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Lines, barred lines. Movement, territory and the law

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Abstract

In this paper an attempt is made to analyse the complex relationship between law, territory and movement. Beginning with a quick overview of the notion of property, the paper suggests that this legal notion represents a way of imagining the practice of inhabiting the planet. Dwelling and travelling are explored as two alternative and complementary ways of inhabiting, and a closer inspection is paid to the moments when they confront each other both ideologically and practically. A territorial question is identified at the core of law, namely the issue of the movement of bodies in space (or motility), together with the control of such movements. From this perspective, movement is not simply one among the many objects over which law exerts control, rather law itself is a territorial endeavour, a movement that acts upon other movements.

Property and environs

The two original legal images of property are possession and ownership. Possession is defined by the physical act of occupation of a given space (German, *Besitz*; Latin, *possido*, sitting upon). Ownership, instead, is individually tailored to the owner (German, *Eigentum*; Latin, *proprium*, one's own). These two images are irreducible to each other. Not only do they correspond to a difference between two types of goods – movable and immovable – but also hint at an even deeper aspect that characterises law at large. Indeed, it is only by analysing these two images jointly that we can gain an insight into the relationship between law, territory, movement and the body. More specifically, the argument I would like to put forward is that law is inherently concerned with a relation between bodies and their reciprocal movement in space, or, in other words, with a composition of movements – a point conspicuously made by law and movement scholars (e.g. Philippopoulos-Mihalopoulos, 2007; Philippopoulos-Mihalopoulos and FitzGerald, 2008). This idea is not entirely new in legal thinking, although clearly it is not the most widespread. For instance, Carl Schmitt (1997/1942, §13) provides a similar insight when he argues that 'every fundamental order is a spatial order' or, more briefly, that *Ortung* (location) is *Ordnung* (legal order). But such a thesis should, I think, be radicalised, tackling precisely the nature of the legal connection(s) of space to movement.

First of all it should be remarked that property is a falsely general term, given that it actually coincides with ownership (property, from *proprium*). The fact that we tend to frame the basic territorial form as 'property' is revealing of the currently dominant model of property rights, which is of course ownership. Scholars like Jennifer Nedelsky (1990) and Joseph Singer (2000) have highlighted the main features of such theorising, originally formulated in the seventeenth and eighteenth century by liberal political philosophers and jurists such as William Blackstone, who

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spoke of property in terms of a 'despotic dominion' (1765–1769, t. II, §2; for a historical analysis of this doctrine see, e.g., McLaren, Buck and Wright, 2005): it is dichotomous, in the sense that it is split into public and private space while at the same time it assumes private property as its ultimate foundational model. It is all-or-nothing, in the sense that property is deemed to exist absolutely within given boundaries and be null outside of them. It is diachronically punctual, in the sense that only the two moments of initial creation (or acquisition) and the moment of transfer – i.e. entitlement and its commerce – matter. In short, the modern hegemonic model of property is private property regarded as absolute, individual and perpetual. Such an exclusionary attitude to property was observed also by Simmel (1908, §V), who remarked that what gives meaning to property for some people is not the fact of possessing it, but the idea that others are deprived of it.

The hegemony of this model is revealed in the fact that even its critics tend to rely implicitly on it. For instance, when Jeremy Waldron (1988) proposes to distinguish the concept of private property from the many different conceptions of it, one finds that in fact the 'concept' is – and, in a sense cannot but be – modelled upon ownership. Notably, the dominant concept of private property as ownership, which has also been called 'absolutist' (Meyer 2009), assumes property in its most commodified form. While this critique of commodification was first undertaken by Karl Marx (1990/1867, pt. I, §1, sect. 3), recent scholarship also sheds light on the concrete dynamics of conflicting conceptions of property. For instance, Nicholas Blomley (2004) has revealed the extent to which the hegemonic conception of property overlooks the crucial aspect of the enactment of property, which is both practical and discursive, and removes the performative and processual dimension of enactment. Such a conception of property systematically deprives certain actors of a voice in cases of contested property, e.g. squatters settled in areas of contemporary cities subject to urban renewal plans or gentrification processes.

