (2018) note, women not only lacked ownership rights to landed property, but to ownership of themselves, because they lacked ownership over their own bodies. Such notions of women as property, as subject to their spouse’s will, were rooted in liberal understandings of the natural role and place of women within the private sphere, thus reserving the male-dominated public sphere as the natural space for political engagement (Marston 1990). Like African American struggles for self-ownership, then, so too did women struggle against a liberal-republican social order which placed non-self-owning women outside of the proper role of citizen.

Today, suffrage and citizenship has been formally extended to these groups. However, this does not mean that people of color or women equally experience the privileges of citizenship. Property continues to be means of demarcating the “proper” citizen as a more recent history of U.S. housing policies show.

*Homeownership as Proper Citizenship*

Perhaps no aspect of American identity has been more closely connected to proper citizenship than with homeownership. While homeownership continued to increase throughout the nineteenth and into the early twentieth century, the period seeing the most rapid expansion of new homeowners in U.S. history was the period post-World War II. It was this particular period when metropolitan landscapes began to rapidly change through the expansion of suburban living and the consequent restructuring of inner-city neighborhoods. In doing so, post-War development entrenched the single-family home as the ideal American home. But the outcome of restructured metropolitan landscapes with a focus on suburban expansion also had the effect of further segregating populations by race, gender, and class. The promotion of the “American Dream” by way of single-family and suburban/private community homeownership represented
the very essence of the individualization of the traditional ownership model of property that continues to represent the liberal model of propertied-citizenship.

Critical to the development of the single-family homeowner as the idealized propertied-citizen was policy enacted by the federal government. In the early 1930s, the Federal Housing Administration (FHA) was created through New Deal legislation. Against the downturn in the economy after the Great Depression, the FHA provided a new option for homeownership from which many Americans were previously excluded. The FHA facilitated new homeownership by insuring private mortgages for the first time, as well as by extending the length of mortgage repayments and allowing for smaller down payments (Knox and McCarthy 2005). This allowed for the average American for the first time to be able to afford a home and to have that mortgage be insured through government rather than the private market.

The outcome of the FHA policies resulted in a post-War boom in homeownership. While pre-war levels of private homeownership starts averaged around 350,000 annually from the mid-1930s to the early 1940s, by 1950, construction of new homes jumped to around 2 million annually (Knox 2005, 151). U.S. homeownership rates increased from 43% in 1940 to a high of around 68.5% in 2006-2007 (U.S. Census 2020). Today, post-2008 recession, the homeownership rates sit around 65%. Although less homeowners are insured by the FHA today, the FHA policy was critical for promoting ownership of single-family homes over those of multi-family homes.

The FHA policies laid the foundation for development of the modern American suburb. For, the development of traditional suburban areas was premised around the construction of single-family homes as the ideal form of housing. The suburban, as Kenneth Jackson (1985) has suggested, is “the quintessential physical achievement of the United States” (p. 4). The suburb,
he argues, is a “manifestation of such fundamental characteristics of American society as conspicuous consumption, a reliance upon the private automobile, upward mobility, the separation of the family into nuclear units, the widening division between work and leisure, and a tendency toward racial and economic exclusiveness” (ibid). But the core of the “suburban ideal,” Jackson notes, is the notion of a detached house, a private place away from the crudeness of urban life (1985, p. 288). Given that 52% of U.S. residents live in suburban neighborhoods today (U.S. HUD 2017), as opposed to urban or rural, the single-family home which comprises much of suburban housing stock remains preeminent within American culture.

The revolution in suburban development had social implications beyond the spatially deconcentrating populations. It had social implications as well. Post-war metropolitan restructuring further divided Americans by race and class. A critical aspect of FHA-supported housing policy was the legally-enforced segregation of people of color from white neighborhoods. The FHA had race-coded policies mandating that only white Americans could benefit from federally-backed mortgages. It supported segregation by upholding the positions of the Homeowners Loan Corporation (HOLC), an entity which evaluated the risk for bankers of lending credit to homeowners based on the building and racial composition of neighborhoods (Stein 2019). The HOLC mapped zones of investment along risk-gradients, where a first order ranking represented an “in demand” neighborhood while a fourth and lowest-order ranking meant a neighborhood had already “declined” (Jackson 1985, 198). The HOLC investment maps were color-coded and the neighborhoods defined as already declined were shaded in the color red. These red-colored neighborhoods were highly-correlated with minority neighborhoods. Based on these maps, the government-supported process of “redlining” throughout the real estate industry marked areas where non-whites were unavailable for credit to buy homes. These
redlined areas signaled to banks and lenders that loans should not be given out to individuals looking to buy in these areas. In contrast, white neighborhoods, now predominantly suburban and even quite exclusive urban neighborhoods, were rated as prime for investment.

To ensure that people of color would not buy properties in white areas, sellers used covenants to restrict people of color from buying property in white neighborhoods. Covenants were legal criteria written into property deeds requiring that, when buying a home, whites would not sell that home to any person of color (Jonas et al. 2015). The result of these practices was the segregation of people of color into few and specific neighborhoods mostly within metropolitan areas. Although segregation existed within inner cities prior to the post-War suburbanization boom, minorities were forced into residing in increasingly underserviced inner-city neighborhoods throughout the great suburban expansion while whites were isolating within suburban developments and privatized urban communities (Davis 1992). In this way, new opportunities for homeownership were restricted almost exclusively for whites.

The practices of redlining and use of racially-restricted covenants that shaped home sales were legally enforced for over three decades. When congress passed the Fair Housing Act in 1968, the legal segregation of people of color from certain neighborhoods and from homeownership more broadly was formally ended. Despite the end of the lawful practice of racial discrimination, however, the legacies of these practices remain today. In many ways such practices are represented within the built landscape of metropolitan America, where neighborhoods within cities and suburbs illustrate the bifurcation of population by race. Data from the 2012-2016 American Community Survey, for instance, shows that whites comprise 68% of the total U.S. suburban population and only 44% of the total urban population (Parker et al. 2018). So too are there increasing disparities in homeownership rates when accounting for
race. As of 2017, homeownership rates for whites were 72.3%, in sharp contrast to the rate of black homeownership, which was at 43.1% (JCHS 2018). While the U.S. is becoming more demographically diverse, and the geographic distribution of non-whites throughout metropolitan areas is beginning to change after decades of racial and economic stasis, white homeownership remains predominant among American homeownership.

These legacies influence the values embodied within the idealized propertied-citizen. For, the discriminatory FHA homeownership policies valorized the ownership of property through the means of segregation, by restricting non-whites from buying homes in suburban areas and gated communities within urban areas to maintain higher property values in white-dominant spaces. The FHA and real estate industry were complicit in these actions, with the rhetorical goal of promoting the American Dream of homeownership for everyone but also to maintain property values in white spaces. Thus to expand homeownership, McKenzie (1994, 61) suggests, “it was necessary to establish a sense of security about property values. The [real estate] industry used its resources and influence to eliminate or minimize factors that appeared to make the value of residential property unstable.” Given that race was the predominant factor to be “minimized,” argues McKenzie, it was “the black American [who] was treated as a threat to property values” (p. 58). Thus with the private sector shaping housing policy, which was backed by federal government regulations, the ownership of property was promoted as a value exclusive to white citizens.

The traditional model of American homeownership forged through discriminatory practices of public and private entities has worked to shape the ideal liberal citizen. Just as propertied elites were virtuous citizens at the onset of the Revolutionary Era, there is an assumption today that homeowners are more apt local citizens than those who do not possess
property. As Stern (2011) argues, individuals owning homes are often understood to embody a “constellation of positive externalities, including local contribution and investment, political participation, neighboring, and collective action, as well as gains to prosperity and stability from industrious and content citizens” (pp. 101-102). That homeowners may realize these characteristics is not in dispute. Rather, what is of note is that the American belief in the “social efficacy of ownership, and the cultural sway around the owned home, have encouraged large scale subsidization of homebuying and buttressed ill-conceived policy initiatives,” initiatives led by government that have “reinforced a level of public enthusiasm and corresponding social norms for traditional home ownership that… appear to accept no substitute” (pp. 106-107).

Within American homeownership, the proper citizen is the propertied-citizen. This citizenship is equally protected for all who have the privilege of owning homes or accessing property. But disparities between race and class continue to outline who able to realize the benefits of propertied-citizenship to this day.

In detailing a history of citizenship exclusions, my intent has been to show how closely intertwined citizenship is with property, property either as landed assets or property as human bodies. In the process I have begun to show how property is a social system deriving its values from political relations. For, the values attached to property, that of liberty, independence, and the capacity for self-governance, reflect contemporary understandings of what it means to be a liberal citizen. Therefore, a legacy of citizenship exclusions has shaped and inflect contemporary understandings of citizenship, notions of citizenship I argue remain influential today, particularly when understood through citizenship’s relations with property. In the next part of the chapter, I focus on how these political values have stayed the course in liberal political thinking regarding property and its capacity to order socio-political life.
The Proper Social Order: Property as Propriety or Commodity

Today property is predominantly valued as an asset within liberal-democratic states. Owning property is a primary way in which individuals accumulate wealth. From single-family homeowners to corporate property holders, property is valorized through and for its exchange potential. In turn, property undergirds much of contemporary economic relations. The 2008 recession, caused by a housing market bubble, exemplifies the significance of property within free market economies. The housing bubble was largely predicated on increased subprime mortgage lending, where massive profits were generated by selling mortgage-backed securities, a financial trading scheme allowing investors to accumulate financial gains by buying packages of debt from homeowners’ asset values. People’s homes, their propertied-assets, were thus instrumental in leveraging further financial gains for the wealthy investor class.

When property fundamentally is used to produce wealth, property’s economic values are prioritized over its use values. Put another way, when the exchange capacities of property create value as an asset (Christophers 2010), the exchange values of property become further distanced from its use values. The distinction between property’s exchange and use values is perhaps most readily seen through contemporary economic processes of urbanization. Urban developments around the world, both residential and commercial, precipitate the property market’s ability to absorb surplus capital (Harvey 2008). That is, global urbanization processes are predicated on developing property to further economic growth. Any use values realized by individuals from these economic developments is secondary in relation to property’s economic utility. This is not to say that property does not satisfy people’s social preferences, but, rather, that property simply cannot be divorced from its economic relations. The economic capacities of property always frame individuals’ relations with property.
It is in this sense that property contemporarily has come to be realized as a commodity or asset. Property has become more of a commodified “thing” in abstract terms, than as a set of entitlement privileges concerning the use of resources. This shift in perspective, Macpherson (1978) argues, is due to the spread of a free market economy, whereby property has now come to be viewed as “an absolute saleable right to things” (p. 8). Largely within the last two centuries, then, have the values of property transformed from a social and political ideal to one premised primarily on economic function, creating the era of “property-as-commodity.”

But before property became primarily viewed as an asset, or an “absolute saleable right to things,” property was regarded as a primary means of ordering social and political life. As mentioned in the previous section, the framers of the Constitution prioritized the protection of property rights because these rights were thought to be the best means of guaranteeing individuals their liberty. So the argument goes, if liberty was secured through rights of property, individuals were thought to be able to more effectively govern themselves. Property thus provided the means by which individuals could realize formal citizenship within the early republican American polity. In this regard, property owners modeled proper political behavior as citizens. The ideal republican citizen was the propertied-citizen.

Republicanism as a body of thought dominated socio-political perspectives of the Revolutionary era. Politicos and elites alike espoused the virtues of democratic republicanism. James Madison and other Federalists, for instance, embodied what may be termed “classical” republican thought. As Gordon Woods (1992) suggests, according to the classical republican tradition, “man was by nature a political being, a citizen who achieved his greatest moral fulfillment by participating in a self-governing republic” (p. 104). As such, classical republicans held that ideal citizens would seek to enhance the public good at the expense of private interests.
Later republican ideological iterations, such as those espoused by J.S. Mill, championed “civic” modes of republican political organization, or those adhering more closely to liberty as the highest order of democratic practice (Lovett 2018). Within these overlapping modes of republicanism, tensions existed over how democratic a republic ought to be, and how efforts toward socio-economic equality within a democratic polity challenged or impeded individuals’ liberty.

At the center of these republican divisions was the issue of how changing property relations affected a burgeoning democratic republic. The founders of the Constitution, Federalists defending classical republican virtues, were resistant to an increasingly commercializing society. For, such changes in economy were making difficult the maintenance of the political values of citizens making decisions for the public good. As Woods (1992) argues, the Federalists “clung to the republican ideal of an autonomous public authority that was different from the many private interests of the society. They did not expect [the] public authority of the new federal government to be neutralized into inactivity by the competition of…numerous diverse interests” (p. 253). A diversity in interests meant that private interests were starting to influence political decision-making. Private interests were antithetical to classical republican’s adherence to the idea that public good is the highest political virtue. Woods notes that classical republican values were challenged by the increase in the "interested" positions of “ordinary individuals.” Rather than being disinterested leaders who made all political decisions based on what appeared to be for the public good, it was becoming more

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12 Classical and civic republicanism are not one in the same, argues Frank Lovett. Lovett (2018) draws a distinction between the two modes of thought. He suggests that, for civic republicans, “the paramount… value is political liberty, understood as non-domination or independence from arbitrary power” (n.p.). Classical republicans, conversely, “emphasize… the importance of civic virtue and political participation, the dangers of corruption, the benefits of a mixed constitution and the rule of law” (n.p.).
politically reasonable that "the public good [was] best promoted by the exertion of each individual seeking his own good in his own way" (1992, 296). Not only were private interests entering the political terrain, therefore, these interests were thought to be the very means by which greater democratic expansion could be realized in the republic after the Revolutionary period.

That private interests were entering and shaping democratic discourse flew in the face of classical republican understandings about the purpose that property played in a republic. As Woods (1992) states, for classical republicans:

Property had been considered in proprietary terms as part of a person's identity and the source of his authority. Such proprietary property was regarded not as the product of one's labor or as a material asset to be bought and sold in the market but as a means of maintaining one's gentility and independence from the caprices of the market. Landed property was the most important such guarantee of autonomy because it was the least transitory, the most permanent form, of property. Such proprietary property was designed to protect its holders from external influence or corruption, to free them from the scramble of buying and selling, and to allow them to make impartial political judgments (p. 269).

Although classical republicans remained firm in their beliefs that property established the foundation for active and engaged citizenship, they nonetheless started to have reservations about property-ownership more widely. Alexander (1997) states that classical republicans feared that if property was to be more fully realized as a commodity then “individuals would relate to each other as abstract economic actors—buyers or sellers in the marketplace—rather than as concrete, multidimensional human beings” (p. 35). There was a fear in establishing a precedent
that property was better served as a means of creating economic value. Shifting property’s value in this sense could hinder the civic values upon which a robust citizenry depended within republican accounts of democracy. Certainly the Founders saw that property-ownership was good, for political reasons. But the values of free market society were bringing property into tensions with core classical republican ideals regarding virtuous, independent citizenship.

Civic republican views, views becoming more widespread in the mid-1800s, differed regarding the utility of property in democracy. Like classical republicans, civic republicans also saw property as important to political life. Civic republicans, for instance, understood that a central function of property ownership was “to bestow independence on citizens so that they [could] completely practice self-government” (Alexander 1997, 338). However, self-governance for civic republicans meant something different than how classical republicans understood it. For civic republicans, self-governance meant that “all matters of political life [were] subject to the will of the citizenry” (ibid). With the nation increasing in small property owners, the citizenry was becoming larger in number, a democratic “threat” to an elite minority. Everyone who had property, not just Federalist elites, was able and encouraged to participate politically. Civic republicans were less concerned with maintaining a minority of propertied elites and calling for wider citizen participation from small property owners.

The two republican perspectives therefore presented conflicting understandings of how one’s properties shaped citizenship and democratic practice. For classical republicans, property was seen as the proper means of providing individuals the freedom to independently participate in civic life. Yet, as the economic utility of property ownership in a liberalizing capitalist economy became more appealing to American society en mass, classical republican virtues tied to property lost purchase. The dilemma for classical republicans was that property “needed to be
unencumbered for society to avoid privilege and inequality, but property also had to be stable to avoid being commodified and reduced to an object of acquisitive pursuit that would destroy republican virtue” (Alexander 1997, 40). The wider the democratic polity became, small property-owning citizens were less inclined to accept the classical republican idea of elite political leadership which was capable of divorcing its private interests for the greater public good.

But so too did civic republican ideals concerning property illustrate non-reconcilable differences for an ideal democracy. Again, civic republican ideals regarding property suggested that not only should all citizens own property, but that politics was inherently about advancing individual interests, the collective good was secondary. Property became less useful in maintaining a properly republican socio-political order and became revered more for its economic utility. Defending individual interests in property was the civic republican democratic interest. If private interests dominated the practice of citizenship, concerns over equality for those without property were more likely to be dismissed.

The balance between protecting individual liberties while advancing equality is the primary tension within democracies. The civic republican ideals represented a shift away from a republicanism rhetorically in support of the public good, to one more fully embracing the self-interests of individuals. As Lovett (2008, n.p.) notes, “central to the contemporary civic republican program is the conception of political liberty as non-domination or independence from arbitrary power.” Such a view embodies a negative conception of freedom. Property was less an entree into democratic practice, providing citizens their independence. For civic republicans, property was something that protected citizens from the public. From this
perspective, the state is necessary to ensure that property is protected for individuals, not society at large.

Arguably, neither republican understanding of how property suites the proper political order could be realized. The two perspectives—one seeing property as enabling individuals to make decisions for the public good, and the other seeing property as promoting the protection of individuals’ self-interests—are largely incommensurable. And this incommensurability comes down to how property is constitutionally protected.

Formal rights enshrined in the Constitution do not literally prioritize property. But the logical duties or actions associated with property rights ensure that property was prioritized as a liberty right which often overrides other personal liberty rights. As Jennifer Nedelsky (1990) argues, if personal rights were actually meant to be equal to those of property rights within the Constitution, then both personal and property rights would not be protected as equal. She stipulates that while it is reasonable to assume that “the propertied could be relied upon to respect the rights of persons… the propertyless had no corresponding interest in property” (1990, 5, emphasis added). That is, property owners would have rights that secured their economic independence and would not politically interfere with personal rights of individuals. But the inverse was not true. Those without possession of property, although they held personal rights of liberty, were unable to reasonably respect the property rights of a minority of elite property owners. For, she argues, “the rights of property would be at risk whenever the sheer numerical advantage of the poor was translated into political power through equal rights” (ibid). Nedelsky argues then that the hierarchical ordering of property within U.S. legal relationships

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13 The Fifth Amendment does, of course, strongly protect individuals’ property from illegal seizure. This does not make property entirely untouchable, however.
“made it impossible for the propertyless to have the power within the government necessary either to secure their rights or to enjoy a full share of political liberty” (p. 66). Property represented power in republican government. And because of this, those without possession of property were less protected in their personal rights of liberty.

The “proper” political order in the early American republic was historically constituted by a nominal distribution of property-ownership. It was proper to own property as that property enabled one’s good citizenship standing. But property ownership was disproportionately low at that time. Propertied-citizenship thus was experienced by few owners, elites with the power to influence political relations, denying unpropertied individuals the capacity for self-governance. Many acknowledge the disparities between property owners and non-owners in the early American republic. Yet, it is assumed that, because property ownership became more prevalent through the 19th and 20th centuries, that such an imbalance between the propertied and non-propertied has been resolved. On the contrary, I argue that the same issues of property and political power remains embedded within social relations today. Problematically, these political issues are subtler, and perhaps even more intractable today, than they were two centuries ago. For, the values surrounding property within liberal democracies derive not just from the realm of the political. The economic realm of social relations more broadly has come to influence the political more specifically. As such, the way in which the proper political order is constituted by property has shifted with property’s changing economic values, a shift in thinking about property to which I now turn.

Liberal or Democratic Propertied-Citizenship?

Thus far I have detailed how citizenship has been “propertied” throughout American political history as well as how the political values of proper citizenship were attached to property. I
looked at this particularly through the lens of republican ideology regarding property. For, the propertied-citizenship of the early American republic formally demarcated who had the capacity to hold and exercise political power, most notably through suffrage. But so too did property establish the “virtuousness” of proper citizenship, ostensibly allowing for individuals to independently participate within democratic life. Property ownership from this perspective defined the proper social order for civic fitness.

Today, proprietary qualifications for citizenship are no longer formally upheld. Citizenship is no longer contingent upon formal property-owning requirements, nor other proprietary restrictions which impede an individual from realizing their rights of citizenship. Yet, despite this “freeing-up” of citizenship from its former propertied mandates, property remains a critical component of citizenship today. Contemporary liberal citizenship has been residually shaped by its propertied foundations. Liberalism—as a set of ideals or values realized through rights—has subsumed property within democratic citizenship. Just how liberal-democratic citizenship has maintained property as a value after the repeal of formal property restrictions is emphasized in this section.

The more entrepreneurial perspective of civic republicans as discussed in the previous section underscored America’s burgeoning commercial society. Civic republicans increasingly supported “a dynamic and expanding capitalist economy, and a highly differentiated division of labor” (Jackson 2012, 35), a socio-economic order which classical republicans could not agree to. Such support for expanding capitalist relations influenced attitudes about the utility of property within political life. For instance, when the values attached to property-ownership no longer qualified individuals for citizenship, the values of “economic independence, of self-directed ‘earning,’ as the ethical basis of democratic citizenship took the place of an outmoded
notion of public virtue” (Sklar 1991, 67). Along with changes in economy came changes in the meaning of citizenship. No longer did property-ownership define ideal citizenship. Citizenship came to be measured by an individuals’ ability to earn. Such changing economic circumstances in the early to mid-nineteenth century thus reshaped the political tenor of what was considered to be “proper” citizenship.

Despite a civic republican embrace of market relations, property still held specific political value. Just what that value embodied, however, veered from earlier accounts. Older classical republican beliefs about property-as-propriety were now incorporated into the commercial spirit of entrepreneurial republicans (Alexander 1997). From this new perspective, property was still the means by which citizens were thought to secure their independence. However, it was becoming increasingly important that property’s exchange potential be realized. In other words, the ways in which property was required for developing a capitalist economy overshadowed antiquated understandings of a democracy based on elite property-owning citizens.

By attempting to balance property’s economic and political values, republicans were re-envisioning how property mattered to democratic practice. For instance, entrepreneurially-minded republicans thought that the state could play a role in “distributing resources to all members of the community as a means of securing the material condition of their equal citizenship” (Jackson 2012, 35). It was thought that if the state was to formally extend material support for those lacking possession of property, then capitulating to property’s marketization was acceptable. To remain within the bounds of democratic “fairness,” however, marketizing property could only be acceptable if citizenship was formally extended to others without property. In this way, those without the economic privileges deriving from property ownership
could still have rights of citizenship. In theory, then, republican ideology allowed for property to become both commercialized and to remain as an anchor for democratic citizenship at the same time.

Understanding this shift in thinking about property’s utility is critical for making sense of contemporary liberal citizenship. Modern citizenship is shaped by property’s political and economic values, both of which are upheld through democratic institutions and practices. Yet, the meanings behind the utility of property have changed along with those of liberal-democratic values. Such changes have made the property-citizenship connection less transparent as property has come to be understood as an apolitical commodity.

From the Political to the Economic

Property today still has political relevance. But the manner through which property becomes politicized often revolves around economic relations of property. Ellen Meiksins-Wood’s (2016) arguments are notable on the role property has played in the conceptual shift of property-as-propriety to property-as-commodity. Broadly her work gives historical support to the ways in which the advance of capitalism two centuries or so ago made possible liberal democracy. The result of these influences, she argues, is a democracy that does not protect, but rather, maintains economic and political inequality among members of the polity. And such inequalities derive from relations of property.

For Meiksins-Wood, property was central to how liberal citizenship came to be defined in capitalist democracy. Particularly, she was interested in the history of how citizenship has been affected because of the expanse of capitalist property relations. She notes that as feudal relations gave way to capitalism, property relations were central to that transformation. For instance, as
peasants were dispossessed of communal lands, landholding became increasingly concentrated. Through the spread of capitalist production and the dispossession of property, the “peasantry gave way to large land holders, on the one hand, and propertyless wage laborers, on the other” (2016, pp. 210-211). This process isolated individuals previously relying upon communal property, now finding themselves as non-property possessing laborers, a process whereby individuals became “interchangeable units of labor abstracted from any specific personal or social identity” (p. 211). Thus the process of land dispossessions stripped propertyless laborers from their political identities once rooted in communal labor.

Politically, capitalism’s historical isolation of individuals from communal production was a means of liberating old political or “extra-economic” identities of the laboring multitude” (p. 211). The transition from peasant to wage laborer allowed propertyless individuals to become the idealized self-owning, liberal individual through their labor. As such, wage-laborers, for the first time, finally enter into a “community of citizens,” as wage-laborers came to be seen as free and equal, as they embodied liberal subjecthood by “freely” contributing to capitalist relations. Wage-laborers were now free to sell their labor in the market but would be left vulnerable without political rights to protect them.

It is in this sense that the spread of capitalism facilitated the extension of political rights to the propertyless and wage-laborers. The entrepreneurial republican push for extending political rights was premised on the idea that simple proprietary ownership was no longer apt for gaining political rights. Through such a perspective, the extension of democratic rights to all including the propertyless, all liberal individuals were seen as equals. The spread of democratic rights of citizenship appeared to become ubiquitous, therefore, as property qualifications no longer constituted one’s political rights.
Through the spread of formal political equality to everyone, Meiksins-Wood argues, citizenship was actually *devalued* rather than enhanced. By providing formal citizenship rights to all members of a community, an individuals’ civic status no longer appeared to be predicated on class position (2016, 213). The propertyless and wage laborers now had equal rights of citizenship to that of the capitalist class. Such a *political* equality had been previously unrecognized.

For capital, the extension of formal political equality to wage laborers and propertyless people was fitting. The relation between capital and labor already presupposed formally free and equal individuals; capitalists understood all individuals to be “free” in the sense that all individuals were seen to be without prescriptive rights or obligations, without juridical privileges or disabilities (Meiksins-Wood 2016, 208). No matter what one’s economic status was, all individuals were thought to be free. Individuals were thought to be free to sell their labor on the market. Now, with the extension of citizenship rights, wage laborers and propertyless people were politically equal as well. The spread of market relations, which expanded citizenship rights, thus effectively produced the “detached” or disinterested liberal individual long revered within classical republicanism. That is, through the extension of citizenship rights, wage laborers and the propertyless emerged as “sovereign individuals” holding equal political rights to those of propertied-elites.

Along with the expansion of citizenship rights, however, was the legal concretization of class inequality. With political equality not determined by class, economic inequality became more formally acceptable. It is in this sense that Meiksins-Wood argues that democratic citizenship was displaced to the purely political sphere. For, the economic relations of capitalism were now isolated from political and civil rights. The result of this isolation, she suggests, was
that a separate political sphere was created, one “in which ‘extra-economic’—political, juridical, military—status had no direct implications for economic power, the power of appropriation, exploitation and distribution” (p. 234). The problem then was that new formal political equality among classes provided few means for working class citizens to ameliorate a widening wealth gap among the polity.

What Meiksins-Wood describes then is a broader problem for how citizenship is realized within liberal, capitalist democracy today. Indeed, the separation of the economic from the political within modern democracy presents a paradox for liberal citizenship. As Meiksins-Wood explains, within capitalist democracy:

Socio-economic position does not determine the right to citizenship—and that is what is democratic in capitalist democracy—but, since the power of the capitalist to appropriate surplus labor of workers is not dependent on a privileged juridical or civil status, civic equality does not directly affect or significantly modify class inequality—and that is what limits democracy in capitalism… In that sense, political equality in capitalist democracy not only coexists with socio-economic inequality but leaves it fundamentally intact (p. 213, emphasis added).

Within such a predicament, how can liberal citizenship address the most pressing issues of economic inequality, or of economic power within political relations?

