Since the spatial turn in the social sciences, impressive advances have been made in analysing the interrelations between social organization and processes and space, place and boundaries.¹ This spatialization of social theory has been prompted by a critical social geography and a heightened interest in the effects of globalization and the challenges it has posed to notions of state-based territoriality.² Studies addressing space usually focus on urban studies, where issues of households and gender, identity, public and private spaces, and inequality are discussed, but legal issues are marginally discussed at best.³ While some studies of political and economic organization have touched on law in their examination of territoriality and land tenure, they rarely investigate the specific ways in which law features in any detail.⁴ In general the relationship between law and space still seems to be considered marginal to social sciences in general, relegated to a specialization within geography.⁵

In recent years, however, the relationship between law and space has drawn broader interest. There is a growing body of geographic studies of law by authors

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¹ Since Giddens’ statement: ‘Most forms of social theory have failed to take seriously enough not only the temporality of social conduct but also its spatial attributes’ (1979, 202), there have been quite dynamic developments. See among others Giddens (1984; 1985); Appadurai (1990); Lash and Urry (1994, 223); and Harvey (1996, 264). See also Marcus (1992, 316) on the significance of the spatial and the temporal for ethnography.


³ For example, Tickamyer’s (2000) plea for an analysis of inequality that takes space seriously only in passing refer to some legal issues.

⁴ Ingold (1986, 136); Wilmsen (1989b); Dijk (1996); Rösler and Wendl (1999); Abramson and Theodossopoulos (2000); Hagberg and Tengan (2000); and Saltman (2002).

⁵ Blomley (1994, 107) notes that the spatiality of law is widely ignored in legal theory. In his view, this ‘geographical silence is not a function of the geographical imagination but of its constitutional exclusion’ (Blomley 1994, 25).
such as Blomley (1994; 2006) and Taylor (2006). Blomley (1994, 107) noted in the mid-1990s that the spatiality of law was widely ignored in legal theory. In his view, this ‘geographical silence is not a function of the geographical imagination but of its constitutional exclusion’ (Blomley 1994, 25). By now, there is also a substantial amount of critical legal literature on the discursive references to space within legal discourse. Delaney (2006, 69) points out that ‘liberal legal discourse is an embarrassingly rich source of spatial tropes and metaphors’. He calls this Space-in-Law, to be distinguished from Law-in-Space, which inquires into ‘the way in which situated legal practices … contribute to the spatialities of social life’ (2006, 68). Delaney argues that these discursive metaphors are inextricably intertwined with the material spatial arrangements created by law. These studies document how law is being used to ‘shape a landscape of “social apartheid, inequitable distribution of public resources and political disenfranchisement”’, as Kedar (2006, 405) suggests.

In legal anthropology space is discussed in a number of ways. There is an emerging interest for issues of a cartography and geography of law and rights. More recently the interest in space in the anthropology of law has been extended to transnational movements of legal models and their appropriation or rejection at different levels of state organization and by local actors. A number of authors have used spatial metaphors to characterize social spaces in order to delineate the places where law is being made and put into practice. Their analyses, however, do not examine how these social spaces are grounded in physical space in any systematic way, with the danger that the two become conflated. This makes it difficult to examine the interrelations between social, legal and physical space.

With this volume, we want to contribute to the emerging anthropological geography of law, building upon theoretical and methodological insights that have been developed in spatialization theory in geography, sociology, anthropology and critical legal studies, but putting legal complexity at centre stage. The notion of space

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6 Stanford Law Review (Vol. 48/5) published a special issue on law and geography in 1996. Blomley et al. published a reader on the Geographies of Law in 2001, and the volume Law and Geography of 2006, edited by Holder and Harrison, attempts to bring insights from geography and law together. Together these volumes provide a good overview of the state of the art on the relationship between law and space.

7 Kedar (2006, 412) also argues that ‘while law plays an important role in creating and organizing spaces of inequalities, it simultaneously conceals and legitimizes these inequalities beneath a neutral and professional discourse’.


9 See Merry (1997; 2005; 2006); and Benda-Beckmann and Benda-Beckmann (2007).

10 Moore (1973); Kidder (1978); Galanter (1981); and Santos (1985).

11 Such conflation of spaces may also be used to map the cultural self-legitimation of nation states (Greenhouse 1998). See also Gupta and Ferguson’s critique of ‘spatially territorialized notions of culture’ (1997, 6).
provides an important lens through which to view law. This is because it provides both a grounded, physical setting, as well as a more intangible universe, in which to locate the varying ways in which social relationships are created and regulated with differing effects. Such investigation is critical, for as Blomley (1994, preface) observes “within legal thought and legal practice are a number of representations or “geographies” of the spaces of political, social and economic life”. Conversely, law is a crucial way of constructing, organizing and legitimating spaces, places and boundaries. Law is crucial because it not only “serves to produce space yet in turn is shaped by a socio-spatial context” (Blomley 1994, 51). For in struggling to make sense of the complexity and ambiguity of social life “legal agents – whether judges, legal theorists, administrative officers or ordinary people – represent and evaluate space in various ways” (Blomley 1994, xi). Thus the legal representation of space must be seen “as constituted by – and in turn, constitutive of – complex, normatively charged and often competing visions of social and political life under law” (Blomley 1994, xi). This does not imply a deterministic and homogeneous influence of legal notions of space for people’s actual interactions, but that it is likely that they will have some influence on social interactions.

All social and legal institutions, relations and practices are located and distributed in space. Following Giddens (1984; 1985) we conceive of space, time and place as constituent elements of social life and organization that help to individuate people, interactions and relationships in time and space. This includes the processes of giving meaning to space and bounding it. It involves taking account of the ways places are carved out, and people, relationships and objects are located and bounded in space. At the same time, spatial structures are, like other structures, involved in the duality of structuration processes, as Löw et al. (2007, 63), following Giddens, have argued. They form the environment, medium and outcome of social interactions. As a result, the interrelationships between law and space become open to investigation, for just as space in this context is viewed as a social product that embodies social relationships (Lefebvre 1991), so law represents an arena in which the politics of space is enacted and negotiated, one that requires an understanding of the extent to which legal spaces are embedded in broader social and political claims (Blomley 1994, xi). Spatial constructions as embodied in legal categories and regulation provide sets of resources that become part of the repertoire for ‘spatial idiom shopping’ and that can be mobilized against each other by a variety of actors in the pursuit of their economic and political objectives. Thus, space not only serves “as a means of production but also as a means of control and hence of domination, of power”.

See also Lash and Urry (1994, 223).

