

Land Inequalities in the United States

Debbie Becher

Department of Sociology, Barnard College, Columbia University, New York, NY, USA;
email: dbecher@barnard.edu

ANNUAL
REVIEWS **CONNECT**

www.annualreviews.org

- Download figures
- Navigate cited references
- Keyword search
- Explore related articles
- Share via email or social media

Annu. Rev. Sociol. 2023. 49:421–41

First published as a Review in Advance on
March 8, 2023

The *Annual Review of Sociology* is online at
soc.annualreviews.org

<https://doi.org/10.1146/annurev-soc-030420-122704>

Copyright © 2023 by the author(s). This work is licensed under a Creative Commons Attribution 4.0 International License, which permits unrestricted use, distribution, and reproduction in any medium, provided the original author and source are credited. See credit lines of images or other third-party material in this article for license information.



Keywords

property, economy, urban, rural, environment, law

Abstract

Outside of Indigenous studies, sociologists tend to treat land in the United States as governed exclusively by an entrenched private-property regime: Land is a commodity and an object for individual control. This review presents land in the United States as more complicated and contingent. State law and related ideas comprise a dominant, hegemonic power that often appears unitary, coherent, and all-powerful. And yet, land takes on diverse cultural, legal, and material forms—within written laws and official practices, and in informal practices and cultures. Inequalities emerge as these different forms of land provide power, material goods, and a sense of belonging to some while excluding others, and as marginalized groups assert access, security, and meaning in land. Three sections of the review—land tenures, land regulations, and social identities—present conversations about how human relationships with land diverge from the treatment of land as a settled object for individual control.

INTRODUCTION

Scholars of Indigenous studies center land in the United States and other seemingly “settled” advanced capitalist states as a subject for investigation. Otherwise, sociologists focused on land tend to study times and places of clear unsettling: early colonization, postconflict or postsocialist transformations, or large-scale private land grabs and public land reforms (Carruthers & Ariovich 2004). Many subfields discuss land. Land is at the heart of much of urban, rural, and environmental sociology and the sociology of migration, and yet these subfields typically overlook land’s complexities. They usually investigate topics related to land and property—such as neighborhoods, housing, development, communities, farms and ranches, pollution, and flooding—without theorizing the cultures and laws of land itself. As a result, they fail to see how land and property in the United States—as well as elsewhere—are always unsettled in the sense that they are ripe with variations and contestations.¹ And these variations and contestations in land produce many social inequalities. We misunderstand how inequalities are produced when we fail to see the plural and unsettled nature of land and property. Inequalities result from how different forms of land provide power, material goods, and a sense of belonging to some while excluding others, and as marginalized groups assert access, security, and meaning in the land.

Sociologists and legal scholars typically understand the United States as governing land with one of the most entrenched private ownership regimes in the world. Outside of Indigenous studies, they often treat US land law and cultural understandings of land as settled and unitary: Land is a commodity to be bought and sold, made possible by private-property rules. Sociologists usually see inequalities in land, therefore, as produced either through how land is a commodity valued only for market exchange or through how land is a privately controlled good. Land in the United States may be treated as a commodity in some contexts and privately controlled in others, but lands are multifarious, material, ecological, cultural, legal, and spatial objects and subjects of human action. And the legal system of private property is neither all-encompassing nor coherent itself.

In this review, I ask sociologists to see land in the United States today—including the property and other rules that govern it—as more complicated and contingent than we have. From the perspective I present here, one can understand state law and its related cultural ideas as a dominant, hegemonic power that often appears unitary, coherent, and all-powerful. This dominant regime treats land as an object to be owned by humans, who are expected to exert dominion or control over land as a material object. Some individuals and groups are granted this control to the exclusion of others, through rights. The regime supports individual autonomy and equality of treatment with respect to rights held. The state enjoys sovereignty over its territories and thus has the exclusive authority to enforce this relationship to land and to settle disputes and ambiguities.

But both within and outside of state power, multiplicity is evident, and it complicates this simple, coherent picture of land law and culture. Various forms of land governance are apparent within written laws and official practices as well as in informal practices and cultures.²

In the section titled Part I: Land Tenures, I discuss ways that holding of property rights, or what scholars call land tenure, often diverges from the dominant view. The ability to hold property rights at all is fundamental to state property theory and law. It is also a central principle for classical defenders of the American property system and modern-day libertarians and political

¹Geographer Nicholas Blomley’s (2004) book about property conflicts in Vancouver is titled *Unsettling the City*, and I believe we both use the term “unsettled” to evoke both the hegemonic valorization of settlement and the reality that this hegemony is constantly challenged, or unsettled, by alternative notions of land governance.

²Shoemaker (2017) offers a similar argument about property’s pluralism. More broadly, legal pluralism perspectives challenge the idea that any formal system of law is all-powerful and that it is unitary and coherent, with a single source of authority.

conservatives who celebrate individual autonomy and control. The iconic forms of US land tenure align with these views: the single-family homeowner and the family farm (a home and a business). This section of the review examines how land-tenure arrangements in practice often diverge from these iconic forms and the ideals from which they are derived, and most are supported by state law. These varieties of land-tenure arrangements matter for social inequalities.

The next section (Part II: Land Regulations) turns toward another fundamental aspect of governments' property law: regulations. Unlike property rights, regulations are usually celebrated by American progressives and criticized by libertarians and conservatives, for they are commonly treated as limits on individual autonomy. Because these regulations are vast and crucial to how land is governed, I treat these rules as just as significant as property rights (land tenure). In this second part, I discuss zoning, taxes, inheritance rules, and forms of legal dispossession to show how these (and other) rules are sites of complicated and contingent approaches to land, and produce particular forms of inequalities.

The following section (Part III: Social Identities, Sovereignities, and Self-Determination) presents the nonuniversality of the dominant regime by comparing the experiences of three racialized groups: White, Indigenous, and African American people. This section demonstrates how land is central to the formation of collective identities, to heterogeneity within those identities, and to contests over sovereignty. Group visions develop over time through shared experiences with land and with other people and institutions that interface with land. The contests over these visions are about cultural understandings, material goods, and the power to establish and live by those visions. Some portions of the White population benefit from aligning with the dominant property regime, and others do not. By contrast, most segments of the Indigenous and Black American populations face incredible disadvantage and challenges; and, as a result, members of each group present views of what is right and proper, views that seem far from dominant ideals. At the extreme, this section demonstrates situations in which groups within the United States make explicit or implicit demands for self-determination within a state-based system.

A note about scope: This review builds from scholarship in sociology and other disciplines that helps to illustrate that land and property in the United States take a dominant form but also many other coexisting and conflicting forms. Occasionally, I refer to scholarship outside the United States if it is particularly useful for theorizing. Sociological literature on housing and homelessness is prolific and directly relevant, but it has been reviewed extensively by others, so I have mostly left it out of this review. Instead, I include what might be less familiar scholarship.

PART I: LAND TENURES

Land tenure refers to how people hold formal legal rights to land, or how they act as if they do. In the United States, the state offers private parties a title to property; that title designates the private party as an owner.³ In this paradigm, owners enjoy equal protection of their rights to use, to exclude others from using, and to transfer those rights to the land. This section discusses ways that land-tenure arrangements diverge from the dominant regime's ideal of ownership as this set or bundle of rights, which together support individual autonomy. Specifically, this section reviews how land tenure in practice challenges these ideals in three ways: when rights are divided among different parties (unequal or equal divisions of rights), when too much or too little land is assigned to particular owners (concentration or fractionation of ownership), and when informal practices contest formal rules.

³In other private-property regimes, long-term leases are considered ownership.

Unequal Divisions of Rights

Owners often divide their rights in unequal ways, such as by leasing land or buildings so that the renter obtains the right to use and the landlord retains most of the other rights in the bundle, and this creates an unequal relationship between the parties. There are many legally defined ways to divide rights unequally, including not just leaseholds, but also easements, life estates, liens, development rights, mineral versus surface versus air rights, and royalties. Sociologists report about the complexities of these unequal relationships (Fairchild & Petrzelka 2022), such as between owners of manufactured homes and the land owners from whom they rent space, which creates a peculiar kind of dependency (Sullivan 2018). Sociologists also analyze the distribution of certain divided rights. According to agricultural land-tenure studies, the majority of acres operated by smaller family farms are now leased rather than operated by owners (Jackson-Smith & Petrzelka 2014). Housing studies assess shifts in owner-occupation versus leasing in particular cities and regions, as well as by race, class, gender, nationality, and age.