The devaluing of citizenship, in this way, by isolating it to the political sphere, illustrates how property relations were re-valued along with this transition. Property in the nineteenth and twentieth centuries had achieved “a purely ‘economic’ definition, detached from juridical
privilege or political power. As such, the extension of formal political rights [left] untouched capitalist property relations and the power of appropriation” (Meiksins-Wood 2016, 224). The expansion of modern liberal democracy thus relegated property as a relation “outside” of the political sphere. This, in turn, liberated the power of property’s economic utility as an exchangeable asset. The way in which property was isolated in the economic sphere, argues Meiksins-Wood, was through the “separation of and enclosure of the economic sphere and its vulnerability to democratic power” (p. 235). The separation of the political from the economic in this sense may have presented the propertyless and wage-laborers with newfound political rights, rights of liberal citizenship. Such rights, however, could not protect against economic inequities of capitalist democracy. The spread of capitalist property relations came to redefine democratic notions of equality with liberal individualism.

Through an historical understanding of property relations within republican democracy, we are better able to see the inequities present within modern liberal citizenship. The notion that property is best realized for its exchange potential allows for political relations regarding property to appear to be separate from matters of political citizenship. From this contemporary perspective, property is a commodity, not a political relation influencing citizenship. Yet, the effect of economic valorization of property continues to shape political values of property. The appearance of economically and politically distinct spheres that Meiksins-Woods points to is particularly problematic for propertyless people. For, although propertyless people retain many formal citizenship rights, their personal political rights are not commensurable with the rights of propertied-citizens. Given how liberal rights predominantly function, propertyless people are understood to be placed outside of property, a notion I suggest ought to be expanded upon.
The (Negative) Right to Property Insecurity

Given that liberal citizenship status is no longer contingent upon property requirements, property no longer directly defines citizenship status. Regardless of an individual’s propertied wealth or holdings, liberal-democracies recognize that all citizens have formally equal rights. However, property remains a fundamental component in shaping political life. The predominant way in which citizenship remains propertied is through the protection of liberal rights of property. In liberal democracies, rights are the tool by which individuals most apparently secure their liberties. Individually-protected rights of citizenship, or simply, liberty rights, provide the powerful connection between rights of property and citizenship to this day.

Protecting liberty is the sine qua non of liberal-democratic institutions. Modern liberal-democracies protect liberties through individual rights because individuals’ liberty is thought to be “maximized” through liberty-rights protections (Shuck 2002). It is in this sense that liberty rights help to “defend” individuals from government or citizens’ interference. As such, liberal rights are largely understood as “negative” rights in that they afford individuals a right to non-interference. Put another way, negative rights are a right to an individual’s freedom from interference (Jones 1994). Negative rights are the predominant rights “type” in liberal-democracies because they are bestowed upon individuals, not society at-large. As such, liberty rights are easier to maintain and adjudicate among individuals than are collective rights.

Because each liberal citizen has formally equal personal or liberty rights within liberal-democratic society, each liberty right protects individuals from other members of the public or from undue government interference. In this way, individual liberty rights are quite durable in that individuals are protected in pursuing their own interests. Given that liberty rights are so tightly protected, it is difficult to make individual rights commensurable with other rights. In
other words, liberty rights so narrowly protect individuals that other individuals’ rights of liberty generally cannot override the “strength” of any individuals’ equal rights of liberty. When rights are equal in this regard, individual and collective claims against liberty rights can be difficult to pursue.

That liberty rights are often incommensurable matters when considering property rights and relations. While the Constitution does protect citizens’ equal rights to acquire property, liberal-democratic institutions do not ensure that individuals will succeed in obtaining any. How people gain access or ownership over property is not regulated by government, as “the Constitution protects the fruits of one’s labor, market gains, or luck, but it does not provide or require the provision of such fruits” (Abraham 1996, 26). As such, the system of negative liberty rights underlying the American system of jurisprudence merely protects extant property holdings. As Abraham argues, the negative right to have one’s property protected, but no equal right to acquire property limits “political authority and the very scope of politics itself… [aiming instead] to allow maximum opportunity for individual flourishing” (ibid, 3). Seen through the lens of property, negative rights strongly protect individual property rights as the means of securing the “fruits” of an individual’s labor.

In that property is legally protected as a liberty right, property rights maintain political inequalities among citizens. Those lacking ownership of, or even simply access to, property, within a system of “property-based individualism” are denied equal protection of life and liberty in many circumstances. For that reason, the protection of individualized rights to property reinforces an “authoritative form through which certain values become natural, common sense” (Abraham 1996, 8). As Blomley (2004) and others point out, the traditional ownership model of property is valued above other forms of property or resource uses, such as commonly held
properties or indigenous uses of land. Rights protections use law to uphold values that derive from long-held understandings about property and its proper uses.

But so too does the legal protection of property establish economic inequalities. Protecting property as a negative right (against others) enables the ability of individuals to generate wealth and accumulate propertied assets. This of course is how and where most individuals hold their wealth: in property. But when property owners use those properties to disadvantage others, through exclusion or other externalities to the public, rights are the barrier preventing property insecure people from contesting such harms. The “neutral” position of law is, therefore, complicit in maintaining property inequities. Government abstains from intervening in people’s pursuits of acquiring property by protecting individuals’ negative rights to non-interference. The neutral position of the state in this sense permits wealth disparities rooted in property relations.

The legal neutrality of negative liberty protections of property become a mechanism against and through which propertyless people must work to realize certain freedoms. For property insecure people, simply having a liberty right to acquire property does not afford an individual actual property. Rather, such a liberty right merely suggests there is opportunity to have one’s property protected if they should happen to obtain it. The protections of property cannot protect what propertyless people do not have. Thus as Abraham (1996) notes, “negative liberty… is good provided you have cash” (p. 63). And so too are liberty rights “good” for protecting property if one has property to protect in the first place.

The prioritization of liberty rights within liberal-democracies distinguishes property as a primary component of democratic citizenship. In the U.S. particularly, liberal rights of property ownership have come to define “the elements of model citizenship,” a model of citizenship “put
forth as worthy of emulation outside of Western liberal contexts” (Roy 2003, 464). The notion of the “American dream,” most notably, is explicitly premised on the ownership of property and implicitly on the rights that protect such investments. Without secure interests in property, such a model of liberal, propertied-citizenship becomes particularly difficult for houseless people to endure. It is to the struggles of the property insecure that I turn in the final section of this chapter.

*Houselessness and the Properties of Citizenship*

Having access to space is necessary for sustaining biophysical necessities of life. Life-sustaining actions are made increasingly more difficult when restrictions on accessing property are placed upon a given space. The production of property is a process by which seemingly neutral space is legally bounded through ownership rights via titling. By bounding and titling real spaces, property is presented as something “fixed, natural and objective” within space (Blomley 2004). Property, therefore, becomes identifiable by who “owns” it, by who has legal rights to control how this space is accessed and used. This process is how systems of liberal property determine ownership rights over propertied-spaces. For houseless people, the legal regulation of property limits acts of social reproduction to almost no publicly-available spaces.

For many cities, rights of property are used as tools to police the houseless and maintain urban spaces devoid of houselessness. One recent survey tracking houselessness policies of the United States’ 187 largest cities found that laws criminalizing houselessness have increased over the last decade. Tracking how cities regulate commonplace actions of houseless people, for instance, the survey found that 47% of cities ban “sitting or lying down” in public spaces, an increase of 52% over the last decade; 32% of cities prohibit “loitering, loafing, and vagrancy” city-wide, an increase of 88% over the last decade; and 18% of cities prohibit “sleeping in public” city-wide, an increase of 31% from 2006 to 2016 (NLCHP 2016, 23-24). Such laws
inhibit life-sustaining activities without providing solutions for the underlying issues producing houselessness. Such laws, therefore, simply allow for police and other quasi-public entities to enforce strict spatial legislation that pushes houseless people out of public properties.

As argued in Chapter 1, houselessness scholarship on property has primarily focused on how property rights are used as tools of exclusion. Such work gets us closer to seeing how property is dialectically related to citizenship by showing us how houseless people can be marginalized from the public and thus lose certain freedoms central to citizenship. Notable among this literature is the work of legal scholar Jeremy Waldron. Waldron (1990) suggests that “the connection... between liberty and independence and the idea of private property helps explain the view, common until the middle of last century, that the ownership of property was an indispensable qualification for citizenship and for the franchise” (p. 300).

Contemporarily, however, the idea that independence derives from property has shifted in meaning. Now the liberal notion of independence given through rights of property connotes something more akin to that of negative freedom, or one’s right to not be interfered with. For Waldron (1993), the most pressing issue for houseless people relates to the ways in which property restricts freedom. Negative rights of property seemingly afford owners absolute control over their property, a right protected by the government but at the same time protected from the government. Property rights, within the lens of negative liberty rights, function by protecting owners from houseless people’s “interference” on their properties. This includes overseers of public properties as well. The negative right securing owners’ right to exclude provides a powerful means of regulating people within space.

It is in this sense that Waldron suggests liberal property systems work against the houseless. People without access to or ownership of property in this liberal property system are
easily excluded from space, leaving people few-to-no places to legally be. The legal system of property rights, Waldon argues, establishes a set of rules that “provide freedom and prosperity for some by imposing restrictions on others” (1993, 337). As such, liberal property systems protecting private ownership rights restrict the freedom of property insecure people. Whereas once property ownership constituted a sense of independence and aptitude for self-governing citizenship, property now exudes merely a right to not be interfered with by other citizens or the state.

Property ownership and the legal regulation of property therefore produce a geography of limitations for houseless people. As Mitchell (1997) has shown, such legal restrictions on property shape citizenship for the houseless. For instance, anti-houseless laws, he argues, regulate the public to the point “that there literally is no room for homeless people, [which] recreates the public sphere as intentionally exclusive, as a sphere in which the legitimate public only includes those who… have a place governed by private property rules to call their own” (p. 321). Ownership rights of property are merely the tool through which to exclude houseless people from spaces. But by enacting these tools of spatial regulation, however, rights of property define who constitutes “the public.”

What Waldron, Mitchell and others are pointing to is how houseless people exist in a “negative” relation to property. That is, how it is that houseless people are excluded from public and private spaces because of the way in which negative liberty rights provide owners with highly-protected powers of exclusion. In a strict legal sense, people insecure in their interests of landed property—the houseless—can only be in a negative relation to those who possess secure interests and thus rights of property. Thus, for Waldron, private rights of property limit freedom by preventing for houseless people the agency of choosing where they may want to occupy
space. The act of exclusion makes houseless people unfree. And for Mitchell, not only do property regulations exclude houseless people from spaces necessary for their survival. Owning and controlling access over property also bestows property rights-holders with the power to define who it is that may become a member of “the public.” In short, the negative rights of property constitute who is defined as a proper liberal citizen, who, in Waldron’s terms, may be able to enjoy their personal rights to freedom.

The legal geography of property ownership thus inhibits houseless people from enjoying liberal citizenship more broadly. The geographies of such a legal paradigm of propertied-citizenship underscore how the very elements of model liberal citizenship are realized in places. It is a paradigm recognizing only “formal rights of property,” which in turn marginalizes houseless people’s claims to shelter and space that are made outside of these formal legal rights (Roy 2003). It is in this sense that Roy (2003, 464) suggests that, within the American paradigm of propertied-citizenship, those who do not meet its propertied mandates are “rendered marginal in the discourse and practices of citizenship” more broadly. From this perspective, houseless people cannot enjoy full rights of citizenship, as the negative liberties secured by owning property delineate who may access or realize the privileges and protections of liberal citizenship.

Such analyses show us how law limits human mobility and security, thereby connecting how houseless people are limited in their rights of citizenship based on property exclusions. But such legal geographies do not exhaust the ways in which we can examine property’s effect on houseless people. Research examining rights of exclusion situate houseless peoples’ experiences largely within a negative relation to property. Yet, such an approach tells us less about property as a relation itself. That is, it tells us less about how citizenship has been produced through the values of property and how those values affect houseless people.
Seeing houseless people only within a negative relation to property leaves us primarily with an understanding of the inadequacies of liberal or common law. These insights no doubt provide a foundation through which to better understand how property operates legally. But property, we have seen, is more than strictly a legal system of rights backed by liberal-democratic institutions. Property is also a relationship among individuals and society that is moderated through law. The social and moral values invested in liberal rights and law are co-produced; law does not write and enforce itself. There are normative social values embedded within property, deriving from both historical and contemporary relations surrounding property.

When we do not see property also as a social system of values and relations we risk overlooking how property affects the houseless as well as the housed. A relational or dialectical analysis of the changing values of property over time helps us see how property shapes “proper” democratic citizenship and why this matters particularly for houseless people. It helps us see how the processes producing property have created “permanences” representing particular values inherent within the proper socio-political order. The permanences maintained in property values then help us to see the contradictions of extending formal citizenship to those without secure interest in property and how this effects houseless people today.

Property ownership, as we’ve also seen, once defined the proper socio-political order within republican-democracy. Ownership represented the very capacity for independence and thus to be self-governing, a notion of property-as-propriety. But as the valuation of property came to emphasize its exchange potential, property-as-commodity, the political values of property changed too. No longer did property constitute merely a capacity for self-governance and enable citizens the natural ability to make decisions for the public good, though these values are still idealized in property ownership. Now, property ownership appears to demonstrate the
ability of individuals to “earn,” for citizens to show their independence and fitness for
democratic contribution through their labor. In this way, property still mediates citizenship
today, though the values attached to property have changed, by separating capitalist relations of
property from the reach of political rights of citizenship. These changes in values have been
central to how property has and continues to influence the ideals of liberal citizenship.

Analyzing property and citizenship dialectically helps us see the stability through which
property influences values of liberal citizenship and how citizenship is dependent on property to
be realized. Understanding how the values of citizenship are co-produced along with those of
property is critical for better understanding the plight of houseless people within liberal-
democracies. For, as I argued earlier, the liberal-democratic model of propertied-citizenship
maintains a limited citizenship for people without property. Examining how property relations
produce and moderate citizenship prior to, and in concert with, the state in regulating property
allows us to better understand in what ways property limits citizenship for those seen as outside
of the proper socio-economic order. Despite the changes in property’s material value, property’s
core values of liberty and independence continue to demarcate citizenship, not only as a status,
but as a social standing. It is in this sense that I argue property resides at the core of citizenship
identities more broadly.

It is necessary therefore to show how the dialectical relationship between property and
citizenship matters to houseless people as experienced by them. The following two chapters
attempt to provide insight to the contradictions of property insecure citizens within the model of
propertied-citizenship. Chapter 3 uses examples, primarily from Hazelnut Grove, to demonstrate
how particular values of property, that of self-ownership through earning, are upheld through
property relations surrounding self-governing encampments today. Chapter 4 demonstrates the
necessary limitations of encampment resident’s citizenship rights, a right of citizenship limited by the structure of property rights and relations established around the unique situations of encampments. These case studies show us the everyday ways in which the very liberal tenets of citizenship are realized through property relations, relations with multiple consequences for houseless people that require us to see how property produces the “proper” political order still today.
Chapter 3: Preserving the Values of Propertied-Citizenship

Tucked-in against the bluffs of Portland’s Overlook neighborhood sits the self-managed houseless encampment Hazelnut Grove (H.G.). H.G. has been at this site since late summer, 2015. The space is heavily-shaded in the summer and relatively exposed during Portland’s rainy winters. To the north of the site is an embankment creating a natural barrier to the backside of the site (Figure 1). Facing south, the encampment overlooks the Willamette River with a view of downtown and the westside neighborhoods rising into the hills. Lying between two major roadways, and up slope from the Union Pacific railyards and a maze of raised highway onramps, H.G. feels isolated from much of the city despite being sited centrally within it.

Figure 6. Looking South over Hazelnut Grove from the top of the bluff.

H.G. is geographically central within the city’s landscape, but so too is it located at the heart of Portland’s socio-political struggle over organized houseless encampments. H.G. began somewhat organically, as a loosely affiliated group of individuals protesting in front of City Hall
during the summer of 2015. The protestors were mostly houseless people, advocating for greater housing affordability in a city experiencing rapid population growth, large-scale developments, and rising rents and housing prices. A few of those protestors were connected with individuals who had been sleeping on-and-off at the site where H.G. eventually would be formed. After the protest was swept from City Hall, some of the protestors began camping at the H.G. site. From September to early December of 2015, the site grew from a few individuals to around 70 people (Theen 2015). The group became so large that a second camp was formed; the second encampment—Forgotten Realms—eventually moved to a separate location and would disband within a year. As the more organized of the two camps, H.G. found favor with the mayor and his staff. Then-mayor Charlie Hales visited H.G. that fall with his staff and expressed admiration for what H.G. was attempting to do through its organizing. Despite the mayor’s rhetorical support, however, the City never officially sanctioned the encampment and it has continued operating without a permit to this day.  

H.G. has been able to operate without an official permit for a few different reasons. Primary among them is that Portland, like many U.S. west coast cities, declared a state of emergency for housing and homelessness (S.O.E.) in October 2015. The S.O.E. was declared in recognition of the city’s growing crisis of housing affordability and due to the rise in the unsheltered houseless population. While the S.O.E. had different intentions, notably for the purposes of this research, it allowed for, if not encouraged, self-governing houseless encampments to operate on municipal property. The City allowed for encampments to

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14 In March 2020, Hazelnut Grove signed an agreement to move to church property in North Portland. In doing so, the encampment will be permitted to operate through a private landlord.
15 The City’s housing and homelessness state of emergency was implemented in different stages. In February 2016, a set of wildly controversial policies were implemented known as the “Safe Sleep” initiative. The City allowed houseless people four options for “safe” sleep through this policy. The first and second options expanded shelter services and allowed RV owners to sleep in their vehicles. The third and fourth drew the most public ire. The third
establish themselves because it recognized that many houseless people simply had nowhere to go. What the S.O.E. did for the City is allow it to ease zoning restrictions that would have otherwise prevented temporary shelter accommodations for encampments. H.G. continues to exist then because the City has extended the S.O.E. each year since it was declared, thereby maintaining the easements on zoning which allow the encampment to operate there.

But H.G. also exists today because it has been remarkably active in its organizing. It operates with a code of conduct which provides a set of encampment rules residents must abide by; it has created an extensive set of bylaws through which the group governs its operations and grounds some of its decisions; and it now enjoys registered 501c3 status. Above all, the individuals comprising the encampment are incredibly adept at building up the different pieces of infrastructure needed on the site, such as sleeping pods, a kitchen, and a commons area, all from donated materials (Figure 2).

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option allowed for individuals to occupy sidewalks (while adhering to the City’s sidewalk management plan) throughout the day, but they could do so with only a sleeping bag or tarp, not with a tent or larger structure. At night, from 9pm to 7am, individuals could erect tents on public rights-of-way or “remnant” municipal property. Individuals were instructed to sleep with six or fewer tents in one location, presumably to avoid growing into a larger camp. Tents were then to be taken down at 7am and any remaining garbage was to be cleared out. The fourth option was the most controversial and most pertinent to this chapter. Option four allowed for organized, sanctioned encampments on City-owned property. Sanctioned encampments were expected to partner with a local non-profit which had experience in service provision, to serve as a point of contact for the City. Sanctioned encampments were to establish and follow a “code of conduct” and the sites would have City-provided portable restrooms and sanitation (VanderHart, 2016). The guidelines implied that sanctioned encampments were to run only for the duration of Safe Sleep.
The group has also been quite active in neighborhood politics. Despite backlash from some neighbors and the neighborhood association, the encampment has persevered through these tensions by seeking to promote the encampment’s peaceful integration into the neighborhood. The encampment has worked closely with the City since its inception, the result of which is City funding for basic sanitation services, such as port-o-potty servicing, trash collection, and rental of a security fence that bounds the site. It has proved capable of managing its own affairs while being accountable to the basic requirements of the City government.

That H.G. exists today is impressive given the opposition to the encampment let alone the extremely arduous work it takes to maintain such a community. Many individual residents of the Overlook neighborhood, as well as the neighborhood association itself, have been hostile to the
encampment’s presence since day one. H.G. has weathered a flurry of complaints contesting its rights to locate on its site. The complaints emanating from the neighborhood, depicted throughout this chapter, illustrate how deeply social values of property are embedded in everyday practices of, and political negotiation over, citizenship. The neighborhood’s grievances reflect not just that houseless people have no legal right to organize themselves on this specific site. The complaints also express moral objections to houseless ways of life, objections reflecting long-held values about what constitutes proper forms of citizenship within a liberal democracy.

As the case of H.G. will show, “propertied-citizenship” is a socio-legal process defining how citizenship can be practiced in geographical space. But propertied-citizenship is also a socio-political process of value judgements that defines how citizenship ought to be practiced, a relational process demarcating “proper” citizens from those aberrating from the normative values grounded within liberal property relations.

Positioning Portland’s Encampments

While the H.G. case is indicative of how propertied-citizenship mediates houseless life, it is not the only self-governing encampment in the city. H.G. is one of five organized encampments in Portland today that are officially recognized by the city’s government. Among the others, most prominent is Dignity Village (DV), perhaps the longest running self-governing houseless encampment in the country. DV began as a protest in downtown Portland in the early 2000s.

16There are many possible distinctions to be made between “organized” and “unorganized” encampments. But the nuances are impossible to completely describe. For my purposes herein, “organized” encampments are those houseless communities that are recognized by the City and are either officially permitted to be on municipal property or are simply tolerated by the City to be on a given property. Organized encampments operate with codes of conduct and generally have more formal infrastructure than unorganized groups. “Unorganized” encampments, on the other hand, are groups co-locating for safety, with individuals mostly living within single tents nearby one another. Unorganized camps are not sanctioned or tolerated by the City and will often be swept by the police or the Department of Transportation within a relatively short period of time.
Since 2003, it has been operating on City-owned property adjacent to the airport on the far north east side of the city. Not until after the 2008-2009 recession did more groups begin to make claims to space in the city. In 2011, Right 2 Dream Too (R2DT) began operating on a vacant lot on the edge of the downtown business district and was centrally located at the heart of Portland’s social services nexus. R2DT has since moved to a municipal property on the other side of the river from downtown and uniquely is permitted to operate as an overnight shelter as well. Kenton Women’s Village (KWV) opened on the city’s far north side in the summer of 2017 as a City-sponsored pilot project created especially for women. Finally, the residents of Agape Village (AV) on Portland’s outer eastside began constructing their village in the summer of 2018 on church property adjacent to the I-205 beltway. Although other groups have attempted to establish organized encampments throughout the city during the S.O.E., all others have been dismantled by the City.

Each of these encampments has experienced similar struggles throughout their development but in many ways their struggles are unique to the encampments themselves. DV, for instance, has little to no pushback from neighbors (there are none, really) or the City. Therefore, based on how active the encampments are with neighborhood and citywide politics, I worked to varying degrees with each of the five encampments throughout my period of fieldwork (see my methodological appendix). So, for example, because AV was just beginning to “put the village together” when I was finishing my fieldwork, I did not have an opportunity to interview any members. My experience with AV thus came through attending early planning meetings and later through construction efforts in helping to build tiny houses on the site. My work with DV and KWV was different than that of AV. In these two encampments, I interviewed residents about their experiences with houselessness and about their experiences
with and observations on participating in self-governance. At DV, I attended bi-monthly general assembly meetings to observe the encampment’s self-governing processes.

My work with R2DT was somewhat different again from the previous three. There I interviewed resident members, attended weekly general assembly meetings, and I volunteered by doing security shifts and general labor. Because R2DT is the only encampment that also operates an overnight shelter which is run by resident members, I was able to spend a significant amount of time there learning about the process of running a low-barrier shelter. By spending my time at R2DT in this way, I met and spoke informally with hundreds of individuals experiencing houselessness throughout the city.

Nowhere was I more involved among all the encampments than at H.G. There I interviewed members about their experiences with houselessness and their self-governance model. I attended H.G.’s weekly general assembly meetings to observe the decision-making process. Over time, I was invited to show up unannounced and was able to let myself in. Partly I did this knowing that residents would be around to talk with. But mostly, I would stop by to help with whatever ongoing project there was; moving wood, stripping nails, cleaning, painting, etc.

Nearing the end of my fieldwork, and with H.G.’s permission, I began attending the groups’ meetings with the new City-County initiative, the Joint Office of Homeless Services (JOHS) regarding the camp’s relocation.\(^\text{17}\) Attending these meetings gave me a unique opportunity to see how local government works with the self-governing encampments. The City

\(^{17}\) The “City” refers to the government of the City of Portland. The “County” refers to the government of Multnomah County. As part of the S.O.E. in 2015, the City and County established the Joint Office of Homeless Services (JOHS) to streamline the two government entities’ services and funding for houselessness initiatives. Throughout my fieldwork, I spoke with staff at the City and at Joint, as both government entities have staff working on houselessness.
and JOHS both work with each of the encampments, but to varying degrees. DV, for example has been operating so long that there is little need for City involvement whereas KWV is a pilot project facilitated by the City.

As H.G. is the one encampment operating without a permit, it is in the most precarious legal standing. Because of this, the chapter predominantly reflects events surrounding H.G. After reviewing my field notes from meetings and site visits; reviewing and coding my interview transcripts with residents, neighbors of the encampment and City and JOHS staff; and drawing from media accounts of the encampment’s history, I found that much of the content that best illustrates the way in which property relations affect houseless people’s citizenship are presented through H.G.’s experience.

The chapter draws from my fieldwork experiences to show how the values attached to property are produced and maintained through the lens of liberal citizenship. Primarily detailing the case of H.G., I emphasize the ways in which property owners neighboring H.G. as well as the City of Portland reinforce liberal property norms to the detriment of houseless encampment residents. I do so by focusing on the everyday relations between H.G., its neighbors and neighborhood association, and with the City and County entities working with these groups. I demonstrate how H.G.’s use of property is about more than simply a right to use property. I argue that the conflict over H.G. is also about houseless peoples’ struggles for citizenship. Who gets to use property and how that property is used, is filtered through normative understandings of liberal citizenship, norms which assume that houseless residents fall short of proper democratic participation. What follows describes how these liberal values are advanced to prioritize propertied citizens.
Delegitimizing Houseless Citizenship

Residents of Portland’s houseless encampments are “property-insecure” citizens in that their rights to control access over property are restricted. That is, encampments do not have secure interests rights to a property. This differs from owners and renters of property, who hold legal rights through contracts to control, at the very least, who can be on or within a given property. It is through the term property-insecure that I suggest we are better able to see the plight of houseless people’s struggle in Portland’s encampments and elsewhere. For, houseless citizens hold equal political rights to those of property owners (under the law), but do not hold equal rights of property. It is property, then, that most immediately limits citizenship for houseless people, I argue, not the social stigmatization stemming from a lack property that a “second-class” designation connotes.18

As mentioned, H.G. has been contentious in Portland since it began operating. Upon H.G.’s arrival in the neighborhood in 2015, the Overlook Neighborhood Association (OKNA) as well as individuals residing within the neighborhood have taken different steps to remove H.G. from its site. One common narrative of neighborhood residents addresses the legality of H.G. One neighborhood homeowner stated that “as a whole, [OKNA] as a neighborhood was against [H.G.] because it is an illegal dwelling, an illegal taking of property.” Another neighborhood homeowner similarly stated that he was “not a big fan of people living just wherever they want.”

18 The idea of second-class citizenship connotes that there are specific groups of people that, while holding full formal citizenship, have some of their rights restricted on account of those group differences (Eisenberg and Leonard 2018). Some suggest that the houseless are exemplary of second-class citizenship status (Feldman 2004, p. 18). Arnold suggests (2004) that once citizenship is extended to everyone within the borders of a nation-state, then the houseless will have full citizenship. This may be true in abstraction. But if property continues to mediate citizenship, as I suggest it does, then it is property that must be extended to houseless people. A “second-class” designation does not capture the reality of limited citizenship for houseless people because of how rights of citizenship are restricted by property.
Instead, he noted, “there are places for that. Shelters and things.” For many OKNA members, the assumed illegality of the encampment met with presumptions about what the proper form a houseless sheltering space ought to take.

