

Rachel O'Reilly

Dematerializations of the Land/Water Object

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One cannot understand hurt feelings in relation to a boxed quarter acre block ... The effects of acts have to be understood in terms of the pervasiveness of the Dreaming.

– *Griffiths v. Northern Territory of Australia* (No 3), 2016, FCA 900 (Timber Creek decision)

The unknown frontier today is depth.

– Geoscience Australia

During normotic peaks of approval phases of settler-colony mining booms, “artist impressions” of mega-mine proposals are photoshopped up at unprecedented rates and scales. Weaponized images of dignified-looking but no longer collectively-bargaining laborers, exaggerated job figures, fetishized New Machines, and particularly pernicious laminations of corporate-sponsored settler household reproduction placehold new industry forms of extraction. The perversions of prospective accounting given for “environmental assets” – for example, soil and water – force a rereading of finance through colonial legacies that limit the imagination of mattering. Between the slave ship and the container ship, the story of Australia’s particular mercantile-era contribution to the arsenal of global capital, in making the *concept* of land fully fungible, generates extra-aesthetic analytics by being retold.¹

The Drama of Installation

I don’t think I’ve ever seen something drawing such broad-ranging and significant conclusions on such a limited amount of information, and with no numerical modelling. I’ve never seen it.

– Professor Philip Pells, civil engineer, “Gasleak,” ABC 4 Corners, 2009

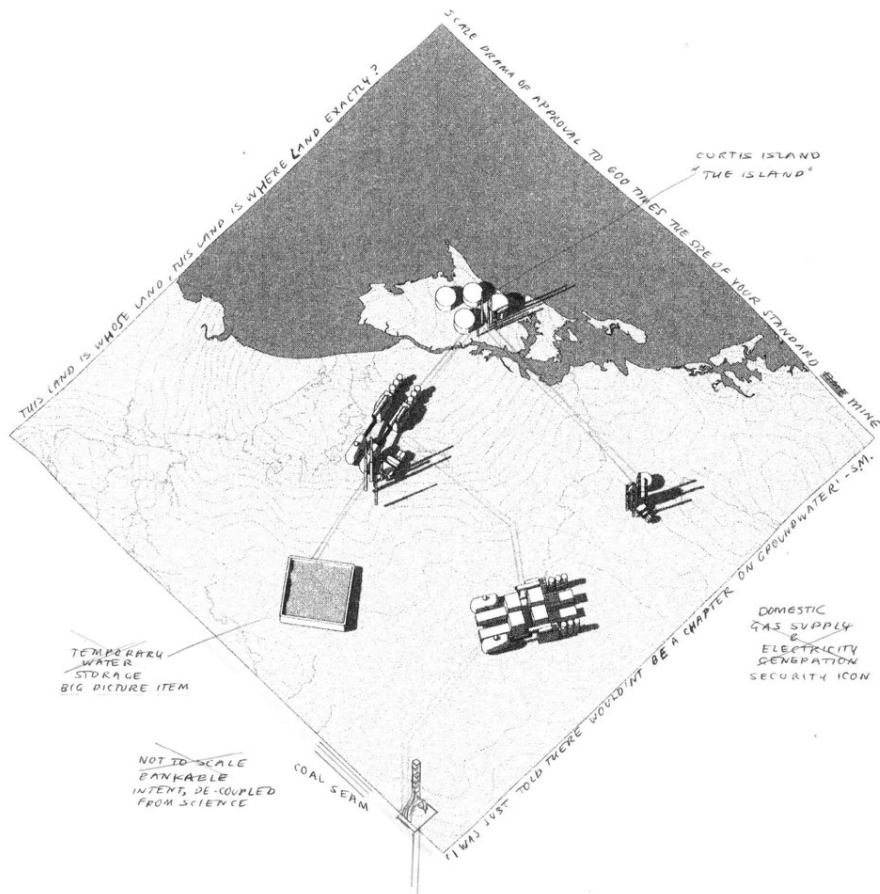
The “unconventional” gas industry², pioneered in the United States and embraced following the first oil shock in 1973, was approved for mass install in Australia in 2009, just two years after the Northern Territory Emergency Response Intervention.³ In an existing special economic zone, liquefied natural gas plants and shipping infrastructure were set up through Gladstone Harbour, Queensland, the unceded land and sea of Gooreng Gooreng, Gurang, Bailai, and Bunda peoples, and a key site in the Venn diagram of corporate power’s relationship to Aboriginal and labor rights in Australia.⁴ The “City that Waited” for late industrialization was once the capital of the fleeting North Colony of Australia, in 1847.⁵ It fully industrialized only after the 1957 Comalco Act (now Rio Tinto) and the Aboriginal Protection

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Image of reclaimed land, previously mangrove, and sub-contracted workers at Gladstone LNG development. Copyright: Bechtel.

