Living Between Promise and Danger: The Law, Urban Development, and the Transformation of Everyday Life in Kuala Lumpur

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Introduction

"You can't stop development projects, right?"
—Francis, Brickfields resident

In this paper I will trace the complex relationships between the state, law, and the experience of everyday life that existed in the Brickfields neighborhood in Kuala Lumpur, Malaysia, during a time of radical change occurring in the neighborhood. I wish to analyze these relationships in the context of two related state-sponsored urban development projects that were underway in Brickfields between November 2000 and October 2002. These two projects revealed a gap between the promise of law as a set of regulations and the experience of the law by local subjects. For Brickfields residents it was these development projects that constituted their direct encounters with law and brought them face to face with the arbitrariness, uncertainty, and unpredictability of the law. The rapid construction of the KL Sentral train station and the KL Monorail transportation network was conceived as a way of not only providing development to a "backward" neighborhood but also as a means of bringing about orderly forms of spatial and demographic organization perceived to be lacking in the area. These attempts to organize urban space along techno-rational lines, rooted in a particularly Malaysian mode of governmentality, sought to simultaneously produce a more modern and more properly spiritual public. The particular modes by which the state pursued this organization, however, created a situation in Brickfields that made it difficult for residents to locate their place as local subjects in relation to the state's ambitious plans.

The primary focus in this paper regards the relationship between practices through which the state lays claim to space and the forms of life deemed proper to such spaces. This approach highlights the dispersed character of these practices and seeks to analyze the relationships between the technical worlds of city planning and development, the political worlds of governance and the law, and the social worlds of residents (Foucault 1977, 1991). One effect of the dispersed, relational character of the transformation of Brickfields was that the law and the power of the state were often not experienced directly as the oppressive regulation of daily life. Rather, the issue for Brickfields residents in the face of rapid transitions in their daily lives was that of formulating a response to these changes that allowed for their recognition in the course of the transformation that was underway. In Brickfields local reactions to state development projects were generally not motivated by actions felt to be directly oppressive, but rather were in response to the local experience of living in a public space that was indeterminate and illegible. The frequent inability of Brickfields residents to bridge gaps between law and justice and between experience and authoritative discourses that claimed to provide meaning to life in the neighborhood shook their *belief* in the possibility of forming ethical, knowable ways of living. It is for this reason that I understand the primary issue regarding everyday life in Brickfields as a problem of belief rather than within the dialectic of oppression and resistance. The centrality of belief in the constitution of ethical life in the everyday is a subject I have dealt with at length elsewhere (Baxstrom 2008, forthcoming); my concern in this paper is to detail the specific ways in which a general belief in the world was undermined and, in extreme cases, shattered due to the

aggressive changes taking place in the neighborhood and the manner in which the formal operations of the law itself created the conditions for such an experience of the everyday.

In this paper I highlight several events where the support voiced by Brickfields residents for the modernization projects pursued by the state was in conflict with their direct experience of the execution of laws regarding the acquisition and use of land in urban settings. In these moments the rapid and seemingly arbitrary nature of the state's actions in annexing land, demolishing existing structures, and relocating residents clashed with local understandings of justice and due process. Local principles of life and the desired character of human relationships that simultaneously sustain and limit the state's implementation of the law were commonly experienced by residents as having been disregarded during these events. The lack of acknowledgement persistently cited by residents was not due to the illegality of the state's actions; rather, a gap between formal legality and local principles of justice arose that made the actions of the state appear indeterminate and unjust even through these actions were taken in accordance with the law.

Setting—Brickfields, Kuala Lumpur, Malaysia

Brickfields is located due south of downtown Kuala Lumpur, adjacent to Chinatown and Kampung Attap to the north, Bangsar to the west, Taman Seputeh to the east, and the Mid-Valley Megamall to the south. Consisting of roughly five square miles and with a population of 11,659, the commonly accepted boundaries of the neighborhood are as follows: The Klang River (East), Jalan Tun Sambanthan (South), Jalan Bangsar (West) and Jalan Damansara (North and West).[i] Although the borders of any urban

neighborhood are by their nature ambiguous, any reference to "Brickfields" in this work generally refers to the area within these boundaries. Historically, Brickfields has been strongly identified with Malaysian Indian communities, particularly Tamils and Ceylonese.[ii] The common sense belief that Indians overwhelmingly populated Brickfields, however, was misleading. Although the area's largest population is the Malaysian Indian community, Brickfields has never been completely dominated demographically or culturally by this ethnic group, with Indians constituting 38%, Chinese 25%, and Malays 23% of the population of the neighborhood.[iii]

While the proportional size of the Malay and Chinese communities has been shrinking since 1980, the percentage for the Indian community has remained constant. Despite these decreasing numbers, both communities were substantially represented in the neighborhood, with the numbers of Chinese residents in Brickfields nearly equal to those from the Indian community as recently as 1980. What is striking is the fact that, in real numbers, the overall population of Brickfields had decreased by nearly 25% since 1980, reflecting the large-scale relocation of unregistered residents out of the neighborhood in recent years. Although my interlocutors nearly unanimously reported that Brickfields was becoming more crowded, the area was in fact being depopulated. The one group that showed a significant increase in numbers was that of non-citizens, reflecting both the presence of outside experts and workers affiliated with the development projects being constructed at the time and the increased presence of an international community in Brickfields.

During the time I conducted fieldwork in the neighborhood Brickfields was undergoing a radical change due to the ongoing construction of the KL Sentral Train

Station complex and the KL Monorail public transportation system. These projects, undertaken as part of a coordinated plan for urban development in Kuala Lumpur, had generated a palpable sense of uncertainly in the neighborhood due to the speed and scale of change demanded by such a large project. Plans for KL Sentral were first made public in 1994, although major construction on the project was delayed for several years due to the Asian Economic Crisis during 1997 and 1998. The initial phases of the project opened in March 2001. Anchored by the station itself, designed by Dr. Kisho Kurukawa, the KL Sentral project consists of 14 separate land parcels situated immediately west of Jalan Tun Sambanthan in Brickfields. The overview of the project offered by its developers[iv] is worth quoting at length:

> KL Sentral is being developed as a futuristic self-contained city, providing the perfect live [sic], work and play environment. Office towers, condominiums, hotels, restaurants, retail malls and entertainment and leisure centres are all walking distance from each other within the 72 acres that is KL Sentral. Adding to this, the transport facilities offered are on par with the best the world over. Not only is Stesen Sentral the country's rail transport nucleus, and an extension of the KLIA [Kuala Lumpur International Airport], but road access to KL Sentral has been carefully thought out so as to offer the highest convenience to motorists entering and leaving the development.
>
> KL Sentral supports fully the vision of the KL Structure Plan 2020, namely creating a metropolis that is efficient, harmonious and spiritually inspiring. Blending cutting-edge technology with soothing surrounds [sic], KL Sentral offers a fine, and rare, balance between fast-paced urban living and the very human need for leisure, relaxation and comfort. It is a place where you can truly exercise your body, mind and soul. But KL Sentral is more than a development that seeks to improve the quality of life of Malaysians. It is also a prominent landmark in our evolving city that symbolises national pride and prestige.
>
> KL Sentral is being developed in phases, and is expected to be completed by the year 2012 (http://www.klsentral.com.my/aboutUs.html).

This carefully constructed description for public consumption is accurate in its references to KL Sentral's modernity and its place in the national imaginary of development. Unintentionally, it also clearly signals the dramatic absence of Brickfields as a place within this imaginary. Explicitly designed to exclude the neighborhood surrounding it ("a futuristic, *self-contained* city"), KL Sentral, along with the related construction of the KL Monorail system,[v] had nevertheless come to define the experience of living in Brickfields between the years 2000 and 2002. While these projects sought to ignore the neighborhood, the neighborhood could hardly ignore the transformations that the projects had brought to the area.

Theories of Law, Experience, and the Everyday

Many theorists claim that visions of social order and association depend on the interplay between concrete legal rules and local principles of human association that prevail in different domains of social life. These arguments maintain that law as a system of rules is always balanced by "counter-principles" that link local understandings to a wider legal framework. This formulation recognizes that legal principles are imbedded in custom and habit and therefore the law is simultaneously a site of restraint and possibility. This tension is the ground by which the law is recognized as legitimate in the everyday and the possibility for individuals to be recognized as legal subjects (Sarat and Kearns 1993, Sarat, Douglas and Umphrey 2003, Unger 1986). For example, Unger has argued that the legal principle of contract is accompanied by a penumbra of non-contract that allows for an "intuition" to be formed as to which kinds of contracts are legitimate in the first place (Unger 1986; see also Durkheim 1984 [1893]). Similarly Das has argued

that markets in human organs are often considered illegitimate even if the receipt of donor organs takes place between consenting parties to the exchange. Although the rules regarding transplants assumes both partners enter the contract on roughly equal terms, informal sentiment regarding such exchanges is that this abstract equality is impossible to achieve and thus constitutes an exploitative exchange (Das 2000).