Manderson (2005, 1) points out that “[T]he law both structures our understanding of certain spaces, while at the same time those spaces themselves radically transform the experience, application, and effect of the law”. See also Werlen (1988, 181).

See Giddens (1979; 1984); Orlove (1991); Benda-Beckmann, F. von (1992); and Benda-Beckmann and Taale (1996). For a particularly vivid illustration from Costa Rica,
(Lefebvre 1991, 26). The relationship between these domains is multifaceted, for as Lefebvre (1991, 33) observes they embrace ‘spatial practice’ that highlights lived-in space, and ‘representations of space’ that reflect state-centred conceptions and ordering of space, as well as ‘representational spaces’ that embody the ways in which space is perceived from citizens’ perspectives. For this reason, focusing on space reveals the extent to which law is a powerful tool that is constantly in the making and that is used in a variety of ways by different social actors to create frameworks for the exercise of power and control over people and resources on varying scales.\footnote{See Brooijmans (1997). See also Spiertz (1989) on idiom shopping and Geisler and Bedford (1996) for the United States.}

The relations between law and space are particularly interesting under conditions of legal pluralism. The emerging literature about law and space pays relatively little attention to the complexities of the relations between law and space that arise from the coexistence of legal orders. So far, most work in the geography of law and in legal studies has mainly focused on law and space in the context of state law in industrialized states in Europe and America, with an urban bias. However, many people live under plural legal constellations. For example, they negotiate one set of rules relating to personal law, such as customary law, with another such as religious or international human rights law (reflecting a more transnational dimension), along with state law that also reflects a degree of heterogeneity (Benda-Beckmann et al. 2005). We argue that legal pluralism deserves a central position in the analysis of law in space. For it highlights the ways in which legal constructions of space in state and international law, religious and traditional law operate with their own spatial claims for validity. Under plural legal conditions, often a result of colonial rule, diverse and often contradictory notions of spaces and boundaries and their legal relevances come to coexist. The ways in which physical spaces, boundaries or borderlands are conceived and made legally relevant varies considerably within and across legal orders. Relations between space and social organization, the temporality of constructions of space and place, the scale on which they operate, and the political loading and moral connotations pertaining to specific spaces may all differ. Thus multiple legal constructions of space open up multiple arenas for the exercise of political authority, the localization of rights and obligations, as well as the creation of social relationships and institutions that are characterized by different degrees of abstraction, different temporalities and moral connotations. We suggest that research on law as a crucial factor in the ways space, place and boundaries are shaping social behaviour under conditions of legal pluralism requires more theoretical reflection and empirical scrutiny. Understanding how law operates, or is mobilized, in these contexts requires a recalibration of the relationship that exists between law and social space. With this emphasis, this volume contributes to an understanding of the implications of law’s location for social inequality.

\footnote{15 See Anderson (1991); and Harvey (1996, 44, 266).}
This volume focuses on the interrelations between social spaces and boundaries and physical space, highlighting the contradictory ways in which space may be configured and involved in social interaction under conditions of plural legal orders. Contributions explore how spaces are constructed and mapped with legal means on the terrestrial and marine surface of the earth (and below) in a rich variety of socio-political, legal and ecological settings, ranging from micro-spaces such as the rooms in which child hearings are conducted in Scotland to much larger geographical and political regions in Canada, Latin America, African and Asian states. The contributions address the significance of legal constructions of space and boundaries as a means of governance and the conflicts between different legal constructions of spaces of political and economic authority. They also highlight how legal rules localize people’s rights and obligations in physical and social space and explore the interrelationship between physical, legal and other social spaces. Moreover, they examine the different scales on which legal orders are projected and operate. Finally, some authors explore the mapping of law and its ramifications.

Conflicting Constructions of Space

Legal systems define their own claim to validity in social and physical space. Law defines the boundaries and the territory within which it claims validity and which becomes the, or one of the, relevant criteria for citizenship and nationality. Most of these spaces brought into being by law have clearly defined boundaries, as is the case with nation states where their territory and its borders mark the limit of their jurisdiction. However, laws may also claim validity as ‘mobile law’ and rights, by inscribing their validity into the status of persons, animals or movables detached from a specific place irrespective of where they live. On a larger scale, spaces extending beyond state boundaries may acquire legal validity through multinational agreements created by transnational entities, such as the European Union. Indeed, for some types of law, such as human rights law, global or cosmopolitan validity is claimed, while traditional legal and religious legal orders often define the validity of their law independently from any spatial demarcation, as is the case, for instance, with Islamic law.

Law is also used for creating spaces for more specific purposes with special legal regimes that are superimposed on this general geographical political and administrative grid, such as economic zones, zones for urban planning, ‘problem’ or ‘safety’ zones, zones related to resource management, such as village commons, forests, agricultural regions, nature reservations and fishery grounds, or plots of property demarcated in a cadastral registration system. Within one legal system there may be a multiplicity of different constructions of legally relevant space that may coexist and compete, such as nature reserves and residential building plans or UNESCO world heritage site versus new traffic infrastructure. The measure of abstraction largely depends on the consequences lawmakers aim at when selecting
specific characteristics while abstracting from and leaving other characteristics legally irrelevant. For some purposes, for example citizenship, law may define legally relevant space in a very general way. But for other purposes it may select or attribute specific ecological or economic characteristics to certain spaces in order to create nature reserves, tourist regions or economic zones. Legal rules also localize people’s rights and obligations in space, whether this is for purposes of acquiring state citizenship, exercising voting rights, providing and using legal services such as courts and police, organizing tax obligations or residence rights and duties of married spouses. The localization and material embodiment of such rights in resources and people in physical space and bounding are important attributes for the definition of objects, events and relationships (Harvey 1996, 264). Through such location and bounding, ‘places’ are constructed in space.

Legal systems differ greatly in the degree of abstraction and temporality that frames their major spatial categories and spatially grounded rights and obligations. Rights and obligations attached to space have varying degrees of permanence. In anthropology, Bohannan (1967) has been one of the first to point to the relevance of these differences in perceiving space in his discussion of land tenure in Africa. He pointed to the need of understanding the different ‘folk geographies’, of people’s representations of the country in which they live and their ways of correlating man and society with the physical environment (1967, 54–5). The Tiv described by Bohannan (1967) provide a good example. In the process of shifting cultivation, the Tiv genealogical map and the segmentary social organization based upon it ‘moves’ over the surface of the earth, creating only temporary connections between people and their places in the physical world. Similarly, Wilmsen (1989a; 1989b) drawing on some of Gluckman’s (1965; 1971) insights, demonstrates how ascribed and acquired kinship and affinal relations among San, Tswana, and Herero define a person’s rights to allowing tenurial relations to remain intact, when land actually occupied is changed due to ecological and political conditions.