Scholars wonder how particular land-tenure positions—especially the absentee owner and tenant—create experiences that diverge from the imagined ideal of the owner-occupant, and how the ideal remains politically salient even when it does not reflect lived reality (Lobao et al. 2004). Absentee owners have been often labeled derisively as speculators since at least de Tocqueville's writing, or as slumlords. Owners who do not occupy or use their land seem likely to treat it as a commodity, with little care for people or places. Veblen (1996) wondered this about rental housing over a century ago; in the 1970s, Gaventa (1980) blamed absentee owners of Appalachian mines for imposing harsh labor conditions. Broad and local political-economic contexts, cultures, and policies impact the likelihood of absentee ownership, variation in absentee ownership as individuals or as corporations, and variation in absentee-owner behavior in urban housing (Mallach 2014, Travis 2019) and in forest and agricultural land (Gunnoe 2014, Gunnoe et al. 2018, Petrzelka & Armstrong 2015, Petrzelka & Marquart-Pyatt 2011). I found that Philadelphia law, policy, and culture in the early 2000s punished absentee owners seen as slumlords or speculators and rewarded those who seemed to be more responsible landlords or investors (Becher 2014). Urban landlords, who are mostly absentee owners, differ in patterned ways in how they select tenants (Rosen 2014, Reosti 2000). In addition, research about the position of tenancy (occupancy without ownership) associates this position with neighborhood stigmatization, policing, and other punitive policies (Kurwa 2020); landlord-tenant power differences (Garboden & Rosen 2019); and landlords' molding of poor tenants into their vision of responsible individuals (Rosen & Garboden 2022). Significant research, reviewed elsewhere, distinguishes between experiences of tenants and owner-occupants. And especially recently, housing researchers have been studying eviction and other insecurities of tenancy.

Equal Divisions of Rights

In another set of cases, rights are equally divided, and that division may enhance cooperation while eroding individual equality and autonomy. Written laws offer many ways to establish shared ownership and other rights. Legally and philosophically, sharing is often considered to be a commons, which entitles all of a designated group the same rights to land: usually, of access and use and to participate in governance. But scholars may overlook this kind of land tenure, not only because US property law often favors individuals but also because US private property is so often theoretically imagined as the stalwart of individuality and the antidote to the commons.

Sociologists investigate trends and locations of particular, intentional sharing arrangements, such as tenancy-in-common through heirs' property (Dyer & Bailey 2008); housing cooperatives (Ganapati 2010, Huron 2018, Sazama 2000); farming cooperatives (McCutcheon 2019);

condominiums (Harris 2011); community land trusts for housing (Cahen et al. 2019, 2022; Hackett et al. 2019), urban farms (Ela 2022), land conservation, and rural infrastructure (Mooney 2004, Wuthnow 2011); and legal developments to govern platform-based sharing, such as with Airbnb (Kreiczer-Levy 2019).

Sociologists can expand this research and compare and contrast different forms of shared ownership structures, including cooperatives, community land trusts, condominiums, and some subdivisions, as well as the very common arrangement of joint ownership (often between adult couples) and other tenancies in common. Some create equally shared rights and governance of a property among parties. Others, such as condominiums and subdivisions, designate some of the property rights as individual rights and other property rights as common rights (for roads and community buildings, for instance). Future scholars might study distributions of shared ownership and its impacts on relationships and wealth.

Concentration of Ownership

Given the vast power of land aristocracies in the past, it seems likely that present-day owners of concentrated land in a neighborhood, city, region or nation will wield outsized power. Presently, educational and medical institutions (“eds and meds”) are leading small and mid-sized cities’ economic activity (Mallach 2018), and this means they are concentrating their control of land there. Sociologists can expose how they exercise power through land ownership specifically, not just through how they promise jobs. Wealthy universities dominate neighborhoods and cities through their enormously concentrated land holdings. They physically encroach on neighbors and even secure state assistance with expansion. They also bring in thousands of students and faculty who rent and buy housing, and who impact local businesses, police presence, and rent. One Philadelphia hospital bought up neighboring residences and left them vacant, causing neighborhood decline, resident displacement, and eminent domain (Becher 2014), just as another in New York was gobbling up land for its expansion (Rasenberger 2006). Some hospitals may take a distinctly community-minded approach when they do this, by investing in land trusts.

In addition to hospitals and universities, public and quasi-public authorities own vast amounts of land in cities, with significant impact on neighbors. Consider municipal buildings, parks, waterfronts (Eidelman 2018), public school districts, redevelopment authorities, public housing authorities, and now, increasingly, public land trusts. Any one of these entities might own so much land that it can act almost unilaterally and significantly affect neighborhoods, cities, suburbs, or counties. Quasi-local government housing authorities, for example, own a total of 1.2 million housing units across the country (McCarty 2014); the Philadelphia Housing Authority, like the private hospital mentioned above, contributed to neighborhood decline by retaining dilapidated, vacant buildings and failing to renovate or occupy them (Becher 2014) and was later charged with spurring gentrification.

Scholars have more consistently tracked ownership concentration in the rural United States than in urban settings. Wunderlich (1991) documented that half of American farmland was held by just 4% of farmland owners (also see Fairbairn 2020, Lobao & Meyer 2001), and forest land also shows signs of ownership concentration, for different reasons (Bailey et al. 2021, Bliss et al. 1998). While ownership of Appalachian coal-mining areas has been significantly concentrated in a few hands (Appalach. Land Ownersh. Task Force 1983), ownership of oil and gas rights is often more dispersed where there is a long history of extraction (D. Becher, manuscript in preparation). There is also interest in, but less research about, wealthy individuals amassing vast amounts of rural land, such as John Malone’s ownership of 2.2 million acres, just more than Ted Turner’s ownership of 2 million acres, or Bill Gates holding the most farmland acres of any individual, at over 250,000 acres of farmland.

Fractionation of Ownership

Fractionation is the opposite of ownership concentration: “Fractionation describes the problem of multiple co-owners sharing many miniscule, undivided interests in a single tract of land” (Shoemaker 2003, p. 729). Each owner has so little that their property provides them with no practical control at all, and the owners’ relationship to land becomes insecure. This problem of fractionation is what primogeniture laws and customs—which transfer the deceased’s land ownership to the eldest son rather than dividing it among all descendants—were meant to prevent. In the past two centuries, particular combinations of laws and circumstances in the United States have created enormous problems with fractionated land.

Black-owned land in the American South has become extremely fractured, largely because of “partition sales of black-owned land held under tenancies in common”; Thomas Mitchell (2001, p. 507) brought attention to these forced sales of “heir property” and to the fact that these sales have become “one of the primary causes of involuntary black land loss in recent times.” African American families who, in sum, acquired 15 million acres of farmland in the 50 years following emancipation have since witnessed the fracturing of those farms into hundreds, and sometimes thousands, of ownership interests (as well as the complete loss of ownership of most of these acres, discussed below). Dyer et al. (2009, p. 192) define heir property as “land held communally by heirs of someone who has died without a will.” When single owners of a tenancy in common have wanted to exit, courts have often allowed them to force a sale (Mitchell 2001, 2005). These technically color-blind rules disproportionately affect African Americans and have contributed significantly to their land dispossession. (This is a problem the Uniform Partition of Heirs Property Act was meant to address.)

Fractionation is prevalent on Indian reservation land as well. The “failed federal allotment policy of the nineteenth century, by which the indigenous communities were first divided” began this fractionation, and it has been “worsening exponentially as already small interests continue to be subdivided,” both because of additional generations of inheritance and the complex dynamics of a unique federal trust status that overlays many of these reservation lands (Shoemaker 2003, p. 730). Despite Congress’s acknowledgment of the problem, attempted reforms have been partial (McCulley 2005). A detailed account of how and why Indian communities are subject to unique rules of co-ownership is provided by Shoemaker (2014).

Recall, however, that owners may intentionally divide, or share, property interests because they want to share them, including with heir property (Dyer & Bailey 2008); it is only when land interests become impossibly small, mired by clouded titles, ungovernable because of the lack of interest of co-owners, or lost through partitions or other mechanisms forced by law that this fracturing is problematic.

The fractionation of property rights, as the root of social problems, has corollaries in other closely related forms of property. Consider how the splitting of mortgage interests contributed to the 2008 global financial crisis. And in many parts of oil-and-gas country, families split up their oil and gas rights so much that the owners then care little about participating in decisions about drilling (D. Becher, manuscript in preparation).

Informality and Illegality

Documenting the prevalence of informal land use in the United States is itself an important intervention (Durst & Wegmann 2017). At the turn of the twenty-first century, 400,000 people lived in self-help or informal settlements in the US-Mexico borderlands, called *colonias* (Larson 2002), and more lived in similar settlements in other parts of the United States (Durst 2019,

Sullivan & Olmedo 2015). Researchers also reveal illegal—yet informally accepted—land uses beyond residential communities, including hunting and fishing on some public lands (Jacoby 2014), and some contemporary street vending, in-law apartments, and urban agriculture (Mukhija & Loukaitou-Sideris 2014). Scholars locate and reveal the consequences of informality for the users. For example, they examine the hardships and challenges of unregulated and publicly unsupported places and the adaptive strategies of the residents in them (Dallas 2015; Núñez-Mchiri 2009, 2012).