The existence of multiple, mutually constitutive domains of the law that interact and reshape one another has generally been referred to as "legal pluralism" by anthropologists who examine legal phenomena. Broadening the tight local focus of early anthropological studies of law by Malinowski (1985 [1926]), Gluckman (1955) and Bohannan (1957), studies of legal pluralism consider the interconnectedness between formal domains of law and other social orders and attempt to expand the scope of analysis to consider how local spaces may be vulnerable to influences located far outside their immediate worlds. Expanding on Geertz's suggestion that law is a structure of meaning linked to symbols as well as concrete practices (Geertz 1983), works of this type have been particularly successful at understanding the complexity of legal systems both in the West (Arthurs 1985, Benda-Beckmann and Strijbosch 1986, Greenhouse 1986, Merry 1990) and in postcolonial nations (Bowen 2004, Comaroff and Roberts 1981, Engel 1978, Nader 1990, Rosen 1989, Witty 1980). The concept of legal pluralism, with a particular emphasis on dispute processing,[vi] also generated attempts to formulate a comparative theory of law that would allow for comparisons between "Western" and "non-Western" legal systems (Pospisil 1971, 1985; Snyder 1981). Although much of this work has been more recently criticized for being overly reliant on rational choice-making models of behavior, the study of disputes as a mode of understanding and comparing

legal processes across communities and regions continues to exert an influence on the ethnographic study of law (Merry 1992; Moore 1978, 1986, 2001; Starr and Collier 1989).

Brickfields residents voiced a number of principles regarding the proper development of urban space, particularly the principle that the state and property developers working on the state's behalf should be subject to clear legal formulas regarding the alienation of land. The majority of people who I interviewed supported the notion that the government must have the ability to acquire land and reshape the built environment of the neighborhood in order to "modernize" the area. For these same residents, however, their relative exclusion from legal processes regarding which specific sites were to be annexed, timetables, compensation, and community review was understood as unjust and arbitrary.

A second principle that was evident in the narratives of Brickfields residents was the assertion that long-standing residents were entitled to some form of recognition based on their history in the area. This principle was voiced in reference to both long-time residents who had some legal standing to occupy their space (such as renters) and to those who had for many years illegally occupied sections of government land. According to the Malaysian Torrens system of land regulation (discussed in detail later in this chapter) the only parties who have legal standing in matters related to land ownership and development are the state and the titled owner of the land; however, local articulations of justice and association demanded a consideration of personal histories and ties of association developed between neighbors over time as well.

The actual force of these principles in Brickfields was mixed between 2000 and 2002. In certain instances the state and its proxies acted in a manner that partially recognized the expectations of local residents, particularly in terms of providing low-cost housing for residents who illegally occupied parts of the neighborhood. Although not legally obligated to do so, the state worked with local residents and property developers to ensure that displaced residents had new homes to occupy when they were evicted from their homes in Brickfields. Seeking to avoid both the political fallout of ousting the neighborhood's poorest residents[vii] and the problem of potentially creating thousands of homeless city residents, the Dewan Bandaraya Kuala Lumpur (City Hall) negotiated settlements with illegal residents that allowed them to move to apartments located throughout the metropolitan area. While the prospect of remaining in Brickfields was generally disallowed, most displaced residents were offered some form of compensation provided jointly by the state and involved property development corporations.

Despite these specific examples, the overall recognition of local principles of justice and association by the state and its proxies was weak during the transformation that occurred in Brickfields. In particular, the expectation that institutions responsible for urban development and governance should pursue their projects according to clearly defined legal standards that recognized the stake of the community at large was almost entirely absent from the actual process. This was *not* a problem of the state acting illegally; rather, the narrow legal definition of who had a recognizable stake in issues regarding property created a situation where the state, property owners, and developers could proceed legally and yet be perceived as acting arbitrarily in relation to the local community. Echoing Young's (1990) assertion that rights and concepts of justice consist

of institutionally defined rules constituting possible social relations and action within a given field,[viii] Brickfields residents often sought to assert a claim to the space of the neighborhood through attempts to gain recognition from the state by a wider applicability of these rules. The issue was not that of always evading the state through local practice but rather was how to gain recognition under the law for local actors excluded within the formal process. Lacking a clear set of rule-based relationships relative to land, often Brickfields residents found it very difficult to articulate notions of rights or justice related to place.

The sense that the state would fail to recognize local understandings of justice and due process was widespread in Brickfields during this time. The uncertain gap between what was *legal* and what was *just* for local residents was evident in the specific times when the property developers and their construction crews would enter the neighborhood and begin their work. The sudden appearance of workers and the rapid disappearance of residential and commercial buildings were experienced as an unexpected event despite the fact that local residents could, to a limited degree, anticipate these disappearances. Thus, both the narratives of anticipation articulated by many in Brickfields and the direct experience of the law in these events were linked to an experience of *time* that was simultaneously structured and disrupted by the legal actions of the state in the course of pursuing development projects in the neighborhood.[ix] Sticking to the letter of the law without recognizing local principles of justice in pursuing these changes created a situation in Brickfields where "everything seemed to be happening at once," a palpable sense that the temporal promises of the law (such as the provision of a structured process by which the actions of the state are planned and reviewed) and the rhythm of everyday

life were unacknowledged in the course of the transformations that were underway. Lacking a clearly sequential process rooted in the law, the physical transformation of Brickfields was often experienced as *disappearance* rather than as *change* by local residents.

Disappearance in modern urban life is often explained as a consequence of speed (Abbas 1997, Harvey 1989, Virilio 1991). This is correct, but speed must be understood as an intensely local phenomenon. The development projects that were producing local events marked by disappearance in Brickfields had been making their way through legal and bureaucratic channels for years. At the level of policy, speed was not the issue. It was only once the pursuit of these ventures reached a local environment that had little access to the history of the project did the world seem to speed up. It was in these moments that the link between the experience of "buildings that move" and the unstoppable force of "development" became apparent. For Brickfields residents the unstable, sped-up environment was the concrete product of a mode of development that refused to recognize them as proper subjects with a stake in the process. The fact that entire buildings seemed to "suddenly" disappear was understood as difficult to concretely anticipate, unstoppable, and unjust. Thus, in Brickfields while one desired the "modernity" that state sponsored development projects offered to them, often the experience of that modernity was marked by indeterminacy and the concrete sense that one was fast becoming lost in one's own neighborhood.

Deborah Poole has characterized this indeterminacy as being caught between the "threat and guarantee" of the law. Referring to the unpredictable character of juridical paperwork in Peru, Poole notes that the materiality of the Peruvian state for everyday

people is not necessary located in territorial boundaries but rather in a "highly mobile, tangible, and embodied space through which the power of the state is felt as the slippage between threat and guarantee." A similar situation existed in Brickfields during the time I conducted field research there. To better understand the materiality of the state at local levels, Poole asserts that issues of "time and mobility [are] in some senses even more central than space to the twin problems of margins and the exceptions that inhabit (and constitute) those margins" (Poole 2004, 37-38). This is a critical insight in understanding precisely how the state emerges materially for Brickfields residents in the form of exceptional events and their anticipation on the part of local residents. Those who lived and worked in Brickfields often articulated a narrative of anticipation that marked the promise of the law in relation to an ordered regularity of daily life that, far from being resisted, was often sought out in the face of the *aporetic* moments produced through the pursuit of development projects intended to properly order everyday urban life.

Indeterminacy in the space between the law and local understandings of proper human association has not always produced the effects that are the subject of this paper. Until recently this indeterminacy was not always understood as a threat in Brickfields but rather was often viewed as an *opportunity*. The gap between law and legal process at the local level was the space that made the formation of nominally illegal urban *kampung* communities possible. Both colonial and postcolonial authorities openly tolerated local understandings that the use of open government land by the city's poorest residents was both just and necessary for decades. During this time principles of justice articulated by neighborhood residents were partially recognized by the state, making the space between legal formulas and local principles of justice a site of ambiguous agency and possibility

for many and a source of stability in relation to change in the community (Goh Ban Lee 1991, Nagata 2001). One aim of this paper is to mark how this relationship shifted in the years 2000-2002.

In more recent times the space between promise and danger in Brickfields has become the zone where the law materially emerges for residents through the state's power to act legally and yet be experienced as acting unjustly at the same time. The state's avoidance (intentional or not) of local principles of justice and understandings of the law meant that this zone was experienced as a juridically empty space of disappearance. The specific events where these disappearances took place reversed the typical formulation of state power as restraint, regulation, or limit. In particular, these moments were perceived as a momentary disappearance of local orders by many who were caught in the interstice between regulatory guarantees that acknowledged residents as legal subjects and the threat of exception that these events represented in local narratives. Such events pointed to the formation of increasingly unstable local spaces where the velocity of exceptional events did not compel individuals to evade the limits of the law but rather to actively search those limits out as a mode of reinscribing themselves in the flow of time and the sociality of the city that emerged from the ability to formulate a sense of self and the world in the context of the present.

