

Entangled Plants and Property: A Landscape of Domestic Gardens and Alleys

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A Thesis
In the Department
of
Geography Planning & Environment

Presented In Partial Fulfillment of the Requirements
For the Degree of
Master of Science (Geography, Planning and Environment) at
Concordia University
Montréal, Québec, Canada

May 2014

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CONCORDIA UNIVERSITY
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Abstract

Entangled Plants and Property: A Landscape of Domestic Gardens and Alleys Shaun Weadick

The primacy of private property, and its incumbent rights, structures who has access to space in the city and who can be displaced. This regime of property includes not only theoretical and legal underpinnings of property and space in the city, but also the narratives and normative understandings necessary to support this institution. This thesis looks towards denaturalizing private property as the only conceivable way of organizing space (Macpherson, 1978). The act of gardening has long been linked to claiming property, while domestic gardens have been characterized as both paradoxical spaces (Longhurst, 2013) and liminal zones (Blomley, 2004c). I look at the ways that supposedly rigid boundaries of property are entangled, transgressed, and blurred through everyday interactions between people and plants in the gardens and alleys of the Parc Extension neighbourhood in Montréal.

This study is a personal reflection on gardening practice along the boundaries of public and private. I draw from my own gardening experience, conversations with neighbours, photographs, alley walking, and interactions with plants to make the case that lived experience in gardens is far more complex than normative understandings linked to property suggest. Further, I argue that by exploring the entanglements of property and plants in the landscape of gardens and alleys, we can find lived experiences that contradict harmful assumptions bound up in private property; assumptions that see tenants as incapable of improving property and that link tenancy, migrancy, and disorder.

Acknowledgements

This thesis is the product of many people. I would like to thank my friends, family, and community for their support and love during these two and a half years. Without your companionship, love, listening, sharing of food, sharing of ideas, and much joy, I would not have completed this thesis. Special thanks to Arwen Fleming and Jeffrey Malecki for pinch-hitting and being my eyes when I could not longer look at this thing.

I would like to thank my friends, neighbours, and fellow gardeners in Parc Ex. Thank you for listening and sharing and humouring me. Spring has sprung, as it does every year, so I'll be seeing you soon. Much love to CAPE for the work that they continue to do here.

I would like to thank my fellow geograds and geobuddies, and the GPE department. I am deeply grateful to the companionship of my office buddies and especially to Jessie Smith whose encouragement, humour, and friendship got me through some tough days. I would like to thank all of the students that I have worked with as a teaching assistant and strategic learning facilitator. The learning that I did with you will last for many years and has inspired by current pursuits as an educator.

I would like to thank my committee: Alan Nash for his patient reading of many drafts, for encouraging the poetics of this project, and for his curiosity and enthusiasm; Ted Rutland for pointing me down the road that this thesis eventually would take, for his critical engagement with this work, and for the many supportive words along the way; and, Julie-Anne Bourdreau for joining at the last minute and bringing a generous and critical eye this this work – an outlook that was much needed and appreciated. Input from

each of you has been instrumental both in the creation of this thesis and in helping me to move forward from it.

Lastly, I would like to acknowledge that this work was done in the long shadow of the 2012 Québec student strike. I am forever changed by the experiences that I shared with so many, in solidarity, during this time. Through critical engagement, constant negotiation, tireless struggle, great attempts at collective decision-making, mutual aid and respect, and laughter and tears, I know that we changed something. I do not know what that thing is exactly, but I feel it in my heart and carry that hope with me in the streets, in the classroom, in my personal relationships, and in this work. Much love and respect to all whom I was lucky to struggle alongside.

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1. Research questions

(T)he essence of private property is always the right to exclude others.

- Cohen (1927, p. 159).

In lieu of the failure of the liberal notion, the concept of ownership ought to be recast into an altogether new mold.

- Christman (1994, p. 7)

We live in a world that is fundamentally structured by private property ownership. How we see ownership, and the rights that are incumbent within ownership, plays a direct role in structuring who has access to space and who does not. In other words, the way that we have created and the ways that we sustain the institution of private property determines who has the right to stay put¹ and who does not, who is excluded from space and who is not. The structure of ownership is often taken for granted. Property rights – and, specifically, the exclusive rights of the individual owner – are rarely called into question. Regimes of property shape the justification for gentrification and displacement (rooted in the rights of owners to exclude) and these regimes largely go unnoticed – their existence has long become institutionalized and is taken for granted or seen as “natural” in Western society.

My initial interest in regimes of private property comes from a desire to talk about the neighbourhood in which I live. Parc Extension is one of the most diverse neighbourhoods in Canada and it is also one of the poorest. People from all over the world² inhabit this tiny *quartier* and the alleyways – places for walking, talking, and child’s play- become

¹ See Hartman (1984) as well Newman and Wyly (2006).

² Beginning in the 1970s this neighbourhood was colloquially known as ‘Greektown.’ In recent years, changing demographics have meant that it is often referred to as ‘Little India’.

the meeting points for many people. Along these *ruelles* are numerous, extensive backyard gardens growing tomatoes, eggplant, herbs, hot peppers, amaranth, figs, zucchini, and more. Parc Extension, or ‘Parc Ex,’ is a small, densely populated neighbourhood in the Villeray-Parc Extension-St. Michel borough of Montréal. Many of the inhabitants are recent immigrants and many are considered ‘low income’. The tenancy rate is extremely high, even in a city known for its high renter/owner ratio. All of these demographic factors mean that many people living in Parc Ex are particularly vulnerable to gentrification. This vulnerability is heightened by plans to bring a large campus of Université de Montréal to the former gare de triage Outremont, directly south of the neighbourhood (Comité d’action de Parc-Extension, 2013). This *Grand Projet*³ threatens to flood the neighbourhood with students, driving up rent in an already competitive housing market.

This study is focused on denaturalizing private property as the only conceivable way of organizing space (Macpherson, 1978). I look at the ways that supposedly rigid boundaries of property are entangled, transgressed, and blurred through everyday interactions between people and plants in Parc Ex gardens and alleys.

My research questions include:

1. How do plants and people confuse the boundaries of property? How do boundary-making and plant crossings affect how we see property and how we classify plants?

³ <http://www.siteoutremont.umontreal.ca/>

2. In what ways do residents in Parc Extension, especially tenants, enact property and have proprietary relationships and feelings towards land that they do not own through gardening? How do these relationships complicate narratives, norms, and justifications associated with private property?
3. How do we see tenancy, migrancy, and weediness in a propertied landscape? How are these ideas constituted and reinforced within a regime of private property? What assumptions do we carry about this landscape given the ‘normal-ness’ of private property?

As an observer, I am interested in the ways that seeing a propertied landscape involves making certain assumptions about what the landscape means. Specifically, I am interested in the ways that relationships to space through gardening – tending, claiming, taming – carry assumptions about who the human actor is. Tending space is thought to be the act of owners rooted in place through secure ownership rights. In a neighbourhood with many tenants and recent immigrants, this way of seeing carries ramifications. In this study I look at ways that tenancy, migrancy, and weediness are entangled with normative assumptions in a landscape carved by private property. In doing so I look at the ways that people and plants confuse, transgress, and contradict these normative assumptions through everyday actions in gardens.

I am interested in how proprietary relationships and ‘improvements’ to land by tenants can create counter-narratives to stories that value owners over renters and create narratives justifying the right of Parc Ex tenants to stay put (Newman and Wyly, 2006).

These counter-narratives can stem from relationships of care between tenants and space, and proprietary claimings made by tenants. Further, I am interested in how particular kinds of interactions between people and plants in space confuse the clear categorizations and boundary-making of private property – plants that cross and blur visible boundaries, entangled notions of cultivated and wild, gardening on the boundaries of public and private. By looking at the complex, diverse relationships that tenants have with their homes and the diverse relationship between people and plants in Parc Ex alleys and gardens, I hope to look towards displacing narratives that neatly categorize owners as improvers and tenants as depreciators – narratives that, in turn, naturalize the displacement of people.

1.1 Why gardens?

There are a number of reasons why I choose to look for property and power in gardens. Firstly, gardens straddle the line between the public and the private. Ownership becomes murky and proprietary feelings are often overlapping or ambivalent in these spaces, entangling public/private property, (Blomley, 2004). Longhurst (2013) points out that gardens can be seen as paradoxical spaces, occupying both the public and private spheres at the same time. Gardens are both public spaces – spaces of discussion between neighbours, friends and passers-by –and private spaces where the individual can escape the public.

Secondly, gardens are spaces where we find competing ownership claims. The planting and tending of garden plots is part of the property making process⁴ both legally and informally. Tending land through gardening practice can give moral justification to property claims and, as adverse possession laws show, can sometimes lead to legal property rights (Blomley, 2005; Schmelzkopf, 2002; Staeheli et al., 2002). Fencing and tending land sends (culturally specific) understandable signals that land belongs to someone (Rose, 1994). But these labour or best-use based justifications often run into conflict with legal ownership claims⁵. In gardens, strong symbols of ownership do not always translate to legal ownership, despite deep ties between gardening and the moral foundations of private property law. We can also find ties between gardens and the Judeo-Christian nature of stewardship. Gardens are seen as intermediate spaces between the wild and the domestic and property is made through the process of taming the wild (gardening) (Merchant, 2003).

Thirdly, I chose gardens as the spaces of study because of their prominence within the neighbourhood in which I live. Parc Ex is rich with backyard gardens, with plant life, and with gardeners who carry a diversity of histories. This means that many different people are living and growing in close proximity to one another, bringing their own specific (horti)cultural practices, and languages to the neighbourhood. My own gardening practice in the neighbourhood brought me into contact with fellow gardeners of many different ethnic backgrounds, age groups, and classes. Through gardening – in alleys, in my

⁴ We see this in Lockean property justifications and in laws of adverse possession, to cite just two examples.

⁵ Ironically, the laws that are being used to justify this ownership have their moral foundations in these very same labour/use justifications.

current backyard, and on balconies – I’ve had the opportunity to meet and get to know my neighbours and fellow gardeners in the neighbourhood through common interests and practices. This is the fourth reason that I chose gardens as my lens – because I am a gardener practicing in this neighbourhood. In the process of gardening, as a tenant, I have encountered and attempted to navigate the nuances of property relationships here – in my own practice and through the stories and relationships that I’ve developed with others. My personal navigation of alleys, community, neighbourhood relationships, personal politics (and settler identity), and gardening practice is central to this study.

2. Literature review: where are we going here?

This literature review is divided into sections that aim to:

- a) situate the case study area, Parc Extension
- b) present the institution of private property including its common justifications, narrative reiterations, and the relationship between gardening and property
- c) discuss gentrification and displacement as they relate specifically to people living in neighbourhoods similar to Parc Extension
- d) discuss geographic work on landscape and walking
- e) discuss recent work on domestic gardens, plant-human relationships, and weediness

The first section aims to provide a basic context for the case study area. The property theory section of this literature review spends a good deal of time looking at the justificatory theories behind the modern institution of private property. The thorough

treatment of these theories is meant to provide a backdrop for modern normative reiterations of these theories. The point is that an institution such as private property requires deep, engrained understandings. At the same time, these understandings may be based on ideas that are illusory, contradictory, and false. Exploring the narratives and metanarratives of property allows us to find holes within these stories that can be pried open to find spaces to create counter narratives to unsettle the naturalness of these institutions – a naturalness that renders inequalities created by our regime of private property inevitable. The way that people engage with property is much more complex than legal frameworks, theoretical justification, and ‘property stories’ imply, and by exploring gardening – something with deep ties with understandings of ownership – we can uncover some of the complexities and contradictions in property (Singer, 2000; Blomley, 2004).

The section on gentrification considers one of the outcomes of our private property regime – the inevitability and naturalness of displacement through gentrification (Blomley, 2004). This section focuses on gentrification's impacts on neighbourhoods that are similar to the case study area – Parc Extension – as well as the ways that gentrification is enabled through particular stories about property in general and about tenancy, specifically.

The fourth section considers recent geographic work on landscape and walking. Landscape has been described as a way of seeing (Berger, 1972), as a masculine gaze (Rose, 1993), and as a field of view where dominant cultural norms are expressed,

reinforced and read (Cresswell, 1996; Matless, 1998). Other authors reject the notion of landscape as a way of seeing, focusing on landscape as dwelling, as lived experience, or as practice (de Certeau, 1984; Ingold, 1993; Wylie, 2005). While seeing the propertied landscape involves perceiving culturally specific, hegemonic symbols that correspond to the neat lines formal property, lived experience and spatial practice (dwelling) is something far more complex. Looking at landscape as lived and practiced helps us imagine the complexity of human (and non-human) relationships with property.

In the final section of this literature review I look pertinent literature on domestic gardens. The focus is on discussions of gardens at paradoxical or liminal spaces (Longhurst, 2013; Alexander, 2001; Blomley, 2004c) and on the deep connections between gardening, the taming of space, dispossession and displacement, and property making (Locke, 1690; Seed, 1995; Anderson, 1997; Cosgrove, 2008; Longhurst, 2013).

2.1 Situating Parc Extension: demographics, gentrification, and gardening

Parc Extension is a tiny district of 1.6 square kilometres in central Montreal.⁶ Its population density is more than 5 times that of the city and twice that of Villeray-Saint-Michel-Parc-Extension borough. The *quartier* is trapped by physical barriers on all sides – a major highway to the north, a rail line to the south, the fenced Town of Mont-Royal to the west, and another rail line to the west. Approximately 31 400 people live in Parc Ex, 62% of whom were born outside of Canada (primarily from Greece, the Indian

⁶ All the numbers in this paragraph come from a 2004 report *Portrait du Quartier Parc-Extension* by le Groupe de Travail Sur les Portraits des Quartiers Villeray, Saint-Michel, et Parc-Extension. Their statistics were collected from Stats Canada, 2001.

subcontinent, Haiti, West and North Africa, but other areas as well). Employment levels and average incomes are considerably lower than the city average. Just 12% of housing units are occupied by owners, meaning 82% of units are occupied by tenants and making rental levels are 15% lower than the city average. These housing figures are particularly important when considering gentrification and displacement as tenants have considerably less power to stay put in their homes than do owners.

The diverse and multi-ethnic character of the neighbourhood shown in the demographics is reflected in the diverse, varied, and elaborate backyard gardens found throughout Parc Ex. Through the use of various materials – some found or recycled, some handmade, some purchased – there is a particular architecture to backyard gardens in Parc Extension found in trellises, buckets, raised beds, and climbing plants. The diversity is also reflected in the food grown; from amaranth to zucchini, there is a wealth of culturally specific produce being grown as locally as possible – in the backyards of those who will be eating these foods.

But, this specific character, and these specific spatial arrangements, are facing a specific threat from gentrification pressures. Factors such as low rental costs, high tenancy rates, gentrification in surrounding neighbourhoods (specifically Mile-End/Plateau to the southwest)(Rose, 2004), and increasing condo development at the edges of the neighbourhood (the area known locally as Mile-Ex that sits between Parc Ex and Mile-End) make Parc Extension vulnerable to gentrification and many of its residents vulnerable to displacement. This will most likely be exacerbated by the development of a new

Université de Montréal campus to the south of Parc Ex (between Parc Ex and Outremont). This *Grand Projet*⁷ is funded municipally, provincially, and federally and is slated for completion in around 2025. It is an immense project involving seen almost no consultation with or consideration of the residents of Parc Ex.

2.2 Private property

Property law defines entitlements and obligations that shape the contours of social relations. Property is something that we must collectively define and construct. It is not given to us whole; it does not emerge fully formed like Athena from Zeus's head. It is closer to a piece of music that unfolds over time. Like music, property gets its sense of stability from the ongoing creation and resolution of various forms of tension. The tensions that inform property are the tensions inherent in social relations. The solutions to the problems of property conflicts lie in understanding the connection between property and human relationships. Relationships sometimes form stable patterns, but they are also ongoing and constantly renegotiated. They may even end.

- Singer (2000 p. 13-4)

In C.B. Macpherson's article 'The Meaning of Property' (1978) he outlines the meaning of the concept and institution of property starting with the basic assumption that property is always changing as a result of both legal, institutional changes, and changes in peoples' understanding of the concept and the word. It is necessary that we begin with an understanding of property as socially and institutionally constructed before moving towards an understanding of the impacts of this construction on people's lives and on spatial configurations. This literature review begins with a simple question: what *is* property? The question is important because property, as it is (re)constructed and understood in our society, shapes who has access to space and how that space is tended.

⁷ There are numerous documents that have been released by both the city and the Université de Montréal documenting the plans – the UdeM cite contains much of this <http://www.siteoutremont.umontreal.ca/>.

Property must be understood as a set of rights in relation to things and not as things themselves (Macpherson, 1978). As such, property as an institution creates particular relationships between people. It structures who has access to space and who can yield authority in that space. The institution of property must carry the force of legal writ and be backed the power of the state. In other words, property rights must be enforceable. But, it is also true that these institutions require social pressures to remain legitimate. Institutions require moral justifications for their existence and these moral justifications must be socially accepted. If people did not believe that individual property rights should be enforced, that owners deserved to have their exclusive rights, then it would be difficult for the State to maintain the moral authority necessary to enforce these claims. Property, then, is constituted of particular rights that are claimable (within courts) and are enforceable (by state violence or the threat of state violence). “Property is not thought to be a right because it is an enforceable claim: it is an enforceable claim because it is thought to be a human right” (Macpherson, 1978, p.11).

One of the primary justifications for private property has involved its necessity for the full realization of a human being’s fundamental nature. In other words, property has been deemed a natural right; a necessary precondition for a human life to be lived to its fullest. Macpherson argues that private property, common property, and state property can all take the form of individualized rights⁸. Private property has been manifest as the right of an individual to exclude others from space. But, common property too must be seen as

⁸ Rose (1994) talks about how individual property rights can also be seen as collective agreements. This is discussed later in the literature review.

an individual right, however, as an individual right *not to be excluded*. If a piece of property is held in common (take for example, a public park), the state creates the rights to the park but it is individuals who have equal rights to use the park and these rights are individualized rights not be excluded from the space. State property, lastly, must be understood in same way as we see corporate property: as “an exclusive right of an artificial person” (Macpherson, 1978, 6).

Macpherson argues that capitalism requires the predominance of private property as an exclusive, alienable, and absolute individual right (1978). The rise of the capitalist mode of production coincides with the extinction of common property from discussion. With the rise of the corporation in the 20th century, property came, more and more, to mean the expectation of revenue; the right of shareholders to their expected returns. Property, under capitalism, is oft conflated with private property. “If the market was to operate fully and freely, if it was to do the whole job of allocating labour and resources among possible uses, then all labour and resources had to become, or be convertible into, this kind of property” (Macpherson, 1978, p. 10). Thus, under capitalism, it makes sense for private property to become the only form of property.

2.2.1 Justifying private property

Institutions require narrative justifications to exist. We do not organize ourselves, our space, and our power structures without a reason for such organization (regardless of whether such reasons are good ones). Morris Cohen outlines the four most common justifications for the institution of property:

- The Occupation theory: related to notion of *terra nullius*, the idea that the original occupant has a property right to that which she has discovered
- The Labour Theory: from Locke's arguments that property is created through mixing personal labour with an external thing, this theory places particular emphasis on the need for property to be distributed in a way that encourages labour productivity
- Property and Personality Theory: the idea that private property is a necessary precondition for the individual's ability to act as a free personality
- The Economic Theory: the idea that private property maximizes economic productivity; that the private property owner has the best ability to maximize economic output from her property if she is free to do exactly what she wants with it

(Cohen, 1927)

Morris Cohen describes the Occupation Theory, simply, as a “defense of private property...based on the assumed right of the original discoverer and occupant to dispose of that which thus became his (sic)” (Cohen, 1927, p. 161). Cohen is quick to point out that while this justification has common sense value in some instances, it does not speak

to “(t)he right of others to acquire the property from him, by bargain, by inheritance, or by testamentary disposition...” (Cohen, 1927, p. 161). Justifications based on first occupation have deep resonances in the North American landscape. In its simplest telling, this theory means that the ‘original’ owner has a property right: Finders, keepers. However, in a North American context this theory has been used in a more complex telling – if the original owners do not claim to have property (claim in way recognized by European colonizers) then they do not inhabit the land. Property unclaimed is free for appropriation. *Terra Nullius* was not dependent upon land being empty of inhabitants, but on it being deemed as such, written as such, and retold as such (Blomley, 2004; Seed, 1995). Determining who the first owner is depends upon who is making the determination and what symbols are recognized as showing who the first owner is. Patricia Seed writes about the way European colonists treated cultural specific property symbols as universally recognizable in their expropriation of the Americas:

English colonists believed their own actions in planting gardens and fields transparently conveyed their own rights of possession; the French found the actions of the natives in greeting them and participating in their ceremonies as unambiguously communicating their wishes to have the French rule over them. In both cases, Englishmen and Frenchmen were equally convinced that physical expressions or actions clearly established rights of possession. (Seed, 1995, p. 66)

Not only were culturally specific symbols treated as universal but they were used both to eliminate the original inhabitants – narratively and spatially – and to create a case for original occupation. This case was made even though it seems absolutely absurd to consider the European colonists as the original occupants of the Americas⁹.

⁹We see these ideas of original occupation reiterated in claims of Quebec for the Québécois and other ‘two solitudes’ claims to Canadian identity.

John Locke's labour justification for individual property rights has had lasting effects on Western property institutions. Locke begins by situating human beings in a theoretical state of nature; in a state before the emergence of civil society¹⁰ (Locke, 1690). For Locke, property was essential for each person taking what was necessary for a full human life – property was a natural right. God gave land to man¹¹ in common to use *appropriately*. Each man has property within himself as well as property in his own labour. That which he creates with that labour is deemed his. Thus, in appropriating land and using it- in mixing it with his labour – he creates a private entitlement. Further, each man has the right to appropriate as much as he can so long as he does not spoil it: “*As much land as a man tills, plants improves, cultivates, and can use the product of, so much is his property*” (Locke, 1690, p. 21). Locke works around this spoilage limitation by introducing money into the state of nature. Things can be traded for money, a non-spoilable good, allowing for unlimited accumulation of property in money or land. Further, those who do not have access to property can sell their labour to those that do. In this way the labour of the non-propertied becomes the property of the propertied. It is important to note that, for Locke, civil society solely included the propertied – non-propertied men and women were not included. Locke assumes a moral importance in the equality of man, but his equality is an equality of the few (Locke, 1690). Locke's ideas are closely aligned with ideas that hard work translates into dividends. This is related to the myth of meritocracy in North America – the idea that all good, hardworking, rational individuals can climb the social ladder and make their own fortune. Yet, capitalism

¹⁰ As Marx says, “political economists are fond of Robinson Crusoe stories” (Marx, 1867, p. 169).

