Mud for the Land

Nicholas Blomley

Quieting the Land

Besides the conventional financial and technical requirements, the typical property leasing agreement often includes the provision that a tenant be assured of the “quiet enjoyment of the land.” The term quiet, apparently, refers not to protection from excess noise but an assurance that the tenant can enjoy his or her possession without interference and interruption, free from disturbance and dissension. But quiet also has a more active sense in the language of law, as settlements of ambiguous or disputed property relations speak of “quieting title.” It’s a rather archaic phrase but an evocative and suggestive one for my purposes.

What it tells us is that property doesn’t just happen. Just as quiet can be a verb, so property is an enactment (Rose 1994; Seed 1995). In this sense, a property regime is never complete and self-evident but requires a continual doing. The doing of real property happens not only in courtrooms and the law schools. Property must also be put to work on material spaces and real people, including owners and those who are to be excluded from that which is owned. In this grounding

I would like to acknowledge the anonymous creator(s) of the supplication that is at the center of this article, versions of which were presented at the Annual Meeting of the American Anthropological Association in Chicago, November 1999, and at the Socio-Legal Studies Association conference in Bristol, April 2001. Adrienne Burk provided useful insights and did all she could to explain public art to me. Eric Clark also helped with the derivation of highest and best use. I thank the Public Culture editorial committee for their useful suggestions. My thanks also to Aurian Haller, Damian Collins, Jennifer Hyndman, and Peter Fitzpatrick.

of property, ideological enactments are also required, including those that relate to certain notions of land. According to the Oxford English Dictionary, land in its legal sense is a “ground or territory . . . owned by a person or viewed as public or private property.” Property is enacted on law’s land—and, indeed, helps to produce the land—in diverse ways. Maps must be drawn, surveys prepared, developments realized, fences built. And in these enactments a very particular and contingent vision of property is produced, one that Joseph Singer (2000a: 3) terms the ownership model: a notion of property premised on a consolidated bundle of rights (use, exclusion, alienation) and vested in a single, determinate owner who exercises absolute control. And thus it is that law’s lands appear to be quiet lands. They are not only lands that are securely possessed, for which title is determinate. The land itself appears inert and quiescent.2 The doing of property disappears.

But the law does not exhaust the various meanings and possibilities communicated by the term land. The Oxford English Dictionary states that the word can also be used to refer to a site of occupation and cultural use (such as the land of a nation or people), unoccupied nature (such as a heath or steppe), or a natural “resource” that can be harnessed for human ends. Similarly, property is not contained by the ownership model, despite the endless policing of its boundaries (MacPherson 1987). Property can additionally accommodate notions of common or public property (Singer 2000b). Moreover, the “right to exclude” has as its necessary concomitant the “right not to be excluded” (MacPherson 1987: 77). These ambivalences of property, what Julie Katherine Gibson-Graham (1996: ix) might term its “loose ends,” are evident in its enactments. Property is not a fact but an aspiration. To frame a prevailing property regime as an enactment is to recognize the massive, continuing mobilizations of social networks of power, aided by discourses and technologies, that sustain it. Property must be quieted, the land settled. But networks unravel. Technologies fail. Discourses misspeak. And networks can nevertheless be rerouted, technologies rewired, and discourses reframed. And the land can become loud and unsettled.

The Graffiti of the Everyday

When a parcel of land is to be rezoned or a major development is planned, the applicant is usually required to set up a notice on the site that informs the public of

2. Quiet, meaning “undisturbed, not interfered with or interrupted,” and quiescent, meaning “motionless, silent, dormant,” share a common etymological root.
the proposal. In Vancouver, the city where I live, these notices are conventionally headed with the phrase *development application*. We are told of the name of the developer (who may not be the owner of the land, whose name is often excluded) and their proposal for a named location. A map bounds the site (see fig. 1).

Joe Hermer and Alan Hunt (1996) characterize such signs as a form of “official graffiti.” Pervasive and apparently trivial, official graffiti are deeply implicated in the government of everyday life. Along with traffic signals, “no smoking” signs, advisory notices on consumer goods, and warnings for “block watch” programs, the development application sign is part of an ensemble that prohibits, cautions, directs, advises, and watches. Official graffiti translates things into “forms that can be managed and governed,” thus making possible “action at a distance” (Hermer and Hunt 1996: 475). Thus, the development application participates in the enactment of property, mobilizing and regulating spatially far-flung social objects and relations.

**Figure 1**

Development application.
I want to use the development application to explore the enactment of property in both its official and unauthorized forms. I suggest that, in part, this enactment entails the telling of stories and the drawing of maps. In thinking about both maps and stories, however, I argue that we need to attend to the place(s) in which both are produced. Thus I am going to invoke three actions that seem at issue here: narrating, mapping, and placing.

