Territory
Short Introductions to Geography are highly accessible books designed to introduce key geographical concepts to students. Taking a concise approach, these introductions convey a sense of the intellectual liveliness, differing perspectives, and key debates that have developed around each concept. The central ground is covered and readers are encouraged to think in new and critical ways about concepts that are core to geographical study. The series will serve a vital pedagogic function for students and instructors.

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Territory

*a short introduction*

David Delaney
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Series Editors’ Preface

*Short Introductions to Geography* are highly accessible books, written by leading scholars, that are designed to introduce key geographical ideas to students and other interested readers. Departing from a traditional sub-disciplinary review, they seek to explain and explore central geographical and spatial concepts. These concise introductions convey a sense of the intellectual liveliness, differing perspectives, and key debates that have developed around each concept. Readers are also encouraged to think in new and critical ways about concepts that are core to geographical study. The series serves a vital pedagogic function, encouraging students to recognize how concepts and empirical analyses develop together and in relation to each other. Instructors meanwhile will be assured that students have an essential conceptual reference point, which they can supplement with their own examples and discussion. The short, modular format for the series allows instructors to combine two or more of these texts in a single class, or to use the text across classes with a distinctive sub-disciplinary focus.

*Geraldine Pratt*

*Nicholas Blomley*
For those who are unjustly excluded, expelled, confined, or invaded
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Entering the Territory of Territory

Introduction

Nothing better reveals how something is supposed to work than when it isn’t working. Territory is no exception. Territory, according to common understandings, promotes peace through certainty by clearly defining and delineating the workings of power. In international relations we are “sovereign” on this side of the line and they are sovereign on the other side. With respect to land tenure or property I may plant corn on this side of the fence and you may graze cattle on the other side. In the context of privacy I may close my door and play with my Barbie dolls and all the world is obligated to stay outside. With clear lines, misunderstandings don’t turn into disputes as easily and disputes don’t escalate into fights. As we all know, good fences make good neighbors.

In the late winter/early spring of 2003 more than 100,000 American and British soldiers – and their associated equipment of guns, jets, supplies, and journalists – assembled on the Kuwaiti side of the Iraq–Kuwait border in preparation for the invasion of Iraq that would remove Saddam Hussein from power and result in the long-term occupation of the country. The power to grant or withhold permission for the US to use the territorial spaces of Kuwait, Qatar, and other nation-states as places from which to launch the invasion is itself a sovereign prerogative. And, in fact, the original battle plan was to invade Iraq simultaneously from the north, but at the last moment the Turkish parliament refused to allow the use of its territory for this purpose (Purdum et al. 2003). So had Saudi Arabia, at least formally. The principle of territorial integrity – by which is meant the absence of territorial violation – is one of the most fundamental principles of international law. It is also, as is well known, one which is not always respected. There are many ways in which territorial
integrity can be compromised, but the most obvious and devastating are those involving the means of destruction associated with modern warfare. However one may have felt about it as the images of the American “Shock and Awe” campaign were broadcast around the world, and however it may have been rhetorically justified, the invasion and occupation of Iraq is a rather clear example of territory – or territory of a particular kind – not working as it is supposed to.

But, one rationale might go, that invasion was simply the unavoidable result of the invasion of Kuwait 12 years earlier by the armies of Iraq. In the first Gulf War the United States repelled the invaders. As part of the settlement of that war the government of Iraq was required to admit United Nations weapons inspectors who were authorized to investigate the presence of weapons of mass destruction (Sifry and Cerf 2003). Severe economic sanctions were also imposed on “Iraq” – which is to say, on the people of Iraq. These resulted in the deaths of tens of thousands more, many of whom were children (Hiro 2001; Research Unit for Political Economy 2003). The victors of the first Gulf War also imposed “no-fly zones” in the northern and southern sections of the country and periodically shot down Iraqi planes that violated these territorial prohibitions. At the beginning of the 2003 war Iraq was hardly the prototypic sovereign state and its territorial integrity was, at best, theoretical.

The 1991 Iraqi invasion of Kuwait was given rhetorical justification by Saddam Hussein through reference to the putative illegitimacy of the partitioning of the Ottoman province of Basra by the British when they invented “Iraq” and “Kuwait” in the early twentieth century (Dodge 2003; Finnie 1992). And those episodes of territorial invention were but sideshows to the Great Power geopolitics attending the aftermath of World War I, the maintenance of empire, and the emerging rivalries concerning the control of petroleum in an industrial order for which it had become life’s blood. Preceding the invasion of Kuwait, Iraq, this time with the support of the United States, had fought a brutal war with Iran. The 2003 invasion took place, then, not just across a line drawn in the sand but within the historical context of a succession of territorializations and re-territorializations related to the control of oil and the wealth and power that this control generates. Looking at events with somewhat more historical depth, while in no way justifying them, serves the purpose of highlighting territoriality as a social (and political, economic, cultural) process that unfolds not only in place but through time. It thereby allows us to more easily see territories as social products. And learning to see through territory is valuable in learning to understand the world: the world as a whole and the worlds within which our lives are lived.