While contemporary states maintain a stability of territorial and administrative boundaries, other (local) political and economic structures have been far less preoccupied with permanence of space and boundaries. Several authors in this volume address the implications of confrontations between property regimes that construct property relations to natural resources differently each with a degree of permanence (see Bakker; von Benda-Beckmanns; Nuijten; and Wiber and Wilmsen in this volume). Ownership in Western legal systems, for instance, tends to be treated as a timeless concept but categories of property derived from these systems often have a built-in restricted time horizon. Some of the new property

16 See Scott (1998); and Blomley’s (1994) on strategic abstractions and simplifications.
17 See Benda-Beckmann and Benda-Beckmann (1978); and Economides et al. (1986).
18 Such ‘permanences – no matter how solid they seem – are not eternal: They are always subject to time as “perpetual perishing”’, and contingent on the processes that create, sustain and dissolve them’ (Harvey 1996, 261, 264, 294).
categories such as cultural heritage are defined by reference to the past, while others, such as nature reserves, explicitly refer to future generations. Under conditions of legal pluralism the overlap between different spaces imbued with different political and economic, moral or religious meaning becomes more complex. They carry with them diverging claims to legitimacy, political and economic authority. Moreover, different functions may be inscribed in space and resources. For example, religiously defined (sacred sites) and ecological defined spaces (nature reservations) may, but often do not coincide and are in different ways linked or opposed to other spaces that involve different authority structures (see Fisiy 1997). These do not necessarily lead to conflicts but can also coexist peacefully side by side or develop forms of hybridity. However, the juxtaposition of differently defined and legitimated political and economic authority spaces in practice regularly leads to serious conflicts. This is especially evident in the case of colonial and post-colonial political organization where the introduction of European notions of bounded space led to a situation of legal pluralism. Here, the state law may, under the legal construction of recognition, provide enclaves for the validity of customary or religious law, confined to specific territorial administrative spaces and to specific sectors of social life. These spaces have different authority structures and differ in constellations of political and economic power. Different notions of space and spatially grounded rights and obligations become pitted against one another in strategic interactions over contested forms of political authority in the (sometimes violent) fight for control over resources, as most chapters in this volume illustrate.

However, transformations of space in plural legal orders have not always been mere top-down impositions by colonial rulers; they could also be consciously and strategically manipulated by local actors as well, as Bohannan (1967, 58) showed for the Osage Indians in North America and the Yoruba in Nigeria. Today, many indigenous peoples engage in mapping their territory and claiming demarcated resource zones although in former times they had no fixed boundaries. Thus Scott’s statement that ‘backed by state power through records, courts and ultimately coercion, these state fictions transformed the reality they presumed to observe, although never so thoroughly as to precisely fit the grid’ (1998, 23) must be treated with caution, as the chapters by the von Benda-Beckmanns and Bakker in this volume demonstrate. States’ attempts to impose their own property regimes over the years had varying degrees of success as many failed land law reforms have shown. Such conflicting notions of political and economic resource spaces, moreover, are not restricted to the opposition between state and customary

19 For a comparative analysis of the spatial and temporal dimension of Minangkabau and Ambonese law, see Benda-Beckmann and Benda-Beckmann (1994); and this volume. See also Benda-Beckmann et al. (2006).

20 Assignment of place within some socio-spatial structure indicates distinctive roles, capacities for action and access to power. As Gupta and Ferguson (1997, 8) note, ‘the making of spaces into places is always implicated in hegemonic configurations of power’.
laws. Such contradictions also obtain between different versions of customary law which actors mobilize against each other in their claims to land and trees as the von Benda-Beckmanns show (Chapter 6). Indeed, the insertion of clearly demarcated spatial boundaries into traditional and customary notions of political and economic spaces was an important aspect in what has been called the ‘creation’ of customary law (see Clammer 1973; and Chanock 1985). As the case of Ambon described by the von Benda-Beckmanns (Chapter 6) illustrates, such transformed versions of ethnic law do not necessarily supersede the earlier forms but may coexist with them. Thus historically older regulations and the spaces they have defined may continue to be of social and political significance long after the state has replaced them by new legislation, or, as in the Ambonese case, with a new version of customary law. The more radical reinterpretations of past categories usually occur when the political constellation is undergoing fundamental change, as Nuijten, Bakker and the von Benda-Beckmanns demonstrate. Under such circumstances, these reinterpretations are usually hotly contested. The political dynamics in the post-Suharto Indonesia provide many illustrations.21

Spaces and places often have a moral or religious value attached to them. Nature sanctuaries, village or lineage land, burial places, but also commercial fisheries are not only social or economic but at the same time moral categories. Within legal spaces, we also find constructions of ‘dangerous’ spaces as opposed to ‘good’ or sanctioned spaces for action of urban youth, that either in social or legal terms point at radically different perceptions and moral evaluations of the moral spaces where they hang out (A. Griffiths and R.F. Kandel in Chapter 8). Wiber shows how within a political setting of large-scale commercial fishery and scientific resource management, local fishing communities are considered the odd case, being backward, traditional, unwilling to move to find work elsewhere if the fishing industry takes away their living. Their attachment to place rather than the exclusion from fishing grounds is seen as the source of the social problems within the community.22 A well known instance of contrasting economic moralities is visible in the legal treatment of natural resource environments not maximally exploited in the short term. In the expanding capitalist agriculture in the nineteenth-century colonies, such unproductive land was deemed ‘waste’ since it was not cultivated in an efficient economic sense.23 By contrast, in many village laws such land and forest are morally assessed as taking care of future generations. The same holds true for resources held as morally valued inalienable lineage property which is ‘not yet’ accessible by ‘the market’ and therefore ‘backwards’.24 The moral significance of

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22 See also Peters (1997, 80); and Tsing (2005).
23 See for example for West Sumatra, Benda-Beckmann and Benda-Beckmann (2006).
24 Malkki (1997) has pointed out that people not linked to a particular territoriality are seen as ‘uprooted’, ‘cultureless’, ‘not ordinary’ and ‘a problem’ (Malkki 1997, 62).
space and places may be also given legal relevance through respectful recognition of this value, for example, through exemptions from certain economic or political obligations. Where such legal recognition is not given but the moral value is shared by most people, conflicts are likely to occur. This contestation often entails more than a conflict over specific space as it embodies a more general challenge to dominant legal norms. The moral value of space thus exacerbates the intensity of conflicts about resources within contested resource spaces.