**Narrating Property**

A number of legal scholars have argued for the utility of narrative analysis to law (Ewick and Silbey 1995), recognizing that law’s stories can, through their coherence and plotting of people and processes, render dominant visions of social ordering persuasive and apparently preordained. Carol Rose (1994) has made the strongest argument for thinking of property through the prism of narrative in her exploration of the master narratives of Western theorists of property, such as John Locke and William Blackstone. But we also encounter narratives, including alternative stories, when we move from the grand old men of property to the complicated ways in which property is enacted on the ground (Seed 1995; Milner 1993).

So, to return to the development application notice, what stories about real property are we being told here? An application, put simply, is where the planner meets the developer. Although at one level the issues they are addressing appear fairly trivial, both parties can be said to be active in the narration of urban space and urban property (Krueckeberg 1995). Each actor is engaged in scripting the future and reliant on stories of the past. To characterize these accounts as stories is not to trivialize them. Rather, this designation recognizes their constitutive power in shaping different views of property and its politics. Unpacking every dimension of these scriptings of urban property remains beyond the scope of this project. However, I do want to identify a particularly important concept that is implied in both the development application and the stories told by planners and developers: the idea of *highest and best use*.

The concept of highest and best use, defined by Thomas Jaconetty (1994: 36) as the “reasonable and probable use that supports the highest present value,” is frequently invoked in discussions around urban development and redevelopment. It appears to have originated in jurisprudence relating to the condemnation or appropriation of private property by the state, in which the courts held that equity to the owner was the price set by the highest and best use (Derbes 1981). While the highest present value may be the present use, in general the expectation is
that the maximum value will be facilitated by new development. Highest and best use is the ultimate end of a parcel of land left to the dictates of the market. Urban land, the concept implies, will and should constantly undergo “improvement.” The highest and best use of urban land is a moral imperative and a necessary expectation. It is deemed inevitable, natural, and beneficial.\(^3\)

I want to suggest that such claims are rooted in the master narratives of liberal property. Locke’s account, for example, is storied in at least two ways. First, like any academic argument, there is a sense of progression and narrative momentum, as claims and facts are marshaled sequentially in pursuit of a self-evident conclusion through phrases like “and thus, I think it is very easie to conceive without any difficulty . . .” (Locke 1980 [1690]: section 51). In narrating property, a conditional, exclusionary, and often contradictory treatment is rendered inevitable and natural; a powerful narrative like Locke’s can “make the contingent seem determined and the artificial seem natural” (Cronon 1992: 1350). Second, the momentum of this intellectual tale is undergirded by a teleological story of property’s beginning, middle, and end. In part, this is a story about the privatization of the divine Commons, in which an alchemical mixing of human labor with the soil creates private property (Locke 1980 [1690]: section 32).

But enclosure is not simply inevitable, given the unfolding telos of property. As a realization of divine will, it is also normatively good. Locke is at once equally descriptive and prescriptive. As Richard Ashcraft (1987: 135, 136) reminds us, “Lockean natural rights are always the active fulfillment of duties owed to God” as Locke is “concerned to defend certain kinds of property as being more beneficial to mankind than others.” While God gave the earth to man in common, “it cannot be supposed that he meant it should always remain common and uncultivated” (Locke 1980 [1690]: section 34). Rather, he gave land “to the use of the industrious and rational” (section 32). Conversely, land that is not enclosed and productively used is termed waste.

A development application thus marks a chapter in this story. Implicit in this scripting is the claim that a space that was once nature, and hence waste, has become land—that is, improved and subdued—through purposeful human labor. Moreover, past uses of this land are ultimately deemed irrelevant; instead it is the proposed development—which marks the transition to highest and best use—

\(^3\) The concept, in slightly different forms, insinuates itself into many academic analyses of urban land. For example, neoclassical economic studies of the land market hold that land has value based on an expectation of future rents, the expectation being that any parcel of land will “adopt the system making the highest use of its soil” (Johann Heinrich von Thünen, quoted in Clark 1987: 30).
that is central to the story. This is a story in which the past is imagined only as a precursor to the future, and urban space is located within the grand narratives of progress, growth, and “improvement.”

**Mapping the Stories of Property**

But when we return to the development application, it is clear that we are not just being told a story. The application also presents us with a map. Given the seemingly simple relationship between maps and property, the presence of a map might initially seem unsurprising and uninteresting. Maps are generally treated as the handmaiden of property, an objective and accurate technology that is useful to the extent that it objectively and accurately “fixes” property’s spatial contours. The map itself, even more than property, is imagined as neutral. At its most naive, the map is a model of the real world (Pickles 1995).

However, others insist that in spite of any claims to objectivity, “maps do not provide a direct view on reality” but “are actively involved in the social construction of that reality” (Pinder 1996: 408; see also Turnbull 1989). In this construction, maps can serve particular interests and replicate dominant relations of power, enframing the world before a disembodied viewer to whom it appears logically prior. In so doing, space is desocialized and depoliticized (Mitchell 1991). The cadastral grid, replicated on the development application, encourages a particular view of space as abstract, detached, and “neutralized” (Sennett 1990). This is not a function of the map in the abstract, of course; rather, it reflects the ways in which Western society privileges a particular “way of seeing” (Jay 1992), in combination with the centrality of an abstract spatiality (Lefebvre 1991). The mode of visual perception promoted by the map is central to the articulation of property claims since, as Carol Rose (1994: 269) has argued, such claims give priority to visibility and visual presentation.