Official reactions to informal land use range from legalization to criminalization. In the nineteenth century, squatting commonly became a path to securing legal title to a home for settlers of European descent (Peñalver & Katyal 2010). A century later, in the 1990s, New York City residents illegally occupying vacant buildings eventually secured legal title (Starecheski 2016), and in the 2000s, Philadelphia provided legal title to neighbors who had been illegally using abandoned lots and buildings (Becher 2014). But more punishing and restrictive legal reactions also occur, and these often exacerbate racial and class inequalities (Mukhija & Loukaitou-Sideris 2014, Puijt 2013). In postindustrial Detroit, the land appropriation engaged in by White newcomers led to legal title more easily than the appropriation practiced by people of color who had been long-standing residents (Herbert 2021). Regularization is another legal reaction between formalization and illegality that may promise more equitable results (Durst 2019, Larson 2002, Wegmann et al. 2017).

A related set of questions parses informal land users' intentions, moralities, and political claims (if any). By characterizing different squatting forms, scholars reveal how people's motivations, characteristics, and mobilization might cluster. Those who use land primarily out of need rarely make explicit political or moral claims to a right, even in cases where collective action toward legalization eventually arises. Herbert (2021) contrasts these people she categorizes as necessity appropriators with others she calls lifestyle appropriators; the latter are more likely to be White, and they only recently intentionally traveled to Detroit for the opportunity to squat and thereby to assert their anticapitalist beliefs. Another group, which she calls routine appropriators, are likely to be people of color and longtime Detroiters; they have become convinced that the city no longer warrants playing by the legal rules, but they certainly do not prefer this situation (Herbert 2021). Puijt's (2013) typology offers alternative distinctions: between what they call entrepreneurial, conservational, and political squatting.

As with Puijt's political squatting, occupying land is often an explicit strategy of social movements and organizations pursuing rights to land. Squatters' movements have had more success in Europe than in the United States (Martínez López 2018, 2020), and squatting activists from Europe helped motivate activists in 1990s New York (Starecheski 2016). Housing activists occupied vacant buildings in the wake of the 2008 financial crisis and during the COVID-19 pandemic, and activists recently claimed city streets (Thorpe 2020) and rural forests (Inwood & Bonds 2017) to assert rights to public space. A half-century earlier, sit-ins in the American South led to federal rights to freedom from discrimination in public accommodations, including in privately owned spaces (Peñalver & Katyal 2010). The visibility of these occupations also mobilized the larger African American civil rights movement and inspired occupations in the late 1960s for Indian land claims (Nagel 1995).

In addition, activists have used illegal occupation of land and buildings to make broader claims—for example, as part of the disability rights, antiapartheid, and climate change movements. On the political right, land occupation has been an important strategy to protest border policy in the US-Mexico borderlands and at the United States Capitol to claim fraud in the Trump-Biden presidential election.

PART II: LAND REGULATIONS

The following four sections—on zoning and building rules, taxation, inheritance, and involuntary losses—cover broad areas of law related to land.⁴ A traditional view of property considers these laws to be regulations, as opposed to rights, although both apply to property. This is misleading, for these are all laws that pertain to property, and property rights are always limited (Singer 2000). Although I am employing the rights-regulation dichotomy because it is so commonly understood as such, I am asking, like Singer (2000), that we treat regulations as central to property and that we study how regulations produce contradictions and complexities beyond the dominant ideals of settlement, control, and individualism.

Zoning and Other Building Rules

Since the early twentieth century, zoning and land-use rules have encoded elite and middle-class desires to segregate space. They govern what can be built where in most municipalities and counties across the country (see Kayden 2004 for an overview). Aptly named, exclusionary zoning has effectively created racial and class segregation and located industrial developments in neighborhoods of non-White populations (Whittemore 2017). Over the course of the twentieth century, the racist and classist intent of these (and so many other) regulations shifted from being explicit to hidden (Lens 2022, Slater 2021).

Progressive-minded planners, activists, and politicians have introduced inclusionary zoning to experiment with how zoning might reduce, rather than produce, segregation. Such rules typically require affordable housing units within market-rate housing developments and have effectively increased affordable housing units and racial and income integration, under certain conditions (Kontokosta 2014, Mukhija et al. 2010). Other regulations institute antidisplacement measures in response to gentrification concerns (Cassola 2018) and allow for “tiny homes” to address homelessness (Alexander 2017). However, with a few exceptions (for example, Valverde 2012, Warner & Molotch 2001), sociologists have mostly left research on zoning and land-use regulations to planners.

Sociologists are increasingly examining the dilemmas and complexities of these and other building-related regulations (Herbert & Orne 2021). Zoning rules that specifically limit density exacerbate urban neighborhoods’ race (Rothwell & Massey 2009) and class (Rothwell & Massey 2010) segregation. Building-code enforcement might improve housing conditions, but the cost displaces low-income residents meant to benefit. Even when Chicago building-code inspectors use their discretion to mitigate these impacts, their efforts are relatively ineffective (Bartram 2022). Climate-change policies provoke public debates about other dilemmas: who deserves what and how to address impending climate disaster (Elliott 2021). Color-blind climate-change mitigation policies tend to exacerbate racial inequities (Elliott et al. 2020). Sociologists are also examining the long history of government support for housing finance (Quinn 2019), how a lack of regulation of property leases for fracking leads to local powerlessness (Jerolmack 2021, Malin 2014), and how and when an alternative of private regulation of land use can matter (Bartley 2018).

Taxation

In tax policies as well, complicated tensions arise to navigate moral and practical concerns. Local, state, and national taxes related to land ownership are significant, affecting different government purses, individuals’ wealth, and where individuals can hold on to land rights over time. The most

⁴This list is exemplary, not exhaustive. Environmental and other regulations are equally central to land.

obvious are state and local property taxes, which charge owners a percentage of their assessed property value. Also, federal and state income taxes offer a mortgage interest deduction for owners of first and second homes. And income taxes levy capital gains and inheritance taxes on property transferred during life and at death.

Often, some form of redistribution is the stated goal of taxes on land. Property taxes are the primary source of income for local education spending and many other local services. Inheritance, capital gains, and other transfer taxes levied on the gifts and sales of land are primarily justified as reducing wealth concentration, ascriptive inequalities, and even land monopolies.

Sociologists have unpacked the complicated politics and justifications in the debates about these tax laws. Many are crafted to support public goals beyond redistribution that more specifically engage ideas about land. The ideal of home ownership justifies the federal mortgage interest deduction. Similarly, the desire to prevent displacement of longtime homeowners is used by activists and legislators to justify property-tax caps, passed by two-thirds of states in recent decades (Martin & Beck 2018). A different goal—of deterring speculation and sparking development on vacant land—motivates municipalities and states to experiment with transfer taxes on quick turn-around sales and land-value taxes that create higher property-tax rates for vacant land than occupied buildings (Vincent 2012).

Sociologists also examine the real effects of these laws as implemented and often find that they are regressive and discriminatory despite justifications to the contrary. To be sure, taxes sometimes have the intended effects: Some land-value taxes, for example, have curbed speculative land holdings and encouraged development (Vincent 2012), and inheritance and other transfer taxes on only higher-priced transfers serve progressive ends. But tax-policy implementation is often quite regressive (Bradley 2018). Consider the mortgage interest deduction, estimated to cost the federal government \$77 billion in 2016. In that same year, 80% of that reduced revenue went to taxpayers with incomes of \$100,000 or more (DeSilver 2016).⁵ State and local property tax collection often has regressive and discriminatory impacts through application of the same tax rates, but differential assessments of property values. Systematic discrimination in property valuation and thus taxation occurred in predominantly low-income and African American districts of Wayne County, Michigan (Atuahene & Berry 2018). And property-tax limits have had discriminatory impacts (Martin & Beck 2017) because they privilege existing homeowners (likely to be White) over newcomers (likely to be Black and Brown) (Sarkar & Rosenthal 2018).

Local tax jurisdictional boundaries exacerbate racial and class inequalities by redistributing wealth only within already segregated communities. Even the wealthiest of majority-Black municipalities finds itself stymied by its tax coffers' relative poverty compared with its majority-White neighbors at the same time it is faced with greater resident needs (Simms 2019). Moreover, as one scholar recently argued in the Canadian context, the symbolic life of tax can impede non-White sovereignty claims by associating Whiteness with taxpayers and with the broader project of settler colonialism (Willmott 2022).

Inheritance

Inheritance laws and practice (about land and other goods) further demonstrate the multitude of values or goals that are intended, and sometimes achieved, through regulation. To be sure, inheritance laws offer individual autonomy by granting individuals some freedom to direct how their property is transferred at death. But inheritance laws also serve redistributive goals, and they

⁵This deduction is only available to homeowners, and to those who itemized deductions, and it provides more relief for those with higher priced and more than one home (Bradley 2018).

impose rules meant to cement family ties (Beckert 2018). What counts as a family tie to be valued changes over time (Friedman 2009), as do ideas about how property should be divided among family members (Cunliffe & Erreygers 2013).

