

Intimacy vs. Property¹

I'm annoyed by radical structures that reify the idea of **property** as THE way to think about our relations to each other and the world.

Property is such an infectious concept. In my practice, from looking at motherhood to book piracy to how we evaluate social art practice, it seems that the first thing I encounter is always a taken-for-granted, a postulate: that the path to change and thence liberation is just a matter of redistributing **property** rights to the RIGHT people and the enabling of "our" **sovereignty**.

I see this as a trap. One that makes it almost impossible to imagine a different way to think about

¹ Special thanks to Lamis Bayar who always edits my

texts in what feels like continuous conversation.

ourselves and the world. We are terrified of what would happen if we didn't own the things we **care** for.

But I think that it is the 'we **care** for' that matters. That there is a different form of **relationality** that can only exist once we **refuse** to play the property and **sovereignty game** and pay attention to the actual ways in which we exist with each other. **I call this the intimacy of interdependency.**

In this prompt, I propose that the Collective Conditions for Re-Use falls into the same trap. That in its attempts to solve the 'problem' of intersectionality and power imbalances in systems like copy-left or creative commons, it reifies the all too well established (mis)conception that **property** is the only way in which we can think ourselves and the world, expanding the market into every sphere of our lives — particularly those spheres which specifically sought to separate themselves of the

market. That it attempts to improve what needs to be dismantled.²

This is a prompt to imagine that we already have a much more sophisticated and interesting way to relate to what we all bring into being in the world.

We do. We just need to stop making

² Thank you to Daniel Rourke for introducing me to this quote from Boris Groys: “I hope that the political function of these two divergent and even contradictory notions of aestheticization—artistic aestheticization and design aestheticization—has now become more clear. Design wants to change reality, the status quo—it wants to improve reality, to make it more attractive, better to use. Art seems to accept reality as it is, to accept the status quo. But art accepts the status quo as dysfunctional, as already failed—that is, from the revolutionary, or even postrevolutionary,

perspective. Contemporary art puts our contemporaneity into art museums because it does not believe in the stability of the present conditions of our existence—to such a degree that contemporary art does not even try to improve these conditions. By defunctionalizing the status quo, art prefigures its coming revolutionary overturn. “ Groys, B. (2014) ‘On Art Activism - Journal #56’, *e-flux Journal* [Preprint], (56). Available at: <https://www.e-flux.com/journal/56/60343/on-art-activism/> (Accessed: 19 February 2024). (2014)

frameworks that try to make **it legible and accessible to systems of power.**

This prompt gestures towards a series of texts and notes that offer different definitions, doubts/limitations, and ways to use **intimacy** to think together about what could exist in place of the idea of **intellectual property.**

I'm fully aware that these ways require profound changes in how we organise the world. I don't have a solution. I just want us to imagine better.

Andrea Francke
London, 4th of April 2024

Other possible references to think intimacy vs. property with

A few years ago, I started a basic Quechua course.³ Quechua is one of the indigenous languages spoken in Peru, where I'm from. Although I've never learnt it as a child, I've realised as I've grown older how much of the Quechua language and culture — sometimes called Andean Philosophy — has influenced the way I think and live the world. In one of the sessions, the teacher talked about how there are no native Quechua words for 'please' and 'thank you', only neologisms needed to adapt the language

³ *Curso introductorio de Quechua Chanka | sesión 4: presentarse y pedir información (2020).*
Available at:

https://www.youtube.com/playlist?list=PLe4DNTZx3Ln gmX5xSJUuowp5jLL_ZZOui
(Accessed: 2 April 2024).

to a European framework. She explained how you don't need the words for 'please' and 'thank you' because those are just words that allowed Europeans not to act.

On the other hand, she explained, if you are part of a Quechua community, you will keep an eye on what is needed, and then just do it.⁴ You won't need a 'please', and you won't expect a 'thank you'. At some point, if you need help, there will be other people around you paying attention and help will happen.

That relation between attention, **care**, and being part of a (or many) community(ies) made so much sense to me. This is also part of an understanding of the world in which the non-human is very present. This relation of **intimacy** that allows one to perceive when one is needed and act, exists also in relation to mountains, animals, places, etc. It made me think about my relation to other people's work,

⁴ This form of attention and responsiveness sounds very

similar to Mia Mingus's **Access Intimacy**.

how I share things – including things that aren't mine, to how I put things in the world and how accessible I construct them so people can take them apart and use them.