What, then, are the consequences of mapping property? First, let us return to narrative. While maps and stories appear far removed from one another, others have argued persuasively that we consider the map as a sort of story, or, at least, a projection of the future (Orlove 1993; Wood 1987). Similarly, a property map, when viewed in the context of the highest and best use narratives of land development, can offer powerful spatializations of the future. Cadastral spaces are empty spaces that exist only with reference to property relations (see fig. 2).

---

4. Improvement has an important association with the concept of “creative destruction” as it is made manifest in the urban landscape (Harvey 1989).
Given narratives of highest and best use, such emptiness signals future potentiality. David Hamer (1990: 178) explores the boosterist mindset of turn-of-the-century frontier towns, noting that people had to be persuaded to see the future; “most important of all in forming perceptions were the plans—usually vast grids—that were usually given to new towns. In many ways these plans manipulated perceptions because, being future oriented and making little sense in the present, they forced people to ‘see’ and indeed to live in the future.” In so doing, however, existing uses that detract from those imaginings must be effaced (Dunn and Lessionson 1993).

But there’s a second consequence. While Crawford Brough MacPherson (1987: 2) reminds us that “property is not things, but rights, rights in or to things,” property is reified, all the time. It gets evidenced in the oft heard phrase: “it’s my land and I can do what I want with it” (Jacobs 1998: 248). Reifying property has important political consequences. It structures our ethical responses to property relations in capitalist society and shapes the ways land is used and not used (Cohen 1927). One of the ways in which reification is naturalized, I would argue,
is through the visual conventions of the map. The effect of these conventions is to encourage the view that property resides in the space that is objectively mapped, rather than the relations with others that imbue that space with meaning. The apparent objectivity of cartographic space renders property self-evident and neutral. Its ostensible emptiness promotes an understanding of the land only as a bounded “property” absent the power relations and cartographic practices that produce and maintain it. Past uses, topography, previous entitlements: all are erased. The doing of property disappears.

Remapping, Retelling

Residents and activists in poor urban neighborhoods are particularly sensitive to forms of official graffiti like development application notices. The posting of these notices, along with the arrival of a surveyor, are usually the first signs of development activity. Vancouver’s Downtown Eastside is one such site—a poor neighborhood with a significant amount of rental housing and a long history of controversy around land, redevelopment, and property entitlements.

In the winter of 1993 I was walking through the Downtown Eastside, carrying my camera in order to take photographs for an upcoming lecture. On Cordova Street, I came upon a development notice. At first glance, it looked conventional. However, closer inspection revealed that someone had carefully superimposed text and graphics over the official sign (see fig. 3). The customary listing of the proposed development’s attributes had been replaced by a cryptic arrangement of text. The ordered spaces of the cadastral grid had been interrupted by sinuous lines that wandered across the confident boundaries of the development application. Lists of names and dates also overlay the development map, recording the history of this space. In my mind’s eye, I see the artist working in the city archive, researching the history of the site and then, early one morning, slipping down to Cordova Street and quietly rearranging the text and map. Perhaps a passerby questioned the artist; likely not. Unlike the confident permanence of the application, the supplication—a term the artist used to rename it and one that I shall employ in this essay—has a transience and a lightness of touch. Rather than spray paint, stenciled letters were used. Already some of the letters were peeling away. Yet, at the same time, the neat, black letters and lines of the supplication appropriated the iconography and authority of the official graffiti.

The supplication quickly disappeared. Several years later, however, its “metaphorical wit” (Hayden 1997: 93) continues to engage, baffle, and provoke me. Its potential meanings are many. As I suggest below, the supplication medi-
ates between political possibilities, rather than foreclosing on them or constructing binary choices. Its blend of narrative, graphics, and text, as well as its reliance on and inversion of “official graffiti,” gives it a semantic fluidity that creates space for a variety of possible meanings. The supplication can be aligned with so-called new genre public art. As such, it should be read not so much for its determinate meanings or as a reflection of objective social conditions. Rather, as Nick Couldry (1995: 96) has argued with regard to this type of art, the supplication should be understood as a “strand in debates about those very social conditions.” And, as Couldry himself recognizes, those debates, and the contexts within which they occur, are deeply spatialized.

One set of social conditions that the supplication invites us to debate, it seems to me, relates to land and property. The supplication reanimates and reoccupies this apparently inert space, confronting and reworking the official graffiti of the application and its stories and maps of property. The effect, in part, is what David Pinder (1996) terms a subversive cartography; that is, one that both subverts existing cartographic conventions and yet seeks to create maps outside these
framings. Most immediately, the supplication breaks down the presumed distinction between maps and stories. Indeed, it consciously mingles the two, placing stories on maps and maps on stories. The effect is one of inventive political action.