Anthropologists (see, for instance, Gluckman, 1965) taught us that in many traditional cultures the idea of land as tradable commodity is simply inconceivable, and this is the reason why First Nations all over the world have been subjected to the unimaginable violence of land expropriation (typically, via the *terra nullius* argument) that went together with the imposition of the Western model of property as ownership in non-Western territories. A similarly violent pattern was pursued recurrently in colonial contexts: for instance, in the infamous Italian colonial campaign in Libya led by general Rodolfo Graziani in the 1920s and early 1930s, not only were toxic gasses used against the rebels of the Sanūsiyya Muslim brotherhood and the nomadic desert tribes that supported them, but concentration camps were also built and an attempt was made to turn the whole desert into a huge concentration camp sectored by barbed-wire fences (Labanca, 2007).

The hegemonic model of property ownership is a modern product. Karl Marx (1990/1867, pt. VIII, §§27, p. 28) first interpreted the practice of enclosure from the fourteenth century as the political–economic device that made private ownership of the land possible as an integral part of the development of modern capitalism, a stage known as 'primitive accumulation'. The concurrent creation of a series of crimes including band vagabondage, trespassing and wood pilferage provided the emerging legal backup of the new economic framework (on the latter, see in particular Bensaïd, 2007). Contemporary legal scholars working on indigenous rights are among those who face the challenge of rethinking such a legal framework of property. For instance, the jurist Roderick Macdonald (2007) has recently explored how a legal framework for aboriginal economic modernity could be developed. He suggests that the relationship of land, not simply to property, but to issues of sovereignty, knowledge, ecology and identity must be taken into account. In this context, a particularly sad chapter in the history of the relationships between the Canadian government and First Nations hunters has been reconstructed by the historian John Sandlos (2007). Sandlos has highlighted how, since the early twentieth century, conservationist rhetoric has been deployed by government officials to support the claim that the First Nations were incapable of preserving the natural resources of their own environment, and consequently,

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external regulations were needed. The creation of national parks with bison preservation areas were part of the same discourse. A stark contrast can be observed: while from the 1920s to the 1940s 'Indian and half-blood' hunters could easily be sentenced to six months in jail with hard labour for killing a single bison, during the 1950s and well into the 1960s government-owned abattoirs conducted large commercial slaughter of wildlife inside the Wood Buffalo National Park (located between the states of Alberta and the Northwest Territories), processing up to a thousand bison during the year 1954–1955. Reserves and other forms of enclosures have had often dramatic consequences for another crucial reason. Most First Nations' cultures reject the image of their land as a bounded entity, regarding it as a composition of paths, trails, zones and intensive points where forces converge or emerge (Chatwin, 1987; Ingold and Vergunst, 2008). For nomad hunters, the territory is in the first place a potential of movement. The hunter is the human being in movement par excellence – the human being taken in the contingency and immersiveness of an environment. As the anthropologist Hugh Brody (1998) described it:

> 'The hunter, alive to constant movements of nature, spirits, and human moods, maintains a way of doing things that repudiates a firm plan and any precise or specified understanding with others of what he is going to do. His course of action is not, must not be, a matter of predetermination.' (p. 37)

From the hunter's perspective, land is neither owned nor occupied, but rather crossed. Topologically speaking, it looks like a network or rhizome.

Movement, property, living

My argument is that the way in which we conceive property is in fact also the way in which we conceive the basic territorial relation of inhabiting the planet whether as dwelling (*abitare*, inhabiting) or travelling (*viaggiare*, voyaging). The Western model of property mirrors a substantive conception of what dwelling and travelling are. As such, it represents inherently an attempt at legally framing the relationship between these two fundamental aspects of inhabiting. More specifically, my suggestion is that *property is what remains of inhabiting* under the modern capitalist system. It is a particularly impoverished conception of inhabiting and, as Georg Simmel (1908, §IX, p. 506) first remarked, one that starkly privileges the settled over the nomads. According to Simmel, modernity produces a fundamental asymmetry: on the one hand, it bestows on the settled subjects (*Sesshafte*) all the advantages of mobility; on the other, it does not grant to the unsettled, 'vagabond' subjects (*Unsteten, Beweglichen*) the complementary advantages of immobility. Through the deployment of legal–administrative normative devices such as identity cards, passports and the policing of territory, modern states have successfully monopolised the 'legitimate means to movement' (Torpey, 2000).