**Space as a Governance Resource**

Legal constructions of space are used as an instrument to control people and resources. Especially state governments use constructions of space in order to effectively transform their imagined community into a well controlled and bounded space.\(^2\) In contemporary state systems, such validity spaces tend to be represented as rather homogeneous maps, as consequences of what Blomley calls the centralization narrative, ‘in which the geography of legal evolution has been one of a continued disembedding of legal practice and knowledge from the locality, and a centralization of legal authority, in step with the formation of national state structure’ (1994, 107). One concept of space for which this is particularly true and that has been vexing for social anthropologists is the notion of community. The abstraction from characteristics of people placed together, for instance in constructions of ‘community’ often suggest a politically intended ‘equivalence’ while masking important social differentials. As Gupta and Ferguson (1997, 13) say, the notion of a space representing a community is primarily ‘a categorical identity that is premised on various forms of exclusion and constructions of otherness’. As a result ‘the legal understanding of local communities can reveal themselves as very different from the formalized legalities of the judiciary’ (Blomley 1994, xii). This may give rise to a situation where ‘legal obligations and rights are understood in radically different ways by groups at different social and spatial locations’ (Blomley 1994, 42).\(^3\) Thongchai Winichakul (1988) and Anderson (1991) have shown for Thailand, in Blomley’s words (1994, 53), a process in which an a-spatial and individualized modern grid of legal interpretation was forcibly imposed upon a traditionally variegated, contextual and deeply local legal map.

Several chapters in this volume highlight the ways in which the legal constructions of spaces interrelate with social, ethnic and economic spaces that are

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See also Hatcher (2006, 456). As Fitzpatrick (1992, 81) has argued, the law of modern states is premised on the opposition of state and savagery.


26 See also Rosen-Zvi 2005 on the denial of spatial segregation in Israel. See also Kelly (forthcoming).
used as a means of controlling population and a means of inclusion and exclusion. In Chapter 2, Nuijten and Lorenzo Rodríguez explore the ways in which ‘lived space’, as experienced by people in their daily lives, relates to ‘abstract space’ created and imposed by the state in the context of peasant communities in the Andean highlands of Peru. They examine how territorial struggles over land between local communities and the state represent mechanisms for controlling populations through the classification of space that was used to delimit categories of person who were to be included or excluded from the process of land distribution. Under the Spanish this was achieved by establishing a hacienda system. This involved assigning large tracts of land to a hacienda owner that required substantial labour by the indigenous population. Instead of mandating the indigenous population to provide this labour by law, territorial means were created to induce them to provide the necessary low paid labour. By allotting very large tracts of land to the hacienda, they created artificial land scarcity for the indigenous population, forcing them to perform agricultural labour on the haciendas in exchange for land. This land, however, could only be used for subsistence and not for commercial purposes. Thus, under colonial rule, the land was carved up in territories assigned for different use which in fact created an intricate system of control over the indigenous population.

Under the Peruvian state similar territorial strategies have been employed to control the indigenous population up until the present. Nuijten and Lorenzo Rodríguez demonstrate how Indian villages in the Andean highlands were forced to exist ‘in silence’ because of their lack of official and legal recognition. This was achieved through regulating access to territory by creating a system of ethnic categorization that operated to exclude those who did not fall within its remit. By representing these laws in terms of the neutral administration of land, processes of exclusion were impersonalized and obscured. In this process a patronage system in relation to land became established that led to indigenous communities being inserted into a larger economy and system of domination. Members of these communities resisted in various ways, demonstrating the internal divisions that existed among members of the comunidad, based on power and inequality. The fact that some members sought to utilize state law for their own ends, in conflict with other members of the community, highlights the complexities of the overlapping and conflicting claims to rights embodied in places and people. This leads Nuijten and Lorenzo Rodríguez to conclude, in their analysis of the intended and unintended consequences of land tenure reform over the years, that the relations between state and civil society cannot be viewed in strictly oppositional terms for the effects of such reforms have proved somewhat double sided.

Whitecross addresses the relationship between physical, social and legal space in the context of citizenship, borders and the notion of ‘belonging’ in Bhutan. In Chapter 3 he examines how the Bhutanese state, through recourse to law, has promoted the concept of citizenship to construct a particular vision of the nation state in a changing landscape of political and economic vulnerability posed by external and internal factors. Such a project presents a challenge given the porous
nature of the physical borders that mark Bhutan and the fear of encroachment (both physically and culturally) by powerful, territorial neighbours like China and India. Whitecross traces the changing criteria of citizenship with its attendant effects through three main sources of legislation, the Nationality Act 1958, the Citizenship Act 1977 and the Citizenship Act 1985, along with the newly drafted Constitution published in 2005 and enacted in 2008. He demonstrates how processes of inclusion and exclusion, associated with the status of citizenship, have varied over time according to the exigencies of different historical periods.

Such developments represent an attempt to deal with what is perceived as a threat to Bhutan’s ability to maintain its cultural heritage and political survival. They also underline the complex relationship between notions of social behaviour, ‘traditional values’, and the various state strategies that have been used to promote and maintain ‘Bhutanese’ values. The way in which this has been done reflects what Whitecross refers to as an ‘imagining’ of community that creates spaces for some to gain recognition as citizens but not for others. Law has played an important part in this process, not only through legislation, but also through the courts’ upholding of formal legal requirements that endorse important differences in status, involving inclusion and exclusion through the varying levels of legal documentation that are required and that reflect official gradations of belonging. What is imagined and experienced with regard to citizenship has created tensions within the country that not only promote discord among the population through ascriptions in status, such as being Lhotshampa or Bhutanese, but that also, ironically, underpin an increasingly vocalized ethno-nationalism.