This creative reworking is immediately evident in the enigmatic text of the supplication, reproduced below:

- 0 - Dove down to the ocean floor to get mud for the land
- 46 - Walked the paths of the land
- 62 - Divided the land
- 63 - Built, born, fought, loved, died on the land
- One level of underground parking for 19 car spaces

Normally, this section of an application notice would include text like that retained at the end of the sequence, listing the dimensions and attributes of the development. The artist has transformed this flat spatialized rendering, with its hopeful claims of the future, into what appears to be a sequencing of the past. Whereas the development application notice is generally limited to the last entry in this sequence as a story of the future, the intervention orients its narrative toward the past. Now the numberings of the development are turned into dates, starting with zero, to trace the land back to the moment at which time began.

But who is it that dives and walks in this story of the land? I suspect that the story narrated here is that of the first occupants of the land that is now Cordova Street; the Coast Salish peoples, including the Musqueam and Squamish Nations, who have used this area adjacent to the rich marine life of what became Burrard Inlet for millennia. Indeed, the phrase “dove down to the ocean floor to get mud for the land” that signals an originary moment is echoed in at least one Squamish story of divine creation (Hill-Tout 1978: 20).

What follows this act of creation is an extended period in which humans, if they are present at all, touch only lightly on the land and do not permanently settle there (“walked the paths of the land”). Presumably, this is intended to intimate the nomadic rhythms of native life, governed by the seasonal use of settlements in accordance with the shifting availability of resources. But while

5. Akin to the Situationist credo of detournement in which “objects, images, or words were ripped out of their original contexts and then juxtaposed—carefully and deliberately, not randomly—to create new meanings and effects” (Pinder 1996: 419).

6. A striking comparison can be made between this intermingling and Wanda Hurren’s (1998) “map-poems” that, according to Catherine Nash (1999: 274) “re-emboby the abstract spaces of the map” without annulling the latter.
walking plays an important role in aboriginal realities, it also figures in Western renderings of native life. Despite the complex and layered relations of tenure that characterized Coast Salish culture (Barnett 1955), a propensity to move has been read as an inability to own. Fixity and stasis are required in law’s lands (Huggan 1991).

But as the supplication reminds us, walking gives way to something else. Suddenly, and recently, the land was “divided,” as Royal Engineers begin surveying and platting a land into parcels of private property. As Cole Harris (1992) has shown, the combination of cartography, private property, and colonial violence underpinned the rapid displacement and dispossession of native peoples so close to the rapidly expanding settlement that would become Vancouver. For better or worse, land is now used much more intensively. Rather than a space in which people lightly walk, it becomes a land for building, birthing, fighting, loving, and dying. While that fighting and dying includes native people, it also, as we shall see, involves other dispossessed peoples.

What is served by this story? As argued below, it is not simply an exercise in wistful nostalgia. One immediate effect is to complicate and politicize the story of highest and best use, revealing the Western mythologies from which it draws. For both Locke and Blackstone, native forms of land use are akin to a state of nature—characterized by mobility and communal ownership—that inevitably gives way to higher and better uses. Native lands (with some exceptions) are deemed unimproved and can thus be justly expropriated by those who were capable of reclaiming the “waste.”

The essential relation operative in this story is that between God, white men, and land. Native peoples are erased. But the supplication reinscribes a native presence. While the Musqueam and Squamish may not have “improved” the land in a form intelligible to Western property narratives, they are nevertheless still present. The native chronology does not stop with the dividing of the land, regardless of powerful mythologies of their inevitable and natural “disappearance” (Francis 1992). The meandering lines superimposed over the map, while legible as ecological features, also speak of a continuing native habitation as additions that perhaps signal tracks and trails. These lines mark the ways in which people, including native people, traverse the cadastral grid.

Reinserting a contemporary native presence constitutes an important intervention in the dominant construction of land and property. Evelyn Peters (1996) points to the prevailing assumption that urban and aboriginal are mutually incompatible terms, thus rendering urban natives “out of place” in Canadian cities. Yet the Downtown Eastside is in fact a place where thousands of native people from
across Canada reside and a space in which native claims to the land are still active. Until very recently, the provincial government of British Columbia refused to recognize aboriginal land title in spite of the fact that most native groups have never signed treaties extinguishing their rights to land and self-government. Consequently, nearly all land in British Columbia is contested and bound up with over a century of native activism (Blomley 1996). The land has been divided, but native people still “walk” it, in other words.7

The stories and maps of highest and best use, by virtue of their future orientation, annul past uses. As the supplication insists, those occupants included the anonymous native peoples who used and continue to use this space. But the supplication also lists chronological names of the occupants of the several houses on the site (see fig. 4).