Therefore, the privilege accorded to the settled is both epistemic and factual. Not only do the settled enjoy the advantages of sedentariness, they also enjoy those of legitimate movement: in this respect, the anthropologist Liisa Malkki (1995) interpreted such an asymmetry of privileges as the outcome of a 'sedentarist metaphysics' (p. 227). In part, a similar metaphysics has been imported into the social sciences: for instance, movement was conceived as a social pathology by early American urban sociologists of the Chicago school, who were influenced by Simmel's categories of thought and his view on the anthropological rivalry between the settler and the nomad. Dwelling itself can thus be observed from opposite perspectives, an objectivist perspective on the one hand and a phenomenological perspective on the other: so, while in the 1920s functionalist architecture described the house as a machine for dwelling, Emmanuel Lévinas (1961) significantly reversed that notion, observing that, from a practical point of view, it is not dwelling that is situated in the objective world, but the objective world that is situated in relation to one's own dwelling. In other

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words, dwelling represents a phenomenological perspective on the world, endowed with a dialectics of opening and protection in which the infinite relationship with the Other begins.

Among the most horrifying phenomena of modern history is the persecution of the unsettled or nomads carried out by the settled or settlers. It is a persecution that has assumed different forms and magnitudes, as the history of antisemitism and the extermination of Jews in Europe testifies, but which would be naive to deem as simply belonging to the past, as today's racist anti-immigrant legislation in many Western countries sadly reminds us. Notably, the 1930s national-socialist notion of *Lebensraum* was entirely predicated upon the ideology of the Germans as the landed people – a view which is foreshadowed by Ratzel's (1974/1897) political geography. Similarly, Heidegger's philosophy is deeply a philosophy of settlement – perhaps stretching to that 'rusticism' and 'provincialism' mercilessly caricatured by Thomas Bernhard (1992) in *Old Masters*. In his 1951 lecture *Building Dwelling Thinking*, Heidegger (1971/1951) opposed modern functional buildings, which he contemptuously called 'architectural', in favour of traditional old buildings which he argued provided real shelter. To really inhabit, Heidegger suggested, one has to build (*Bauen*). The real inhabitant is, therefore, the farmer (*Bauer*) – a vision possibly informed by Heidegger's own Todtnauberg hut (for full documentation on Heidegger's hut, see Sharr, 2006). The centrality assigned to language in Heidegger's philosophy – and, above all, ancient Greek and German – seemingly reveals the inherently territorial nature of language: because, as he argued, we inhabit the language, language turns out to be shaped as a territory.

Conversely, a writer like Hermann Hesse developed an ambivalent feeling about his own deep-rooted German belonging. Born in the Black Forest – the same Land as Heidegger, the Württemberg, twelve years before Heidegger – Hesse impressed into his works a sense of restlessness and *wanderlust*, together with a hatred for national boundaries and national borders, as beautifully expressed in his sketch 'Wanderung' (1920):

> 'How beautiful is it to cross these borders! The wayfarer is, under many respects, a primitive man, just like the nomad is more primitive than the peasant. But the overcoming of settledness and the contempt for national borders make of people like me the true heralds of the future. If there were more humans whose contempt for national borders is as deep-seated as mine, then there would be no more wars or blockades. Nothing is more heinous than borders, nothing more stupid.' (p. 546)

More recently, the same kind of wanderlust can be found in the work of film director Werner Herzog, whose initiation to cinema began at the age of fifteen in a journey that took him across Europe on foot (Cronin and Herzog, 2003).