¹¹ Locke includes propertied-men solely within civil society.

requires the existence of a majority of people who do not have access to vast amounts of wealth (Marx, 1867). It is premised on inequality. As Harvey states, “(t)he class character of capitalist society means the domination of labor by capital, (Harvey, 1985, p. 1). This means, simply, that it is not possible for everyone to ‘make it.’ Under capitalism there must be an exploited class.

Coming from Hegel and the German Idealists is the idea that “the foundation of morality is personality” (Ryan, 1987, p. 70), and that personality informs arguments for private property. This view sees property as essential for the expression of personality – that *things* are necessary to the individual and that persons become bound to such things. “Once we admit that a person can be bound with an external “thing” in some constitutive sense, we can argue that by virtue of this connection the person should be accorded broad liberty with respect to control over that “thing” (Radin, 1993, p. 960). This justification is explicitly moral in its framing. “(P)roperty rights must be assessed by way of their contribution to a society in which personality is most adequately expressed” (Ryan, 1987, p. 70). In this sense, private property rights are not created based upon findings, takings, labour, or utility, but rather on the manner in which individuals express themselves within or through property.

The personhood justification is not as firmly entrenched in legal writ as Locke’s labour theory or the economic justifications of Bentham, Mill, and others. However, Margaret Radin makes the case that ideas related to personality and property inform legal decisions and societal thinking around property (1993). She argues that notions of personhood and

property have helped to structure justifications – legal, societal, and normative – for increased tenants rights.

One problem is that someone's home may not be exclusively her property; it may simultaneously be a landlord's property too. The sanctity of the home as an aspect of the personhood perspective seems to be in the modern development of the law of landlord and tenant... This is one basis for the revolution of tenants' rights. Courts began to view the rights in question as more closely related to the personhood of the tenant than to that of the landlord... (Radin, 1993, p. 992-3).

Whereas private division of property, and the absolute right to exclude by the private property holder, is seen as essential within economic justifications¹², personality or personhood justifications leave more room for tenants rights, according to Radin (1993). Since it is obvious that tenants express their personality through their homes¹³, a belief that personality influences property rights tends to shift some power into tenants favour.

Economic justifications for private property can be loosely traced to Jeremy Bentham who tried to separate property rights from Locke's foundation in property as a natural right. Bentham (1843) claimed that the best way to maximize utility – wherein utility is synonymous with profit – is by ensuring that the legal system provides strong, secure property rights. The threat of state interference or the interference of other individuals with one's property creates obstacles to maximum economic gain. "(T)he argument is that only when the full package of use, transfer, and income rights (over determinate goods) is vested in single individuals are efficient outcomes achieved" (Christman, 1994,

¹² It is also seen, to a lesser extent, in occupation and labour justifications.

¹³ Here the very word 'home' over house, lodging, dwelling, etc., suggests the creation of a personalized space. A home is more than just a place to live. It is a place that has been created to reflect the specific lifestyles, values, desires, needs, habits, and hopes of the inhabitants. One could argue that what distinguishes 'home' from 'house' is personality.

p. 103). Economic justifications rest on the idea that maximizing gain should be the primary goal. The 'ought' of property is that it should produce (economically) to its fullest potential and the only way to create this efficient productive regime is by ensuring clear, individual property rights (Bentham, 1843; Christman, 1994).

Mill attempted to revise Bentham's thoughts by including that idea that a property regime should include *some measures* to ensure equality within a utilitarian framework. He believed that the inequality that existed at the time was not due to the institution of private property itself, but was due to historical circumstance. His arguments are based on the fundamental assumption that everyone should have the right to that which they produce (Mill, 1871; Macpherson, 1978). His focus was on the individual owner as the improver of property. "When private property in land is not expedient, it is unjust" (Mill, 1871; p. 96). If an owner is not an improver, the justification for private property fails. Thus, we see an emphasis on the economic improvement of land by private owners.

Bentham's arguments seem to have more resonance in modern understandings of property- probably because Mill's attempts at including equality within an economic justification do little to actually change patterns of inequality (Macpherson, 1978, p.75). Singer writes that an essential point for understanding contemporary property rights is that the owner should have complete freedom of use unless she is causing some harm to others in that use (Singer, 2000). Measures to ensure equality, within this context, are seen as alterations of a private-owner centred paradigm. Further, this private-owner

centred paradigm has the effect of writing out of possibility other forms of ownership as private-ownership is seen as the only way of dividing space (Macpherson, 1978).

Bentham's ideas have strong modern resonances within economic theory and, in land speculation, in the idea of "highest and best use." Highest and best use is tied to the idea that "(u)rban land is expected to undergo sequential 'improvement,' premised on private ownership, in which rents are maximized" (Blomley, 2004, p. 84). In the Appraisal

Institute of Canada's *The Concept of Highest and Best Use* Lincoln W. North writes that:

The entire concept of value is founded on one cardinal principle: Utility. For an object to have value, it must possess, or be capable of providing, some form of beneficial utility or enjoyment to the owner, to the user, or even to the casual observer of the product. All other principles of value are secondary considerations... The natural inclination of mankind is to seek the maximum usefulness of any given commodity in order to realize the greatest benefits therefrom; be these benefits tangible or intangible, monetary or otherwise. From this instinctive desire has arisen a concept pertaining to utility which has come to be known as highest and best use or the most profitable use that can be made from any given commodity. (North, 1981, p. 1)

Because real property (property in land) is a limited, scarce resource, it is argued that it is even more important to maximize its usefulness. Of course, the easiest way in a capitalist economy (and perhaps the *only* way) to quantify this usefulness is in terms of monetary value. Thus, we find that the value of any commodity is synonymous with monetary value. Utility and value come to be seen as the same thing. Further, since the increasing monetary value is only of interest to the owner, the concept is only interested in distributing benefits to private property owners. If in increasing the value of property any benefits are given to tenants (such as increasing the aesthetic value, increasing energy efficiency, or other added benefits), these benefits are only given because they benefit

owners first. The highest and best use of land means the highest monetary value (seen as profit) for owners. Tenants exist in this equation only insofar as they provide land rent for owners or that they hinder the profitability of land (by degrading its value or because tenant rights hinder increased rent or ease of sale) (Harvey, 1985; Blomley, 2004). Tenants exist somewhere between owners and the profits they are entitled to because of their property rights.

The telos of property (that it becomes ever more valuable) has become a basic cultural assumption. The naturalness of this arrangement is made clear in statement such as “(t)he practical implications of developing and using a commodity such as real estate to its maximum capacity and utility (monetary value) should be self evident” (North, 1981, p. 1). Why should it be self-evident? What does maximum capacity and utility mean? Highest and best use takes it for granted that that utility is equal to economic value – when we start adding concerns regarding standard of living, equitable access to resources, or other social concerns, we go beyond the scope and concern of this concept.¹⁴ Yet the way that people live within space indicates that the value of land as a lived experience is more diverse than a simple economic relationship (Blomley, 2004).

¹⁴ Of course, if we remember well the ideas of Bentham and Mill, we are to take for granted that by maximizing economic value we are maximizing societal value – thus we are taking into account social justice issues and accepting that they are less important than maximizing value.

2.2.2 From justifications to social justice

Maximizing utility is not the same as maximizing equality. There is little illusion that secure property rights will lead to greater equality, but rather that it will lead to the maximum total amount of gain. The assumption is that this maximum gain will be distributed in such a manner that more people will benefit from this larger pie than in an alternative property regime where strong individual property rights are not ensured.

Lawyers who adopt the economic model...presume that the most efficient system of property law identifies an owner for every valuable, scarce resource and allows free transfer of those property interests through market exchanges....Regulations that limit the rights of owners are presumptively inefficient since they prevent them from acting to satisfy their preferences by using property or selling it to someone who values it more. Imposing regulations decreases business investment, lowers the number of jobs, and winds up hurting the very persons it was intended to protect (Singer, 2000, p. 5).

Singer argues that economic justifications for property take as fact that absolute control over property by individual owners should be the baseline for a regime of property and that “regulation of markets is justified only when markets work imperfectly” (Singer, 2000, p. 5). Government regulation is acceptable in instances where property owners cause harm to others or to society as a whole through the use of their property but this is seen only as a modification of the state of absolute control in ownership. The owner has final say *unless* she is using her property in a harmful manner. As governments around the world move further towards austerity and privatization and market self-regulation continues to be the dominant doctrine, this notion of the private property owner as sovereign becomes more deeply entrenched (Macpherson, 1978; Singer, 2000).

“Economists recognize that strong protection for property rights may result in unacceptable inequality, but they suggest that such problems be addressed through redistributive programs rather than through manipulation of law of property or contracts”

(Singer, 2000, p.5). When economists are asking governments to cut these same programs, and in many cases demanding that they do so via strict austerity measures, does this mean that we have given up on the idea of equality all together? As Cohen claimed in 1927, “a régime of private ownership in industry is too apt to sacrifice social interests to immediate monetary profits” (p. 166) and, now, we see this régime entrenching itself still further. “We live in an age of deregulation. What’s left after we deregulate? Private property” (Singer, 2000, p. 26).

2.2.3 Private property as a legal and normative institution

Walking through a field with my little brother Seth

*I pointed to a place where kids had made angels in the snow.
For some reason, I told him that a troop of angels
had been shot and dissolved when they hit the ground.*

He asked who had shot them and I said a farmer.

*...
Why he asked. Why did he shoot them.*

I didn't know where I was going with this.

They were on his property, I said.

*....
But why were they on his property, he asked.*

- Berman, ‘Snow’ (2000, p. 5)

“(P)roperty cannot be understood merely as a legal concept, or as a set of cultural meanings, or in the context of philosophical theories. Like many other culturally loaded terms, property is at once a very dense idea, full of resonance in many fields, as well as one which is extraordinarily slippery, (Davies, 2007, p.9).” Property can also be

extraordinarily simple: when someone says ‘get off my property’, we know to make for the fence or else....No one wants to end up like the troop of snow angels in David Berman’s ‘Snow’ (2000). But it is precisely this multitude of understandings – understandings that cross lines and resonate in both legal theory and in common parlance – that makes property so slippery. It means many amorphous things yet we¹⁵ often assume its meaning to be clear and stable. Property is constructed by formal and informal avenues, by philosophical, legal, and cultural means. In other words, it is an institution, or as Davies puts it, “it is a construction we believe in,” (Davies, 2007, p.18).

Christman (1994) draws distinction between two schools of thought regarding property. The first, from a legal-economics perspective, views property to be a bundle of rights, privileges, powers, and responsibilities. This bundle of rights informs relationships between individuals over a thing – ownership in this view is reduced to a series of variables (the bundle of sticks). The second school is based on the idea of liberal ownership: “that owners have complete dominion over their goods, or absolute use, possession, transfer, and income rights over their property” (Christman, 1994, p. 29). The second school is not disaggregated, as is the first. Rather, it sees ownership as a complete package that comes with private ownership. The owner becomes the sole rights holder and that right is ‘absolute.’

While many legal theorists, lawyers, and judges emphasize the clarity of property rights – the bundle of rights – this largely ignores the complexity of understandings and

¹⁵ This general ‘we’ includes those involved in legal institutions and those who are not.

motivations that inform decisions regarding property (Singer, 2000). Yes, property can be seen as legal, rights-based relationships between individuals and a property rights holder, and property law simply the map for navigating these relationships. But, property is more than this as well.

Property law is about entitlements and obligations, which shape the contours of social relations... Property law fulfills two major functions. It creates presumptions about who gets to control particular resources, placing the burden of persuasion on the nonowner to justify an alternative result, and it defines the property interests that it will protect. It accomplishes this through regulatory rules designed to compromise between the goal of allowing individuals to disaggregate property rights and bundle them as they please (the free contract principle) and the goal of consolidating particular bundles of rights in the hands of particular owners (the alienability principle), (Singer, 2000, p. 61).

Property law is meant to navigate the complex relationships of property. Legal realists have relied on the so-called bundle of rights to create a clear idea of what ownership entails (Singer, 2000):

- a) Right to possess – this includes the right to exclusive physical control and right to non-interference
- b) Right to use – this entails exclusive use for owners except for with the owners' permission
- c) Right to capital – the right to dispose of the thing and to transfer title (or, right to alienation, consumption, and modification)
- d) The right to manage – rights to contract various powers
- e) Right to income – the right to gain from the fruits of ones' property (Christman, 1994, p. 19)

In looking at ownership as a large number of interlocking pieces, the bundle of rights model acknowledges complexity within ownership and property. But, at the same time,

its adherence to formal legal rules ignores the multitude of informal factors that inform property relationships and judicial decisions (Singer, 2000). Singer claims that “(s)ystemic rules define property regimes” (2000, p. 15) but that these systems are comprised of both formal and informal factors. In separating ownership into something mechanical, specific, and formal – without an overarching principle – the ‘bundle of rights’ view ignores the fact that people (including judges, lawyers, and legal scholars) often see ownership as a thing. To claim that there is no overarching principle behind our conception of property is to ignore the ways in which people regularly, habitually feel and act in proprietary manners; is to ignore that ideas of entitlement – ideas that certain people *ought* to have property in things or land – inform the way we think about property and the way the judges rule on property (Chirstman, 1994; Singer, 2000). Understandings of this nature inform the informal rules that move property. It is important to remember that the ownership model does have an impact, just as personality justifications play a role, in shaping understandings and decisiosn about property even if it falls outside of formal legal writ (Radin, 1993; Singer, 2000). Common assumptions about property and ownership can become important factors when weighing rights against one another, when policy is drafted (housing policy, planning decisions, etc.), and can play a role in shaping ideas about what rights and entitlements they have *vis a vis* property.

Rights theory focuses on values and on individual claims. In contrast, economic theory, based on ideas of efficiency, is based on maximizing utility for the greater good. As such, its focus is on society as a whole. It seeks to distance itself from individual, moral decision making by focusing on efficiency, resource distribution, and market forces – in

short, ‘objective’, quantitative decision-making. Economic property theory (as discussed with Mill, Bentham, and in the ideas of highest and best use) is based on the idea that free markets will distribute the most amount of goods to the most amount of people and that they will do so more efficiently than if these transactions were planned. For this to work most efficiently, we need to maximize security and minimize risk. This means the adoption of strong property rights so that owners are secure in knowing that neither the state nor any other outside entity will infringe upon their ability to use their property. The more freedom the owner has to do as she chooses, and the more secure she is in knowing what she has, the better choices she will make, and the more growth there will be in the market in general. From an efficiency standpoint, the free market is the best way to maximize total aggregate wealth. As such, efficiency analysis “assumes that market prices are accurate proxies for social utility or welfare” (Singer, 2000, p. 124).

This economic efficiency model is premised on the idea everyone has access to property. The more people with access, the better the system moves resources about, the more wealth is created, and the better that wealth is distributed. Singer writes that “(w)idespread distribution of property is virtually a defining characteristic of private property systems – or at least the norms that justify such systems” (Singer, 2000, p. 141). This equity ¹⁶ of resources is necessary for a private property regime a) to function to its maximum (economic) potential and, b) to be in harmony with its moral justifications.

“The failure to ensure widespread ownership of property and equal opportunities to

¹⁶ I am speaking of relative equity here, as no liberal or neo-liberal economic theorist would claim that economic equality is a goal, but rather that having many people with similar amounts of wealth is (or could be) the goal.

participate in acquiring property can have catastrophic consequences, not only for those shut out of ownership but also for those few who are lucky enough to count themselves as owners” (Singer, 2000, p. 142). What happens when the market fails to produce an equitable distribution of resources? Is it necessary at this time to intervene?

Property law can look as though it only deals with formal rules (and as such, as if it is only there for the owner – the title holder), but, “(n)othing in the ownership concept or the idea of property rights compels adherence to formality as the only way to identify the legitimate source of property rights in the world” (Singer, 2000, p. 113). Formal rules are definitely a part of the picture, but informal rules, norms, and mutual understandings are also important in shaping our ideas about property and legal decisions about property.

Norms give discursive justification to a property regime by reiterating fundamental assumptions and stories about ownership and entitlement. This reiteration is essential in legitimating property regimes. If we do not believe the laws to be legitimate – if they are not a reflection of common understandings in society – they will not be respected.

Conversely, our normative understandings influence the creation of laws. The two are inseparable and they are also inseparable from theoretical and philosophical underpinnings.

Singer sheds light on our narrow conceptions of property by pointing out that this focus places our attention on simple questions involving the ‘who’ of property (who has title and, consequently, who has rights) while diverting our attention from important moral questions that sit outside of simple ownership questions (2000). Questions of ownership

frame our notion of property such that we don't see spatial inequities as related to the institution of private property. "The either/or reasoning (of rights claims) misconstrues the character of property rights. It resumes that the relevant question is "Who is the owner?" and that once that owner is identified, others' claims have no legal standing" (Singer, 2000, p. 189). The obsession with ownership obscures the justifications for ownership and it turns moral questions into simple owner-identification problems.

2.2.4 Property stories and morality

I will argue that an appropriate systemic approach to property, and indeed to all law, will recognize the connection between legal institutions and social relationships and will acknowledge the plurality of values we hold as well as the plurality of ways in which we value things. The rules of property law have a lot to do with creating and maintaining forms of social life. They not only affect individual opportunities and choices but also create patterns of social interaction that are both recognizable and systemic,
-Singer (2000, p.145-6)

Carol Rose makes many connections between property and stories (Rose, 1994). First, stories are important for individual ownership claims: one must show that they are the owner by using culturally specific symbols (the pictures that tell the story). Fences, furrows, roads, and other physical signs of use and upkeep frame these pictures of (private) property ownership. Secondly, stories are important to the justifications that sustain regimes of property. As discussed in previous sections, justifications for property are based in certain stories about what human beings are like, how they act, and what they need (Locke's state of nature story in his *Second Treatise of Government* [1690] is a particularly good example of this). Lastly, and perhaps most importantly for this work, stories reinforce and recreate property in a particular light: property stories are reiterations of a regime of property and, in our case, a regime of private property. As

Rose (1994) points out, our property system, a system that is supposedly based on self-centred and self-motivated action and on private ownership, is also based on cooperation, shared understandings, respect for the entitlements of others. When we zoom out and focus on the cooperation needed to sustain this property system, it begins to look like a common property system. But, the telling of property in a certain light (the focusing on the individual and their desire to protect individual interest) leaves other important realities in shadow (the high levels of cooperation needed for property to exist). The following looks briefly at ways that private property is shaped by stories and how these stories tell have particular morals that shape the way we think about ownership and community.

The Tragedy of the Commons is a classic property story (Hardin, 1968). The story tells of land held in common, or the struggle over scarce open resources, and of the eventual destruction of those resources due to uncontrolled use and acquisition. The moral of the story is that commonly held resources will be pillaged by our ‘natural desire’ to consume (Rose, 1994). This story is told to remind us that private property is the only way to protect against covetous destruction (oddly, the capitalist drive to consume embedded in the story is not singled out as the problem in this parable... if this were emphasised perhaps *limiting the freedom to unlimited consumption* would be the moral of the story). When property is divided amongst private owners – owners with the right to use and exclude– then those individual owners have a vested interest in maintaining property value *and* in gaining a return from the property (in maximizing its economic use).

The tragedy of the commons is an ahistorical account as the destruction of natural resources referred to in this story happened *as a result of enclosure* and the conversion of communal land to private property (Dahlman, 1991). This is the opposite of Hardin's conclusions that common property management lead to unchecked competition for scarce resources and unbridled pillaging of the land. Elinor Ostrom (2008) points to numerous instances where common-pool resource management has been successful. However, it is not the accuracy of this account that matters, but, rather the moral. The moral of the story – that private property is essential – is used to justify the institution itself. The other thing that matters, of course, is that that the story is convincing.

Stories are important in justifying why owners have more rights than renters. Since owners have a specific relationship to property that means they naturally improve its worth, they have more right to stay in a neighbourhood (Blomley, 2004). Owners improve land because they are presumed to have a vested interest in maximizing the value of their land. They are the efficient landholders. Tenants do not have such a relationship, and since our goal with private property is to maximize the economic value of land, tenants *should* be moved if owners see this as fit. The trick is understanding that since owners have a special, beneficial relationship with land based on their position in relation to property, tenants must not have this relationships. They do not have this special quality (property rights) that makes them natural improvers. As such, it is inefficient for renters to occupy space.

David Lametti (2003) writes that, “one cannot understand private property without understanding its teleology (or aspirations), and these cannot be comprehended without some reference to a moral discourse underlying property” (p. 327). Whether it be divine right or sales receipt, one must be able to prove that they are the rightful possessor of their property. The way that we prove our rightful ownership represents a particular moral underpinning of property itself. Private property rights are taken for granted as moral shorthand for deservedness to access, and to exclude others from, space. Blomley (2004) argues that the ownership model “shapes our understanding of what property in the city *is* and how it *ought* to be structured” (p. 3). Whether we bundle property rights into a neat, legal package, or ascribe to the clear owner/non-owner dichotomy of the ownership model, lived ideas of ownership influence and confuse these categories. One way of beginning to envision regimes of property that do not recreate the spatial injustice of our current system is to look for counter-narratives within our lived experience. By avoiding conceptions of property that reinforce the monolithic idea of private property – notions that see all property relationships as meeting private/public, owner/non-owner divisions, and see all property as private property – we can begin to see the private property regime as a “fantasy of wholeness” (Gibson-Graham, 1996, p. 260). Just as stories reinforce hegemonic ideas, they can be used to counter and question these ideas. Without counter-claims to the hegemony of private property, there is nothing to unsettle the naturalness of gentrification and displacement at the whims of property market speculation.

2.2.5 Gardening and seeing property

Carol Rose argues that property cannot exist without visual, metaphoric, and narrative recognition of it. (Rose, 1994).

Fences, plowed furrows, all kinds of markers show the world that you are claiming an entitlement. If you happen to use a neighbor's property in a way that leaves some visible residue, like cutting down the trees or driving across it in a way that leaves tracks, in time you may well acquire rights that have the force of law; but if you use your neighbor's land without leaving visible traces –if, say, you 'merely' enjoy the sunlight or air across a neighboring lot – your actions may well be treated as a passing breeze, giving you no entitlements (Rose, 1994, p. 269).