One of the more common explanations of territory – or, at least, the territorial state – is that it is a means of providing security to those
inside” from those ever-present dangers located “outside.” And, undoubtedly, territory does often serve this purpose. But, when one considers the experiences of the hundreds of thousands of people whose lives have been violently terminated on the basis of claims rooted in the principle of territorial integrity in this part of the world in the last 30 years (a figure that would include the hundreds of thousands of casualties from the Iran–Iraq war of 1980–1988, and the genocidal massacre of Kurdish people by the Iraqi state), and adds these to the millions of others killed on the strength of similar justifications, these common explanations become at least a bit questionable. If this is “security” one might reasonably wonder what insecurity would feel like. In the twentieth century, a time when the territorial nation-state achieved global hegemony as the sole “legitimate” political institution, more than 100 million people were killed in wars, many of them directly concerned with, or at least given rhetorical justification with reference to, territory.

Or, consider happenings at another border, that separating the sovereign territories of the United States and Mexico. This border and these territories also have a very complicated history. Most of the present border was given formal legal expression in the treaty of Guadalupe Hidalgo of 1848 (Frazier 1998). This treaty ended what Americans call the Mexican War. Like the Iraqi invasion of Kuwait, this war 150 years earlier was simply a method by which the government of one nation-state attempted to annex to itself the territory of another, and with no better justification. But unlike the more recent event, in this case the invaded state (Mexico) was not aided by a global superpower, and the invading state (the United States) prevailed. Its manifest destiny, its unquestionable supremacy, were validated on the field of battle, and the map of sovereignty was redrawn. The border shifted hundreds of miles southward and people and things that had been “in” Mexico now found themselves “in” the United States. Newly included were thousands of Mexican citizens. As contemporary Chicano activists say, “We didn’t cross the border, the border crossed us” (Acuña 1996, 109). It also included dozens of indigenous peoples such as the Apache, Hopi, Navajo, and Shoshone people, who were involuntarily – if only partially – subjected to the workings of American sovereignty because of their location vis-à-vis this shifting border. It also included the gold, lumber, and real estate of California.

With respect to the contemporary border there is what many people describe as another, and perhaps more insidious, “invasion” taking place. William Griggs writes, “While American troops engage al-Qaeda in terrorist cells in far-flung battlefields across Asia and our military leadership prepares for a Gulf war encore against Iraq, our ‘friend’ and ‘neighbor’ to the South is relentlessly invading our homeland” (2002, 21).
In his view, “The Mexican government, radical Chicano separatists, and the Bush administration all agree on one thing: the border separating our nation from Mexico should be treated as if it does not exist” (2002, 21). Hundreds of thousands of workers cross the border from south to north every week under conditions that are formally prohibited but are in other ways tolerated or encouraged. But they must do so surreptitiously, sneaking around or tunneling beneath the border (Martinez 2001). While countless thousands succeed in crossing over, finding work, or being reunited with family, many are apprehended and sent back to the other side only to make the attempt again and again. Many men, women, and children die of thirst and exposure in the deserts or suffocate in the trucks and train cars used to smuggle them inside (Egan 2004). In fact, during 2002–3 roughly the same number of Mexican workers died trying to cross over as American soldiers were killed before victory was declared in the war with Iraq (US Department of State 2004). Religious organizations such as Humane Borders have established programs to leave water in places that the Mexican and Central American sojourners can find (www.humaneborders.org). At the same time, organizations such as Ranch Rescue have established armed vigilante groups that conduct paramilitary operations to patrol the border in defense of property and sovereignty (www.ranchrescue.com). The border is not simply a line on a map. It and the territories it marks and separates are conditions of living and dying.

These are, admittedly, rather extreme illustrations. While there are always a certain number of wars and border disputes taking place on the planet, military invasions of the magnitude of the American war in Iraq are comparatively rare. Likewise, few border regions have the volatile mix of features that characterizes the US–Mexico borderlands. But, extreme as these situations may be, they do at least demonstrate that the significance of territory in the modern world cannot be underestimated. They also suggest that this significance concerns both how social relations are organized on a planetary scale and how the lives of countless individuals are caught up, one way or another, with the dynamics of modern territoriality. And this, of course, is everyone.