Particularly into the wilderness of sea, desert and the deep forest – it is not by chance that the last two are typical, beloved locations for Herzog's movies – the settler's ways of tracing are put into question by the basic natural fact of the impermanence of the trace. It is precisely this impermanence that all types of mapping and geographical positioning systems seek to eliminate: preventing transit from turning into transience. But the nomads are those who inhabit the land – every land – as if it were a sea, a desert or a deep forest. When prevented from jumping out of the margin of the map, because now the map covers the whole empire on a scale of 1:1, they slip into the interstices between the lines. Central and centralising powers have attempted and still attempt to bar the natives' ancient movements in many ways. The state is a territorialising device and, as perspicuously remarked by James C. Scott (2009), 'the permanent settlement of population is, along with taxes, perhaps the oldest state activity' (p. 98). By and large, the 'nomadic alternative' (Chatwin, 1997) has been marginalised and persecuted. Yet its resistance, its obdurate and anarchic refusal to disappear, and even its reappearance right in the middle of the settled societies – in the form of restlessness and melancholia – reveals the existence of a deeply different way of conceptualising and practising movement, from which a different type of legal imagination

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follows. This sheds light on the fact that legal imagination is always embodied in a specific materiality and spatiality.

A similar point was made by Deleuze and Guattari (1987/1980, §12) in their discussion of a territorial *nómos* which stands in opposition to the law of the state. Based on codes, the law of the state is like a game of chess, whereas the *nómos* of the land is more similar to the game of Go: whereas the law of the state creates meaning by semiotically encoding the events that unfold in space and the subjects that perform them, the territorial *nómos* is a strategy that distributes and concentrates the elements of a group keeping the territory in a state of virtual flux. Incidentally, Deleuze and Guattari's concept of 'war machine' (*machine de guerre*) as a social formation that remains outside the state derives from the anthropological observation made by Pierre Clastres (1975) that the nomads and other marginalised peoples are indeed at war: they are at war, as also argued by Scott (2009), against the state and its plan to 'civilise' them, assimilate them and turn them into settlers.

Arguably, the territorial question at the core of law crucially concerns the issue of the movement of bodies in space – what could be termed motility – together with the ways in which movement shapes and articulates social relations. Tim Cresswell (2006) has observed that mobility – which here I prefer to call 'motility' to stress its most material underpinning, its physical relation to movement – is movement made meaningful, and that the law is 'an influential site for the production of meanings for mobility, as well as the practices of mobility that such meanings authorise or prohibit' (p. 150). Movement can be made meaningful in different ways, for instance as travel, transport, migration, wandering, marching, pilgrimage and tourism. One of the central concerns of modernity is precisely the issue of the control of movement, and the prevention of unwanted movement. Not only is the modern territorial state dependent upon the establishment of international political borders, but every activity of government over a population or a biological mass of bodies requires some form of control over movement. In fact, the use of technologies for controlling and constraining movement is quintessential to modern and contemporary history. As Reviel Netz (2004) succinctly but compellingly put it in his history of barbed wire, we face a quite material equation: 'properties, prisons, borders: it is through the prevention of motion that space enters history' (p. xi) and, one might add, social space and human geography. Barbed wire, with its 'simple and unchanging equation of flesh and iron' (p. xiii), provides an example of an extremely successful modern tool for preventing movement and controlling populations. Barbed wire's 'static violence' (p. xiii), originally introduced in the late nineteenth century to regulate bovine pastures in the American Great Plains, subsequently made it possible to slow down the movements of enemy troops during the Boer War and World War I. It was ultimately employed to contain and concentrate bodies into camps during the Nazi project for the 'final solution of the Jewish problem', as well as in all detention camps that still exist around the world today.

Barbed wire is one of many examples of boundary-making artefacts that include walls and wall-like objects: barriers, ditches, fences, hedges, gates, pales, pull-down grates, parapets, barricades and turnstiles (Brighenti, 2009). Each of these artefacts has its specific material–interactional qualities, which overlap only partially. Recently, for instance, Blomley (2007) has revealed how hedges were used strategically in early modern rural England during the process of land enclosure. The modern concept of property, Blomley argues convincingly, was created very much 'on the ground' (p. 2), materialising privatisation, in particular through artefacts aimed at 'hedging out the poor' (p. 13). For instance, in sixteenth-century Thomas Tusser's husbandry manual:

> '[T]he hedge provides protection from the "champion", or commoner, who now figures not as a holder of legitimate use-rights (to graze, glean, and so on), but as a predatory and threatening violator of the private property rights of the husbandman.' (2007[1557], p. 9)

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When, during the nineteenth century, such a notion of property rights joins the nationalist project, the modern legal notion of national boundaries emerges as part of a nation-building agenda.