We must see entitlement. Physical borders are essential to understanding where one person's private property begins and where another's ends. Tracks, fences, furrows, roads, and other traces are necessary for ownership. These borders, these ways of seeing property, are culturally and historically specific and function as short hand for the rights, responsibilities, and conventions associated with property (Rose, 1994). In the colonization of the New World, mundane activities like planting gardens and building houses were explicitly linked to the idea of taming the land and these acts were assumed to be understood not only by the colonizers but by the colonized as well (Seed, 1995). Recently, community gardens have led to increased property values and the gentrification of low-income neighbourhoods (Linn, 1999). Again, the fences and furrows of gardens can be seen as 'taming' the urban landscape. By placing beautiful, orderly gardens in 'run down' neighbourhoods both the safety and liveability of these neighbourhoods are perceived to be improved – the urban wilds are tamed. These 'performances of property' (acts of gardening) are made up of culturally specific symbols and actions (Rose, 1994).

Seed (1995) discusses the ways in which colonial land appropriation was done using ambiguous visual symbols that were assumed to be clear signs of possession. The French colonizers held lavish greeting rituals and assumed the participation of native people to be clear sign that they wanted the French to rule over them. The English, on the other hand, planted gardens and assumed that the native population understood this to mean they were claiming rights to the lands they had planted. The colonizers assumed that these acts were clear symbols of possession when in fact they were completely illegible to the native population (Seed, 1995). The symbolic language was not shared by all parties.

But the need to see property does not stop with physical space. Property is also expressed in visual metaphors and symbols for its relationships – the bundle of rights in common law and the box of rights in civil law. Performances of property – some actual, some metaphoric – are essential to claiming ownership. For example, laws of adverse possession allow for squatters to gain legal property ownership through visible proprietary actions. These laws require that the original owner neglects her property (signified through visual signs such as decaying buildings and overgrown lawns/gardens) and that the squatter be recognizably present for a given amount of time (Shepard, 2011). This second component is particularly interesting because it means that gaining ownership requires one being *seen as* the owner. It is not enough to simply be on a given piece of land if you want to gain ownership of it. You must go one step further and ensure that others see you as being there. So, not only must you *see* property, but you also *see* ownership. When we see someone acting as an owner – ‘improving’ a property

through upkeep, rescuing a property from vacancy – we assume them to be the owner regardless of title. Gardening’s clear lines, furrows, and fences are often equated with improvement and proprietary claims. This inherent proprietary nature in gardening has been reinforced in certain cases where the planting of gardens, “the cultivating and turning of soil, the erection of a fence, and the use of the fence to support tomato plants have all been taken as legally sufficient in cases of adverse possession” (Blomley, 2005, p. 286).

Similarly, when the city of New York tried to expropriate community gardens for development in the 1990s, a group of gardeners and community activists mobilized public support for the resistance of their eviction around a property claim rooted in their tilling and improving development of the land. “If the City’s ownership came through abandonment, the gardeners’ was based on use” (Staeheli et al., 2002, p. 201). Their moral argument was about the right to the city, the right to space, and it was framed based on the proprietary use of those spaces by people who did not hold legal ownership (Schmelzkopf, 2002). The gardeners claimed that they –as a community or as a coalition of communities – should have access to space, not because they owned it, but because they made it. Their rights claim was about the right *not to be excluded* from property, as opposed to the right *to exclude* incumbent within private property rights (Macpherson, 1978). Their claims proved to be salient in the public’s eye because of normative understandings based around gardening as the legitimate staking of space and associations between on hard work and entitlement.

Blomley writes about the ways in which individuals can encroach upon public space - sometimes through invitation, sometimes not – and take ownership through gardening (Blomley 2004b; 2005). Looking at Vancouver’s Atlantic Street Greenway – an open-access community garden project in the inner-city neighbourhood of Strathcona - Blomley argues that private owners have converted “municipal property into a commons” (Blomley, 2004b, p. 636). The Atlantic Street Greenway was created as a public open space in an attempt to clean up a small, unused patch of public land in the neighbourhood. Initiated by citizens, the effort included different members of the neighbourhood to varying degrees. Some participants felt particular, individualized ownership to specific parts of the space (to the tree that they personally planted, for example), some felt that the space was communally owned by those who created it, while others felt this was clearly public, municipally owned land. Many people spoke about the space in overlapping, contradictory ways –claiming that a particular part of the garden belonged to them personally at one point while explaining that the greenway was owned by the community at another. The point here is that there *is* a sense of ownership felt by residents towards the greenway, but it is complicated and overlapping. The clear identifiable owner (in this case, the municipality¹⁷) is confused in the way people spoke of this space. As one interviewee responded, “[I]t *feels* like it belongs to everyone on the streets. It’s ours” (Blomley, 2004b, pp. 628, emphasis added). The sense of ownership that Blomley describes in the Atlantic Street Greenway example was, literally, cultivated through gardening (Blomley, 2004b). While this sense of ownership can be said to be “illusory property” or “un-real estate” the fact that the gardens do not legally belong to

¹⁷ Macpherson (1978) notes that State property must be seen as corporate property wherein the state functions as an individual with the right to exclude.

the cultivators does not stop them from feeling entitlement and obligation towards them (Blomley, 2004). Nor does it stop them *acting* as though they have some sort of ownership in this land.

2.3 Gentrification

As previously mentioned, Parc Ex is particularly vulnerable to gentrification due to a series of factors: low-cost housing, low-income residents, high numbers of recent immigrants and linguistic minorities, and shifting housing patterns in Montréal being just a few of those factors. Throughout the previous section concerning property, the relationship between private property justifications, the right to exclude, and narrativity were discussed as factors that contribute to a legal and normative institutionalization and normalization of inequity in a division of space that favours owners over tenants. The following section looks at the process of gentrification with specific interest in the way that our conceptions of property –especially those that deem owners to be natural improvers and place primary emphasis on the right to exclude others- make gentrification and displacement seem not only natural but beneficial. The literature on gentrification is vast and this section only provides a slight glimpse at it. The attempt is to provide background on the gentrification literature and then to focus on effects of gentrification on neighbourhoods that are similar to Parc Ex with particular emphasis on the people in those neighbourhoods. Emphasis is placed on the processes, narratives, and institutions that make displacement seem necessary and beneficial.

2.3.1 Gentrification: background, causation, manifestations

There is ... unanimity in the view that – far from being an isolated phenomenon...gentrification is the expression in the urban landscape of deeper social processes and social change

- Smith and Williams (1986, p. 19)

Gentrification sees its moral imperative in the incontestability of individual property rights as spatial trumps (Blomley, 2004). The narratives and normative understandings reiterated and reified surrounding the highest and best use of land – and the necessity of private property as the only means for achieving this best use – create the conditions in which displacement through gentrification is seen as natural and necessary.

Ruth Glass (1964) is often credited with coining the term gentrification in her study of housing changes in London in the 1960s:

One by one, many of the working class quarters of London have been invaded by the middle classes – upper and lower. Shabby, modest mews and cottages... have been taken over when their leases have expired, and have become elegant, expensive residences. Larger Victorian houses... have been upgraded once again... The current social status and value of such dwellings are frequently in inverse relation to their size...enormously inflated by comparison with previous levels in their neighbourhoods. Once this process of 'gentrification' starts in a district, it goes on rapidly until all or most of the original working class occupiers are displaced, and the whole social character of the district is changed, (Glass, 1964, p. 22).

Her assessment was of an explicitly class-based change: the middle and upper classes had flooded previously working class neighbourhoods changing the cost of living in these neighbourhood such that the social character of the neighbourhood had totally changed along with the housing. It is also a localized assessment which sees gentrification as a specific neighbourhood or city-scale phenomena. Neil Smith suggests that gentrification

is part of a global-scale process of investment and disinvestment that is necessary under global capitalism (Smith, 1982; Smith, 2002). “Gentrification, and the redevelopment process of which it is a part, is a systematic occurrence of late capitalist urban development, “ (Smith, 1982, p. 152). According to Smith, this process produces differentiated spaces through cycles of disinvestment and reinvestment (uneven development) fuelled by economic crisis “dedicated to the revitalization of the profit rate” (1982, p. 152). When housing stock decreases in value through disinvestment and decline it creates a new market to be exploited for profit (rent gap).

It is important to note that Smith sees this as an active strategy (1986). The strategy requires a misdiagnosis of causal factors; it requires that gentrification be seen as revitalization by hard working individuals rejuvenating the city:

Whatever the real economic, social and political forces that pave the way for gentrification, and no matter which banks and realtors, governments and contractors are behind the process, gentrification appears at first sight...to be a marvellous testament to the values of individualism and family, economic opportunity and the dignity of work (sweat equity), (Smith, 1986, p. 19).

Here we see a direct link between explanations for gentrification/revitalization and justifications for private property. In both cases, the hard work of individuals is seen to translate into positive gains naturally. Private ownership is equated with individual ownership (or families with a single owner – generally a male owner) and it is seen to improve land, and by extension neighbourhoods, by its mere existence.

Neil Smith (1986) writes of the urban frontier – a line between the gentrified and the gentrifiable -as having two main aspects. First, it is an economic frontier and economics

impact the social and political changes that occur. Second, it is a frontier that exists at multiple spatial scales – local urban development is connected to national and international (re)development and at each level there is a vested interest in capital's expansion. The urban frontier is the frontier of gentrification and it is, according to Smith, ultimately a frontier of profitability (1986). As capital pushes to increase the profitability of urban land – pushes land towards “highest and best use” - there is growing need for political resistance to these advancements as displacement is a real outcome for current residents. Much like the Western frontier of the 19th and 20th centuries, there is someone on the other side acting as a barrier that needs to be eliminated for continued expansion. But, “there are always two sides to the frontier” (Smith, 1986, p 34). On one side we see the advancement of capital and the other we see resistance by people.

There are a number of discussions regarding how gentrification is manifest in housing. Here, Smith draws a distinction between gentrification and redevelopment. The first involves the “improvement” and increased value of old housing stock while the latter involves the creation of new housing stock (1996). These processes are fuelled both by the housing market and by the promotion of redevelopment by the state (mostly from the municipal government). Lees (2003) discusses the many avenues of gentrification in describing so-called “third wave” gentrification (post-1990s housing boom). She describes *traditional* or *classic* gentrification as being gentrification by individual owners buying and improving property through sweat equity or the hiring of outside renovators. “It is now also increasingly *state-led* with local or national governmental policy tied up in supporting gentrification initiatives” (Lees, 2003, p. 48). Further, gentrification can also

come in the form of *new build*, changing the neighbourhood with new housing stock – this can occur through redevelopment, through zoning changes, or through the development of previously undeveloped land (Lees, 2003).

Sharon Zukin speaks to the cultural dimensions of gentrification. “Gentrification joins the economic claim to space with a cultural claim that gives priority to the demands of historic preservationists and art producers” (Zukin, 1991, p. 41). This perspective claims that historic buildings and neighbourhoods should best be in the hands of those who understand their cultural potential. “Gentrifiers’ capacity for attaching themselves to history gives them license to “reclaim” the downtown for their own uses” (Zukin, 1991, p. 41). Zukin argues that in many cases the state has given substantive and symbolic legitimacy to these cultural claims for urban space, claims that are directly pitted against those for affordable housing in low-income neighbourhoods. When historic/cultural preservationists attach themselves to a form of state-recognized cultural legitimacy they form the link between cultural value and economic value. Gentrifiers bring economic change to the neighbourhood under the guise of historic or cultural preservation and in doing so force those living there – along with the services and businesses that cater to this population – to migrate.

Brown-Saracino (2004) writes of the difference between “social preservationists” who are concerned for those threatened by displacement and are in search of “authentic” community of the old-timers in a neighbourhood, and gentrifiers who are interested in transforming the neighbourhood into something more recognizable to them. “Gentrifiers

seek to tame the “frontier” while social preservationists work to preserve the wilderness, including its inhabitants, despite their own ability to invest in and benefit from “improvements” or revitalization” (Brown-Saracino, 2004, p. 261). These social preservationists are identified by their self-reflexivity including:

- awareness of their impact on their surroundings
- a sophisticated understanding of political economy
- a concern that the symbolic preservation of a neighbourhood may lead to social displacement (Brown-Saracino, 2004)

Social displacement is an important consequence to keep in mind when discussing gentrification. Michael Chernoff (1980) writes, “(b)y social displacement I mean the replacement of one group another, in some relatively bounded geographic area, in terms of prestige and power” (p. 295). This shift in prestige and power from one group to another affects the previously dominant group’s ability a) to affect decisions and policies, to b) to set goals and priorities, and c) to be recognized as legitimate spokespeople for the neighbourhood.

Damaris Rose (1984) challenges notions of gentrification that have clear, prescribed paths. “The process of change is thought to occur in several stages. In successive stages, waves of in-migration of people with different characteristics from the original residents, and from each other, take place” (Rose, 1984, p. 194). She encourages us to look past passed “us vs. them” conceptions of gentrification/displacement by pointing to differences within the categories of renter and owner. For instance, looking at first-time owners we see that their material circumstances are greatly affected by increased home values, property taxes, and cost of living. The wealth gap between first-time owners and long standing owners is great. It is a false generalization to think “that all gentrifiers have

the same class positions as each other” (Rose, 1984, p. 206) just as it is to think that all displaced people are in the same material conditions and leave for the same reasons. Rose (1984) urges us to disaggregate our dichotomous or linear conceptions of the gentrification process such that we can focus on actual processes and situations within.

2.3.2 Effects of gentrification: displacement, impacts on recent immigrants

Contemporary gentrification has elements of colonialism as a cultural force in its privileging of whiteness, as well as the more class-based identities and preferences of urban living. In fact not only are the new middle-class gentrifiers predominantly white but the aesthetic and cultural aspects of the process assert a white Anglo appropriation of urban space and urban history

- Atkinson and Bridge, (2004, p. 51)

Rowland Atkinson, in his study on the impacts of gentrification, looks at ways in which the process has been narrated as both positive and negative. He identifies the negative effects as (a) loss of affordable housing and displacement, (b) conflict within the community and eviction, and (c) commercial displacement, service provision changes, and decreased population (2004, 2005). On the positive side, he identifies (a) increased property values, tax revenues, and local services, (b) new development and urban renewal, and (c) social mix and poverty deconcentration (Atkinson 2004; 2005). The most striking thing about these sets of positive and negative attributes is that their effects entirely depend upon relationships of property. More clearly, if you own property you stand to gain from the “positive” effects, while if you are not propertied, you stand to gain little to none of these benefits. The inverse is also true: the non-propertied are the primary sufferers from the negative effects of gentrification. Thus, property relations are central to the experience of gentrification as positive or negative. As an owner, the

increased property value, amelioration of local poverty (since the poor are being displaced), and the “urban renewal” may seem entirely positive -certainly, in terms of financial capital, it is entirely positive. Meanwhile, if you are not an owner of property, the increased cost of housing, changing social dynamics - Atkinson points to social displacement and resentment in the literature (2005) – and change in important, familiar, and affordable services all stand to effect you negatively. In other words, gentrification generally harms the non-propertied while bringing benefits to those with property.

Tom Slater (2005) points out that ‘social mix’ has been the primary goal of “urban planners, policy-makers, and middle-class residents” (p. 55) in the Canadian context and has been used as “a shield under which gentrification is being actively promoted” (p. 56). One must question what ‘social mix’ actually means and implies. Rather than benefiting low-income residents and tenants, Slater claims that the rhetoric of social mix has been used in a way that encourages gentrification and “improves local tax bases rather than civic pride and disparate social interaction” (Slater, 2005, p. 56).

Neighbourhood improvements and beautification – whether initiated by local residents, community organizations, the city, or other groups – can, perversely, have negative impacts on residents in low-income neighbourhoods. “A vacant lot transformed into a community garden filled with vegetable crops and blossoming flowers or the vibrant colors of a mural painted on the wall of a dilapidated building instantly, almost magically, transform the image of a rundown urban area” (Linn, 1999, p. 4). Linn points out that this kind of transformation can have negative effects for local residents. He refers

to the community garden as the “Trojan Horse” of gentrification (Linn, 1999): behind the vegetables, flowers, and murals are the gentrifying class, soon to displace the current residents. Community gardens – and also property improvements, sidewalk/alleyway clean-ups, neighbourhood watch programs, etc. - bring beautification and help to improve quality of life in neighbourhoods but these projects also make the neighbourhood attractive for affluent individuals and developers. Residents who have fought for a more liveable neighbourhood (often during periods of complete State abandonment) are often frustrated when it is difficult to remain in the neighbourhood due to rising costs in rent and property taxes (Newman and Wyly, 2006). Municipal governments often encourage the above processes. “It is deeply troubling that public regulation of the market helps to mitigate displacement pressures and that this fact is then being used to justify deregulation and privatisation, because, we are told, gentrification is a boost to everyone” (Newman and Wyly, 2006, p 42). Again, gentrification is an active process and city governments are helping to shape this process.

Gentrification can have specific harmful effects for recent immigrants, visible minority groups, women, and other marginalized people.¹⁸ While gentrification is often seen through the lens of class, “(r)elatively few studies have specifically considered the impact of gentrification on ethnic neighbourhoods” (Murdie and Texeira, 2011, p. 63). The studies that have considered the implications with ethnicity in mind have focused

¹⁸ In the interest of brevity and focus, this paper will focus on effects faced by recent immigrants and racial/ethnic minority groups. I wish to acknowledge that there are specific effects to many other marginalized groups as well and that these effects are also important areas of study and discussion. This is omitted from this literature review due to spatial restrictions.

primarily on New York and Chicago, meaning that there is little literature on the subject from a Canadian perspective (Murdie and Texeira, 2011). For recent immigrants in gentrifying neighbourhoods, there are slightly different implications. Murdie and Texeira (2011) point out that gentrification in immigrant neighbourhoods can cause cultural displacement as culturally appropriate businesses and services are squeezed out by the increased rents and decreased clientele, while newer businesses and services are geared towards the white, middle-class gentrifiers. In other words, there are specific cultural and emotional negative impacts for immigrant communities facing gentrification. Social displacement via gentrification in this case means the diminution, or even elimination, of community organizations, religious institutions, businesses, restaurants, community centres, and other culturally specific spaces within the neighbourhood.

2.3.3 Gentrification stories and morality

The “right to displace” is an overwhelming fact of life

- Hartman, (1984, p. 533)

Narratives surrounding highest and best use give moral justification to gentrification via occupant-ownership by claiming that the propertied have a specific relation to land that will inevitably lead to social, physical, and economic renewal in a neighbourhood, and that owners will “serve to represent [the community] given their supposed interest in responsible citizenship” (Blomley, 2004, p. 89). Displacement, from the lens of highest and best use, is desirable since it is a natural part of the economic maximization process. It is also part of an ongoing history of displacement and exclusion within the North American context.

While indigenous peoples were quickly dispossessed, they were not entirely displaced from the city. If the making of property requires sustained enactment, so does its denial. Dispossession is not necessarily complete and secure at the moment when the title changes hands. The important point to note is that displacement, in this sense, depends on iteration, (Blomley, 2004, p. 114).

Not only must dispossession happen, but it must be rendered natural and invisible, and it must be repeated.

In Chester Hartman's classic essay *The Right to Stay Put*, he makes a distinction between voluntary and involuntary changes in residence (1984). Hartman points out that “(i)n theory the economic, political, and social forces that trigger these involuntary moves may be associated with social benefits that outweigh the costs of those forced to move...” (Hartman, 1984, p. 531) but that there is no contesting that being forced to relocate is a damaging experience. The paradigmatic discourse sees social benefit in revitalization of neighbourhoods and disinvestment. Hartman sees the main philosophical question in gentrification as: “whose rights are paramount, those of the displacer or those of the displace?” (Hartman, 1984, p. 533). Again, the paradigmatic discourse places property rights above rights of tenure, so the answer to Hartman's question is clear – the rights of the displacer are paramount. Hartman asks us to question the justness of such an arrangement considering that, usually “those displaced are poor, with disproportionate numbers of nonwhites, elderly, and larger households among them, (Hartman, 1984, p. 535). In response to this injustice in the tenant-owner relationship Hartman presents 'the right to stay put' – an argument for the tenant's right to stay in her place of residence so long as certain basic tenure obligations are met.

Hartman reminds us that there are many instances in which ownership rights are breached – the government infringes upon property rights when it is seen to be in the public's good (Hartman, 1984; Rose, 1994; Singer, 2000). With this in mind he outlines a plan for rent control that would create, in his view, a more balanced relationship between tenants and owners. The plan includes:

- Keeping rent increases at a level that reflects the increasing costs on landlord's but does not exceed this level
- Forbidding lease escape measures (condominium conversion, changes in commercial/residential status, new construction)
- Covering much of the rental stock with rent controls
- Regulation of rent for units regardless of whether or not the lease changes hands
- Adequate enforcement mechanisms
- The inclusion of housing subsidies for those in need (Hartman, 1984, p. 534)

In the Montréal context, many of these tenets already exist (the first, third, and fourth points), but Hartman emphasizes that all these points need to be covered if we are to move towards a secure 'right to stay put.' Without adequate enforcement mechanisms, it is difficult to argue that the right to stay put actually exists. When there are barriers to enforcing your right – and I would argue the Regie du Logement presents linguistic, geographic, and specified knowledge barriers – a right is hardly secure.

Kathe Newman and Elvin K. Wyly revisited the right to stay put in 2006 claiming that “(d)isplacement, always a central axis of academic, policy and popular concerns over

gentrification, (was) back on the agenda” (p. 24) and that arguments against the severity and scope of displacement were being “used to dismiss concerns about a wide range of market-oriented urban policies of privatisation, home-ownership, 'social mix' and dispersal strategies designed to break up the concentrated poverty that has been taken as the shorthand explanation for all that ails the disinvested inner city” (p. 25). They point out that displacement can be direct – “displacement through housing demolition, ownership conversion of rental units, increased housing cost (rent, taxes), landlord harassment and evictions” (Newman and Wyly, 2006, p. 257) and through the loss of cultural and community networks - or indirect through exclusionary displacement. Peter Marcuse (1986) describes exclusionary displacement as increased housing expenses discouraging future lower-income residents from moving the area. Newman and Wyly (2006), looking at displacement in New York City over a 15 year period, found that 6-10 percent of rental moves could be attributed to displacement (the numbers change based on region). Many of these displacees are forced to double up with family and friends. Those who do not are forced to move further and further outwards from borough centres (Newman and Wyly, 2006). Further, individuals are forced to accept poor quality housing if the wish to stay in their neighbourhood.