The Desire for an Impossible Engagement

The set of legal statutes that dominated the trajectory of everyday life in Brickfields between the years 2000 and 2002 were the laws related to the owning and transfer of land. The exercise of power through the Land Acquisition (Amendment) Act

1991, a revision of the Land Acquisition Act 1960, is a critical factor in understanding how the Malaysian state was able to exercise its authority and undertake a systematic reorganization of urban space. The terms of the Act, a subset of regulations under the National Land Code 1965, allow the state to pursue its plans without substantial challenges in the form of judicial review (Harding 1996, 247). The specific provisions of the Act regarding definitions of state authority, public interest, and the relatively open-ended procedures regarding community review fosters an experience of the law that confounds attempts on the part of citizens to link local understandings of justice with the actual use of Malaysian land laws by the state. Thus, appeals to the judiciary for clarification or relief regarding the actions of the state were rare.

As in many former British colonies, land law in Malaysia is based on the Torrens system. British colonial authorities in the Federated Malay States on a state-by-state basis, beginning with Perak in 1879, introduced aspects of the Torrens system to the peninsula. Extending the logic of the Torrens system, the provisions of the National Land Code 1965 firmly circumscribe precisely who can make legal claims regarding the ownership, alienation, and use of land. With the exception of certain claims made in the name of Malay custom, the only parties able to formally address the status of specific tracts of land are the registered owner(s) and the state. Furthermore, given the clarity spelled out in the statutes and reflected in subsequent judgments by the Malaysian courts, certain branches of the government are more able to determine ownership and use of land than others, with the Federal Executive and State Authorities possessing a great deal more latitude in such matters that the Malaysian Judiciary itself. In effect, community or

individual claims based on legal notions such as adverse possession or possessory rights are strictly disallowed.

Legally registered property owners, while formally granted a series of rights under the Code, are ultimately considered entirely subservient in legal matters related to land to individual State Authorities. Formally, it is the State Authority, and not the Federal Government, that is considered the ultimate owner of land in Malaysia (Salleh Hj. Buang 2001, 39). Under the provisions of the Land Acquisition (Amended) Act of 1991, the State Authority can, without provision for judicial review, alter or invalidate any previously disposed land in the name of the "general public good." This Act further expanded the State's already broad rights in the alienation and acquisition of land. Specifically, the 1991 Act states that the State Authority can, when deemed in the public good, acquire land that is "needed by any person or corporation for any purpose which in the opinion of the State Authority is beneficial to the economic development of Malaysia or any part thereof or to the public generally or any class of the public" (Land Acquisition [Amended] Act 1991, s.3[b]). Harding notes that the overall effect of statutes written in this way is "effectively to remove land acquisition from judicial scrutiny and from the conventional restriction that acquisition must be for a public purpose." The wording of the law makes it exceedingly difficult to argue that any given acquisition by the State Authority would not be "beneficial" to economic development and to the public (Harding 1996, 248).

The State Authority is formally able to act more or less at will in matters pertaining to land. The legality of efforts by the state to acquire and use land as it sees fit is seldom a question in that there are relatively few procedural mistakes or violations that

can be made in the formal absence of procedure itself. Thus, the primary issue for communities that suspect that their land may be of some use or interest in the execution of development projects is *not* the relationship between legality and the practices of the state. Rather, the overriding concern for the community is that the state and its agents will not recognize local understandings of justice and neighborhood life. Most business owners and residents in Brickfields were either legal renters or unregistered occupants of their land and could therefore make *no* formal claims on the state regarding its plans to reorder the physical environment of the neighborhood. Lacking a clear legal process to follow, most contacts with the state therefore assumed the form of an *event*, largely absent of the bureaucratic formalities that work to constitute individual subjects and their relation to the state in contemporary contexts. Without the sense of the time that often define legal and bureaucratic processes, individuals living and working in Brickfields were confronted with the *aporias* of disappeared (or hastily erected) buildings, blocked walkways, or entirely new traffic flows. In such moments it was literally difficult to imagine a future, a sense of "what comes next" rooted in what has just passed.

Although during most of 2002 large sections of Brickfields resembled a war-zone due to the heavy construction going on, a recognizable pattern of spatial reorganization emerged. As KL Sentral station and the KL Monorail neared completion, these effects became clearer to local business owners and residents near the station. In the absence of community forums, legal proceedings, or public announcements as to what changes were in store, rumor became the primary form of information that circulated regarding what was going to happen in the near future.

Local reliance on hearsay, rumor, and guesswork was recognized by many residents to be an inadequate mode of information sharing regarding the changes taking place. While often residents were quick to improvise in the face of uncertainly, the idea that rules and procedures governing land and its development should be accessible to the public and ideally would produce uniform, consistent outcomes was often expressed and at times pursued through individual or collective efforts to engage the state. Brickfields residents explicitly conceptualized this local legal arena as a "semi autonomous social field" (Moore 1978) where they would be able to assert local meanings and rules in the context of a broader terrain of law that governed the actions of the state and the developers. Although the law was often felt to be intrusive, alien, or remote, Brickfields residents often sought to engage the law rather than evade or ignore it. This mix of mistrust and desire has been noted in a number of other ethnographies that describe local engagements with the law and the state in places as diverse as Egypt (Ghannam 2002), Mexico (Nader 1990, Parnell 1989), Turkey (Navaro-Yashin 2002), Peru (Poole 2004), Indonesia (Sullivan 1992), and Lebanon (Witty 1980). The task in Brickfields, however, was finding a space of engagement through a set of land statutes that largely ignored or explicitly excluded community input. Similar to the situation Fleming (1996) details regarding ambiguity within the highly contested land laws of Mozambique, attempts to articulate local concepts regarding land as a resource, a vehicle for personal and social identity, and as a domain of morality and proper association were often frustrated in practice. The indifference of officials and the fact that there was no clear-cut way in which to express these concepts within the rules of land tenure and alienation that governed the actions of the state and its proxies generated confused, fearful rumor-mill

regarding development in Brickfields. As Dr. Kurukkal's example illustrates, attempts to concretely address this situation entailed personal risk and failure despite a great deal of effort.

Dr. Kurukkal[x] operated a small clinic on Jalan Tun Sambanthan that was situated directly across from KL Sentral. As he made clear to me in our interview, his clinic was experiencing some serious problems. He attributed these difficulties almost entirely to the KL Sentral project and what he termed the "haphazard" attempts to make Brickfields more palatable for tourists and government ministers. Dr. Kurukkal had observed similar effect due to development projects in his own neighborhood, Taman Hijau.[xi] Working with his neighbors, Dr. Kurukkal formed the Taman Hijau Residents Association. As his clinic was located in Brickfields and this area had no community association of its own, the THRA had occasionally contacted developers and government officials on behalf of Brickfields residents. Despite his experience in community organizing and his occasional contact with City Hall, Dr. Kurukkal admitted that he did not have much more information regarding the situation over the average person on the street.

Dr. Kurukkal could not say for sure why the station was located in Brickfields or what the future plans were for the area. In general, he feels that most development projects in Malaysia are entirely "money driven,"[xii] and therefore feasibility becomes "someone else's problem." Lacking a clear process by which the public could participate in the planning process, most local residents were "resigned to their fates, because if you make a complaint or register a concern, chances are the authorities will move against you rather than the contractors. So people are scared to say anything!"

Dr. Kurukkal's work with the TH Resident's Association began several years ago when DBKL wanted to shift 18,000[xiii] unregistered residents from other areas around the city to Brickfields. When local residents went to DBKL to complain they were told by the Datuk Bandar (Mayor) himself that "You cannot stop development." This was his only response according to Dr. Kurukkal. Due to what concerned residents felt was a near total disregard for community needs and sentiments on DBKL's part, Dr. Kurukkal and others set out to familiarize themselves with local laws and policies and try to find alternative means of organizing collectively in order to have a say in what was happening, whether invited or not. Even in cases where the land has not been formally rezoned or acquired by the state, there are problems. Dr. Kurukkal cited a number of cases where reluctant landowners suddenly found that title to their land had suddenly been revoked due to "violations of the Land Act." Provisions of the amended Act are not well known or understood, and therefore residents are often unaware that they are violating the law in some way.