Wiber also addresses the relationship between the ways in which space is differentially constructed in terms of political/administrative units and the localization of rights. She discusses these issues in the context of the administration of natural resource management in the Canadian Bay of Fundy. She analyses the ways in which administrative law and management regimes have undermined specific local knowledge bases that are critical for administering natural resources in the area. This is achieved in two ways. First, through regulations that rely on a combination of spatial and temporal management that either excludes locals from physical access to resource stocks or significantly limits times or areas open for access and withdrawal. Second, through management regimes that embody the spatial/temporal expertise emanating from highly technical transnational ‘epistemic communities’, thereby discounting practice-based knowledge. In Canada, this approach has effectively ‘deskilled’ members of local fishing communities. This is achieved through the mechanisms by which various levels of government define local variation and specificities as being inconsequential when it comes to scientific resource management. Not only that but moral judgements are made about local knowledge which is presented as static, insular and somewhat backward-looking compared with global management and conceptions of space that are viewed as rational, progressive, forward-looking and cosmopolitan. In this way the struggle for access to natural resources is redefined into a moral problem of lifestyles.
Wiber’s analysis highlights the ways in which both livelihoods and their attendant knowledge generation are social processes in which law is implicated. In these processes she demonstrates how international and state law supersede local rights of access and the consequences that ensue. For in the Bay of Fundy longitudinal and place-based fisher knowledge has been devalued in favour of federal bureaucratic and university-based marine research. Her analysis of place is critical of the way social geographers’ and political theorists’ work has had the effect of making it more ‘constructed’ than lived-in with the result that how spatial scales are variously used to frame environmental knowledge and to mobilize particular social practices has been largely ignored. As a consequence, discourses of law shape ‘place’ in ways that often ‘misread and mismanage the landscape’. Thus, Wiber argues that since the definition of place and the uses to which it can be put can be so contested, we need to recognize the ways in which multiple layers of law differently define and constrain the uses of legal spaces and to document how local normative orders are negotiated or set aside in the context of political economies that are brought to bear on them. The implications of different perceptions of scale can be far-reaching. As Wiber, in Chapter 4, shows with the example of the Canadian fisheries management, not only do certain categories of actors lose out in the new management structures. Differences in the use of modern statistical analysis and perceptions of the scale at which the problems of fish stocks are perceived and regulated have immediate implications for knowledge structures about these fish stocks. In other words, the scales at which social and ecological issues are perceived and addressed with legal means to a large extent define what the issue is.27

Political Authority and Property Spaces

As Chapters 2 and 4, by Nuijten/Lorenzo Rodríguez and Wiber already show, plural legal constructions of political and economic spaces, especially of productive resources, tend to lead to conflicts. Conflicts over resources are nearly always politically loaded, because of the power potential of economic authority and because authority over people and natural resources are often inextricably linked. Contesting natural resources often means contesting the authority structure related to these resources as well and vice versa. Chapters 5 and 6, by Bakker and the von Benda-Beckmanns, focus on claims to land and authority in struggles for political authority and land employing different legal idioms and concomitant resource categories based in different historical periods. They demonstrate that each of these lead to different ways of exclusion and inclusion of diverse local populations.

27 See Street (2006, 326) in his analysis of biodiversity knowledge in agriculture for the importance of seeing local knowledge as embedded in networks of actors that extend beyond localities.
From the perspective of a land dispute in the district of Pasir, East Kalimantan, Bakker discusses the resurgence of sultanates in Indonesia as a result of the post-Suharto political constellation and decentralization policies. He highlights how claims to land by a descendant of a sultanate family, backed by an old map, are not only resisted by another royal descendant but also by the Indonesian state and by a local population all of whom mobilize competing categorizations of space based on different versions of local history, social circumstances and cultural values to substantiate their legal claims. Thus the local hill population, through a non-governmental organization, argue that the sultan is located outside their traditional territory, and thus is categorized as an outsider, a newcomer, who has no original rights to the land under dispute. This enables them to assert their authority over ‘their’ territory, against the sultan’s descendants and the state. One of the sultan’s descendants, however, who is a well-educated, middle-range civil servant, challenges this interpretation by positioning himself as a representative of the population living within the total territory of the former sultanate. This interpretation renders him an insider rather than an outsider, one who is entitled to defend the rights of the population including the local hill population who oppose him against an intrusive state.

Bakker clearly demonstrates how various normative systems, including differing versions of local law as well as national Indonesian law, vie with one another on the basis of claims to validity that derive from the specific spatial setting in which they are applied. Such an approach highlights the need for local knowledge for with decentralization considerable powers are now vested in regional authorities which were previously subordinated under central government. As a result there is no longer a dominant discourse but rather a multiplicity of discursive elements that are brought to bear on shaping the local constellation of law. Thus, the spatialization of law in Indonesia has emerged as a potent tool for acquiring and maintaining power at the regional level of government, one that makes for a large and dynamic legal diversity among the country’s many regions. In this struggle for authority legal constructions of space are often used as a means of promoting control over people and resources through territorial assertions that reflect both continuity and transformation over time.

The von Benda-Beckmanns analyse historical developments in the legal constructions of property and authority spaces by competing legal orders in two regions of Indonesia, the Minangkabau of West Sumatra and the island of Ambon in the Moluccas, which have been incorporated into the Dutch colonial empire at very different moments in time. In doing so, they show how older categories of space and localizations of property rights have lingered on despite the state’s attempts to replace them. They examine the differential impact of colonization on traditional authority and its localization within the village, highlighting the political and administrative spaces related to the various categories of land rights introduced in different historical periods that continue to have relevance today. For on the island of Ambon, the Dutch forced the indigenous hill population to settle at the coast which led to a shift in power between the hill population and the
coastal population that had arrived at a later stage in the island’s development. At the same time, the Dutch introduced a completely new set of spatial categories that redesigned property relations and authority structures, leading in effect to a new type of customary law. In West Sumatra, however, processes of resettlement and spatial redefinition did not occur in quite the same way during the colonial period. As a result the emerging competition with regard to localization of rights takes on different forms in the two regions. These reflect the conflict between rights based in adat and in state law in West Sumatra, compared with the conflict between two types of adat that is prevalent in Ambon. In both cases localized notions of property compete with one another and are mobilized by the population in an attempt to legitimate claims to land. In the wake of the latest decentralization in Indonesia this competition has obtained a new political and economic impetus.

As the foregoing chapters by Nuijten/Lorenzo Rodriguez (Chapter 2), Whitecross (Chapter 3), Wiber (Chapter 4) and Bakker (Chapter 5) demonstrate, it is important to take account of the social significance of the localization of law and rights in physical space. This is especially pertinent under conditions of legal pluralism where law may be engaged in establishing power differentials that work out spatially in creating centre–periphery relationships (see Butler 2007 on Lefebvre) or in acquiring control over land (Blomley 1994; Forman 2006). Thus, the interrelation between social fields and the relations and interactions between persons or groups and the physical space in which they are actually grounded acquires salience here. For studying the actual location and distribution of people, rights and obligations belonging to the same social field ‘enables the researcher to identify patterns of activity that result from the spatial distribution of economic resources, settlements and social classes’ (Long and Roberts 1984, 4). Thus, the location in physical space may be an important explanatory factor for variation in social practices.