Today, we find that this form of control over movement is supplemented and integrated into a different organisation of territories. Indeed, boundary-making artefacts such as barbed wire easily become part of more sophisticated, yet no less lethal devices, compound or assembled devices such as the 'architecture of occupation' described by Eyal Weizman (2007). The Palestinian Occupied Territories are governed through an elastic geography which completely bypasses the modern political notion of sovereignty based on clearly defined territorial borders:

> 'The linear border, a cartographic imaginary inherited from the military and political spatiality of the nation state has splintered into a multitude of temporary, transportable, deployable and removable border-synonyms – "separation walls", "barriers", "blockades", "closures", "road blocks", "checkpoints", "sterile areas", "special security zones", "closed military areas", and "killing zones" – that shrink and expand the territory at will. These borders are dynamic, constantly shifting, ebbing and flowing; they creep along, stealthily surrounding Palestinian villages and roads.' (Weizman, 2007, pp. 6–7)

The city is the site where the practice of modern movement control has found its most complex and complete application. Michel Foucault described the rise of both enclosed disciplinary institutions (Foucault, 1977/1975) and a series of security apparatuses for the control of 'confused multiplicities' in open spaces (Foucault, 2007/1977–1978, §2). The city's public space is a site of circulation, and the control over such circulation represents a major tool of modern government. In Foucault's analysis, the governmental *dispositif* is a form of power that is not originally statist or legal, but rather one that infiltrates the state (in this sense, Foucault (1991/1978) speaks of a process of 'governmentalisation of the state'). While the disciplinary diagram focuses on the training of single individual bodies inside clearly defined and delimited spaces like those of enclosed institutions (prisons, hospitals, schools), the security diagram seeks to exert control over an open space of possible events, and it does so by selecting a few strategic key points, such as checkpoints and password sites (of course, such points presuppose the setting up of a dedicated architecture).

Urban scholars like Peter Marcuse (1995) have characterised the contemporary city as a 'partitioned city' (p. 243). The partitioning of the city refers to the process of increasing fragmentation of space, which in turn leads to the creation of distinct 'zones' with limited or very restricted inter-motility. The resulting urban 'chaos' is far from random, though: since the 1970s, it has sustained increasing social and spatial differentiation and segregation:

> 'Displacement as the mechanism of spatial change; the intensity of turf allegiances and turf battles; the nature and extent of homelessness; the openness with which government supports the maximization of private business claims on city land and city infrastructure; and the political reorientations that have accompanied these changes.' (Marcuse, 1995, p. 245)

New media technologies also contribute to a possibly subtler, but no less sharp process of movement control through the creation of mobile virtual walls that can be actualised *ad personam*. Indeed, new media technologies enable us to collect and process large quantities of data, scaling from the aggregated to the individual level, and from the individual back to the aggregated (Lyon, 2007). Through such technologies it is possible to track individual movements in geographical space in order to sustain and enhance surveillance – and, thanks to surveillance, the social sorting of people – for instance in crucial sites such as airports (see, e.g., Adey, 2008; Amoore and Hall, 2009). Furthermore, the individual can actually be 'sliced' into an aggregation of traits and information,

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a 'dividual' (Deleuze, 1990, p. 5), which is precisely the object of biopolitics qua control over non-individual sociospatial phenomena. This form of power thus entails setting up spaces in a way that enables the *dispositif* of government (which is not necessarily the state) to sort and, when necessary, block movement. What I would like to stress, though, is not simply that movement has a legal dimension, rather the fact that *movement is a fact and a practical notion that is present at the very core of law itself.*