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Rachel O'Reilly, with PALACE (Valle Medina and Benjamin Reynolds) and Rodrigo Hernandez, *Mystical Engineering* from the series *The Gas Imaginary*, (2014). Limited edition series of 9 x 3d drawings, risograph on paper, ink, pencil. Courtesy the artist.

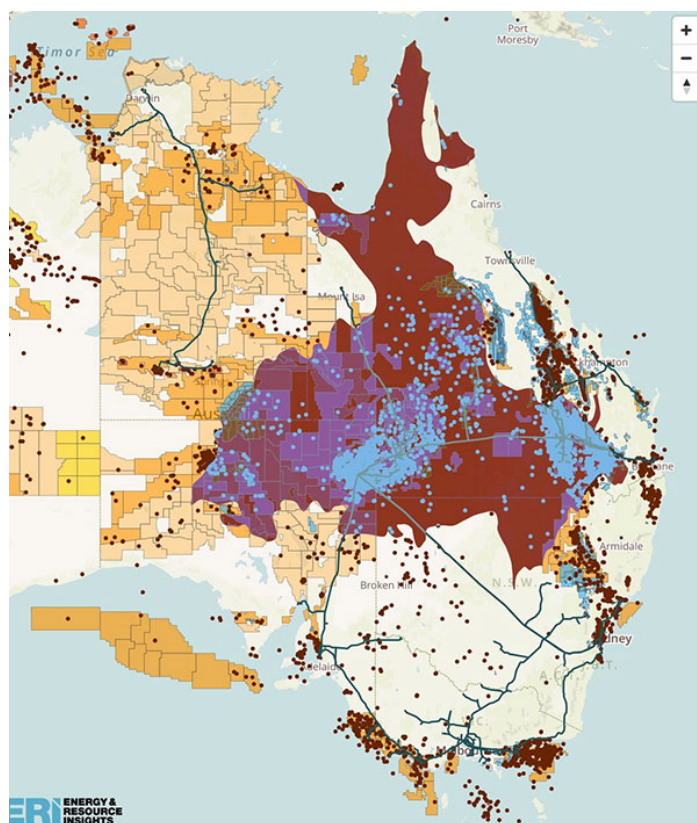
Act were used to violently excise the wealth of eight thousand square kilometers of bauxite-rich West Cape land in North Queensland for the state's first alumina refinery.⁶

Before the first well was fracked west of Brisbane on some of the state's richest farming lands, mass fish kills, turtle casualties, and dugong deaths and diseases also affecting fisherman of Gladstone Harbour were connected both to flooding run-off and unprecedented dredging in 2011 near the Great Barrier Reef.⁷ In 2013, it was revealed by a senior government whistleblower that when the industry was approved, the gas companies had been able to withhold an entire chapter from the initial Environmental Impact Statement on groundwater impacts.⁸ Additionally, geo-engineering information on well function, geo-locative information on actual well locations, and a plan to dispose of the salty brine riddled with heavy metals, BTEX chemicals (naturally occurring), and radioactive traces in the industry's massive volumes of "produced water" were missing from the initial proposal. The key whistleblower grokked the scale of the legal drama of dematerialization that would follow, given its minimalist conceiving at the time: "It was quite frightening given this was like 600

times the size of your standard coal mine." More than two decades prior, Halliburton had experimented with hydraulic fracturing plans for a very remotely imagined Australian field at the non-site of its American lab, with fictive soil. "They bonded together small slabs of coal and shale similar to Australian samples, drilled one-inch holes into the sample, then pressurised the holes and completed a 'hydro-frac' in miniature. 'These samples were difficult to prepare,'" they wrote in their report. When the company first fracked a coal seam gas well in Moura, Queensland for real, their exploration report stated: "During July 1977 the well was killed with 1% KCL solution and the tubing and packer were pulled from the well ... and pumping commenced". As Keogh notes, the use of the word "kill" stands out "given potassium chloride (KCl) is the third and final drug administered in the lethal injection of humans on death row in the USA".⁹

Australia's experience has many similarities with the much more advanced "new economy" natural gas bubbles in the US, and many differences. Australian property owners uniformly own only the top four centimeters of their topsoil – nothing below, nothing more; the government retains mineral rights and gains