In exploring how overlapping legal orders create hierarchies of locations within local communities the von Benda-Beckmanns draw attention to the consequences that this differential grounding of rights and physical space has for social stratification and power rations. How a population is localized has important consequences for the ways in which economic and political rights can be negotiated. In both regions it is clear that adat laws distinguish between original settlers and newcomers who are assigned a lower status with less political and economic rights. The effects of this status, however, operate differently depending on whether the population of lower status live interspersed with the higher status population or whether they live in separate locations. The significance of this type of analysis is that it illustrates how crucial it is to look at rights and other social relationships as located in space. The spatial localization of political and economic rights is a valuable factor that helps to explain key differences within the same social field of the ‘village’ and its internal relationships. This is not self-evident and cannot be based on general, normative claims about law, but requires investigation into the kinds of social processes that are at work with their ensuing consequences. Thus it is necessary to pay close attention to the legal construction
of spaces in the physical environment and to the spatial–temporal permanence of political and legal places, however fluid and temporary their boundaries may be.

Scales of Legal Validity

One important way in which law is related to space concerns issues of scale. Wiber, in Chapter 4, draws attention to the detrimental effects of different notions of scale in the assessment of resource bases and the loss of local knowledge. And several authors have pointed at the differences in scale of governance when state institutions are competing with other types of institutions whose range of normative authority varies according to scope of their remit, as for example, in decentralizing African states. Legal regulation also implies questions of scale from another perspective. For the way in which regulations are designed is often related to perceptions about the size and nature of the space to which they are allocated. Thus, the scale at which regulation is made has implications for the scope of issues that are regulated and the perceived actors involved. However, quite often the scale of regulation does not quite fit the space in which the issue is perceived to exist. A number of contributions to the volume examine the relationship that exists between the scale of legal space that is constructed within physical space, where physical space represents a metaphor for what is at stake in local and global relations.

Anders, in Chapter 7, discusses how the disjuncture of scale inherent in the international criminal court in Sierra Leone seriously affects its work. The court was set up to deal with those responsible for crimes against humanity committed during the civil war, but it also represents a symbol of an international global order that is in the making. It is this symbol of global justice that critics and proponents address in their arguments for and against the court, through their attribution of the court as representing a cosmopolitan legal order, or alternatively, a neocolonial, military–humanitarian apparatus. Both positions as Anders demonstrates ‘fail to appreciate the local productions of global discourses such as humanitarianism or international justice’. For despite its appearance of being universal and translocal this court is made and instantiated in particular places. Thus, Anders demonstrates how, despite its abstraction, international criminal law is the product of concrete social processes in specific localities. The location of the court on a site previously occupied by government buildings symbolizes the transformation of sovereignty in Sierra Leone. It did not replace functioning state institutions but filled the void

28 Blundo (1996); Bierschenk and Olivier de Sardan (1997); and Engel and Mehler (2005).

29 Tickamyer (2000, 809), for example, discussing the spatial underpinnings of inequality, has remarked that there is a tendency among policymakers to regard the issue of poverty as a national issue and to conflate national with urban poverty. The result is that regulations are designed that overlook the specific needs of poor groups in rural places. On the problems of scale at which issues of resource distribution or human rights to water are concerned, see Benda-Beckmann and Benda-Beckmann (2003).
left by the destruction of state apparatus during the civil war. Through exploring how legal, physical and social spaces intersect Anders’s analysis promotes a much more contested and ambivalent depiction of the court than either its critics or proponents acknowledge. For they tend to ignore the subtle ways in which external and internal political influences and power relations are integrated into the court’s internal dynamics. Thus the court is more than just a product of US imperialism, while also incorporating local features that belie its abstract, transnational character.

Anders explores the hybrid nature of this institution that acquires its specific form through negotiations involving the major funding governments who wanted to establish a lean and efficient tribunal that would be inexpensive and the government of Sierra Leone that had to establish credibility with its population. Unlike other international forums for justice, such as the International Criminal Tribunal for the former Yugoslavia in The Hague and the International Criminal Tribunal for Rwanda in Arusha, the Special Court for Sierra Leone is not part of the UN structure but has been established as a ‘sui generic independent institution’ founded on an agreement between the government of Sierra Leone and the UN. As a consequence it has more limited funds and a greater number of staff from within the country, albeit in more junior positions relating to security and administration. Many of these employees have been affiliated with NGOs who have been at the forefront in the struggle for international justice. As a result the court embodies, on the one hand, the product ‘of an international debate on the best model for a new global legal order’ and, on the other, ‘one of the sites where the various actors in the field of international criminal justice compete or collaborate depending on their political agendas and financial resources’. What Anders’s analysis highlights are the ways in which the particularity of a constructed space, and thus locality, has a bearing on the construction and implementation of an incipient global governance and global legal order.

Griffiths and Kandel, in Chapter 8, explore legal space in a micro context, that of local children’s hearings in Glasgow. These legal proceedings that deal with children under 16 who are in need of compulsory measures of supervision involve local participants who live in the city of Glasgow. For panel members, who reach decisions about what is in the best interests of the child, the table around which such proceedings are located represents a metaphor for transparent, open and participatory decision-making. These values derive from international norms and standards embodied in the United Nations Convention on the Rights of the Child and the European Convention on Human Rights and Fundamental Freedoms that have percolated their way down to the local administration of justice in Scotland. Griffiths and Kandel’s analysis of hearings demonstrates how local processes, set up to incorporate international norms and national policies, become invested with meaning in ways that render the process somewhat opaque. This is due to the constraints imposed by the differing institutional and professional demands placed on those involved in the process who speak from different perspectives and with different priorities at hearings. What emerges from their study is the multifaceted
nature of power that is not just the product of unequal social relations but that also reflects the dynamics of bureaucratic forms of governance. Their analysis highlights how the realm of the ‘local’ may constitute a contested terrain, one that engages with different normative orders and that embodies unequal power relations among its participants. For although the actors may be said to be ‘local’ in that they are located within the bounded space of a city, they nonetheless find themselves situated within very different types of networks that separate them out from one another.

While children and families come from different neighbourhoods all over Glasgow, they generally share the common characteristics of living in areas that have high rates of poverty, deprivation, unemployment, lack of education, drug, alcohol and domestic abuse that set them apart from the more upwardly mobile panel members who deal with them. The different worlds that these actors inhabit have an impact on how they perceive law, creating a form of legal pluralism, for children and families view the local spaces of an ‘informal’ law of family and neighbourhood as taking precedence over the national law that panel members seek to apply in promoting good citizenship. This is highlighted through participants’ approaches to and interpretation of four spaces that represent sites of tension, including the hearing, the home, the streets and school. The last three reflect everyday spaces that embody ambiguous interpretations of danger and safety. For while panel members view young people as putting themselves at risk by hanging about on street corners, this is not how young people view the situation. For them the streets represent a place where they may socialize with others their own age, embodying a positive interactive space for them in circumstances where, given the lack of facilities in the areas in which they live, the streets represent the only form of public space that is available to them. Likewise, when it comes to the home, differing perceptions about what this space encompasses and whether it is limited to actual physical living space, or whether it can be embedded in a larger social matrix, gives rise to contested views among participants as to whether or not it is sufficiently safe for children to remain there. How notions of danger and safety are constructed is important, because reaching a decision about whether or not a young person under 16 should be placed under compulsory measures of supervision involves making an assessment about the risk/danger and/or protection that such spaces represent, when applying the welfare criteria that underpin the hearings’ legal determination of what constitutes the best interests of the child. Thus law and space are intertwined in ways that reveal how social actors map out material space in different, distinct and contested ways that reflect ‘the field of power relations that links localities to a wider world’ (Gupta and Ferguson 1997, 25).