Making and challenging territories

Each assemblage of movements that gets shaped into a regime of differential motilities constitutes a social territory. More precisely, the phrase 'social territory' is a pleonasm, since a territory is an integrally social and associative phenomenon. It is not the unity of the land that makes territory exist, but the multiplicity of people and the configuration that such a multiplicity assumes. Territory can be conceptualised as a way of materially defining, inscribing and stabilising patterns of relations between *socii* – society being an assembly of *socii* (Kärrholm, 2007). From this point of view, territory is the effect of the material inscription of social relationships which are immaterial, or better, affective. Territories exist at the point of convergence, prolongation and tension between the material and the immaterial, between spaces and relationships, between *extensions* (movements) and *intensions* (affections and passions). Claims create territorial relationships whenever they introduce boundaries. Interaction scholars have well illustrated this process (e.g. Sommer, 1959; Goffman, 1971). Boundary-drawing is the kernel of the territorial claim, and territory-making is in fact boundary-making. Put differently, territories are the operation, or effectuation, of boundaries. Boundaries themselves are not objects but forms and templates of social interaction that enable the production of functions, the management of distances and the setting of thresholds between events. Boundaries are not the opposite of flows, but rather *critical thresholds* of flows themselves, as also shown by critical geography literature (Massey, 1994).

The notion of distance (originally spatial and social at the same time) might help to clarify the point. Elias Canetti (1973/1960) described distance as a crucial aspect of social life. According to Canetti, the necessity of distance follows from the inveterate human fear of being 'touched by the unknown' (p. 15). But it turns into an essentially quantitative matter as soon as those in power surround themselves with artificially enhanced distances. Distance turns into the physical basis for the control of space and movement. Canetti, whose *oeuvre* argues for a 'concrete' and body-centred take on the social, identifies distances – together with postures and gestures – as the pure and simple reality of power. Distance management entails finding out and defining critical distances, thresholds, points, lines and degrees beneath and beyond which a given relationship is substantially transformed – for instance, when respect turns into challenge, adoration into avoidance, and freedom into captivity. From this perspective, each territory is a zone of convergence of actors (and their forces) who attempt to manage their reciprocal visibilities and invisibilities – i.e. their reciprocal affections – *managing reciprocal distances*. And movement is the crucial modulator of these affective events: whenever certain embodied movements encounter boundaries they turn into speeds and thus become visible. Also, from this point of view, there is no opposition between territories and networks (*contra* Jessop, Brenner and Jones, 2008), rather a sort of *Gestalt* reciprocity between them: boundaries are flows, but what counts territorially is the composition of different flows as directional vectors. It is in this sense that, for instance, Deleuze and Guattari (1987/1980) define the rhizome, not, as sometimes wrongly held, on the basis of the nodes that compose it – which is the standard definition adopted by network theorists – but on the basis of the *lines of deterritorialisation* the rhizome gives way to. Their definition of rhizome is basically a territoriological one and, in this sense, a network is a type of territory.

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Drawing on the cases and illustrations discussed above, the working of territory should be regarded as both *sociotechnical* and *biopolitical*. On the one hand, a territory depends upon a series of boundary-drawing technologies which constitute a middle realm between relations and materiality and represent the way in which ideas turn into material forces (Vandenberghe, 2007). The technical mediates the social, and the sociotechnical domain is precisely where the act of inscription, production and stabilisation of social relations takes place. On the other hand, a territory assumes biopolitical significance as the *locus* where an irreducible multiplicity, or population, is located – more precisely, as the *locus* (the locale) created by such a multiplicity in action. The composition of movements and, a fortiori, of reciprocal affections that is inherent in a multiplicity or group as it emerges from a series of fluctuating events and acts, is the proper object of government. Governmentality, as described by Foucault, is the theory and practice of such a practice of control over actual or virtual movements.

Ways and styles of movement

A distinction should be made between the land and the territory. Carl Schmitt's treaties *Land and Sea* (Schmitt, 1997/1942) and the later *The Nomos of the Earth* (2003/1942–1945) incorporate such a distinction as one of their leading motifs: should the territory be regarded as a simple objective fact, a support and external attribute of law? Or does it, on the contrary, constitute a normative foundation of law? Is it sovereign legal power that defines a territory by binding it, or is a territory precisely what makes any legal power possible at all? From the perspective I have tried to develop here, territory is not a piece of land but an interaction device: hence, its normative status is to be recognised as in-built.