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Energy & Resource Insights map of coal seam (fracking) mining wells and tenements, photoshopped by activist Jo Holden to include the Great Artesian Basin (in red): 37.3 per cent of the Australian continent is covered by coal and gas titles and applications. 84.9 per cent of the Northern Territory and 61.4 per cent of South Australia is covered by mainly petroleum (shale gas) titles and applications.

income on licenses. There is no sovereign wealth fund, and much of the actual profits remain under-taxed and go offshore. Novelty, with the fracking industry, the corporate state exposed its own rural and increasingly urban settler constituencies to speculation on their own health and futures, through compensatory “coexistence” surface leasing arrangements, temporary high-salaried construction industry jobs, lucrative gag orders, and privatized infrastructure delivery, like rural roads, aimed at the social licensing of environmental injustice. In the most spatial sense, the industry has great difficulty conforming with existing class lines. The “coal seam gas invasion” created a unforeseen, militant protest movement of farmers, fisherman, sea changers, and retirees down the East Coast, who were later joined in some campaigns by already dispossessed traditional owners of unceded lands.

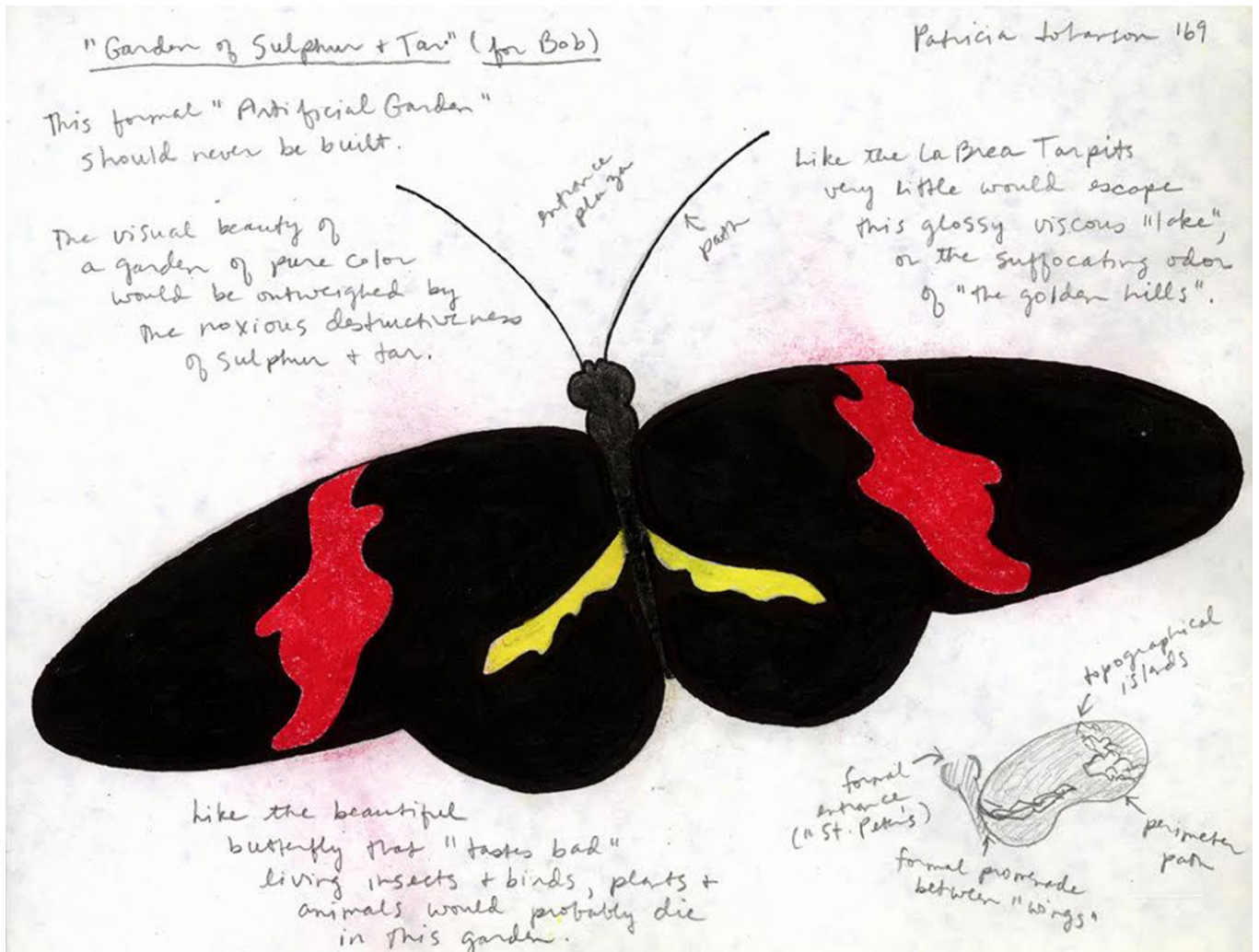
Here, under these shifts of late liberalism, there is a kind of trauma observable among settler-formatted citizenships needing to become grassroots materially literate in – because suddenly overexposed to – land lawbased accumulation processes “as if” they are occurring for the first time. In other words, people pushing up against stupidity and dust within a narrow slice of time on belonging tend to both *unravel from* and *double-down on* the real abstractions of *landed property*. In the state with some of the weakest Native Title laws, which are incomparable to land rights, tens of thousands of gas wells are now scattered over an area notorious for its inter-clan resistances to land-fracturing frontier wars. The material drama of the newly licentious “coexistence” of mining companies on farming properties was neither lost upon nor greeted with much *schadenfreude* by Aboriginal leaders. Remarkably so, given that just decades prior, the mining lobby had allied with the pastoral industry in Western Australia in the wake of the 1992 Mabo Judgement – framed as a national threat to citizens’ and farmers’ back yards – to pressure Federal Labor to back down from their promise of national, “coexistent” Aboriginal land rights.¹⁰ In the state with some of the weakest Native Title laws, tens of thousands of gas wells are scattered over an area notorious for its inter-clan resistance during the land-fracturing frontier wars.¹¹ Mining companies now have unlimited rights to extract from the largest underground artesian water basin system in one of the driest continents on earth, where hundreds of towns depend on groundwater. Less a lake than solid rock with water in pores between sand grains and sandstone sheets, it took between one and two million years for it to percolate into its form, and connect to aboveground processes of rain, springs, streams,