Research about the actual practice of testators who write their wills, and about disputes over estates, shows even more variety in culture and practice. This research finds persistent use of inheritance primarily to affirm family ties (Rosenfeld 1998, Schwartz 1996). It also finds that testators regularly use inheritance to reinforce gendered inequalities (Clignet et al. 1992, Salamon 1993), to secure and reciprocate for elder care, and to redistribute wealth to work against ascriptive inequalities (Clignet 1995). Testators also often consider the future of the goods being passed down (Clignet 1995) and, in certain circumstances, strategize to keep land in family hands (Roberts 2013). Other research that identifies various ethnic cultures of decision-making about inheritance also shows how those decisions lead to unpredicted outcomes because of changing economic contexts (Carroll & Salamon 1988).

Some research focuses on the structural effects of these laws and decisions—including, in particular, when the concern for keeping land together is realized or thwarted. As mentioned in the first part of this review, intestacy laws have led to severe land fractionation of African American-owned farmland in the South and of Indigenous land ownership on Indian reservations. Other important questions, with very little existing research, concern whether heirs consider land and buildings that they inherited to deserve special treatment, and if and how land inheritance affects family and community relations. In one study, bequests of summer homes in the Northeast to multiple descendants strengthened family ties once they participated in shared maintenance and use of the homes (Balfe 1995). Another question is about who is excluded from inheritance and how they respond; White women in farming have mitigated the effect of gendered inheritance by securing land in other ways (Pilgeram & Amos 2015), and queer farmers in New England navigate the impacts of sexuality on relationships that affect land access (Leslie 2019).

Involuntary Losses

American laws allow governments to forcefully dispossess owners of their property rights in many different ways. Perhaps even more than other regulations, the rules that allow for dispossession are often understood as exceptions to the general nature of property. Like other regulations, however, these rules are integral to property. Treating them as exceptions is deceptive and reinforces the appearance of the dominant ideals about property as unitary and all-powerful (Becher 2014).

Here, I mention a few of the ways that laws allow for forced dispossession in order to encourage more scholarship on their prevalence and varieties in practice. Evictions have been getting increasing sociological attention—especially in the wake of COVID-19 and the mortgage foreclosures following the financial crisis of 2008. Scholars have documented racial disparities in mortgage foreclosures and their neighborhood impacts (Hall et al. 2015) and tax foreclosures (justified by failure to pay property taxes) (Atuahene & Berry 2018). Government powers to force ownership transfers through eminent domain have been important subjects of sociological research since federal support for post-World War II urban renewal, through to present-day takings for economic development (see Becher 2014 for discussion). Other types of legal dispossession are as integral to American property but have gotten even less attention: One of those is adverse possession, the doctrine that supports a claim on a title once a party has illegally and openly trespassed on another's property for a time, without permission or expulsion.

Any of these forced possessions can seem out of step with the private-property-rights imaginary that privileges individual owner control. Yet these and other means of dispossession (and other regulations mentioned previously) have entrenched histories in law. Investigations about how they

are justified and applied promise to teach us more ways that land diverges in practice from the dominant view.

PART III: SOCIAL IDENTITIES, SOVEREIGNTIES, AND SELF-DETERMINATION

A generation ago, legal scholar Cheryl Harris (1993, p. 1709) proclaimed that “racial identity and property are deeply interrelated concepts” in her seminal article, “Whiteness as Property.” Whiteness as a racial category morphed into a dominant system of property that reproduces the racialization of White people, argued Harris (1993, p. 1709), as well as “parallel systems of domination of Black and Native American peoples.” These systems were, she wrote, “racially contingent forms of property and property rights” (Harris 1993, p. 1709). Sociologist W.E.B. Du Bois and geographer Doreen Massey (2013) both theorized that property arrangements are crucial to the formation of multiple, intersectional identities. For the Klamath people, for example, “interactions with salmon, forest foods, rivers and rocks organize social activities, individual and group identities, gender constructions and more” (Norgaard & Fenelon 2021, p. 479). Indeed, Aileen Moreton-Robinson (2015), a leading scholar of property in Indigenous studies, proclaims that limiting discussions about property to the topic of rights (and regulations)—as I have done in the first two parts of this review—distracts attention from fights over sovereignty.

Despite these profound observations, contemporary sociologists have rarely focused on how land and its legalities are crucial to social identities and demands for sovereignty (for a recent exception, see Becher 2022). In this section, I discuss research on how struggles over ways of seeing, being with, and governing land are integral to assertions of intersectional identities and to fights for collective existence, for sovereignties, and for collective self-determination. The racialized systems of property described by Harris (1993) have been produced by generations of domination, but not just domination. They have also been produced through resistance to that regime, and through varieties of interpretations, practices, and materialities.

White (Western, Male, Heterosexual, Middle-Class)

Interdisciplinary scholarship develops a perspective of settler colonialism that reveals how the drive to settle and control land has been a central characteristic of White heterosexual middle-class masculinity. The related rules and understandings—that land can and should be possessed at all; that the powers, or rights, to control that land should be divided among individuals (rather than held in common); and that the land is a resource to be controlled, manipulated, extracted from, and exchanged—are foundational to the US dominant regime. White possession undergirds the establishment and endurance of the White nation, legally, materially and morally—against an image of others, Indigenous people specifically, as wild (Moreton-Robinson 2015). Colonizers established their sensibility that entitlement to control over land is desirable, from the 1400s to the present. These were the ideals of manifest destiny promoted during the nineteenth and early twentieth centuries. Whiteness was crucial, for example, to land access and genocide for early gold and timber claims in northern California (Norgaard 2019).

Through property possession, White bodies maintain legal, political, and financial privilege, as well as a sense of moral righteousness as respectable citizens. This may be especially true in White concentrated places like much of rural America (Shoemaker 2021) and hypersegregated cities and suburbs. Research summarized by McKay et al. (2020, p. 7) demonstrates how “racial-colonial formation” (term from Norgaard 2019) and its “exclusive access to land and natural resources that privileges White ownership” explains inequalities in land ownership, wealth, exposure to environmental toxicity, militarization, and more.

Contemporary violence in defense of White property reproduces this privilege, and those White people committing violence often see themselves as protecting their rights against threats. They organize militias to stake out claims at the US-Mexico border (Morris 2022, Rael 2021) and on federally owned lands in Nevada and Oregon—and they justify their actions with claims of their property rights and freedoms on the land (Bonds & Inwood 2016, Inwood & Bonds 2017). They commit violence against Black and Brown bodies who seem, to them, to be in the wrong place. They threaten Black families for moving into predominantly White neighborhoods (Bell 2013) and Black individuals for walking or jogging through them (Trayvon Martin and Ahmaud Arbery, for example). They proclaim their private ownership as freedom from interference when faced with fracking without their consent (Jerolmack 2021) or with eminent domain (Becher 2010, Rael 2021) and enact legal and illegal racial exclusion through zoning laws, restrictive covenants, racial real-estate steering, and redlining.

There is also heterogeneity in how White identities form around relationships to land; variation is associated with time and place and with ethnicity, class, gender, and sexuality. In the Midwest, White farmers' identity had primarily been tied to mechanical competence and the patriarch managing the land as a particular working-class, heterosexual masculine identity early in the twentieth century. But over time, as the work changed, this masculine ideal shifted to pride in being an innovative businessman (Bell et al. 2015). Ethnicity accounts for different masculine ideals as well: German heritage has been imagined as the yeoman farmer, who farms for family and tradition, in contrast to English heritage as the entrepreneurial farmer, who treats farming as a business (Salamon 1985). This difference has material consequences for younger generations (Jackson-Smith & Barham 2000). Family farmers suffered when they failed to attain these ideals as they lost their farms to debt and, if they kept their farms, lost control of the operations to corporate actors (Wuthnow 2011). Similarly, the decline of coal production in mining communities has created an "erosion of miner's heroic masculinity" (Smith 2015, p. 568). The elusive ideal of the well-kept home also causes suffering when it is difficult to achieve: Working-class women in one Chicago area combated the resulting anxiety by meticulously caring for their homes (Kefalas 2002). In other cases, elites cause the suffering: Government officials justified the demolition and displacement of Boston's mostly Italian American West End in the 1950s with their assessment that residents' homes failed to reflect (White) middle-class values (Gans 1982). White elites, when politically progressive, can instead experience the shame of having too much and downplay their homes' extravagance (Sherman 2019).

White individuals and communities also more overtly challenge or resist the dominant land regime. Midwestern White farmers have built strong community and cooperative institutions and ties to help them survive (Dudley 2000, Wuthnow 2011). Women in coal communities have pursued alternative livelihoods on the land (Bell 2016) and produce new understandings of gender and class through their relationships with nature (Smith 2015). Where residents watched government cede land to nuclear energy corporations, one White masculine reaction was to disavow the property system as corrupt and turn to anarchy and the treatment of the land as a common resource—despite property laws to the contrary (Ashwood 2018).