Chatwin (1987) observed that in several indigenous cultures around the world there is a strict link between the words for 'law' and 'finding one's way'. Not only does law create and control space and movement but, significantly, it draws lines, directions and boundaries and it comes to exist precisely *through these acts*. The regulation of movement is essentially an act of inscription, a territory-making act that acts upon bodies, spaces and movement: a grasp that territorialises and a line that deterritorialises. Law itself is originally mobile law, a *nómos* that regulates pasture, paths and migration and, in order to do so, must *go there*. As mentioned above, First Nations groups such as the Inuit and Australian Aboriginals do not conceive of the land as a bounded entity, but rather as a mesh or texture of entangled paths and trails. The land is the undivided resource (only a tiny portion of the land is occupied, while the rest is dreamed) and the centre of energy into which territories are carved or even borrowed. The land, or the earth, presents itself as the Natal that lies at the heart of each territorial composition:

> 'There is always a place, a tree or grove, in the territory where all the forces come together in a hand-to-hand combat of energies. The earth is this close embrace. This intense center is simultaneously inside the territory, and outside several territories that converge on it at the end of an immense pilgrimage (hence the ambiguities of the "natal"). Inside or out, the territory is linked to this intense center, which is like the unknown homeland, terrestrial source of all forces friendly and hostile, where everything is decided.' (Deleuze and Guattari, 1987/1980, p. 322)

The land is an intension or force, an attractor of territorial formations which are social formations resulting from interaction between mobile or motilised people. Not simply is the land crossed by paths, but people too are vectors: 'For the Inuit, *as soon as a person moves he becomes a line*' (Ingold, 2007, p. 75). Movements are never simply lines drawn between pre-existing points, but rather active entrances and exits, that is velocities (speed magnitude *plus* directional vector). This also means that movement is in fact an intermediate event that exists between subjects and objects, a

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composition of extensive velocities as they are intensively experienced and lived. Ingold also introduces an important distinction between two forms of movement, which he terms, respectively, 'wayfaring' and 'transport':

> 'Wayfaring, I believe, is the most fundamental mode by which living beings, both humans and non-humans, inhabit the earth [...] the inhabitant is one who participates from within in the very process of the world's continual coming into being and who, in laying a trail of life, contributes to its weave and texture.' (Ingold, 2007, p. 81)

Archetypically, wayfaring means travelling on foot (Ingold and Vergunst, 2008). Thanks to this distinction, Ingold enables us to go beyond a generalised, romanticised and ultimately untenable nomadophilia, in order to examine the spatial, aesthetic and normative qualities of movement. The wayfarer wholly coincides with his or her movement as well as with the immanent law of such movement. Both Georg Simmel and Walter Benjamin developed a similar idea with their concept of 'individual law': in a sense, the wayfarer becomes his or her own immanent *nómos*. Yet wayfaring is not random wandering or strolling. On the contrary, it is often very precise and rigorous. French psychogeographers, for instance, insisted that their practice of *dérive* or drifting, far form being random, was grounded in an active response to the 'objective' psychological states induced by certain urban environments (Kotányi and Vaneigem, 1961). As shown by Ingold, the essential point is that wayfaring never turns into transport: the latter is qualitatively different, based as it is on a pre-planned conception of space. While the experience of transport consists of a systematic uncoupling of locomotion and perception, it is only wayfaring that makes movement really meaningful. Wayfaring and transport illustrate the most intimate nexus of movement and the law, as subsequent chains of deterritorialisation and reterritorialisation joining and separating irreducible multiplicities and affecting their constitutive relationships.

In conclusion, although this is clearly only a suggestion and an invitation for further investigations, law can be explored integrally as a territorial and territorialising device – at least insofar as territories are regarded not as spaces but as *acts*, acts of subsequent and embedded territorialisations and deterritorialisations. Each enacted territorialisation is the sociotechnical result of an act of inscription, an act of drawing or tracing, a movement that is defined by its magnitude and direction. The intersection of movements corresponds to the moment of visibilisation of territorial boundaries. This is, in a sense, the affective birth of law. *Movement is space itself* as it is experienced and narrated corporeally by the wayfarer. And every such act of territorialisation or deterritorialisation bears a biopolitical significance, because it opens up the space in which the management of possible events taking place inside an irreducible multiplicity unfolds. Just like every other form of notation and writing, law, too, deals with lines, barring some and allowing others.

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