To the extent that the public property on which H.G. operated was seen as illegal, so too were the residents occupying it seen as illegitimate. One homeowner stated that “[H.G.] is a bunch of homeless guys that threw up a neighborhood, uh, that threw up a little encampment, then had activists show up and propose the self-governance and all that.” Another neighborhood resident noted how members at OKNA meetings articulated that H.G. was “not a good spot because there is an uptick in property crime and [that] it must be related.” Similarly, another neighborhood resident worried that they “don’t happen to know how many criminals are down there. And that’s a big issue for the neighborhood.” Another homeowner in the neighborhood claimed that “These people [Hazelnut residents] have no intention of [moving on]. I’ve met these people at our neighborhood meetings,” she said. And “they are quite content to live forever, do whatever the hell they want. Work if they want, not work if they want.” OKNA homeowner narratives on H.G. therefore suggested that because the encampment residents were using property in a non-traditional manner, that function followed form, by influencing the imaginaries about the criminality and apparent laziness of people who were residing at the site.

It is important to note that not all Overlook neighborhood homeowners opposed H.G. One neighborhood homeowner, for instance, stated that H.G. felt “like a practical, if inelegant, solution to just getting people into safe living situations when there isn’t enough permanent housing for people. The [self-governing encampment] is a concept that people really like. So I think that if we normalize it… I think it is good for people to humanize the situation.” Another homeowner stated that she felt like H.G. “made a lot of sense where is located. People were
“camping down there anyway,” she said. “It felt like having some organizational oversight felt great to me. And then I realized that the neighborhood association wasn’t reflecting any of these feelings that I had.” One neighborhood homeowner even stated he thought that H.G. had “the right to be there.” “In a general sense,” he said, “I support them to do what it takes to live down there. I am more interested in the collaboration of a community” than bringing an eviction upon the encampment.

Despite rhetorical support for H.G.’s existence, many Overlook neighbors suggested that the site H.G. was located at was not the right site in the end. The “right” of H.G. to be on the property became a central point of concern for OKNA shortly after H.G. moved in. The property on which H.G. sits is currently owned by the City of Portland. But when H.G. first occupied the vacant site the lot was owned by the State’s Department of Transportation. Shortly after H.G. occupied the site in 2015, the City was able to negotiate a sale transferring the property from the State to the City. It was critical that the City took ownership over the property if H.G. was to be able to remain on site. For, the City then would have the authority to protect H.G. and allow its residents to stay despite the encampment not having an official land use agreement.

What upset OKNA was not that the City acquired the land from the State. Rather, OKNA took issue with the legality of using public land to shelter people. As one resident of the neighborhood noted, the S.O.E. seemed more like a public statement of awareness about houselessness than it did a legal justification for letting encampments operate. Because of this, he said, the City seemed to be “writing itself a free pass and was attempting to, carte blanche, waive a lot of [zoning] protections” to accommodate houseless encampments. A sense of a “free pass” was noted by several neighbors who saw H.G. as wrongfully occupying the site. This was partly because of the openness of the S.O.E. But so too did many homeowners feel the encampment...
was taking over public property, property that was not H.G.’s but everyone’s. “Hazelnut Grove is there illegally,” one neighbor stated to me. “I don’t think it is right for the City to turn over publicly held property to the homeless camp. It belongs to all of Portland.” In this sense, H.G. was thought to be “taking” from, not giving to, the public.

Some OKNA neighbors therefore felt, by using the property for their encampment, that H.G. was actively denying something to the public. One homeowner even suggested a certain sense of violence in H.G.’s occupation of the property. H.G. is “no different than the Malheur occupation,” he said. “It is the exact same philosophy. [The thinking that goes] ‘this is public land. Let us do what we think is best with it. We don’t need your society’s views with what should be done with it.’ And whether you are carrying around an M-16 on Malheur, or planting a garden at Hazelnut, you still have to abide by societal norms and requirements.”19 For these neighborhood residents, H.G. represented an aberration from how public property is distinct from private property. As if a commitment to proper citizenship was being abandoned, a “social pact” being broken, houseless residents were seen as without authority to manage the space of the encampment.

Arguments that H.G. was illegal were commonplace. But the arguments of those opposing H.G. exceeded the realm of law alone. Moral objections were made by homeowners underscoring how liberal values of citizenship were assumed in matters of property use. Some H.G. neighbors, for instance, felt that encampment residents were not contributing equally to

19 This person was referring to the Malheur County Wildlife Refuge occupation of 2016, a militant take-over of a State wildlife refuge in sparsely-populated southeastern Oregon. The similarity between H.G. occupying a vacant piece of government property on the side of a road and the violent takeover of a wildlife refuge, to my eye, stops at the act of physical occupation. The City of Portland allowed for H.G. to be there. The State of Oregon, FBI, and other interested governments parties did not want the libertarian Malheur occupiers to be there. Certainly, the Malheur occupation provides fascinating insight into epistemologies of property ownership and the role of the state in that ownership.
society. One neighbor of H.G. stated that “it wasn’t fair” that individuals “are able to say ‘I am homeless, I don’t have to pay for property and be part of it all.’” What is not fair, he suggested, is that houseless people “take advantage of the situation and are not playing by the rules. Can they just continue to live free?” he asked. Another neighborhood resident opposing H.G. was more direct about her feelings of unfairness regarding the encampments’ use of municipal property. “I have property because I purchased property,” she argued. “If you want to rent property, you can rent property. But just being a human being does not give you a right to property. You have to pay for it in some manner. Just the fact that you are human does not mean that you have a right to squat on land. No, not in this country.” For these property owners, included within the “social pact” of liberal citizenship is an economic obligation for all individuals to “earn” their way in life. Implied in the above comments is that people fulfill their citizenship not only through working hard so they can buy or rent property. They also become deserving of liberal citizenship through the act of laboring itself. In that H.G. residents were not paying to use their property they were seen to be violating fundamental duties required of proper citizenship.

For many homeowners, then, the encampments were “anti-democratic,” as one neighbor put it, because they took public property away from society. The notion that one is a responsible citizen only when one pays for property was widespread among neighborhood residents. As the chair of OKNA observed, there was an “element among a lot of the neighbors… suggesting that ‘[H.G.] is illegally occupying a piece of land. I am paying property taxes. You’re not paying property taxes. Why can’t you follow the law?’” In these residents’ eyes, then, there was a sense of unfairness that H.G. was not upholding broader citizenship responsibilities.

Property owners opposing the encampment felt that it is unjust for H.G. residents to hold equal rights to use property because they were not paying for property. Nor did they believe the
property was rightly H.G.’s to use because it was “public” property. Such judgements of value about who deserves to use property iteratively shape how Portlanders think about the legality of encampments. Despite H.G.’s ability to be there because of its support from the City, the values of propertied-citizenship espoused by neighbors work in tandem with the language of illegality to influence how we understand houseless people as unequal in standing compared to those of propertied citizens.

Institutionalizing Property’s Values

Normative valuations about the appropriate use of property are not isolated to the expectations of individual homeowners. These values are reinforced through local government approaches to managing houselessness as well. How these values are reinforced institutionally, however, is not as straightforward. In fact, for the most part, the staff I spoke with at the City and Joint Office of Homeless Services (JOHS) support the self-governing encampments. As the JOHS director recognized, there is “something very empowering about the self-governance model… That kind of self-efficacy, that sense of belonging, all of those things are really powerful contributors for people to reestablish themselves after a period of homelessness.” The City and JOHS in fact view self-governing villages as supplements to traditional shelters and work with encampments in this capacity.

Government support necessitates institutional constraints for encampments, however. As the JOHS director went on to say, “if it is shelter, and if it is part of our response, then the village has to be part of the [housing] continuum. And it has to be a partner in the system.” And this can be challenging for encampments, he said, because “some of the villages will spring up and organize themselves in opposition to the system. [But] to get the support and sanction of the local government, there has to be this willingness to be a part of this system.” To be part of “the
system,” encampments sign conditional use agreements to use the municipal property and abide by certain stipulations in order to receive support from government. For instance, most encampments have signed use of space agreements which designate a list of legal requirements the encampments must adhere to as parties legally responsible for maintaining the site. Breaking the terms of these land use contracts could result in the City disbanding the encampments.

The City and JOHS are less concerned with how a group like H.G. organizes itself internally in order to receive funding. Instead, government weighs its support for encampments by analyzing the benefit of funding this type of shelter. “We don’t just give somebody land because they ask for it” the JOHS director said. “We say, ‘what service are you offering that the community will benefit [from] in exchange for what you are asking?’” Similarly the mayor’s senior policy advisor said that the City supports encampments when it can. But, he said, “it goes back to a question of where the dollars are best spent. Am I going to put my time in creating another 14-person village, or a 120-person shelter? It’s a question of priority… [encampments] can be a lower cost option. But again, they do come with other limitations.” Government support for the encampments therefore is measured through cost-benefit analyses concerned with what social and economic impact they bring as a service.

Whether government can afford to sanction and fund encampments depends upon having available land to do so. “Land availability. We don’t just have land,” the mayor’s senior advisor said. “Despite properties looking empty, there are specific uses for City properties.” And even if a municipal property is potentially available for use, it also matters how that property is zoned. It must be zoned appropriately for human habitation. Many of the City-owned properties are not zoned to accommodate the infrastructures common to the encampments. In short, government calculates whether spending the money to sanction, potentially rezone, and then fund basic
services for encampments is the best use of funds to alleviate houselessness. Encampments make only a minor dent in Portland’s houseless population needing shelter.

Limited City funding restricts how many encampments the City will sanction and support. But self-managed encampments that “spring up in opposition to the system” will also be denied conditional-use agreements for a socio-political reason: because of how local government structures pathways for houseless people to become stabilized. Houseless people seeking government support in obtaining longer-term housing begin their transition through a “housing continuum.” The idea here is that when houseless people come “off of the street” and get into government-funded shelters or encampments, they progress along a path towards eventually leaving that system. Perhaps they will end up staying in temporary housing for 3-9 months before leaving the system and obtain traditional housing, such as an apartment or rental house. Such a process is what government necessitates houseless people go through to become housed.

That houseless people go through this potentially years-long process is not necessarily an issue for many houseless people relying on government support to find stable housing. Instead, the critical issue for formerly houseless people who leave the system is that they enter back in to the private market for housing. It is expected that formerly houseless people will rent apartments or single-family homes. This is problematic in that the majority of housing in the U.S. is obtained through the private market; there is almost no public housing available in the U.S. any longer (Cooper and Gowan, 2019). For individuals with little to no income, affording housing even when it is highly subsidized by the federal government can be difficult. Especially in cities where rents are increasing, affording rent for simple “efficiency suites” or one-bedroom apartments remains challenging.
Affording market-rates for housing is becoming harder to do for many city dwellers across the U.S., let alone for the houseless. Nearly all individuals in Portland’s encampments I spoke with are formerly renters or even owners of property. Many mentioned that they were houseless simply because they could not afford the rent. Equally problematic is that when houseless individuals are fortunate enough to get a year-long subsidized apartment through a local housing agency, that one year is often not long enough to become economically stable, let alone physically or emotionally stable, depending on one’s situation. Economic precarity remains a significant problem even when individuals get back into housing.

With few available public-housing options and with waitlists for affordable housing sometimes stretching-on for years in Portland (Home Forward 2019), houseless individuals relying upon government support to become stably-housed must return to the system of privatized housing. Therefore, regardless of whether government staff support the practices and vision of self-governing encampments, returning to property or becoming “propertied” is structured into government support of houseless people. In this way, local government reinforces the propertied-citizen as the valued citizen, idealizing the economically-independent citizen as its end goal. Certainly it is hoped that houseless people can become economically stable. It becomes much harder to become stable for formerly houseless individuals, however, when disparities in the housing market force individuals back into precarious housing situations or when there is no housing at all.

Whereas property owners more explicitly and directly uphold liberal norms of citizenship by condemning how encampment residents’ use property, government indirectly maintains the values of propertied citizenship through its structured system of support. Whether propertied-citizenship is produced through relations between neighbors or institutionalized through
government support, the *values* upholding the liberal framework of propertied-citizenship work together to affect how H.G. residents may enjoy their privileges of citizenship. So how do these liberal constructs regarding property in Portland affect encampment residents’ citizenship? And in what ways does the model of propertied-citizenship diminish houseless people’s rights and opportunities for becoming stable? The second part of the chapter addresses these questions.

**Limiting Houseless Citizenship**

Houseless people residing in Portland’s encampments have had their citizenship privileges restricted in various ways. One common problem for houseless people affecting their ability to enjoy citizenship privileges or benefits is the lack of identification and especially an address. Without these things, individuals have difficulty staying in contact with services, such as housing providers, or they may have trouble receiving benefits from the government. Some individuals I spoke with indicated they were unable to open bank accounts because they did not have an address. “Since when can I not give money to a bank?” one individual asked. Others I spoke with lost employment opportunities because they indicated to an employer that they lived in an encampment. And perhaps the most direct link to political citizenship as we think of it is the guarantee of voting rights. While federal laws allow houseless people the right to vote by identifying an address for a shelter in which they are residing, voting can still be made enormously difficult for people without identification and stable address.\(^{20}\) Without identification or a stable address, access to certain social and political benefits of citizenship are restricted or make it that much more difficult for individuals to maintain their livelihoods.

\(^{20}\) Most states have duration requirements for residency. For example, a state may require an individual to have lived in the same place for 30 days (NPV 2019). For houseless people, to remain in the same shelter or same general area of a city may be quite difficult to prove. For one thing, shelters do not always allow consecutive stays, forcing individuals to wait days until they can return to that shelter or to find other places.
But houseless people are not denied citizenship benefits and privileges only because they lack a stable address. They are also often denied the more substantive benefits of citizenship, such as the ability to participate in collective decision-making with the communities in which they live, or to get proper treatment in hospitals, or to simply have the right to rest in public spaces. Often, rights of citizenship are the legal means by which house people are denied more substantive benefits of citizenship. Thus, legal rights of citizenship overlap and frame how the more participatory and active privileges of citizenship are denied to houseless people. H.G. is again exemplary for demonstrating the ways in which houseless people are limited in their citizenship privileges and experiences because they lack property rights. To show this, I depict two moments in the relations between H.G. and OKNA which illustrate the uneven relations between propertied and property-insecure residents.

Shortly after H.G. moved into its site in the Overlook neighborhood in 2015, OKNA and the encampment began “good neighbor” negotiations. The informal agreement between the two groups was mediated by the City. The talks lasted for a few months and then fell apart. There were different reasons given as to why the talks fell apart. The chair of OKNA suggested that H.G. began working “with the City to develop a permit outside of the good neighbor agreement” after initial talks had started between them, a move in which OKNA members did not approve. In turn, H.G. residents suggested that OKNA only wanted to talk about H.G. leaving during the talks and not about how to integrate the encampment into the neighborhood. In response to the talks falling through, the communications director for the mayor’s office stated they would forego an agreement because “the well had already been poisoned in terms of the relations between the neighbors and the camp” (Pitawanich 2017).
The reasons why the talks fell apart, however, were less important than why they were initiated in the first place. Many housed neighbors in Overlook objected to the group moving in without their consent. The then-chair of OKNA mentioned that he was upset that H.G. formed themselves without first coming to interact with the neighbors. That H.G. wouldn’t talk to OKNA, he said “created animosity from the get-go. If you don’t engage with the neighbors upfront, you are going to have problems.” The OKNA chair felt that the neighborhood association was being spurned by H.G. for not communicating with the association about their plans.

Other neighborhood homeowners who were privy to the good neighbor discussions observed the process differently. One homeowner mentioned she “didn’t feel like the neighborhood was negotiating in good faith.” She suggested the talks were somewhat one-sided, more in line with the rhetorical position of OKNA. “There was an idea that the people living at Hazelnut were not participating in the process in a way that was okay with the neighborhood association,” she said. And because of that, she felt as if “a system was being set up that was making it very difficult for the residents of Hazelnut to succeed in the process.”

In the end, it was H.G. who backed out of the good neighbor talks because of this seeming one-sidedness. One H.G. resident stated that “it's off-putting” to hear OKNA say “we don't want you here, we don't want you here” (Pitawanich 2017). As such, H.G. continued conversations with the City about the encampment’s future without OKNA. In response to H.G. no longer attempting to negotiate a good neighbor agreement one homeowner stated, “I don’t think that individuals in Hazelnut Grove have any intention of being controlled.” The premise of a good neighbor agreement, for this homeowner, was seen as a disciplinary mechanism for
OKNA. That is, homeowners felt the agreement was necessary to ensure houseless people would live by certain standards imposed by the neighborhood association.

The failed good neighbor talks re-invigorated OKNA’s opposition to H.G. remaining situated in the Overlook neighborhood. Shortly after the talks ended, the chair of OKNA’s board wrote a press release to publicize how H.G. was “excluding” OKNA homeowners from the good neighbor agreement. With OKNA’s hopes ended for participating in good neighbor talks, the chair renewed OKNA’s “call for the [City] to remove Hazelnut Grove from its current site as soon as possible,” (OKNA, 2017 September 21) arguing again that the encampment was illegally placed. OKNA and H.G. never again attempted to re-negotiate a good neighbor agreement, despite the encampment becoming ever more involved in neighborhood affairs.

Perhaps because of the discord resulting from the failed good neighbor agreement, a second moment illustrates how the neighborhood association attempted to restrict citizenship privileges from H.G. residents. I briefly return to the story that introduced this dissertation to reconnect a series of events that transpired between H.G. and OKNA.

Recall that in August 2017, OKNA made plans to change its bylaws so that houseless people would not be able to participate and vote at neighborhood meetings. The proposed bylaw amendments stated that all individuals voting at neighborhood meetings would be required “to provide a legal home address to qualify for membership.” The intention behind amending the bylaws was explicit. As the amendment stated, the new bylaw would:

Exclude houseless campers and squatters in vacant buildings. However, it would not preclude a houseless village from receiving full membership privileges. A city-sanctioned and permitted houseless village would have a legal address, and
its residents therefore would qualify for OKNA membership. Alternatively, a houseless village with a non-profit component could have a designated representative member in OKNA (OKNA, 2017 August 19, emphasis added).

The wording of the proposed bylaw amendment did not need to mention H.G. by name. It was clear that H.G. was the only organized encampment in the neighborhood. H.G. did not have a legal address. It was not sanctioned by the City with an official land use permit. It did not have non-profit status at that time. The lengths to which OKNA went by wording the amendment as such was precisely meant to exclude H.G. from neighborhood representation while appearing neutral in doing so.

The bylaw amendment did not pass. Enough supporters of H.G. and residents of the encampment itself were able to collectively win the vote to not have the neighborhood bylaws changed. Had the amendment passed, it would have barred H.G. members from participating in the association’s decision-making processes. Significantly, it also would have demonstrated to H.G that it cannot not enjoy the privilege of self-management within its own neighborhood.

Why do OKNA’s actions—attempting to exclude H.G. from being able to participate within a neighborhood association—matter to questions of citizenship? At the time of the amendment vote, H.G. had been operating within the neighborhood for two years. OKNA members were still upset the encampment was there. As noted, many at OKNA thought H.G. was illegally occupying the public property on which the City was allowing them to operate. But it was not only that H.G. was still there. Now H.G. residents were beginning to show up to and participate in neighborhood meetings. H.G. residents wanted to be involved in neighborhood affairs, partly to show the neighborhood why they had the right to participate but also to show that they cared about how their encampment was received within the neighborhood. For OKNA,
because H.G. was unsanctioned, “illegally” using public property, and as such “undemocratic,” H.G. was not to be involved in the affairs of the neighborhood association.

The proposal to amend bylaws to exclude houseless people pointed to a larger relationship between OKNA and H.G., one illustrating how property owners utilize their citizenship rights and privileges to control how and when houseless people can realize their own citizenship privileges. In response to the failed amendment, one homeowner questioned further whether houseless people should have any rights to vote in OKNA meetings. He asked, why would “the camp get voting rights? On [account of] antiquated bylaws?” For this resident, the neighborhood association ought to have been able to create new bylaws that made transparent that they are excluding houseless people, particularly those at H.G. Such legal measures were needed, he argued, because residents of H.G. “do not have the best interest of the neighborhood. They are only interested in themselves. [Housed] individuals in the neighborhood are for the good of the neighborhood. Hazelnut people are not. They care about themselves.” For this homeowner, denying houseless people a right to vote was not just about voting rights in the abstract. Instead, it was about denying people whom he understood to be self-interested, incapable of collective decision-making. The implication was that housed individuals were assumed to be most capable of making decisions for the “good of the neighborhood.”

That H.G. residents were frequently depicted as invalid participants in neighborhood affairs was recognized by other homeowners attending neighborhood meetings. One individual recounted that the meetings were often hostile when H.G. residents were present. “I don’t get the feeling H.G residents are taken very seriously,” she said. “Sometimes they are cut off really quickly by the chair. He gives other people more time to talk… and he’s not so abrupt with them.” Another homeowner who attended association meetings noted a general sentiment of
disdain coming from housed residents toward H.G. residents’ participation. “They can be a little bit dismissive. There have been times when the president has said ‘you know, I have talked to the City and they have identified three spots for the camp…’ And then [one H.G. resident] will say ‘I just talked to the same person at the City and they did not say that.’ And I think in these moments there tends to be an understanding that ‘well, [the president] has the real story.’ So I think sometimes people do not take the [H.G.] residents that seriously.” That houseless people were not taken seriously in the public discourse is commonplace, particularly when they were making claims for equity within a specific polity as they were attempting to do with OKNA.

Neighborhood association meetings I attended when H.G. residents were present were somewhat different than the above accounts. The above statements reflect early interactions with H.G. residents, recalling meetings before the heated bylaw amendment meeting when OKNA believed it could oust the encampment from the neighborhood. The meetings I attended took place after these events. What I observed from homeowners at the neighborhood meetings was something more like a passive acceptance of H.G.’s existence, with neighbors resigned to the fact that they could not force H.G. to leave. As such, instead of demanding H.G. leave, homeowners often questioned H.G. residents about the timelines of their relocation. For instance, some asked about “when [H.G. members] think they might relocate,” or “how long people are staying at the encampment.” At one meeting I attended in March, 2018, I spoke with a frustrated neighborhood homeowner who believed that people would never leave the encampment. That “they just want to stay as long as they can,” she said, was a commonly noted perception about H.G. from neighborhood residents.

These two series of interactions between OKNA and H.G. indicate how the liberal values engrained in the model of propertied-citizenship are employed by housed people in attempt to
mediate relations with houseless people. The desire by property owners to define how houseless life ought to be, rather than how houseless life actually is for H.G. residents, underscores the taken-for-granted nature of the propertied perspective of citizen relations. In this case, the neighborhood association was ultimately unable to restrict H.G.’s right to participate in the association. Nor did OKNA get their way in good neighbor agreements. All too often, the power of propertied citizens to control houseless encampments does actualize to the detriment of houseless groups. R2DT, for example, was denied a preferred spot for relocation in 2015 due to push back and a lawsuit from its prospective neighborhood coalition (Schmidt 2016). It was the City that played a more direct role in shaping H.G.’s future. While the City supported the encampment’s right to exist, it actively worked to relocate the encampment. It is likely that the consistent pressure from OKNA members and individual residents to some degree influenced the City’s decision to relocate the encampment from the Overlook neighborhood.

**Balancing Rights of Property**

The opposition against H.G. necessitates that encampment residents must actively claim citizenship benefits beyond those protected narrowly within their constitutional rights. In other words, H.G. residents already hold liberty rights equally protected among all other citizens. What H.G. residents do not benefit from are the more substantive privileges of citizenship which propertied-citizens hold and draw from to influence political relations. H.G. residents struggle for the ability to participate in decision-making, to be heard and taken seriously when doing so, and to be able to enact change over their own living situations. So too must they constantly justify to others why they are deserving of space to shelter themselves. These are broader benefits of citizenship that most propertied-citizens do not need to actively claim.
Propertied-citizens do not have to claim or struggle for these more substantive benefits or privileges of citizenship because of the ways in which property secures political “strength” within liberal-democracies. As demonstrated by homeowners in Portland’s Overlook neighborhood, a fundamental characteristic of citizenship is assumed to be one’s ability to work hard and earn. As this thinking goes, from their labor can houseless people then benefit from the social and political privileges of property. The fact that the City “gave away” property to H.G. belies this value, placing H.G. residents outside of the realm of the legitimate citizen who pays for their property by renting or owning.

Overlook neighborhood property owners therefore employed long-held arguments about property’s broader social function within democracy. In doing so, homeowners constructed houseless encampment residents as anti-democratic, unwilling to make good faith efforts at coming to neighborly agreements, or being devoid of the capacity to make decisions for the greater good of the neighborhood. When encampments and their residents were seen in this light, houseless people became aberrations from the proper citizen. In this way, property owners denied encampment residents their claims for self-sufficiency to participate in democratic politics because they lacked “legitimate” use rights of property. The power of propertied-citizenship therefore was utilized to advance and even maintain political positions which adhered to liberal norms surrounding property use and ownership.

Homeowners are not alone maintaining the values of propertied-citizenship. Such values are also institutionalized. The way that local government supports houseless people is also critical. Such governmental support is multi-faceted, however. Portland’s government supports houseless self-governance because of the dignity and autonomy it gives houseless people through their struggles for stability. At the same time, local government expects that individuals will
leave self-governing encampments quickly, promoting individuals’ integration back into the private market. For many houseless individuals, the difficulty of affording rents within urban private housing markets are what led them into houselessness in the first place.

That the model of propertied-citizenship derives from liberal-democratic principles reflects a key contradiction regarding property, one that actually benefits houseless encampment residents. In that property access or ownership strengthens how citizens may use their political privileges, H.G. shares in enjoying *some* of those privileges. That is, H.G. has the right to use its property because the City of Portland authorizes to do so. In this way, H.G. holds use rights to property, albeit limited use rights. As semi-propertied citizens, H.G. residents enjoy some control over their living situation by being able to manage how they organize themselves on City property. These privileges secured through access to property engender certain political powers which H.G. and other Portland encampments rely upon for stability, which, as the next chapter will show are necessarily restricted.
Chapter 4: A Possessory Interest: How Property Rights Shape Citizenship Rights in Portland’s Houseless Encampments

Portland’s self-governing houseless encampments provide an excellent case through which to better understand how liberal property rights mediate citizenship rights for houseless people. The encampments are unique in that they hold some rights to property. As previous chapters have shown, property rights are essential for individuals to realize citizenship within liberal democracies. Contemporary rights of property are understood to provide liberal citizens the freedom to protect themselves from others and from the overreach of the state. While Portland’s encampments benefit from their property rights, these rights are restricted, limiting the ability of houseless encampment residents to realize their autonomy as equal citizens.

Portland’s houseless encampments are unique among modes of houseless shelter not only because they hold rights to use property. The encampments are also “self-managed.” In the most immediate sense, the encampments self-organize their own operations. All decision-making is done through the process of self-governance, a democratic model of decision-making determining the day-to-day activities of the community. Dignity Village, as an example, holds weekly council meetings for the purposes of introducing new members to the community, addressing problems regarding the use of the space, negotiating divisions of labor within the encampment, and much more. With such meetings, the encampments manage how the sites are socially organized with little, if any, input from the City.

Portland’s encampments are self-managed in a second sense. In legal terms, Portland’s encampments are contracted by the City of Portland to provide certain services on the encampment site. Primarily, this means the encampments are responsible for managing the temporary shelter services that they provide individuals. R2DT, for instance, provides services
by running a low-barrier shelter for roughly 60 overnight sleepers. As contractors, therefore, encampments have legal authority to control and maintain the use of the site within the bounds of their agreements with the City.

Portland’s encampments are both collectives of individuals as well as legal entities unto themselves. The encampments are legal entities, most holding not-for-profit status, because they are the parties which hold the contracts between the encampment and the City. And it is through this legal status which encampments are endowed with rights to use property. But so too are encampments a collective of individuals who work and govern the operations of the communities themselves. Portland encampments thus differ from other houseless shelter services because they function as self-governing collectives comprised of resident members as well as being legal contractors. In this sense, they can be understood as institutions providing services to the public.