The THRA tried to "provide constructive criticism" to authorities by keeping track of what was going on locally and by knowing the law. There is relatively little legal process to master, however, regarding the procedures by which the state acquires land for what it deems the "public good." This fact exposed organizations such as the THRA to the accusation that their efforts were in violation of much more detailed and stringent laws regulating political activities and social activism, including the Internal Security Act 1960, the Societies Act 1966, the Official Secrets (Amendment) Act 1986, and the Sedition Act 1948. In light of the fact that organizations more openly critical of the government such as the Support Committee for Urban Pioneers (Kuala Lumpur) and

Save Our Selves (Penang) pursued strategies that mixed organized public protest and attempts to seek relief through the courts for unregistered urban dwellers, the THRA anticipated that it would come under scrutiny and was always very careful to conduct itself in a manner that would not threaten the police or DBKL. Taking great pains to prevent its abolition as an "illegal organization," the THRA sought to represent their efforts as "assistance" to the government rather than opposition, despite the fact that more radical groups had gained much more publicity for their cause and occasionally were successful in delaying or derailing plans to demolish urban *kampungs*.[xiv] The THRA, while concerned about the plight of urban *kampung* residents, did not make this issue its central concern and openly sought to distance themselves from political groups who made "urban pioneers" their primary focus. The effort to differentiate the THRA from other community activist groups was mainly accomplished by maintaining a close relationship with the Brickfields police, and the THRA always invited a police officer to attend their meetings and provided the police department with a transcript of the meeting. They were also legally registered, as required by the Societies Act.

Generally, relations with the local police "have been good" according to Dr. Kurukkal. "The OCPD is an old friend of mine from the army," he noted. Yet in the next breath, Dr. Kurukkal reversed himself:

> RB: So, you have never been bothered by the police?
>
> Dr. K: Oh, no, not really. [pause] Well, the Special Branch has come to see me and told me that what I am doing is illegal and threatened to take action again me, but I told them to just go down to the Brickfields police station and confirm that everything is legal. I haven't heard from them much after that. I just think the Special Branch can't do its job. They didn't even check, [they] just assumed we weren't legal.

RB: This didn't seem like intimidation to you?

Dr. K: Actually….I have never thought of it. Perhaps they were just trying to pressure me a bit.

It had not occurred to Dr. Kurukkal that a visit from the Special Branch would be unusual. Although the provisions of the Societies Act are quite clear as to how civic associations must be registered with the state, the fact that community groups must, by definition, address itself to areas of the law that do not provide for regulated contacts with appropriate state agencies exposes any organization of this kind to charges of subversive conduct. Individuals working in such associations are well aware of this situation and *anticipate* the charge of subversion by the police. Avoiding the appearance of subversion is such an ever-present task for community organizers. Therefore, visits from the Special Branch of the kind that Dr. Kurukkal described are often not understood as intimidation. The state for Dr. Kurukkal, a former army officer, appeared in such instances as simultaneously just and corrupt, driving both his continued belief in the efficacy of engaging the law through its own procedures and his nearly automatic willingness to accept modes of surveillance and discipline that characterize the modes of governmentality particular to the rational organization of land and urban space in Malaysia.

Dr. Kurukkal's experience with the Special Branch in his efforts to address the state was *not* characterized by a direct confrontation with a state that was proceeding in a manner contrary to the law. His contacts with the state as a community organizer were clearly marked by a regularity that, while not necessarily governed through formal procedures, was nonetheless structured around the principle that local communities

should have an acknowledged stake in the course of everyday life in the city. Clearly, however, this acknowledgement came more concretely from the police in the form of surveillance rather than from engagements by DBKL officials. Without a clear means to intervene in the legal processes concerning land management, Dr. Kurukkal and his group found themselves forced into an engagement with the state on an entirely different legal register. Anticipating this possibility from the beginning, much of the group's efforts were turned towards avoiding being identified as political subversives. These efforts produced a certain form of recognition from the state that allowed them to continue their efforts, but their original goal of articulating local principles of justice and association to the state and its proxies remained largely unfulfilled. The goal of having an impact on the trajectory of development in Brickfields was, even for this group of urban professionals, out of reach. The inability to imagine a future for the neighborhood was as acute for them as for anyone else.

Dr. Kurukkal only hinted at this difficulty during our interview. When asked what he imagined the future of Brickfields to be, he plainly stated that he did not know. "I just see problems, that's all." Dr. Kurukkal had a clear investment in shaping a particular kind of future for Brickfields and the surrounding neighborhoods. His terse, non-committal response alluded to the difficulties that the reorganization of the urban environment presented for those caught up in the experience of it.

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Community complaints regarding the difficulty of gaining an audience with DBKL officials are not exaggerated. The relatively open-ended formal procedures

outlined in the law regarding the acquisition and use of land by the state meant that there was no great urgency on DBKL's part to field questions from anyone. Goh Ban Lee summarizes the general situation:

> In Malaysia, where power is very concentrated and centralised in the hands of a few people and the culture of sharing power is almost non-existent, it is very difficult to envisage a situation where the public can participate effectively in the development plan making process. It is not only a case of the politicians and the planners not willing to share power, it is also a case where the citizens themselves are not able to make effective representations, having been denied the opportunity to do so for so long (Goh Ban Lee 1991, 116).

Goh's characterization of the relative lack of public input in decision-making processes regarding urban development is generally accurate. What his description leaves out, however, is the very real ambiguity that government officials themselves face when engaged in the process of planning and executing urban planning initiatives. The general lack of procedure that hampers civic efforts to intervene in the process can also represent a zone of indistinction for officials, forcing them to exercise a great deal of bureaucratic discretion, particularly when dealing with requests or demands from the public. Moore (2001) points out that anthropologists of the law have usually paid scant attention to the role of judicial discretion in legal systems. This insight also holds true for much of the literature regarding rule-based bureaucratic systems. Although a number of historical studies regarding government bureaucracy addresses issues of discretion and ambiguity as exercised by public servants (Cohn 1996, Messick 1992, Mitchell 1989, Rabinow 1989), there are very few ethnographic accounts that explore this issue in great detail.[xv] Yet, as my own encounters with government officials illustrates, the issue of how

bureaucrats make decisions when the proper application of rules or laws is unclear was an important one to consider in the context of urban development in Brickfields.

When I requested an interview with DBKL regarding my research project Dr. Lim,[xvi] a high-level official within the Master Plan Department of DBKL, agreed to see me, but introduced himself by stating "I've only got about ten minutes, so tell me what you want."

> RB: Does DBKL have an guiding philosophy or more broadly-defined goals in planning how the city should look and what development projects should be pursued or not?
>
> Dr. L: City planning in KL is primarily a reactive process. Our planning is really a way to rationalize mega-projects such as KL Sentral. We don't always have a lot of influence until after a big project is underway.
>
> RB: So you are saying that it is the vision of the developers that counts the most here? Its not the local communities or DBKL…
>
> Dr. L: [Interrupting] Local communities do not, frankly, have much say in what is happening, or is going to happen, in their neighborhoods.
>
> RB: But there seems to be quite a lot of concern in DBKL documents like the Draft Structure plans that the public doesn't really participate in this process.
>
> Dr. Lim: Well… there isn't really a process for communities to voice their opinions or complaints. Sure, sometimes there are public hearings, but this isn't really effective. Most people don't know what is going on.
>
> RB: How do you feel about that?
>
> Dr. Lim: I've already told you what my job is. Do you have any more questions, because I have to go now.

Dr. Lim asked me to submit my questions to him in writing. The questions I subsequently forwarded were very specific, dealing primarily with timetables for ongoing projects,

plans for specific city blocks in Brickfields, and projected changes in vehicular and pedestrian traffic flows. Most of all, I wanted to discuss (or better yet, obtain) DBKL impact studies regarding the KL Sentral and KL Monorail projects. The direct, detailed questions drew a response from one of Dr. Lim's assistants, Mr. Seow.[xvii] Interestingly, the communication was initiated due to a case of mistaken identity. The communication took place over the telephone and in English:

> S: I have your inquiry here…your set of questions. Are you a consultant?
>
> RB: No, I'm an anthropology graduate student. Currently I am doing research for my doctorate in Brickfields. I included some of my bio information on the fax, I think…at the top?
>
> S: Yes, I saw it…are you sure your aren't a consultant? Academics don't ask detailed questions like this. Why do you need such detailed information?
>
> RB: Well, I spoke with [Dr. Lim] and he instructed me to be as precise as possible. Also, my work involved the impact of large development projects in the neighborhood, so knowing the details of the project is important to my findings.
>
> S: Yes, ok…[Dr. Lim] asked me to handle this, but I looked at your list and thought that you were a consultant.
>
> RB: Ah, I see. No, no….just for my research. I'm not working for a company or anything.
>
> S: Well, alright….hmmm….you know, I can only answer a few of these you know. Most are not my department….

Seow's primary responsibility was in the traffic division. Although he ruled out addressing most of my written questions, Seow did address a few of them:

S: Ah, here you ask about impact studies. Well, DBKL does do some of its own research, but our studies are quite small. So we tend to rely on the studies that developers submit.

RB: So you don't do independent studies to check against those submitted by the developers?

S: No, not really. We don't have the resources. To tell you the truth, I don't really trust what those guys give us. In fact, I think that most of their reports are simply bullshit! Still, in many cases it is all we have to work with.

RB: Why do you think that? Do you think they are inaccurate?