These two examples only scratch the surface. Each is concerned with only one form of territory, that associated with the political institution of the modern nation-state. The key discourses according to which this kind of territory is made intelligible include international relations, international law, and geopolitics. But the 200 or so territorial spaces that constitute the international system of states do not exhaust the forms that territory takes in the modern world. Actually, depending on one’s theoretical perspective and the fineness of one’s analysis, there are potentially billions of territories, large and small. There are innumerable complex
territorial configurations and assemblages that shape human social life, relationships, and interactions. On the “inside” of states are numerous political and administrative subdivisions, preserves, zones, districts, precincts, parishes, and areas. There are also countless property lots, apartments, rooms, offices, cells, and camps. The list is endless. Overarching and embracing the territoriality of nation-states are many supra-national, multinational, and international territories created by treaties or conventions, such as the European Union or the North American Free Trade Area. Territory may find expression in the space embracing NATO membership and in the tow-away zone in front of the grocery store; in parks, prisons, and club houses; in workplaces, gang turfs, and multinational business organizations. With respect to each of these it matters if you are “in” or “out.” For most people, perhaps, the micro-territories of everyday life may be more significant – or at least more noticeable, than the macro-territories of global politics.

Let’s think small for a moment. Begin where you are. Look around at the ways in which the social spaces you are occupying give form to your days. Consider the rooms you have access to and those from which you are excluded – or are allowed to enter only with permission. In a social order in which private property is a fundamental feature, most of the world of daily experience is closed off to you. This world is also territorialized with reference to public and private spaces. Imagine how shifts in this public/private configuration would affect your daily life. Imagine, for example, that many of the “public” spaces through which the paths of your days unwind were “privatized” and the terms of your access or exclusion made to depend on your ability to pay or on whatever the new “owners” chose to condition your entry. (In order to help flesh out this thought experiment consider the differences between a “traditional” small town’s main street and a contemporary shopping mall.) Imagine further that entry is made conditional on what you look like: white? female? young? This is territoriality at work. On the other hand, imagine that what you take to be private space – your private space, your home, your bedroom – were to be opened up to continuous governmental surveillance and the images produced broadcast on television. This too would constitute a fairly significant form of territorial revision. Now imagine both, a social order in which “public” and “private” as we know them have ceased to be a fundamental way of territorializing social life.

Or consider this. Ray Oliver owned a farm near Jamestown, Kentucky. “He had,” according to US Supreme Court Justice Lewis Powell, “posted No Trespassing signs at regular intervals and had locked the gate at the entrance to the center of the farm” (466 U.S. 170 1983, 173). One day two Kentucky State policemen, acting on a tip, drove onto Oliver’s land, past
his house, and up to the locked gate. Disregarding both the No Trespass-
ing sign and shouted orders from someone in the distance to “get out,”
they walked around the gate and into a wooded area on Oliver’s land.
About a mile from Oliver’s house, in a spot surrounded on all sides by
trees, they found marijuana growing. The policemen left, went back to
town to obtain a search warrant from a judge, and then returned to the
Oliver place to arrest him. In American law the police had not only
trespassed, they had violated Oliver’s constitutionally protected rights
of privacy, or, at least, that is what his attorney argued at his trial. The
fourth amendment of the US Constitution prohibits government agents
from conducting warrantless searches, or at least it seems to. The Su-
preme Court has on numerous occasions declared that illegally obtained
evidence (that is, evidence of a crime acquired in violation of the fourth
amendment) is to be excluded from criminal trials. This is called the fruit
of the poison tree doctrine. The trial court agreed with Oliver’s lawyer.
Oliver “had done all that could be expected of him to assert his privacy in
the area of the farm to be searched” (p. 173) and the police had acted
illegally by searching first and securing a warrant only after the search
proved successful. The case was duly dismissed.

The government, however, appealed and a higher court reversed the
judgment. The US Supreme Court agreed to hear the case and decided
that the tree was not poisoned after all. Fourth amendment protections,
reasoned the majority, only apply to a person’s home and the area
immediately surrounding the home (a space called the curtilage). Only
“certain enclaves should be free from arbitrary government interfer-
ence,” the majority asserted (p. 178). Locks and signs notwithstanding,
other areas on one’s property are therefore vulnerable to arbitrary gov-
ernment interference and searching in these places does not require
a warrant. These areas are called “open fields,” even though, as Justice
Lewis Powell explained, “an open field need be neither ‘open’ nor a
'field’ as those terms are used in common speech” (p. 180). And because
this secluded location surrounded by trees was an “open field” it could
not be shielded from public view and the property owner did not have a
reasonable expectation of privacy there. And so, the evidence of the crime
ought not to have been excluded nor the case dismissed.

But other Supreme Court justices didn’t see it this way. Oliver’s space
(and his rights), in their view, had been invaded by the government and
the police were guilty of criminal trespass. Quoting Justice Powell’s
remarks from another case, Justice Thurgood Marshall wrote,

[O]ne of the main rights attaching to property is the right to exclude others
...one who owns...property will...have a legitimate expectation of priv-
acy by virtue of this right to exclude. Governmental agents without a warrant