

topographies of law
ang 6930 section 1382



Instructor: Richard Kernaghan
Department of Anthropology
Turlington Hall B121
kernaghan@ufl.edu
Office Hours: Wednesdays 2-5pm
or by appointment

Thursdays 3-5
(9:35 am - 12:35 pm)
CBD 0230

Description:

How does law acquire substance through spatial metaphors and attach itself to physical terrains? In this course we will consider the topographic dimensions of law as they manifest through territorial regimes and prohibited places but also through controls imposed on circulations of human and non-human beings (and things), images and other kinds of signs. This will require us to train our initial focus on states and on the everyday ways people learn to navigate their political margins. We will also consider social processes through which some areas or zones may appear as if they were situated beyond legal protections or constraints.

As law fuses with place strong affects often result. They may intensify ordinary encounters, charge situations with threat, or quietly insist as a sinister potential. Registering their textured pulsations calls for an ethnographic approach, relentlessly descriptive yet subtle in tone.

Therefore, one of our main objectives will be to inquire how ethnographic writing can contribute to documenting the force of law as it inhabits particular landscapes and locales.

We will ask: how is law expressed, sensed and practiced depending on the place? For instance, how does enforcement vary between cities, towns, rural areas or roads, seas with their pirates, forts and fortifications, islands or even island prisons? Holding fast to the deliberate open-endedness of such questions we will work towards building a semester-long dialogue which is rigorous, energetic and creative.

The writings of Gilles Deleuze, Nancy Munn, Carl Schmitt, Michel Serres, and Franz Kafka, among others, will provide theoretical support and inspiration. We will weigh their importance for legal anthropology as we bring them into conversation with recent ethnographies of law, state and the affects of place.

Overview of Requirements: This class is run as a seminar with lively participation in all discussions expected. Each student will be asked to prepare and present a seminar report on one or more of the assigned readings at least once during the semester. There will be a final paper too.

Texts:

Agamben, G. *The sacrament of language* (Stanford University Press, 2010)
Heller-Roazen, D. *The enemy of all* (Zone Books, 2009)
Kafka, F. *The castle*. trans. Mark Harman (Schocken, 1998)
Kane, S. *Where rivers meet the sea* (Temple University Press, 2012)
Liffman, P. *Huichol territory and the Mexican Nation* (University of Arizona Press, 2011)
Ramírez, M.C. *Between the Guerillas and the State* (Duke University Press, 2011)
Schmitt, C. *The nomos of the earth* (Telos Press Publishing, 2006)
Subramanian, A. *Shorelines* (Stanford University Press, 2009)
Virilio, P. *Bunker archeology* (Princeton Architectural Press, 2008)
Weizman, *Hollow land* (Verso, 2007)

Copies of the above texts will be placed on reserve at Library West. All remaining class readings can be downloaded from the Sakai course page.

Attendance: Please arrive punctually and remain until the end of class. If you must miss class, please inform me ahead of time (or as soon as possible) and provide appropriate documentation. In the event of an absence, you should contact a classmate to obtain notes on the materials covered while away.

Absences for reasons of religious holiday, illness, and official university business are excused; however, proper notification must still be provided. **Please note:** More than one unexcused absence will undermine performance in the course.

Evaluations – Final course grades will be calculated according to a combination of three criteria:

Participation (25%): You are expected to play an active role in seminar discussions and in so doing contribute to the overall success of the course. Please arrive at each session on time with the assigned materials in hand, having carefully read them all, and prepared to share impressions, questions and interpretations. You are also encouraged to meet with me in office hours at least two times during the semester to talk about your individual progress in the course or plans for the final project.

Seminar Report and Presentation (30%): You will be responsible for the preparation and presentation of one seminar report on a group of assigned readings. The seminar report should do more than summarize but offer a well-crafted, spirited interpretation that situates the readings within the ideas and concepts of the course. It should also outline specific concerns and hone questions. Student(s) in charge of the coming week's presentation should circulate a list of discussion points and questions, and the report too if ready, *at least 24 hours* prior to class (that is, no later than 9:30 am on Wednesday) via Sakai.

Term project paper (45%): The final paper must be an original, persuasive and creative engagement with one or more of the class concepts. Of approximately 5500-7000 words in length, it should contribute directly towards the development of a conference paper, journal article or dissertation chapter.

A concise 250-word abstract that clearly outlines the objectives of the project is due the second week of March. The term paper itself must be handed in no later than **April 27**.

All papers, exams and reports must be typed and double-spaced with one-inch margins and pages numbered. In addition to submitting a hard copy of the assignment, *you are also required to send an electronic version to the Instructor via Sakai*.

Assignment Deadlines:

- 1) seminar report: preferably on presentation date; at latest within one week thereafter
- 2) term paper abstract: March 15
- 3) final paper: April 27

Late policy: Seminar reports handed in within one week of original due date will receive full credit. Up to two weeks late: docked a full letter grade. After that they will no longer be accepted. Barring exceptional circumstances, no extensions will be granted for the term paper.

Academic Honesty: If you have questions about what constitutes academic misconduct, please consult the UF Honor Code as well as the UF Policies on Academic Honesty, Student Rights and Responsibilities. These are available online at <http://www.dso.ufl.edu/studentguide/studentrights.php> - [academichonestyguidelines](#).

