Law is a system of rules and agreements that governs and guides social life. Regardless of whether these rules are grounded in legislative codes or unwritten traditions, law gains force—and definition—through its claims to universality, and hence placelessness. In European political theory, both the sovereign power that animates understandings of law as command (Austin, Hobbes) and the notions of nature and divinity that underwrite ideas of natural law (Rousseau) assign an origin to law that is sanctified as both universal and “out of place.” In modern states, the dispersion of authority in regulatory and “soft law” further attenuate law’s appeal to location and its normative grounds in social and political life.

Anthropologists, on the other hand, have often engaged law through idioms of locality, singularity, and place. They have debated whether local traditions and customs can be said to constitute broader legal principles and systems; they have explored the ways in which local cultural and symbolic systems shape legal interpretation; and they have looked at the ways in which state-enforced legalities shape and constrain local political and economic life. Although these approaches to law differ, what unites them is a concern with understanding how “law” is marked by the place from which it invokes either custom or command. At stake as well, are the twin questions of what constitutes law, and if it is indeed possible to think of a “law” that is not itself grounded in the modes of emplacement and representation that constitute the state?

Through readings drawn from anthropology, legal studies, and philosophy, this course explores the relationship of law to place. What affective force does law gain through its appeal to origins and place? How does law localize ideals of belonging, community and tradition? We begin by asking how place is inscribed in the ideals of sovereignty and nature that underwrite European liberal philosophies of law, norm and social contract. We then consider how law situates the limits of the social, and how the figure of law changes when we approach it as a more diffuse system of creativity, interpretation and affect. Finally we explore how the spatializing idioms of sovereignty and jurisdiction are unsettled in both regulatory regimes of governance and indigenous concepts of deterritorialized community.

Requirements: This course will be run as a seminar. In addition to completing all assigned readings and participating fully in all class discussions, students are responsible for:

a) the preparation and presentation of at least one seminar report in which they highlight important points in the assigned readings. This should not be a summary of the reading(s), but rather a thought-piece meant to stimulate discussion, voice your concerns or queries about the text, and bring out points of comparison with other texts and authors we have
read in class. Each week the student (or students) responsible for presenting the readings should also circulate, by email, a list of questions or points for discussion in that week’s class. This list should be circulated by email at least 24 hours before the class meets (ie, teh Tuesday morning before teh class in which you will initiate teh seminar discussion). To further facilitate discussion, students can also circulate written versions of their seminar report in advance, although they are not required to do so.

b) A 8-10 page mid-term essay, to be handed in on **Monday March 26**.

c) A final 10-20 page research paper due on **May 19**. For the final research paper, students can choose to develop an empirical or ethnographic materials from their own research in conversation with the texts and theoretical approaches discussed in class; or to develop an extended theoretical discussion of law and place that draws from assigned and additional texts. An abstract and working bibliography for the final paper should be turned into the instructor by **April 13**. Advances on the final paper will be discussed in class during the final two weeks of the semester.

### Schedule of readings:

#### February 1. Introduction

#### February 8.


#### February 15.


**recommended:**

February 22.


February 29.


March 7.


March 14


March 21.  Spring Break (no class)


March 28.


**recommended:**


April 4.


**recommended:**


April 11.


**recommended:**


April 13. *Annotated bibliography and abstract for final paper due*

April 18.


April 25 & May 2. **Discussion of final Paper projects**

May 9. **Study Week**

May 19. **Final papers due.** *No incompletes will be granted*