and bores.¹² The inconsistent appearance of Aboriginal geontologies¹³ on the supplementary side of private property invasions speaks to the inherent double bookkeeping of settler justice projects.¹⁴

Rereading Settler Dematerializations

Lucy Lippard and John Chandler’s earliest 1968 speculations on dematerialization for an emergent contemporary art discourse were essentially accelerationist, inspired by the Ukrainian-American composer and theorist Joseph Schillinger. Schillinger’s ontology of art timed eschatologically through five “zones” that he stated would increasingly replace each other: from biological stages of mimicry, to ritual-religious, to emotional artistic art qua art, and then rational-aesthetic empirical experimentation, before assuming the emergence of the manufacture, distribution, and consumption of a “perfect art product ... characterized by a fusion of the art forms and materials,” and, finally, a “disintegration of art” via “abstraction and the liberation of the idea.”¹⁵ Noteworthy is the setup of what Elizabeth Povinelli calls “the prior”¹⁶ as a motor for settler-colonial self-reflexivity, or what Spivak would call the “culture-without-culture” of globalism, or what Denise Ferreira da Silva would notice projecting “affectibility”¹⁷ onto inferior-framed non-West forms, while also staging the superficial overcoming of European heritages for a self-authorizing global contemporaneity. The American “dematerial” and conceptual era has been far less read in visual art than it has in contemporary poetry, in terms of overproductions and deconstructions of fractal legal freedoms.¹⁸

Travelling in Mexico, Smithson produced his *Yucatan Mirror Displacements* (1–9) as a series of color photographs published in *Artforum* to accompany his text “Incidents of Mirror-Travel in the Yucatan” (1969). He poeticized the mirror displacements as enacting the “sacrifice of matter,” “cut[ting] into the earth, dematerializing it, and depositing blue sky patches on the ground.” Photography works to “kill its object” so as to stage a “large scale sacrifice of matter.” He drives into a “dedifferentiated landscape” and an Ancient Mayan god tells him to get rid of his guidebooks, saying, “You risk getting lost in the thickets, that is the only way to make art.” The horizon is “constantly consumed through the windshield. The ride on a knife covered in solar blood ... The tranquil drive became a sacrifice of matter that led to a discontinuous state of being, a world of quiet delirium.”¹⁹ That Smithson’s group was heavily promoted and financed by Virginia Dawn, heir of 3M (Minnesota Mining and Manufacturing), of course hardly escaped other



Patricia Johanson, Garden of Sulphur and Tar (for Bob), 1969. Drawing

land artists of this period. Patricia Johanson's prolific series of conceptual and biochemically functional garden drawings, which she later materialized one by one as large-scale, cyclical reclamation-landscapes, wholly outside of the museum network, includes a work antagonistically dedicated to Smithsonian, composed in the shamelessly biomorphic shape of a black butterfly, in which he could trap and kill native fauna. *The Garden of Sulphur and Tar (for Bob)* (1969) includes clear instructions: "This formal artificial garden should never be built."²⁰ Smithsonian derogatorily called Johanson "Miss Olmsted," after the landscape architect of Central Park.

