



The Legal Spatiality of Land, Water, and Infrastructure

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Campus Condorcet, bât. de recherche Nord, room 0.010 (ground floor) – 14 cour des Humanités, Aubervilliers

sur inscription gratuite mais obligatoire

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This seminar brings together five presentations that discuss legal spatiality in a diversity of contexts from the North and the South. These contexts have in common fast-paced spatial and urban transitions, driven by land reclamation, real estates, and the construction of infrastructure. They introduce a diversity of research questions and themes that concern the governance of water (lakes, the sea) and reclaimed land, institutionalised informality, legal disputes, and the production of energy infrastructure. Across this diversity of cases and contexts, the seminar has a twofold ambition: Contribute to the debate on research methods on legal geography and to the circulation of theories and concepts between Northern and Southern contexts.

- 10h00 Adèle ESPOSITO & Mathieu GIGOT – Methodological Bricolage in Legal Geography
- 10h15 Pierpaolo DE GIOSEA – Coastal Transformation and Indigenous Rights to the Sea: The Case of the Orang Selatar in Johor, Malaysia
- 11h00 Anand AKSHAY – Who Governs the Lake? The Governance and Socio-Ecological Dynamics of Peri-Urban Lake Ecosystems
- 12h00 Emmanuelle SANTOIRE – Pourquoi s'intéresser finement aux mécanismes juridiques quand on travaille sur la gouvernance territoriale en géographie ? Quelques exemples à partir du nexus énergie-territoire
- 14h30 Francesco CHIODELLI – The Legal Production of Informal Space
- 15h15 Adèle ESPOSITO – It is Always about the Law: "Legal Fetishism" and Informality at the heart of the large development program
- 16h00 *Roundtable* – Avenues for Further Research: Themes & Methods

Speakers

- Anand AKSHAY, Architecture and Urban Planning – Researcher, University of Twente, Faculty of Geoinformation Science and Earth Observation/ITC
- Francesco CHIODELLI, Urban and Regional Development – Associate Professor, Politecnico di Torino
- Pierpaolo DE GIOSEA, Social Anthropology – Postdoctoral Fellow, Géographie-cités
- Adèle ESPOSITO, Geography – Researcher, Géographie-cités / CNRS
- Mathieu GIGOT, Development and Urban Planning – Assistant Professor, Géographie-cités / Université Paris Cité
- Emmanuelle SANTOIRE, Geography – Researcher, LATTS / CNRS

Pierpaolo De Giosa – Coastal Transformation and Indigenous Rights to the Sea: The Case of the Orang Seletar in Johor, Malaysia

The southern coast of Johor, Malaysia, directly facing Singapore, has undergone extensive coastal transformation through land reclamation and the construction of large-scale mixed-use developments, including high-rises, villas, and shopping malls. In this process, the sea is treated by the state as a veritable *mare nullius*—an empty space available for land banking—and by corporate actors as an asset for luxury-oriented real estate development. The Strait of Johor, however, has for centuries been home to the Orang Seletar, an indigenous seafaring community and one of the eighteen officially recognized Orang Asli groups in Malaysia. Only three of the nine Orang Seletar villages are formally registered as Orang Asli customary land, rendering the majority highly vulnerable to dispossession as state and corporate interests encroach upon their ancestral maritime and coastal spaces. This paper examines how the descendants of former “sea nomads” struggle to remain along the littoral they call home, which is central to their livelihoods and traditions, drawing on ethnographic fieldwork—including interviews and participant observation—as well as an analysis of two landmark court cases. It first addresses the intimate connections between this community and the sea, then examines how this fluid ancestral territory becomes a contested space, and finally discusses how their rights to land “and waters” have been more recently recognized, but are still navigating through land-biased approaches by the officialdom.

Anand Akshay – Who Governs the Lake? The Governance and Socio-Ecological Dynamics of Peri-Urban Lake Ecosystems

My research examines who governs peri-urban lakes by conceptualising them as socio-ecological commons embedded in rapid urbanisation and shaped by interactive governance and legal pluralism, where authority is dispersed across state agencies, parastatals, private developers, civil society, and local communities rather than located in a single institution. It develops an actor–resource interaction framework that links ecological processes, institutional arrangements, and governance practices, and applies it empirically to show how overlapping jurisdictions, formal and informal rules, and extra-legal negotiations produce hybrid and uneven governance outcomes as lakes are reclaimed, regulated, and transformed. By analysing governance as relational networks of actors and resources, the study demonstrates how power, dependency, and coordination structures shape both ecological conditions and access to benefits. Complementing this institutional diagnosis with participatory, futures-oriented approaches, it further highlights how stakeholder values, imaginaries, and negotiated trade-offs influence emerging governance pathways. Taken together, the research reframes lake governance as a dynamic, negotiated, and co-produced process, shifting the question from identifying a single governing authority to understanding how multiple actors collectively construct and continually reshape socio-ecological outcomes over time.