The encampments have benefitted from such institutionalization primarily through rights of property. While none of Portland’s sanctioned encampments own any of the properties on which they sit, each of the encampments (except HG) hold “conditional use” or “use of space” agreements with the City. These agreements legally permit them to use a piece of municipal land for a given period of time. Such rights of property allow encampments to maintain their processes of self-governance by securing a dedicated site on which the encampment may organize itself. Without rights to municipal property, self-governing houseless groups would be vulnerable to police and state actions against them.

Encampment property rights are specifically limited, however. While most of Portland’s encampments hold “possessory rights of interest” for their properties, these possessory rights are unique. In general, possessory rights to property allow tenants the right of “exclusive possession,” meaning that “tenants have the right to exclude all others, including the landlord
(except for rights under the lease to inspect or repair) from the land” (Williams and Robson 2014, n.p.). Portland’s encampments are not subject to landlord-tenant law and thus lack rights of exclusive possession to their properties.

Such limited property rights matter greatly for the encampments. As I will suggest, the encampments’ limited rights of property diminish the benefits deriving from the self-governing process. Because they lack the right to exclude, encampments are not always able to carry out the decisions they make as self-governing collectives. I will argue, therefore, that such limited rights of property diminish houseless individuals’ citizenship, depriving these individuals of certain freedoms that propertied-citizens enjoy.

The chapter draws from fieldwork in Portland to detail the trade-offs of living in self-governing encampments for houseless individuals. I demonstrate how the possessory rights in self-governing encampments benefit the individuals residing in them by allowing houseless people more autonomy over the ways in which they organize the site to stabilize themselves. This autonomy derives from having consistent access to a dedicated property. Compared with houseless people living in traditional shelters or on the street, then, self-governing encampments allow individuals the dignity of self-defining how such support services come to stabilize their lives.

While benefitting the encampments, limited possessory rights to property create problems for these communities. Without a right to exclude, houseless encampment residents are left to their own devices when banishing members from the community. There is no backing from the state. But it is not just ex-members who resist leaving the encampments peacefully where the legal right to exclude matters. Encampments must secure themselves from anyone seeking to enter their sites. This is problematic. For, not being able to legally secure the premises presents
enormous risk for the individuals residing within the encampments. The chapter therefore details these specific limitations for encampments as well.

Above all, I seek to detail how thoroughly entangled property and property rights are within houseless encampment life. Property rights have long been essential in defining the idealized liberal citizen. And liberal citizenship has been defined historically as the capacity of an individual citizen to self-govern. I suggest then that it is useful to understand problems surrounding property rights of self-governing encampments as matters of citizenship. I will argue that although encampments do benefit from possessory rights to property, the reality of a limited “right to exclude” for encampments means that these benefits come with certain costs. The necessary trade-offs required of individuals residing in encampments—acceding their right to privacy and security—diminish houseless people’s rights of citizenship. The disparity over the rights of property and rights to exclude for houseless residents further reflects how uneven relations of power develop between property-secure and property-insecure citizens.

**The Benefits of Houseless Encampments**

Nearly every individual with whom I spoke articulated how residing in an encampment has benefitted them throughout their struggles with housing precarity. Encampments provide everyday resources that housed people often take for granted. For instance, being able to leave one’s things in the same place and be reasonably assured that you will return to your things, is significant. Feeling secure in that you will still have your belongings at the end of the day, as one HG resident put it, “gives you the one thing that everyone else in society gets to have, which is a sense of ownership over something.” Not having to carry your belongings with you everywhere you go makes everyday life much easier: going to the doctor; being at work all day; doing
“food bank” or “water” runs for the encampment; searching for housing; etc. A stable place to leave one’s personal items is necessary for all individuals to go about their lives with less stress.

Encampments also provide safer environments for individuals to rest. Having a group of individuals looking out for one another relieves much pressure that houseless individuals face daily. Having trusted individuals look out for you reduces the predatory actions that houseless people routinely experience living on the street or in shelters. Encampments also provide safety in the sense that they add a set of “eyes on the street.” All encampments do security shifts throughout the day and overnight to ensure only members and guests enter the site. But encampments also secure the areas around the sites themselves. R2DT, for example, monitors the street and parking lot of the neighboring business for unwanted or unsafe behaviors. Such security benefits not only the residents on site, but also functions to make neighbors feel safer by having someone inform them if something illicit were to happen nearby.

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21 One report studying Portland’s and Seattle’s encampments found that the presence of self-governed houseless encampments in these two cities correlated with lower crime rates in the areas surrounding the encampments (Schmid 2018).

22 R2DT’s current site is located across the street from the Moda Center, the arena that hosts Portland’s professional basketball team in addition to large concerts. Moda staff park their cars in the parking lot abutting the fence of R2DT. And in their good neighbor agreement, R2DT is responsible for securing the approach road to that parking lot and the areas in front of the site facing the road. The irony of income inequity and how this relates to property is not lost on R2DT residents, whose front gate faces the glitzy stadium and is routinely subject to tens of thousands of individuals staring at the site.
Figure 8. Security desk at front of R2DT. Those on security check in overnight sleepers and monitor the areas around the perimeter of the gate.

The relative security that encampments provide their residents enables individuals to become more stable. For some long-term houseless individuals, being around others can often be difficult, as prior experiences in shelters or on the streets can create problems of trust around strangers. One resident of H.G. noted that being in the group setting of an encampment allowed him to “re-socialize” with others. “Being able to trust a random stranger again” was significant, he said. “It’s insane to me how distrustful you are when you are on the street, and how you have to be for your own survival. Because [on the street] if you don’t watch your back, the guy next to you doesn’t have to. That change in dynamic is incredible,” he noted.

Similarly, one Kenton Women’s Village (KWV) resident noted how the village helped her to reconnect her sense of self again. “Once you feel like you are nothing, it is hard to get your
sense of worth back,” she said. She observed that when women come into the village,\textsuperscript{23} many of them seemed to be down on themselves. Such attitudes, she said, “stem from relationships, abuse, from being on the streets and feeling and looking like crud.” What encampments allow for people to do is share in these experiences, “to be together in a situation which gives them strength” she said. Encampments thus provide their residents the benefit of time, giving people the opportunity to get to know who they are living around, in what ways they are working together, and how these relationships may benefit themselves.

Time also helps introduce individuals into the self-governing model. One Dignity Village resident noted how a chronically-houseless person coming into the village was impacted by the encampment’s mode of organizing. This individual was “houseless for 22 years prior to coming to Dignity,” he said. “The individual went from not trusting or speaking to anyone, to conversing and participating within the village before he obtained his housing.” There is a reward, this member mentioned, “in seeing people transform through that process of living in the village,” one whereby people find similarities among strangers, helping them to ease distrust and eventually work toward deciding how they want to become stable throughout their time of housing instability.

The personal stability gained from the relative security of encampment life is distinct from other traditional forms of houseless shelter. Many encampment residents spoke negatively of their experiences with the shelter system, a sentiment well-covered in scholarly literature on houselessness (Gowan 2010). For example, many mentioned how shelters and missions are

\textsuperscript{23} I use the terms “encampment” and “village” interchangeably. Many residents within Portland’s encampments use the term village to describe their living environment. Dignity Village defines itself as such by name. The Kenton Women’s Village does as well. For these groups, the term village connotes a sense of collective living, a situation in which people know their neighbors well and can rely upon them for help when needed.
unsafe, dirty, noisy, inefficiently run, or too forceful in their “engagement with God.” One
Hazelnut Grove (HG) resident candidly retold his experiences within shelters. “The security is
only as good as the staff,” he said. “If the staff is friendly with [a] person that is going around
stealing everything, then they let them steal.” But if security in the shelters can be piecemeal, by
letting slide the harmful actions of a few people, other types of shelter security enact overly-
disciplinary measures to punish sleepers. Many shelters are zero-tolerance in this way, he said.
Shelters “use standards of punishment that are… it’s not just disciplinarian. It’s against the
Geneva Codes, man,” he exclaimed. “[If] one person is doing crazy shit, you can’t hold everyone
responsible. But that’s how they do it. Like, ‘well, if that person doesn’t stop trying to stab
eybody, we’re going to kick you all out.’” Although shelters are not always as chaotic as
depicted in the quote above, houseless individuals who have spent a longer amount of time in
them cast a negative light on their experiences within them.

Shelters do serve a purpose. They are an emergency solution, an intervention to save
lives. As one staff member of a county government within the Portland metropolitan area put it,
shelters function like “a band-aid.” They “prevent extensive loss of life for people that would
perish otherwise with exposure to the elements,” he said. But this may be the true extent of their
purpose. What shelters cannot do, he argued, is “give people an opportunity to address the things
that cause them homelessness.” While the purpose of shelters is to give emergency assistance,
therefore, they are not designed to address any of the overlapping problems causing
houselessness in the first place. They are most simply a space to shelter individuals for very short
periods of time.

Compared with shelters, encampments allow individuals to be situated day-after-day in
an environment over which one has some control. Encampments allow for individuals to develop
some regularity or constancy within their lives. Because of this, this same county staff member gave praise for encampments. He noted that “in a village, you are part of the value of the village. You are the village. You are a cog that keeps the village going. You have responsibility and dignity. And accountability to your fellows. All the things that you lose when you lose housing. You get to build back some dignity. And you are providing a service to others by yourselves. No one else is doing it for you.” One R2DT resident similarly reiterated the differences between traditional shelters and encampments. “The obvious difference is accountability,” he said. “Based on what I’ve seen, it seems like a numbers game for [the shelters].” At the encampment “we do outreach, clothing, food when we have it. I like that we are completely independent, and donation based.” At R2DT, he said, overnight sleepers get “a place of refuge. We watch your back while you sleep.” Encampments also benefit, then, by remaining accountable to their guests and members.

Along with security, stability and accountability, Portland’s self-governing encampments also benefit by projecting a certain sense of order more closely aligned with housed society. Perhaps this is because many of Portland’s encampments are comprised of individualized tiny houses, a form of shelter in which the housed community validates as more formal. As one DV resident noted, for example, the fundamental difference between the housed and houseless is a house key. “If I didn’t have a house key to this tiny house,” he said, “I wouldn’t get treated like I get treated when I am in the village. [When] people see that you don’t have a house key, that you don’t go home at night… [they think] ‘well, my god… we can’t even talk to these people.’” As this resident explains, then, the ability to secure privacy through shelter is a social benefit to which housed society can relate.
Encampments thus benefit from community approbation. As one KWV resident suggested, “I think we are actually accepted because we have little houses, our own little community. [Living in the village] I am treated like a person because nobody thinks that I am homeless.” Another KWV resident similarly acknowledged that outside of the encampments, houseless people are generally looked down upon by housed and, at times, even other houseless people. But when people find out that someone is living in an organized tiny house village, she said “people seem to respect that. They have a positive reaction to that.” That reaction is distinct from “when I was in a tent,” she said, “where I got looked down upon way more.” In that the tiny houses in encampments hold a resemblance to traditional housing, more so than sleeping under a blanket on the sidewalk, the encampments reflect valued social norms of how individuals ought to properly house themselves.
Overall, Portland’s self-governing encampments benefit their residents by creating a sense of security, stability, a shared sense of identity, and accountability for themselves and the community in which they live. These benefits provide houseless residents a degree of security often not experienced by houseless people staying outside or in traditional shelters. As such, the social benefits of encampments should be supported, for they allow houseless people to manage their own housing insecurity in a self-determining manner. But encampments have broader socio-political benefits as well. They offer individuals the opportunity to participate in collective self-governance, allowing individuals to actively shape their living situation within the encampment as well as in the larger community outside. These political benefits illustrate privileges central to liberal citizenship more generally. The following section depicts how encampments benefit residents through the lens of citizenship.

**Citizenship Through Self-Governance**

Liberal citizenship is often expressed as the state’s protection of rights for those holding formal citizenship. Individuals within liberal democracies hold liberty rights which protect them from others or from state overreach. As reviewed in Chapter 2, one of the primary liberty rights is the right to property. Property rights have long been thought to secure for individuals their freedom or autonomy, establishing the boundary between individual sovereignty and state power (Nedelsky 2011). Although property rights in themselves do not produce an individual’s autonomy, rights to property do affect how propertied and property-insecure citizens may advance and secure their own self-interests within liberal democracies.

Liberal citizenship has often been simplified into two categories: passive and active citizenship. Passive citizenship connotes that citizens are bestowed certain liberty rights and have those rights protected by the state. Citizenship is “passive” in that individuals do not actively
engage within political discourse or participate in decision-making for the common good.

Passive citizens “participate in their sovereign role [as rights-bearing citizens] only in the context of an elaborate system of political representation at a distance, carried out in the shadow of a permanent professional administrative apparatus” (Burchell 2002, 89). The correlative to the passive receipt of formal rights is an active understanding of citizenship. Such “active” modes of engaging politically are commonly seen as a citizens’ means of pursuing a vision of the common good (Mouffe 1993). Citizenship in this sense is seen to be practiced or “enacted” to advance one’s interests toward certain social and political ends (Isin 2008). Enacting citizenship is a means by which individuals claim rights they believe they should, but do not, have.

Realizing liberal citizenship today remains contingent upon having a secure interest in property, through the access rights or possession rights of property. To a certain degree, Portland’s encampment residents experience some privileges of citizenship in that they reside within an “institution” which holds most possessory rights to property. For example, R2DT is recognized as an institution which, through its contract with the City, holds certain possessory rights of interest to use the property. Members of R2DT are able to benefit from the encampments’ property rights, then, which affords the community time and space with which to decide how they will operate, and, in turn, to have those decisions validated by the state. Residents are also able to benefit from the stability of having a secured property in which to rest.

But so too do encampments allow or even force residents to enact or practice their citizenship by claiming rights to privileges generally not held by houseless people living outside of encampments. Many of the encampments, for example, must actively justify to the City why they should continue operating after their land use agreements expire. And in the case of H.G., that encampment must actively claim a right to space itself, to their neighbors and to some extent
the City, as they lack an official permit to operate. Within the encampments themselves, individuals have more agency over their circumstances, and are able to actualize their rights as self-governing citizens through the encampments’ decision-making processes. Thus encampments in some ways enable their residents to benefit from property just as does the idealized, propertied-citizen benefits from the use of their property.

Portland’s encampments thus provide benefits beyond the immediate matters of social reproduction mentioned in the previous section. Primary among these benefits is the sense of agency residents feel when making collective decisions regarding the operations of the encampment. For instance, many residents touted how participating in the self-governing process affected them. One DV resident mentioned feeling prideful in being able to say that the village is self-governed and self-supporting. “The fact that we do make the rules, [that] we get to decide how we are going to live… the bottom line: better self-esteem and better self-worth when we are part of the decision-making.” And while the decision-making process gives residents a sense of self-worth, encampments also are host to the primary source of knowledge about how best to support houseless people who are struggling: people living without housing themselves. As one R2DT member acknowledged, compared with staff in shelters or local government, “people who live [in encampments] know what is going on. And they know what needs to change to help the situation. Being able to control the environment you live in… I don’t think that is found in most conventional shelters.” Participating in the encampments’ decision-making process helps residents feel as if they have some control over their lives.

When residents are able to control their environments as such, they feel accountable not only to themselves, but to others residing within the community. Residents mentioned how having the ability to deliberate over and vote on encampment issues provides the opportunity to
redress inequities arising within the encampment in a manner suited to the individuals affected. For example, if a resident was to bring an illicit substance into the encampment, rather than involving police, the community decides on how to deal with the individual. Likely this means verbal warnings or perhaps a night out of the encampment. The strength of the self-governing process allows the “offending” resident to explain their situation and to be heard among their peers. Their peers are then able to consider the claims and work with the individual instead of excluding them or using punitive measures to reprimand them. In this way, encampments’ self-governing processes are flexible, adapting to the social contexts of the situation at hand.

There is also a benefit in using direct democratic practices to make decisions about the operations of the encampment and how residents contribute. All residents concerned with how the community functions, on what, for example, the community ought to spend its collective finances, or when members are allowed to have guests visit, have a say as to what the criteria of the rules ought to be. All concerned residents get to collectively make that decision. As such, adhering to the democratic process within encampments develops “political structures that address marginality and exclusion,” albeit through “informal frameworks of governance and citizenship” (Sparks 2017, 15). That is, encampments afford their residents more opportunities for inclusion even if that social and political recognition is not always acknowledged outside the encampment.

With little capacity to affect one’s living environment while houseless, encampments cultivate a sense of agency for their residents within the spaces of the village. The sense of self-worth and dignity residents feel participating in encampment governance is significant. Reflecting on his work in Seattle’s self-organized houseless encampments, Sparks argues that self-governance establishes more than simply informal practices of citizenship which better
incorporate socially and economically marginalized individuals. The informal practices of citizenship that self-governing encampments foster, he argues, also work to “resist stereotypes of homeless unfitness for rational self-governance by producing a self-consciously democratic and collectively operated space” (2017, 6). If only informally, then, self-governing encampments function as spaces facilitating social and political inclusion for residents whose citizenship rights and privileges are continuously being challenged outside the spaces of the encampment.

That residents benefit from the immediacy of “informal” governance within the spaces of encampments indicates the different ways in which these types of shelter better promote practices of citizenship for houseless people. While certainly important, I suggest, however, that residents more effectively actualize their citizenship—that is, benefit from certain rights protections as well as make claims to unmet rights—through their relations with individuals and entities outside the spaces of the encampment. Indeed, it is through interactions with neighbors, neighborhood resident and business associations, and local government that houseless encampment residents make claims to and realize the benefits of citizenship.

Contrary to Sparks, then, who suggests that informal citizenship within encampments expands our understanding of houseless peoples’ political agency, I argue that examining the practices of citizenship enacted by residents through their relations outside of the encampments better demonstrates how houseless individuals claim and negotiate rights and privileges of citizenship similarly (though not equally) to those of propertied-citizens. For, houseless people’s political agency is not fully relegated to the spaces of encampments. Rather, encampment residents realize their citizenship privileges in relation to propertied-citizens.
**Enacting Citizenship**

Due to the relative stability of life in Portland’s houseless encampments, residents have expanded their participation to matters outside of the encampment spaces. Many have become politically active within their neighborhoods and throughout the city more broadly. As one R2DT member acknowledged, participating in the decision-making process first within the encampments whet her appetite to engage in politics outside of the encampment. This change, she said, came because of the interactions she had during weekly meetings, which eventually led her to become a board member. Before coming to R2DT, and during her early time there, she said that she “was the quiet type, just doing what I was supposed to do.” “As far as talking with the City,” she said, “I didn’t think I would ever speak at City Hall or go and meet the mayor. But here I am, [going to] City meetings, good neighbor agreement meetings, neighborhood association meetings, meetings with the police. I would have never done that before.” Doing so, she reflected, “opened me up and I have found my voice to say, ‘hey, you know what? This is wrong.’” The very process by which encampments democratically organize themselves enhances the desire for many residents to take charge of creating something new and better for themselves and for their community.

Actively engaging in wider community or city affairs is difficult to do when houseless. Yet, many in the encampments practiced some level of civic or political engagement. One resident of R2DT, who has since moved into traditional housing, was motivated by the R2DT mission to effect social and political change outside of the encampment as well. He recalled that living at R2DT “opened my eyes,” motivating him to “want to do more to help people.” Thus, while staying at R2DT, he began organizing with the national Poor People’s Campaign, was active in organizing at the state capital for Oregon’s Houseless Bill of Rights, and supported
local groups in Portland advocating for rights of houseless people. Another resident of H.G. was voted on as board member at the neighborhood association in which the encampment is located. Her intention was to promote the rights of the encampment to a neighborhood association that was largely hostile to its existence (see Chapter 3 for more details). As a voting member of the association, she used her time to advocate for houseless rights, but also to participate in shaping neighborhood plans broadly.

Enacting citizenship for these houseless individuals meant pursuing and advocating for rights that they felt they did not benefit from, but ought to have, as houseless people living in encampments. For H.G. particularly, I observed a general desire among its members to exist peacefully within the neighborhood while shaping the discourse around houseless rights. For them, this meant not only showing up to neighborhood meetings. It also meant forming a houseless outreach committee as part of the neighborhood association. The point of the outreach committee, as one Overlook neighborhood resident put it, was to “improve communication, build relationships, and maybe kind of challenge the neighborhood association” on their position regarding H.G. and houselessness generally. Engaging in neighborhood politics in this way was a means by which H.G. residents actively demonstrated that they did care about neighbors’ concerns with safety surrounding the encampment.

The neighborhood association houseless outreach committee was also comprised of housed neighbors. Neighbors on the committee would routinely come to HG’s weekly meetings to see what concerns were pressing at the moment, what needed to be accomplished for the week, and to understand how the encampment was trying to plan its future. Housed neighbors joining H.G. for their weekly assemblies would reiterate to the neighborhood association that they too share the concerns of H.G. residents, “validating” for the association that the real
concerns of houseless individuals in the encampment were not made up simply to agitate the neighborhood association. Because of this coalition of houseless and housed, H.G. residents were better able to organize themselves to advocate for their right to exist.

One result of this committee’s organizing was a door-knocking campaign which took place in the summer of 2018. The idea was to spread accurate information about H.G. to housed residents of the neighborhood by having encampment members introduce themselves face-to-face with neighbors. I went along with one H.G. resident during the campaign and found most neighborhood residents to be receptive to hearing about why H.G. was located where it was and what the members were doing to better the space. The mere fact that H.G. residents were spending their time walking the neighborhood with the purpose of inviting open dialogue over the encampment’s existence indicates a level of organization which generally goes unnoticed to the public. Although many individuals in the encampments have become engaged in political or civic actions as a result of pushback from the public, so too do many within the encampments advocate for the self-governing model of shelter because they see it as a more dignified way of sheltering individuals.

Residents of Portland’s encampments also became actively engaged in their communities, however, because of the relative precarity in which the encampments stand. Not all of the encampments are permitted by the City to operate. H.G., for instance, has always been susceptible to being closed by the City. And those that are officially permitted by the City have a set amount of time in which they may continue to operate—two years for R2DT, for example. Adding to the precarity of the encampments is their limited rights to use the property; they are like tenants but with restricted possessory rights. For, the City has the overriding authority to determine how long and where the encampments can operate, and the state has limited the
encampments’ full possessory rights through recent legislation (as discussed below).

Encampment residents actively involve themselves in wider community politics, therefore, as a means of advocating for their political rights as members of larger polity outside of the encampment.

That encampment residents continue to struggle for political recognition when living in encampments is unique among other citizens who benefit from holding a lease or by owning property. The limited rights of property for encampments work to diminish the benefits of these self-governing communities. There are clear benefits of self-governing encampments: security, time to stabilize, dignity through self-determination and control over one’s environment, and having the space with which to engage the wider community in the social and political struggle of being houseless in encampments. But these benefits come at a cost for encampment residents. As the second part of this chapter will show, the encampments’ limited rights to property require a necessary trade-off for houseless encampment residents.

**Limits to Self-Governing Encampments**

While it is important to recognize the value encampments hold for their residents, the benefits individuals experience within the encampments are limited in distinct ways. These limits become apparent when looking at how encampments’ decision-making processes are restricted based on limits of property rights. As previously mentioned, although Portland’s encampments hold possessory rights of interest to their properties, their possessory rights do not include the right of exclusive possession. In other words, while the encampments have many rights common to what tenants may have with a lease, the encampments do not have a legal right to exclude from their properties.
This disparity has consequences for the individuals residing in the encampments. Without the right to exclude, encampments cannot enforce their decisions to remove unwanted members from the community. It also means that they are unable to restrict any and all individuals from the site of the encampment. The encampments’ limited property rights in effect take away the ability of residents to see out the collective decisions they make about who is welcome in the encampments. The limited possessory rights of the encampments ultimately diminish the sovereignty of the self-governing process by which these communities function, in turn, affecting the rights of the individuals residing within them.

*Removing, Not Evicting*

Although it is rare, encampments will vote to remove a resident and the individual will refuse the action and remain on site. The person may refuse to leave because they believe that the claims against them are illegitimate or because there may be no one to enforce the collective decision. While each encampments’ bylaws concerning removing members is different, a majority vote is usually made to decide to remove someone from the encampment. Often the individual is given a definite amount of time to transition out of the site; 30 days is common, but depending on the severity of their “charge,” it may be only a day or two. If the person stays longer than their allocated time to vacate, verbal warnings toward the individual continue prompting them to leave. Reasoning with individuals about why the community has voted to remove them usually works to get that person to leave. But there are times when people refuse, a frustrating process for everyone within the encampment.

Individuals who vehemently refuse their ban cannot be easily removed because encampment residents are not legally defined as tenants. In general, landlord-tenant laws afford renters and owner-occupied residents the right of exclusive possession. Exclusive possession
allows tenants the right to exclude all other persons from a dedicated property-space. Such a right allows individuals to exercise their right to privacy, a right enforced through the powers of the state. Because encampment residents are not traditional tenants, they cannot utilize the support of the state to arbitrate disputes over “evictions.” Encampments are left to deal with such matters in their own way. Therefore, when it does happen, removing a resistant individual from an encampment can be a drawn-out and messy process.

Portland’s encampments have never been subject to Oregon’s landlord-tenant law. That law, Oregon Revised Statute 90 (ORS.90) delineates the protections and responsibilities of tenants and property owners. Until summer 2019, that Portland’s encampments were not subject to landlord-tenant law had always been informal, an agreement never explicitly stated in state law. That summer, however, the State of Oregon passed House Bill 2916 (HB 2916). One stipulation of HB 2916 mandated that encampments not be subject to ORS.90. In passing HB 2916, therefore, the State institutionalized the historical practice between the encampments and the City of Portland by making it state law that encampments are not subject to landlord-tenant law.

The fact that encampments are not subject to landlord-tenant law is complicated in its consequences, however. Advocates for Portland’s self-governing encampments applauded the passing of HB 2916 while some encampment residents themselves indicated that such lack of protections created certain difficulties for their self-governing process. On the one hand, the

24 I put eviction in quotes because encampments technically do not evict in a strict legal sense. Eviction refers to process whereby an individual must relinquish use of something by state force, such as through a sheriff’s escort. Eviction is then a legal term applicable to relations with the common law of the liberal state.

25 The primary purpose of HB 2916 was to retract the State’s two-parcel-per-municipality limit on “transitional housing accommodations,” or encampments. The bill now authorizes city governments to demarcate the number of encampments they feel is necessary (Oregon HB 2916).
legislation recognized the authority of the encampments to self-govern. Implied in this authority is that encampments can self-select their members, and when needed, they can banish members as well. But the state does not say that encampments cannot banish residents. Rather, the state’s legislation maintains that encampment’s cannot legally evict people. In other words, the legislation mandated that when encampments do banish someone, it can only be done informally, not through the legal eviction process that all tenants would ordinarily go through.

Certainly, to not be subject to landlord-tenant regulations provides encampment residents one substantial benefit. When individuals are voted out of an encampment, they do not receive official evictions on their record. Unlike tenants, who generally accumulate court fees in addition to their official note of eviction, encampment residents avoid such economic and legal punishments. Because official evictions disproportionately impact precariously-housed and low-income people (Purser 2016, Desmond 2016), houseless citizens are thereby protected by this legislation against the potentially damaging effects that official evictions can have on individuals looking for affordable housing. That HB 2916 passed this provision suggests that the state recognizes the detriment to houseless people that evictions can have on them. In this sense, such legislation is a progressive stance attempting to protect houseless people against further burden.

At the same time, the legislation denies encampments the rights of exclusive possession. Perhaps the most powerful property right, encampments have no legal right as property “tenants” to officially exclude unwanted individuals from the premises. The issue here is not that encampments desire to take ex-resident members to court to extract compensation, and now, because of this bill, they cannot legally do so. One of the more “humane” aspects of encampment evictions is that residents help to try and avoid further harming already vulnerable people. Instead, the issue is that encampments have no legal rights to exclude, thereby forcing
encampment residents to rely on themselves to remove residents who have been voted out. Put another way, encampments have no support from the protections of the state if they need help managing an eviction.

