



Property 'from the ground up'

by **Sarah Blandy** (University of Sheffield)

with

Robert Home (Anglia Ruskin University - *discussant*)

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(*presentation of the Basque Society of Studies 100th Anniversary*)



Property is a highly important, and contentious, issue worldwide. Property is embedded in political systems and intricately connected with life opportunities. But property theory is currently dominated by Anglo-American legal scholars whose perspective, even if not wholly derived from the law and economics movement, always centres on the individual owner of property rights. This is evident in the ongoing debate between scholars who view the right to exclude as the key to understanding property, and those who put forward the more progressive view founded on the idea of property as a bundle of rights. Drawing on insights from legal geography about property as performance, and from the commoning literature, I try to challenge conventional property scholarship by examining how property is actually constituted at the social level. My research methods are influenced by legal anthropology and my theory is built from empirical data, primarily observations and interviews. These demonstrate the collective, rather than individual, character of property.

Sarah Blandy is Professor of Law at the University of Sheffield. Her research is interdisciplinary and empirical, currently focusing on the law and practice of collectively claiming, owning, managing and sharing space. She has published widely on the socio-legal aspects of property law, including:

Abram, S. and Blandy, S. (2018) 'Ownership and belonging in urban green space', in Xu, T. and Clarke, A. (eds) *Legal Strategies for the Development and Protection of Communal Property*. Oxford: Oxford University Press, pp. 177-201.

Blandy, S., Bright, S. and Nield, S. (2017) 'The Dynamics of Enduring Property Relationships in Land', *Modern Law Review* 81:1, pp. 85-113.

Atkinson, R. and Blandy, S. (2016) *Domestic Fortress: Fear and the new home front*. Manchester: Manchester University Press.

Bright, S., Blandy, S. (eds) (2015) *Researching Property Law*. London: Palgrave Macmillan.

Blandy, S. (2013) 'Collective Property: Owning and Managing Residential Space', in Hopkins, N. (ed) *Modern Studies in Property Law* vol. 7. Oxford: Hart, pp. 151-172.



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