For example, for one of the houses, the artist lists the following:

- 1986–88 Lin Bo Xian
- 1985 Hsu Ti Hong
- 1980–82 Lee Yeung
- 1978–79 Kin Kui Kwong
- 1976–77 Sien Richard
- 1974–75 Mah Mai
- 1956–66 Wong shack
- 1947–55 Longworth J
- 1946 Wong J
- 1942–45 Orientals
- 1936–41 Shinkosha Theatre
- 1935 Japan Info Bureau
- 1935–41 Tsuyuki K
- 1923–34 Orientals
- 1914–18 Chinese
- 1911–13 Fakahira R
- 1910 Senior John
- 1909 Percy Thomas V

7. The reinscription of an urban native presence is also evident in Jane Jacobs’s (1997) discussion of the “Another View Walking Trail” in Melbourne, which partially confronts issues of aboriginal dispossession and legal violence while also reinscribing indigenous patterns of mobility in the contemporary urban landscape. Similarly, the native artist Hachivi Edgar Heap of Birds has placed installations in parks and on state buildings in New York and Vancouver in an effort to inform “the city’s current residents that they are guests of people whose land they occupy” (Lacy 1995: 234). Walking, more generally, is a central figure in many recent artistic counter-maps—for example, the work of Richard Long and Hamish Fulton (Curnow 1999).
This retrospective story reworks and quietly critiques the dominant maps and narratives of property. First, in looking backwards, it once again reminds us that the story of property is not simply the story of the present, projected into the future. By reinscribing those who “built, born, fought, loved, died on the land,” effaced by the bulldozing narrative of improvement, the supplication alerts us to the dense vernacular histories embedded in everyday urban landscapes (Hayden 1997). The names memorialized by the artist were derived from street directories and record both owners and renters. Closer examination of these directories reveals richer details. Thus, Kenji Tsujuki, with his wife Tama, lived in Number 336. He was the proprietor of the Shinkosha Theatre, which specialized in “educational moving pictures.” In Number 328 lived Okano Tochico, a fisherman, and so on. Here the master narratives of property are rendered contingent. Rather than simply a space of potentiality, awaiting “improvement,” we are confronted with layerings of past use and occupation. Again, this is not an exercise in nostalgia. The location of this site—an area and a population collectively threatened by the erasures of development—make such layerings politically important.
In addition to the animation of the map’s inert, abstract space with overlapping personal histories, the supplication also includes a layering of names. In so doing, it reminds viewers that the narratives of property—whether they concern the past or the future—implicate individual persons. Property relations are not simply between an owner and a particular space, but also between people. In capitalist society, those relations are generally skewed in favor of those who own. Thus it is a critical gesture to reframe property in relation to people. Most immediately, it politicizes property. Put another way, the supplication publicizes that which is usually regarded as private, reframing a question of *dominium* as one of *imperium* (Cohen 1927).8

At the same time, there is another dimension to the naming that is also unsettling. Nearly all the occupants listed by the artist seem to be men. This is not surprising, given the tendency of street directories to list only the male head of household. Where women are named, they are widows who are always assigned a status relative to men as “Mrs.” and thus recorded as merely provisional occupants. The “Mrs.” also appears to preclude mention of women’s first names. Given patriarchal coding of marriage and status, this omission is likewise not surprising. Nevertheless, the absence does raise some important questions concerning the gendered enactment of property in stories and maps.

That women and men stand in an uneven relation to property is clear (Agarwal 1994). Not only are women denied access to ownership, they also become objects of ownership themselves (Pateman 1988). This patriarchal relation is also evidenced in property discourse more generally. And the “land,” referred to in the supplication, is also very much at issue. Most immediately, the master narrative of property is deeply gendered, reliant upon certain tropes of Woman, especially in relation to nature (Merchant 1996). As commentators such as Gillian Rose (1993) and Anne Bottomley (1996) argue, such masculinist accounts rely upon certain spatializations. Bottomley (1996: 123), for example, describes the attempts of land law to disembed itself from the lived spaces of the land as a means of enshrining a masculine legal mastery reliant on a positioning of Woman as “the unrepresentable, that-which-does-not-fit.”

For these reasons, Rose and Bottomley seek to create ways of seeing, which “while working within a phallocentric economy of meaning, nonetheless refuse to sanction its codes” (Rose 1993: 110). Bottomley (1996: 124) seeks to recuperate women’s own experiences of law through creative “acts of mapping” that can

8. Compare with Rosalyn Deutsche’s (1996) discussion of the work of Hans Haacke in New York, which also seeks to publicize the private oppressions of property.
give “body to law, land to land law, landscape to text.” Similarly, by problematizing dominant spatializations and by highlighting the gendered absences in the historical record of ownership, the supplication also quietly remaps women in their relationship to the spaces and stories of property.

**Placing**

Places, like maps, might seem to be fairly uncomplicated or neutral things, given the deep-seated tendency to view place, rather like space, as a static container into which social histories can be located. Recent scholarship, however, insists that place is far from unambiguous and apolitical (Massey 1994). Rather than a passive stage upon which the histories of social life unfold, place is actively constructed through a constellation of material and discursive practices. As Allan Pred (1984) insists, places are in a constant process of becoming—a place is not inert, but produced.