There is another approach that I wanted to include, but I just didn't have the time. In *The Logic of Care*, Annemarie Mol looks at the relationships between the ill and their carers. Mol proposes that those relations follow a different logic that refuses the logic of choice (which either follows consumer or citizenship logics) but instead is constructed collaboratively through continued **attunement**.

Mol, A. (2008) *The logic of care: health and the problem of patient choice*. Milton Park: Routledge.

Group Intimacy

Nguyen and Strohl's text is in itself a prompt. It proposes a framework of **group intimacy** as one way to dismantle the concept of cultural appropriation, intimacy re-placing the centrality of **property** in that debate.

Many accounts of intimacy in academia are constructed around privacy and publicness, but Nguyen and Strohl foreground those aspects of intimacy that are most interesting to me, the relational aspects.

“Her [Inness'] account is intended to explain interpersonal intimacy, but we suggest that it points to a promising way of understanding

group intimacy.¹ For Inness, what makes an act intimate is that it expresses an agent’s loving, liking or **caring** for another person and thereby has special meaning and value for the agent. We propose that, in the case of larger groups, what makes a practice intimate is that it functions to embody or promote a sense of common identity and group connection among participants in the practice, and thereby renders it meaningful and valuable to these participants.” (Thi Nguyen and Strohl, 2019, p. 12)

Once we move away from property and into relationality, ideas of care, affection and maintenance gain in importance. If the process of how we use stuff, including ideas and the expression of those ideas by others, is concerned with if and how we are extracting or contributing — who are we

¹As referred to by Nguyen and Strohl: Inness, J.C. (1996) *Privacy, Intimacy,*

and Isolation. Oxford, New York: Oxford University Press.

inconveniencing? how are we contributing to our communities or despoiling them? how are we **inconvenienced**? — *and* if those effects are constantly negotiated and re-considered, *then* how does a license facilitate or obscure our relation to those **inconveniences** and to others?

“But, crucially, the **intimacy** account does not yield objective determinations about who can participate in an intimate practice.

Intimacy is flexible — relations of intimacy can be extended, outsiders can be granted temporary or long-term insider status, insiders can be exiled, and boundaries can be re-drawn. Furthermore, notice the order of operations with **intimacy**. It is not the case that a relationship is first established as intimate, and only then can the participants in the relationship engage in intimate acts. Engaging in intimate acts is what constitutes an intimate relationship. [...] Intimate groups can sometimes self-constitute through

intimate practices – they can come into existence as a result of self-identification, valuation, and mutual engagement through intimate practices.” (Thi Nguyen and Strohl, 2019, p. 16)

Thi Nguyen, C., and Matthew Strohl. ‘Cultural Appropriation and the Intimacy of Groups’. *Philosophical Studies* 176, no. 4 (1 April 2019): 981–1002. <https://doi.org/10.1007/s11098-018-1223-3>.

On Intimacy and On the Inconvenience of Other People

A contract holds the potential for **clarity** (Nguyen, 2021), for stability, for a resolution. What is so seductive about **sovereignty**¹ and **property** is the illusion that you have a firm ground to stand on.

Intimacy refuses the stability of **clarity** because **relationality** (that is **interdependence**) is almost never stable. **Intimacy** is always already negotiated between subjects, at a bodily scale. The

¹ “As I argue in the introduction, my view is that sovereignty is at root a defense against occupation or dispossession, which is why it’s become central to

antagonisms about jurisdiction, and not anything like a natural right or natural state. “(Berlant, 2022, p. 80)

way you related to someone's work yesterday might no longer be quite right today, and vice-versa. When you realise someone is using your work in a way that you don't agree with, or in a way that erases you, or when you realise you've used someone's work in a way that has harmed them or annoyed them, you feel it **in your body**. That's what I want to hold onto. To refuse the creation of a 'neutral' admin infrastructure that takes the awkwardness² out.