S: Well…I don't know. It doesn't matter. Most of these projects are done deals anyway. Especially the ones you are asking about.

RB: Are these reports public?

S: No way!

RB: So I couldn't get a copy of them or a summary for research purposes?

S: [Laughing] I don't think so.

In the absence of laws or guidelines governing their contacts with the public, *any* outside inquiry regarding DBKL policies or plans presented officials with a problem. In our brief telephone interview Seow avoided answering most of my questions directly. Yet this avoidance was expressed alongside a barely concealed desire to talk. Certainly, this was in part due to my own position as a foreign researcher seeking information, and it is safe to say I was able to gain greater access to DBKL officials than that afforded to Brickfields residents. Nonetheless, despite the relative failure of my attempts to gain empirical information from these officials regarding ongoing development projects in Brickfields, their ambiguous fear of my questions and desire at the same time to provide some answer to them is significant. *Every* request for clarification or information

regarding their work outside of the internal channels of the state generated an experience *aporia* much like that of local residents. Despite the fact that government bureaucrats are often understood locally as the "instruments" through which the state is able to exercise its power, my encounters with these men and women were shaped by many of the same forces that limited the agency of individuals in setting the trajectories of everyday life in spaces such as Brickfields. Dr. Lim articulated the bind very well when, addressing my request for information from his department for research purposes, "clarified" the procedures by stating, "There aren't any, but we have to be careful. If we give out something that someone doesn't want us to, we can be accused of giving out official secrets."[xviii] Violating the Official Secrets Act is a heavy price to pay for acting in the absence of formal rules and procedures. In this context Seow's incredulous "No way!" response to my probing for access to internal impact studies made more sense, as the release of information to a researcher could easily be defined as a crime. As with Dr. Kurukkal and his community group, officials at DBKL had to anticipate the possibility that their acknowledgment of parties not formally recognized by the legal procedures in place could lead to an engagement with the law as criminals rather than as citizens or representatives of the state or community.

Dr. Lim and his assistant alluded to the fact that the decision-making process within DBKL is sharply circumscribed by Ministers in the Office of the Prime Minister and by property developers allied with those officials. They did not state this directly during our brief interviews. They did, however, make reference to the fact that DBKL must often act according to information that they do not trust. Both men cited the reactive nature of their work and underscored the fact that they were primarily concerned with

enacting plans that were already approved rather than assisting in the formulation of these development projects. Seow mentioned several times that he had no confidence in the reports of property developers and implied that he and others in DBKL were well aware that property developers file misleading reports in order to justify their projects. "I must say that I don't have very much confidence in these fellows," Seow restated towards the end of our conversation. "They have the bottom-line in mind and that's it." Aside from his acidic complaints, Seow did not articulate a broad critique of the process. He declaimed responsibility for the outcomes of his actions by citing the "real powers" (in this case the Office of the Prime Minister) that directed him to act in particular ways. He did this in a way that strikingly resembled the ambiguous understandings of agency, recognition, and justice articulated by Brickfields residents regarding their own futures and their relationship to agents of the state.

Endgame—Kampung Khatijah

Throughout most of its history, upwards of half of the residents in Brickfields have lived in unregistered dwellings. Since 1998, however, almost all of the unregistered residents of Brickfields were relocated to low cost flats in other parts of the city. Although this is not the first time that Brickfields has experienced large scale relocations (such as the large shift of *Kampung Khatijah* residents in 1982 to make way for Palm Court Condominiums), these relocations have dramatically transformed the neighborhood, as upwards of 1,500 families were relocated between the years 2000 and 2002. By my own estimation, less than 100 unregistered dwellings remained in Brickfields as of September 2002.

One Saturday morning in November 2001 Brickfields awoke to find a wide swath of *Kampung Khatijah* in the process of being dismantled. Residents were busily working at tearing down their own homes as construction workers waited across the street. The evicted residents labored to clear a clean swipe through the maze of houses that had sat on that parcel of land for over 60 years. It was not only *Kampung Khatijah* that was disappearing. The elementary school immediately to the east of the settlement suddenly found itself without an eating hall, as the entire rear portion of the school had also been demolished.

In what remained of *Kampung Khatijah* itself, the (now former) residents were out and about in the area where their homes used to stand. A few walls somehow remained standing. In an act of futile agency the residents themselves were pulling down these walls as they collected the few possessions that remained in the rubble. One of the previously interior walls still standing was covered with pictures of Tamil film stars from the 1960s torn from Indian film magazines—a young man was at work pulling these posters off of the wall and carefully folding them up.

The residents working in the rubble of their homes seemed willing to talk, but were not quite sure what to say. Two young men, Siva and Abdul, and Siva's father were willing to speak about the situation as they worked, but their answers were short and hinted at an impatience as to why one would bother to ask questions about what is going on. After some brief conversation in Malay Siva's father excused himself and went back to working in the ruins of his home. Abdul also drifted away, so I was left to question Siva regarding the situation. Did people in *Kampung Khatijah* know that this demolition was about to take place? "No." Did the workers just come in and tear the houses down?

"No, we wanted to do it ourselves." Are people angry? "Of course they are! Wouldn't you be? Where will they go? I don't know." Did people try to resist this? "Yes, but what can you do…? [*Ya, tapi tak apa*...? Lit: Yes, but who cares?] "We cannot speak to them" [lit. "*tak boleh cakap*"].

The conversation was over. Siva did not finish his sentence, but suddenly excused himself and quickly walked away from the site and down into the cluster of homes that remained standing. Two police officers slowly passed by. They seemed distracted and did not give us a second look, but their presence was enough for Siva, and he was gone.

The police in this instance were merely administrators of an event that had been vaguely anticipated and yet, upon its arrival, was unbelievable for residents of *Kampung Khatijah*. Those who could not be addressed here are not the police on the scene, but rather the state and its agents who have sent the police and construction crews to clear out the residents of the *kampung*. Interviews with the residents that remained in the settlement and lawyers who had worked as intercessors between the state and *kampung* residents revealed that Siva's characterization of the literal suddenness of the demolition was somewhat exaggerated. Although the specific time of removal was a surprise, the fact of the impending relocation was known to the displaced residents, especially in light of the fact that most of them were being offered some monetary compensation and a place in a development of low-cost flats in Pantai Dalam, a neighborhood located a few miles south of Brickfields. Strictly speaking, Siva's claim that residents had no idea that they were about to be relocated was factually incorrect.

Yet learning these facts through later interviews did not lead me to suspect that Siva was trying to mislead me with his answers. As with his father and Abdul, Siva

appeared genuinely stunned and at a loss for words regarding what was taking place at the moment I spoke with him. While knowledge of the impending event may structure a particular mode of understanding the future and experiencing time in this urban space, this anticipation does not make the event itself any less disruptive. For the residents of *Kampung Khatijah* at the moment of their displacement there was no way to imagine the future, with the experience of both state and local orders temporarily dissipated with the disappearance of their homes. Understood as the corporeal experience of finding his home had vanished, Siva's claim of "*tak boleh cakap*" related not just to the situation with the police and DBKL, but to the world generally. Siva told me the only thing he could truthfully relate; "we cannot speak." Although the Malaysian government has demonstrated ample willingness to directly censor critical expression in public domains, in this case authorities were not actively suppressing Siva's speech. Rather, faced with an event that made his world unbelievable, the ground for Siva's speech about his world and his life evaporated.

Swift, radical dislocations of this kind were not restricted to the experience of unregistered residents in Brickfields during the time of my research. With the continued construction of KL Sentral and the aggressive efforts to bring the KL Monorail into operation fully underway, even legal homes and businesses could find themselves suddenly displaced in the same manner as that experienced by *kampung* dwellers. Although most of the country enjoyed a long holiday during December of 2001 and January of 2002, construction workers in Brickfields were not so lucky, and the physical transformation of Brickfields continued unabated during the Hari Raya Puasa/Christmas/Chinese New Year celebrations. Given that KL Monorail was at that

time projected to become operational in June of 2002 (it would not go into service until early 2003) work on the project continued around the clock during the normally sedate weeks of the holidays. This punishing schedule meant that buildings continued to be demolished during the holidays, although the construction crews had by then moved on to knocking down legally established, permanent shop houses rather than just evicting unregistered residents. This was the fate of one popular South Indian restaurant, Sri Radha.[xix] Although the narrow road running next to the restaurant had been closed and occupied by construction crews for several weeks, Sri Radha had continued to operate as normal and it seemed that the restaurant would simply have to contend with the fact that the monorail was going to run right next door to it. As it turned out, this was a naïve thought, as the restaurant and the building that housed it disappeared with a shocking swiftness.