Racial, patriarchal grammars of hypertrophied fantasies of "exit" in and through art tend to point to broader and deeper analytics of longer-phased nonlinear reorganizations of the property form, especially its changing material bases. Nineteen-seventies "dematerialization" was a story of finance, digitalizing networks, and intellectual property anxiety. Instead of just noting this reigning-in of commodification anxiety or "outsides" for art – as some kind of lineage that can authorize its progress²¹ – peak conceptualism denoted even more so beyond this a time of economic expansion within unfamiliar "imbrications of materiality and law," where "law distend[ed] to protect materialities that are decreasingly singular, decreasingly fixed in space, and decreasingly distinct from the work of subjectivity."²² Thus, in so-called dematerialization dramas, value is being "disembedded from its previously secure source in a specific materiality" – and what is put in motion is a struggle that is "waged across cultural and juridical realism over what will then resecure that value," or indeed, how it will be waged with/against as *insecure* in accelerating phases of *dis-regulation*.²³ Lippard's postscript to *Six Years* astutely grappled with the limiting mono-disciplinarity of her first thesis, lamenting that the work she tracked had not "broken down the real barriers between the art context and those external disciplines – social, scientific, and academic – from which it draws sustenance." She continues, aptly: "While it has become feasible for artists to deal with technical concepts in their own imaginations, rather than having to struggle with constructive techniques beyond their capacities and their financial means, interactions between mathematics and art, philosophy and art, literature and art, politics and art, are still at a very primitive level."²⁴ In Benjamin Buchloch, conceptualism pushed a postwar, often tautological aesthetic subject of administration-minus-labor towards institutional critique. Today, after an exceptional

period of modernist surplus seems over, the corporate state enacts institutional critique on upward ranges of reproductions. In the conjuncture, we might attend to other lineages of the concept's riding of legal materialisms.

Fungibility Landings

To make land as easily transferable as stock would be one of the greatest economical improvements which could be bestowed upon the country.

– John Stuart Mill

In and through its globalization via a settler-colonial spacing, the dematerialization of land precedes and exceeds the dematerialization of the art object. In British common law, inherited from feudalism, land was not yet a full-blown commodity. Since title was only ever leased from the crown, it was "relatively" inferred through possession and the absence of contesting claims. Legal exchanges of land under the deed system required a paper record of a "chain of title" of sixty continuous years, and ritualized performance for the purposes of socializing writ mnemonically into places. As Sarah Keenan notes, the system synched possession and use of a fragile commodity to a gentry who's performances of possessive ownership, against the existence of squatting laws, were distinguished in a "category apart" from the more ephemerally framed labor of others who were assumed not to leave sufficiently "permanent marks" on land – for example, women, travellers, and servants.²⁵ A royal commission in Britain in 1857 aiming to free up urban land for bigger factories with capital from US slavery failed to convince aristocrats of the benefits of a stocks-and-bonds-inspired property system that they perceived could diminish the class relation and make land appear more fictional than real. A year later, in the context of the encouragement of a wool economy in the first "free settlement" of South Australia, a title-by-registration system was pitched by Robert Richard Torrens to the colony parliament.²⁶

Amidst human corruptions, failing "land orders" (also a mercantile invention), and legal fees costlier than colony land itself ..., R. R. Torrens argued that British land law was unsuitable for "playing out the game of life in this work-a-day part of the globe."²⁷ His *epochal* sleight of hand, having worked Empire's ports rather than being trained in its profession of law, was to advocate for a title registering system that idealized an abstract equivalence between existing British legal models of shipped property and landed property, and to abstract this

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Rachel O'Reilly with Pa.La.C.E (Valle Medina and Benjamin Reynolds), *Drawing Rights*, 2018. HD Video, color, stereo. Editing: Sebastian Bodirsky; Sound: Tyler Friedman; Advisory: Roxley Foley, Sarah Keenan. Courtesy of the artist. Commissioned by Frontier Imaginaries and the Van Abbemuseum, with the support of Arts Queensland.

concept of land as a full-blown commodity, separated from “prior relations of ownership, and to whatever degree possible, from particular and individualised characters or traits.”²⁸