But the construction of place is a deeply political process. For example, if culture becomes sutured to places that are treated, as they often are, as static and enclosed (and thus unconstructed) the effect can be to enshrine deeply conservative and occasionally naturalized views of social life (Harvey 1989). However, place can also be produced in oppositional ways (Hayden 1997; Harvey 1996). In that sense, the stories that are constructed around places are vital. These narratives are shaped by the unique meanings, resonances, and inflections of the place in which they are situated. In turn, those places are constructed in part by the stories and counter-stories that are told in them and of them.

But places are also mapped, and that mapping is also consequential, as we have seen. If places are not organic, presocial realities, they must be socially bounded and named. Mapping necessarily presupposes the identification of a difference that marks this place as distinct. Like any act of categorization, however, mapping is not disinterested. For example, processes of racialization and other forms of stereotyping, in which there is “a place for everything, and everything in its place,” locate and fix the identities of marginal others in the marginal sites to which they are assigned (Cresswell 1996). Consequently, remappings of place are a means by which such oppressive spatialities of identity can be confronted (Rose 1997).

Hence the notion of *placing*, defined here both as an attention to the dynamics through which places become and as a conscious narrating and mapping of place. How, then, can we place Cordova Street and the development application/supplication? The application itself appears to have nothing to say about place;
indeed, it appears to efface it. The referencing (“no. 215878, 336 E. Cordova St.”) is spatial, rather than placial. It directs us to a cadastral and institutional gridding that pulverizes space, assigning each parcel and proposal to an abstract surface in which spaces and actions have meanings only according to apparently fixed and enclosed governmental categories such as planning. The map itself detaches the space, viewing it in abstraction. The same gridding can easily be relocated to another space, without any loss of meaning. In that sense, the development application is an “immutable mobile,” to borrow from Bruno Latour (1986), that makes possible action at a distance.

If the application obliterates place, then the supplication reinscribes it. The artist’s choice of this place was surely a conscious one. Property is not only remapped and renarrated, it is also “re-placed.” In so doing, the maps and stories circulating in dominant accounts of property and embedded within the application are also consciously located in this place. As we shall see, this is important. The boundaries and identity of “this place,” however, are far from self-evident. Several places can be invoked, the choice of which enacts property in particular ways, rendering other stories and maps invisible.

**Placing Cordova Street**

Let us begin with Cordova Street. What is its story? It used to be Oppenheimer Street, named for the developer who bought three hundred acres in the area in 1884, cleared the land, and sold off lots. Although these lots were close to the original nucleus for what would become Vancouver, the arrival of the transcontinental railway shifted the locus of development westward. Thus very early on the area was clearly slated as an industrial, working-class neighborhood. The buildings demolished by the bulldozer were the small houses, shacks, and lodging rooms for the fishermen, mill workers, and longshoremen employed in the area. These homes were reportedly built for railway workers, many of them Chinese.

The story of speculative growth, much of it centered on residential development, is very much the story of Vancouver. As a place, Vancouver has long defined itself in terms of the logic and metric of real estate and real property (Mitchell 1996). But those narratives and mappings have been crosscut and complicated. Ownership also entails dispossession; growth has gone hand in hand

---

9. As James Clark has argued, “public art is artwork that depends on its context” (quoted in Hayden 1997: 68).

10. Compare with Jenkins 1996; Curnoe and Davey 1995; or the “deep map” of Heat-Moon (1991), all of which consciously ground their accounts in the layered histories of a particular place.
with decline. As the supplication emphasizes, this has included aboriginal peoples. However, the supplication reveals other dispossessions, as recorded by the shifting names associated with other houses. Until 1941, Japanese names predominate (Nagawa, Fakahara, Imai, Kojina, or just “Japanese”). In 1943, different names emerge. K. Imai gives way to B. E. Brewer; Imae Tarakita is replaced by Henry Unruh.

Cordova Street is one block away from Powell Street, the nucleus of a Japanese Canadian settlement that grew up in the 1890s, and a few blocks away from Vancouver’s long established Chinatown. Both of these sites speak to the generalized racism operative within Vancouver society that curtailed, both informally and formally, the spaces within which racialized groups could reside in the city. At the same time, the way such communities were obliged to live (often at high densities and in substandard housing) was itself seen as further proof of the undeniable alienness of “Orientals” when juxtaposed with the white population’s use of propertied space. Such urban racisms not only implicate property but also its stories and mappings. Western notions of property are deeply invested in a colonial geography—a white mythology—in which the racialized figure of the “savage” plays a central role (Fitzpatrick 1992). That the Japanese could be regarded as “aliens” while Scots and English were placed as “natives” surely depends on complicated stories of colonial destiny. This was British Columbia, empty, unsettled, and unimproved, awaiting the arrival of white British men who would improve it and make it theirs.