A short chronology of the restaurant's eviction is illuminating. One Friday in early December 2001 the restaurant was open for business, operating normally. That evening there was no gossip in the restaurant regarding an impending move and there was no sign of distress or worry on the part of the restaurant owner or the staff. Casual conversation with everyone in the restaurant revealed nothing out of the ordinary. However, by the following Sunday morning the building was completely boarded up and a small handwritten sign directed customers down the street to a different restaurant owned by the same family and now "merged" with Sri Radha and operating in that location.[xx] By Wednesday the two-story building that housed Sri Radha was completely demolished, with just a pile of bricks sitting on the former site of the restaurant. By the following Saturday this pile of rubble had been removed, with only the cement-slab

foundation remaining. In summary, over the span of eight days the site had gone from housing a successful local restaurant to being simply an empty lot, annexed by the growing Monorail construction site.

As with the section of *Kampung Khatijah* cleared out a month earlier, the speed by which this disappearance took place was not unusual at this time in Brickfields. Nor was it surprising that the owners of Sri Radha had no idea until Saturday morning that they had to be out by the following day, as the proprietor confirmed later. Certainly, some broad plans had been in the works for a while and the possibility of closure was always present, especially with the construction crews preparing to erect the large concrete pillars for the Monorail tracks right outside. The timing of the event, however, was uncertain until the very last moment. Luckily, in some vague anticipation of the liquidation of the original restaurant, the family had opened another restaurant down the street and therefore had a place to quickly relocate everything and keep the overall business going. They did not explicitly set up the second restaurant for this purpose, as they were looking to expand the business, not simply move it. As with Siva on the day of his removal, the restaurant owners regarded the manner in which they had to move as inconvenient, but expressed no overt anger or surprise over the manner in which they were forced to move in a later interview, providing direct answers to my questions without the ability to form a wider narrative regarding what had happened.

For both the displaced residents of *Kampung Khatijah* and the owners and employees of Sri Radha the previously stable spaces that they inhabited quite suddenly were transformed into spaces that could be felt "too much." The very real violence of removal is apparent here; however, one should not lose sight of the equally real violence

to the senses and the imagination that these events inflicted on those directly impacted by them. The literal formlessness of what used to be their dwellings lay at the heart of this violent experience. Although it may appear to resemble a more contemplative experience of something like the Kantian sublime (Kant 1914), the speed in which the liquidation of the space occurred does not allow for even the contemplation of the ruins necessary for such an experience. Reason did *not* surpass sense in these moments—rather, the affect overwhelmed Brickfields residents, as shown by the fact that a narrative regarding the removals simply did not emerge from those subject to them. Whether in the midst of the event itself (*Kampung Khatijah*) or some time after the fact (Sri Radha), a narrative of the event was not forthcoming from my interlocutors.[xxi] How would one narrate an event that blocks the perception of past and future (of rules, order, and context) from the experience of the present? My answer is that they *cannot* do so. In arguing this, I do not claim that these events produced *no* narratives. The narratives that did emerge, however, originated at the time from witnesses rather than those whose homes and businesses disappeared. Narratives produced by those who found themselves directly involved in such events could only speak about their world later and often in indirect terms. This form of witnessing was enfolded into the understandings of Brickfields as a place offered by neighbors and served to structure modes of anticipation where these neighbors would imagine the possibility of their own disappearance, finding themselves caught in the space between threat and guarantee that arises out of the state's pursuance of its plans to constitute a new order in Brickfields (Desjarlais 1997, Massumi 2002, Poole 2004).

Neighbors

Events such as the removal of *Kampung Khatijah* residents and the sudden, forced move of Sri Radha Restaurant are public events, well known to everyone else in Brickfields. As such, the sudden, exceptional character of these events tended to structure understandings of the neighborhood and the experience of place for a wider public than those who were directly impacted by them. The abstract anticipation of disappearance was grounded in the experience of others. For these onlookers, such events offered concrete examples of the space between the guarantee of the law and the threat of a state that seemed to operate outside of the formal regulatory aspects of that law.

The fact that the development efforts in Brickfields generally did *not* operate outside of the law means that any analysis of the circumstances, by residents or scholars, cannot rely upon generalized concepts of domination and resistance in formulating a framework of understanding for the situation there. While scholars such as Abel (1982), Merry (1990) and Nader (1990, 2005) have engaged questions of dispute resolution and the workings of the law at the local level, the fact that a domination-resistance theme is often a principle assumption in their work makes it difficult to apply their insights to the Brickfields case. Though passionate advocates for the laudable idea that the law should ideally mean equal rights and treatment for all who are subject to it, the fact that most Brickfields residents themselves neither expected nor worked for this ideal in their own encounters with the law and state calls for a different way of conceptualizing how the law is imagined by everyday people (Griffiths 1997, Hirsch 1998, Moore 2001). As Just (2001) and Bentley (1984) demonstrate, disputants in Southeast Asian courts often seek

to manipulate the meanings of rules and evidence and the manner in which court officials themselves will selectively exercise established rules in order to produce desired outcomes in local settings.[xxii] While abstract notions of equality under the law often come into play in these encounters, both sides often exhibit a more creatively instrumental imagination of judicial processes that does not explicitly assume the law will be applied uniformly.

Although development projects in Malaysia often generated well-organized opposition movements, this was not the case in Brickfields. Rather, Brickfields residents often sought to mitigate the ambiguous experience of the law by more firmly indexing themselves as subjects within the law itself. These local strategies did not signal a fatalism or passivity in the face of the law, although the complexity of the local situation often meant that locating sites of control and possible action was extremely difficult and often left Brickfields residents struggling to reconcile their feelings as to what was moral with their concrete experiences with the operations of the law and the state.

Zaina owned a small beauty parlor on the second floor of a shop house on Jalan Thambipillay, just a few doors down from the elevated tracks of the KL Monorail and directly across the street from *Kampung Khatijah*. Although a Malaysian Indian born and raised in Ipoh, Zaina was not South Indian as her family was originally from Pakistan. Zaina had operated her own business for two years, opening her own salon after working for a beauty parlor located in the Palm Court apartment complex for several years. She was single and maintained a close network of friends, including several that operated businesses out of the same building. Our interview took place during August 2002 and

was conducted with Najwa, Zaina's childhood friend from Ipoh, sitting nearby and offering a mildly caustic parallel commentary as Zaina and I spoke.

Given the proximity of her shop to the KL Monorail site, the early focus of the conversation was the impact of the transformation of Brickfields on her business. Zaina began by describing the process as "painful."

> I think that once they finish all of this, Brickfields will be much better. Still, it is really painful to see places that we have grown attached to destroyed. We used to all go and sit at the In-Town Pub [a club several doors down that was forced to relocate due to the KL Monorail project]—it was our place to relax and talk. Suddenly, they are just tearing the building down. I know that it's for the best, but I'm always torn. We really love these places and they just disappear. Well, In-Town Pub actually just moved down the street a little bit, but it isn't the same, you know? We don't really go there anymore….it just isn't the same.

At that time Zaina had managed to deal with the difficulties associated with the construction of the Monorail, although she quietly emphasized the vulnerability of small shops to disruptions such as these. Unlike a retail store, Zaina's business depended on a small, consistent clientele. As Zaina described it, most of her clients were "proper North Indian ladies," who lived around Brickfields, though few actually lived in the neighborhood itself. Significantly, she also served many of the prostitutes based next door and across the street from her salon. "I was worried what my clients would think when I moved in here, with the red-light district so close and all," Zaina noted. "At first some were nervous, but they realized that there isn't any problem and now they come here without any reservation." Zaina secured her customers entirely on word-of-mouth basis—so much so that she did not have a sign out front alerting potential customers to

the presence of her salon. When I asked about the absence of a sign, Zaina replied "That [not having a sign] is OK, but I want my own sign, you know."

The desire to give her business a more permanent feel was understandable, as Zaina's space was little more than a modified rectangular room on the second floor of the shophouse, roughly 8 feet by 20 feet. Customers entered the building through a nondescript door on the street and had to then negotiate a narrow staircase and turn left on the second floor landing in order to reach Zaina's salon. The salon had a glass entry door and upon entering one was immediately faced with a small reception desk. The middle of the room was open, with a few chairs and a small table piled with magazines lining the wall for anyone who was waiting. The back portion of the room was where Zaina worked and it was separated from the rest of the room by a pink curtain.

Zaina did not have a formal lease to occupy this space. Her rental contract was strictly a "handshake" one, although it was generally agreed that nobody could make a move without giving 30 days notice. Zaina's landlord at this time sublet the entire floor from the registered building owner and had subdivided the space, meaning that Zaina's landlord was actually a middleperson in the transaction. When asked if the actual owner knew about this arrangement, Zaina responded by saying "Yeah, I think she does. She runs the catering business downstairs and sees us all the time."

Most of the arrangements necessary for the operation of Zaina's salon did not possess the legal status vested in contracts, leases, and licenses. Although the owner of the building did not oppose the further division and subletting of the space, it was quite unclear if this division and use of space was formally allowed under the applicable zoning statutes. The ambiguous position of Zaina's business was further accentuated by

the relative impermanence of her room and the fact that she was unable to actually post a sign on the street indicating the location of her salon, a lack that Zaina continued to cite throughout the interview as an indication of the tenuous position of her business at the time and a symbol of a status that she hoped her salon would achieve over time.