The systems’ key differencing from feudal contract logics were its threefold principle of *mirror*, *curtain*, and *indemnity*. As in the manner of centrally registered shipped property, the mirror meant that the government’s register reflected the interests invested in the property by the single titleholders. Through a tautological logic, no name that wasn’t written on the title could hold their interests up to the land if they weren’t already reflected in the centrally held registry identically. If some genuine interest in the land was not written in the register, the titled owner was legally entitled to ignore this. This reduction of possession to a cunning, binary recognition system was taken further in the concept of the curtain, which permits the titleholder not only to ignore other existent interests in land if they are not written in the registry, but to draw a metaphorical curtain across all prior interests that do not appear in the so-called mirror. The ingenuity of the curtain concept is that it “blocks particular realities from view,” without saying they don’t exist, just allowing the titleholder to legally pretend that they don’t.²⁹ The insurance principle for the first time saw the Crown guaranteeing possession, and compensating for losses due to fraud, which, however, also diminished the possibility of other routes of legal contestation.

In response to the qualifying proviso in King William IV’s 1836 Letters of Patent that “wherever possible” nothing in the increasingly autonomous settlement project should “affect the rights” of Aboriginal people “to the actual occupation or enjoyment of their Land already occupied or enjoyed,”³⁰ Torrens stated that he suspected the founding of such rights, and proposed the first Aboriginal Protection agent, a role he would also play himself, as a concession. It is commonly understood that the legal establishment retroactively wrote the juridical fiction and doctrine of *terra nullius* – “unproductive land that belonged to nobody,” developed by Grotius from the Roman concept of *res nullius* – into domestic rulings to enact a combing-over of the legitimacy of Australia’s legal “settlement.” But this legal fictionalization only starts to appear in writing after eighty years of colonization.³¹ Here, the land registry systems’ *outcrypting* of racialized first-nations occupations in the new property system, sutured to paternalistic “protection” measures, combined with the repeating “new beginnings” of “clean” indefeasible title experiences of settlers, in-forms the larger psychic securitization project of settler imagination in the relative absence

otherwise of legitimate claims.

When the system finally boomeranged to the polity in 1925, British legal theorist Alain Pottage argued that Torrens’s titling involved a fundamentally “new grammar of property,” turning land into a thing that was essentially quite opposite to it.³² It has been pathologically described as a “hospital” for propertied subjectivity: “It makes things better, cures invalidities,” and “means the end of the need to look backwards for possible flaws.”³³ Ruoff wrote as late as 1958 that “anterior defects of title are cured and thenceforth all investigations of the history of how the named owner came to be entitled is ruled out forever and all future transactions are carried out by simple forms and simple machinery.”³⁴

Torrens got on a boat and promoted his registry system directly to Western Canada, after which it quickly spread across the British Empire, to Hawaii, the Philippines, the Dominican Republic, Ireland, Israel, Malaysia, New Zealand, Singapore, Thailand, and a number of US states.³⁵ It is now the preferred land registration system of the IMF since the mid 2000s, and is presently being used to dispossess peasants from customary title across Southeast Asia. Yet its main perceived advantages have seemed to be the wholesale efficiency by which it deals with the original rifting event of capitalization. After twenty-one US states initially tried it, only six still use it. Once the registry system is installed, it is noted to be not particularly good at knowing or keeping track of how the land is being used, the cumulative environmental impacts of development, or the changing uses of land. Many of its jurisdictions are described as having bijural property imaginaries.³⁶ This is not so much an ethical juridical nomenclature as a granting of anthropological explanation to investors, since the Torrens system was so powerful in its juridical re-realization that it cannot explain the remains of what *otherwise* is playing out as local rules of belonging and relating.

Contemporary There-Nows

Amidst dominating logics of extractivism, how is the curtain being managed now? Cultural managerialism tends to perform a displacement and a destruction (deconstruction) of noncompliant socialities by substituting the ethical for the political as the default engine for sociality within and through the neoliberal machine. Literacy in the corporatization of materialities that reads others through *you* seems key. Since here where heritages of aesthetic and political autonomy hover around and next to the specificity and intractable complexity of indigenous self-determinations as

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landed struggles that are neither imitable nor propertizable, the juxta-political nuances of autonomy rise up as differentially enacted and endured modes and crafts of survivance. The genre here of engagement is not easily eventalizable nor display-controllable in the Kantian or Smithsonian sense, but rather, a questioning of intersubjective labors as practice and anti-managerial protocol.