The fact that displaced people are hard to find, statistically, makes difficult both the study and support for those at risk of displacement. “(I)t is difficult to find people who have been displaced, particularly if those people are poor....By definition displaced residents have disappeared from the very places where researchers or census-takers go to look for them” (Newman and Wyly, 2006, p. 27). The most common means of dealing with

displacement is living with family and friends - making the displacees invisible from official counts (Newman and Wyly, 2006). But the fact that these people are difficult to find does not mean that they do not exist. Rather, it means that they've been made invisible by the gentrification/revitalization process.

Those who are forced to leave gentrifying neighbourhoods are torn from rich local social networks of information and cooperation...; they are thrown into an ever more competitive housing market shaped by increasingly difficult trade-offs between affordability, overcrowding and commuting accessibility to jobs and services. All of the pressures of gentrification are deeply enmeshed with broader inequalities of class, race and ethnicity, and gender, (Newman and Wyly, 2006, p. 51).

State policy actively promotes these processes under the banner of 'revitalization,' while in other instances it disinvests in programs aimed to protect low-income residents, allowing the market to drive the displacement. The state makes the choice of whether to promote social housing and where this housing is placed (Rose, 2004). The displacement process repeats, beating to the rhythm of the housing market in time with State disinvestment, and the displacees remain invisible and excluded.

There is a particular story associated with tenancy here that states that tenants cannot be improvers of the land. Blomley (2004) talks about how there is a discourse surrounding ownership that focuses on the necessity of owning real property for the person to become a free actor (echoing Radin's arguments surrounding property and personhood outlined above) and suggests that this line of thinking leads to the notion that renters are incomplete human beings.

Our very language suggest this distinction [between renters and owners]; thus we describe owners of private property as living in 'homes,' located in 'residential

communities,' while renters live in 'units of housing,' 'apartments,' or 'projects' that are, if anything, a threat to 'community'" (Blomley, 2004, p. 89).

Further, Blomley (2004) argues that owners, by virtue of their position as owners, are seen as being moral and physical improvers of community. The converse is that poor, high-tenancy neighbourhoods are seen as morally and physically decrepit. Thus, "the removal of this population is a precondition for neighbourhood improvement" (Blomley, 2004, p. 90). Renters, without a home to ground them (and to enrich them morally), are a rootless, transient population and, it is in this depiction that we find the clearest justification for gentrification and displacement: Renters – transient, amoral, and lazy– must be moved aside for hardworking, moral, and stable owners that will improve land and community.

2.4 Landscape and walking

In his important recent work, *Landscape*, John Wylie (2007) makes the case for understanding landscape as tension. He outlines four areas where this tension is played out:

1. Proximity/distance
2. Observation/inhabitation
3. Eye/land
4. Culture/nature

In describing landscape as tension, Wylie (2007) sets out to describe the competing notions of landscape outlined by cultural geographers between landscape as something separate from the viewer to be understood and analyzed, or "as the world we live in, a

constantly emergent perceptual and material milieu” (p. 1-2). These tensions are not resolved, but are present throughout the geographic work on landscape (Wylie, 2007).

According to Wylie (2007), landscape as a way of seeing has long been the concern of cultural geographers who have described “landscape as veil, landscape as text, landscape as gaze” (p. 56). The notion of landscape as a way of seeing is often attributed to John Berger (1972) and his critique of art history (of the same name) that aimed to give historical context to landscape study and the study art. Berger (1972) viewed landscape as a veil (both the material landscape of lived experience and artistic depictions of landscape) where ideology is hidden (Wylie, 2007). Cosgrove describes landscape as veil in the following passage:

Much of landscape’s authority comes precisely from what one writer has called its “duplicity,” its capacity to veil historically specific social relations behind the smooth and often aesthetic appearance of “nature.” Landscape acts to “naturalize” what is deeply cultural. For example, the serpentine lines of manicured pasture, copses and reflecting lake of the English landscape park obscure beneath their “lines of beauty” a tense and often violent social struggle between common rights and exclusive property, (Cosgrove, 2004, 68).

The smooth and aesthetic appearance described by Cosgrove (2004) above often reflects a dominant *worldview* and masks or naturalizes relations of injustice (the above passage eludes displacement of peasantry during the enclosure of the commons, for example, in the creation of the quintessential [bourgeois] English Landscape). Cultural geographers such as Cosgrove and James Duncan viewed landscape as a representation that could be interpreted (as a text is interpreted), wherein ideologies are hidden (Wylie, 2007). The political task in this was demystification. Rose (1993) argues that the masculine gaze of landscape geography plays an important role in separating the object of the gaze from the

subject (the seen from the seer) and in reinforcing the positivist separation of culture from nature. Landscape as a way of seeing is deeply tied “to hegemonic discourses of masculinism” (Rose, 1993, p. 159). Claims to knowledge that stem from the separation of the seer from the seen rest upon Western dualistic separations (body/mind, nature/culture, male/female) (Rose, 1993). Landscape as a way of seeing is a distinctly masculine pleasure that positions that which is viewed (the text or veil) as feminine (Rose, 1993).

Rose (1994) argues that property laws affect the landscape and landscape influences property law. She argues, importantly, that we see property in culturally specific ways. Symbols of property are not universal but are created and recreated in our interpretation of landscape (Rose, 1994). Cresswell (1996) describes the normative landscape as the expression and interpretation of dominant norms within the landscape. “Spatial structures structure representations of the world as they are held in a taken-for-granted way” (Cresswell, 1996, p. 9). The value and meaning of place varies over time, just as the value and meaning of property varies over time (Cresswell, 1996). Yet, especially with property, we tend to conceive of these things as static – hence, the taken-for-grant nature of private property. Both Rose (1994) and Cresswell (1996) argue that landscape is dependent upon iteration – the active meaning-making between perceiver and perceived.

Ingold (1993) rejects the notion of landscape of a way of seeing arguing that this approach reinforces the separations noted by Rose (1993). Rather, Ingold (1993) describes landscape as dwelling, wherein the human and non-human (culture/nature) are linked to one another through everyday activity. Ingold (1993) argues that landscape is

not what is outside of the human – it is not nature, not an object to be perceived by humans – but, rather, is continually constituted through everyday practice and performance. The human cannot be separated from the non-human, cannot be separated from the landscape. Landscape as lived experience and practice cannot be neatly observed as property or non-property, but rather is in a constant state of *being made* (de Certeau, 1984; Ingold, 1993). In other words, landscape is lived, not read.

Wylie (2005) further explores Ingold’s arguments for landscape as a milieu of dwelling in his paper ‘A single day's walking: narrating self and landscape on the South West Coast Path.’ Through the emergent process of walking, Wylie (2005) attempts to describe his own relationship within the landscape:

solitary walking is always, necessarily, already relational: a set of relations with landscapes, with others, with cultural histories operate so as to effect the very possibility and emergence of solitude. In other words the coast walk as described transcends the point of view of its narrator, or is rather anterior to the narrator; the narrator is an outcome, not a presupposition, of the walk, (p. 245).

The landscape and the human are inseparable in Wylie’s view (2005). Walking in the landscape is to move within “the entwined materialities and sensibilities *with which* we act and sense” (Wylie, 2005, p. 245). Key here is that Wylie (2005) envisions himself as being *within* landscape, engaged in it, rather than separate from it. Walking is the process wherein he experiences the emergent qualities of lived landscape – affects, encounters, and moments of experience in space (Wylie, 2005). De Certeau (1984) discusses urban walking as being between here and there, past and present. It is an act that opens possibilities as with motion there are continued moments of choice – each moment one can choose to respect or transgress the rules of the City (de Certeau, 1984). These choices

effect and are effected by relationships with the non-human, continually making the urban landscape (de Certeau, 1984; Ingold, 1993).

Matless (1997; 1998; 2000) posits landscape as being linked to identity and citizenship. In doing so, his work on the English landscape bridges epochs to show how landscape is a cultural production that is constructed with lived experiences and beliefs that have multiple resonances (Matless 1997; 1998; 2000). Landscape is synonymous with “how it works; as a vehicle of social and self-identity, as a site for the claiming of a cultural authority, as a generator of profit, as a space for different kinds of living” (Matless, 1998, p. 12). In linking landscape, identity and citizenship, Matless (1997; 1998; 2000) explores the moral values recreated in landscape; he is looking at the ought of landscape.¹⁹ The creation of the national citizen – expressed through correct action and practice in the national landscape – presupposes the exclusion of the anti-citizen (Matless, 1998).

Mackey (2000) discusses how the construction of the Canadian identity has involved the creation of the un-peopled landscape – the vast Canadian wilderness. This landscape both erases Aboriginal people by writing them out of picture or positing them as being nature (Mackey, 2000). Seeing the unpopulated wilderness as the national landscape helps create the white, European national subject (MacKey, 2000). The construction of the white (European) Canadian subject frames people of colour as negative disruptions in the ‘natural’ Canadian landscape (Peake and Ray, 2001).

¹⁹ And the ought of landscape, unsurprisingly, is related to the ought of property discussed by Blomley (2004).

2.5 Domestic gardens

Longhurst (2013) characterizes the domestic garden as paradoxical space “that is imbued with contradictions and allows for the simultaneous occupation of dualistic categories” and that “trouble binary thinking” (p. 581). Gardens are spaces that straddle nature and culture, private and public, individual and social, leisure and work, colonial and postcolonial (sic)²⁰ (Longhurst, 2013). They can also be seen as liminal spaces (Alexander, 2001; Blomley, 2004c). That is, gardens can be conceived of as being spaces that occupy the borderlands between these supposedly separate spheres.

Gardens are described as, alternatively, being spaces of nature and spaces of culture (Longhurst, 2013). They are spaces of private recluse as well as spaces of sociability (Bhatti and Church, 2004). They can be conceptualized as part of the private sphere and as being part of the (private) home-making process while on the other hand being both social spaces and spaces to experience and understand nature (Bhatti and Church, 2000; 2004). Gardens are spaces of lived, experiential everyday natures (Hess, 2010). As a liminal space (Alexander, 2001), the garden confuses the clear categorization of western dualistic thinking (nature/culture, public/private, wild/cultivated, etc.) (Plumwood, 1993). This is particularly interesting when we relate the garden to property, as gardens have long been ‘clear’ signifiers of bounded, private space through markers such as hedges, rows, and plots (Rose, 1994; Blomley, 2004; 2004b). The history of gardens as clear,

²⁰ I’ve only included the term ‘postcolonial’ here as this is the term that Longhurst (2013) uses in her paper. The implication of postcolonial – that colonialism is over and we’ve entered a different era – is not in keeping with the ongoing, deepening colonial projects worldwide – and specifically the continued settler-colonial projects in places like Canada (where this project takes place) and New Zealand (where her project takes place).

bounded spaces runs into conflict with lived experience of gardens as paradoxical or liminal spaces with, often, permeable boundaries (Alexander, 2001; Blomely 2004c; Hess, 2010; Longhurst, 2013).

Borrowing from the work of Bruno Latour (see 1993, especially), cultural geographers have begun to use Actor-Network Theory (ANT) to try to understand human-nature relations in gardens (Hitchings and Jones, 2004; Power, 2005; Hitchings, 2010).

Hitchings and Jones (2004) have explored non-human agency within gardens and Hitchings (2010) later explores relations between the human and non-human as being dialogic. While traditional Western views posit nature/culture relations as the master of the human over the non-human, Hitchings argues that the extent to which power is one-sided in this relationship is overstated (2010). Power (2005) challenges the notion that gardens can be seen as examples of 'nature' spaces being passively controlled by 'culture;' she challenges the narrative of human mastery over the non-human by showing how humans are responsive to plants in their everyday practices within gardens. Humans must respect the specific needs of plants in the gardening process if they wish to successfully cultivate (Power, 2005). Power (2005) argues that both people and plants are changed in the domestication process (Power, 2005). Anderson (1997) critiques the notion of domestication as the mastery of humans over nature. Making connections between the domestication of animals and the fraught cultural notions of settling, ownership, property, and possession, Anderson (1997) draws our attention to the fuzzy moralities of care and control, mastery and paternalism that are linked to domestication. Attempts to draw clear lines between the domestic and the wild in "European-derived

societies” (Anderson, 1997, p. 497) is not only contrived but also has negative consequences for both ‘nature’ and ‘culture.’ This is because the social-symbolic process of domestication is historical (and recurrently) linked to “the narrative politics of ideas about human uniqueness, savagery and civilization” (Anderson, 1997, p. 496). In other words, the domestication process is linked to both the domination of nature and the domination of people (gendered and racialized) within colonial-capitalist society (Anderson, 1997). The notion of taming and claiming the North American landscape through acts of gardening has been discussed by many scholars (Seed, 1995; Cosgrove, 2008; Longhurst, 2013) and can be related linked to Locke’s labour justification of improving property, and improving nature, through cultivation (Locke, 1690; Anderson, 2007). Gardening has been seen as an act of property and the visible, material traces of gardening can be used to justify property claims, both legally and practically (Rose, 1994; Seed, 1995; Staeheli et al, 2002; Blomley, 2004; 2004b).

Clayton (2003) argues that the notion of ‘weediness’ is a recent cultural construction. The idea of the weed is created through the process of domestication and was deepened in the colonization of the Americas when planting gardens –cultivating the wild – became entwined with notions of civilizing and improving the landscape (Clayton, 2003). The human task – the task of culture –was seen as ridding the landscape of weediness – “the antithesis of productivity and prosperity” (Clayton, 2003, p. 110). Cresswell (1997) discusses weeds as being plants out-of-place. A primary component in the definition of weediness is that the ‘weedy’ plant is found where it ought not be (Cresswell, 1997). Cresswell (1997) argues that associating particular people with weeds (or weediness) can

help justify the displacement or erasure of particular people or particular actions because there are deeply rooted assumptions about the need to rid the civilized landscape of weeds.

3.1 Methodology

My methods for this study are entirely qualitative and can perhaps best be characterized as bricolage (Kincheloe, 2005). My research took place while walking in alleys and gardening in backyards, balconies, and alleys. I use a number of data sources and processes in this study, including photographs taken in alleys, conversations with gardeners, observations (documented in field notes), personal stories, document analysis, and years of interaction with gardeners in Parc Ex. I will explain these processes in more detail in what follows, but first, I want to discuss *how* I came to these methods, as this was not my intended methodology upon embarking on this research.

My initial intent was to conduct semi-structured interviews with a diverse²¹ group of Parc Ex gardeners. I aimed to closely follow studies conducted by Blomley (2004; 2004b; 2005...etc) on gardening practice in Vancouver's Strathcona. In these studies, Blomley looks at the complexities and ambiguities in proprietary feelings towards public space (especially) and towards neighbourhood (more generally) as mediated through and by gardening. My intention was to show how tenants and owners have diverse and entangled relationships to property – relationships that correspond neither to the clear lines of the

²¹ Here diversity is meant in terms of ethnic background, age, and gender (primarily). I also aimed to interview both tenants and owners.

liberal private property paradigm nor to the supposed (separate) roles that tenants and owners take vis-à-vis property (degrader and improver, respectively).

However, my journey down this path was marred by reluctance and an unrelenting uneasiness with this process. Part of this, I thought, could be chalked up to my uncertainty surrounding my abilities to achieve my goals – I was daunted by the depth necessary in the interviews and by the number of (diverse) respondents necessary to successfully complete this process. My fears were largely assuaged when my early interviews proved to be full of wonderful commentary. It was the second reason for my uneasiness, however, that proved to be more difficult to brush aside and that, ultimately, compelled me to change course. This problem has to do with the (colonial, gendered) relationship between researcher and subject, especially given my position within the case study area. The idea of conducting interviews in Parc Ex²², wherein I ‘gathered data’ from my neighbours without giving in return – without producing some sort of valuable product for the ‘subject community’ or without compensating in some other way – was deeply troubling to me. I could not find a way for the research process to feel like something other than *taking* the words of my neighbours and placing them out of context.

I felt particularly troubled by it given both the character of Parc Ex and my own position within it. Parc Extension is in central Montréal and encompasses the census tracts 4620220.00, 4620221.00, 4620222.00, 4620223.01, 4620223.02, and 4620224.00. It is bordered by Autoroute 40 and Ahuntsic to the north, the Town of Mount Royal to the

²² Parc Ex being a racially diverse, low-income neighbourhood facing the threat of gentrification.

west, the ATM rail lines at Parc Jarry and Villeray to the east, and the former-CP rail yards and Outremont to the south. The neighbourhood is home to people from a diverse range of backgrounds, many of whom are recent immigrants. 2006 census data shows that 62% of residents were born outside of Canada with large immigrant populations from South-East Asia, Greece, Haiti, and North Africa. A large number of Parc Ex residents are renters (82%) and average incomes are low - 15 088\$ in 2000 for those 15 and older versus 28 205\$ for Montréal as a whole (Ville de Montréal, n.d.; Groupe de Travail Sur les Portraits des Quartiers Villeray, Saint-Michel, et Parc-Extension, 2004). The neighbourhood has seen “waves” of immigration transforming from a mixed Anglophone/Francophone neighbourhood (or, small suburb) in the 1940s to ‘Greektown’ by the 70s and now to ‘Little India.’ It is also occupied Haudenosaunee (Kanien'keha:ka or Mohawk) territory. Throughout its existence, diversity has characterized this neighbourhood – racial/ethnic diversity, linguistic diversity, and class diversity. As a white male, one cannot simply enter into this “complex landscape of difference, including race, language, culture, and gender” (Wood and Wakefield, 2012). Linguistic, racial, and cultural barriers are all present in my interactions with people in Parc Ex. As a white male with a camera and notebook, I was conspicuous presence. I usually left my note-taking for post-walking, and saved photography for specific photography-walks, so as to create minimal disruption and confusion.

My position as a white settler on this territory has multiple resonances: First, as a settler occupying native land; second, as an Anglophone in a Francophone province; and, third,

as a white-gentrifier in a multi-ethnic, low income neighbourhood.²³ Without wishing to downplay the importance of those first two resonances, it is the third that is of particular interest as it plays itself out most directly in the daily fabric of Parc Ex life: in shared gardening practices between Bengali and Greek gardeners (across fences and language barriers), in new condos that are home to young, Francophone professionals, in upgraded and renovated supermarkets, in the municipally funded facades on triplexes South of Jean-Talon, in national newspaper articles asking readers to dine in “Montreal’s ungentrified ethnic food paradise,” (Gollner, 2013), in the conspicuous absence of an SAQ²⁴ or post office,²⁵ and in the looming presence of the future Université de Montréal Campus just south of the neighbourhood. Entering into these relationships as a white, male researcher, it is impossible to escape my place in the history of the colonial, male gaze (Rose, 1993; Smith, 1999; Kobayashi and Peake, 2000). By using mixed methods and pulling from multiple sources, I was better able to reconcile some of these personal tensions and reservations. Kincheloe argues that “bricolage highlights the relationship between a researcher’s ways of seeing and the social location of his or her personal history” (2005, p. 324). Through bricolage, I centred this study on my own experience and interpretation of Parc Ex gardens, rather than distancing myself through analysis of interviews.

²³ This list is not exhaustive – I am sure that there are other colonial connections to be made here.

²⁴ This is apparently because of poor business due to the high numbers of residents who follow Halal and/or the high numbers of low income residents.

²⁵ As of late 2013, Parc Ex residents must go to the Town of Mount Royal or to a Post office on the border of Villeray and Parc Ex to deal with Canada Post.

In a sense, my experience of grappling with my position within this research was a personal struggle with *how to be*; I was asking myself how to responsibly navigate the political terrain of this physical and cultural territory. This territory being, aside from all the things mentioned above, my home. Being both occupied native land and an immigrant neighbourhood under threat of gentrification, displacement carries multiple, racialized meanings in Parc Ex with the ‘right to displace’ usually being held by white owners (Hartman, 1984). The process of engaging with this research and my position within it aided me in negotiating how to act and live in my neighbourhood, even if the tensions within my position as a researcher in Parc Ex was not fully resolved.

3.1.1 Walking, photography, and stories

Walking became my primary methodological practice for this research but I feel that it chose me more than I chose it. It is through the act of walking that I considered my position within this research, that I engaged with and was engaged with the landscape of this research, that I ‘gathered data’, and that I met many of the neighbours whose anecdotes appear in this work. Walking is to step into the entanglements of landscape. It is being caught in those entanglements – between here and there, between past and future (Wylie, 2005). For Wylie (2005), landscape is not just a projection of a way of seeing (cultural meaning), something that is ‘seen’ (external field) or, a milieu of dwelling. Rather, landscape is made up of “entwined materialities and sensibilities with which we act and sense” (Wylie, 2005, p. 245). Walking has become an interest both of inquiry and methodology in geography (Cresswell, 2010; Edensor, 2000; Anderson, 2004; Wylie,

2005; Middleton, 2010) as well as in other spheres (for examples, see Solnit, 2001; Sebald, 1999).

My alley walks began to take on a different character when entwined with research. I began to see things through the lens of research more explicitly – I became more interested in gardens, in borders, in transgressions. I shied away from direct discussion of property and ownership – ‘research stuff’ - in my interactions with other people in the alleys. I was still interested in gardening practice – but this interest was much the same as it was before I began my research.

Many of the anecdotes used in this study predate the start of my Master’s work in Fall 2011. Stories from my own practice encompass the years of 2010-2013 (four gardening seasons). Most of these stories were gathered in the process of gardening – while directly gardening in alleys, while gardening from balconies adjacent to the alleys, and while gardening in the backyard of my current apartment. Discussions often took place across the public/private divide – from the ‘private property’ on one side of the fence, to the ‘public property’ on the other. In other cases, they crossed from one private space to another, through and over fences. In still other cases, these conversations happened within the ‘wilds’ of the alleys – in the public spaces. I recorded many of these anecdotes in field logs but for those that predate the research process, I rely on memories that are older and more clouded.

Some of the photos, like the stories, predate the start date of my Master's work, but they were predominantly collected in the summer of 2013. My selection of what to include in these photos – both the photos included in this thesis and the photos taken – was a highly subjective process. I was drawn towards particular features:

- Fences, borders, and the crossing and blurring of these boundaries
- Visible markings of property – fences, furrows, stakes, etc.
- Claimings and takings – enclosed gardens, particularly those within public property
- Garden infrastructure and architecture (especially permanent or semi-permanent) – the lasting traces of garden practice on the landscape

These elements were interpreted loosely – I did not have clear criteria for ‘what counts’ as a visible marker of property or a permanent piece of infrastructure, for example.