ADA Statement: “Students with disabilities, who need reasonable modifications to complete assignments successfully and otherwise satisfy course criteria, are encouraged to meet with the

instructor as early in the course as possible to identify and plan specific accommodations. Students will be asked to supply a letter from the Disability Resource Center to assist in planning accommodations.”

Grading Scale: The following scale will be used for grades on all assignments and exams: 94-100=A; 90-93=A-; 87-89=B+; 83-86=B; 79-82=B-; 76-78=C+; 72-75=C; 69-71=C-; 66-68=D+; 62-65=D; 59-61=D-; 58 and below=E (failing).

Regarding university grading policies, be advised that a grade of C- is not valid for major, minor, Gen Ed, Gordon Rule, or for college basic distribution credit. For questions about minus grades, please see <http://www.isis.ufl.edu/minusgrades.html>.

You may consult current UF policy on how grade point averages are calculated at <http://www.registrar.ufl.edu/catalog/policies/regulationgrades.html>.

University Health and Counseling Resources:

University Counseling Center (301 Peabody Hall, 392-1575),

Student Mental Health (Student Health Care Center, 392-1171), and

Sexual Assault Recovery Services (Student Health Care Center, 392-1161).

Please note: I may make minor adjustments to class readings or assignment requirements during the course of the semester. Any and all modifications will be announced ahead of time.

Course Schedule

week 1

why topographies of law?

1/10

introductions

film: *The Tracker* (Rolf de Heer)

supplementary readings:

- Benda-Beckmann, “Anthropological Perspectives on Law & Geography”
- Foucault, “Of Other Spaces”
- Kernaghan, “Furrows and walls, or the legal topography of a frontier road in Peru”

week 2

taboo, territory, milieu

1/17

Munn, "Excluded Spaces"
Deleuze & Guattari, *A Thousand Plateaus*: "Of the Refrain"
Detienne, "Digging In"
Kafka, "The Burrow"

supplementary readings:

- Foucault, *Security, Territory, Population*

week 3

lands of no one

1/24

Schmitt, *Nomos of the Earth*: Part I, Part II & Part III (Chapters 1-2)

supplementary readings:

- Marx, *Capital*, vol.1, viii: "The so-called Primitive Accumulation"
- Jameson, "Notes on the *Nomos*"
- Aravamudan, "Carl Schmitt's *The Nomos of the Earth*: Four Corollaries"
- Otero, "From the *Nomos* to the Meridian"

week 4

spatial concepts

1/31

Schmitt, *Nomos of the Earth*: Part III (Chapters 3-5)
Ramírez, *Between the Guerrillas and the State*

supplementary readings:

- Arendt, "Rights of Man"
- Milun, *The Political Uncommons*: Part I

week 5

incorporeal transformations

2/7

Austin, *How to do things with words*
Gernet, "The concept of time in the earliest forms of law"
Derrida, "Signature, event, context"
Deleuze & Guattari, *A Thousand Plateaus*: "Postulates of linguistics"

supplementary readings:

- Seed, "Taking Possession and Reading Texts"
- Todorov, *Conquest of the Americas*, pp. 146-167

week 6

of rivers and seas

2/14

Detienne, "The Old Man of the Sea"
Parry, *Discovery of South America*: "The Rivers"
Raffles, *In Amazonia*: Chapters 3-4
Kane, *Where Rivers Meet the Sea*: Introduction & Part I

supplementary readings:

- Cohen, "Fluid States"

week 7

proper marks

2/21

Verdery, "The Elasticity of Land"

Hume, *A Treatise of Human Nature* (excerpt on justice & property)
Locke, *Second Treatise of Government*: Chapters I-V
Hegel, *Philosophy of Right*: "Property", "Contract"
Serres, "Storacal Theory of Property"

supplementary readings:

- Cristi, "Hegel on Property and Recognition"

week 8

fortresses and passageways

2/28

Virilio, *Bunker Archeology*, pp. 9-180
Weizman, *Hollow Land*:
Chap. 2 "Fortifications"
Chap. 6 "The Wall"

Spring Break

3/7

NO CLASS

week 9

island (prisons)

3/14

Deleuze, "Desert Islands"
Taussig, *My Cocaine Museum* (selected chapters)

- "Gorgona"
- "Islands"

- “Underwater Mountains”
- “Sloth”

Comaroff, “Terror and Territory: Guantánamo & the Space of Contradiction”

paper abstracts due

week 10

oaths

3/21

Agamben, *The Sacrament of Language*
Gernet, “Law and pre-law in ancient Greece”

supplementary readings:

- Humphreys, “The work of Louis Gernet”

week 11

native lands

3/28

Liffman, *Hichol Territory and the Mexican Nation*
Detienne, “The Art of Founding Autochthony”

week 12

focal points and fragments

4/4

Kafka, *The Castle*
Deleuze & Guattari, *Kafka*, ch.8: “Blocks, Series, Intensities”

week 13

littoral zones

4/11

Subramanian, *Shorelines*
Kane, *Where Rivers Meet the Sea*, Part II

week 14

pirates

4/18

Heller-Roazen, *The Enemy of All*
Deleuze & Guattari, “Geophilosophy”

4/27

final paper due