Contemporary art was declared prematurely secure in Australia in 1973 just a year after the removal of the White Australia Policy, and less than a decade after Aboriginal voting enfranchisements without land rights. The first Sydney Biennale in 1973 stated its time as one of “democratic imperialism” and its art as delivering “great demand for certitude” in the straightforward flip from colonial modern to contemporary international relations.³⁷ Forty years later, crises in capitalism in the North revive many past crises during which the Aboriginal art of planetary survivance has fluctuated and been inflated philosophically, and ambivalently in and as scholarly and aesthetic value. Richard Bell explains in this issue that the Aboriginal art market has been around for a long time too, while import-export eases of accumulation will always negotiate mirror-led spectatorships and prospectors. Aesthetic sociality beyond “curtain control” factors moves a more complex *otherwise* across many different urban, rural, and inter/intra-national idioms and registers that exist well beyond the display side economy of “truth to materials” in a sociologically divided cultural economy. This is because land has the dimension of a labor, maintenance, and surplus question that is answered banally in relation, and has rarely attracted the labor from the “properly” (propertied) Kantian cultural economy for a defending legibility.

The East Coast farmers and activists understand that they have been a sacrifice zone for the extraction industry; the struggle is for the most parts a done deal there, while it is often the women who redistribute water and help to mediate the threats of installations elsewhere. The precedence set by this has been that the gas licenses were given out with very limited government regulations of retaining what’s pumped for domestic sales. Most of the gas is going overseas, creating false scarcity in the Australian market. Currently under the fiction of that gas shortage, the federal government is pressuring all Australian states to frack their gas – including in the Northern Territory, where after more than ten years of the Emergency Response Intervention into Aboriginal homelands, the pending lifting of a moratorium on tracking promises to be violently repetitive and

lithospherically new. Literacy in the historical carving and outcryption of mattering from one's own overly autonomous comportments here might go some properly messy and minor way towards historically intersubjectivizable, unmasterable grounds that are also very old.

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The author would like to thank and acknowledge Roxley Foley (Gumbaynggirr), Juliri Ingra and Jacki Johnson (Gooreng Gooreng), and Sarah Keenan towards the presentation of this text.

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1
B. Bhandar, "Title by Registration: Instituting modern property law and creating racial value in the settler colony," *Journal of Law and Society* 42, no. 2 (June 2015); S. Keenan, "Smoke, Curtains and Mirrors: The Production of Race Through Time and Title Registration," *Law and Critique* 28, no. 1 (October 2016); R. Mawani, "Law, Settler Colonialism, and the Forgotten Space of Maritime Worlds," *Annual Review of Law and Social Science* 12 (2016): 107–31. For the significant Aboriginal critical race scholarship on white possession by the leading Aboriginal/Australian scholar, see Aileen Moreton-Robinson's piece in this issue.

2
See <https://theconversation.com/explainer-coal-seam-gas-shale-gas-and-fracking-in-australia-2585>.

3
The "Northern Territory Emergency Response Intervention" in 2007 saw the Australian federal government send six hundred army troops into seventy-three Aboriginal communities, imposing government-appointed Community Business Managers and removing community decision-making structures. It also imposed racially profiled legislation that cut cash welfare benefits for Aboriginal people, allocating those funds instead through a cashless card. The intervention also forced Aboriginal groups (most of whose land is held as freehold under the NT Land Rights Act) to give the government long, rent-free leases of the land (five to forty years). This was different in Alice Springs town camps because they are governed by different legislation. Many of these policies continue today through the Stronger Futures Legislation and have been extended to affect remote communities and titled land in Western Australia and South Australia.

4
Gladstone is also my hometown of four generations, and a key site of the artistic research for my *The Gas Imaginary*. See also Lindy Nolan, *Driving Disunity: The Business Council Against Aboriginal Community* (Spirit of Eureka, 2017); Lily Maire O'Neill, *A Tale of Two Agreements: Negotiating Aboriginal Land Access Agreements in Australia's Natural Gas Industry*, doctoral thesis (law), January 2016, University of Melbourne <https://minerva-access.unimelb.edu.au/handle/11343/111978>.

5
Lorna McDonald, *Gladstone: The City that Waited* (Boolarong Press, 1988).

6
See

<https://www.sbs.com.au/news/forced-aboriginal-removal-forgiven-not-forgotten>.

7
Between 2010 and 2014, around 10.7 million cubic meters of dredge spoil was dumped within the UNESCO world heritage protected area of the Great Barrier Reef. Of this, 2.3 million cubic meters was dumped in disposal grounds located inside the Great Barrier Reef marine park. See <http://www.gbrmpa.gov.au/managing-the-reef/how-the-reefs-managed/Managing-multiple-uses/ports-along-the-Great-Barrier-Reef/expanding-knowledge-of-dredging>.