"I didn't think it would turn out this way" is the secret epitaph of **intimacy**. To intimate is to communicate with the sparest of signs and gestures, and at its root intimacy has the quality of eloquence and brevity. But **intimacy** also involves an aspiration for a narrative about something shared, a story

² For an expanded definition of awkwardness, listen to: Francke, A. and de Kersaint Giraudeau, M. (2016) *Bad Vibes Club at CCA - The Rise of the Awkward Turtle*. Available at:

<https://soundcloud.com/ccaderrylondonderry/bad-vibes-club-at-cca-the-rise-of-the-awkward-turtle>
(Accessed: 8 April 2024).

about both oneself and others that will turn out in a particular way.” (Berlant, 1998, p. 282)

My favourite part of Berlant’s text is the acknowledgement of how terrifying intimacy can be, how much can and will go wrong, how much needs to be constantly renegotiated.³

“There, and here, the commons concept serves as a preserve for an optimistic attachment to recapturing the potential for collective **nonsovereignty** and as a register for the gatekeeping and surveillance that organises still so many collective pleasures.

So, if the commons claim sounds like an incontestably positive aim, I think of it more as a tool, and often a weapon, for unlearning

³ “It shows how some thinkers use the commons concept to move away from good-life fantasies that equate frictionlessness with

justice and satisfaction with the absence of frustration.” (Berlant, 2022, p. 81)

the world, which is key to not reproducing
it.“(Berlant, 2022, p. 80)

Berlant, Lauren. ‘Intimacy: A Special Issue’. *Critical Inquiry* 24, no. 2 (1998): 281–88.

Berlant, L.G. (2022) *On the inconvenience of other people*. Durham: Duke University Press (Writing matters!).

Access Intimacy and Liberatory Access

Mingus' **access intimacy**¹ is about the closeness that happens when someone has an immediate (or intuitive) understanding of your access needs, when certain conditions are met in a moment of relationality that means you can be vulnerable, **cared** for, and **caring** for someone else, sometimes without previously having known each other.

(Mingus, 2011)

Mingus uses access intimacy to **imagine a different way** in which abled and disabled people

¹ "And I want to be clear, I didn't invent **access intimacy**, I simply gave a name to something that was happening in my life and I hope it's useful to

others. Just because you name something doesn't mean you invented it." (Mingus, 2017)

can **imagine a different future**, one that cannot be brought into being by policy, bureaucracy or design. It's a call for a political re-organisation of the world around interdependence and away from ideas of **sovereignty**.

“ **Liberatory access** gets us closer to the world we want and ache for, rather than simply reinforcing the status quo. It lives in the now and the future. There is no **liberatory access** without **access intimacy**, and in fact, access intimacy is one of the main criteria for **liberatory access**. **Liberatory access** understands addressing inaccessibility and ableism as an opportunity for building deeper relationships with each other, realigning our selves with our values and what matters most to us, and challenging oppression.

Liberatory access calls upon us to create different values for accessibility than we have historically had. It demands that the

responsibility for access shifts **from being an individual responsibility to a collective responsibility**. That access shifts from being silencing to freeing; from being isolating to connecting; from hidden and invisible to visible; from burdensome to valuable; from a resentful obligation to an opportunity; from shameful to powerful; from ridged to creative. It's the "good" kind of access, the moments when we are pleasantly surprised and feel seen. It is a way of doing access that transforms both our "today" and our "tomorrow." In this way, liberatory access both resists against the world we don't want and actively builds the world we *do want*."(Mingus, 2017)

I propose we think about **intimacy** in an abolitionist way. I know that we live in a world that is mediated by laws, contracts and infrastructures built upon and which consolidate the idea of **property** (and rentiers). But I propose that we

should imagine and practice a different way of being that is invested in relations over **property**.

We are too solely invested in the idea that the way to solve issues of labour and distribution, and even equality, is to multiply access to property rights.

Mingus, M. (2011) 'Access Intimacy: The Missing Link', *Leaving Evidence*, 5 May. Available at: <https://leavingevidence.wordpress.com/2011/05/05/access-intimacy-the-missing-link/> (Accessed: 19 February 2024).

Mingus, M. (2017) 'Access Intimacy, Interdependence and Disability Justice', *Leaving Evidence*, 12 April. Available at: <https://leavingevidence.wordpress.com/2017/04/12/access-intimacy-interdependence-and-disability-justice/> (Accessed: 19 February 2024).