Because of this, I was able to follow my own interest (or that which chose to affect me): in other words, taking pictures followed the amble of my wandering. This flexibility has also allowed me to interpret these photographs more broadly as the purpose of each image is both ambiguous and expansive. There are no human beings visible in these photos – though, I would argue, the human presence is felt throughout them.

Like Wylie (2005), this thesis is an attempt to be both creative and critical in geographic practice and to incorporate narrative forms - including “memoir, montage, travelogue, ethnography”(p. 237). I have relied on self-reflection, narrative, photographs, discussion with friends, and other tangential paths in both the research and writing process. The

structure of the proceeding chapters is reflective of this process, however I have made attempts to arrange these pathways in a way that is more understandable to the reader.

4. Analysis: introduction

This chapter looks at the entanglements of plants, gardening, and property in the landscape. In it I aim to show how gardens are spaces where we can see the crossing and blurring of property's boundaries in numerous ways. Gardens are liminal zones and spaces of entanglement (Sibley, 1995; Blomley, 2004c). The way that we see property in a normative landscape has an impact on our conceptions of whom and what belongs in a landscape (Rose, 1994; Cresswell 1996). The categorization of weeds, tenants, and (im)migrants within normative (propertied) landscape as being out of place – weeds are out of place in the garden (Cresswell, 1997), tenants out of place in private property (Blomley, 2004), and (im)migrants in the nation-state (Morley, 2000; Sharma 2006) – is in keeping with the fear of mobility of a society tied to property (Cresswell, 1996). What ought to be in the landscape – the morality of the landscape – is informed by what we see as natural. The natural-ness of private property in a landscape of privilege reinforces certain privileged positions whilst obscuring inequality. Since “(t)he owner’s lawful privilege to use something makes others vulnerable to the effects of the owner’s actions” (Singer, 2000, p. 28) and ownership rights are not distributed equally, we have a property regime that privileges those with accumulated capital in real property, making vulnerable the ‘have-nots’ (Cohen, 1927; Singer, 2000). It is with an eye towards unsettling the natural-ness or this ‘regime of property’ (Singer, 2000) that I look at entanglements,

border crossings, and liminality at property's boundaries within the gardens and alleys of Parc Ex.

This chapter is loosely divided into three sections entitled 'entangled plants,' 'entangled property', and 'entangled landscapes'. The section on plants is a series of vignettes tracing the entanglement of plants, people, and landscape. It looks at relationships between wild and domestic, weeds and cultivated plants, claiming and taming through gardening, and human and plant interactions. The second section, on property, looks at how people engage with property in ways that confuse dominant conceptions of bounded private property. It focuses on takings of property, claims to property that are not legally clear, and the ways that people cross property's boundaries through everyday use. The third section, on landscape, looks at the ways that both people and plants interact with normative moral landscape. In it, I look the way that plants and people can be deemed 'out-of-place' and, conversely, what is deemed natural in the landscape (Cresswell, 1996). I also explore the paradoxical nature of garden landscapes – as they express multiple, overlapping notions and trouble the clear categories of Western dualistic thinking (Plumwood, 1993; Longhurst, 2013).

4.1 Entangled plants

Plants entangle. Any amateur gardener will attest to this fact. Roots entwine with roots, vines sprawl and climb, seeds sprout in unexpected places, weeds appear in every imaginable location²⁶, plants twist, turn and tangle their way towards the sun. That plants become entangled is not in itself a particularly profound statement. But, these entanglements become interesting when they help us see boundary crossings, confusions, and blurrings at the perimeters of formal property. Gardens and alleys sit on either side of the supposedly clear, distinct boundaries of private space. As paradoxical spaces or liminal zones, gardens occupy the divide between public and private (Longhurst, 2013; Sibley, 1995; Blomley, 2004c). Plants provide numerous examples of how the clear categories of property (Singer, 2000), and of Western dualistic thought more generally (Plumwood, 1993), are illusory constructions. The following is an exploration of human/plant interactions in Parc Ex garden and alleys. Through a series of vignettes I look at weeds as plants out-of-place (Cresswell, 1997), the blurry boundaries between wild and cultivated plants and the troubles with domestication (Anderson, 1997), taming and claiming of alley spaces through gardening, human/plant cooperation across property's boundaries (Power, 2005), and garden plants as symbols for property (Rose, 1994; Seed, 1995; Blomley, 2004).

²⁶ While living on Bloomfield, my partner had painstakingly peeled and cleaned a small harvest of black walnuts, staining her hands deep brown. She left the walnuts in the back shed, off of our balcony. After returning home from a day of study she sat on the couch and found a single black walnut between the cushions. The squirrels had raided her harvest, taking every walnut after getting into our apartment through the door ajar to leave her one piece of evidence of their heist. The following spring I found a small black walnut tree growing in the pot with our ficus tree. Normally, a walnut tree is would not be conceived of as a weed. But, until I unearthed the 'weed' and found the walnut it had sprouted from, it certainly appeared as a weed to me.

4.1.1 On ‘wild’ grapes



Figure 1. *“Wild grapes” encroaching on public space. The vines of covered the fences that separate the alley (public) from the backyards (private).*

Grape vines are a common fixture in Parc Ex alleys. Some of these vines are well tended and pruned, producing bunches of sweet, delicious grapes. Others are unwieldy, producing many bunches of smaller, intensely sour grapes (though, still delicious if you have a taste for tartness). The grapes in this second group are often referred to as “wild grapes.” Their actual genealogy is unclear. In many cases, it seems, these wild grapes were once planted by people and were probably grafts of commercial cultivars but years without pruning and care have left them to produce smaller, ‘wilder’ fruit. “The boundary between the cultivated grape vine clones and the wild forms is blurred by the presence of

escapes and secondary derivatives of hybridization” (Zohary, D and Hopf, M., 1988, p. 139). The morphological characteristics between wild grapes and domestic grapes (and escapes) is minimal and is often barely perceptible (Zohary, D and Hopf, M., 1988).

When walking in the alleys mid morning in June, I came across George at the ‘wild’ grape patch pictured above. When I asked what he was doing with the grapes he explained that he was harvesting the leaves to make dolmades – “They’re better. There are no chemicals.” He explained the process of cleaning, steaming, and then freezing the leaves for use throughout the year. He and his wife process the leaves together, and she makes the final product: “She makes them better.” George made the distinction between wild grapes and domestic in relation to their healthiness. These grapes –untended and thus pesticide and herbicide free – were seen as being healthier for use than the domestic, tended varieties.

What is interesting to me in this case is that George referred to these grapes as wild when they could also be considered domestic or cultivated grapes that were planted by people but have been left untended. There is an understanding that these ‘wild’ grapes are different from and, at least in terms of health, better than domestic grapes. This brings us to a couple of interesting questions. First, at which point do cultivated plants come to be considered wild? When they are ‘untended’? When they cease to produce to their fullest potential? Secondly, how do these ‘wild plants’ change in ownership status when they are on private land? There seems to be an assumption in this act that it is acceptable to take grapes from a plant on private land if that plant is not being tended – if the grapes do not

appear to be in use in some regular, orderly way. Then again, the grape leaves were being harvested from the alleyway on what is considered public land. So do the spoils that spill into the commons become fair for all, while the ‘wild’ grapes on the inside are not deemed so? If these vines were being tended would George be so quick to harvest even though they were found in the public sphere? These wild grapes straddle boundaries between wild and cultivated, public and private – they represent a zone of ambiguity, or liminal zone (Sibley, 1995). The hybridity of plants – their fluidity, heterogeneity, and proclivity towards procreation – makes them difficult to master and hold within categorical boundaries (Zohary, D and Hopf, M., 1988; Whatmore, 2002). The wild grapes straddle public and private in that they sit on the physical border between these spheres and in that they have the appearance of being unkempt or untended. They communicate inactive ownership. Within the either/or logic of the regime of private property, there is little room for such straddling (Singer, 2000; Blomley, 2004c). Even if we follow this logic and simply divide the grapes into private and public based on which side of the fence they are situated on, this fails to account for the ways in which disuse (in this case, lack of pruning and tending) communicates non-ownership, for the publicity of view that the grapes occupy, and for the myriad ways in which the either/or logic is transgressed, included George’s taking of leaves from *both* sides of the fence.

4.1.2. Dandelions in-place, out-of-place



Figure 2. Dandelions from *Nase škodljive rastline* (Cilensek, 1892).

The definition of weed hinges upon the space that the plant inhabits. Oxford defines it as “a wild plant growing where it is not wanted and in competition with cultivated plants” (“Weed”, p. 1623) while Merriam-Webster (2008) defines weed as “a plant that is not valued where it is growing and is usually of vigorous growth; *especially*: one that tends to overgrow or choke out more desirable plants” (p. 304). A weed is, essentially, a plant out-of-place (Cresswell, 1997). More specifically, it is a plant out-of-place that is a perceived threat to “more desirable plants” – plants *in-place* that grow where humans intend for them to grow. The garden is the ‘natural’ home for cultivated plants; weeds are the intruders. These definitions have little to do with the specific characteristics or needs of the plants themselves and everything to do with the way humans see and perceive these plants in the landscape. But, importantly, from these ways of seeing plants flow certain assumptions; weeds in the garden hold the potential to choke out the “natural” and

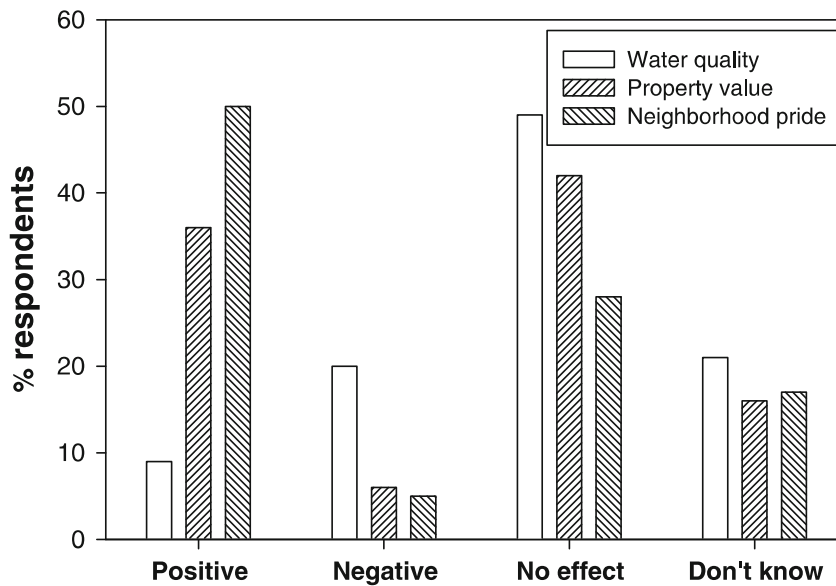
“superior” inhabitants of the garden, cultivated plants (Cresswell, 1997). They compete with the natural inhabitants and they have the potential for ‘vigorous growth’: to take over, to spread, to ruin, to sully, to infect.

Weeds are also out of place in the ‘pristine wilderness’ (see Denevan, 1992, for a discussion of the myth of the pristine wilderness). In fact, it seems that weeds do not exist in the wild at all. They are either a) plants out of place in the domestic (dandelions in the lawn, nettles in the garden) (Cresswell, 1997) or b) plants spread by humans that have run amuck in the ‘once pristine wilderness’ (purple loosestrife in the wetlands of Eastern North America) (Sandlos, 2013).

The dandelion, after all, is seen as a useful, edible plant in many places²⁷ while in a manicured lawn, it is a terrible weed infiltrating the landscape. Our conception of dandelion as a weed – as an unwanted plant that stands in competition with more desirable plants – is linked to lawn culture in North America. The lawn – the great symbol of the middle class North American home – complete with its clear sight lines, well manicured lengths, and clear edges (where green grass meets pavement, private meets public) *makes* the dandelion a weed. For the dandelion – with edible greens, shoots and roots, and a long history of medicinal use – is a far more useful plant than grass if we are imagining the use of plant as being related to health, sustenance, or culinary value. In the manicured lawn, grass seems to be valued as ‘useful’ for recreation, for surveillance, and as a status symbol (Blaine et al, 2012). These values are rarely considered, however,

²⁷ In the many Greek markets throughout Parc Ex that sell dandelion greens, for example.

as the lawn is taken for granted as a ‘natural’ and necessary component of a good (peri)urban landscape (Feagan & Ripmeester, 1999; Feagan & Ripmeester, 2001). It is part of the normative moral landscape – for bad lawns make bad citizens and come with potential municipal fines (Feagan & Ripmeester, 1999)²⁸ - but these norms seem to be far removed from use (Cresswell, 1996). In the lawn we can see how property, too, is distanced from use even while its justifications are directly linked to the notion of ‘best use’. The lawn brings increased value to property because it matches a taken-for-granted notion of what the landscape should be like and look like (Cresswell, 1996) even when that normative landscape encourages wasted space²⁹.



²⁸ Just as the neighbour in Frost’s ‘Mending Wall’ reminds us that “good fences make good neighbours” (1914, p. 8) speaking to the necessarily kept but unconsidered norm of fencing the propertied landscape.

²⁹ The ‘best and highest use’ of urban land is focused solely upon the improvement of property’s monetary value (North, 1981). Best use has nothing to do with function in this conception. In Marxist terms, best and highest use is focused on exchange value as opposed to use value (1867).

Figure 3. Showing residents impressions of the impacts of a well tended lawn (including the use of chemicals) on water quality, property value, and neighbourhood pride (Blaine et al, 2012, p. 261).

The connotations of the word “cultivate” include the acquisition of skills or characteristics (to cultivate an ability), to improve (especially in terms of ‘culture’ – as in, a cultivated taste in cinema), as well as the domestication of species and lands (Merriam-Webster, 2008). To cultivate is to make something more cultured – to move from the wild to the domestic (taming), from primitive to civilized. That which is cultivated is advanced – it has progressed. In terms of culture, Merriam-Webster’s dictionary (2008) defines “cultivate” as “to improve by labor (sic), care, or study” (p. 304). The origins of the word come “from medieval Latin *cultivat-* 'prepared for crops', from the verb *cultivare*, from *cultiva (terra)* 'arable (land)’ (Jewell and Abate, 2001, p. 434). Cultivated land produces useful crops for human consumption – the fewer weeds or other obstruction exist, the more cultivated the land becomes. The cultivated person distances herself from the wild, the primitive, the natural. Cultivation in the human being is the process of becoming “non-wild” or civilized, is the process of moving away from the primitive (Plumwood, 1993).

In this imaginary, the cultivated plant holds the potential to better the landscape while the weed holds the potential to reclaim the civilized, cultivated garden³⁰. This mirrors notions of tenant/owner as having inherent relationships with property – that of degrader and improver, respectively (Blomley, 2004). Like the weed, the tenant has no potential to

³⁰ Which begs the question, if the weed brings the garden ‘back to nature,’ does it then cease to be a weed?

improve property. Transient and rootless by nature, the tenant cannot build a home as an owner can – her position is inherently precarious. Like weeds in the garden, a tenant's occupation of property lasts only so long as the owner allows; full property rights always rest in the hands of the legal owner (Singer, 2000).

Like many of our weeds, the common dandelion (*taraxacum officinale*) is a non-native species. It has become so common in our landscape that most North Americans would not question its indigeneity. Like many Canadians, the common dandelion is a European settler/colonizer. While its specific origins in North America are unclear, it is thought to have come with European colonization sometime during the 17th century (Steward-Wade et al., 2002). When it was first collected in Canada, in Montréal, 1821, it was already a noted to be a common species (Steward-Wade et al., 2002). While the common dandelion is a colonizer, it has become so commonplace as to make it appear natural. The invasion is long over and the dandelion has its own place within the landscape, though now it is deemed an intruder in only specific parts of the continent (gardens, lawns).

4.1.3. Weeds in the garden, plants in the alley



Figure 4 (left): Amaranth grows in the cracks, within the alleyway.

Figure 5 (right): Milkweed pods flourish in an enclosed front yard (amongst other weeds).

The amaranth pictured above was not planted by human hands. It most likely migrated by seed, carried on fabric, wind, or by animal, to the place that it now grows – in a crack in the pavement, within the alley. It is a plant out of place: A ‘cultivated’ variety, grown for its edible leaves, nutritious seeds, and edible tubers, amaranth has been a staple crop for centuries in multiple cultures around the world yet is here found in ‘the wild’ (Turner, 1986; Costea et al., 2004). Both ‘weedy’ and cultivated varieties of amaranth now exist and the “weedy and grain *Amaranthus* spp. are inseparably linked phylogenetically and historically” (Costea et al., 2004). Thoroughly cultivated, amaranth moves easily and grows rapidly, both ‘weedy’ characteristics (Turner, 1986). The private garden - space that is ‘tamed’ – is the ‘natural’ home for cultivated plants. Finding them out of these spaces – having crossed borders on their own accord – puts them in a position somewhere between wild and domestic. Has the amaranth in the alley, like the wild grapes, eluded taming? Has it gone wild?

Anderson (1997) troubles dominant conceptions that posit domestication as a series of processes in which humans transcend the wild through the mastery of nature. The domestication of animals came at the same time as the ‘settling’ and development of home. Those animals and plants that were “brought in” to the home – extended both the house and the outlying property, the garden – were cultured or domesticated; those that remained outside of the home, wild. Thus, cultural notions of settling, ownership, property, and possession are all linked to the domestication process. Domestication is seen as a civilizing force as the wilderness is improved, settled, and made fit for humans. Wild things are improved when brought within the human domain (domicile). Embedded within the logic of domestication are moralities of care and control, of mastery and paternalism (Anderson, 1997). What happens when the amaranth leaves the private, domestic sphere? The taming of plants, like the taming of property, is not as clear nor as complete nor as finite as the nature/culture dualism suggests (Plumwood, 1993). That is to say, the mastery and control of plants is never complete meaning that plants are never fully domesticated or fully ‘brought in’ to the domestic, private sphere. The amaranth crosses over and into the wild, the public, and acts like a weed.

In Figure 5 we see milkweed in a front garden on land that has gone fallow or fallen into disuse. The weed in the garden is a clear symbol of neglect. It is the opposite of symbols of ownership that hinge on care, order, and use. The weed has come to reclaim land that sits in an unkempt state. The presence of weeds – especially in the front garden, “private space that tends to be subject to public scrutiny” (Longhurst, 2013) – indicates disuse.

The milkweed, out of place in the front yard, supposedly tells us that the owner has failed to keep the domestic landscape tame³¹.

4.1.4. Claiming nature in green alleys



Figure 6. A green alley. To the right, we can see an enclosed space in the alleyway that includes eggplant and beans. To the left, we can see a mixture of grasses and ‘weeds’ including chicory and cosmos.

While most of the alleys in Parc Ex are paved, there are a number of ‘green alleys’ as well. While the City of Montréal has moved towards supporting *Les Ruelles Vertes*³²

³¹ The neglect or misuse of space by owners can be important in cases of adverse possession where abandonment by owners can present an opportunity for squatters to gain rights to property through clear and visible proprietary acts (like weeding, tilling, and fencing) (Blomley, 2005; Shephard, 2011).

(particularly in the Rosemont-La Petite-Patrie borough) (Ville de Montreal, n.d.) – alleys that have organized committees responsible for beautification via horticulture - these Parc Ex green alleys are simply dirt alleys where plants are, largely, left to their own devices. Plants are left to ‘go wild’ here. It is not uncommon to find stray potatoes mingling with dandelions, with grasses, with chicory, with thistles. We find a mixture of weeds and cultivated plants, of annuals and perennials, of plants that travel by seed and those that travel by rhizome, all drawn together by the opportunity held in fallow land, lining either side of compacted tire tracks.

It is within these alleys that the lines between domestic and wild, between weed and cultivated plant, become the most blurred. This is partly because *visible lines* become less clear. Cultivated plants and weeds share space (see Figure 7 below). In this landscape, it is more difficult to *see* and to identify plants, making it difficult to differentiate between weed and cultivated species. It is also difficult to *see* intention here. There are fewer indicators that clearly tell us whether plants were purposely placed in the alley by humans or not. Plants that are purposely placed by human beings imply ownership – they imply that someone has broken ground and planted, evoking Lockean property justifications (Locke, 1690; Blomely, 2004c). If the plants arrived here on their own accord (leaving aside debate about intentionality in non-human actors), then there cannot be a human owner in the same sense – especially given that these plants live on public property.

³² See http://ville.montreal.qc.ca/portal/page?_pageid=7357,114005570&_dad=portal&_schema=PORTAL

Seeing intentional planting, then, is important to seeing ownership (Rose, 1994). In these green alleys, seeing ownership is a challenge.



Figure 7 A potato plant hides in the weeds (centre). Behind, there is a fallow garden. It is unclear whether this potato was planted and abandoned, whether is growing from the tubers that were missed in last years harvest, or whether it has travelled across (or under)the fence.

Green alleys are often home to examples of proprietary takings and claimings – gardens that are staked, fenced, claimed, and tended on land that did not belong to the gardener. In many ways, these alleys are obvious choices for these acts as there is no need for digging up concrete or bringing in new soil for the garden beds. The green alleys are already home to many plants – weeds and grasses that have arrived on their own. Planting can also be seen as an act of taming this landscape – of cultivating the wilds, of domesticating the private, and of bringing order to chaos.³³

³³ I will return to these proprietary takings in the following chapter.



Figure 8. A ‘green alley’ with a property claim to the right. In the back right we see untended plants growing successfully.

Since these spaces offer direct access to soil for the gardener, in many cases we find that planting is simply extended into the alley –there may be a garden within the adjacent backyard and a small pumpkin patch has been set up on the other side of the fence. In other cases, large beds have been fenced, staked, and divided (see Figure 8 pictured above). These beds can be seen as an extension of the private sphere (of the home) into the public as gardeners domesticate the public sphere of the alley through clear *acts of property* (Rose, 1994; Longhurst, 2013). We can clearly see that the above garden has been claimed. Fences and plots tell the story but this story is a conflicted one. On the one hand, we see that someone has claimed ownership to this space. They have done so by

dividing it, fencing it, and working it. The land has been tilled and planted; it has been put to productive use (Locke, 1690; Cohen, 1927; Macpherson, 1978). The justification for the claim of ownership here is within the use of the space – it is a labour-based justification rooted in a moral understanding of land as having productive value (Locke, 1690; Cohen, 1927; Macpherson, 1978). Upon finding this garden, it seemed obvious to me that it belonged to someone. I would not have altered the structures, planted my own crops here, or informed the City that someone was poaching on public land. But, at the same time, I was aware that this space does not belong to the gardener in a formal sense, I was aware that legal title to this land was in the hands of the municipality. In other words, a relationship of ownership can easily be seen and established here even when that relationship obviously does not correspond with legal ownership. This garden is culturally coded. In it I can see ownership through symbols that I need not actively think about to understand – the fence, as dividing and demarcating property; the cultivation as labour in land translated into deservedness. This is contrasted with a cultural understanding of how the law works: I am aware of the distinction between public (municipal) property and private property. One cannot simply expropriate land from the State – this does not translate into property rights. These understandings, and the tension between them, exist simultaneously.

