

Anthropology Book Forum

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Kriti Kapila, 2022, *Nullius: The Anthropology of Ownership, Sovereignty, and the Law in India*. Chicago: HAU Books, 195 pp., ISBN: 9781912808472

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Since Marcel Mauss' *The Gift*, our discipline has been concerned with a kind of excess: that created by the act of *giving*, that extra something that could not be reduced to the actual things being exchanged. In *Nullius*, Kriti Kapila examines the exact obverse of the gift, or as the first sentence of the Introduction asks: What is left when something is *taken away*? What kind of relationality is forged "in the condition of dispossession" (pg. 4)? Taking away something someone else has, or could have, is an act that requires a certain power over that thing and that someone: a power over the possibilities of property and ownership, in our world held paradigmatically by the modern state. Contemporary anthropology, as it happens, usually deals with the state with liberal political categories, explicitly or implicitly through the work of Foucault, Agamben, and within their sticky traditions. Based on ethnography and historical and archival analysis of colonial India and the independent Indian state, *Nullius* examines dispossession in the key of longstanding, canonically anthropological agendas, such as debt, hospitality, indigeneity and, of course, the gift. What can an anthropology of property, sovereignty and ownership in such a key reveal that liberal political thought may not?

Chapters 2 and 3 (Chapter 1 is the Introduction) prepare the rest of the book by examining the tensions between cultural and legal subjectivities in India. The former looks at how universalising reforms introduced by the newly independent state changed the foundational principles of kinship, relationality and descent, such that "monadic calculus par(ed) down relationality" (pg. 48). The latter focuses on the pastoralist Gaddi of north India to examine how legal senses of property in that constitution generated particular kinds of dispossession, for example, turning the Gaddis' identificatory relationship with the landscape into a proprietary one (pg. 58) and making it harder to involve non-agnates in estates and inheritance (pg. 71).

Chapter 4, *Terra Nullius*, studies how the annexation of the Andaman Islands by the nascent independent India nullified pre-existing claims over the islands by their inhabitants. Whereas imperial authorities had worked as one norm of sovereignty among other ontological equals, the postcolonial independent state was ontologically universalising; to consolidate itself as the only one, it generated an “as-if” of continuous present tense that turned islanders’ alterity (an adjacent people) into sameness (Indian subjects), translating thus their claim for ownership into a “compensatory logic of welfare and upliftment” enfolded within its logics (pg. 98). Chapter 5, *Res Nullius*, follows the journey made by many colonial objects to two imperial exhibitions in the mid-19th century to show how a number of exchanges removed property rights from these objects and reinscribed them in a different register, “as if there were no prior relations of title that needed to be attended to, or (...) recognized and respected” (pg. 118). *Corpus Nullius*, the sixth and last chapter, takes the logic of dispossession to the final frontier: the human body. Aadhaar, the world’s largest mandatory biometric identification infrastructure, is owned by the Indian state. Focusing as literally as possible on the bio- in biometrics – the corporeal, the vital – Kapila argues that the capturing of the labours of these bodies as they open bank accounts, buy cell phones, or other daily activities forcibly registered by Aadhaar further the value of the aggregated indices that allow the state to know, in the sense of apprehend, its citizens, encased in a perennial debt that has no transformative potential – simply reproduces the condition of subjection (pg. 142-149).

There is a sizeable body of literature on dispossession in anthropology and sister sciences, and some of that work takes the conversation towards sovereignty. In this context, *Nullius*’ originality is to set the concept of dispossession (not necessarily the extant body of work addressing it, and for good reason) as the counterfactual to that of the gift; its success is to take the ethnographic imagination the whole nine yards to flesh out the theoretical possibilities of this counterfactual that could have easily remained a superficial witticism.

That success also hinged, partly, on walking a very tight rope. The Foucauldian and Agambean approaches the author chooses to sideline are by now a wholly unreflexive toolkit when studying states and sovereignty, and time and again one sees how the narrative could have fallen back on that track. For example: as the author points out in Chapter 1, that liberal tradition imagines sovereignty as the ability to call for an exception, in the key of Agamben’s work on Schmitt. Kapila chooses instead to think through Bataille’s notion of sovereignty as

emanating from the ability to act out of arbitrariness and chance (pg. 12). This distinction, made in the introduction, could seem trivial, but as the narrative develops the author harnesses these precisions to indeed sustain an actual reimagination of sovereignty beyond the heuristics of liberal thought: a state that can mostly be understood in terms of discipline is now intelligible in terms of the capture of a vital surplus, a predation, whose potentialities exceed those of the actual things being taken away. Whereas certain chapters could have conveyed such an imagination without the entire scaffolding Kapila has erected for her argument, for example Chapters 2 and 3, the entire enterprise bears its fruits in the three chapters that give the book its name: Terra Nullius, Res Nullius, Corpus Nullius. The latter is exceptionally persuasive, linking the capture of vitality through photographs and voodoo dolls with biometric appropriation (pg. 152) (This chapter is also, incidentally, a remarkably original argument on data appropriation, privacy and sovereignty).

Although Nullius is based in ethnography and archival research, it is an eminently theoretical book. It does not assume prior knowledge on the part of the reader, but it is rich in references to classical anthropology texts and their contemporary offshoots, as well as to that liberal tradition it separates itself from, so readers with a good prior knowledge of both will probably get the most out of it. It would probably work best with advanced and graduate readers working on political anthropology, economic anthropology, anthropological theory, aside from the state, data, and of course India as topical concerns.

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