Such mappings were also at work locally. Kay Anderson (1987) alerts us to the “imaginative geographies” constructed on the part of the dominant white society in early Vancouver. “Oriental” residential concentrations, such as “Japantown” as it was known, served to reify racial categories and naturalize the “superiority” of dominant groups. These places were ascribed an ontological stability and facticity from which one could read off racial characteristics. Her treatment of “Chinatowns” would seem to apply equally to Japantown: “‘Chinatown,’ like ‘Chinese,’ has been a historically specific idea, a cultural concept rooted in the symbolic system of those with the power to define. From this vantage point, Chinatown says as much about the frames of mind of the West as it does about the ethnic attributes of the East” (Anderson 1987: 31).

11. The supplication lists several residents who are categorized simply as undifferentiated “ethnics,” such as “Orientals,” “Chinese,” “Greeks,” and—most generically of all—“Foreigners.” A street directory for 1923 defines almost the entire 300 block of Cordova as “Orientals.”

12. This comparison is especially apt if we recall the racist reduction of people of both Japanese and Chinese ancestry into the category “Oriental.”
The power to define a place can often mean the power to decide its destiny. Precisely because of the ascription of otherness to Japantown and its occupants, it was possible to imagine the erasure of this place from the map. And thus, following the declaration of war between Canada and Japan in 1941, people of Japanese descent were formally identified as “enemy aliens” and the residents of Powell and Cordova streets were “evacuated” to internment camps in the interior of the province. In 1943, the Custodian of Enemy Properties began selling confiscated properties in the area at low prices. The lists of former residents recorded on the supplication alerts viewers to this practice by recording, for example, that what was T. Okano’s home beginning in 1934 became the residence of W. J. Campbell in 1942.

While this story was repressed for many years, it has been reinstated with the struggle for redress, most notably with Joy Kogawa’s searing novel *Obasan* (1994). And in retelling this story, the place that was lost is symbolically reclaimed:

Powell Street has taken on a somewhat mythical significance, idealized as a symbol of collective loss. Its violation was the violation of the presence not only of those who actually lived there, but of all those Japanese Canadians for whom the past is a displacement of freedom. We therefore attach ourselves to its memory as though only through the assertion of a sense of place can memories become redemption. (Kobayashi 1992: 24)

Oppenheimer Park, a few houses away from 336 Cordova Street, is now the site of the annual Japanese-Canadian Powell Street Festival, an event that provides a celebratory focus for that sense of place in “a landscape of memory and hope” (Kobayashi 1992: 24).

**Placing Skid Row/Downtown Eastside**

But there are other “places full of time,” to borrow a phrase from Richard Sennett (1990), that we need to attend to here. If we step back a few more blocks, we would locate Cordova Street in Vancouver’s so-called skid row, its symbolic heart just two blocks away at Main and Hastings. Long a place for Vancouver’s

---

13. The men were “evacuated” first. The only Japanese Canadians listed in the 300 block in 1942 are women.

14. Other new genre public art is similarly concerned with urban dispossession, racialization, and social memory, such as, for example, the “projections” of Jewish artist Shimon Attie (Young 2000: 70) or the work of Rachel Whiteread (Couldry 1995).
working class and racialized populations as well as an active if somewhat down-market commercial area, the neighborhood is now seen as synonymous with criminality, marginality, and profound otherness (Sommers 1998; Hasson and Ley 1994). Again, it is surely no accident that the supplication was placed here.

Narratives and mappings of property, when placed here, acquire another set of powerful political meanings. The standard story about property in skid row is a declensionist one that serves as a rebuke to the progressive parable of highest and best use. In the beginning, we are told, the area was the birthplace of Vancouver, given that white settlement and the development of the land market took off in nearby Gastown, a few blocks west. But for reasons that are not rendered explicit in the story, the area was increasingly “taken over” by a decay that is construed as simultaneously moral and physical. As the land market flattens and properties undergo devalorization, so the colorful pioneers of Gastown give way to the dependent and disabled fishermen and loggers of Hastings Street. Owners give way to renters. Growth becomes decline, which deepens as we move to the present. Boarded up properties, apparently abandoned, are seen as symbolic of a “lost” neighborhood, “taken” from Vancouver society by the nameless, alien, and scarred bodies of the urban underclass.

This important story is put to work at both an ideological and a practical level. In the past it has been justification for attempted programs of urban “renewal” and slum “clearance” in which ambitious reworkings of space were imagined as solutions to social failures. More recently, the rather tentative arrival of new urban pioneers—inner-city loft owners and property developers—in the area has been applauded for the same reason (Blomley 1997).