4.1.5 The pumpkin patch



Figure 9 Pumpkins growing up the fence, on the alley side.

These large, ripening pumpkins sit on the alley side of a large wooden fence. It makes sense for the pumpkins to be here and there are two excellent reasons, I suggest, for their placement:

1. Pumpkins love to climb and spread, and this sturdy wooden fence provides both room to vine and ample support for the hefty fruit to ripen.
2. This fence faces South-West, meaning that this position exterior to the fence provides these plants with maximum sunlight with which to gain energy. The

other side of the fence, the shady side, would be unsuitable for such a sun dependent plant.

The placement of the pumpkin patch within the alley can be seen as a claiming of sorts – for the lower, outer fence represents the extension of the private by about one foot – but if we ask *why* this claiming has happened, our answer may bring us back to the plants themselves. Pumpkins are not suited to being enclosed within the plot (within private property) on the opposite side of the fence. It is the specific needs of the pumpkin that draws them *outside* of the private space and into the public, as the gardener stakes claim to the extra space needed to support her crop. In effect, the gardener must listen to the needs of the plant if she is to have a successful harvest and the pumpkin’s lust for sunlight requires the borders of property be crossed.

Some plant transgression happens when the plants seemingly cross boundaries on their own accord: as with the amaranth and milkweed. In other cases, the boundary crossings seem to involve humans as agents (the pumpkin patch). But, even in these second cases, we can imagine the plants playing a role as agents in this process, driven by their own particular needs.

Power (2005), in an attempt to remedy a perceived void in discussion of non-human input in gardens, uses actor network theory (ANT) to conceptualize “human-nature” relationships in the garden. While conceptions of the garden and domestic sphere often categorize these spaces as those ordered and controlled by humans, there are often cases where humans work with – or *fail* to successfully work against – ‘nature’ here (Power,

2005). In the human-centred conception, plants are things to be controlled and put in their place. This ignores the reality that gardeners must work *with* the plants, their tendencies and needs (Power, 2005). So, on the one hand, weeds in the garden work against human mastery to choke out cultivated plants while on the other hand, humans work with plants to achieve mutually beneficial goals (like our pumpkins).

By recognizing non-human agency within the garden, we can challenge the notion that gardens are ‘nature’ spaces being passively controlled by humans (Hess, 2010). We can also see how plants play a role in transgressing the boundaries of nature/culture, public/private, wild/domestic. Weeds spread from outside the borders of the domicile by non-human, “non-purposeful” means – air, water, birds, humans as accidental carriers, etc. – and plants draw humans out of the borders of legal private property into adjacent spaces.

4.1.6 Grasping the nettles: taming the home, wilding the garden



Figure 10 *Urtica dioica* (stinging nettle) from *Nase škodljive rastline* (Cilensek, 1892).

When I first moved into my current apartment, in July of 2012, it was already very late into the gardening season. I transported bucket planters of tomatoes, peppers, and eggplants to their new home on my new balcony. Herbs – also in planters – easily made the voyage. My current home is on the second floor of a duplex and, according to convention, it is ground floor apartments that have access to yards. I anticipated gardening from my balconies and not breaking ground. I quickly discovered that the back yard, complete with space for gardening along the back fence, was overgrown and unused. The ‘weed’ that had taken over the garden space was stinging nettle.

The presence of nettles in relation to home – or private property – has been seen as a strong indicator of misuse: “luxuriant weeds were the only sign that man (sic) and his (sic) buildings had once existed, (Clayton, 2003, p. 104). Nettles love arable land – they thrive on the good soils that gardens are made of (Bassett et al., 1977). This means that nettles are often found in places where humans *have been* but are no longer exerting their ‘mastery over nature,’ (Bassett et al., 1977). Nettles can be taken as an indicator that the owner is not caring for the property. This presents interesting questions in relation to property since misuse of property opens doors for tenants (squatters) to make their own claims to property based on arguments of better use as in cases of adverse possession (Shephard, 2011; Blomley, 2005). The idea behind adverse possession laws stems from best use and labour justifications for property – that land should be put to productive use (production of capital or agricultural production). Those who tame landscapes of neglect can potentially be rewarded for their efforts in property rights. As nettles are seen as

indicators of misuse, their removal along with the return of this land to productive use, can be seen as both taming and claiming a landscape gone wild.

It took the better part of a hot late June day, a pair of long pants, a sturdy pair of boots, a thick long-sleeved shirt (done up to the neck), a shovel, a bandana (to keep the seeds from getting in my nose and mouth), and a thick pair of gloves to remove the nettle patch. In spite of this, the nettles kept growing back, both in my herb patch, and in the South stretch of the garden which I had left fallow (it being late too late in the year to plant many things, I left this section to be planted the following year). The nettle's vigorous regrowth ultimately gave me multiple harvests – enough to make myself nettle soup and trade leaves with a neighbour for grapes.

4.1.7 Rachel's front garden

Rachel's flowering hedge gently edges out from the front yard towards the sidewalk. Despite the fact that neighbours have cautioned her that she needs to cut it back, she lets it grow: "I like I all wild," she says. I walk past this hedge nearly everyday. Even in winter, without its leaves, it has a power –the feeling of being pushed out towards the road when walking past it is palpable. Watching neighbours walk passed the hedge, each of them steps into the middle of the sidewalk to avoid contact with the hedge even when, to the eyes of the onlooker, it appears as though they would have passed by untouched had they held their line.

This hedge is the site of multiple entanglements. With its roots firmly planted inside private property, the shrub gently encroaches on the public sphere – pushing pedestrians further away from legal private property. Its position in the front yard makes it a site of public scrutiny (Longhurst, 2013) – neighbours stop to scrutinize it (it is seen as being out of control) just as they stop to admire the garden as a whole. The plant itself is a cultivated variety and flowers, beautifully, when in season but its position– that it grows out into the sidewalk – makes it ‘wild.’ That it is ‘out of control’ threatens notions of human mastery. The hedge should be a controlled indicator of the boundary of private/public. Can the felt experience of the encroaching hedge and its ejection of the pedestrian be traced to the role of hedges in the enclosure of the commons and expulsion of the non-propertied? To the hedge’s history as a visual and material marker of property’s right to exclude (Blomley, 2007)? Or, rather, is the anxiety felt surrounding the hedge an expression of the viewer’s identification of poor moral conduct? Is the unwieldy, encroaching, ‘wild’ hedge, an unsightly feature on the normative moral landscape (Cresswell, 1996; Matless, 1997; 1998)?

The hedge is also entwined in the entanglements property and ownership. One of the sources of concern that neighbours expressed rests in the fear that the City will make Rachel cut the hedge back or, worse, will make her remove the hedge altogether. While the plant is, technically, on private property, the City (the State) can intervene in the interest of the common good – in this case, if the owners’ plants are interfering with the public’s right of way via the sidewalk (Rose, 1994; Singer, 2000). The hedge may be a clear marker of the divide between the public and the private but it is also a reminder that

the clear, inalienable right to exclude *can be* alienated by the State (Rose, 1994; Singer, 2000). In effect, the owner may not have the right to do as she wishes with her property because if her hedge becomes a public nuisance or challenges normative notions of propriety, the State retains the ability to infringe upon her supposedly exclusive property rights (Rose, 1994; Singer, 2000). Again, the hedge is a symbol of not only the private owners' right to exclude but also that State's ability to intervene, and of the normative propriety and order.

Finally, this hedge (and the front garden of which it is a part) is a window into the entanglement of owner-tenant proprietary relationships and cultural assumptions surrounding the roles of tenant and owner (Blomley, 2004). Rachel is a second-floor tenant who tends the gardens of her landlord (who lives on the ground floor). She does so for free – for pleasure. On multiple occasions, friends of the landlord have commented on this, noting how wonderful it must be to have a tenant who keeps such wonderful gardens. For a tenant to keep gardens – especially those of a building with an owner-occupant – counters notions of the owner as improver and tenant as degrader (Blomley, 2004). Rachel has planted perennials, weeded the gardens (that were in a state of disuse when she moved in), and beautified the property: the rewards, in terms of capital, can only come to the owner in this situation. While the gardens are admired, the hedge is equally admired and admonished –admired and admonished both for *being wild*.

4.1.8 Conclusions

The discussion of Rachel's hedge makes for a fitting bridge between our discussion of plants, above, and the discussion of property that follows. Just as the garden has a long history of signifying property (Rose, 1994; Seed, 1995), the hedge has a long history as a boundary marker (Rose, 1994; Blomley, 2005b). In a regime of private property the rests on notions of clear separation between what is mine and what is yours,³⁴ the hedge is supposedly a symbol of this division (Rose, 1994; Blomley, 2005b). This discussion of plants, I hope, has helped show that these divisions are neither clear nor complete. The hedge has multiple meanings and some of these meanings overlap, confusing distinctions between use and misuse, public and private, tenant and owner. Plants cross boundaries, drawing and being drawn by people, giving gardens and hedges more than these simple, confined meanings.

³⁴ Here, mine/not-mine mirrors the A/not-A logic of Western dualistic thought (Plumwood, 1993; Rose; 1993).

4.2 Entangled Property



Figure 11. The word “Stationnement” in this private parking sign is obscured by garden infrastructure.

This section will deal with entangled notions of ownership and proprietary feelings. I will discuss how tenants make claims to private property in a variety of ways within gardens – through the creation of permanent structures, through the process of making a home, and through perennial plants (and plant relationships). I will also look at how people make certain claims on public space – how they use public space in alleyways in a way that shows proprietariness (*showing* ownership) and how people often *take* public space for private use. The purpose of this kind of discussion is to explore the ways that the supposedly clear and contained lines of legal property theory are transgressed in

numerous ways (Singer, 2000). It is both part of the logic of legal liberalism and of the justificatory narratives of private property in which owners are posited as improvers while tenants are posited as degraders of space (Blomely, 2004). The assumptions and stories that both follow from and reinforce these dominant understandings of people and property affect the way that we see property (Rose, 1994).

4.2.1. Seeing the propertied landscape

Landscape influences property and the property laws affect the landscape (Rose, 1994). We see property in a particular way, which has an impact on our understanding of a landscape. Rose argues that seeing a propertied landscape is an act of imagination – we take visual cues and imagine what they mean and what stories they tell. Blomley (2004) discusses how “(t)he cadastral grid of blocks and lots that framed urban development [in Vancouver] in the 1870s and 1880s effaced the pre-existent propertied landscape of the First Nations” (p. 32). Colonial settlers refused to see the cues of First Nations, covering their ownership and use with a clear and recognizable European-style grid system.

Gardening has played an important role in the creation of the propertied North American landscape (Seed, 1995; Cosgrove 2008), as the planting of gardens was seen as a claiming of property by European colonizers (Seed, 1995). The history of the garden and the recognition of garden-ness is intimately tied to the notion of wilderness. The move from wild to civilized, in the European imaginary, is seen as the move from the untamed wilderness (exemplified by the Americas) to the civilized (exemplified by the European, single-family home) (Cosgrove, 2008). The garden was an intermediary in this process,

as gardening was seen as an act of taming: “Plantation meant precisely the erection of fences and the cultivation of wild nature. It meant imposing a gardened landscape across new worlds” (Cosgrove, 2008, p. 58). In Montréal, the notion that a gardened landscape needed to be imposed is particularly ironic given that, upon first contact, Jacques Cartier described the cultivated fields on the island of Montréal at the village of Hochelaga (Johansen & Mann, 2000). The Haudenosaunee who were living in Hochelaga had long been agriculturalists; their garden landscapes were seen and described but ignored within the imaginary of North America as untilled and wild.

A landscape is not static, but something that is recreated with the imaginings of the perceiver (Rose, 1994). When we see fenced and tended land, we assume that someone has claimed ownership. Making property is iterative and involves the reification of normative understandings of property (Rose, 1994). This is to say that the value and meaning of place changes over time, just as the value and meaning of property changes over time (Macpherson, 1978; Cresswell, 1996). Yet, especially with property, we tend to conceive of these things as static, hence the taken-for-grant nature of our understanding of private property. Landscape, then, is dependent upon iteration – the continual, active process of meaning-making between perceiver and perceived (Wylie, 2005).

4.2.2. On landscape and walking

Walking is between here and there, past and present. It is an act that opens possibilities, as with motion there are continued moments of choice where one can choose to respect or transgress the rules of the City (de Certeau, 1984). On the one hand, “to walk is to lack a place” (de Certeau, 1984, p. 103), while on the other hand it is to step into the “entwined materialities and sensibilities with which we act and sense” (Wylie, 2005, p. 245). To walk is to be between “here” and “there” but also to be within the relations between landscapes, other people, and cultural/historical context(s) (de Certeau, 1984; Wylie, 2005). To navigate these relations is to act within and against what Cresswell (1996) refers to as a normative landscape, which involves visible symbols and the values and meanings ascribed to them. These symbols shift and have multiple meanings. A normative landscape is made through and with multiple meanings as multiple understandings are overlaid upon each other (Cresswell, 1995).

4.2.3. Takings

The garden pictured below sits at the end of a short alley, south of rue Jean-Talon. The alley does not end in private property, but in public property that has been claimed through a fenced, enclosed garden. No “Private Property: Keep Out” signs explicitly tells me not to enter this enclosure, but I did not enter all the same³⁵. The fenced garden speaks as clearly as any sign could.

³⁵ I did consider sitting on the bench beside the fig tree but ultimately my timidity won the day and I left the location after a few minutes of inspection.



Figure 12. This section of land, at the end of a short alley, has been fenced and claimed for use.

This is one of the many instances when nonowners take property in Parc Ex alleys. Alleys stand as public property – owned by the City. In fencing sections of the alley for agriculture, non-owners are confusing property relationships by showing claims to space that is not ‘owned’ by the claimants (Blomley, 2004b). The enclosure shows a proprietary relationship to the space. It implies that others should not enter, that it is cared for by *someone*, and that *someone* has a specific relationship to the space. In other words, non-owners are enacting property through the fencing and tending of these plots (Blomley, 2004; 2004b). The proprietary symbols are clear and understandable (Rose, 1994) and are

rooted in labour-based justifications for space (Locke, 1694). That this land is worked and tended gives commonplace justification to these claims. There is a clear purpose to the plot pictured below as it is compartmentalized and divided for specific uses. Labour has clearly been invested within this small plot of land.



Figure 13. This strip of land in the alley has been expropriated for a small garden.

The end of alley enclosure (Figure 12) is a fairly dramatic enclosure in that it shortens the public right of way by a number of feet. In most cases, alleyway expropriations are less dramatic than the taking of an alley's complete width. Most, like the enclosure above (Figure 13), involve using a strip of land along the edges of the alley. The garden in Figure 13 is a clear example of this kind of taking. The gardener has used a variety of

found materials to construct both fencing and trellises that clearly demarcate space along the fence separating the alley from the private parking lot behind. The garden itself is divided by crops: summer squash at one end, greens in the middle, and an unidentified (yet to sprout) crop in the foreground. This kind of enclosure is relatively common, especially within green alleys where earth is available for direct planting.



Figure 14. *A small claim to gardening space within the alley.*

Not all enclosures of this sort clearly stand out. Many gardeners have taken property in more innocuous or subtle ways, taking just enough space to plant vines that creep up the back side of fences and using minimal (and minimally visible) materials to separate the

garden from the grasses and weeds of the alley. These discrete takings involve minimal input and, as such, the stakes are relatively low. If someone were to remove the garden, little would be lost (though I would be sad if I lost these squash plants). Sometimes the point is to *not to* stand-out; by making these gardens discreet there is little chance that someone (the City) will remove them. This type of gardening acts bear resemblance to what Scott (1985) characterizes as everyday resistance: “They require little or no coordination or planning; they often represent a form of individual self-help; and they typically avoid direct symbolic confrontation with authority or elite norms” (Scott, 1985, p. 29). These discrete gardens stand in contrast to takings that are meant to be communicative: large, dominant fences meant to keep people out by *communicating* that this space belongs to someone. Discretion avoids confrontation with authority, which could potentially end the gardening practice.



Figure 15. Tomatoes hide within the weeds.

Indeed, some garden claimings are so discrete that they are nearly invisible in the landscape. This small garden looks like an overgrown patch of weeds, hiding the cultivated plants within. The difference between the grass to the right of this alley ‘garden’ is minimal; there is a height difference, but the plants in the ‘grass’ are mixed. The garden, to left, looks wild and overgrown – it looks like these plants are ‘just weeds’. The tomato plant, thriving in the middle of this patch, is barely noticeable. The plants that are inside the fence, on the far left, appear to be overgrown and ‘wild’ as well.

In some cases (like the one pictured below), the garden blends in between the green alley and the fence behind, forming a sort of aesthetic bridge between two landscapes. The

plants and garden infrastructure (stakes and fencing) create a barrier not dissimilar from the fencing behind, which has merged with the vines to become thicker (and more visually impenetrable). Like Rachel's hedge, these boundaries are rich with overlapping meanings.



Figure 16. On the left, stakes, eggplant, beans, and summer squash meet with the fence of the legal property divide. In the alley, to the right, 'weeds' are found.

4.2.4. Claimings

Tenants often create permanent infrastructure on property they do not own. They create garden structures, plant perennials, make reparations on the property, or clean up yards (of weeds, debris, decay). These acts are often done against the better judgement of tenants, who are well aware that their labour is going towards the improvement of property that is not theirs. A tenant's labour is to the long-term financial benefit of the landlord. This runs into conflict with tenants' desire to improve their living situation in the present (and into the future as these improvements do not quickly evaporate).

Many tenants with whom I spoke mentioned this tension – either explicitly or implicitly.

When I asked Rachel whether she had made many alterations to the space, she responded by saying:

I don't feel like I can fully invest in the garden in the way that I would if it was my own property and I knew that I was putting down my roots so to speak for a lot longer here. But I even have a fear that they're going to one day evict us...

Despite this, she has logged countless hours tending and cleaning the garden – beautifying it in away that has been recognized by neighbours and friends of the landlords (who live in the ground floor of the building). In many contexts, this is labour that would be remunerated. On top of adding her labour to the property, Rachel has planted numerous perennials, thus making (semi)permanent changes to the landscape.

Against my better judgement I keep buying all these perennials at the Jean-Talon market when I go and then I keep planting them but I'm always like I shouldn't do this I'm just spending money into something that's not going to be mine.... I'm like giving these gifts to my landlord.

Through these improvements Rachel has cultivated a conflicted sense of ownership over the garden. On the one hand, she feels as though these perennials are hers and has even considered digging them up and taking them (or part of them) if she were to leave the apartment. On the other hand, she is acutely aware of her precarious tenureship over the garden.

Rana, also a tenant, expressed that having access to his own garden is essential to his living situation. His garden is where he goes to relax and get away from the pressures of the outside world – it is his personal, private haven. When I asked what he would do if the his landlord did not allow him to access the garden, he simply said, “move.” Rana expresses pride in his garden – he admiringly brought me to see *his* tomatoes. While Rana expressed that the garden is ‘his’ – that it reflects his creative input, that he is the sole person tending it, that his labour is invested in it, and that its fruits are his – he also acknowledges that the property itself is not his. If the landlord were to contest his ability to use his garden, he would move on to another pasture.

Blomley (2004b) discusses the complicated and overlapping feelings people can have towards property. In his discussion of the Altantic Street Greenway in Vancouver’s Strathcona neighbourhood, he discusses how residents have developed proprietary relationships to land that belonged to the City (something that these residents were also aware of). Some of these proprietary feelings are individualized and directed towards particular parts of the garden – a special tree, for instance; in other cases, there is a sense of common ownership towards the greenway as a whole. Blomley’s contention is that

property should not be conceived of in neat, categorical terms (a/non-a)³⁶. Property is neither public nor private, neither yours nor mine, but is rather “a way of being in the world” (Blomley, 2005b, p. 649). Enactments of property happen in a myriad of ways, though they often run contrary to, or confuse, legal and spatial binaries. Speaking to these binaries, Blomley writes: “The dandelion is *either* yours or it is ours. While the dandelion’s place within the court’s mental map is not always straightforward, what is clear is that it must, in the end, be *either* public or private” (Blomley, 2005b, p. 647).

Where this becomes confusing is when the dandelion grows as a weed in a garden that has been planted within a publicly owned alleyway. To the courts, this dandelion is public – it belongs to the State. But we have seen that these alley gardens, while legally on public land, have a different ownership status in practice. There is a presumed owner: whoever has carved and fenced these spaces. What if this gardener intended to use that dandelion?³⁷

³⁶ See Davies (2007), Singer (2000), and Christman (1994) for more on this.

³⁷ Dandelion, as mentioned earlier, has many uses. It is very common to find dandelion greens, for example, in Greek markets in Parc Ex. Like chicory, another ‘weed’ commonly found both in gardens and in alleys throughout Parc Ex, its leaves can be harvested as bitter greens, and its roots can be roasted and used as a coffee-like beverage.

4.2.5. The architecture of claimings

But the mass home builder has in a sense come up with a good working definition of vernacular architecture: it is the visible result of a confrontation between the aspirations of the occupying family and the realities of the environment – natural, social, economic.

Jackson (1997; 1976, p. 125)



Figure 17. Tenant Garden architecture I

Tenants often create permanent or semi-permanent structures in the gardening process. The structure pictured above encloses the garden and creates a canopy for summer squash. It is functional and suited to the needs of the plants for whom it is designed, showing both a relationship between the squash and the gardener, and one between the gardener and property.