When dealing with contested removals, encampment residents are left to their own devices. One DV resident, considering the difficulty of encampment evictions, complained that the encampment “can vote [someone] out. But if the person won’t leave, the police won’t help us remove them.” The same DV resident noted another reason why encampments cannot legally evict. He stated that encampments “can’t evict people because that would mean, for the City, that we are defined as an intentional community… and the City doesn’t want that.” Intentional communities can be broadly defined as residential communities that organize themselves around shared values and intend on maintaining themselves in perpetuity (Sanford 2017). The City of Portland cannot allow self-governing encampments to operate in perpetuity because encampments are legally considered “transitional housing accommodations” under Oregon Revised Statute (ORS 446.225). This means that encampments can be only temporary places of respite for individuals. If encampments were to become permanent, akin to intentional communities, they would likely have tenant contracts with their members. If this were the case, Portland’s encampments would function like permanent facilities, a condition the City does not want.

Seemingly a matter of legal semantics, the inability of encampments to remove residents is of legitimate concern in the lives of encampment residents. Whether or not the State backs encampments’ legal right to evict, these communities still banish individuals when necessary. And for good reasons. But when encampments must rely upon themselves to organize their community, to keep themselves safe, and to enforce their own decisions, evictions that go awry
make life enormously difficult for residents. As one H.G. resident noted, enforcing evictions can be onerous because the group “doesn’t have the ability to pressure people out of the space.” The reason for that, he said, is “because we don’t own the property. So we can’t trespass them or anything.” Encampments cannot utilize the state-backed right to cite someone for trespassing on the encampment site. Instead, encampments must figure out their own means of dealing with ex-members and non-authorized individuals.

This is made all the more complicated when evicted residents, after being voted out, simply stay at the site or return to it frequently. Members note there are two options for handling ex-members who refuse to leave the premises: “shaming” individuals into leaving or physically removing them. Ruminating on these options, one H.G. resident said “you can just make them go and physically handle them out. But at that point, you are no worse than some of the people we rally against the hardest.” The result, he laments, is “a group shaming.” And that is unfortunate, he said, because “there is a lot of resentment by the end of it.” Shaming involves continually reminding a person they are not wanted in the community any longer. Ideally, he said, the “person who is getting mobbed realizes, ‘oh, well I don’t really fit in here and I don’t want to be here. So maybe I should just leave.’” However, this is not always the case. Every now and again residents will remove the ex-member’s belongings and place them outside the encampment to further entice them to leave. This is unfortunate for the individuals voted-out and for the community who must spend more energy on trying to enforce their decisions to keep out unwanted individuals.

*Delimiting Personal Rights Through Rights of Property*

One of the biggest challenges that encampments face is seeing out decisions to remove unwanted individuals. While sometimes a smooth process, other times banishing residents involves verbal
and physical altercations. The inability of houseless communities to ensure that their evictions happen smoothly is exacerbated by the limited possessory rights of the encampments. The heart of this disparity lies in the incommensurability of the property rights of encampments and the rights of its residents. For, the limited property rights of encampments do not guarantee encampment residents their personal rights to privacy and security—rights that are central to citizenship.

As previously mentioned, Portland’s encampments are legally designated as self-governing shelters. Most holding non-profit status, the encampments are “sovereign” entities, contracted by the City to manage their own shelter operations. As legal institutions, they are almost entirely removed from state or private influence concerning how their sites are run. As institutions, encampments are responsible for ensuring that their residents are safe and that their members contribute to maintaining an orderly encampment space. In the collective interest of the community, therefore, encampments partly realize their authority as institutions when they banish or “evict” residents.

That encampments cannot enforce their own eviction decisions is problematic in different ways. One common reason residents refuse to leave after being voted out concerns personal property located on site, particularly property which is highly immobile. One ongoing dispute at H.G. I witnessed during its weekly assemblies was about who retains ownership over tiny houses when a resident is voted out. Sometimes a resident who has built their own tiny house gets voted out of the community. For such an individual, to bring along their house when they leave the encampment would be nearly impossible to do. Even more problematic for encampments is deciding who retains “ownership” over tiny houses when they were collectively built, either by a group of volunteers, which many houses in Portland’s encampments have been, or by successive
individuals inhabiting the house. Because encampments do not own the property on which they operate, delineating ownership over personal property can be thoroughly contested by banished residents.

The disparity between institutional and personal rights thus places encampment residents in a bind. Encampments do not own the property on which they reside, nor do they enjoy full possessory rights to the property as tenants. Encampments cannot guarantee their residents rights to privacy and they are not able to secure residents’ personal property because encampments lack the right to exclude. Compounding this is that houseless residents hold personal liberty rights as citizens separate from the encampment’s property rights, including citizenship rights to privacy and to self-protection. But because encampments are limited in their property rights—-institutions without the right to exclude—residents’ personal rights to privacy and protection against others are curtailed. In other words, the limited property rights of the encampments prevent residents from securing these key liberty rights as citizens.

So what does this mean for encampments and their residents? Two main problems arise regarding encampments’ limited property rights and how this affects the personal rights of residents. The first concerns the autonomy of encampments as self-governing collectives. If an encampment collectively votes to remove an individual, its lack of legal right to evict prevents them from realizing their decision to remove that individual. The second, and perhaps more significant dilemma, is that encampments cannot legally exclude non-authorized intruders from entering their property.\textsuperscript{26} Without the right to exclude, the encampments are vulnerable to anyone who wishes to enter for any reason. And this does happen. It is not uncommon at H.G.,

\textsuperscript{26} Only the City of Portland does not have a legal right to enter the encampments without 24 hours’ advance notice since the City has contracts between the encampments and the government mandating that they must notify the encampments of their intention to stop in to the site.
for instance, for someone to walk through the gate in the middle of the night and look around. All the encampments run security shifts overnight for this very reason. Not having a legal right to exclude means the residents at the encampments cannot secure their site; they are unable to legally keep out anyone for any or no reason whatsoever; the police, neighbors, intruders seeking to cause harm, etc. Such rights of protection and privacy, to secure one’s space, are rights tenants leasing an apartment or homeowners enjoy and have protected by the state.

The disparity between encampment rights and the personal rights of residents illustrates the underlying connection between property and rights of citizenship and how property rights shape the actual experiences of houseless citizens residing within encampments. The right to exclude others from property has been one of the most powerful actions available to those with property rights. Some even argue that property is defined by the right to exclude itself; deny someone the right to exclude, argues Merrill (1998, 730), and “they do not have property.” The lack of a right to legally exclude for encampments becomes instrumental in demarcating houseless people residing there as property insecure people.

In this way, Baron (2004) argues that the state of being houseless ought to be considered through the legal status of “no property,” a legal rhetoric suggesting that houseless peoples’ rights are actually a set of “no rights, disabilities and vulnerabilities” resulting from the duties and actions attached with liberal property rights (p. 287). For encampment residents, then, they still remain in a negative relationship to property, despite collectively holding some possessory rights to property. For, they are not always on “the rights-asserting, power-enforcing side” of property rights. Rather, houseless encampment residents are on the receiving side of property, the side that has duties or liabilities imposed on them by property owners (Baron 2006, 1427). Portland’s houseless encampment residents therefore do not share the same liberty protections as
property owners. For, they do not enjoy the property right which secures their personal rights to not be interfered with—the right to exclude—except insofar as the encampments can informally protect and promote these rights on their behalf.

Conclusion

Self-governing houseless encampments are thought to provide more authority for their residents in operating their shelter than the average houseless person holds. With some possessory rights, houseless encampment residents do benefit from self-organizing, by creating stable and dignified spaces for residents. In some ways, therefore, encampment residents’ right to access property confers privileges of citizenship similar to those housed citizens also experience.

These privileges are not as complete for encampment residents as they are for propertied citizens, however. Houseless residents cannot fully enjoy citizenship rights of privacy and security when residing in encampments, for they cannot enjoy the state-backed right to exclude when residing in the encampment. So while property has been historically understood to secure a citizen’s freedom and autonomy within liberal democracies, and thus the capacity for rational, self-governance, houseless encampment residents necessarily forego the ability to secure their immediate surroundings until they access or own property. That is, they cannot realize the benefits of self-governance essential to the model of propertied-citizenship.

The case of Portland’s self-governing encampments indicate not only that encampment residents reside within these spaces precariously, but the legal predicaments of the encampments directs attention to larger inequities within liberal-democratic citizenship. Much scholarship on democratic citizenship has shown how liberal rights are unequally experienced. But property relations have not been a central feature in defining these inequities. The contradictions present
in Portland’s houseless encampments demonstrate one way in which property rights shape how personal rights of citizenship are negated.

By examining how houseless citizenship is relationally produced, by looking at how citizenship is claimed, enacted, and limited within and outside of the encampment for houseless people, we are better able to understand how citizenship privileges and rights are mediated by property access. What self-governing encampments highlight for us is how liberal rights of citizenship are not fully commensurable with liberal rights of property. What this means for Portland’s houseless individuals residing in encampments is that encampment residency necessitates a trade-off in citizenship privileges. Residents relinquish their legal right to guaranteed privacy and security in order to have more control over other aspects of their lives through the self-governing process. The benefits may be comparatively good, then, for those individuals who have suffered on the streets or within the shelter system. But these benefits come with personal risk. Without the assurance that the sites are protected through legal rights of exclusion, residents are vulnerable to the uncertainty of living outside of formal protections of the state.

Whether the benefits outweigh the limitations is subject to a resident’s own experience residing in an encampment. What is less relative, and thus more cause for concern, however, is the way in which common law structures the rights of individuals through property. The core discrepancy surrounding rights in the encampments is that encampments themselves have separate rights from the individuals residing within them. Legally, encampments are recognized as only individual entities, institutions that are legally subject to their use agreements. The fact that these institutions function through the labor of a collective of individuals is separate. These
individuals have personal citizenship rights. But as we have seen, the rights of property limit how those residents can secure their liberty rights.

What this points to therefore is a broader shortcoming of how liberalism recognizes the collective rights of such groups. There is little within the individualized nature of liberal rights that allows for collective representation. The liberal model of propertied-citizenship cannot effectively encompass the collective rights of marginalized groups, such as R2DT or H.G. Instead, liberalism must strike a balance between rights of property and personal rights of liberty by protecting one over the other. Those without property often go unprotected in this relationship.

To begin to redress the inequities of propertied-citizenship requires some theory of justice. Such a theory would be sensitive to the divisive role property plays within liberal-democracy more broadly, which is the topic of Chapter 5.
Chapter 5: Before the “End of Politics:” The Injustice of Property in Democracy

“I am for the pod community in St. Johns, but I am against the current proposed location on North Roberts because of the potential for negative impact on the preschool, the assisted living community and the immediate neighbor next door” - Neighbor of potential relocation site of Hazelnut Grove

“I think that the City has pursued the camps unevenly. You see that the City is picking out areas where property owners are “less sophisticated.” I have yet to see it tried in the West Hills, in Westmoreland, in Laurelhurst. All three of these facilities are sanctioned in North Portland. There needs to be an expectation that these encampments could be sited anywhere in the City... and property owners know that going into it” - Hazelnut Grove neighbor

“You know, R2DT and Hazelnut formed an unsanctioned village and then they expected something from that. I personally don’t agree with that. You want prime time property? Then anyone can go, “we need prime time real estate for our village.” I don’t think it should work that way. Folks who start villages now seem to have a bunch of political power. And you are kinda going, “huh, that’s interesting.” How much money is the City going to spend to try and appease these [houseless people in encampments]” - Kenton Women’s Village neighbor

Common to the narratives of homeowners about self-governing houseless encampments is that they are out of place. Although neighbors of encampments often express approval for the idea of encampments existing somewhere, they always seem to be in “the wrong location.” When I asked the chair of the Overlook Neighborhood Association (OKNA) what he thought of Hazelnut Grove’s original location, he said that “there are issues with that site in particular, [issues] for the neighborhood specifically that just make it unsuitable for it. It’s a wildlife corridor, it’s a fire hazard. If it goes up in flames in the summer, it is going to take out part of the neighborhood. It’s just not a good place.” While there are certainly legitimate safety concerns about any group who must live outside, the Chair’s comments represent a more generally-shared attitude toward organized houseless encampments in Portland: that there are certain interests that are more important than those of the residents of self-governing encampments.27 For many

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27 Such “not in my back yard” oppositions are nothing new for houseless services. Scholars have noted how the social and spatial expansion of houselessness in the U.S. has exacerbated citizen opposition to social services being
homeowners I interviewed, it is “the neighborhood” that is not a good place for self-governing encampments, not so much that self-governing encampments are not alright in and of themselves.

That idea that specific neighborhoods are not appropriate for an encampment to be in is reflected in the quotations above. These statements illustrate a sense that the real issue needing to be addressed is how propertied-citizens are affected by the encampments. As the second quotation shows, some homeowners neighboring encampments believe the City is responsible for mis-locating three North Portland encampments, KWV, HG, and R2DT. This homeowner feels as if the City was purposely placing self-governing encampments in areas that it views as “less sophisticated.” In addition to feeling that encampments are disproportionately placed in a few areas of the city, other homeowners feel that Portland’s self-governing encampments experience unmatched political power compared to that of propertied-citizens. That is, because the City supports these encampments in their use of public properties, the rules of the democratic game no longer seem to apply for propertied-citizens who oppose the encampments. Such statements indicate that homeowners feel a threat to the perceived power of the self-governing encampments, specifically as it regards the use and rights of property for the camps. Implied within these statements is a concern that Portland’s self-governing houseless communities are disrupting the model of propertied-citizenship that has been established within liberal-democracies.

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sited near them. Emergency services for houseless people such as shelters and clinics were often located in inner-city areas, what Dear & Wolch (1987) termed “service dependent ghettos.” As the the spatial spread of care services for the houseless grew, moving to suburban areas, for instance, opposition from new populations were seen. With such a spatial expansion of houseless services came a social pathologizing of houseless people as deviants (Takahashi 1998, Lyon-Callo 2001).
Indeed, Portland residents are sympathetic to the conditions of houseless people. Many housed Portlanders generally see the self-governing encampments as helpful emergency services. Despite this sympathy, however, rarely do homeowners feel that the encampments are located in the right place. The site where HG is located is not the only location that is contested by neighbors. All of Portland’s villages experience pushback by neighbors, residents claiming that these villages are better off elsewhere. Before landing at its current site, Right 2 Dream Too (R2DT), was turned down from several locations because neighbors insisted that the prospective sites were “not the right location” (VanderHart 2017). Dignity Village, and even the Kenton Women’s Village, whom many hail as the most successful of the city’s villages, also were subject to complaints by neighbors.

A common refrain for the houseless, when pressed with no place to legally be, is: where am I to go? In the context of self-governing encampments, then, where is the proper location for any of Portland’s self-governing encampments? Surely answers to this question regarding ideal locations for encampments are matters of geographic concern. One recent project, in fact, has located ideal sites for Portland’s encampments using site suitability analysis. The analysis found 117 vacant properties within the City of Portland boundaries. Of these vacant parcels, only 29 were publicly-owned and not designated as parks and/or green spaces (IPMS 2018). Portland’s government has relied upon this sort of site suitability analyses to locate available properties for encampment relocations.

Yet site suitability queries are poor tools for examining other aspects related to location, especially matters of inequity and power. Where Portland’s encampments locate themselves are matters of social, political, and economic conceptions of how property should be valued. These are not just matters of finding an ideal location for encampments, but questions of the proper use...
of property and how rights to property are used to produce certain socio-spatial ends. For the homeowners quoted above, encampment rights to property bring certain harms to neighboring property owners and appear to affect the control homeowners feel they lack in keeping out encampments from their neighborhood. For the houseless in encampments, such properties do more than simply extend lifelines, but allow for certain segments of the houseless population to live with a sense of agency through collective decision-making. Yet, as we have seen, encampments’ property rights cannot fully ensure the stability that houseless people are seeking through such practices. These geographic problems are concerned with the equity of property relations. In short, they concern what relationships of justice could look like for houseless people living in a model of propertied-citizenship.

Geographers have long been interested in issues of justice. By one account, mentions of social justice within geographic research appeared as early as the first decade of the twentieth century (Heynen et al. 2018). But geographers did not take up justice as a concept in earnest until the late 1960s radical turn within the discipline. In doing so, however, geographers interested in justice began moving away from examining liberalism, most notably in Harvey’s (1973) analysis of urban justice. My first focus of this chapter is to retrain attention back on liberalism within debates of justice. Working through these debates, the majority of which came during the 1990s, helps us see the ways in which the model of propertied-citizenship is dependent upon democracy for its realization.

Reviewing the debates about justice in the liberal tradition sets up my second goal of this chapter: to analyze how democratic politics have been incorporated within the discipline of geography. While geographers have examined the concepts of citizenship and scale related to democracy, they have been less inclined to work within theories of democracy in relation to
liberalism itself. I suggest that the discipline’s preoccupation with neoliberalism over the last two decades may have likened democracy to simply that of liberalism—the political ideology providing the foundation for new liberal theories of economics. In tandem with the attention to neoliberalism, new ontological interpretations of the political further distracted attention from democratic politics and theories behind them. In this light, normative interpretations of ordinary democratic politics have been largely absent from political and geographic analyses (Exceptions to this are found in Barnett 2017, Barnett and Low 2004, and D. Smith 1995).28

The chapter begins by reviewing liberal theories of justice and includes how geographers have contributed to these discussions. Central to these debates is an intractable problem concerning the scale at which theories of justice might apply. Those maintaining universal theories of justice, I suggest, distract from a focus on how it is that democratic politics situate or produce socio-economic inequities. The second part of the chapter analyzes how geographers have been influenced by political thinking which promotes a particular understanding of democratic politics, one where everyday political actions do not amount to politics proper. Such post-democratic or post-political theories of democracy, I suggest, are helpful in addressing the constraints of liberalism. But when we follow such ontological constructs to their logical conclusion, I argue that we lose valuable insight into how the everyday procedures of democracy negotiates inequities. What we miss, I suggest, is how democracy as a political process necessitates citizenship participation to be able to prioritize certain normative values which lead to social and political inequities.

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28 I will closely examine the work of Barnett (2017) later in the chapter.
In analyzing key debates within these literatures, my attention to spatializations of democracy are not explicit. Rather, my analysis of geographers’ perspectives on justice and democratic politics implicitly provides geographic critique. As such, I do not advance a geographical theory of democratic justice as much as I imply that geographic thinking helps us to realize an understanding of democratic justice. In ending the chapter, I draw from my analyses of the democratic justice literatures to address what this means for Portland’s houseless encampment residents, citizens active in producing the boundaries of a liberal model of propertied-citizenship.

**Situating Liberal Justice**

Ideas about what justice is or ought to be precede liberalism as a political ideology. Enlightenment thinkers such as Jeremy Bentham and John Stuart Mill were influential in advancing utilitarianism as ideal means of arriving at political and economic justice for liberal society. Most notable within liberal scholarship on justice, however, is that of John Rawls (1971) in his *A Theory of Justice*. Rawls’ theory of justice recognized that socio-economic and political inequality was an intrinsic quality of liberal political life. Although widely critiqued, Rawls’ theory laid the foundation for constructive debates regarding what justice and injustice ought to mean. The general tenor of these debates suggested that no universal theory of justice is plausible within liberalism. For, justice is a concept situated within certain times and spaces; its meanings represent something unique among different groups of individuals.

Whether or not a universal notion of justice can be established, justice as a concept holds significance. As a guiding principle that can be used to ameliorate suffering, by addressing how some groups are oppressed by liberal institutions, the concept is decidedly political. This section therefore reviews crucial insights from the debates over justice throughout the last five decades.
To keep the discussion relevant, I draw from geographers and urban theorists’ contributions to this large body of scholarship so that I may point to avenues for intervention into the inequities of houseless citizenship discussed in the final section.

The main intention behind Rawls’ theory of justice was to devise a way to maximize equality among citizens within liberal society. He envisioned a world where all individuals would have fair and equal opportunities to obtain material resources while individual liberties were still protected. To make his argument, he developed a hypothetical situation whereby all individuals knew nothing about each other’s class status or other social characteristics. Under such a “veil of ignorance,” Rawls imagined that individuals would better identify just principles because no one person would be aware of their own social position. Individuals in the “original position,” Rawls argued, would choose to maximize economic equality amongst the group by attempting to minimize the material deprivation of the groups economically worst off. That is, they would choose to do so if they were following his principles of justice.

Rawls’s theory defined two principles of justice. The first principle states that "each person is to have an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties for others" (1971, 53). The second states that "social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone’s advantage, and (b) attached to positions and offices open to all" (p. 53). The first principle takes priority over the second, but socio-economic inequality must be attempted to be mitigated. He states that “social and economic inequalities are to be arranged so that they are both (a) to the greatest expected benefit of the least advantaged and (b) attached to offices and positions open to all under conditions of fair equality of opportunity" (p. 72). In other words,
socio-economic inequality is permitted, but citizens should attempt to minimize economic disparities for those less well-off.

Through his theory of justice as fairness, Rawls provided a liberal egalitarian model of political organizing dependent on social cooperation. He assumed his theory to be one based on “fairness” because the most disadvantaged would not be forgotten while all individuals would have their liberty’s protected. Justice, for Rawls, was found within the balance between competing claims to protect individual liberties while maximizing the material conditions of the worst off within the group (p. 9). In this way, there is no objective end to justice, no quantifiable value by which justice is achieved. Rather, justice is found when individuals adhere to the contract laid out in the two principles, whatever may be the results of the groups’ decision-making. It is thus fundamentally a rights-based theory, in that the principles necessitate that rights and duties are the source from which equality derives.

Rawls’ theory of justice was critiqued by many and for different reasons. Most notable was Robert Nozick’s libertarian understanding of justice as rooted in relations of property. Nozick (1974) saw Rawls’s contractarian model as unjust because it requires individuals to “act as resources for the benefit of others” (p. 26). That is, Rawls’ social contract requires individuals to redistribute wealth based on situations of the worst off within Rawls’ original position. Against distributive theories of justice generally, Nozick argued that only relationships that are voluntarily entered into, without force of the state or other individuals, represent a just exchange or relation. For Nozick, then, distributions are just if all individuals are “entitled to the holdings they possess under the distribution” (p. 151). In Nozick’s “entitlement theory,” justice is found when people are "entitled to [their holdings] by the principles of justice in acquisition and transfer, or by the principle of rectification of injustice” (p. 153). That is, individuals are entitled
to their resources if they acquired their properties justly, through just acquisition. In that people are entitled to their holdings and cannot have them taken for the benefit of others, Nozick suggests that all that remains to be done to push “toward equality of opportunity is convincing persons each to choose to devote some of their holdings to achieving it” (p. 235). In other words, equality through redistribution can only be achieved by voluntary giving to those who have less.

Nozick’s position is one that renders the state and its institutions virtually non-existent, save to arbitrate disputes between conflicts over resources. While Rawls did not theorize the state in *A Theory of Justice*, he assumes a liberal state where individuals hold liberty rights. Thus his model is premised on the notion of liberal-democratic states. Perhaps because of this, many of Rawls’ other major critiques have centered on the liberal model itself, questioning Rawls’ apparent reification of extant liberal individualism.

An underlying component of Rawls’ liberal theory, for example, was that self-interest can be set aside by individuals who are then able to make decisions for the greater good of society. Again, this happens when individuals adhere to the two principles of justice. By promoting strict adherence to these rights and duties, Rawls espoused a deontological theory of liberalism, one, Dworkin (1978, 169) argued, which “takes rights so seriously as to make them fundamental in political morality.” Rawls’ theory only makes sense, as Dworkin noted, if the individuals within this hypothetical scenario never become aware of their unique talents and interests. For, when the “veil of ignorance” is lifted, he argued, “some will discover that they would have been better off if some other principle… had been chosen” (p. 153). In establishing rights-based boundaries for maximizing equality, Rawls’ theory maintained the liberal prominence of individual rights. The logical ordering of equal liberty rights over those of socio-economic inequality reflects protections already present within liberalism.
Others critiqued Rawls’ prioritization of the “right” over the “good.” Similar to Dworkin, Michael Sandel (1982) argued that what would justify deontological theories such as Rawls’ is not that “they maximize the social welfare or otherwise promote the good, but rather that they conform to the concept of right, a moral category given prior to the good and independent of it" (p. 1, emphasis added). Sandel suggested Rawlsian liberalism depicted individuals as subjects who were “given prior to their ends” (p. 9). In other words, Rawls’ theory assumed equality could be maximized only when the rules or principles of liberal rights were followed, regardless of the results of such a hypothetical arrangement. This, Sandel argued, denied the moral and rational aspects of human nature (p. 179), a human nature that cannot be pre-given, but one that was formed through social, and, in this instance, political engagement. Justice, for Sandel, cannot be pre-conceived by adhering to Rawls’ two principles of justice, for doing so ignores the capacities of individuals to use reason to derive a common good which may not be feasible by adhering to pre-given principles.

Such critiques of Rawls anticipated much of the scholarly discourse on justice throughout the following decades. Sandel’s conclusion is that the concept of justice, if it is something even knowable in the first instance, is only found upon reflection over what constitutes a common good for society. And it is along these lines that Amartya Sen argued that we cannot know what justice is through a Rawlsian model. Sen (2009) argued that Rawlsian justice is one predicated on just institutional arrangements for society, an approach called “transcendental institutionalism” (p. 5). This approach concentrates on “perfect justice,” by identifying “social characteristics that cannot be transcended in terms of justice,” like those of Rawls’ two principles. By focusing on the perfect form of institutional justice, Sen argued, Rawls’ approach was “not directly focused on the actual societies that would ultimately emerge” (p. 6). A
contractarian model, from this perspective, is concerned with finding alternatives to the imperfect ways in which society’s inequities may be addressed.

Another main critique of such a rights-based theory of justice also concerns the absences and thus limits of the liberal framework within which Rawls was working. As a rights-based mode of political organizing, Rawls’ theory of justice attempted to amend for injustices primarily by re-distributing goods, so as to lessen socio-economic disparities. The expansion of economic benefits for the poor, for example, is often championed as a matter of distributional justice. Nancy Fraser (1997) has argued that a notion of justice only attending to socio-economic matters of redistribution misses the related social and cultural injustices extant within liberal society. Given how distributive theories narrow the scope of what is conceived of as an injustice in this way, by only looking at patterns of economic inequality, Fraser argued that cultural misrecognition and domination were left unaddressed. Justice for Fraser would necessitate both economic re-distribution and a cultural politics of recognition that seeks equality for traditionally dominated social groups.

Similar to Fraser, Iris Marion Young has argued that an emphasis on distribution misses essential aspects of social justice. For her, justice “should not only refer to distribution, but also the institutional conditions necessary for the development and exercise of individual capacities and collective communication and cooperation” (1990, 39). For Young, attempting to minimize economic inequality through redistribution of material goods is valuable. But any theory of justice must also attend to the social and cultural aspects of liberal society, particularly those capacities of social life that are limited by the institutions of liberal-democracies. Distributional theories of justice, Young argued, reify “aspects of social life that are better understood as a function of rules and relations than as things” because of how they conceptualize social justice.
“primarily in terms of end-state patterns, rather than focusing on social processes” (1990, 25).

From this perspective, redistributive theories of justice overlooked how social structures constrain the self-determination of individuals or groups.

Young therefore emphasized how liberal institutions themselves were a source of injustice because of how they limited the scope of remedies for inequalities. Injustice for her partly stems from the institutional or systemic constraints on individuals’ self-development and their self-determination, or how institutions oppress and dominate groups and individuals (1990, 41). This happens because of the way in which liberal institutions reduce social differences, universalizing what liberal subjects’ needs ought to be. In upholding such narrow idealizations of the liberal citizen, liberal institutions marginalize and silence differences within liberal society (1990, 48-58). Social justice, for Young, therefore “concerns the degree to which a society contains and supports the institutional conditions necessary for the realization of these values... (1) developing and exercising one's capacities and expressing one's experience... and (2) participating in determining one's action and the conditions of one's action” (p. 37). She argues that these universal values assume equal moral worth for all persons. And as such, justice requires the promotion of them for everyone.