Yet the stories of property are told in a different way in skid row. Elsewhere (Blomley 1998) I have tried to trace a localized mapping of property—one that speaks both to the past and the future—in the form of a narrative that is told and retold by local activists within the area. The figure of the compromised man of skid row is here reimagined as the industrious resource worker, who, having helped to build the province through the sweat of his brow, is now living out the balance of his life, rich in stories and memory if not wealth, in the hotels of the area. But such men, and their fragile propertied entitlements, are increasingly threatened by an impersonal, profit-driven property machine. Unscrupulous “outsiders” threaten (and deliver) dispossession and displacement. The logic of highest and best use now becomes the means by which the rightful occupants are to be “cleansed” from the neighborhood. Reinscribing histories of past occupation, as the supplication does, throws the tension between these two stories into sharp relief.
Skid row is also mapped as a place in important respects (Blomley and Sommers 1999). Like Japantown, skid row has long been a construction of outsiders, a marking off of a space of otherness against which to shore up a dominant identity. As Jeff Sommers (1998) shows, civic authorities and opinion-makers have imagined this space in many ways, peopling it with a shifting parade of figures who are defined only by their outcast status and the degree to which they lack self-control or property. Thus, the “damaged men” and “Orientals” of an earlier era have given way to their more recent incarnations, namely the addict and the welfare recipient. In a conscious attempt to contest this rendition, social activists in the 1970s began mapping out a stable “neighborhood” to which residents could claim some collective attachment and entitlement. Although its community consisted largely of renters, skid row was remapped and renarrated as the “Downtown Eastside,” a community rich with history and memory.

The Downtown Eastside remains a place characterized by contested narratives and intense struggles over property. In turn, the place itself is constituted through such struggles and the interplay of local and extralocal social relations, particularly in the context of the recent globalization of the property market. Property has been enacted in many ways, both materially and through representations. Stories and maps—whether official or oppositional—are very much at issue in these conflicts. The supplication on Cordova Street, for example, is one example of creative forms of public political dissent concerning the dominant uses and meanings of property as both real property and real estate. Zoning boards are often the site for opposition, signaling not only the intent to gentrify but the power to do so. The Cordova Street supplication personalizes and historicizes the space, thereby critically disrupting the dominant telos of property and its geographies.

A supplication, legally speaking, is a petition to or for a person or thing. It is an act whereby the weak request something of the powerful. But, as a petition, a supplication is also a common law remedy for recovery of property that has been unjustly seized. When we read the supplication, then, perhaps we are being reminded of unjust seizures in the past, whether those of Japanese Canadians or Musqueam. Perhaps the supplication also invokes the looming threat of dispossession that hangs over the entire Downtown Eastside. The ostensible quiet of contemporary possession is predicated on dispossessions of both the past and the future.15

15. But the supplication also insists on a nonessentialized conception of place by reinscribing the place of women and racialized populations who are often neglected in local resistance to displacement (Sommers 1998; Blomley 1997).
Coda

What did the development application propose? The land on which real people “built, born, fought, loved, died” was not to be “improved”; it has yet to attain its highest and best use. St. James Place, a development linked to the neighboring St. James Anglican Church, was the building that was subsequently constructed there. Low-income seniors are now housed in twenty-seven units of nonprofit housing on the site—this in an area in which such affordable alternatives are imperiled by gentrification.

In one sense, it would have been easier for my story and its implied polarities if the site had been turned into yuppie lofts rather than nonprofit housing. Yet again, the supplication is ambivalent, or perhaps multivalent in its narration and mapping of the site. It is not a straightforward protest against gentrification, as the artist would have known of the planned use of the site. In this sense, the supplication does not conform to any neat binaries between dominant and oppositional visions of land development but complicates and mediates between them.

Clearly, we can read the supplication as a critique of property, whether it is notions of highest and best use, the spatialized reifications of property, and so on. All seem close to the “possessive individualism” identified by MacPherson (1987) or Joseph Singer’s (2000a) ownership model of property. But as noted above, property is not exhausted by these models. Even private property has other possibilities.

Similarly, the supplication can be seen to simultaneously celebrate and condemn property. Land and its propertied spaces are not only the site for “fighting and dying” but also for living, loving, and giving birth. To identify the multiple disposessions on this site surely presupposes a normative claim to ownership of some form. Property is the problem as well as the solution, the threat as well as that which is threatened. Property relations can be configured as exclusionary, violent, and marginalizing. Yet they can also be the means by which individuals find meaning in the world, anchor themselves to communities, and contest extant power relations.

But these multiple possibilities are obscured by the dominant stories and maps of property that are crystallized in the development application. Conversely, the creative cadences of the supplication remind us of other stories and other spaces. The land is not simply a speculative surface but a layered and multivalent space, itself caught up in the propertied politics of particular places. The quieting and quiet of the land are revealed as conditional achievements. And in making the land loud again, the supplication politicizes contemporary settlements.
Nicholas Blomley is a professor of geography at Simon Fraser University. He is interested in the relationships between law and space, especially property, and recently coedited (with David Delaney and Richard Ford) The Legal Geographies Reader (2001). He is a property owner.

References


Cresswell, Tim. 1996. *In place/out of place: Geography, ideology, and transgression*. Minneapolis: University of Minnesota Press.