Figure 18. Tenant garden architecture II

The clear lines and symmetry in the garden, pictured above, represent a well-ordered landscape. These neat lines communicate a relationship of care. The tenants who created these structures call into question the validity of notions of a ‘special relationship’ of care between owners and property (Blomley, 2004). These structures are clearly planned and placed with thought and foresight: nothing in this image indicates that the inhabitants of this property are tenants. Tenants, as inherently transient, cannot improve property or their neighbourhood and should not create permanent fixtures in the landscape (Blomley, 2004; Morley, 2000). These performances of property do not match the prevailing narratives of private property. Such performances of property can be enacted and interpreted in numerous ways (Blomley, 2013). Seed (1995) discusses how various

performances of possession were used by European colonizers to make property claims. The validity of these claims was dependant upon ignoring the visible signs of ownership that predated the conquest – practices ranging from shared fisheries to extensive agriculture (Blomley, 2004; Denevan, 1992; Seed, 1995). The associations between tenancy and mobility, and the legal structures that privilege private owners over tenants, reinforce a particular narrative that makes these performances *look* like the work of owners.

We associate an ordered, controlled property as one that is well-managed by an owner. Dating back at least as far as Locke, owners are thought to have a special relationship to property (Blomley, 2004). These associations are important because they affect how we see propertied landscapes. Viewing a well-tended landscape as being under the stewardship of owners effectively writes tenant gardeners (like those who worked the gardens pictured above) out of existence. But we find that tenants regularly make claims to property through gardening in many visible ways – through fences, trellis, perennials plants, and general care. Often, as in the case of Rachel, these performances of property (or ownership) are conflict with overlapping feelings of ownership and non-ownership. As much as the garden *is* Rachel's, she is aware that it ultimately belongs to the landlord and the personal expression, emotional attachment, and labour she has invested in the garden could ultimately be taken from her.³⁸ The privileging of owners over tenants makes such a position precarious and makes it challenging for renters to justify

³⁸ During a rent-increase conflict between Rachel and her landlord, a separate lease was created to ensure Rachel's access to the garden. This lease was, ultimately, unnecessary after it was discovered that the previous tenants had garden access written into their lease.

improving property, even when they want to. Despite these barriers, tenant gardeners like Rachel and our garden architects continually perform property and ownership in ways not in keeping with dominant property narratives related to tenancy and ownership. Through various proprietary claims and relationships, tenants often contravene the rules of private property.

4.2.6. Gardens, property, and home-ness

Radin (1993) argues, borrowing from Hegel, that private property is essential to personhood. People express themselves through things and are bound to things through their sense of self (Ryan, 1987; Radin, 1993). Personality justifications are deeply embedded in our understandings of home-making and the relationship between the idea of a home and the right to stay put (Hartman, 1984; Radin, 1993), as normative understandings surrounding the importance of the home have also had influence on judicial decisions and the development of tenants' rights (Radin, 1993). In this understanding, the home is conceived of as private property and is bound up with one's conception of self. This notion of home, in the West, is tied to the privately owned single-family house (Morley, 2000), and the house as private property had traditionally has a single-owner – the man. The feminized private sphere is enclosed in the family home (and controlled by the male “head of the household”).

Domestic backyard gardens are seen as extensions of the home (private), but they are also social spaces where ideas and food are shared. Gardens are ripe with social encounter: from my neighbours offering me mint when they saw me harvesting from my comparably

meagre crop, to Maddie's neighbours giving her composting tips, to George and Michael chatting and eating together in each other's gardens (they share an alley), to Sanchezan inviting friends over to harvest from his garden. There is a tension between privacy and sociability in gardens (Bhatti and Church, 2004) – at times these spaces function as places of escape but they are never completely outside of the purview of the public. At other times, gardens are places to invite the social world in. And often, they are both. Michael uses his tiny strip of garden as a place to unwind after a day of work. He chooses this space both because he likes the plants – cosmos are his favourite and he has planted many of them, letting them grow “wild” – and also *because* it is a social space. He can chat and socialize with his younger neighbours here.

Bhatti and Church (2000; 2004) argue that gardens play an important role in homemaking: “Gardens can be seen as a private retreat, a haven from the public world; a setting for creativity; a social place for sharing; a connection to personal history; a reflection of one's identity; and a status symbol” (Bhatti and Church, 2000, p. 195). Gardens are also places where the complexities and paradoxes of home are enacted, as they straddle the line between the public and private. They are spaces where personality is expressed, where home is made, and are also places of publicity.

4.2.7. Returning to pumpkins

*The bucks and the does will never roam free
A poacher's life is the life for me*

- From *Thorney Moor Woods (Traditional)*

Property transgressions and acts of possession are not always done actively by people. In some cases, proprietary acts are done by plants or by humans in concert with plants. If we return to our pumpkins we can note that sometimes positioning plants in public property is not an act of pure human will. Rather, the desire of the pumpkins for sun and support draws the gardener into public spaces, as they ‘tame’ a stretch of wild alley and ‘communicate’ ownership in the process. Both the plants themselves and the small patch of cleared land where they were planted communicate ownership. The small fence (Figure 9) signals a boundary between private space (the garden) and public space (the alley), even if this garden space is un-real estate (Blomley, 2004b).

When I myself planted pumpkins in the alley west of Bloomfield – using an old washing machine drum filled with dirt and letting the alley’s openness provide space and sun for the vines to sprawl – the publicity of the alley allowed for multiple layers of ownership to be expressed. My own small claim became communally tended when the children in the alley expressed a keen curiosity for what it was I was doing with this strange metal object filled with dirt. When they found out that pumpkins would grow here, they wanted part of the action, so we became collective stewards of our small pumpkin patch.³⁹ We had a sort of collective ownership of the pumpkin patch – a pumpkin patch carved out of public

³⁹ It was the children that informed me that our prized pumpkin had been stolen and smashed just before it became ripe.

land. The children knew that they had a stake in the pumpkins and *I knew* that they had a stake in it.

Further down the alley west of Bloomfield was an old raspberry bramble.⁴⁰ The bushes were set within someone's backyard but had grown thick from lack of pruning. They could be accessed through a large breach in the fence. The yard itself was rarely cut and the garden had become overgrown with weeds. These bushes had come to be commonly used by neighbours who shared the alley. Andy had first told me about them when she discovered my interest in wild foods, and for the rest of raspberry season I noticed many people (both children and adults) collecting berries in the yard. None of the visitors that I witnessed appeared to live in the house with the brambles, let alone be the owners of this estate. Taking berries was just part of everyday use of alley space. While these everyday uses of property, and everyday engagement with plants, do not represent a form of conscious resistance to regimes of private property,⁴¹ they do give us examples of how people engage with space in ways that are contrary to the supposed rules of this regime. People are not supposed to flagrantly cross boundaries and make claims to space, but they do; collective or conflated ownership to both public and private space is a surprisingly regular occurrence (Blomley, 2004b). Poaching for grapes and raspberries is not so strange that it unsettles reality (or begs interference from authority). Sharing both the responsibility for gardens (myself, with the children in the alley, or family members in their backyard) and the spoils of the garden (sharing food with neighbours and friends)

⁴⁰ The brambles were torn out last summer.

⁴¹ In sharing the pumpkin patch, for example, I doubt that the neighbour children believed that they were entering into a sort of common property scenario.

shows a more complicated relationship to property than the mine/not-mine logic of the ownership model (Singer, 2000).

4.2.8. Conclusions

In this section we have looked at the ways that people transgress, obscure, blur, and ignore the boundaries of property through taking property, having overlapping and conflictual claims to property, and through everyday uses of space. While the boundaries of property are often crossed and property is performed in confused, conflictual, entangled ways, this does not mean that these boundaries are inconsequential:

Legal boundaries are clearly important—they shape the way people behave, interact and think. However, practices and representations associated with garden boundaries do not always appear as they should, formally speaking. For example, the boundary appears less as a line, than a liminal zone (Blomley, 2004c).

The logic of the boundaries is the thing that we should contest, as it leads to certain assumptions about who inhabits space and how. The logic of private property makes specific things visible: we *see* ownership in neatly kept yards, pristine gardens, well-maintained homes; we *see* tenancy in ‘wild’ yards, fallow gardens, and degrading houses. It is an internalized logic (that of tenant as degrader, owner as improver) that leads to these assumptions. But as we know, unquestioned assumptions are not always correct and both lived experience and alternative narrative frameworks (ideological or epistemological) suggest other *ways of seeing* property. While property law is meant to navigate the complexity of property relationships, the attempt to categorize and compartmentalize these relationships ignores the permeability of these categories and boundaries (Singer, 2000) and hides relationships that do not always match hegemonic

logic. Whom we see as an owner, as a ‘natural’ member of the community, as a citizen, as ‘at home,’ is affected by the naturalness of private property and *how we see* property in gardens.

4.3 Entangled Landscapes

I stumbled into thinking about landscape through a profound rethinking of this entire project. When I finally succumbed to my reservations about conducting interviews in Parc Ex I was forced to consider what kind of research I *had* been doing all the while. It was clear that walking and seeing were foundational aspects of my methodological process and this practice seemed aligned with arguments by Rose (1994), already discussed, about seeing property. Cultural geographers have long been concerned with landscape as a way of seeing (Wylie, 2007). Wylie (2007) describes three ways that cultural geographers have discussed landscape as a way of seeing: “landscape as veil, landscape as text, landscape as gaze” (p. 56). Each of these metaphors bears import on this project to some degree. The idea of landscape as text has resonance in the ways I have discussed property symbols as being read in the garden while landscape as veil relates to the sort of stories these symbols supposedly tell. When we read a propertied landscape (as text), and (re)construct certain hegemonic notions regarding ownership (assuming tenancy or legal ownership depending on what we see), we see the regime of private property’s veil – we reproduce a hegemonic understanding in the landscape. In some ways this project is one of trying to lift this veil and demystify the propertied landscape.

The masculine gaze, and the separation between perceiver and perceived, is something that haunted me throughout this research (Rose, 1993; Wylie, 2007). While I did not succeed in evading it, the gaze is altered in an understanding of landscape that positions it as a lived environment rather than an object (Ingold, 1993; Wylie, 2005; 2007). “As the familiar domain of our dwelling, it is *with* us, not against us... (a)nd through living in it, the landscape becomes part of us, just as we are a part of it” (Ingold, 1993, p. 61). This is a break from landscape as a way of seeing (and is closer to landscape as a way of *being*) (Wylie, 2007). It is in this tradition wherein landscape is imagined as lived-in, entwined materialities, understandings, and ideologies that I situate myself.

Relph (1987) identifies three ways in which geographers have sought to describe cultural landscapes:

1. As interacting historical, social, and natural factors (descriptive);
2. As a classifiable set of patterns and systemic features (analytic);
3. And, as spaces where human values and beliefs are expressed (cultural artifact).

I am interested in both the first and third approaches. In the first two sections of this chapter I have looked at the interaction between the ‘natural’ and the human in the Parc Ex alleys. But, I have also claimed that this landscape is one where certain ideologies (those surrounding the primacy of private property, specifically) are both reinforced and transgressed. Cresswell (1996) refers to this as the normative landscape or “the way in which ideas about what is right, just, and appropriate are transmitted through space and place” (p. 8). These norms vary both spatially and temporarily (Cresswell, 1996). As Lefebvre (1974) argues, space is socially constructed. These socially constructed norms are also subject to transgressions, blurrings, and entanglements. In other words, the

normative landscape is contested or transgressed (Cresswell, 1996) and it can also be resisted in subtle ways (Scott, 1985). Scott (1985) refers to these discrete means of resisting power as everyday resistance. These forms of resistance leave smaller, innocuous markings on the landscape.

In what follows I will look at the ways that garden and alley landscapes (they meet and mix) are paradoxical spaces (Longhurst, 2013); gardens are liminal zones (Sibley, 1995; Blomley, 2004c) and, thus, are sights of normative entanglement. These entanglements allow us to think about the ways that hegemonic norms and their incumbent narratives obscure everyday practices in space that confuse or contradict these dominant understandings. More specifically, I will be looking at the ways that both the logic and the supposed rigidity of private property are entangled in the garden landscape. Further, I will be looking at ways that notions of citizen, migrant, tenant, and weed are entangled in a moral landscape where notions of what ought to be compete (Matless, 1997;2000).

4.3.1. Paradoxical landscapes



Figure 19. Various squash grow in the alley (front left), just beyond them grow ‘wild grapes,’ a fruit tree looms over the fence (background, centre-right), laundry hangs in plain sight and directly over the alley space.

To walk in alleys is to walk through the entanglement of public and private, of the wild and domestic. The divide between the public and private is diminished by both proximity between the inside and outside, and the ability to easily *see* across this divide. It is to walk through spaces of leisure – through children playing, past people cooking, relaxing, and socializing. And, sometimes, is it is also walking through spaces of labour. The connection between gardening and labour is present in numerous ways. The connection between gardening, labour, and property is foundational to Locke’s justification for private property (Locke, 1690; Macpherson, 1978; Blomley, 2004). Taming the wild,

through clearing the North American landscape, making space for gardens and the home is part of the Canadian national mythology (Mackey, 2000).

Domestic labour has been invisible labour because it exists in the private sphere.

Gardening, like the hanging of laundry, falls into the category of domestic work and is not valued in a capitalist economy.⁴² In a dualistic understanding, the public/private can be seen as A/not-A (Rose, 1993). That is, the definitions are exclusive, oppositional, and dependent (Plumwood, 1993). Not-A is defined against A (the masculine) (Rose, 1993).

The public sphere rests on the alley side of the fence, while the private rests on the 'home' side. This logic of compartmentalization is embedded within our notions of private property and its clear bounding of space. Private property cannot be public property as public property is defined as not-private (Singer, 2000).

Longhurst (2013) points out that gardens are paradoxical spaces that straddle the lines between nature and culture, public and private, individual and social, and leisure and work. Gardens are both public spaces – spaces of discussion between neighbours, friends and passers-by –and private spaces where the individual can escape the public. They are 'private places' under public scrutiny – they are literally places where dirty laundry is aired. While gardens are places of nature in the private sphere, this 'more natural' space still does not pass as the pure, unadulterated space of the wilderness:

When we walk, we naturally go to the fields and woods: what would become of us, if we walked only in a garden or a mall (Thoreau, 1993, p. 52)

....

⁴² For in a capitalist economy value is only expressed in the money-form (Marx, 1867).

If it were proposed to me to dwell in the neighborhood of the most beautiful garden that ever human art contrived, or else of a Dismal Swamp, I should certainly decide for the swamp. (Thoreau, 1993, p.63)

Thoreau's gaze upon the wilds of the swamp implies separation from that swamp – the separation of nature from culture. From this position he takes pleasure in and is awed by the natural landscape – the object of his gaze (Rose, 1993). A garden is not the wilderness, even if it contains some of the tranquility of nature. We conceive of the garden as being too sullied by human things – by domestic plants that we've planted, by rows that we've planned, by fences that divide and order the space.⁴³ The garden is too domestic, while the swamp remains wild. Longhurst (2013) challenges this binary, showing how gardens occupy a position between these binaries. Meanwhile, the situation of the garden between public and private – the private sphere and the domestic in full view – adds further complication. Gardens are places where we can see how the compartmentality of private property is transgressed, confused, and entangled by both plants and people.

⁴³ Even if, as we have seen, plants have far more say in how and where they live than we generally give them credit.

4.3.2. Moral Landscapes: cultivating land, plants, property, and people

The politics of the back-garden is likely to prove far more enduring and resilient than the apocalypitics of inflation and slump would have us believe.

Inglis (1976, p. 460)



Figure 20. *A poor moral landscape (despite the presence of a church in the background), the weeds that are in-place beyond the fence have migrated to the garden, clear lines are blurred, weeds grow in the cracks of the driveway. The barbed wire does little to keep floral transgressors out. What is it protecting?*

Inglis (1976) argues that landscape can be treated as “the living embodiment of ideological structures” (p. 444). The morality of the landscape is the lived *ought to be* and this ought is informed by dominant ideology. By using the term “moral landscape” I am implying that there is an assumption about what ought to be in the lived landscape.

Matless (1997; 2000) makes reference to moral geographies of landscape describing who and how one ought to be in the landscape (in order to be the proper citizen). Looking at everyday practice, Matless (1997; 2000) examines landscape as “a changeable matter of elaborated cultural codes of conduct and ramifying codes of conduct” (Wylie, 2007, p.

112). In what follows I borrow from Matless (1997; 2000) to draw connections between notions of citizenship, home-ness, weediness, and what is in-place or out-of-place in the moral landscape (Cresswell, 1996).

Clayton (2003) discusses how notions of ‘weed’ and ‘weediness’ are social constructions that are culturally, geographically, and temporarily specific. In the English language, the term weed has come to be associated with terms like casual, troublesome, pest, and noxious. The weed must be kept in its place. But these notions, according to Clayton, are all relatively recent (2003).



Figure 21. A good moral landscape: we see clear lines between the lawn and the garden (with landscaping stones to demarcate these spaces), both lawn and garden are relatively free of space. Both the vegetables and the grass stay within their given homes. The tomato supports form clear, ordered lines.

The early colonizers of the new world viewed the act of planting gardens as an explicit act of civilizing the savage landscape and improving the land. They saw “weediness as the antithesis of productivity and prosperity” (Clayton, 2003, p. 110). Thus, ridding the landscape of weeds was a means of improvement – both productive and moral improvement.

Ridding the landscape of weeds is also an act of protecting against invasion. Weeds are mobile and thus have potential to spread, to infect, and to sully the productive, cultivated garden (Cresswell, 1997; Clayton, 2003). I was reminded of this when speaking to Nick, a gardener involved with Babylone, the community garden in Parc Ex. While praising me for tending my alleyway planters early in the morning, he quickly complained about the new, ‘young people’ in the community garden who let the weeds grow between their plots making the whole community garden more ‘wild’. His fear surrounding these weeds involved their potential to contaminate all other plots in the garden; he was not worried about plants in the spaces between the gardens themselves, but that from these spaces between the weeds can travel to cultivated plots. Fear of contagion links weeds to diminished productivity in the garden, and is also linked to a perceived lack of productivity in these ‘lazy gardeners’ who are not keeping up with their weeding. There are echoes of Locke (1690) in this as propriety is measured by the labour necessary to rid the landscape of weeds and keep the garden civilized.

Gardening, again echoing Locke (1690), has often been a means of claiming property. In taming the landscape, ordering it, and giving it the clear and understandable proprietary markings of fences and furrows, the early English settlers communicated possession (Seed, 1995). Thus, the improvement of the landscape by the settler, through good gardening, is linked to ownership. The notion of private owners as improvers is overlaid with white settler gardeners as improvers, forming the moral backbone to processes of displacement. Weeds are pushed from the domestic, people from the public. That which is not within its natural place must be removed.

“England is not a free people, till the poor that have no land, have a free allowance to dig and labour the commons...”
Gerard Winstanley, 1649



Figure 22. From the *The True Levellers' Standard Advanced* (Winstanley, 1649). In Winstanley's depiction we see the clear lines and order of English gardening tradition. As squatters on the Commons, however, the Diggers or True Levellers were seen by as a threat to a (then) newly established order of private enclosure by landlords (Hill, 1972)

Contrary examples to the private (white settler) owner as improver, or the weedless landscape as improved, are erased as they are discordant with normative understandings.

Beneficial weeds – whether aesthetically, medicinally, nutritionally or culinarily beneficial – do not exist in these understandings. So-called slumlord owners who let their properties become infested with weeds (and worse: rats, mould, bedbugs, etc.) do not exist, properties abandoned by owners do not exist, and examples of owners who do not ‘improve’ their properties, except for when renovations are subsidized with capital from the State,⁴⁴ are erased. More importantly, improvements and positive impacts *by tenants* or those perceived to be tenants become invisible within these hegemonic understandings of property and prosperity.

The tragedy of the commons (Hardin, 1964) exists as historical truth within this kind of normative reality, when in reality it is a convenient fiction that buoys up hegemonic thought (Dahlman, 1991). There are countless instances where common pool resource management has been successful (Ostrom, 2008). As the English commons were being enclosed, an enclosure that turned public property into private property under the assumption that this would lead to the best and highest use of land, resistance took place in various forms. From poaching the traditional lands (as in the traditional Nottingham ballad, *Thorney Moor Woods*) to land occupations by agrarian groups like the True Levellers (or Diggers), groups continued to use land in productive ways even as enclosure was quickly ruining the usefulness of land (Hill, 1972).

For the 19th century European bourgeoisie, heterogeneity was seen as improper and immoral (Evans, 1978). That the working class lived in ways that blurred lines – in

⁴⁴ I am referring here to examples where governments fund property improvements. We will return to this in the following chapter.

shared quarters between extended families, in shared courtyards between members of different families, in rooms with multiple purposes (washing, eating, cooking, sleeping, procreating, etc.) – offended bourgeois notions of modesty and propriety. The imposition of new housing upon the poor was seen as a way of cleaning up the licentiousness through ordering the chaos. It was also a means of controlling the chaos – because what cannot be seen, cannot be easily controlled. The “degenerate social landscape” was reformed by transferring the people from public space to private spaces and by neatly ordering these private spaces (Evans, 1978, p. 34). The heterogeneity of everyday existence ran into conflict with bourgeois notions (notions in keeping with legal liberalism and property theory) of clarity and separation.

Sibley (1995) writes of the associations between rats, waste, disease, and poor, racialized people. Rats, cockroaches, bedbugs, and other infestations are often associated with apartments and projects (and not the single-unit family home). The association between tenancy, vermin, and dirt is powerful in reinforcing notions of tenant as degrader while the cleanly, cultivated owner of the tidy single-family unit is positioned as the improver. It is odd – or, perhaps, convenient – that these associations with dirtiness are affixed to tenants and not to the landlords whose supposed responsibility it is to maintain their buildings – and whose supposed ‘natural’ role, based on the logic of private property, it is to keep property well maintained such that it ‘improves’ (Mill, 1871; Rose, 1994; Blomley, 2004).

It is important to note that these constructed others are racialized. Certain people are excluded from the landscape –both metaphorically and in practice. When we ask, as Sibley (1995) does, “who are places for, who do they exclude, and how are these prohibitions maintained in practice?” (p. x), we find ourselves faced with the primacy of the white-male national subject. “The construction of people of colour as outside of the nation places them as negative disruptions on the Canadian landscape” (Peake and Ray, 2001, p. 180).