Fraser and Young’s critiques of liberal theories of justice reflected a turn in the social sciences more attuned to cultural values, values which distributive or structural accounts of justice often did not incorporate. These and other contributions helped highlight absences present within discussions of liberal injustice more broadly. For, they illustrated the consequences of universalizing liberal identity in theories of re-distributive justice.

But Young’s and Fraser’s accounts of social injustice were challenged for their apparent relativism. In response to Young, David Harvey argued that post-structuralist approaches to
justice emphasizing difference and otherness inhibited appropriate responses to matters of injustice. To be sure, like these other scholars, Harvey (1996) acknowledged that “there can be no universal conception of justice to which we can appeal as a normative concept... there are only particular, competing, fragmented, and heterogeneous conceptions of and discourses about justice which arise out of the particular situations of those involved” (p. 342). Further, Harvey agreed with Young’s critique of distributional justice for its ability to emphasize “the heterogeneity of experience of injustice” (1996, 349). Yet, Harvey stated that a concept of justice necessitates some universal application against the heterogenous positions of identity recognition commonly advanced through identity politics. “Somewhere between the vulgar essentialist view and the potentially infinite fluidity of multiple and shifting identifications,” Harvey argued, “there has to be a sufficient permanence established (however contingent) to give direction (for a time and in a place) to political action” (p. 357). For him, finding similarity across differences is needed for a theory of political action as well as for justice.

For Harvey, class is the identity through which similarities are most universally realized. For, he understands class not as a fixed position but as a process. As such, he defined class as “situatedness or positionality in relation to processes of capital accumulation” (p. 359). Only by re-engaging “with our situatedness in relation to capital accumulation, can we hope to reestablish a conception of social justice as something to be fought for as a key value within an ethics of political solidarity built across different places” (1996, 360). Despite people having “multiple roles in relation to different circuits of capital,” Harvey argued that “certain ‘permanences’ form...in a given place and time and are more or less effective in relation to processes of capital accumulation across a certain space and time” (p. 360). It is through the process of class identification, in relation to our situatedness in relation to capital, that “we find ourselves sharing
a world of similarity increasingly also characterized by homogeneity and sameness” (p. 360). While Harvey recognized that social differences contribute to contextually-specific geographies of injustice, he nonetheless claimed that “a political program which successfully combats any form of oppression has to face up to the real difficulty of a loss of identity on the part of those who have been victims of that oppression” (p. 364). In other words, if justice is the concept used to ameliorate real oppressions, socio-economic alliances must find similarity through more “permanent” or commonly identifiable aspects of social life.

Among these theorists, therefore, there are divergent notions of what justice ought to be. On the one hand, universal and distributive theories of justice overlook the heterogeneity of oppressions within liberal society and may reinforce inequities among groups because of this generalizing tendency to equate oppressions as similar. At the other end, claims for justice premised on identity may create complications for forming alliances which may more effectively advance claims for retribution within liberalism. Reconciling these theoretical tensions is not my purpose herein. Rather, what I suggest is most important within the debates over social justice is how these critiques identify the differing ways in which liberalism constrains the ability of individuals and groups to affect their political and economic positions.

**Rescaling Universal Identities**

In an essay reflecting on liberal urbanism, Neil Smith (1995) suggests that a theory of social justice may not be possible or even desirable given the irreconcilability of identity-based and universalist understandings of justice. But Smith clearly saw significance in maintaining the concept of justice as a political tool. And the political purchase of working with the concept of justice could be found in what he termed the “subversive doubleness of justice” (p. 135). Smith used Marx’s explanation of exploitation to analogize the doubleness of justice. He stated that
“Marx’s redefinition of exploitation… combined two situated knowledges—that of the capitalist and the worker—in one vision; [exploitation] was thereby simultaneously homogenous and differentiated” (p. 133). Exploitation as described by Marx, Smith argued, was “simultaneously a judgement about social injustice and a measure of economic productivity; the calculation of the capitalist’s rate of surplus value was simultaneously the calculation of the worker’s rate of exploitation” (ibid). As such, a critique of justice was “always already inscribed in the analytical ‘description’ of capitalism” (ibid). What followed from this, for Smith, was that justice was a condition resulting from the dialectical relations of exploitation. In other words, the concept of justice or the political usefulness of the concept of justice was likely to be found within the analyses of exploitation because of the latter’s double meaning.

Smith argued that this kind of critique of exploitation presents a good analogy to the internal relations of liberalism. He saw a similarly dialectical relationship within liberal theories of justice. He noted that “liberal conceptions of social justice have traditionally centered on the language of individual rights, responsibilities and fortunes… regardless of identities” (p. 134). If there ever was a more homogenizing feature of liberalism it is that everyone is understood as “equal” in their rights to liberty. At the same time, Smith noted, it has been “a centerpiece of radical critiques that identity always mediated this supposed universalism of individual rights” (ibid). Within liberalism, then, Smith saw a “subversive doubleness” at play in regard to injustice. That is, there is always a doubleness underlying how liberalism structures justice. While individuals have the capacity to claim and argue for more personally perceived identity-based rights, those rights must still be equally applied to all citizens, necessitating that these rights claims be universalized. Put another way, for identity-based claims of injustice to be recognized within liberalism, much analytical and political work is needed to connect how
individually experienced injustices could translate to broader rights that can be protected for all citizens. Any attempt to do so, Smith suggests, “is absolutely dependent on retaining and continually remaking the scale translation between individuality and justice” (p. 135). The ability to use the concept of justice as a progressive tool toward ameliorating oppression and domination therefore relies upon how these dialectically related aspects—the relationship between identity and individualism—are structured within the confines of liberalism.

Smith’s recognition of the doubleness of liberal justice underscores the political utility of taking seriously the procedures and limitations of liberal-democratic politics. For, acknowledging the limits of universal and relativist theories of liberal justice does not negate the values promoted when appeals to justice are made. As Iris Young (1990, 35) has noted, “appeals to justice still have power to awaken a moral imagination and motivate people to look at their society critically.” And despite being “hopelessly confused” when justice is analyzed in abstraction, Harvey argues (1996, 361) that “ideas of social justice can still function… as a powerful mobilizing discourse for political action.” Justice might not be able to be distilled into a universal theory, but it remains a concept with wide political purchase in that it holds a general or tacit understanding that moral wrong exists through social relations, a moral recognition that exceeds the narrow legal definition of justice as a matter of solely law and order.

If, as Smith suggests, justice is situated in the scalar translation between individual or group identities and the universal rights equally protected for all citizens, can we ever identify where justice resides within liberalism? Rather than developing upon a Rawlsian framing of justice, I suggest we can reasonably identify situations of injustice. Looking at instances or relations of injustice, as Amartya Sen (2009) has called for, may help identify and attend to inequities in the world. Against Rawls, therefore, comparative or “realization” approaches to
justice avoid universal or “transcendental institutional” models detailing what perfect justice looks like. Instead, as Sen (2009, 9) advocates, a comparative approach better helps us see what choices are available when attempting to mitigate a certain injustice and then reasoning through the effects of those choices that avoids the trap of trying to identify “a possibly unavailable perfect situation,” as with Rawls’ original position. For, injustice is experienced differently among individuals within liberal society. Therefore, “situating” injustice may provide the needed context about a particular inequity which may more easily allow for remediation to take place.29

Suggesting that identifying situations of injustice offer a clearer path to identifying inequities and how to ameliorate them does not abnegate the calls from theorists like Harvey which suggest there are more universally-experienced oppressions common to all of society. There are identifiable relations of oppression affecting large swaths of society. For instance, the property-insecure within the liberal model of propertied-citizenship are generally limited in their citizenship protections (See Chapters 3 and 4). However, these limits are not equal across space and time. Rather than pre-determining the limits of propertied-citizenship within space, I suggest what is more effective is examining how the procedures of democratic politics affect marginalized groups. Doing so provides a way of situating the inequities of houselessness in their actual social, political, and economic context, an idea I develop in relation to Portland’s encampments at the end of this chapter.

With this in mind, I turn to theories of the political by tracing the work of two thinkers, Chantal Mouffe and Jacques Ranciere, as they have had particular purchase within geographers’ approach to scholarship on politics. The political theories promoted by these two are useful for

29 Following Barnett (2017), I take up the idea of situating justice later in the chapter when examining Portland’s encampments.
illustrating the tensions between liberalism and democracy, particularly as they pinpoint the limited spaces within liberalism to oppose unequal relations of power. Yet, such theories of the political tend to eschew ordinary analyses of democracy, by escalating proper democratic politics to modes of resistance infrequently experienced within liberal-democracies. I suggest after reviewing the post-political scholarship that we continue to analyze the normative relations of democratic politics. We ought to do so, however, by evaluating how it is that democracy functions as means of addressing socio-economic inequities, not how democracy has eliminated politics from social life. By evaluating democratic politics in such a way we can begin to see how injustices are situated and affect the demos.

**After Post-Politics: Tracing A Geography of Democratic Injustice**

While geographers have contributed to theories of justice, geography has largely eschewed analysis of liberal or democratic theory itself (for notable exceptions see Staeheli 2008, 2010; Barnett & Low, 2004). Perhaps this avoidance is due to liberalism’s close connection with neoliberalism, a political-economic concept which geographers have analyzed at length (Leitner et al. 2007; Hackworth 2007; Harvey 2005; Larner 2000; Peck and Tickell 2002). What much of the geographic literature on neoliberalism argues is that liberalizing economic processes since the 1970s have eroded democracy in places where democratic politics were once assumed to be robust. Here, capital is understood to have taken over democratic institutions, thus enabling the expansion of global circuits of capital accumulation (Purcell 2007). Because of this, some have even argued that neoliberalism’s shaping of contemporary governance has left democracies in a state of “post-politics” (Swyngedouw 2009; Wilson and Swyngedouw 2014), a hollowed out democratic state whereby democratic institutions are effectively externally controlled.
Geographers certainly have attended to key aspects of social and political life within democracies, however. The study of citizenship, for instance, has garnered much attention within the discipline, emphasizing the ways in which space and scale are inherent in the process of affecting individuals’ claims for, and denial of, citizenship rights. Cities, for example, are highlighted as critical spaces through which citizenship practices come to the fore (Staeheli 2003, 2011; Rossi and Vanolo 2012; Blokland et al. 2015). Particularly, urban public spaces have been shown to function as sites representing the public/private divide, where “the public” and civic life is defined and reconstituted (Mitchell 1995, 2003). Such work examines how the production of citizenship is a process closely connected to the production space.

So too have geographers contributed to discussions about the relational nature of scale in forming citizenship. Scholars have decentered the nation-state as the sole determining factor in forming individuals’ citizenship experiences, eschewing much common political analysis of citizenship which pays attention only to the nation-state as the scale at which citizenship is determined. Migration scholars, for example, have shown how transnational migrants produce new spaces of belonging within their new countries of residence (Erhhamp and Leitner 2006); how it is that immigrants (and their allies) advocate for alternatives to political membership within the rigid structures of liberal democracies (Leitner and Shrunk 2014); and the various ways in which ethnic identities of migrants cohere uneasily to presupposed civic or national identities (Secor 2004). The significance of space and scale in identifying citizenship formations provides needed context about who is claiming, enacting, or losing citizenship and how such processes are structured by social, political, and economic processes.

The geographic emphasis on the role of space and scale in forming citizenship illustrates well how individuals are politically hindered or enabled within democratic society. Geographers
have not given as much attention to theories of democracy as they have to theories of social and political life within democracies. Democratic theory can generally be defined as inquiry which examines “the normative purpose of and scope of democratic practice, the nature, scale, and membership of democratic communities, and the design of democratic institutions” (Bray and Slaughter 2015, 4). This has led Barnett and Low (2004, 3) to argue that the terms through which “geographers have engaged in discussion of politics, justice, citizens, [and] elections have nourished an avoidance of reflection on the normative presuppositions of political institutions and on the basic criteria of political judgement underpinning democratic processes – criteria concerning what is right, what is just, what is good, and concerning how best to bring good, just, rightful outcomes about.” Barnett (2009) insists that analyzing the effects of democratic procedures necessitates normative inquiry. For, the practical issues of democracy, such as “who should rule, how rule should be organized, and over what scope of activities… are internally related to questions of justification” (2009, n.p.). Better accounting for democratic politics requires not only analysis of empirical procedures of politics but also normative analysis of how such procedures relate to democratic ideals.

This is not to say that politics generally within democratic states have not been theorized by geographers. Indeed, theories of “the political” have been robust throughout the last three decades. Particularly influential have been radical theories suggesting an end to traditional politics that are found in the thinking of Chantal Mouffe and Jacques Ranciere among others. Such accountings of politics were taken up by political geographers seeking to give similar accountings of the production of space. I address the ideas on politics of both of these theorists and of those drawing from them.
Chantal Mouffe’s understanding of traditional democratic politics is one that is necessarily antagonistic in that politics is about eliminating differing interests from the polity. Liberalism structures democratic politics as a “rational process of negotiations among individuals” (1993, 140), she argues, thereby eradicating the plural interests inherent within social relations. For her, “the political” represents the naturally antagonistic relations present within society. “Politics,” then, is the means by which liberal-democratic institutions seek to deny “the political” from articulating differing visions of democratic life (Mouffe, 2016, n.p.). For her, proper politics is enacted when groups are able to articulate multiple values within the realm of politics, representing the multiple subject positions from which society actually comes to politics. Liberalism’s push for political consensus, its desire to achieve hegemony through universalism, therefore is not democratic for Mouffe in that it cannot incorporate such plural identities. The best democratic politics can do is to enable conflict within politics, as proper politics are only realized in pluralist social relations.

Democracy for Mouffe (2005) can then only be extended when radical pluralism is recognized. The notion that democracy can only be found through pluralist conflict, what she terms agonistic pluralism, is proper democratic politics. This is so, she argues, because agonistic relations allows for groups traditionally excluded from politics to negotiate as “adversaries” rather than as enemies to be excluded from the demos (p. 102). Mouffe’s notion of democratic politics underscores the ineradicable nature of difference located within plural identities represented in social life. The point of democratic politics from this perspective is to extend proper democracy by keeping conflict present through agonistic relations.

Such an understanding of democratic politics fits comfortably with geographic theories of relational space. Drawing from Mouffe’s claims about how identities are differently shaped
through genuine engagement with “the political,” Doreen Massey (1995) notes how “spatiality” is also “implicated in the accomplishment of difference and identity” (p. 285). For, “social space,” Massey argues (p. 284), is “constituted out of social relations, social interactions, and for that reason is always and everywhere an expression and medium of power” (p. 284). Similarly, Purcell (2008) suggests that we ought to consider a radical democratic project that embodies pluralist, non-essentialist forms of political organization. Following Laclau and Mouffe (1985), Purcell suggests that opposing the oppression of others is best pursued by establishing “networks of equivalence,” a process of organizing disparate social interests against neoliberal interests. For, Purcell, this sort of pluralist politics is essential to advancing urban justice at a more universal level.

Like Mouffe, Ranciere’s understanding of democratic politics has influenced much work within geography. For Ranciere, democracy as it is traditionally understood represents the closing down of politics. Traditional democracy erases politics because it forces us to arrive at an assumed consensus. He defines traditional politics as “the set of procedures whereby the aggregation and consent of collectivities is achieved, the organization of powers, the distribution of places and roles, and the systems for legitimizing this distribution” (1999, 28). Traditional democratic politics, then, concerns itself with the mundane task of coming to common agreement in accord with the procedures of democratic institutions. For Ranciere, this is problematic, as he sees democracy’s tendency toward consensus to be the antithesis of politics. Most strongly, Ranciere argues the apparent ubiquity of democratic consensus has come to represent something of a post-political moment, one whereby “proper” politics is all but eradicated by the logics of “policing” on behalf of the state.
 Whereas the traditional understanding of democracy is facilitated by a set of state procedures working toward consensus, politics in Ranciere’s view is acted out in those moments of rupture which rework the stability of these procedures. Thus, he differentiates between the logic of traditional politics, what he calls “the police,” with what politics proper ought to be: an “extremely determined activity antagonistic to policing” (p. 29). In other words, proper politics is any activity working to reconfigure “the police,” activities that can disrupt the stasis of institutional procedures which keep individuals in a particular social order (p. 42). For Ranciere, true democratic politics is thus any activity attempting to realize individuals’ natural equality by means of disrupting the “police logic” of state institutions. In that true democratic politics rarely happens in the current political-economic environment, Ranciere suggests we are within a post-political state, one where we are experiencing an end to politics.

Ranciere’s conception of politics has been taken up particularly within urban geography. Some agree with Ranciere that we are now within a post-political state. Notably, Erik Swyngedouw has advanced Ranciere’s post-political thesis by arguing that urban politics and environmental problem solving are out of reach by the standards of traditional democratic politics. Swyngedouw (2009, 604) argues that the current approach to the environmental crisis represents a “postpolitical condition, one that evacuates the properly political from the plane of immanence that underpins any political intervention.” This is so, he argues, due to the rise in a neoliberal mode of governance which has “replaced debate, disagreement, and dissensus with a series of technologies of governing that fuse around consensus, agreement, accountancy metrics and technocratic environmental management” (ibid). From this perspective, the means of traditional governance of democratic states eliminates the opportunity for citizens to reject and rework such modes of governance.
Some geographic scholarship has pushed back against Ranciere’s notion of the political, however. Davidson and Iveson (2015) argue that such a framing of politics is limited in its purchase for affecting change on the ground. For them, a political theory which sees “dissensus” entirely eliminated from democratic political life can have “the perverse effect of reinforcing, rather than undermining, the perception that ‘there is no alternative’” to a depoliticizing trend of modern democratic politics (p. 546). As such, they argue that we cannot hold so closely to Ranciere’s perception of politics as rare moments of dissensus because “politics is latent [across space], not just in its most peripheral and excluded spaces” (p. 557). They caution that politics is not everywhere, but that the potential lies within all spaces for enacting politics.

What the post-political thesis eschews, therefore, is how the routine procedures of democratic politics still matter in social life. The post-political thesis assumes that the ongoing procedures of democratic institutions are useless within contemporary politics. As Mitchell et al. (2015) argue, such an assumption thus misses how it is that democratic consensus or hegemony is achieved through the willing consent of citizens within a polity. For powerful interests do often sway decision-making within democratic politics. And the post-political thesis pushes aside the fact that political interests must still be negotiated within democratic practice. By examining these negotiations, these achievements, we can better understand how it is that democratic politics play a fundamental role in shaping social life. Particularly important to this discussion is how dissensus is not eliminated from, but incorporated into, the practice of democracy itself.

Ontologies of the Political

The post-political theories espoused by Mouffe and Ranciere refrain from engaging in the uncertainty and contestation inherent in democratic politics. In that these types of theories identify exactly what politics is or is not, and where politics happens, what gets constituted as
politics is restricted in scale to very particular times and spaces. Critiquing such theories, Clive Barnett (2017) argues that such ontological accounts of politics are misleading. Any political theory, he argues, attempting “to determine the essence of the political, the core ontological sense of democracy, or the prescriptively normative rules of public deliberation” (p. 7) ought to be suspect. Such accounts are suspect, he suggests, because democracy has no core ontology. Rather, he sees democracy as a “practice of making sense of what is at stake in [certain] situations, as a step toward finding ways of engaging with them” (ibid).

Such ontologized accounts of politics have two related limitations for Barnett. One is that such political ontologies “often define democracy in a one-sided way, reserving authentic democratic action for the disruption of identities, hegemonies, and settled formations” (p. 77). By prioritizing dissensus, theories of the political “turn to ontology” to explain conflict, and in so doing, “turn away from conventional forms of knowing about politics” (p. 79). From this perspective, “taken-for-granted forms of politics, in the form of partisan competition, policy making, and administration, are held to express a consensus that reproduces established orders. The political, on the other hand, is taken to be the realm of real antagonisms covered over by mere politics” (ibid). What results in following Mouffe and Ranciere’s versions of the political is a view “in which proper democratic energies are always reserved for fundamental reconfigurations or disruptions of whole political systems” (p. 167). Such theories suggest that enacting democratic politics occurs only in rare moments of dissensus, not through the ordinary means of debate, voting, legislation, protest, and so on.

A second limitation to such ontologies of the political follows closely from the first: that such politics too narrowly restrict where politics is found. Strongly spatialized ontological interpretations of politics, Barnett (2017) argues, “are accorded a privileged status as proper
expressions of the political,” spatial accountings which suggest that “genuine political energy is only ever to be found off center, at the margins, at odds with the mainstream” (p. 9). Barnett uses Massey’s thinking on spatiality to illustrate his critique. Massey develops a spatial politics, an ontological understanding of space, Barnett argues, which presents space as “the sphere of meeting up, of coexistence, of the unexpected and unpredictable” (p. 123). And while this may be true, for Massey, “space takes on a privileged status as the very site of politics,” (ibid) one that enables difference and multiplicity essential to ontological accounts of politics. Somewhat ironically, therefore, the radical openness of such spatialized political ontologies deny that proper politics can be situated in the mundane spaces of traditional politics, spaces such as the council chambers of city hall.

Barnett asks us to leave such ontological accounts of politics behind. Doing so, he argues, allows us “to escape the overly territorialized imagination of enclosure and exclusion, as well as the temporal imagination of disruption and rupture that accompanies this way of thinking” (p. 169). When political agency “depends on the movement of ontological strata,” as it does within theories of post-politics, it “distracts attention from the ordinary forms of action through which injustice is articulated as a wrong in the course of political life” (ibid). In other words, we cannot develop exact ontological accounts of how and where politics takes place without displacing other forms of politics outside of this purview.

Barnett’s project is not about reclaiming a proper accounting of democracy or politics. Rather, he encourages a normative analysis of politics which does not privilege the times and spaces of politics. He is, in short, advocating that we analyze the “ordinariness” of politics. By this he means that democracy as a political practice is found in many aspects of life. What a normative accounting of democratic politics ought to analyze for Barnett is the “situated disputes
and structures of expectations that shape particular formations of political contestation” (p. 72). As a normative mode of inquiry, analyzing democratic practice relies upon a sensitivity to context by staying open to the capacity for democratic politics to take different forms. From this perspective, democratic inquiry ought not to prescribe and demarcate proper politics. Inquiry into democracy is better served when analysis shows how democratic procedure is used to advance certain interests over others.

It is important to consider what the theories of post-politics do not tell us about politics, then, for at least two reasons. First, ontological theories of politics may close-down relevant avenues for thinking through the absences and opportunities of democracy. Rather than assuming that traditional democratic politics eliminates dissensus, attending to where and why consensus is formed in democratic procedures may show us much about how social, political, and economic power is unevenly experienced within democracies. A second deficiency of post-political theories is that justice may rarely or never be experienced from this perspective. As we’ve seen, a theory of justice is nearly impossible to identify a priori. But thinking through the everyday relations of democratic politics that are unhindered from the closure of post-political accounts may allow us to think about justice or injustice in less dramatic, more ordinary ways. I return briefly therefore to geographic discussions of justice to give insight as to how we may be able to think through democratic injustice before I apply those insights to the situation of Portland’s houseless encampments.

Resituating Democratic Justice

As previously discussed, the contested nature of justice has sparked wide debate. Some have suggested that justice is best realized when we conceptualize how specific oppressions are experienced within the liberal polity, thus rejecting any universal theory of justice. Others argue
in response that justice becomes an empty concept without some universal or wider appeal for those affected by oppression and domination. The constraints of liberalism as a political system make realizing either perspective of this debate difficult to do. I suggest that it is more productive to engage with the political utility of the concept of justice while not strictly adhering to any determining theory.

Accounting for how the structures and procedures of liberalism oppress groups differently is a political project that still holds much purchase. To reiterate Neil Smith’s thinking about justice, one way of examining injustice is to address the ways in which liberalism, as an institutionalized set of political procedures, universalizes and thus neutralizes social and political identities through political procedures relating to citizenship. Smith’s thinking aligns with Barnett’s appeal for a geographically sensitive understanding of justice within democracies. For, Smith’s inkling that justice is better understood by attending to “the scalar translation between individuality and justice,” suggests that there is no privileged site of injustice, no pre-ordained location for justice or injustice to take place within. So too does Barnett reject spatial ontologies pointing out proper places for politics.

For Barnett, the evaluative work required of democratic inquiry is about prioritizing claims of injustice. Prioritizing injustice within critical theories of democracy, Barnett (2017) states, “lies in recognizing that the central conceptual and normative issue at stake is not a contrast between the universal and the particular… rather, the challenge is to reconstruct the confrontation between claims of impartial universalism embedded in traditional political thought and the claims of inclusive universalism” (p. 11). Against Rawlsian claims to universal principles of justice, therefore, Barnett and Smith both suggest analytical attention to injustice ought to
address how democratic political institutions and procedures affect the ways in which citizens are harmed or benefit from these political structures.

So how can democratic inquiry do this? The final aspect of Barnett’s critique of political theories of democracy is telling. He follows Sen (2009) in suggesting we examine claims of injustice, as injustice derives from felt and articulated senses of wrong which are necessarily rooted within the particularity of lived experiences (Barnett 2017, 243). Barnett sees justice not as an ideal, therefore, but as a condition, one that can be “approached through repair, redress, reparation, and redistribution” (p. 248). Drawing from Iris Marion Young as well, Barnett suggests that “appeals to justice and claims to injustice are not a result, they do not reflect an agreement; they are rather the starting point of a certain kind of debate. To invoke the language of justice and injustice is to make a claim, a claim that we together have obligations of certain sorts to one another” (Barnett 2017, 268, citing Young 1998). The best means available through democratic inquiry to consider injustice, suggests Barnett, is to analyze the where, what, and how of claims-making. Geographically, then, what is important is analyzing the situatedness of claims, from where claims for injustice emanate and how those claims are judged and received by others. It is a certain type of deliberative democracy, one that analyzes how injustices are emplaced and how the claims of those affected by injustice are or are not received and redressed.

Barnett’s critique of democratic political theory gives us much to consider. In drawing out what he sees as the strengths of democratic theory, using normative evaluation to address claims of injustice, Barnett helps us think through the ways in which post-political thinking, or what he terms ontologies of spatial politics, is spatially deterministic. So too is his critique of justice one that helps see a way out of stuck debates over what a theory of justice must include. By emphasizing the situatedness of sensed harms—oppression or domination felt among certain
groups—he allows the “ordinary” to return to political analysis. Analysis of politics from this perspective then ought to focus on who is advancing certain aims over others, who is affected by those decisions, and how those who are affected claim recognition and redress for sensed experiences of inequity throughout these democratic procedures.

To be sure, Barnett’s approach has shortcomings.\textsuperscript{30} But for my purposes here, I want to draw from his and other geographers’ arguments that the “ordinary” procedures of democratic politics still provide significant insight into our social, political, and economic relationships. Contra an end-of-politics perspective, which sees politics present only in moments of rupture and resistance from groups rejecting marginalization, I suggest there is much to understand about socio-economic injustice by engaging with the “mundane” procedures of democratic politics.

It is through this normative lens I want to illustrate how democratic politics matters to houseless residents of Portland’s encampments, and in turn, what the experiences of houseless encampment residents tell us about justice within democratic politics. By remaining attuned to how democratic values are presented within the political relations surrounding houseless life, we are better able to see how such values both inhibit and promote political agency for houseless citizens.

**Why Democracy Needs the Demos**

Throughout the previous chapters, I have examined how the values embedded within property are upheld as a universalizing feature of democratic citizenship. Chapter 2, for instance,

\textsuperscript{30} Barnett (2017) never develops his notion of justice as situated claims-making with empirical grounding. So while his arguments about the spatial determinism of spatial ontologies make sense, he does not develop an analysis of how we may think spatially otherwise. A second criticism that applies to Barnett’s work applies to critiques of deliberative democracy more broadly. And that is that individuals most skilled in rhetoric, not to mention who have the time to participate in deliberation, are likely to prevail with their views about what justice or other collective decisions will look like.
addressed how propertied-citizenship remains hegemonic as a form of liberal citizenship, reflecting the ubiquity of property in structuring socio-economic and political life. My focus here is on analyzing what political implications result from thinking democratically about the situations of houseless encampments. In doing so, I work through what democratic procedures tells us about propertied-citizenship and what challenges this model of citizenship presents for democracy.