Indigenous, Native, and Tribal

Colonizers instituted racial classifications that simultaneously produced categories, and dispossessed people thus categorized, of land. European colonizers of the Americas imposed two very different rules for racial construction of Black and Indigenous. Like Whiteness, these were invented categories. Combined with the different ways they treated these groups' land rights, these two forms of racial construction ultimately served the same exclusionary purpose. Because law and practice so often denied Black people any land rights, the extremely capacious definition of

Blackness—the one-drop rule—also restricted land rights. By contrast, colonizers certified Native identity with blood quantum rules, such as requiring one-eighth Native blood. This rule for Natives was more limiting than the one-drop rule. Because American law sometimes entitles Indian tribal members to land rights, the more restrictive rule about who counts as Indian helped exclude them from land (see Darrah-Okike 2020). The stark connection between racial definition and land loss is evidenced by one tribe's experience: "More than a century ago, Rhode Island's settlers decided that the Narragansett no longer existed, so neither did their land" (Murphy 2021, p. 170).

In addition, by encouraging the treatment of land as a resource for human control, the dominant regime has enabled ecological destruction that endangers Indigenous practices and livelihoods (Bacon 2019). Dam building, clearing for agriculture, fire suppression, and mineral extraction (McKay et al. 2020) have led, for example, to the ecological disaster of the Dust Bowl in the southern United States (Holleman 2017) and to the destruction of salmon fisheries and thus communities' means of subsistence and values of masculinity (Norgaard & Reed 2017).

Indigenous peoples have resisted these centuries-long efforts to destroy their lives and connections to lands. "Colonialism survives in a settler form. In this form, it fails at what it is supposed to do: eliminate Indigenous people; take all their land; absorb them into a White, property-owning body politic" (Simpson 2014, pp. 7–8). For Indigenous people, surviving itself can be a form of resistance, as can a definition of Indigeneity that emphasizes ancestry on the land rather than blood or genetic heritage (Darrah-Okike 2020). The Narragansett describe themselves as having been connected to their land since "time out of mind" (Geake 2011, quoted in Murphy 2021, p. 177). The movement for territory acknowledgments emphasizes historic and continued connections between tribal peoples and places.

Indigenous activists have mobilized repeatedly around claims for land and for sovereignty in what they see as an occupied nation (see Darrah-Okike 2020, Norgaard & Fenelon 2021). And in the past half-century, they have won federal compensation for land and land give-backs, federal policy that at least nominally supports self-determination (Nagel 1995), and state laws that connect land rights to Indigenous racialization (Darrah-Okike 2020). Even when particular campaigns lost, the public attention they drew to Indigenous land claims contributed to the resurgence of Indianness (Nagel 1995).

Indigenous people also practice self-determination through land. They often see themselves as belonging to the land, rather than owning it (Murphy 2021, p. 167). Humans inhabit a greater social and material ecology where land and other objects have agency and are connected from the past through the future (Watts 2013). "What Indigenous people have described as 'traditional management' [of land] involves sophisticated non-western ecologies that include extensive knowledge of particular species and ecological conditions" (Norgaard & Fenelon 2021, p. 479, citing Vinyeta et al. 2015). Norgaard & Fenelon (2021, p. 479) argue further that practicing this traditional management maintains "political-cultural sovereignty." Whyte (2013) calls these and other practices forms of "collective continuance," as Indigenous persons "assert their own conceptions. . . and renew relations and knowledge systems by maintaining strong reciprocal ties with lands, waters, and nonhuman relatives" (McKay et al. 2020, p. 1).

African American

What it means to be Black in America is at least, in part, exclusion from property ownership. According to ethnographer Karida Brown (2018), African Americans in the coal-mining town of Harlan, Kentucky, currently understand themselves as constantly searching for home, but unable to settle—for their families were pushed into the Great Migration and have faced inordinate challenges of building community and striving. Numerous policies and contexts repeatedly dispossess

and exclude Black bodies from land and home. Legal scholar Thomas Mitchell (2001, pp. 505–6) declares,

Within the African American community, the history of the federal government's failure to deliver "forty acres and a mule" to African Americans after the Civil War has been kept alive. . . . African Americans today not only feel betrayed by the government's retreat on land reform during Reconstruction, but also by the perception that the government has played an active role for the past half century in dispossessing land from African American families who overcame great obstacles to acquire land on their own.

Intestacy laws (Mitchell 2001), post–World War II urban slum removal policies, the policing and criminalization of Black neighborhoods (Kurwa 2020, Pattillo 2013), and anti-Black "move-in violence" to preserve segregation (Bell 2013) all reinforce this expectation (for summaries of research documenting Black land dispossession and exclusion, see Coates 2014 and Newkirk 2019).

Black experience with land accomplishes more than exclusion from the benefits of (White) property ownership; it forces exploitation. Banks and the real estate industry have engaged in predatory inclusion of Black homeowners (Taylor 2019). Predominantly White cities and towns extract labor and depend on the high taxes and low services of neighboring Black towns (Purifoy 2021, Purifoy & Seamster 2021, Seamster & Purifoy 2020). Even the wealthiest of Black-dominated counties (in the metropolitan Washington, DC, area) suffers numerous forms of exploitation, being less resourced than but so proximate to wealthy White counties (Simms 2019). Real-estate profiteers exploit Black Americans by taking advantage of their struggles for healthy housing and neighborhoods (Satter 2010).

And yet, Black Americans have repeatedly turned the experience of segregation and exclusion into opportunities for self-help and self-determination. In Chicago's enormous post–World War II Black Belt, residents supported one another informally and through businesses and community institutions (Drake & Cayton 1962). For over a century, segregated Black neighborhoods have served as a supportive space, a "haven," in a more general environment of racism, or "hell" (Freeman 2019). In the post–civil rights era, intentionally formed Black middle-class neighborhoods and municipalities (Simms 2019) provide limited collective control to Black residents, including through the establishment of community-based institutions such as schools (Brown 2018) and churches.

In the rural context, Black farmers stayed in the South over generations and forged identities around their work and communities as Black farmers (White 2018). Although Black farmers have been typically understood to have been sharecroppers, tenants, and laborers in the early twentieth century, around 1920, one-quarter of Black farmers actually owned their own farms. Indeed, according to Reid & Bennett (2012), the relatively small farms often understood as failures can and should be understood instead as successful practices, given the context.

Black farmers formed cooperative institutions to support individually owned farms, and they established cooperatively owned farms (White 2018). These collective efforts particularly expose how agriculture was not just a site of Black oppression and exploitation, it was also a site of resistance and the assertion of sovereignty. Fannie Lou Hamer expanded the cooperative Freedom Farm of 40 acres bought in 1967 to one of 600 acres and intended it to be an "autonomous site of resistance" (McCutcheon 2019, p. 210). "Her work at Freedom Farms was not only about owning land, it was about [Hammer] taking back her identity, territoriality of the body and the farm" (McCutcheon 2019, p. 211).

Today, many others are reconstructing Black farming practices and identities by establishing farming operations and schools on rural land in the North and South (Penniman & Washington 2018) and by operating urban farm cooperatives with shared ownership (Ela 2022) that rebuild

the soil and reclaim a lost farming legacy (Shostak 2021). Huron (2018) documents how in urban areas such as Washington, DC, Black residents have recently organized to create and maintain affordable housing cooperatives. In doing so, they extend a long African American tradition of commoning as a way of managing and accessing land.

CONCLUSION

Sociologists need to challenge the assumption that the legal, cultural, and even material dimensions of land in the United States are settled. Despite a powerful imagination of law being settled, there is no unitary, coherent system of private-property law and ideology that imposes settler ideals. Those ideals demand that land is primarily a resource for human consumption, control, individual autonomy, and wealth creation, and that the citizen (White, heterosexual, male) establishes belonging by exercising those ideals. To the contrary, as this review has demonstrated, there is enormous variety across groups and geographies in land rules and ideals within the United States. Moreover, land in the United States is not settled in another sense; land engages people in enormous contestation and conflict. When we reject the assumption that land is settled, we will ask new questions—motivated by any of the sections of this review—and reveal sources of many social inequalities.

Consider the issue of land concentration discussed in the first part (Part I: Land Tenures). Scholarship on land distribution is needed to identify the types of owners of concentrated land in urban and rural areas. Then, we might ask, do individual and corporate owners of vast rural acreage exercise political influence at the state or county level, and to what effect? How do major land owners impact others with their choices about land use, leasing, and stewardship? Are institutional owners of different types—prisons; hospitals; school districts; local, state, and federal government agencies; and universities—likely to wield the power derived from their monopolies on land in different ways, and in ways that differ from their promises of jobs and taxes? Do major real-estate investors and large corporate landlords wield monopolies over urban land, owner-occupied housing, or rental units in ways that they leverage for political and material power? If so, how?

Consider the section on regulation (Part II: Land Regulations): Sociologists can not only document the unequal impacts of zoning and land use, tax, inheritance, legal dispossessions, environmental and other regulations, but also explore how integral they are to any individual or group experiences with the land. Sociologists can reveal what kinds of values—such as the maintenance of particular kinds of family ties or environmental conservation—have guided law historically and in the present, and how they inform current orientations to climate change, housing, and energy policies.