Zaina was ambitious and optimistic about her salon. I asked her about the future and Zaina told me that she was planning to move in the next few months to a shop on Jalan Tun Sambanthan. She was somewhat ambiguous about making the move:

> I'm trying to get a place next to the Gem Restaurant [a block away, on Jalan Tun Sambanthan]—we'll see. I hope to move in 2 or 3 months—I'm trying to expand and I want my own sign. I'm very attached to this place, though, so part of me doesn't want to move. I'm also very superstitious—maybe the luck won't follow me. I know its silly to think that way, but I do. I know that the clients will follow, but…well, I like this place. It has been good to me. It is my home, so I have a fifty-fifty feeling about it.

Zaina noted that the buildings on her side of the street would probably be demolished soon. "I don't think that will happen to the ones on the main road, though." Najwa interjected, "actually they are going to tear down all the buildings over here—I've seen the plans. I know for sure they are going to knock down all the buildings around here." I then learned that Najwa had worked as a secretary for the KL Sentral Corporation. Thus, she had some credible inside knowledge of the plans. Zaina was startled by Najwa's statement, and she asked her friend "Are you sure? I don't think so….really? Are you sure?" She was then quiet for some time. Gathering herself, Zaina continued to speak:

> Z: Well, who knows what will happen. I suppose that I'll just have to make the best of it.

> RB: So, have you ever been told about the plans for KL Sentral? You know, what they are going to do as the station keeps developing. Or have they told anyone you know, like the people downstairs or next door over here?
>
> Z: No, they never do that. It is always just a shock when they come. We have no information and suddenly they are here. I told you about the In-Town Pub—it really hurt. Taking away all of these old things is not nice.

Despite having just learned that many of the buildings on this side of the area will be demolished (not confirmed, but from a somewhat authoritative source), Zaina was still optimistic.

> I think that all of this inconvenience is temporary. After the construction is finished, then maybe the parking situation will improve—traffic as well. [pause] I suppose that they have to do all of this because of KL Sentral. Brickfields doesn't make a good impression on foreigners, so that have to clean it up, make it nicer and more modern. I think that once they do all of these things then the area will really take off and it will be much better. [pause] I have a problem accepting it all. Like I said, I'm fifty-fifty. I really like all of the improvements, but I don't like it that so many of the old things are disappearing. I feel sad when this happens.

The trajectory of Zaina's narrative was more complex than it at first seemed. Beginning with a summary of her current situation, Zaina clearly articulated her ambition to not only expand her salon but also to more firmly link her business to the regulatory guarantees offered by the law. Specifically, her hope was to move to a space that was more permanently designed to house a "legitimate" business.[xxiii] Although Zaina anticipated a feeling of nostalgia and unease regarding her imagined move and the physical transformation of the neighborhood (the "pain" of change), her desire for the marks of a lawful business, strongly evident in her desire for a proper sign announcing her location, was very real. The sense of a stable legal framework necessary for Zaina's future plans

was momentary shattered by her friend's casual remark that the space to which she hoped to relocate her business will *also* disappear. In the absence of direct information from the property developers and the state, Najwa's statement took on the status of authoritative knowledge. For several moments after Najwa made this remark Zaina was literally speechless, shocked into the silence opened by the momentary impossibility of imagining a future at all. Although Zaina quickly recovered and was able to continue to talk about the transformation of the area, the tenor of the conversation had changed and she shifted her frame of reference from the specifics of *her* future to the generalities of the future of the neighborhood. Echoing how she began our conversation, Zaina again linked herself to the local situation through a description of *affect*, invoking her feelings regarding what was taking place rather than her plans for her business. She did not speak in specific terms about these plans again in the interview, nor did she again talk about the future of her business in subsequent contacts that I had with her.

The threat of not being recognized by the state was palpable in this exchange. While it would be overstating things to characterize Zaina's experience of her space during the moments of this exchange as trauma or shock in psychological terms, it was clear that the (inadvertent) erasure of her imagination of the future by her friend must be understood as affect. The turn that the interview then took supports this analysis as well, in that Zaina then steered the conversation towards a discussion of the treatment of her immediate neighbors in the houses of prostitution and the threat under which these women lived. Picking up on Zaina's introduction of the prostitutes into the discussion, I asked her if she wanted to move due to her proximity to the brothels. She vigorously shook her head, saying "No, no—not that at all!" Najwa began to laugh:

N: Why you so attached to this place? Its dirty and smelly—no one wants to come!

Z: [Laughing] You are wrong! This place is fine. People are nice here. What wrong with you?

N: Ya, OK…[laughing]…people are nice, but move, OK? Things will be better!

Z [turning to RB]: Well, this isn't a good environment for girls. The family ladies will still come, but they notice. It isn't so good because there are so many men just sitting around and they will stare and make comments sometimes. They certainly look…. Now I'm known around here, though, so they don't really stare anymore or say anything. When I first opened men would make comments and sometimes they would even come up to the shop and ask for 'facials'. [N giggles—Z looks at her and smiles, mockingly waving her away] You know what I mean, right? They want more than a facial! [Z laughing hard] So I had to send a few of these fellows out of my shop. Now this doesn't happen. When people know you they will leave you alone. Sometimes we even help each other out.

Despite the fact that her "family lady" clients could be uncomfortable with the area and possibly take their business elsewhere as a result, Zaina strongly defended her neighbors. After scolding Najwa for interrupting, she continued:

I've grown attached to this place. Actually, I really like it. We all know each other up here and we look out for each other. Also, the people in the red-light district know us and there is no problem there. At this point a lot of the girls actually come up here for facials and other things. They need to look their best, you know. [N rolls her eyes and begins to laugh] Look! [looking first at N and then me] We are good Muslim girls and all, but the way I see it we have a job to do and they have a job to do. Why am I going to look down on them for that? Everyone is doing their job, there is no problem. [N, who has briefly stopped laughing, begins giggling again—Z eyes her, smiling, then looks away with a mock-disgusted look on her face]

Zaina's concern for her neighbors extended beyond mere generalities. In a serious tone she recounted the humiliation the prostitutes suffered at the hands of the police. Even giggly Najwa stopped laughing as Zaina heatedly described the police raids that occasionally took place nearby.

> [Angrily] The police have no respect for people! They do not have any respect for these girls at all! I have seen them handle them very roughly and sometimes they bring them out into the street naked. There is no need to treat them that way. Yes, they may be breaking the law, they may be illegals, but they don't have to do that. It's upsetting for everyone. [N looks away solemnly while Z is saying this] One time, not long after I moved in, I heard a lot of noise out on the stairs. I came out and saw a bunch of women, some of them not dressed very much, running towards the back—the bathroom is back there. [points] So I looked around and then I went back and knocked on the door. 'What are you doing in there?' I asked and they said 'Oh, please don't give us away, the police are after us, please!' What could I do? So I came back to the front and looked around—didn't see any police. So I thought, 'oh, we could get in trouble too,' so I went back and told them 'look, there are no police now and you need to go.' Finally, they opened the door and went out—I started counting when they were coming out the door [N begins to giggle again] and I count one…two…three…all the way to six! [N is laughing hard again—Z is now smiling too] How did they get six people in that tiny bathroom? Anyway, I didn't like it that they were hiding back there, but I saw no reason to give them up to the police either.

Zaina forcefully denounced the humiliation that the women suffered under both their employers and the police. Although gently mocked by Najwa, Zaina articulated a sympathy and link to these women, noting that while their presence may actually hurt her business somewhat, they were still connected through proximity and the norms of hospitality that pass between neighbors. Najwa, who neither lived nor worked in Brickfields, was consistently skeptical of her friend throughout the interview, and "rationally" attempted to undermine the connection with the prostitutes that Zaina

articulated. Zaina's insistence on an ethical connection as neighbors was striking, as her attachment was not based on religion, ethnicity, language, or common interests in an easily quantifiable sense. She did not greatly depend on the prostitutes as clients, yet a sense of neighborly connection was readily apparent.

In retrospect, the move to discuss the situation of her neighbors was significant and in my analysis directly related to the "break" that Zaina experienced due to Najwa's remarks regarding the disappearance of even the "legitimate" spaces on Jalan Tun Sambanthan. Deprived of a meaningful way to imagine the future in the face of an abstract exercise of legal power, Zaina turned to the situation of individuals whose lives are arguably more vulnerable to threat and disappearance. Unlike situations discussed by scholars such as Guano (2004) and Mitchell (2003) where, in the face of unstable urban configurations, social actors attempt to contain the uncertainty of the situation by abstractly mapping exclusionary spatial practices onto their own domains, Zaina restrains this threat by connecting her situation to that of a constantly imperiled group. Faced with this illegible, arbitrary threat, Zaina reaffirmed more informal, local ties and through this connection articulated her *experience* of being (possibly) subject to a power beyond the regulatory discourse of law indirectly through her anger over the treatment of prostitutes in Brickfields. In drawing the connections in this way, Zaina was *not* articulating a mode of resisting the regulatory power of the state; rather, she was expressing a desire for a more material sense of integration with an order that she anticipated being denied to her in the near future. The threat of failure haunting Zaina's efforts was personified by the situation of her neighbors who found themselves consistently caught in the uncertain

space between promise and danger that had come to shape the experiences of everyone in Brickfields.