To begin, I analyze the actions of Portland’s houseless collectives through the related concepts of opposition and resistance to illustrate the ways in which encampments have navigated political relations with the City of Portland. I show that when encampments become formalized with backing from the City, for the most part, they become subject to rules of the democratic political game. Adhering to formal political engagement largely eliminates for the encampments the political option for actions of resistance, though hard dissent is always a last resort for organized encampments. Commitment to formal political negotiations, agreeing to the political rules of democratic politics, however, does not mean that encampments agree with and accept the positions of the City. Encampments continue to maintain adversarial positions by opposing City and community interests. Encampments transition to being formally tolerated or sanctioned, however, I suggest removes hard dissent as a reasonable option for political opposition against the City.

The level of organization with which Portland’s self-governing encampments operate today obscures their origins. Dignity Village (DV), Right 2 Dream Too (R2DT), and Hazelnut Grove (HG) all began as sites of protest.31 Beginning as loose collectives of houseless people,

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31 Kenton Women’s Village (KWV) did not start as a protest. Instead, it began formally as a pilot project spearheaded by the City of Portland. KWV always had the support from the City. KWV has always been formally managed by Catholic Charities, rather than being contracted through the City to manage itself as a collective.
these encampments slowly organized themselves and advanced a clear position against the practices of the City of Portland: that routine sweeps and inadequate shelters were not solving the problem of a lack of housing. Despite a slew of legal and political measures taken on behalf of the City against each of the protests, the encampments were nonetheless able to resist the City’s policing of land use ordinances by continuing to occupy central spaces within the city. By remaining in place and ignoring the legal penalties that were likely to result from doing so, the encampments eventually won the struggle to have a right to their own self-organized spaces and the City acquiesced to the pleas and resistance of the encampments, negotiating agreements about where and how the self-organized houseless collectives could operate.

Today, Portland’s self-governing encampments hold the spirit of these actions close. The early resistance efforts by these encampments avoided legal punishment, and instead, gained them land use agreements. The result of this resistance was that the City officially sanctioned or tolerated the encampments, affording the encampments property and time to better organize themselves. DV, for instance, was given its own plot of municipal land in 2003 and is contracted to manage itself on that site. R2DT remained at their original downtown site for five years before moving to its current site and now operates on City property. And HG, although only tolerated by the City, has remained on its site for over four years. Each of Portland’s encampments enjoy relative stability to continue operating because of the fact that they hold conditional use permits or simple service agreements with the City. The contractual agreements establish legal

Because of this, KWV never collectively advanced a politics against that of the City formally, as many of the basic amenities that the other encampments have struggled over or have yet to receive were provided for the Women's Village from its beginning.

32 It is worth noting that many semi-organized houseless encampments have been swept from Portland’s streets and vacant spaces for decades. Relatively, therefore, it has been quite rare that self-organized groups are effective in persuading the City to sanction them.
relationships with the encampments that make them beholden to cooperating with the City and the wider community.

The formal backing of encampments by the City is partially a result of the resistance efforts of the houseless collectives. These moments are significant for understanding the histories and politics of Portland’s houseless encampments. However, through the formalizing of encampments came a restriction on the nature of available political actions for the encampments. I explore this transition through the concept of resistance.

While the concept of resistance has been theorized widely, I follow Daase and Deitelhoff (2019) in making a distinction that resistance can be understood as two related concepts: those of opposition and dissidence. Opposition, they suggest, is political action that advocates “changes within the system of rule by accepting the applicable rules of the game of political participation.” Dissidence, on the other hand, makes “use of means of actions that lie outside of… accepted rules” of political participation. While both forms of resistance voice dissent and are capable of offering alternatives to the ruling order in doing so, they suggest that “the two forms of resistance differ over how they will do so—by accepting the rules or rejecting them and deliberately violating them” (p. 19). Although merely ideal types, categorizing forms of resistance as such offers an explanatory means for showing how resistance to democratic power changes in situations like those of Portland’s encampments. I suggest these changes more accurately depict what it is that democratic politics do and do not allow for. And therefore, we are better able to see not just that democratic politics exist in ordinary situations, but that the implications of such politics are downplayed within the post-political literatures. I return to Portland’s Hazelnut Grove to develop one short case which helps explain the significance of democratic politics.
Returning to Hazelnut Grove

As a protest site which eventually came to be rhetorically supported by the City, HG created its site by resisting the government’s decision to sweep houseless encampments. By doing so, HG acted outside formal rules of democratic political participation. The encampment placed itself on government property and developed an organized encampment of nearly 80 people within its first two months in the fall of 2015 (Killen 2015). At that time, the very point of HG was simply about resisting the punitive force of the police and developing some level of organization to build solidarity in numbers. When in its first few weeks HG received legal notices requiring that the encampment clear out, it dissented, rejecting the threat of legal punishment and continued to operate on its chosen site.

Throughout its first two months, and against a pending threat of removal, HG continued organizing. It developed shared work responsibilities for jobs such as security or food preparation. It created a list of encampment rules to be adhered to by all members. And it also began to engage with different forms of political action. It began to negotiate its positions through deliberation. Most notably this happened when the encampment was visited by then-mayor Charlie Hales and his staff. During the visit, the mayor was shown around the site and heard the positions of HG’s members. In response, the mayor agreed to let the camp stay, assuring the encampment that it would be okay to remain given that the City was then only weeks away from announcing the City’s first state of housing emergency. The City’s Housing and Homelessness State of Emergency provided the framework through which the City would formally accept HG as an organized houseless encampment, like it already had for R2DT and DV. By officially recognizing HG, the City also provided the encampment a bare minimum of
services; it provided a rental fence to secure the perimeter of the site, it paid to have portable toilets serviced, and it provided a lockable storage container.

Despite entering into a formal agreement, HG and the City did not agree that the encampment was best placed at that particular site. Although the City tolerated HG existing somewhere, a new mayor coming into office in January of 2016 publicly stated that HG would need to relocate. And in early 2018, the City began searching for new sites on which to relocate the encampment.

The relationship between the City and HG seemed reflexive. The City not only allowed HG residents to come to the meetings but requested that resident members show up to steer the decision-making process and to give their opinions on all details of the move. Despite this inclusive and participatory sentiment, some HG members were highly skeptical of the City’s plans to relocate the camp. Some members were particularly concerned that the site would be moved far out into the periphery of the city, making access to food and services a problem. Despite some members adamantly resisting the encampments’ relocation, however, the City gave HG no option but to work with them in finding a new site. Not doing so would mean the encampment would very likely be shut down entirely. As of the time of this writing, HG has secured a new site on a private property in a not-too-distant neighborhood from where it originally located. And it continues to work with the City and other advocacy groups in effectively making this transition.

This brief recap of HG’s history helps illustrate why it matters that political forms of resistance shifted for the encampment throughout its tenure. Initially, HG was effective in

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33 I too joined several bi-weekly meetings between HG and the City about the encampment’s potential relocation.
resisting police sweeps. The encampment worked hard to organize itself, hoping to show the City why the self-organized houseless space was necessary. Not long after, HG was formally accepted by the City and given financial support and backing. What the City’s acceptance of the encampment did, however, was diminish the encampment’s ability to dissent against decisions that if found unsatisfactory. For, HG had entered into the realm of formal political engagement by agreeing to participate in the “rules of the democratic game.” In other words, HG now had to comply with the City in exchange for their “right” to remain operating with City support. In agreeing to such terms, the City received HG’s consent to be governed through democratic procedures.

Post-political theses suggest that such a process highlights the ways in which traditional politics has eradicated dissent or “proper politics.” Against this, I argue instead that the interactions between HG and the City underscore the multiple political interactions that are necessary in gaining consent in the first place. The relations between the two show how political negotiations ranging from resistance to opposition achieves the consent of houseless individuals to be governed by the City. The City has effectively achieved consent from HG, DV, and R2DT, albeit in different ways and through the efforts of multiple political actors. In the case of the City of Portland and its self-governing encampments, this has happened through decades-long processes.

Achieving consent in this way represents how it is that democratic procedures structure the very opportunities for political participation. Achieving consent then includes incorporating resistance into the democratic process. The City of Portland did not create consensus among several different collectives of houseless individuals, it negotiated it. Considered from this perspective, consent is not understood as one dramatic moment of rupture or rare event. Rather,
consent remains a continuous process of political actions circulating through time and space, progressing and regressing with small steps along the way.

If consent is achieved procedurally then how this achievement happens is significant for understanding democratic politics. Contra Ranciere, if democratic politics is actually enacted through many ordinary political actions, we ought to think of consent not as the closing-down of democratic procedure, but instead dependent upon ordinary political actions. Achieving consent is fundamentally political, as Mitchell et al. argue, because it is done so by the “willing consent of people who might otherwise be expected to dissent” (2015, 2636). This was true in the case of HG. When the City began planning for relocation, it gave HG the option to either agree to relocate and remain operating and funded by the City or to be swept out and ended as a collective. Here consent from HG members was all but assured as they had no ability to reject the City’s proposition because of how the City had been working with the group for over four years, providing it very small amounts of funding and services. The movement from resistance to opposition then was a process of establishing consent.

How the City negotiated consent with HG is important to consider. It tells us something about democratic politics that the post-political perspective tends to downplay. And that is that while resistance does enable change, it does not only do so when it reforms “the police” order. Rather, resistance allows for dissent to be incorporated into the formal procedures of democratic politics where oppositional politics may then advance positions for extended periods of time. Instead of this transition bringing about the end of proper politics, I suggest this is the very stuff of politics. This fact should not be taken lightly. Portland’s self-governing encampments represent a unique model of houseless shelter that has been cultivated through massive organizing efforts over decades. Such efforts show why the self-governing idea is being
replicated in other cities in the country (Greenstone 2020). Rather than a governance mechanism forcing consensus against the will of a marginalized group, here consensus depends on the active engagement of oppositional groups going back and forth between being unwilling and willing participants within democratic procedures.

Democratic politics necessitates that resistance be incorporated into political procedure as opposition. As such, democratic political procedures require that opposition remain legible, as a form of dissent within democratic rules of the game. And in doing so, in achieving the legibility of consent, the encampments are less likely to weaponize resistant or dissenting actions to advance their claims because of the way in which the groups have benefitted by being incorporated into the democratic procedures of the City (See Chapter 4 for the benefits of encampments). It is this process of achieving consent, then, that illustrates the power of democracies as a system of political decision-making rather than as a shell of neoliberal governance removed from real political negotiating. Democracy in this sense requires the participation of the “demos,” or the citizens who are said to rule within democratic states, for consent to be achieved.

But perhaps more significantly, the City’s negotiations with the encampments situates matters of democratic justice within these political actions. For, the City has publicly acknowledged the value that self-governing encampments hold as a means of sheltering houseless individuals. Indeed, the City created and continues to fund the Kenton Women’s Village for this reason, recognizing that traditional shelters are not meant for all people experiencing houselessness. As a response to the cries of houseless people and their advocates, the City has acceded to the desires of self-governing groups for land, by “leasing” municipal properties on which the encampments operate. In doing so, it shows us that the process of
achieving consent to be governed from the encampments is also a means of negotiating what justice can look like for encampments within liberal-democracies.

Of course, just what justice can look like for each encampment is different and dependent on the resources of the City. In wrapping up the chapter, I will argue that finding injustices impacting houseless groups in Portland has as much to do with the effects of property relations as it does with the democratic negotiations between the City and self-governing encampments themselves. For, the inequities rooted in property that houseless encampment residents experience derive from liberal values and the democratic practices reinforcing those values.

Propertied Citizenship: Democracy For and Against the Demos

Propertied citizenship is a model of liberal citizenship that necessitates access to or ownership of property to enjoy certain citizenship benefits. That is, propertied-citizen is an individuals’ ability to secure interest rights within landed property. Property-insecure citizens within such a model are excluded from important benefits, such as privacy, security, and freedom of mobility. Houseless citizens residing in self-governing encampments complicate this model somewhat. The unique access to property that Portland’s self-governing encampments have affords residents some benefits that propertied-citizens also hold. But there are necessary limits to the benefits for houseless citizens. Examining how these limits are arrived at helps indicate how property becomes prioritized as a democratic value within liberalism. To do so, it is necessary to explain how the liberal prioritizing of property is advanced as a value through democratic politics.

As mentioned in Chapter 2, property ownership was the criteria for liberal citizenship in the U.S. for over a century. Property was seen to encompass the values of liberty, autonomy and self-governance, and even of fitness for democratic participation itself. Today, property
continues to mediate the benefits of citizenship because it is protected as a liberty right, preserving these values through constitutional protections. Constitutional protections do not automatically instill values into citizens, however. Rather, I argue that property remains a normative requirement of citizenship because it is still negotiated through democratic politics. In other words, the values associated with property continue to be supported in democratic negotiations between propertied and property-insecure citizens.

We have seen the democratic negotiation over property’s values within the political relations between HG and its neighborhood association (OKNA), for instance. There, some propertied residents asserted the illegitimacy of encampment residents as proper citizens. Because the encampment’s use of municipal property was not “earned” by encampment residents, houseless people were seen to be undemocratic, not fulfilling proper citizenship by pulling their weight in society through economic independence. For some OKNA residents, the ownership or payment for property constituted a required ticket for proper democratic citizenship. So too was property at the core of OKNA’s attempted amendment to its bylaws, changes which would have excluded HG residents on the premise of lacking an address. The bylaw change would have denied houseless individuals the right to participate in neighborhood decision-making for the association. In these ways, propertied-citizens advanced a narrative that the right way for houseless people to help themselves is to remove themselves from the encampment and get into traditional housing before they are ready to participate in politics.

We also saw how democratic negotiations over the values of property were advanced for houseless encampment residents through political relations with the City. While the City affords encampments rights to utilize municipal properties, these rights are intentionally limited in scope. Without the right to exclude, encampments lack the ability to protect their privacy and
security. Restricting encampments from this right of property keeps houseless citizens from enjoying significant benefits that propertied citizens hold. Such rights restrictions work to reinforce the notion that the houseless citizen cannot realize the self-governing privileges or obligations traditionally bestowed upon liberal citizens.

What I want to argue then is that the process of diminishing citizenship for houseless people in Portland’s encampments is not entirely out of the hands of ordinary citizens or those of the staff and officials at the City of Portland who work with the encampments. Contra the post-political thesis, citizenship cannot be eradicated through neoliberal modes of governance by excluding the demos. Rather, it is quite the opposite. Houseless citizenship can be reduced in import through the very inclusion of property-insecure people into democratic politics. Property-insecure people within encampments are necessarily implicated within political negotiations, agreements where houseless groups get to decide along with the City how their self-governing encampments will operate. In this way, houseless citizens are able to realize political agency when they otherwise may not have such control over their lives. But the fact that encampments are democratically agreed upon, in a way that limits resident’s control over their property by gaining the consent of the residents staying there, demonstrates how the values of property that work against houseless citizens are reliant upon political negotiations.

So what could justice look like for Portland’s houseless encampment residents? If we follow Barnett who suggests that justice is best understood as a condition, one that makes sense of different claims of injustice in attempt at redressing and repairing those harms, then some form of justice has been already been approached by the City of Portland. By acknowledging the desire for houseless people to stabilize themselves on their own terms in encampments, the City recognizes why it is necessary to allow houseless groups to organize themselves in such a way.
The City may, then, consider the allocation of municipal property to self-governing groups as a form of redress for the harms that traditional shelters and life on the street can create for many individuals.

Yet, to suggest that justice has been achieved in the cases of Portland’s houseless encampments would fall short of a justice sensitive to the scale at which property, as a commodity and as a system of rights and relations, impacts houseless people. Assuming justice has been achieved is first problematic in that it would suggest that it is okay for people to be living in such conditions of precarity, conditions lacking basic health services and amenities that keep people safe. Assuming that justice has been achieved would also overlook how the values embodied within liberalism and democratic procedures are used to restrict rights of property for encampments. In doing so, and doing so democratically, property comes to serve as the mediating resource which demarcates the responsible citizen from the not-quite-responsible citizen, the fully self-governing and autonomous citizen from the citizen who does not have full control over their life.

Indeed many of Portland’s self-governing encampments are a form of repair and redress which benefits the many individuals who have and continue to reside within them. But we should not see allocating municipally-owned or church-owned property to self-governing groups as justice in its final form. For, houseless people residing within encampments are daily reminded that a broader injustice exists: the inequities of the liberal model of propertied-citizenship.

Houseless encampment residents are working against a model of liberal citizenship that is nearly universal, a model which often denies the opportunity for houseless people to benefit from the privileges of citizenship until they have traditional housing. For the lucky ones, the length of time in which one resides in an encampment can be quick. Kenton Women’s Village is notable
for the rapidity at which it gets women into traditional housing. 23 women have moved into permanent housing over the last two years from a village that only had 14 tiny-homes on site (Catholic Charities 2020). For many, however, stable housing is far-off. It can take years to find subsidized housing in the city. And when housing becomes available, it may be a struggle to retain.

Justice then would also recognize therefore that liberal citizenship privileges must be de-coupled from property ownership and access. Following Smith (1995), we ought to pay attention to the ways in which the liberal model of propertied-citizenship negates the claims for dignity and security being expressed by encampment residents, claims unique to houseless people who already hold equal political citizenship. Political citizenship is not protective enough, in other words, when the model of citizenship is so closely attached to property. This would mean valuing houseless groups’ use of public properties as equal to that of propertied-citizens. And that the encampments’ rights of property ensure that these values are protected for houseless citizens.

If we are looking for a place to begin to repair the harms brought upon encampment residents, then justice must be situated within the political negotiations which determine how the property-insecure are restricted from the full slew of rights that access or ownership over property provides for citizens. In other words, considering what justice could entail for Portland’s houseless necessities political dialogue about why it is that they do not have the rights of propertied citizens. Why, that is, the property-insecure must have limited rights to property when they are people in need of safe and secure shelter. This attempt at redress is local in impact.

To address the more ubiquitous inequities of liberal propertied-citizenship as a general model of injustice for property-insecure people, analytical attention ought to be paid to how
democratic procedures can be used to de-couple property from citizenship. For, it is well understood that it is the economics of privatized property that remove houseless people from landed resources. But it is politics, the liberal-democratic process, that ensures that houselessness persists by making it appear and believing that houseless people too are equal in their citizenship.

In the concluding chapter, I sketch out what opportunities exist for property-insecure people residing in houseless encampments to advance claims for justice through democratic practice. For, there may be space within democratic politics for houseless people to have certain harms redressed, harms deriving from limited property rights. Any attempt at answering these questions will need to inquire into how we can move beyond the values of propertied-citizenship, that is, how we can democratically revalue property so that it may benefit all houseless people.
Conclusion

In July of 2016, nine months after the City of Portland declared a State of Emergency for housing and houselessness, the condition of houselessness in the city hit fever pitch. As part of the State of Emergency, the City had allowed for individuals to camp on public properties at night through what it called the “Safe Sleep” policy. Nowhere was this more evident than along a popular biking-walking path called the Springwater Corridor Trail on the city’s south side. Stretched over two-miles, the camps on the Springwater Trail were small and unorganized. By July, the total number camping along the corridor was estimated to have been somewhere between 400-500 people (Slovic 2016). The consequences of the City’s “Safe Sleep” policies were taking form in undesirable ways. After reports of several fires and one shooting, the City ended the safe sleep policy and began the process of disbanding the enormous encampment.

That summer, a reporter from the Aljazeera Media Network was in Portland reporting on the crisis. The report addressed a wide variety of houselessness issues happening then in the city. The report covered the overwhelming events at the Springwater Trail, but it also addressed the city’s self-organized encampments. Regarding the self-organized camps, the report struck a positive tone. The piece emphasized the promise of the democratic model of these encampments, noting how they created certain challenges “to the dominant discourse on [mitigating] homelessness and commonly proposed solutions to the crisis” (Strickland 2016). The report illustrated the growing popularity of self-governing encampments as a better path toward emergency shelter. Self-organized encampments, it implied, were a dignified means toward dealing with the crisis.

What struck the reporter as unique about the encampments was the mode of political organization through which they operated. For, amidst the uncertainty of the housing emergency
there were houseless groups using direct democratic approaches to manage and stabilize themselves. Portland’s encampments seemed to be finding a way of navigating the constraints of the model of propertied-citizenship ubiquitous within liberal-democracies. “One of the moral challenges [the camps] pose to the city,” the report noted, “[is that] they have mitigated inequities in a horizontal way without the benefit of the resources of the housed, without the benefit of a representative government that's responsive to them” (ibid). Part of the report’s intention was therefore to represent how there was a “deep democracy at work” within the encampments, a mode of houseless organizing giving hope to houseless and housed Portlanders alike amidst that summer’s chaotic events.

Although it was one of many reports on organized houseless encampments in the U.S., the report picked up on something important to the story told throughout this dissertation: that a democratic mode of organizing for self-governing encampments provides houseless people certain benefits that are often left wanting in the solutions historically provided to help houseless individuals. It speaks to an intuitive appeal about how democracy is seen as the great equalizer, that anyone can use the tools of democratic practice to effect their situation. And this point is well taken. The promise of democratic governance for encampments has made significant gains for houseless groups in a place like Portland. But what the story does not talk about is perhaps even more telling. Absent in the report is any indication that democracy has its limits. The story does not speak of the ways in which people residing in organized encampments experience limits to their democratic processes on account of their insecure interests in property. It is almost as if to say that once the encampments have been sanctioned by the City, then self-governing democracy has been realized.
By taking democracy seriously, this dissertation has critically analyzed how such idealized accounts of houseless people enacting direct democracy play out in practice. The chapters show that when we center property in examining houseless peoples’ struggles, by scrutinizing the relations of property in context of houseless peoples’ struggles, we simultaneously examine the nature of liberal-democratic practice. And in this way, we have seen how democracy enables the very conditions of houselessness, given that citizenship for houseless people is contingent on access to property. Most directly, I showed that political relations between the City and many of Portland’s self-governing encampments have used the democratic process to work out some form of repair for the inequities faced by the city’s houseless people. It was houseless groups’ resistance to the City’s former punitive approach to houselessness that won the encampments space for self-governance. At the same time, and by agreeing to use the City’s property, the encampments have acquiesced to the limits of their self-governance. Due to how the encampment’s rights to property have been structured, the citizenship privileges of houseless encampment residents are limited in specific ways, most notably by lacking guaranteed security and privacy through a right to exclude.

Why property has been so politically definitive in houseless peoples’ lives is a historical question that I addressed in the second chapter. Looking at the historical relationship between property and citizenship shows us how the values attached to property have shifted over time. The political values of liberty and autonomy intertwine with economic rationales about property concerning an individuals’ ability to own their labor and become proper earners. This distinction is particularly problematic for people without secure interests in property today. For, what I have referred to as the model of propertied-citizenship suggests there exists equal political citizenship for the property secure and insecure alike.
This dissertation has tried to show why it matters that we recognize how the model of propertied citizenship limits houseless peoples’ citizenship benefits. But why citizenship, it might be asked? Is it not housing that matters most for houseless people? No doubt housing is the very thing that houseless people need. It would be trite to argue anything else. Yet, houselessness persists today. And in many cities there are growing numbers of houseless people. Much research on houselessness has argued that the liberal mode of economic organization in capitalist democracies has led to housing shortages, unaffordable rents, an utterly decimated number of publicly-subsidized and publicly-owned housing units, all mixed in with bouts of under and unemployment. Clearly, houselessness is primarily an economic condition.

While this may be so, I have tried to show that there are other reasons houselessness persists within capitalist democracy. For, I have tried to make clear that it is the politics of property that reinforce inequities for houseless people within liberal-democracies. Liberal-democratic politics at many levels is about protection of rights and of the right to be heard in making self-interested claims. And so too is it about power and who has the power to decide whose claims matter most. The concept of citizenship names and mediates this process of political judgement. It is important then that houseless claims to equal citizenship are not only claims for personal liberty rights, but for claims that property security are paramount in the struggle for houseless peoples’ stability.

The self-governing encampment model practiced in Portland puts property at the center of discussions about political inequality and citizenship rights for houseless people. The political relations surrounding houseless peoples’ use of property helps us see the importance of embracing arguments for citizenship when advancing the claims of property-insecure citizens. Rights to property matter most to the property-insecure because it is interest in rights of property
that secure the privileges of citizenship—autonomy, security, privacy—which help keep the property secure safe. The predicaments of encampments also force us to contend with what is just—and what is not—about property relations and rights of property in liberal capitalism more broadly. That self-governing encampments cannot have full tenant rights of property shows us the underlying contradictions in relations of property that shape political standing within democracies.

Confronting the Limits of Propertied-Citizenship

This dissertation has primarily examined the ways in which liberalism reinforces a core set of values through property relations and rights-protections. Given the systemic way by which liberalism is organized, property is protected over the personal liberties of citizenship. When we follow the limits of liberalism closely, we are able to see that citizens who lack interests rights to property do not hold equal citizenship protections or are able to enjoy the benefits of citizenship. Thus by examining property relationally we may better understand the limits of the traditional ownership model, how this model harms houseless people, which can point to avenues for advancing justice beyond this model.

Examining how liberalism and its democratic mode of political organization are realized shows us the subtle ways that property is intertwined with liberal citizenship. What this means for houseless people within liberal-democracies is that personal liberties are infringed upon through property relations and the rights backing people’s interests in property. Without the wherewithal to pay for access to property, houseless people are necessarily limited in their ability to have a reliably safe space in which to live. The precarity and potential violence for those without secure access to property should not be the outcome of a democratic system which upholds notions of equal protection for all. Property-based inequities are essential to the
functioning of liberal-democracy, however, ensuring that the property insecure must necessarily trade their security and privacy for the opportunity of stability. Put more simply, without the means to pay for property access, houseless people are remaindered from citizenship and its benefits. And that is why it is citizenship that is what is at stake for houseless people.

By closely examining the workings of liberal-democracy I have sought to illustrate the contradictions of how prioritizing property affects the way people realize citizenship. Examining liberalism internally, however, allows us to understand the limits of liberalism itself. And in doing so, we see primarily what liberal-democracy cannot do to effect change for property-insecure people. For instance, it is difficult to imagine how a political system, which equally protects the interests of property-secure people with the inability of property-insecure to obtain property, will provide the political leverage needed to address the issues of limited citizenship for the property insecure. In other words, how will liberalism allow for the property-insecure to secure interest rights to property? When liberal-democracy is premised on balancing individual liberties and protecting private property, a collective right to secure property for those without it does not fit the negative form of liberty in which rights are predominantly protected. A political system that does not register the dialectical relations between citizenship and property cannot address this central problem for houseless people. This is what makes the model of propertied-citizenship particularly dreadful for houseless people: they must struggle for a secure interest right to property and citizenship protections at the same time.

Working within the restraints of liberalism to understand how houseless people are denied citizenship benefits has other drawbacks. The focus herein has been on houselessness generally, which I have assumed to be a class position. Particularly, I understand houselessness to be the condition of having no secure interests in property. This condition can be ameliorated
only through financial exchange in the form of rent or a mortgage. However, the liberal model of propertied-citizenship affects people beyond their class position. For instance, the model of propertied-citizenship also shapes how people of color struggle for representation and for rights of citizenship as well. Liberal citizenship smooths over differences like race and ethnicity as well, equating all citizens as the same. But the history of property insecurity for people of color, not to mention the violence of persons having been property in themselves, is clearly not accounted for under a liberal model of equal citizenship.

The idea that propertied-citizenship restricts people beyond the condition of class, intersecting with race, ethnicity, and gender also presents avenues for more research on the limits of liberal citizenship. There is clear connection, for instance, to the limits for people of color in realizing the benefits of liberal citizenship premised on the traditional homeownership model which was premised on white interests in property. A significant aspect leading to the 2008 housing recession, for instance, was due to the push to expand homeownership opportunities in order to realize the idealized American Dream. Yet, it was people of color who disproportionately were affected by predatory mortgage lending. How property has been and continues to be the mediating force for these citizenship struggles presents itself as an important matter to examine.