Emmanuelle Santoire – Pourquoi s’intéresser finement aux mécanismes juridiques quand on travaille sur la gouvernance territoriale en géographie ? Quelques exemples à partir du nexus énergie-territoire

L’intervention visera à présenter mon positionnement géolégal et la productivité de la méthodologie que je mets en oeuvre dans mes travaux, à la croisée entre analyse textuelle des sources normatives et terrain ethnographique sur les « actualisations locales » (Melé, 2011) des normes. En partant de plusieurs exemples autour du nexus énergie-territoire, je viserai à expliciter les apports en termes d’identification de questions de recherche, de développement d’appareil méthodologique, et de nouvelles lignes de critique ; afin d’inviter à mieux se saisir des enjeux sociotechniques dans les études de géographie et droit.

Francesco Chiodelli – The Legal Production of Informal Space

This presentation investigates the informal/illegal production of urban space through the analytical lens of legal geography. While informal urbanisation has been widely debated within urban studies, existing scholarship has predominantly focused on its manifestations in the so-called “Global South” and has often overlooked its institutional determinants. In particular, limited attention has been paid to the role of public authorities, including the regulatory frameworks, legal norms, policies and administrative practices that contribute to the production of building informality. Addressing this gap, the presentation examines the legal geography of what may be termed the “public production” of informal urban space in Italy (commonly referred as *abusivismo edilizio*). It argues that such phenomenon is not mainly the result of economic or cultural forces, but is deeply embedded in the functioning of public institutions themselves. By foregrounding the institutional and legal dimensions of urban informality, the analysis offers a framework for interpreting similar processes in other contexts (primarily, but not exclusively, in Europe).

Adèle Esposito – It is always about the Law: “Legal Fetishism” and Informality at the Heart of the Large Development Program

In a seminal contribution, Comaroff and Comaroff (2006) observe that the postcolonies are chronically disorderly, yet they develop a “fetishist” relationship with the law: A wide range of actors, from the powerless to the powerful, develop strong legal cultures that have political implications; all kind of disputes are debated in courts. How to explain this paradox? The authors argue that these societies become more and more heterogenous under the effects of globalisation. On the one hand, threats of chaos and violence are countered by using the law as bulwark. On the other hand, the law provides series of standardised norms that help apprehend that difference and “measure” it with the common meter of the law.

I draw on this contribution to examine a series of litigations that lie at the heart of the flagship projects for the Eastern Seaboard Development Program (ESDP) which has been implemented in Thailand since the 1980s. More particularly, I look at the litigations that revolve around: The expansion of Map Ta Phut deep-sea port on reclaimed land; environmental regulations for industrial estates in Rayong Province. These litigations unfold between the 1990s and present times and are filed by a local authority and (coalitions of) powerful individuals. Although Thailand is the only country of Southeast Asia that has never been colonised, authors characterise the Kingdom as “crypto-colonial” (Herzfeld, 2002) or “semi-colonial” (Singh, 2019), because subtle and yet powerful forms of dependence from foreign powers have developed since colonial times. In this light, I believe it is relevant to examine the lawsuits through a postcolonial framework.

I argue that the lawsuits bring forward alternative and rival interpretations of legality that draw on different bodies of law and articulate diverse conceptions of spatial legitimacy and rights. They reveal how these flagship projects participate into struggles about spatial power that exceed the region concerned by the development program. They also question to what extent the court contributes to the advancement of an agenda of social, spatial, and environmental justice. Finally and more broadly, because the remedies and the punishments brought by the court have never been enforced, I discuss how these flagship projects remain, to a certain extent, informal.

References

- Comaroff J. and J., 2006, “Law and Disorder in the Postcolony”, *Social Anthropology*, 15(2): 133-152.
- Herzfeld M., 2002, “The Absent Presence: Discourses of Crypto-Colonialism”, *South Atlantic Quarterly*, 101(4): 899–926.
- Melé P., 2010, “Actualisation locale du droit”, séminaire Géographie et droit, géographie du droit, PRODIG–CERSA, Oct 2011, Carcassonne.
- Singh P., 2019, “On International Law, Semi-colonial Thailand, and Imperial Ghosts”, *Asian Journal of International Law*, 9: 46-74.