Conclusion

This paper opened by offering a theoretical framework by which one can begin to understand the local impact of large-scale development projects on the communities in which they are undertaken. By linking the domains of city planning and development, governance and the law, and the social worlds of residents, the ethnographic focus has been to show how modes of experience, association, and personhood emerged during the transformation of Brickfields. I have characterized the convergence of discipline, law, and bodies as a terrain of uncertainty between threat and guarantee.

Most Brickfields residents abstractly supported the techno-rational logic underpinning the modernization projects that the state pursued in their neighborhood. The source of conflict and indeterminacy that represented the threat was not the discourse of development in abstract terms but their direct experience of the law in the pursuit of creating a more properly modern space. Blocked from knowing when or how the state would take possession of land and make buildings and residents "disappear," it was the manner in which these initiatives were undertaken that violated local principles of justice and due process. The state's perceived refusal to recognize actors unless they had a formal role provided to them in the legal process highlighted the gap between legality and local principles of justice that made the actions of the state appear indeterminate and unjust even through these actions were taken in accordance with the law.

In this way actions that were legal and from the point of view of the state appeared to be ethical were actually productive of violence at the local level. This violence primarily took the form of a pervasive uncertainty that shaped the lives and actions of everyone who entered this space. Although those who lived and worked in Brickfields most acutely felt these effects, government officials and property developers were also subject to this uncertain space between threat and guarantee. Considering the extreme difficulty in concretely locating the cause or source of this violence, the world of the neighborhood itself was often experienced as unreal or unbelievable in a literal sense. This experience, therefore, produced *disbelief* rather than political resistance or legal actions against the state and its agents (Baxstrom 2008, forthcoming). The unpredictability that characterized everyday life in the neighborhood and the seemingly arbitrary nature of change produced an environment where imagining the future often meant imagining how one could forge connections with the law, the state, neighbors, friends, and even the built environment itself despite the fact that any of these things could unexpectedly disappear.

Notes

[i] The boundaries listed above are also used to distinguish Brickfields from its neighbors by the Office of the Prime Minister (primarily for the purpose of census-taking) and the Dewan Bandaraya Kuala Lumpur (Kuala Lumpur City Hall).

[ii] "Tamil" in Malaysia refers to the descendents of South Indian immigrants. Members of the "Ceylonese" community trace their origins to what is today Sri Lanka. Although many "Ceylonese" speak Tamil and would be classified as Tamils in Sri Lanka, Malaysians tend to distinguish between the two communities.

[iii] These statistics are based on census figures generated by the Ministry of Population Statistics, Office of the Prime Minister of Malaysia.

[iv] Kuala Lumpur Sentral is being developed by a consortium, Kuala Lumpur Sentral Sdn Bhd, owned by Malaysian Resources Corporation Bhd (64.38%), Keretapi Tanah Melayu Berhad (26%) and Pembinaan Redzai Sdn Bhd (9.62%). Joint ventures regarding specific aspects of the project have been formed with developers from Singapore (Capitaland) and Japan (Daito Trust Corporation) (http://www.klsentral.com.my/corpInfo.html).

[v] KL Monorail does not publicly present itself in the grandiose manner deployed by KL Sentral, noting merely that "[t]he project involves the development, operation and maintenance of a monorail system that will provide inner-city public transportation to the central business, employment, hotel, shopping and tourism district of Kuala Lumpur" (http://www.monorail.com.my/about.htm). Owned by the KL Monorail Systems Sdn Bhd (which is a subsidiary of KL Infrastructure Group Bhd, itself a subsidiary of MTrans Holdings Sdn Bhd) and headquartered in Brickfields, the construction of the enormous

elevated tracks for the trains was equally disruptive to everyday life in the neighborhood during the time that I conducted fieldwork there.

[vi] Laura Nader's extensive scholarship regarding the anthropology of law is generally associated with this approach, particularly the edited volume *The Disputing Process—Law in Ten Societies* (with Todd, 1978) and her ethnography of law, disputes, and "harmony ideologies" in Mexico (1990). Works by Collier (1988), Merry (1990), Parnell (1989), and Starr (1978) also make the disputing process the center of their analyses of law.

[vii] Previous efforts to eradicate "squatter" colonies in Kuala Lumpur had resulted in a great deal of protest and the formation of a number of political groups organized explicitly to oppose the state's policies regarding land and development in the 1980s and 1990s. Local accounts of these struggles circulate widely in Kuala Lumpur and other urban areas in Malaysia in the form of pamphlets such as "Peneroka Bandar Menuntut Keadilan" [Urban Pioneers Demand Justice] (Mohd Nasir Hashim 1994).

[viii] The notion of right as rooted in possibility is also important in Lefebvre's notion of urban residents "right to the city" (Lefebvre 1996, 2003).

[ix] Following Bergson's understanding of the material experience of time (Bergson 1991, 2001).

[x] A pseudonym.

[xi] The name of this neighborhood has been changed.

[xii] Dr. Kurukkal is referring to the widespread belief that major development projects are often conceived and approved according to their potential to make money for the government ministers involved with such projects.

[xiii] Dr. Kurukkal's estimate. I could not locate any official documents or media reports that verified his claim.

[xiv] The independently produced pamphlet *Peneroka Bandar Menuntut Keadilan* (Urban Pioneers Demand Justice) details the struggle over land in Kuala Lumpur between urban *kampung* residents, activists, property developers, and government officials (Mohd Nasir Hashim 1994). Written on behalf of the Support Committee for Urban Pioneers, the pamphlet explains and promotes the organization's explicit strategy of mixing public protest with attempts to seek relief through the Malaysian judiciary. Openly critical of the government and quick to highlight the successes of their efforts, the pamphlet provides a blueprint for action that community organizations dominated by the middle class tend to distance themselves from. Although sometimes successful in their opposition to the demolition of urban kampung communities, members of the Support Committee and Save Our Selves (Penang) had also been arrested under the Internal Security Act due to their political activism (SUARAM 2000). Dr. Kurukkal's efforts to work closely with the local Brickfields police should be understood in this context.

[xv] Ethnographic studies regarding bureaucrats and bureaucratic processes also include Alexander (2002), Brunn and Williams (1993), Gilboy (1991), Herzog (1999), Pardo (1996), and Rosen (1989).

[xvi] A pseudonym.

[xvii] A pseudonym.

[xviii] Goh Ban Lee confirms Dr. Lim's statement, writing: "Generally, it is fair to say that Malaysians do not have access to important and useful information primarily because the government, which is the biggest source of data, is rather stringent in disseminating them.

There is a high degree of fetishism for the *sulit* stamp among Malaysian civil servants as evidenced by its generous usage. Furthermore, the amendment to the Official Secrets Act in 1986 only serves to cement the widespread belief that politicians want secrecy" (Goh Ban Lee 1991, 110). The reference to the use of the "*sulit* stamp" is significant. The term *rahasia* more directly captures the connotation of "secret" or "confidential" in English. *Sulit* can mean both "secret" and "difficult." This duality seems to mirror the ambiguous situation both bureaucrats and residents face in dealing with information pertaining to urban development projects.

[xix] The name of the restaurant has been changed.

[xx] This restaurant was then operating with more than twice the numbers of staff over what was needed, as the owners felt it would be unduly harsh to fire anyone, even under these circumstances.

[xxi] It is understandable that residents in *Kampung Khatijah* would be unable or unwilling to talk at length during the actual time of their removal from Brickfields, particularly with the police standing watch over the event. One can reasonably assume that they were feeling a combination of shock and mistrust of the researcher at this time. The inability to narrate what was happening/had happened remained strong well after these removals, however, for both unregistered residents and those whose legal homes or businesses disappeared. The owners of Sri Radha were still unable or unwilling to talk at length about their sudden move ten months after the fact.

[xxii] Bowen (2003) and Peletz (2002) have observed similar strategies in Islamic courts in Indonesia and Malaysia. Questions of equality and process unfold differently in these settings, however, due to the fact the dispute-processing in these courts is governed by

Islamic legal codes that conceptualize justice and the proper execution of the law in markedly different terms than their "secular" counterparts.

[xxiii] The fact that many who operate in informal business sectors attempt to simultaneously evade the law and to restructure their enterprises as an openly legal business is discussed at greater length in works by Ferme (2001, 2004), Guyer (2004), Tsai (2002), and Winn (1994).

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