In paying close attention to liberalism we are unable to see the ways in which liberal-democratic institutions are likely to satisfy the needs of the property-insecure. To take Portland’s houseless encampment residents, the City and the State would need to allow the encampments to have full possessory rights over their properties if houseless people were to have a secure interest property. While this could feasibly happen for a handful of encampments, the scale of the problems for houseless people who are not organized like Portland’s encampments would likely
not happen to meet the actual need. For this would require a massive property redistribution that allows houseless encampments possessory rights of interest to a property. This is unlikely to happen within liberal-democracy, as property is consumed through market exchange, not through government redistribution.

It is important to recognize that there is no one approach to solving houselessness that will address all of the aforementioned problems. Self-governing encampments are not an end-all solution to houselessness and they should not be romanticized as such. Encampments offer a more dignified alternative to life on the street or in a shelter for the many who choose to live in them. But they will not end houselessness. A politics which recognizes how the model of propertied-citizenship in liberal-democracy restricts houseless people would advance an agenda for security in property as a collective right of citizenship.

Advancing a collective claim for property-security is a political goal which moves closer to advancing justice for all those without secure interests in property. As we’ve seen, liberal justice appears universal in its application. Under this model there is no universal right to property security unless you have the means to pay for it. If there is no citizenship right ensuring property security under the model of propertied-citizenship, justice will not be universally recognized. However, with the understanding that justice must be context-sensitive while more broadly applicable at the same time lies a notion that property security could be a right of citizenship. This means rejecting a narrow understanding of citizenship as idealized through the liberal model—the sovereign homeowner—and more representative of a citizenship that recognizes the differences among people and how their relations to property are also unique. A geographic perspective helps give such context to why relations of property impact people
differently and how universal appeals to the model of propertied-citizenship undermine the relations of property in different places.

What an internal critique of property relations under liberalism points to, then, is how a non-liberal agenda securing property for all citizens may be possible. Democratic institutions, to varying degrees, enable progressive opportunities for change. To advance an agenda that seeks to promote property-security for houseless people is possible. But it is a struggle that will not be easily won. When we consider the numbers of the property-insecure in the U.S. alone, a progressive politics that requires all citizens have a secure interest in property will be highly contested by those benefiting from a marketized private property system.

A progressive political agenda advancing property security for all would be more likely to come from a democratically-organized approach to organizing society. Specifically, such a democracy would ensure that the property insecure not only have their claims for property recognized, but physically addressed through some form of redistribution. To redistribute property within the confines of liberal democracy would simply reinforce the privatization of property. Thus a progressive politics focusing on property redistribution would also need to address ways in which the economics of the model of propertied-citizenship could be reshaped through democratic control over housing to avoid the very limitations of this marketized model for the property-insecure.

As this dissertation has shown, houseless people have the democratic wherewithal to manage their struggles collectively but they are disadvantaged by the pecuniary limits of the propertied-citizenship model of liberalism. Beginning to amend for this injustice is to move beyond the property-based restrictions of liberalism. Essential for this is having the right to be in some place. This sentiment was intuited by a resident at Hazelnut Grove. When I asked Meg, a
woman now in her early sixties, why she had a right to property, why she had the right to occupy public property, she responded: “Well, I have had to ask this myself. Did I ask to be born? I am alive. For whatever the reason, I am now homeless. I would love to go away. But I am not going to disappear. I have to go somewhere. I would love to climb under a rock, but I don’t own one. You gotta go somewhere. And there was no place.” It is my hope then that the very limits of propertied-citizenship that Meg is confined by no longer exclude her from her right to property. A collective right to property-security is what she and all property-insecure people need most. A secure right to an interest in property is a right of citizenship that has countless benefits. It is time to recognize the duplicity of liberal citizenship and how it maintains houselessness while appearing to address it through stop-gap measures. The only way to do this is re-value property by allowing all citizens its use.
Appendix A: Methodology

This project originally sought to answer a set of questions regarding houseless encampments in Portland, Oregon quite broadly. Before conducting fieldwork, two main questions guiding my research focused on why the City Government of Portland was managing the houselessness crisis through the use of self-governing encampments. One initial research question asked, for instance: In what ways does the City of Portland’s non-traditional approach to managing unsheltered homelessness affect efforts to mitigate homelessness? Similarly, a second research question guiding my initial research in this project asked: In what ways do rights or use of property affect the City of Portland’s management of unsheltered homelessness and thereby shape its governance approach? As these questions show, my original interest in the role of urban governance in responding to the houselessness crisis was significant.

While in the field, however, some of my initial inquiries about urban governance and houselessness in Portland evolved. I was still interested in the relationship between the City Government and the encampments. But I began to see that many of the encampments and the residents in them did not talk much about the City. The City Government for many encampment residents was simply something to put up with or something to work with so as to abide by zoning ordinance guidelines. What became apparent in the discourses I was hearing in weekly meetings at encampments, at neighborhood association meetings, and in the media, were issues related to property use. What each encampment could do to the properties on which they operated, who had control over those decisions, and how these decisions affected the people living in encampments became central to my thinking while doing fieldwork.
How property related to houselessness was of significant analytical interest for me when forming this project. One initial research question I had, for instance, asked: What potential and what limitations do self-governing encampments hold for realizing more substantive citizenship practices for the homeless? This question would eventually become a focus of Chapter 4 in this dissertation. My interests with the connection between how property shaped citizenship continued to grow throughout my fieldwork experiences as well as after finishing fieldwork while I was analyzing my data and writing-up the results. What follows is my explanation of what methods I used during fieldwork to get at these questions, why I used these methods, and what were the merits of the methodological approach I took throughout this project.

Methods

My fieldwork in Portland lasted from September 2017 to August 2018. During my time there, I worked with four different encampments: Hazelnut Grove (HG), Right 2 Dream Too (R2DT), Dignity Village (DV), and Kenton Women’s Village (KWV). At the encampments, I observed weekly or semi-weekly meetings; interviewed encampment residents formally and informally; volunteered to do security; and helped with projects, like building, painting, cleaning, etc. In addition to work with and at the encampments, I attended neighborhood association meetings as well as observed meetings between HG and the Joint Office of Homeless Services—the City-County entity dealing with all issues related to houselessness in Portland. Separately from work at the encampments, I interviewed neighbors of the encampments as well as City and County staff members who work on houselessness issues in the Portland area. The following subsections detail the use of each method.
Interviews

The majority of my interviews for this project were with houseless residents residing in encampments at the time of the interview. I conducted formal interviews with 28 residents among all four encampments. Formal interviews were semi-structured because there were particular topics I wanted to address with encampment residents during our conversations. As opposed to structured interviews, which tend toward standardization and replicability across populations (Brinkmann 2014), a semi-structured approach gave me more leeway to follow up on the different meanings behind answers to residents’ responses. For instance, one question I asked encampment residents was about whether they thought the self-governing encampments were “political.” Asking such an open-ended question elicited a range of responses about citizenship rights, property, and about the participants’ perspective on the City or neighborhood relations.

Semi-structured interviews were used to get the experiences of encampment residents on a variety of issues pertaining to encampment life. My interview questions asked residents about being houseless in general; about residents’ thoughts on the self-governing model and the benefits and limitations of encampments as modes of shelter; and about the politics of the encampments, such as with the relations between the encampments and the City Government and with its surrounding neighbors.

Allowing participants to respond to my questions with their own interpretation of the questions’ meaning produced a varying number of topics. Of note was the difference in response to my questions from encampment residents about citizenship. While residents at HG I believe interpreted that to mean a sense of political rights and active engagement within institutional politics, residents at KWV often responded to that question about a feeling of community and...
sisterhood present within that encampment. So too were there different responses to questions about property rights at the different encampments. Whereas DV residents simply assumed their right to be there, residents at HG were actively fighting for the right to exist where they did. The benefit of having semi-structured conversations therefore was that it produced a broader data set from which I was able to develop more nuanced understandings of my research themes on property and citizenship. The social and geographic differences between encampments and how this influenced residents in their thinking was important to better understanding the benefit and limits to encampments more broadly.

Discussions with encampment residents took place either in an individuals’ house, in commons spaces, or in parks and public spaces outside of the encampment altogether. Before sitting for an interview, I had residents suggest where they felt most comfortable talking about their experiences. As Elwood & Martin (2000) note, certain “micro-geographies” comprising the siting of an interview effects what and how interview participants respond to interview questions. While most encampment residents appeared to feel comfortable speaking with me in commons spaces in and around the encampment sites, some would choose to be interviewed in their house or outside the encampment in a public space.

It should also be noted here that my own position as a young white male researcher no doubt had baring not only on whether residents wanted to speak with me but what they chose to talk about when doing so. My own reflection on what were appropriate or sensitive research approaches were difficult to make throughout my fieldwork. For example, while encampment residents at HG were overwhelmingly open to me coming to a general meeting to introduce myself, I did not have such ease of access with KWV. After a while, HG residents okayed me to simply invite myself into the site to simply hang out. I never had such a relationship with KWV.
Although I went to volunteer at KWV for a work party early on in my fieldwork, I would not actually get back to KWV for interviews until a few months before leaving Portland. KWV, which is run by Catholic Charities, was clearly protective of their residents’ privacy. And I wanted to honor that. But after seeing the case manager of KWV at another houselessness event in town, I spoke with her about why I was interviewing residents throughout the city’s encampments. After exchanging a few emails with that case manager shortly thereafter, she invited me to a grill out to meet some of the village residents. There I was able to introduce myself and was able to setup interviews.

Berger (2015) suggests that research positionality shapes the research in multiple ways. For one, it can shape access to “the field” because some respondents may feel more comfortable sharing their experiences than others. As noted, connecting with HG as well as R2DT was easier for me to do than with KWV. But research position also shapes the nature of the “researcher-researched” relationship, as the researcher background affects how information is presented through wording of questions, for instance. This was notable when interviewing women at KWV. For instance, when I would ask questions about encampments rights to property, many respondents had little or nothing to say about it. Or when I would ask about the political nature of the encampments or about citizenship KWV respondents would talk about their community of support within the village, not so much about active citizenship as HG residents did. KWV were more prone to discussing how living in a women’s village helped them escape domestic violence in response to questions about citizenship. These were difficult conversations to have. And I was not trained or prepared for some of the stories these respondents shared with me. As such, I did

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34 I had previously worked with R2DT during my master’s fieldwork.
not attempt to steer conversations back to matters of property rights or self-governance when respondents did open-up to me in such ways.

Early on during fieldwork, my position as a researcher may have also led interview respondents to limit what information they shared with me. After looking through early interview transcripts, I realized I was not getting “full” responses about topics, topics that I was hearing those same residents discussing openly at meetings, with their peers, and even informally with me at times. I sensed that some individuals who did not know me were just being nice and agreeing to be interviewed. But in appeasing me as such, sometimes answers were very short. Thus I asked to re-interview encampment residents who were still living in the encampment near the end of my fieldwork period.

Re-interviewing allowed me to get richer responses from individuals who had much to say about the themes I was interested in talking about, but who had shared little with me originally. When I re-interviewed someone, I would read their original response to my question and then ask them to reflect on whether they thought differently or still the same about what they had originally told me. Often this would generate new insights. For instance, the responses from one member of R2DT showed significant differences from an interview in November 2017 to his second interview in July 2018. I sensed during our original interview that he was just going through the motions, perhaps just appeasing me by agreeing to be interviewed. For, our original interview took around 5 minutes, whereas my average interview lasted around 45 minutes. Our second interview was different. He was more excited about talking through his new political commitments that he attributed to staying in the encampment. As Ryan et. al (2016) found when re-interviewing, rather than “validating” original responses from participants, re-interviewing can help identify the “complexity and multi-dimensionality of personal narratives within
changing temporal and spatial context… [attesting] to the contingency of data and the non-linearity of life stories told over different interview encounters” (p. 53). I found this present within a few residents I re-interviewed. Not only did they share much more with me the second time around, perhaps because they knew more about my research by seeing me around, I also knew more about them. This made interviewing certain individuals easier as there was some established connection between us.

Informal discussions also provided me a rich source of observations and experiences from people in addition to formal interviews. In fact, many encampment residents who I saw on a weekly basis never agreed to sit for a formal interview with me. Yet, these residents were often happy to speak with me about how their general meetings went or about their lives in the encampment. Volunteering was one such form of “informal” interviewing. Throughout fieldwork, I worked security shifts at R2DT, for instance. On any given shift there, one or two residents were always on shift with me. I got to know individuals quite well this way, so much so that I never felt compelled to interview some residents formally, as they already had expressed their thoughts about my research when we were working together. Informal interviews were therefore crucial for me to further develop my research themes by having extensive conversations on the topics of politics, self-governance, and so much more when working around encampment residents.

The experiences of conducting interviews with neighbors of encampments and City and County staff were different than those with encampment residents. Most apparently, I was not asking government staff or neighbors of encampments about their experiences being houseless or about living in encampments. Instead, my focus with these interviews were about their relationships with and thoughts about the encampments.
I conducted 11 semi-structured interviews with neighbors of encampments. All but one was a neighbor of HG, the remaining was a neighbor to KWV. To find interview participants, I attended neighborhood association meetings for the neighborhood in which HG and KWV were located, the Overlook Neighborhood Association and the Kenton Neighborhood Association respectively.\textsuperscript{35} I went to association meetings when encampment discussions were on the agenda. During the open question period of these meetings, I introduced my research and asked whether homeowners or renters in the neighborhood wanted to sit for an interview with me. This helped me get started in interviewing neighbors. I used snowball sampling to find other neighbors to speak with me after a few early interviews. My interview questions for homeowners neighboring encampments inquired about their experiences with the encampment, their thoughts about the location of the encampment, their thoughts on encampment residents participating within the association, and about the City’s response to the houselessness crisis in general. My goal in interviewing homeowners was to get insights from housed people about the houselessness crisis and what impact if any encampments may have to limit the crisis. Interviewing homeowners was important for this project in that it expanded the social, economic, and political perspectives about encampments and their residents from individuals who have not experienced houselessness or who have not lived in encampments.

Finally, I conducted three interviews with government staff who worked directly with houseless encampments. One was the executive director for the Joint Office of Homeless Services, two were senior policy advisors for the mayor of Portland that I interviewed together, and the third was a County staff member for Clackamas County (contiguous with Multnomah

\textsuperscript{35} DV and R2DT are located in industrial areas. While the two encampments technically have neighborhood and business associations representing their neighborhood, there are not really any homeowners residing in those areas.
County, where Portland is located) who was in the process of developing a Veteran’s village in that county. As opposed to interviews with encampment residents and with neighbors of encampments, my conversations with these staff members were quite formal. Staff spoke from their positions as public officials, not as private citizens. Our conversations took place in their respective offices.

It is a common assumption that the position of “elite” interview respondents is more powerful than that of the interviewer (Mikecz 2012, Cochrane 1998). As McDowell (1998) has suggested, sometimes when interviewing people in positions of power, the researcher can become somewhat powerless, a reversal of the researcher-researched relationship which can be felt when interviewing houseless populations, for example. She suggests that elites can be “powerful and usually knowledgeable, often on their guard, sometimes keen to demonstrate their relative power and knowledge and your relative powerlessness and ignorance” (p. 2137). While I did not necessarily experience a sense of powerlessness when interviewing government staff, I did perceive their desire to demonstrate their knowledge over government authority in justifying why the City or County was already taking the right approach to managing houseless encampment issues. If I were to bring up the benefits of self-governance, for instance, they would accede that such a process was nice, but that encampments would not be able to self-govern without government. I took this to mean that there were few options willing to be explored by government in the realm of alternative shelter types like houseless encampments. But also that government has its natural limits of what it can support.

My goal for interviewing government staff therefore was to better understand how the City and County understood (and defined) the limits and benefits to self-governing encampments. As one of the few urban governments in the country providing municipally-
owned property for self-governing encampments, I asked staff about why they endorsed
encampments as a form of shelter and about the difficulties of working with and developing
encampments in regard to land use issues and neighborhood pushback. This helped me develop
upon the certain tensions between public and private that property relations so well illustrate.

*Participant Observation*

Formal and informal interviews were employed as one part of a multi-method approach. One-on-
one conversations with encampment residents in interview settings gave me direct insight into
what residents were experiencing. But interviews in themselves can only provide so much
information about an individuals’ experience. It was important to get the context of what
encampments were collectively discussing and with what they were concerned. Thus, I
supplemented my interviews by observing general assembly meetings at three of the
encampments: HG, R2DT, and DV.\(^36\) Between the three encampments, I attended 80 general
assembly meetings throughout my period of fieldwork.

My goal during encampment meetings was simply to listen to group discussions and take
notes about the content of the day’s topics. General assembly meetings for each of these three
encampments were weekly or bi-weekly. The meetings covered a range of issues. Often
mundane, the meetings talked about divisions of labor for the week, e.g. who was doing dishes in
the kitchen, who was running security on which nights, etc. But frequently enough did meetings
address major topics of concern. For instance, I attended meetings where a group made the
decision to vote out a certain member, meetings that addressed and mediated conflicts among
residents, and meetings that discussed relations with the City or JOHS. Being at these meetings

\(^{36}\) Kenton Women’s Village did not have open-to-public meetings.
gave me insight into how the self-governance process worked for encampments, showing me how decisions were implemented despite members’ opposing views about how a certain process should be done. In this way, observing the meetings gave me another way of seeing how residents thought about the political situations in which they were embedded.

Figure 10. General Assembly at Hazelnut Grove, summer 2018.

About halfway through my fieldwork, I started attending meetings at the JOHS office regarding the relocation of HG. Both JOHS staff and HG members had invited me along and agreed that it was okay for me to be present in these meetings, which I attended on six different occasions. These meetings were initial conversations between JOHS and HG about what a potential site may look like, what HG wanted in a future site, and covered deadlines and logistics for a relocation. The meetings provided me unique access to see how government engages with and plans for self-governing encampments in Portland. From the meetings I gained a clearer picture of the constraints to establishing self-governing encampments as well as how houseless people were integrated into the planning of their own relocation. I found the City to be quite
responsive to HG resident’s suggestions (although I attended only the very early meetings which were mostly brainstorming sessions). Attending these meetings also allowed me to see how the residents of HG represented themselves to the government, as distinct from their own general assembly meetings or when talking with me informally.

The line between participating and observing during ethnographic research can be blurry. As Cook (1997, 135) notes, participant observation can require “ethical, political, and practical” decisions to be made all at once about researcher roles. I originally set out in my research to stay neutral in my politics about the encampments. In attempting to hold true to this, I never spoke at encampment meetings. I just listened. As time went on, and as residents got to know me better, they would ask my opinion on certain issues. I found it hard not to ruminate with them about legal scenarios regarding the encampments or houseless rights in general. At a place like HG, I felt somewhat like an “insider.” That is, I felt I knew resident’s positions on just about everything it seemed. But as Mullings (1999) notes, there is no clear or fixed position of insider or thus outsider that the researcher embodies. Given the fluidity of researcher positions, Tarrant (2014, 494) suggests that the concept of “betweenness,” or a researchers acceptance of being both insider and outsider, may help to ease the tension over such distinctions by acknowledging the true incommensurability of one’s subject position. With this is mind, although I never intended to outwardly champion the positions of encampments and those of its residents, my close association with encampment residents no doubt implied my support for their struggles.

Analyzing My Data

Given the primacy of observation and interviewing for gathering data, note-taking was a significant aspect in ordering the data. During meetings and volunteer shifts, I took shorthand notes so that I could remain attentive to what was being said in the meetings and not to take too
much time away from the work I was supposed to be doing. Nor did I take notes during interviews, which were recorded on my phone and later transcribed. Only after leaving the sites where interviews, meetings, group projects, or security shifts took place did I fill out my notes more completely. My longform notes allowed me not only to more fully describe what was talked about in an earlier meeting, it also allowed me to develop upon ideas from past meetings, conversations, or interviews and to make links to topics that eventually would help in indexing my notes.

My data analysis began by transcribing interview responses from recordings shortly after a given interview took place. Once interview data was typed and separated into individual documents, I coded the interview transcripts by tagging specific ideas from the texts that demarcated general topics mentioned by participants. After I coded primary data, I used a thematic approach organize my codes. Analyzing codes by grouping them thematically helped to identify and organize patterns of meaning (themes) across data sets to make sense of collective or shared experiences (Braun and Clarke 2012). For instance, a code that I marked as “voting” or “decision-making” could depict one or more themes relating to this project’s research goals, such as self-governance, citizenship, or democracy broadly, depending on the code’s context. Therefore, cross-comparison between original codes and newly identified themes helped me remain sensitive to idiosyncratic experiences presented in the data which did not immediately present themselves as connected to my primary research themes.

In addition to transcribing and coding interviews, I also coded my field notes as well as annotations from secondary literature reviews. Like my interview transcripts, I read through my field notes and coded my observations. I coded my field notes initially for general themes like
“rights” or “property.” After coding my notes, I synthesized interview categories with codes from my notes to establish a larger data set of categories. I created a master list or index of all the different categories present. I indexed around thirty different categories from my primary data sources, such as “property rights,” “evictions,” “self-management,” “state of emergency,” and “active/passive citizenship.” From these categories, I narrowed down my data by collapsing the categories into more general themes by comparing my index with my main research themes. Any theme within my index that related to property, citizenship, rights, or self-governance was then identified with its original source to be used during writing.

Methodological Approach

Synthesizing my primary data with secondary literature allowed me to develop my analysis based on the project’s main research themes of liberal-democratic governance, property, and citizenship. I used an historical analysis to develop insights into why property matters for citizenship and particularly for the rights of houseless people. As laid out in Chapter 2, using a dialectical or relational approach helped me show how certain taken-for-granted aspects of political and economic life shape political relations for houseless people. Looking historically at how property has shaped citizenship was necessary to show how the appearance of full equal citizenship for houseless people today has been reinforced through particular values and rights relations over time.

Particularly important for dialectical analysis in general is a need to illustrate the contradictions within processes and systems (Harvey 1996). In my case, I examined how property has historically constituted “proper” citizenship and used the contours of that relationship to illustrate how property-insecure people who hold political citizenship are not full
citizens. Examining the contradictory elements of property and personal rights was then important for showing how houseless encampment residents in Portland experience diminished citizenship as houseless people, which was detailed in the case studies of Chapters 3 and 4.

Using historical analysis to develop a framework for the case studies in this dissertation helped show how liberal-democratic citizenship is shaped by capitalist property relations. My insistence that propertied-citizenship is necessarily maintained within liberal-democratic practice required me to engage with democratic theory in Chapter 5. In doing so, I embraced a critique of politics within liberal-democracy that is not prescriptive, but rather, open to the possibility of democracy as a practice of making equitable decisions. For lack of a better analytical term, I used reasoning to advance not prescriptive ontological positions about politics but, instead, I employed normative analysis of the social and political problems encampments and their residents face within democratic procedures. Doing so may have led me to somewhat of a “rational” analysis of the situations of houseless encampments within liberal-democracies. However, in doing so, and by not advancing determinative theories about the essence of politics, I was better able to show the utility of democratic theory as a mode of reasoning about politics and how democracy is still very present in the lives of houseless people.

My overall objective throughout this research was to address the implications of the self-governing houseless encampment phenomenon during a time of housing and houselessness crises in U.S. cities and to explain the political impact upon houseless encampment residents within liberal democracies. The manner in which I went about this may have certain limits to wider applicability. The case studies of Chapters 3 and 4, for example, focus particularly on policies and legal ordinances specific to Portland. Such context matters thus when attempting to understand the lack of or eradication of organized houseless encampments or governance
approaches to encampments in other places. Yet, by identifying the unique elements of Portland’s approach, the case studies can provide insights that may help inform other houseless movements or approaches to policy-making in other cities grappling with similar problems. My arguments about how property shapes liberal citizenship speak to more general problems of places organized by procedural democracy that is rooted within liberalism. The certain imbalance over property and citizenship within liberal-democracy can be seen not only in Portland, therefore, but in many places seeking to help houseless people realize their rights of citizenship.
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Political and legal geographies of urbanization;
Democracy, liberalism, and political theory;
Property, citizenship, and houselessness;
Qualitative methods

TEACHING EXPERIENCE
Instructor of Record
Syracuse University, Maxwell School of Citizenship
Critical Issues for the United States, Max 123 / 2019-2020 (Co-instructor)

Syracuse University, Department of Geography
Environment and Society, Geo 103 / Summer 2019, Summer 2020

Portland State University, Department of Geography
Urban Geography, Geog 332U / Fall 2014, Winter 2015, Spring 2018
U.S. and Canada, Geog 368U / Spring 2015, online course

Graduate Teaching Assistant
Syracuse University, Department of Geography
Environment and Society, Geo 103 / Spring 2017, Spring 2019
World Cultural Geographies, Geo 272 / Fall 2016, Fall 2018
Human Geographies, Geo 171 / Fall 2015, Spring 2016

Portland State University, Department of Geography
U.S. and Canada, Geog 368U, Spring 2014
Environment and Society: Global Perspectives, Geog 230 / Fall 2013, Winter 2014
Urban Geography, Geog 332 / Fall 2013, instructor for second half of quarter

Graduate Peer Mentor, Portland State University Studies Program
Knowledge, Values, and Rationality, UNST 239 / Winter 2013, Spring 2013

Undergraduate Peer Facilitator, University of Minnesota
American Democracy in a Changing World / Pol 1001, Spring 2011
Biogeography of the Global Garden / Geog 1403, Fall 2010

PUBLICATIONS

Peer Reviewed Articles

Non-Refereed Chapters

Book Reviews


PRESENTATIONS

Conference Presentations


Participatory research panelist for community-based research symposium. Portland State University, Portland, OR, April 2015

Conference Papers


“Right to Dream: A Portland, OR Case Study of a Contested Rest Space.” Association of Pacific Coast Geographers Annual Meeting. Lake Tahoe, CA. September 2013. (Received President’s Award for Outstanding Paper by a Masters Student)


AWARDS/SCHOLARSHIPS

Syracuse Department of Geography Sopher Award for Best Graduate Paper (December 2018)
Roscoe-Martin Fund for Research Support, Maxwell School of Citizenship, Syracuse University (January 2018)

Syracuse University Graduate Student Organization Travel Award (April 2016, April 2017)

Portland State University Student Educational Travel Award (January 2014, September 2014)

AAG Urban Geography Specialty Group Travel Award (March 2014, March 2016, April 2018)

Department of Geography Professional Development Travel Award (February 2014)

President’s Award for Outstanding Paper by a Master’s Student, Association of Pacific Coast Geographers, Tahoe, CA (September 2013)

Association of Pacific Coast Geographers Travel Award (September 2013, September 2014)

Dale and Coral Courtney Scholarship, Portland State Department of Geography (Academic Year 2013-2014)


DEPARTMENTAL SERVICE

Search Committee for Assistant Professor in Human Geography, Syracuse Dept. of Geography (Fall/Winter 2016-17)


Search Committee for Assistant Professor in Human Geography, Portland State Dept. of Geography (Fall/Winter 2013-14)

Graduate student application committee, Portland State Dept. of Geography (Winter 2013)

DISCIPLINARY SERVICE

Manuscript Reviewer

Urban Geography

COMMUNITY SERVICE

Site Suitability Analysis for Vacant Properties (with Krystle Harris) for City of Portland (Spring 2018) [ https://arcg.is/1ryKjP ]

Assistant for Center for Geography Education in Oregon- Working with Primary Sources Workshop with Library of Congress (July 2014)

Assistant for Oregon Geographic Alliance Summer Institute- Bend, OR (June 2013)

Volunteer at Right 2 Dream Too, houseless shelter in Portland, Oregon
Volunteer with Village Coalition, Portland, Oregon

**PROFESSIONAL MEMBERSHIPS**

American Association of Geographers
Relational Poverty Network

**STUDENT MEMBERSHIPS**

Future Professoriate Program, Syracuse University 2015-present