Sociologists can build on the research reviewed in the section on collective identities (Part III: Social Identities, Sovereignties, and Self-Determination) by using their expertise in social identities and differences—of race, class, gender, religion, nationality, and more. Sociologists can excavate and share the particular stories of past, present, and future about land that people share. We can learn about how common and heterogeneous experiences and narratives are connected to these group identities. We can see how land undergirds these groups' struggles to assert power over others and to build what they see as just relations among people.

In subfields such as urban sociology and the sociology of migration, scholars may research how social relations are built specifically around possibilities of land's cultures, materialities, and laws. And perhaps sociologists will increasingly read and learn from multi-disciplinary scholars already engaged in vibrant conversations about land, including in Indigenous studies, Black geographies, Black feminist geographies, and Black ecologies. Finally, increased interest may emerge in research

subjects that previously might have seemed mundane, indeed settled: the lives and land in the American Midwest, small towns, family inheritances, and more.

DISCLOSURE STATEMENT

The author is not aware of any affiliations, memberships, funding, or financial holdings that might be perceived as affecting the objectivity of this review.

ACKNOWLEDGMENTS

Robin Bartram, Japonica Brown-Saracino, Rashmi Dyal-Chand, Claire Herbert, Meghan Morris, Danielle Purifoy, Hana Shepherd, Jessica Shoemaker, and Sara Shostak contributed wise feedback and suggestions.

LITERATURE CITED

- Alexander LT. 2017. Tiny homes for the homeless: a return to politically engaged community economic development law? *J. Afford. Hous. Commun. Dev. Law* 26(1):39–42
- Appalach. Land Ownersh. Task Force. 1983. *Who Owns Appalachia? Landownership and Its Impact*. Lexington: Univ. Press Ky.
- Ashwood L. 2018. *For-Profit Democracy: Why the Government Is Losing the Trust of Rural America*. New Haven, CT: Yale Univ. Press
- Atuahene B, Berry C. 2018. Taxed out: illegal property tax assessments and the epidemic of tax foreclosures in Detroit. *UC Irvine Law Rev.* 9(4):847–86
- Bacon JM. 2019. Settler colonialism as eco-social structure and the production of colonial ecological violence. *Environ. Sociol.* 5(1):59–69
- Bailey C, Gopaul A, Thomson R, Gunnoe A. 2021. Taking Goldschmidt to the woods: timberland ownership and quality of life in Alabama. *Rural Sociol.* 86(1):50–80
- Balfe JH. 1995. Passing it on: the inheritance of summer houses and cultural identity. *Am. Sociol.* 26(4):29–40
- Bartley T. 2018. *Rules Without Rights: Land, Labor, and Private Authority in the Global Economy*. Oxford, UK: Oxford Univ. Press
- Bartram R. 2022. *Stacked Decks: Building Inspectors and the Reproduction of Urban Inequality*. Chicago: Univ. Chicago Press
- Becher D. 2010. The rights behind eminent domain fights: a little property and a lot of home. In *Property Rights and Neoliberalism: Cultural Demands and Legal Actions*, ed. L Hatcher, W McIntosh, pp. 75–93. Farnham, UK: Ashgate
- Becher D. 2014. *Private Property and Public Power: Eminent Domain in Philadelphia*. Oxford, UK: Oxford Univ. Press
- Becher D. 2022. Property and social identities. In *The Routledge Handbook on Property, Law and Society*, ed. N Graham, M Davies, L Godden, pp. 441–52. London: Routledge
- Beckert J. 2018. *Inherited Wealth*. Princeton, NJ: Princeton Univ. Press
- Bell J. 2013. *Hate Thy Neighbor: Move-In Violence and the Persistence of Racial Segregation in American Housing*. New York: NYU Press
- Bell SE. 2016. *Fighting King Coal: The Challenges to Micromobilization in Central Appalachia*. Cambridge, MA: MIT Press
- Bell SE, Hullinger A, Brislen L. 2015. Manipulated masculinities: agribusiness, deskilling, and the rise of the businessman-farmer in the United States. *Rural Sociol.* 80(3):285–313
- Bliss JC, Sisock ML, Birch TW. 1998. Ownership matters: forestland concentration in rural Alabama. *Soc. Nat. Resour.* 11(4):401–10
- Blomley NK. 2004. *Unsettling the City: Urban Land and the Politics of Property*. London: Routledge
- Bonds A, Inwood J. 2016. Beyond white privilege: geographies of white supremacy and settler colonialism. *Progress Hum. Geogr.* 40(6):715–33

- Bradley SL. 2018. Tax and inequality in the United States. *Sociol. Compass* 12(2):e12559
- Brown KL. 2018. *Gone Home: Race and Roots Through Appalachia*. Chapel Hill: Univ. N. C. Press
- Cahen C, Lilli E, Saegert S. 2022. Ethical action in the age of austerity: cases of care in two community land trusts. *Hous. Stud.* 37(3):393–413
- Cahen C, Schneider J, Saegert S. 2019. Victories from insurgency: re-negotiating housing, community control, and citizenship at the margins. *Antipode* 51(5):1416–35
- Carroll EV, Salamon S. 1988. Share and share alike: inheritance patterns in two Illinois farm communities. *J. Family History* 13(2):219–32
- Carruthers BG, Ariovich L. 2004. The sociology of property rights. *Annu. Rev. Sociol.* 30:23–46
- Cassola M. 2018. *Planning for equitable neighborhood change: a mixed-methods analysis of 80 cities' displacement mitigation approaches*. PhD Thesis, Columbia Univ., New York
- Clignet R. 1995. Efficiency, reciprocity, and ascriptive equality: the three major strategies governing the selection of heirs in America. *Soc. Sci. Q.* 76(2):274–93
- Clignet R, Beckert J, Harrington B. 1992. *Death, Deeds, and Descendants: Inheritance in Modern America*. London: Routledge
- Coates T. 2014. The case for reparations. *The Atlantic*, June. <https://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/>
- Cunliffe J, Erreygers G, eds. 2013. *Inherited Wealth, Justice and Equality*. London: Routledge
- Dallas FRB. 2015. *Las colonias in the 21st century: progress along the Texas-Mexico border*. Rep., Fed. Reserve Bank, Dallas, TX
- Darrah-Okike J. 2020. Theorizing race in Hawai'i: centering place, indigeneity, and settler colonialism. *Sociol. Compass* 14(7):e12791
- DeSilver D. 2016. The biggest U.S. tax breaks. *Pew Research Center Blog*, April 6. <https://www.pewresearch.org/fact-tank/2016/04/06/the-biggest-u-s-tax-breaks/>
- Drake S, Cayton H. 1962. *Black Metropolis: A Study of Negro Life in a Northern City*. New York: Harper & Row
- Dudley KM. 2000. Fragile community. In *Debt and Dispossession: Farm Loss in America's Heartland*, ed. KM Dudley, pp. 1–19. Chicago: Univ. Chicago Press
- Durst NJ. 2019. Informal and ubiquitous: *colonias*, premature subdivisions and other unplanned suburbs on America's urban fringe. *Urban Stud.* 56(4):722–40
- Durst NJ, Wegmann J. 2017. Informal housing in the United States. *Int. J. Urban Reg. Res.* 41(2):282–97
- Dyer JF, Bailey C. 2008. A place to call home: cultural understandings of heir property among rural African Americans. *Rural Sociol.* 73(3):317–38
- Dyer JF, Bailey C, Tran NV. 2009. Ownership characteristics of heir property in a Black belt county: a quantitative approach. *South. Rural Sociol.* 24(2):192–217
- Eidelman G. 2018. Failure when fragmented: public land ownership and waterfront redevelopment in Chicago, Vancouver, and Toronto. *Urban Aff. Rev.* 54(4):697–731
- Ela N. 2022. The promise of property: legal optimism and collective efficacy in Chicago's urban agriculture district. *Soc. Probl.* 69(3):743–60
- Elliott JR, Brown PL, Loughran K. 2020. Racial inequities in the federal buyout of flood-prone homes: a nationwide assessment of environmental adaptation. *Socius* 6. <https://doi.org/10.1177/2378023120905439>
- Elliott R. 2021. *Underwater: Loss, Flood Insurance, and the Moral Economy of Climate Change in the United States*. New York: Columbia Univ. Press
- Fairbairn M. 2020. *Fields of Gold: Financing the Global Land Rush*. Ithaca, NY: Cornell Univ. Press
- Fairchild E, Petrzelka P. 2022. Landownership and power: reorienting land tenure theory. *Agric. Hum. Values* 39:997–1006
- Freeman LM. 2019. *A Haven and a Hell: The Ghetto in Black America*. New York: Columbia Univ. Press
- Friedman LM. 2009. *Dead Hands: A Social History of Wills, Trusts, and Inheritance Law*. Stanford, CA: Stanford Law Books
- Ganapati S. 2010. Enabling housing cooperatives: policy lessons from Sweden, India and the United States. *Int. J. Urban Reg. Res.* 34(2):365–80
- Gans HJ. 1982. *The Urban Villagers: Group and Class in the Life of Italian-Americans*. New York/London: Free Press/Collier Macmillan