Weeds exist as plants out of place, dirt as matter out of place, and racialized migrants as people out of place (Douglas, 1966; Cresswell, 1997; Sharma, 2006). The out-of-place-ness is dependent upon perception – a weed is a plant that is seen to be a weed, that is seen to be out of place. There is nothing inherently ‘weedy’ about the plant. In the same way, the notion that a migrant is out-of-place is dependent upon the construction of their being a natural home for certain people – that the origins of people of colour is not in the North American landscape. Thus, the displacement of First Nations peoples – the displacement of the primary occupants⁴⁵ - and the construction of the white-male national subject is reiterated in the displacement of racialized “visible minorities” from the urban landscape through gentrification (Blomley, 2004; Sharma, 2006).

The ‘we-ness’ of the nation is constructed through particular narratives of belonging. These are justificatory narratives and, unsurprisingly, are deeply related to justifications for property. The Canadian state, after all, is founded on the genocide, displacement, and

⁴⁵ Again, this is a nod to first occupation justifications for private property.

forced assimilation of Indigenous peoples. This, in turn, is related to the taming and domestication of the Canadian landscape by the white settler. As Europeans remade the Canadian landscape to match their image of a ‘civilized’ place, they used culturally specific symbols to communicate their takings (Seed, 1995). These symbols – gardens, the patriarchal single-family unit, maps, etc. – carried and continue to carry certain narratives about the presumed value of these symbols. The story is that of clear, orderly property held by a single (male) title holder being the only way to maximize use of land and is the only way to claim ownership. The ‘home’ is organized around principles of private property that are imbued with deeply held assumptive justifications. These assumptions about both who and how space is best used and ordered make natural displacement.



Figure 23. Home making and garden making are intertwined in this courtyard that connects 6 units.). Just outside of the frame is a small table for outside eating. The interconnected practices (laundrying, growing, eating) have resonance with the 'working class' existence that the 19th-century bourgeoisie aimed to eradicate through housing reform. It is unclear to whom these items belong. But, it is clear that the space has been claimed through use.

Sharma (2006) calls to attention the deep connection between migrants and chaos.

Migration unsettles the natural order of the state. It is an abnormality, a black spot on the domestic European home(land). Migrants are seen as trespassers upsetting the 'natural' order. This is reflected in laws surrounding vagrancy and loitering – laws that target youth, migrants, racialized minorities, the poor, the homeless, nomadic peoples and effectively eliminate their right to be (Mitchell, 2003). These people are literally not allowed to be – as regulatory laws make it impossible for them to sleep, urinate/defecate, stand, sit in public space and they can only exist in private space with expressed consent of the owner – as well as symbolically exist as they have no place in the rhetoric home of Canadian society (Morley, 2000).

Returning to Rose (1994) and her argument that seeing a propertied landscape is an act of imagination – we take visual cues and imagine what they mean and what stories they tell. Thus, a landscape is not static, but something that is recreated with the imaginings of the perceiver. This act of imagination is not limited to seeing property. We actively create weeds in the way that we see them as out-of-place, as a threat to beneficial plants, as the potential for infestation, as a disturbance to order. They do not exist as weeds without this act of creation. Similarly, notions of who can be at-home in the Canadian landscape – both at home in the country and at home in *the home* - involves the process of reifying a

normative understanding of whom the Canadian subject is. This involves excluding certain people from the imaginary (Sibley, 1995). In the confluence of the creation of natural owner and natural citizen we can find moral justification for processes of displacement. This is an active iterative process that is layered with assumptions of whom and what is in-place/out-of-place. If we return to Figure 20 and Figure 21, where we began this section, we can see how these layers of constructed meaning and normative understandings are read on the landscape. In Figure 21 we can make assumptions about the ownership and citizenship status of the gardener – the garden, and by extension the home, is well ordered and maintained. It is relatively weed-free. Care has been put into its organization. Figure 20 speaks of neglect – as though the owners are not present (implying tenancy) and the occupants are transient and do not care for their environment. Weeds have claimed the garden space while remnants of the domestic linger in mop-handle stakes that support tomatoes hiding in the weeds. With the more cultivated landscape comes assumptions about the cultivation of people.

4.3.3. Home, migrants and weeds

*Fear of contagion the violence of a fence builder's dream
That masks the phrasing of "all the pleasures of home"*

-Fugazi, 'Place Position' (1998)

Part of the fear surrounding weeds rests in their mobility – that they will move into places where they are unwanted and choke out desired plants. Weeds spread and move without the consent of people; they pop up in your garden as an uninvited guest. Further, the very existence of weeds depends on this stealth and mobility; the plants need to get themselves

to a location where they are out-of-place (usually a garden, lawn, or other landscaped environment) in order to be considered a weed: definitionally, weeds are plants that exist where they are not wanted.

Migrants too exist, definitionally, because they are not rooted in their ‘natural place.’ And, their existence depends on mobility. Without mobility, there are no migrants. As Cresswell notes (1996), mobility is seen as deviance in a “place-bound, property owning society” (p. 85). State apparatus depend upon the notion of home with its fixed address where people live, work, pay taxes, vote. The overvaluation of home in the Western state leads to a suspicion of mobility (Cresswell, 1996; Morley, 2000). In the logic of the white-Canadian settler State, immigrants have left their natural home which exists as some other place in an imaginary landscape, a place where migrants are naturally supposed to exist. Thus, (im)migrants are people out of place – they live in a place where they are deemed to be other-than the natural citizen (the white, European settler).

What is important here is *who is perceived as* an (im)migrant. That, in a Canadian State the presupposes a white citizen, people of colour as assumed to be migrants – are assumed to people who have been uprooted from their natural place, are assumed to be out-of-place in Canada, are assumed to be less than citizens (Sharma, 2006). Where the people in question consider their home to be is not the issue – Roma are deemed migrants regardless of whether they have a fixed address and full citizenship status. What matters, in many cases, is whether people are considered to be at home (in-place) or not. Blomley (2004) argues “that those who do not own property (or, more importantly, those who are

imagined as nonowners) are not only incomplete citizens, but partial or deformed subjects” (p. 89). Further, we “describe owners of private property as living in ‘homes,’ located in ‘residential communities,’ while renters live in ‘units of housing,’ ‘apartments,’ or ‘projects’ that are, if anything, a threat to ‘community’” (Blomley, 2004, p. 89). Renters cannot rest on the moral ground of property ownership. Notions of racialized (im)migrants as being outside of the imagined nation, and therefore ineligible for citizenship in the nation, overlap with property justifications here as we imagine nonowners as transients without the ‘special relationship’ to property that comes with full ownership and without the special relationship to place that comes with being part of the nation.

Notions of who is supposed to be within the Canadian landscape influence who are important to explore within the context of Parc Ex. As I’ve indicated, Parc Ex is a neighbourhood with a large number of recent (and often, racialized) immigrants and it has an extremely high rate of tenancy (82%). By both of these measures, we are imagining people living this neighbourhood that do not belong here (Morley, 2000; Sharma 2006;). Firstly, as ‘migrants,’ recent immigrants are seen as people who belong in another place – in an imagined ‘other’ homeland (Morley, 2000; Sharma 2006;).

The continuous displacement and forced assimilation of diverse people to make new homelands, not only in White settler colonies but also within each and every national state, has not disrupted the notion that national communities are formed through shared, common characteristics. The nation continues to be seen as historically rooted in blood and soil. The concept of *ethnicity*, reliant as it is on the idea that there exist a People that ‘naturally’ belongs to a given space, figures prominently in this (Sharma, 2006, p. 10).

As Sharma (2006) points out, this idea is rooted both in blood and in soil and while the idea of blood relation may be linked to notions of race or ethnicity, the notion of soil is tied to property – to the notion that a people inherits a certain *homeland* that has been worked, sweat, and toiled over. Newcomers cannot share in this inheritance.

4.3.4. Gentrification and displacement

In a landscape carved by private property ownership, tenants become migrants.

Displacement and gentrification primarily affect tenants and disproportionately affect the poor, the elderly, and racialized populations (Hartman, 1984). As Sharma (2006) notes, above, displacement and assimilation are the markings of the white settler colonial state. Gentrification and displacement is a current iteration of this continual process (Blomley, 2004; Newman and Wylie, 2006) and fit within the mythic framework of the Canadian state – that of the taming of the wilderness by the white settler. In doing so, those who are not seen as ‘at home’ are displaced or assimilated⁴⁶.

⁴⁶ Of course, white Canadians are not the only people who fuel displacement. I spoke to many people of colour in Parc Ex who were owners (and were not being displaced) and it would be a mistake to assume that all racialized people are displacees to white displacers.

What territory does the program cover?

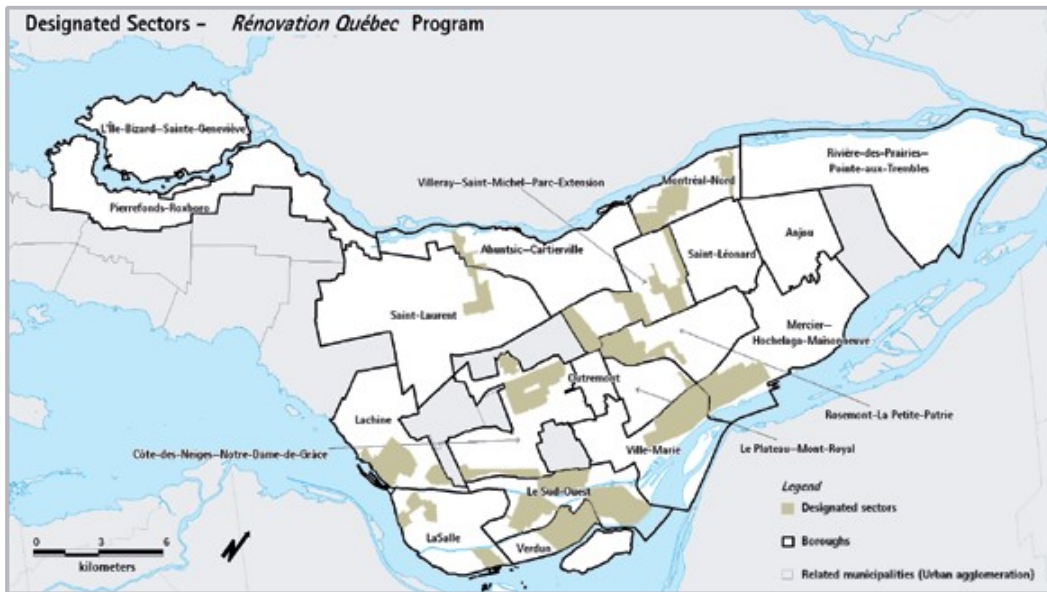


Figure 24. Parc Ex is situated in the centre of this map that details the areas covered by the Renovation a la Carte program (City of Montreal, 2013).

The State often plays an active role in the gentrification process through decisions regarding where funds are allocated and what initiatives are supported (or not supported)(Lees 2003; Rose, 2004; Newman and Wylie, 2006). We see example of this in Parc Ex (especially in the area South of Jean-Talon) where the City funds building renovation programs. In some cases this funding is tied to occupant ownership while in others, like the *Rénovation à la Carte* program, are open to non-occupant owners. Many of the buildings in Parc Ex south of Jean-Talon have received “facelifts” (Ville de Montréal, 2013). The aesthetic ‘cleaning’ of these buildings is coming at an opportune time, as the Université de Montréal is currently building a new campus just south of this area in the former Gare de triage d’Outremont (this project, too, is receiving generous State funding from the government of Quebec). Maddie’s landlords were amongst the many to receive state funding for their renovations. Returning to the map above, the

program targets low-income areas and, referring to the image above, seems to target the assumed white owner occupant. The pressure of gentrification comes both from the so-called free housing market and from State supports.



FIG 25. *This image, from the *Rénovation à la Carte* leaflet, depicts the presumed benefactor of the program.*

The logic of private property is that through private ownership land will be used to its best and highest use (North, 1981). The ultimate goal of property, within this conception, is to increase in value in perpetuity (Bentham, 1843; Christman, 1994). This logic is not only reflected in the boundaries of legal liberalism (Singer, 2000; Blomley 2004c) but also in our normative understandings of how property works (Blomely 2004; Davies, 2007). These understandings make it difficult to see alternatives to the private property model and obscure the multitude of ways that the boundaries and relationships supposedly natural in private property are contravened (Macpherson, 1978). So, the reality that private improvements to property are often encouraged by State intervention does little to unsettle the notion of private/public separation. That neither people nor

plants respect the boundaries of private property is lost in the logic of private property. The boundaries of property are transgressed, ignored, and entangled with meanings yet we still refer to narratives that assume private ownership is essential to the best use of land. These arguments hinge on human nature claims about the inherent self-centredness of people, ignoring acts that indicate otherwise and highlighting relationships that enforce this claim.

4.1.5 Conclusions

The bounded-self metaphor of private property is deeply complicit in the shaping of our conceptions as it highlights particular practices whilst obscuring others (Nedelsky, 1990). Metaphors that focus on the separation and autonomy of individuals through private ownership ignore the ways that individuals work together along with the support of the State to maintain property relationships (Nedelsky, 1990). Gardens and alleys occupy liminal spaces that give us windows into the permeability of private properties bounded separation. Nedelsky (1990) suggests a metaphor of skin to better illustrate the permeability of borders. We are not fully contained by our permeable skin, rich with pores, nor is property clearly bounded by fences and deeds. Plants cross the public/private divide through desire, human will, and change. People cross these lines through everyday practice in gardens, taking and fencing spaces, taking ownership through use, and eating, playing, talking, spying, in the margins.

5. Conclusion

We need to find ways of contesting the absolute authority of law.

- Davis (2005, p. 92).

There is a crack in everything / That's how the light gets in.

- Cohen, 'Anthem' (1992)

Throughout this work I have used the word 'entanglement' to describe how supposedly clear, common sense notions are often endowed with multiple, complex, and often contradictory meanings. This is especially useful when looking at notions of private property – an institution that is built upon a foundation of clear, bounded space, and upon clear, individual title (Singer, 2000). The separation that is supposedly foundational to private property is often bridged through everyday activities in gardens and alleys. The supposed relationship owners and property created through clear, individual title is also confused as complex notions of ownership and complex proprietary feelings are expressed by both owners and renters through acts of gardening. Simply put, ownership is not nearly as clear as private property's foundational narratives presuppose.

I have discussed entanglements in other notions related to private property throughout this work. The supposed separation between cultivated and wild plants becomes blurry around domestic gardens and alleys in the boundaries between public and private.

Cultivated plants are often seen as weeds and vice versa. The idea of weediness is related to whether plants are considered to be desirable in the garden (private space) and whether they were purposefully placed in the domestic sphere – weeds are defined as being in the wrong place (Cresswell, 1997; Clayton, 2003). Weeds also carry the potential to infect

the garden – to transform the cultivated garden into a wilder space. In doing so, they compromise the usefulness of the garden by decreasing its productivity as weeds compete with cultivated plants for energy. Here is where weediness and wildness run against notions of proper use of property: a ‘wild’ garden, full of weeds, is supposedly a sign of misuse (Blomley, 2005b). Private ownership is supposed to maximize the best use of property, helping decrease unkempt, weedy landscapes. This means, supposedly, that private owners better tend their garden plots (better than non-owners) by nature of their special relationship with space (Blomley, 2004).

And here we have another entanglement of plants with property in the notion that tenants cannot be improvers of space (Blomley, 2004). This assumption carries certain implications when we see and experience the propertied landscape. Weeds, as signifiers of misuse, become linked to tenancy. The logic of private property leads us to imagine a weedy garden is one that is misused and is more likely to be found in a tenant-occupied building than one that is owner-occupied. Throughout this work I have tried to challenge this association by showing examples of the complicated ways that people engage with garden spaces – both on private and public property, both tenants and owners.

The association between weediness, tenancy, and mobility is the last entanglement that I want to call to attention here. Cresswell (1996) argues that mobility is seen as deviance in a society structured around private property ownership and, consequently, rootedness through ownership. The fear of weeds – and need to eradicate them – is partly related to the fear of their extreme mobility. Tenants are in a precarious position vis-à-vis property

and, as such, are seen as being more mobile. This means that they, supposedly, do not have as strong an attachment to space as owners do. Immigrants are seen as being more mobile as well. In a neighbourhood with high tenancy, and high numbers of recent immigrants, distrust of mobility should be something of particular concern. People who are seen as being out-of-place or in Canadian society (or Québec society⁴⁷) – predominantly, racialized minorities – are seen as not being at-home here, as their natural home is seen as outside of the borders of Canada (or Québec)(Sharma, 2006). Their presumed mobility pegs them as non-owners. And, the connections between migrants and chaos mirror those between weeds and disorder. Especially in a place like Parc Ex, weeds in the garden imply not only tenancy but also migrancy.

5.1 The logic of property

Even if we were to accept the logic of liberal private property wherein the telos of property is maximizing profit (in perpetuity), it is unclear that private ownership is the best means of achieving this goal. Firstly, we can see that the State intervenes to increase property values by supplementing the improvements of homeowners. That the City of Montréal targets low-income, high rental neighbourhoods for programs like *Rénovation à la Carte* (Ville de Montréal, n.d.), tells us that private ownership alone is not seen as a means of improving property. Rather, the State needs to encourage private owners to improve property (fueling gentrification by luring new owners with money for improvements) while, at the same time, endorsing private ownership as the normative ownership arrangement by funding these sorts of projects over cooperative ownership

⁴⁷ The *Chartre des Valeurs* and the discourse surrounding it is a current iteration of this distrust of racialized (im)migrants within Québec.

situations. By funding private ownership, the City is acknowledging that private ownership is the ideal means of carving up urban space whilst belying the failings of private property's justificatory narratives.

Secondly, there are numerous examples where private owners do not care for property. This is especially true when we look at cases of absentee landlord and so-called slumlords. Many landlords are simply not present to have any input in their properties. Of the many apartments where I have rented in Montréal, the only time I had a landlord who took active interest in the property was when that owner lived in the building (the ground floor of a duplex). Otherwise, landlords have been happy to – and have made active attempts to – avoid making improvements, fixing property, or beautifying the space unless these things are absolutely necessary (in cases of structural damage, when the City threaten to fine landlords for aesthetic issues like the presence of debris in the front yard). As I write, I sit below a patch on my ceiling where there is visible water damage from a small leak – damage that I informed my landlord of months ago and has still not been tended. This story is a common one among Montréal renters. Further, and this is particularly true of Parc Ex, we have cases of slumlords who allow the conditions of their buildings to degrade to terrible states: bedbug and rat infestations, leaking roves and pipes, black mold that causes lung damage, inadequate heating, and dangerous structural damage are not uncommon (Normandin, 2012; Burrill, 2013). And, there are numerous condemned buildings in the neighbourhood notable for their boarded windows and doors. Why do these conditions become pinned upon the tenants and not the owners who are 'supposed to' care for these properties? How is it that tenants become associated with

vermin, and dirt (Sibley, 1995) while owning multiple properties is seen as a good investment? I do not mean to suggest by providing these examples that private ownership leads to neglect – I am not flipping the logic of private property and targeting owners as neglectors. Rather, I am suggesting that the relationship of owner to property – the owner as improver, as steward – is not a truth. Both tenants and owners are able to neglect space just as they are both able to improve space.

This brings us to the third crack I wish to point out in private property's logic. This involves the fundamental presumption that private ownership *creates* the steward. That is, that through granting private ownership to individuals we create the incentive for those individuals to tend to and improve land. My suggestion is the opposite: that private ownership creates a group of people who have a disincentive to tend to and improve land. These people, of course, are tenants and private ownership creates a relationship of precarity between large numbers of people and their living space. It is despite this, or in spite of this (depending on whom you ask), that tenants continue to garden, to create permanent garden structures, to plant perennials, to fix problems within their living space, to clean their yards, to paint their walls, and to invest themselves, their time, and their capital into living spaces that do not legally belong to them. Tenants improve against their better judgment. Again, I do not wish to suggest that tenants necessarily improve property. Neither do I wish to argue that they improve property just as much as (or more than) owners do. Rather, I am pointing out that tenants frequently act in a way towards property that displays care, that suggests ownership, and that can be considered 'improving' property. They do this even when they know it is, in some ways, against

their interest. If tenants, people who have a disincentive to improve property, frequently tend to property that does not legally belong to them, then surely private ownership is not necessary to create the incentive to improve. That incentive comes from somewhere else. And since private property, even as it supposedly creates an incentive to private owners, also creates a disincentive to tenants, then surely this is not the most efficient way to maximize gain.

5.2 What's natural about property?

At its core, this study has been an interrogation of common sense understandings surrounding private property. I have tried to make the case that lived experience of everyday interactions between people, plants, and space lead us to understandings of property that are contrary to justifications for private property. The rigid lines and clear boundaries of ownership do not correspond to lived experiences. Plant-human relations in gardens and alleys blur visible boundaries and confuse clear ownership. Humans respond to the needs of plants, tilling land on public property, and humans are drawn onto private property by plants. People make claims to property that is not legally theirs in numerous ways – from tending the garden of their landlord to fencing and tending sections of the alley.

There are many reasons why the common sense understandings surrounding private property should be interrogated. Firstly, they tend to obscure the many ways that tenants 'improve' property, claim ownership, and engage with space in a way that shows care and rootedness: in short, how tenants make homes. Tenants tend gardens, fix things,

clean-up property, order space, and imprint their personalities within the home and garden. The trouble with the precarity of tenancy is that these acts often go against their “better judgment.” They do this even when aware that the long-term benefits may go to the future tenants and, ultimately, to the landlord. Common sense understandings of property also obscure the reality that owners sometimes do very little to improve property. This is most dramatic in cases where landlords are not owner-occupants: with absentee landlords or ‘slumlords’.

The overriding problem with these common sense understandings, and with the everyday experiences that they obscure, is that they support an institution (private property) that is founded on displacement and that continues to reinforce inequality (Cohen, 1927; Singer, 2000). Private property creates haves and have-nots, quite literally, as it creates two categories: those who have property (owners) and those who do not (tenants, homeless). In a Canadian State with a national project founded on this displacement (Blomley, 2004), where the natural citizen is the white-European settler (Sharma, 2006), people of colour are assumed not to be owners. The associations between tenancy and migrancy help reinforce commonplace understandings of who can own property and who cannot. These understandings are racialized. White inhabitants are more likely to be seen as owners – owners with clear, tended, and weed-free gardens – as they are more likely to be seen as ‘at home’ in Canadian society (Morley, 2000; Sharma, 2006). In a society wherein private property ownership is not only a strong indicator of wealth but also a determinant of who can have access to space and who gets to stay put, seeing ownership

as being related to whiteness perpetuates exclusionary cycles of injustice. When private property is seen as 'natural' it perpetuates spatial and material inequalities.

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