8
See https://www.journeymen.tv/film_documents/5792/transcript/.

9
See L. Keogh, "The First Four Wells: Unconventional Gas in Australia," *M/C Journal*, (S.L.), v. 16, n. 2, mar. 2013. See <http://journal.media-culture.org.au/index.php/mcjournal/article/view/617>

10
G. Foley, *Native Title is not Land Rights: An Alternative Indigenous Perspective*, 1999 (unpublished).

11
Histories somewhat rhyme; the politics and ontology are not comparative. The Battle of One Tree Hill was an ambush-style blockade of low-casualty harassment, highly effective in making pastoralists surrender their sheep runs two and three times over, and also historically undervalued as "resistance" or "warfare" by Western military historians' cultural categories, which assumed aims of annihilation. See <http://epress.lib.uts.edu.au/journals/index.php/mcs/article/view/4218/4491>.

12
Anna Krien, "The Long Goodbye: Coal, Coral and Australia's Climate Deadlock," *Quarterly Essay* 66 (2017).

13
E. Povinelli, *Geontologies: A Requiem to Late Liberalism* (Duke University Press, 2016).

14
See http://indigenousrights.net.au/land_rights/aboriginal_embassy_1972.

15
L. Lippard and J. Chandler, "The Dematerialization of Art," *Art International*, February 1968.

16
E. Povinelli, "The Governance of the Prior," *Interventions: International Journal of Postcolonial Studies* 13, no. 1 (2011): 13–30.

17
D. F. da Silva, *Toward a Global*

Idea of Race, Borderlines Series, vol. 27, Minneapolis: University of Minnesota Press, 2007.

18
See <https://www.poetryfoundation.org/harriet/2015/06/kenneth-goldsmith-says-he-is-an-out-law>.

19
Robert Smithson, "Incidents of Mirror-Travel in the Yucatan," *Artforum*, September 1969.

20
Another text reads: "The visual beauty of a garden of pure colour would be outweighed by the noxious destructiveness of sulphur and tar. / Like the La Brea tar pits very little would escape this glossy viscous 'lake' or the suffocating odor of 'the golden hills.' / Like the beautiful butterfly that 'tastes bad' living insects and birds, plants and animals would probably die in this garden."

21
As in, for example, I. Graw, "Dedication replacing Appropriation: Fascination, Subversion and Dispossession in Appropriation Art," in *Louise Lawler and Others*, eds. George Baker, Jack Bankowsky et al. (Hatje Cantz Publishers, 2004).

22
K. Cohen, "The Painter of Dematerialization," *Journal of Visual Culture*, July 2016.

23
I am pointing to Kris Cohen's rigor on law, digitality, and the concept of a deeper colonial history and legacy of finance.

24
L. Lippard, *Six Years: The Dematerialization of the Art Object, 1966 to 1972* (University of California Press, 1973).

25
Keenan, "Smoke, Curtains and Mirrors," drawing on K. Green, "Citizens and Squatters: Under the Surfaces of Land Law," in *Land Law: Themes and Perspectives*, eds. S. Bright and J. Dewar, (Oxford University Press, 1998): 229–56.

26
Resina Mawani shows that a vast exchange of legal imagination takes place quite literally across and through the ocean at this time. R. Mawani, "Law, Settler Colonialism, and the Forgotten Space of Maritime Worlds."

27
R. R. Torrens, *The South Australian System of Conveyancing by Registration of Title, with Instructions for the Guidance of Parties dealing, illustrated by Copies of the Books and Forms in use in the Lands Titles Office* (1859), 4. Quoted in Bhandar, "Title by Registration," 254.

28

Torrens, *The South Australian System*, 127.

29
Keenan, "Smoke, Curtains and Mirrors."

30
See <http://adelaidia.sa.gov.au/subjects/the-proclamation>.

31
Ritter, "The 'Rejection of Terra Nullius' in *Mabo: A Critical Analysis*," *Sydney Law Review* 18, no. 5 (March 1996).

32
A. Pottage, "The Originality of Registration," *Journal of Law and Society*, 2015. Quoted in Bhandar, "Title by Registration."

33
G. Taylor, *Law of the Land: The Advent of the Torrens System in Canada* (University of Toronto Press, 2008).

34
H. Lim and K. Green, *Cases and Materials in Land Law* (Pearson, 1995). Quoted in Keenan, "Smoke, Curtains and Mirrors," 97.

35
Keenan, "Smoke, Curtains and Mirrors."

36
Kastom, property and ideology: land transformations in Melanesia, eds. S. McDonnell, M. Allen, and C. Filer (Australian National University Press, 2017).

37
G. Cresciani, *Transfield: The First Fifty Years* (ABC Books, 2011).

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