- Garboden P, Rosen E. 2019. Serial filing: how landlords use the threat of eviction. *City Commun.* 18(2):638–61
- Gaventa J. 1980. *Power and Powerlessness: Quiescence and Rebellion in an Appalachian Valley*. Urbana/Oxford, UK: Univ. Ill. Press/Oxford Univ. Press
- Geake RA. 2011. *A History of the Narragansett Tribe of Rhode Island: Keepers of the Bay*. Charleston, SC: History Press
- Gunnoe A. 2014. The political economy of institutional landownership: neorentier society and the financialization of land. *Rural Sociol.* 79(4):478–504
- Gunnoe A, Bailey C, Ameyaw L. 2018. Millions of acres, billions of trees: socioecological impacts of shifting timberland ownership. *Rural Sociol.* 83(4):799–822
- Hackett KA, Saegert S, Dozier D, Marinova M. 2019. Community land trusts: releasing possible selves through stable affordable housing. *Hous. Stud.* 34(1):24–48
- Hall M, Crowder K, Spring A. 2015. Neighborhood foreclosures, racial/ethnic transitions, and residential segregation. *Am. Sociol. Rev.* 80(3):526–49
- Harris CI. 1993. Whiteness as property. *Harv. Law Rev.* 106(8):1707–91
- Harris DC. 2011. Condominium and the city: the rise of property in Vancouver. *Law Soc. Inq.* 36(3):694–726
- Herbert CW. 2021. *A Detroit Story: Urban Decline and the Rise of Property Informality*. Oakland: Univ. Calif. Press
- Herbert CW, Orne J. 2021. No lawless place: foregrounding property in sociology. *Socius* 7. <https://doi.org/10.1177/23780231211045448>
- Holleman H. 2017. De-naturalizing ecological disaster: colonialism, racism and the global Dust Bowl of the 1930s. *J. Peasant Stud.* 44(1):234–60
- Huron A. 2018. *Carving Out the Commons: Tenant Organizing and Housing Cooperatives in Washington, D.C.* Minneapolis: Univ. Minn. Press
- Inwood JFJ, Bonds A. 2017. Property and whiteness: the Oregon standoff and the contradictions of the US settler state. *Space Polity* 21(3):253–68
- Jackson-Smith D, Barham B. 2000. Ethnicity and farm entry behavior. *Rural Sociol.* 65(3):461–83
- Jackson-Smith D, Petrzalka P. 2014. Land ownership in American agriculture. In *Rural America in a Globalizing World: Problems and Prospects for the 2010s*, ed. E Ransom, C Bailey, L Jensen, pp. 51–68. Morgantown: W. Va. Univ. Press
- Jacoby K. 2014. *Crimes Against Nature: Squatters, Poachers, Thieves, and the Hidden History of American Conservation*. Berkeley: Univ. Calif. Press
- Jerolmack C. 2021. *Up to Heaven and Down to Hell: Fracking, Freedom, and Community in an American Town*. Princeton, NJ: Princeton Univ. Press
- Kayden JS. 2004. Reconsidering zoning: expanding an American land-use frontier. *Zoning Pract.* 1:2–13
- Kefalas M. 2002. *Home Sweet Home: Place, Domesticity, and Working-Class Identity*. Princeton, NJ: Princeton Univ. Press
- Kontokosta CE. 2014. Mixed-income housing and neighborhood integration: evidence from inclusionary zoning programs. *J. Urban Aff.* 36(4):716–41
- Kreiczer-Levy S. 2019. *Destabilized Property: Property Law in the Sharing Economy*. Cambridge, UK: Cambridge Univ. Press
- Kurwa R. 2020. Opposing and policing racial integration: evidence from the housing choice voucher program. *Du Bois Rev.* 17(2):363–87
- Larson J. 2002. Informality, illegality, and inequality. *Yale Law Policy Rev.* 20:137–82
- Lens MC. 2022. Zoning, land use, and the reproduction of urban inequality. *Annu. Rev. Sociol.* 48:421–39
- Leslie IS. 2019. Queer farmland: land access strategies for small-scale agriculture. *Soc. Nat. Resour.* 32(8):928–46
- Lobao L, Meyer K. 2001. The great agricultural transition: crisis, change, and social consequences of twentieth century US farming. *Annu. Rev. Sociol.* 27:103–24
- Lobao L, Meyer K, Harper D. 2004. Farm power without farmers. *Contexts* 3(4):12–21
- Malin S. 2014. There's no real choice but to sign: neoliberalization and normalization of hydraulic fracturing on Pennsylvania farmland. *J. Environ. Stud. Sci.* 4(1):17–27
- Mallach A. 2014. Lessons from Las Vegas: housing markets, neighborhoods, and distressed single-family property investors. *Hous. Policy Debate* 24(4):769–801

- Mallach A. 2018. *The Divided City: Poverty and Prosperity in Urban America*. Washington, DC: Island
- Martin IW, Beck K. 2017. Property tax limitation and racial inequality in effective tax rates. *Critical Sociol.* 43(2):221–36
- Martin IW, Beck K. 2018. Gentrification, property tax limitation, and displacement. *Urban Aff. Rev.* 54(1):33–73
- Martínez López MA. 2020. *Squatters in the Capitalist City: Housing, Justice, and Urban Politics*. London: Routledge
- Martínez López MA, ed. 2018. *The Urban Politics of Squatters' Movements*. New York: Palgrave Macmillan
- Massey D. 2013. *Space, Place and Gender*. New York: John Wiley & Sons
- McCarty M. 2014. *Introduction to public housing*. Rep., Congr. Res. Serv., Washington, DC
- McCulley KL. 2005. The American Indian Probate Reform Act of 2004: the death of fractionation or individual Native American property interests and tribal customs? *Am. Indian Law Rev.* 30(2):401–22
- McCutcheon P. 2019. Fannie Lou Hamer's freedom farms and Black agrarian geographies. *Antipode* 51(1):207–24
- McKay DL, Vinyeta K, Norgaard KM. 2020. Theorizing race and settler colonialism within US sociology. *Sociol. Compass* 14(9):e12821
- Mitchell T. 2001. From reconstruction to deconstruction: undermining Black landownership, political independence, and community through partition sales of tenancies in common. *Northwest. Univ. Law Rev.* 95(2):505–80
- Mitchell T. 2005. Destabilizing the normalization of rural Black land loss: a critical role for legal empiricism. *Wis. Law Rev.* 2:557–616
- Mooney PH. 2004. Democratizing rural economy: institutional friction, sustainable struggle and the cooperative movement. *Rural Sociol.* 69(1):76–98
- Moreton-Robinson A. 2015. *The White Possessive: Property, Power, and Indigenous Sovereignty*. Minneapolis: Univ. Minn. Press
- Morris ML. 2022. *Paramilitary property*. Paper presented at the Progressive Property Workshop, online, June 2–3
- Mukhija V, Loukaitou-Sideris A, eds. 2014. *The Informal American City: Beyond Taco Trucks and Day Labor*. Cambridge, MA: MIT Press
- Mukhija V, Regus L, Slovin S, Das A. 2010. Can inclusionary zoning be an effective and efficient housing policy? Evidence from Los Angeles and Orange Counties. *J. Urban Aff.* 32(2):229–52
- Murphy MW. 2021. On the ecomateriality of racial-colonial domination in Rhode Island. In *Global Historical Sociology of Race and Racism*, ed. AIR White, KQ King, pp. 161–89. Bingley, UK: Emerald
- Nagel J. 1995. American Indian ethnic renewal: politics and the resurgence of identity. *Am. Sociol. Rev.* 60(6):947–65
- Newkirk VR II. 2019. The great land robbery: the shameful story of how 1 million black families have been ripped from their farms. *The Atlantic*, Sept. <https://www.theatlantic.com/magazine/archive/2019/09/this-land-was-our-land/594742/>
- Norgaard KM. 2019. *Salmon and Acorns Feed Our People: Colonialism, Nature, and Social Action*. New Brunswick: Rutgers Univ. Press
- Norgaard KM, Fenelon JV. 2021. Towards an Indigenous environmental sociology. In *Handbook of Environmental Sociology*, ed. CS Caniglia, A Jorgenson, S Malin, L Peek, D Pellow, X Huang, pp. 477–94. New York: Springer
- Norgaard KM, Reed R. 2017. Emotional impacts of environmental decline: What can Native cosmologies teach sociology about emotions and environmental justice? *Theory Soc.* 46(6):463–95
- Núñez-Mchiri GG. 2009. The political ecology of the colonias on the US-Mexico border: human-environmental challenges and community responses in southern New Mexico. *South. Rural Sociol.* 24(1):67–91
- Núñez-Mchiri GG. 2012. Housing, colonias, and social justice in the US-Mexico border region. In *Social Justice in the US-Mexico Border Region*, ed. M Lusk, K Staudt, E Moya, pp. 109–25. New York: Springer
- Pattillo M. 2013. *Avenging Violence with Violence*. London: Routledge
- Peñalver EM, Katyal S. 2010. *Property Outlaws: How Squatters, Pirates, and Protesters Improve the Law of Ownership*. New Haven, CT: Yale Univ. Press