Wilmsen, in Chapter 9, engages in constructing a social geography in order to map the processes by which law may have been fashioned to organize space in interior southern Africa during the eighth to the fifteenth centuries. Given the lack of written records for this period he turns to material artifacts to assess the trajectory of these social processes and the economic formations in which they functioned. He argues against the tendency today to regard things as inert and mute. Scaling
these material objects up from the place they were found, he positions them within authority structures of a larger scale.

Drawing on the work of Locke and Marx he posits the proposition that human social relations are constructed by human agents through their labour and that human history and sociality are inextricably bound up with materials. He argues for recognition of the fact that material artifacts have the same ontological status as words. This is due to the fact that such artifacts are marked by the distinct intentions of their makers and their users and so can be viewed as potentially comprehensible as verbal documents. For they possess communicative as well as utilitarian functions. Thus the value that each party to a transaction places on an object is not an inherent property of that object but reflects a judgement made by persons that is mediated by transcendent temporal, cultural and social caveats. For objects become invested with meaning and are capable of accumulating histories. For this reason it should not be assumed that, for example, pottery vessels circulated in a purely functional capacity but rather that their materiality was invested with meaning through social interaction and accumulated histories linking persons and families across class distinctions in space and time.

In this way, Wilmsen designs a way of reconstructing patterns of law and power by means of archaeological finds of objects of authority in southern Africa. In that region, two principles of social organization compete, that is, those based on land and those based on lineage. Kinship and inheritance, according to Wilmsen, resolve this contradiction. He then goes on to ask how under these circumstances power can be maintained over long distances. This is only possible by means of controlling certain valuables and their transport. These items serve to create a power relationship between centre and periphery. Maintaining power involves three types of regulation: rules of who may possess certain things; rules of who may inherit certain things; and rules governing movement and transport. The spread of objects embodying power therefore provides us with clues for the localizations of authority. Thus, the exact dating of objects of power found in certain places, are indications of the ways in which these locations are connected to other locations and provide information about the localization of at least some core regulation that is required to establish and maintain power structures.

Maps, Law and Space

Maps of Law as Visualized Discourse

The spatial representations of law’s claims to existence and validity, boundaries and spaces can be, and regularly are, plotted on maps of different size and scale. The ways this is done varies enormously depending on the purpose for which a map is made. It may range from the projection of whole legal systems to specific legal institutions and relationships. What is projected onto a map as well as what is left out signifies how that space is conceptualized, including its underlying political
salience that may be implied from its concrete representations. Thus while maps are always abstractions, what underlies the form that such abstractions take is important. As Santos (1987) has shown, the mechanisms of scale, projection and symbolization inevitably lead to a misreading of the social reality in the actual social space mapped. Maps that emphasize waterways, vegetation, elevation or minerals but do not mention administrative or political boundaries, for example, often indicate that such administrative boundaries are unimportant when it comes to the management of these resources. Thus they depict the key features from which more specific concerns are being problematized. Maps are used to govern people. Worby (1994, 392) has analysed the use of tribal maps ‘as instruments of colonial administration and domination’. As Scott (1998, 3) notes a ‘state cadastral map created to designate taxable property holders does not merely describe a system of land tenure; it creates such a system through its ability to give its categories the force of law.’

Law defines space normatively in its own terms and negates other forms of spatio-temporality. It constitutes the places, spaces and boundaries with their legal consequences that should be there. While law can be used to construct images of reality, most legal constructions are not ways of description but rather of prescription, of imagining the possible, the probable and the desired. Such normative maps invite, or require ‘ground truthing’, a systematic exploration of what actually goes on in the legally defined spaces and boundaries, in order to find out whether or not what has been normatively projected on space can be found on the ground.

The fact that maps of law are normative in that they depict what is regulated and ought to be in space (for example, territorial claims, sovereignty and lesser forms of legitimate political competence) and not necessarily what actually is in space makes them no less interesting. The representations of space on maps not only generate powerful ways of imagining and visualizing space but also provide important tools in contestations over it. As Wood (1992, 43) notes, cartography is primarily a form of political discourse concerned with the acquisition and maintenance of power. And mapped law is visualized as a discourse that expresses some characteristics and claims regarded as salient by the map makers. Such maps are usually made for purposes stated in the legal texts or which the makers of the legal maps had in mind, although later interpreters and users of the map may


31 Blomley (1994, 74) describes how the common law was mapped by Coke around the end of the sixteenth century in England, to become ‘the law of the land’, and to eradicate other, competing, localized places of legal knowledge and practice. Law and land became locked together for all time (1994, 75).

32 See Worby (1994, 371) on the relation between the power to name and an imaginary knowledge of the relationship between ethnic identities and socio-geographic space. See also Anderson (1991).
give them a different significance (see Scott 1998; Gupta 2003; and Rosen-Zvi 2004). These legal constructions – this ‘Space-in-Law’, as Delany (2003, 69) calls it – can be usefully analysed or deconstructed as discourses of power and, in state legal orders, as expressing either a liberalistic or a totalitarian ideology. They thus represent a particular kind of empirical data for social scientists rather than analytical tools.

In Chapter 10, the particular question as to what extent law, in the sense of a complete legal system, can be mapped is an issue controversially addressed in the paper by Bavinck and Woodman. They formulate differing approaches to the issue of what the relationship is between law as mapped and social reality. They look towards a reality of law which is conceived in different ways: in processes of its enforcement à la Weber (Bavinck) or its (at least partial) observance (Woodman). In pursuing this relationship they are not concerned with drawing maps of specific legal fields, such as land law, fiscal law or of legal systems in the sense of a set of norms, or the claimed validity of legal systems. For they agree that these can all be mapped. Their disagreement centres on whether or not it is possible to map complete legal systems in the sense of a particular body of observed norms; law with a capital, as Woodman suggests calling this.

