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COMMENTARY

Displacements: objects and relationality

Emilie Cloatre[1] and Dave Cowan[2]

[1]Kent Law School, University of Kent, Canterbury, UK and [2]School of Law, Cardiff University, Cardiff, UK
Corresponding author: Dave Cowan; Email: CowanD1@Cardiff.ac.uk

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President Laura-Beth Nielsen is an archetypal Law and Society Association (LSA) President – brilliant, thoughtful, reflexive and, ironically as it was the subject of her address, relational. We have admired and drawn on her work over the years, but her Presidential Address has, we feel, taken this thoughtful oeuvre to a new level. Certainly, the focus on relationality and the significance of objects in the co-constitution of legality are focal points which we share, even though our reference points may be different. At the heart of her address, President Nielsen asks an important question about our role as socio-legal academics, a question which has become somewhat institutionalized within the UK academy.

In our remarks, rather than offer a critique, we want to argue that the debate which President Nielsen's address will undoubtedly spark across the community can be furthered by thinking through what might rather pretentiously be called three vectors – method, politics and legality. Our argument is that, if we are to take relationality seriously, we need to interrogate method and politics in our constructions of legality, or, as we prefer it, legalities. And that if we are to do so, it is helpful to pay attention to the material and socio-technical connections that (sometimes discreetly) shape legalities.

What structures our thoughts is the idea of "relationality." In their reconsideration of legal consciousness scholarship, Chua and Engel (2019: 346–9) rightly referred to the relational continuum in order to highlight that some critically important questions remain to be addressed in relation to the co-constitutive side of that continuum. This insight about relationality appears to have had a revitalizing effect on scholarship; and there is an urgency to scholarship which investigates the relationship between individual and more collective perceptions (Young 2014: 499). These appear to be seen and investigated as rather separate concepts, although they clearly interact – and, in earlier work on homeless persons seeking assistance from a welfare agency, that notion of interaction was deployed to examine this relationship between individuals and the welfare bureaucracy (Cowan et al. 2003).

Relationality is inherently shaped by material possibilities. Rights and legalities unfold against a social net in which everyday actions and choices are shaped by what

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material connections enable or hinder and of the differential possibilities they create across society. We join with President Nielsen in arguing for the centrality of what might loosely be called "stuff" in processes through which legal consciousness is re/formed. In our work, we have used plenty of illustrations (from smoke alarms to plants) to illustrate how stuff plays a key part in the constitution of legality. The legal geographers and scholars of financialization have rather stolen a march[1] on the rest of us with their understandings of equivalences and how people are turned into objects or tradeable commodities (for example, Blomley 2007; Madden and Marcuse 2016; White 2023). Sociologists of the home understand how we are tied up with our possessions, and how we narrate stories about them through their display (Hurdley 2006). Indeed, as Silbey (2018: 710) has explained, the chair in the snow on the front cover of *The Common Place of Law* is rather more than an object, for it "… is an icon of legality because it illustrates how law lives and works *in* society, exposing what is 'latent in experience.'"

Stuff matters because it mediates, translates or settles social relations, as Latour and others have aptly argued. But stuff also matters because of its apparent inertia, neutrality and insignificance: materials are often discrete actors that play much more significant political roles than anticipated. As socio-legal scholars have started to recognize and engage with the role of materiality in social relations, this recognition has introduced new methodological challenges. Like in other disciplines, one of these most significant challenges might be to combine thick description with political engagement.

When thinking about examples of relevant work, oddly, chairs appear to feature extensively in legal consciousness research (Ewick and Silbey 1998; Hertogh 2018: ch 1). Here, they either become venerated by themselves being infused with legality or as an object thrown to remonstrate with a verdict and a visceral demonstration of the problematization of the salience of law. Chairs are, of course, inanimate and passive, until used in some way; they are sometimes beautiful or ugly; they don't speak for themselves; and these scholars have demonstrated how they become, to use the ugly word, actants as well as how scholars themselves come to speak for the object itself or use that object expressively.

In a sense, in our Covid-19 pandemic era, all of this should be obvious to us by now – how a tiny thing like the virus that has spread across the world has so much power in the sense of getting us all, and our governments, to act; how the material conditions of our daily existence radically shaped the experience of what lockdown regulation meant for each of us, and how we related to these newly imposed rules. And, how that action differed both personally and by government; was contested and produced new vulnerabilities while reinforcing existing inequalities. If we are going to investigate this thing that we call "relationality," we need to think carefully not just about human-to-human interactions but how those actions are mediated by the stuff that is around us, sometimes forcing us to act, sometimes the passive vessels for our hopes, fears and anxieties. Occasionally, the role of materials in social relations may come to the fore – for example, when a virus derails the possibility of human interactions; at others, that role falls into the background, creating the conditions of our everyday engagement with others, with the state and with legalities.

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Figure 1. Street furniture, Bristol, UK.

To return to the seating metaphor or icon, let us look at a relatively recent, simple example of a bench, which has appeared at the end of the street where Dave (the second author) lives in Bristol, UK (Fig. 1).