- Penniman L, Washington K. 2018. *Farming While Black: Soul Fire Farm's Practical Guide to Liberation on the Land*. White River Junction, VT: Chelsea Green
- Petrzelka P, Armstrong A. 2015. Absentee landowners of agricultural land: influences upon land management decision making and information usage. *J. Soil Water Conserv.* 70(5):303–312
- Petrzelka P, Marquart-Pyatt S. 2011. Land tenure in the USA: power, gender, and consequences for conservation decision making. *Agric. Hum. Values* 28:549–60
- Pilgeram R, Amos B. 2015. Beyond “inherit it or marry it”: exploring how women engaged in sustainable agriculture access farmland. *Rural Sociol.* 80(1):16–38
- Pruijt H. 2013. The logic of urban squatting. *Int. J. Urban Reg. Res.* 37(1):19–45
- Purifoy DM. 2021. The plantation town: race, resources, and the making of place. In *The Routledge Handbook of Critical Resource Geography*, ed. M Himley, E Havice, G Valdivia, pp. 114–125. London: Routledge
- Purifoy DM, Seamster L. 2021. Creative extraction: Black towns in White space. *Environ. Plan. D* 39(1):47–66
- Quinn SL. 2019. *American Bonds: How Credit Markets Shaped a Nation*. Princeton, NJ: Princeton Univ. Press
- Rael A. 2021. *Borderlands claims: a study of spatial-legal claims in the US-Mexico borderlands*. BA Thesis, Barnard Coll., New York
- Rasenberger J. 2006. Hospital land. *The New York Times*, Jan. 29, p. 14.1
- Reid D, Bennett E, eds. 2012. *Beyond Forty Acres and a Mule: African American Landowning Families Since Reconstruction*. Gainesville: Univ. Press Fla.
- Reosti A. 2000. “We go totally subjective”: discretion, discrimination, and tenant screening in a landlord’s market. *Law Soc. Inq.* 45(3):618–57
- Roberts K. 2013. The art of staying put: managing land and minerals in rural America. *J. Am. Folklore* 126(502):407–33
- Rosen E. 2014. Rigging the rules of the game: how landlords geographically sort low-income renters. *City Commun.* 13(4):310–40
- Rosen E, Garboden PME. 2022. Landlord paternalism: housing the poor with a velvet glove. *Soc. Probl.* 69(2):470–91
- Rosenfeld JP. 1998. Will contests. In *Inheritance and Wealth in America*, ed. RK Miller, SJ McNamee, pp. 173–91. Boston: Springer
- Rothwell J, Massey DS. 2009. The effect of density zoning on racial segregation in U.S. urban areas. *Urban Aff. Rev.* 44(6):779–806
- Rothwell JT, Massey DS. 2010. Density zoning and class segregation in U.S. metropolitan areas. *Soc. Sci. Q.* 91(5):1123–43
- Salamon S. 1985. Ethnic communities and the structure of agriculture. *Rural Sociol.* 50(3):323–40
- Salamon S. 1993. Culture and agricultural land tenure. *Rural Sociol.* 58(4):580–98
- Sarkar S, Rosenthal J. 2018. Exclusionary taxation. *Harv. Civil Rights-Civil Liberties Law Rev.* 53(2):619–80
- Satter B. 2010. *Family Properties: Race, Real Estate, and the Exploitation of Black Urban America*. New York: Metropolitan. 1st ed.
- Sazama GW. 2000. Lessons from the history of affordable housing cooperatives in the United States: a case study in American affordable housing policy. *Am. J. Econ. Sociol.* 59(4):573–608
- Schwartz TP. 1996. Durkheim’s prediction about the declining importance of the family and inheritance: evidence from the wills of Providence, 1775–1985. *Sociol. Q.* 37(3):503–19
- Seamster L, Purifoy D. 2020. What is environmental racism for? Place-based harm and relational development. *Environ. Sociol.* 7(2):110–121
- Sherman R. 2019. *Uneasy Street: The Anxieties of Affluence*. Princeton, NJ: Princeton Univ. Press. 2nd ed.
- Shoemaker JA. 2003. Like snow in the spring time: allotment, fractionation, and the Indian land tenure problem comment. *Wisconsin Law Rev.* 2003(4):729–88
- Shoemaker JA. 2014. No sticks in my bundle: rethinking the Indian land tenure problem. *Kansas Law Rev.* 63:383–450
- Shoemaker JA. 2017. Invited essay: pipelines, protest, and property. *Great Plains Res.* 27(2):69–81
- Shoemaker JA. 2021. Fee simple failures: rural landscapes and race. *Mich. Law Rev.* 119(8):1695–756
- Shostak S. 2021. *Back to the Roots: Memory, Inequality, and Urban Agriculture*. New Brunswick, NJ: Rutgers Univ. Press

- Simms A. 2019. *Power, privilege, and peril: governing in a suburban majority Black and middle-class county—a regional perspective*. PhD Thesis, Univ. Pa., Philadelphia
- Simpson A. 2014. *Mobawk Interruptus: Political Life across the Borders of Settler States*. Durham, NC: Duke Univ. Press
- Singer JW. 2000. *Entitlement: The Paradoxes of Property*. New Haven, CT: Yale Univ. Press
- Slater G. 2021. *Freedom to Discriminate: How Realtors Conspired to Segregate Housing and Divide America*. Berkeley, CA: Heyday
- Smith BE. 2015. Another place is possible? Labor geography, spatial dispossession, and gendered resistance in central Appalachia. *Ann. Assoc. Am. Geogr.* 105(3):567–82
- Starecheski A. 2016. *Ours to Lose: When Squatters Became Homeowners in New York City*. Chicago: Univ. Chicago Press
- Sullivan E. 2018. *Manufactured Insecurity: Mobile Home Parks and Americans' Tenuous Right to Place*. Oakland: Univ. Calif. Press
- Sullivan E, Olmedo C. 2015. Informality on the urban periphery: housing conditions and self-help strategies in Texas informal subdivisions. *Urban Stud.* 52(6):1037–53
- Taylor KY. 2019. *Race for Profit: How Banks and the Real Estate Industry Undermined Black Homeownership*. Chapel Hill: Univ. N. C. Press
- Thorpe A. 2020. *Owning the Street: The Everyday Life of Property*. Cambridge, MA: MIT Press
- Travis A. 2019. The organization of neglect: limited liability companies and housing disinvestment. *Am. Sociol. Rev.* 84(1):142–70
- Valverde M. 2012. *Everyday Law on the Street: City Governance in an Age of Diversity*. Chicago: Univ. Chicago Press
- Veblen T. 1996. *Absentee Ownership: Business Enterprise in Recent Times—The Case of America*. London: Routledge
- Vincent J. 2012. Neighborhood revitalization and new life: a land value taxation approach. *Am. J. Econ. Sociol.* 71(4):1073–94
- Vinyeta K, Powys KW, Lynn K. 2015. *Climate change through an intersectional lens: gendered vulnerability and resilience in indigenous communities in the United States*. Gen. Tech. Rep. PNW-GTR-923, Forest Service, Pacific Northwest Res. Station, US Dep. of Agric., Portland, OR
- Warner K, Molotch H. 2001. *Building Rules: How Local Controls Shape Community Environments and Economies*. Boulder, CO: Westview
- Watts V. 2013. Indigenous place-thought and agency amongst humans and non-humans (First Woman and Sky Woman go on a European world tour!). *Decolon. Indig. Educ. Soc.* 2(1):20–34
- Wegmann J, Schafran A, Pfeiffer D. 2017. Breaking the double impasse: securing and supporting diverse housing tenures in the United States. *Hous. Policy Debate* 27(2):193–216
- White MM. 2018. *Freedom Farmers: Agricultural Resistance and the Black Freedom Movement*. Chapel Hill, NC: UNC Press
- Whittemore AH. 2017. The experience of racial and ethnic minorities with zoning in the United States. *J. Plan. Lit.* 32(1):16–27
- Whyte KP. 2013. Justice forward: tribes, climate adaptation and responsibility. *Climatic Change* 120:517–30
- Willmott K. 2022. Taxes, taxpayers, and settler colonialism: toward a critical fiscal sociology of tax as White property. *Law Soc. Rev.* 56(1):6–27
- Wunderlich G. 1991. *Owning Farmland in the United States*. Agric. Inf. Bull. 637, US Dep. Agric. Econ. Res. Serv., Washington, DC
- Wuthnow R. 2011. *Remaking the Heartland*. Princeton, NJ: Princeton Univ. Press