From Woodman’s perspective (2003, 386) ‘legal doctrine itself presents a conceptualization, and sometimes also depictions of law, but the view of legal doctrine cannot be conclusive. Indeed, it is factually inaccurate, for it is made not only with the objective of describing reality but also from a need to persuade the legality and authority of the law in question; it necessarily has a strong ideological element’. Thus Woodman adopts an empiricist point of view and maintains that it is not possible to map law as observed norms. He argues that this is impossible for three reasons. First, Law, whether customary law or a state legal system, is often or even usually internally diverse. Second, Law is not a tightly coherent set of norms but rather a collection of disparate norms that defy internal uniformity. In addition what constitutes observance is ever shifting and untidy, making it impossible to draw boundaries so that ‘the neat packages which have supposedly been represented by spaces on a map now disintegrate’. Third, there is the problem of the external boundaries of Law. Woodman argues that the notion of a map of a plural legal world, however untidy the internal structure of a Law may be, at least presupposes that it is clear where that Law ends and another begins. In reality, this is far from clear for the complexity of legal pluralism gives rise to contestation that renders it impossible to draw boundaries around distinct ‘Laws’.

Bavinck (2004 and in Chapter 10) takes a pragmatic approach that starts from the assumption that any map is an abstraction from social reality. Any map thus contains generalizations and so he argues that it is possible to draw a map of Law. In this context he perceives of legal systems and their constituent elements, such as authorities as ideal types along the lines prescribed by Weber, and not as one-to-one representations of reality. What is important is to identify key features, actors and processes in order to be able to make comparisons between one setting and the next without getting bogged down ‘in a plenitude of localized facts’. Rather than
speculating about the existence of coherent rule systems he urges inquiring into authorities interested in developing and enforcing law. This is because authorities play such a crucial role in enforcing law and law observance that they can be used to map law. For what unites these authorities (be they politicians, judges or managers) ‘is the use of power and the wielding of public authority’ that not only enable them to implement, but also, to make law. He takes the view that it is possible ‘to imagine law as a spider plus a web’, and maintains that just as it makes more sense ‘when one aims at achieving insight into the dynamics of insect life, to count spiders, rather than spider webs’, it is more useful to ‘take authorities as an index of living law than normative bodies’. The advantage of this approach is that having mapped, in an ideal typical way, the reach of the various legal systems it is possible to take account of the areas of overlap, and thus to become aware of where more than one legal system has influence that promotes ‘forum shopping’ and where authorities ‘battle for their hold over matters and subjects’.

*Use of Maps Made by Contributors to the Volume: Implications for Legal Anthropology*

Legal anthropologists focusing on space not only study maps made by other actors and used in their negotiations and claims for resources. They also frequently draw up maps as analytical tools. Such maps can be a very useful visualization of the spatial distribution of legally relevant processes, including those envisaged by Bavinck, which otherwise could only with greatest difficulties be achieved. These maps can be overlaid on existing normative maps or on normative maps also made by anthropologists, to make the differences visible. In fact, many interesting aspects of plural legal orders, both their normative claims and a number of law-related social processes, can be mapped in all degrees of scale and detail, depending on the purpose for which the map is made. Such maps also allow one to relate spatial distribution of legal processes to other variables. Impressive examples are the legal maps that Markus Weilenmann (1996) produced of the use made of different courts and kinds of law applied in Burundi courts. He related the spatial differences in court use to climatic and soil fertility aspects and features of the political system. Similar maps could be made, for example, of the spatial distribution of number and kinds of marriages concluded; number of testaments made; per capita litigation rates; type of law applied; and the frequency of land transactions.

In this volume a number of authors also use maps to show contested spaces in plural legal constellations, where different rights, of different actors, based in different legal systems are projected on the same territory. Thus, the von Benda-Beckmanns visualize with the use of maps the specific ways in which competing legal categories and related legal claims are made in relation to the same land. For in West Sumatra, land can be classified competitively as village commons (*ulayat nagari*) or as state land, whereas the maps of a village on the island of Ambon show the competition between different forms of adat law with their
spatial implications. Bakker, in Chapter 5, uses a map to visualize the claims two rivaling descendants of the sultan make to land that they claim to have been in the possession of their predecessor while Wiber utilizes maps to symbolize conflicting approaches to resource management. For those maps that derive from the dictates of global experts and that employ a two-dimensional perspective, have very different scalar and temporal frames when compared with those employed by the local users who operate on the basis of three-dimensional ocean spaces.

Thus maps are used as a means of description and analysis. However, like all maps, such legal anthropological cartographies of law are not politically innocent, and in that sense maps of legal pluralism have an ‘insurrectionist’ character (Pue 1990; and Blomley 1994, xii, 60). On the one hand, legal anthropologists’ maps including more validity claims on the map than just the one of state law show the relative nature of all claims to exclusive validity of different legal orders. Maps of competing legal orders in actual space will show that any dominant law denying the (co)existence of other laws may lose their exclusivity, both at the level of normative constructions and of their involvement in social interaction. Maps depicting the normative claims to validity need not always reflect the hegemonic vision of powerful map makers. Alternative maps may be made, depicting other legal systems, such as ethnic people’s (customary, traditional, folk) or religious law, with their own spatial validity claims. Comparing such a map with one that exclusively maps state law reveals the extent of the latter’s distortion. On the other hand, maps of actual law involvement in social practices show the normativity and expose the ideological character of all normative claims of ‘existence’ in social and geographical space.

**Law, Space and Place**

The contributors to this volume demonstrate the importance of studying social and legal institutions, relations and practices as located and distributed in space. Space is a grounded, physical setting in which law affects the life of people. At the same time space also presents a more intangible universe. The volume thus acknowledges the diverse ways in which social relationships are created and regulated and the differing effects this entails. In exploring the interrelations between social, legal and physical spaces the authors highlight the ways in which law represents an arena in which the politics of space is enacted and negotiated. The volume shows that spatial constructions, as embodied in legal categories and regulation, are resources that create frameworks for the exercise of power and control over people and resources. Actors on varying scales ranging from international or transnational agencies, to state organizations, down to local actors utilize legal constructions of space in their struggle for power.

The variations in scale draw attention to the multifaceted nature of law that constitutes legal pluralism and that underlines the extent to which legal spaces are embedded in broader social and political claims. Multiple legal constructions of
place not only open up a range of arenas for the exercise of political authority but also provide differing approaches to the localization of rights and obligations. They allow for the creation of social relationships and institutions that are characterized by different degrees of abstraction, different temporalities and moral connotations that reflect the different scales on which legal orders are projected and operate. In this process contradictory ways of constructing place can coexist peacefully or develop forms of hybridity. They may also, however, lead to serious conflicts as different legally defined spaces and spatially grounded rights and obligations become engaged in fights for control over people and resources.

References


