In 2018, the Law Commission released its extensive report on updating the Land Registration Act 2002. The same year, HM Land Registry announced its ambition to become “the world’s leading land registry for speed, simplicity and an open approach to data, and aiming to achieve comprehensive registration by 2030”. Meanwhile, other states around the world have taken steps towards paperless, digital platform-based conveyancing. ‘PropTech’, the use of digital platform-based technology to find innovative ways of extracting value from real estate, is emerging as a new industry in late capitalist economies around the world. In the English and Welsh context, the proptech industry is being actively supported by HM Land Registry, even as law struggles to regulate it. Even, arguably, as the courts and others struggle to conceptualise just what land registration actually does, how and why it does this, and whether we actually want it to do what it does.

The history and doctrinal contradictions of the LRA 2002 and its predecessor, the Land Registration Act 1925, are well studied. What is less well studied are the implications of the changes effected by systems of land registration. Which rights the law recognizes, how it recognizes them, and how the different rightsholders interact with each other are complex questions which tacitly rank competing claims to and in land and, by extension, rank those making these claims. The transfer of entitlement to enclosed, privatized land is thus not only a necessarily complex legal task, but also one that is dependent on and productive of relations of power. For a very long time, as Alain Pottage has demonstrated, that power was located in local community memory (Pottage 1992, 1994). The seemingly banal change in legal process from proving and transferring title through paper deeds to relying on a central register involved a shift in power away from local community memory and toward a central administrative archive, and a corresponding shift in the very idea of what was being proven and transferred (ibid). This legal technology was first trialled in the colony of South Australia, and its dispossessory effects on racialised populations and on women, whose relationships with land tend to be less amenable to registration, are now being acknowledged (Hanstad 1998; Ye 2009; Mollett 2010; Bhandar 2015; Keenan 2017). As we now move away from paper registries and toward digital technology, new constructions of property are being produced and with them new formations of power. It is striking that these changes towards digitisation are happening before courts and others have fully conceptualised just what land registration does.

In light of these developments, new perspectives on land registration and its social, economic and political significance are pressing and important. For legislative schemes in which registration is necessary for the agreed title transfer to take effect, land registration does not merely provide the machinery for dealing with property, it manufactures new constructions of property. In this one-day workshop we seek papers which engage with the broader significance of land registration. How does land registration change our understanding of property, what effects has land registration had on who can make claims to land and how, and how do these changes in our relationship to land matter more broadly? We are also interested in papers applying critical theoretical lenses to land registration.

Please send a maximum 500 word abstract to Dr Sarah Hamill (sarah.hamill@tcd.ie) and Dr Sarah Keenan (s.keenan@bbk.ac.uk) by 1 March 2020. For more information see here.