It is an innocuous object which was produced as part of the pedestrianization of an already pedestrianized (during the pandemic) street. Some local residents took upon

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themselves the opportunity to challenge the location of the bench on the plans presented by the local council. They were concerned that the bench would attract the "wrong" sort of people to the area – unruly homeless people who would use it to break their journey and, perhaps, as a spot from which to beg. They also complained about a metal bike shelter, although that seemed to be for purely aesthetic reasons. They have previously complained about the wooden structures which appeared on the road, and which can be seen in Fig. 1, that grew up as an acceptable and accepted practice in the area during the Covid pandemic lockdowns.

Although benign, such community tensions about the material shape of high-streets and local neighborhood also shape the politics of who belongs and where, and of the role of councils and their publics in making those decisions. These objects, which were innocuous at the outset, were translated into political devices. During the exceptional event (Covid), they were acceptable because they were uncontested and a pragmatic way of enabling socialization and fostering business. After the event, they became again a site of contestation, sitting at the crossroads of a different political vision for the high street.

None of these debates are new, and for years, the politics of belonging have played out through material configurations, with particular populations, such as teenagers or the homeless, excluded through careful material techniques because of their folk devil status. For example, we know from our research how homeless people are controlled not just through their presence as human actors on a street but also through their possessions. Some local rules make it an offence punishable with a fine to have devices used to beg; and, in more sinister fashion, the local waste company in Bristol informed street homeless people that they needed to remove their belongings from the street within 24 hours, failing which they would be stored for a week and then disposed (see also Blomley et al. 2020).

These are examples of what we call "displacements" – the investing of apparently benign objects with political motivation. In those cases, the displacements appear to be a way of settling the issue in a particular community. These objects are sometimes initially produced for a particular political purpose (shaped as inherently political technology, as Winner (1980) suggests); at other times, they are transformed as communities project political fears and visions onto them. Taking homeless people's possessions or receptacles for the collection of money displaces the target of governance from, to use the still prevalent language, the "vagrant" to the object. The design of the actual bench invites the kind of associations of which both the political left and right desire for public spaces, even though it was also the subject of objection by the neighbors, but, as we know, some benches are also designed to individualize the seating experience by having arm rests or some other physical split between places – a design feature which incentivizes upright seating and also prevents people from lounging or sleeping on them.

These displacements produce legality and make particular forms of regulation possible. But the forms and nature of their embedded politics, and the particular ways in which those go on to play out once entangled in new socio-economic networks is an empirical matter. Those politics are translated as objects build new relations, and those relations are also shaped by changing socio-economic or cultural contexts. The humble condom, for example, went from being regarded as neutral to something that was deviant to a life-saving thing recognized by the Irish state (Enright and Cloatre 2018).

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As this positionality evolved, so did the legalities engaged around their distribution by the networks of human actors. They were initially constructed as activists breaking the law to supply condoms to those who needed them. They were then transformed by the state as potential players or partners in new public health arrangements.

These travels of objects through (and contorted by) time are both causes and effects of changing social relations. Former objections are challenged and lose their influence in the light of new events and socio-cultural conditions (from the identification of the AIDS virus to changing perceptions of Church positions on sexuality). But objects themselves contribute to changing politics: for example, in the shift of condoms from "deviance" to public health devices; making them visible and accessible so that they became a benign material of the everyday was part of the tactics of activists that facilitated social then legal change.

Relationality scholarship inherently recognizes the fluidity of social life, but, within that fluidity, the relative permanence or otherwise of objects is harder to describe. Though objects may remain materially permanent, travelling apparently unchanged through space and time, their existence and modes of action are inflected at different moments by their legal and social relations. The objects' permanence becomes a plaything of the law – at different moments and in different places those same objects are illegal, legal, lawful and unlawful. And, the legibility of those objects is a site of power/resistance.

The fraternity signs, guns and telephones of which President Nielsen talks in her address are similarly travelling in space and time, and their purposes, identities and politics are fluid. The micro-work that these objects are doing is co-constitutive of how legality is produced in the everyday and needs to be accounted. Although materiality-oriented methods have often been considered as drowning larger political struggles, it is also possible to develop politics by starting from the objects themselves. At least methodologically, paying attention to the role of materials in embedding and translating relations of power and particular expressions of ideologies can provide a powerful entry point to thinking about the minute ways in which politics, inequalities or exclusion are perpetuated, as well as shape legalities and everyday experiences of the law.

Thinking critically about the law and its relationality is about both engaging with the specific material possibilities and interactions that configure legalities and their situatedness in a broader set of long-standing political relations of power. That is what President Nielsen has so powerfully clarified and which, for us, is the centerpiece of this Presidential Address. It also enables us to circle back to President Nielsen's entreaty to us to see our role as working with civil society to form new relationships and networks with social and legal justice. These relationships and networks are now embodied in the "bullet-proofing" of impact in the UK academy through grant-funding, audit and measurement (by things called "reach" and "significance") (see Strathern 2008). We join with President Nielsen in asking our community to transcend such instrumental narratives and remember that, as law and society scholars, we are uniquely positioned to lead in thinking about new ways of what law *can* be, in and for society.

Notes

1 An idiom for gaining an advantage over a competitor.

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