

UNIVERSITY OF
LUCERNE

INSTITUTE FOR INTERDISCIPLINARY
LEGAL STUDIES – LUCERNAIURIS
ANNUAL REVIEW 2024

Lucernaiuris
Institut für Juristische Grundlagen



Annual Review 2024

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Cover Image: La Nave dei Folli. Detail. © Patrizia Comand. With the kind permission of the artist.

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I: INSTITUTE

PROFILE

The Institute for Interdisciplinary Legal Studies – *lucernaiuris* is a hub for leading-edge teaching and research that crosses traditional boundaries between law, the humanities and the social sciences. It holds a distinctive position within the national and international academic landscape as a vibrant site for critical and creative thinking.

The institute's main priorities are to:

- provide a rallying point for inter- and transdisciplinary work on the foundations of law and justice
- foster intellectual and methodological innovation in teaching and research
- promote the training of postgraduate and early career researchers in interdisciplinary legal studies
- stimulate collaborative activities with national and international partners

To borrow a distinction from the late legal historian Marie Theres Fögen, the institute has long seen its role as more that of 'troublemaker' than 'troubleshooter'. A consistent priority has been to undertake work that critiques and unsettles accepted categories and concepts, norms and discourses, practices and methods. This impulse continues to shape the identity of the institute today. Faced with the urgency of our present moment, however, we also turn our attentions increasingly to the future – to pursuing new forms of future-oriented critical thinking; to imagining future alternatives or alternative futures; to asking not just what is happening now, but what happens next.

A NOTE ON OUR NAME

During the middle ages, "lucerna iuris" was a term applied to the most significant Bolognese jurists. In taking the name for our institute, we of course lay no personal claim to it – we are but mere dwarves on the shoulders of giants. Rather, the title serves to acknowledge a connection to one of the mythical 'origins' of legal studies (Bologna), and to underline our commitment to a critical engagement with the modern 'Bologna Process' and its implications for teaching and research in law.

MESSAGE FROM THE HEAD

Welcome to this year's Annual Review of activities at the institute. 2024 was a milestone year for us, marking the twentieth anniversary of our founding. Reaching this landmark is no small feat, and we look back with a sense of accomplishment at our achievements so far – the projects completed, the events organized, the friendships forged. Yet as we take stock and celebrate, we also see the anniversary as an opportunity to look forward, and to re-affirm our commitment to exploring new ways of thinking critically about law and the legal – and to providing spaces in which that kind of thinking can thrive.

The pages that follow show that 2024 was a full and busy year, with several highlights. One such was the Critical Times summer school, *Un/Seen*, which we convened with our international partners, and which brought together a group of exceptional PhDs and postdocs from all over the world for a week of vibrant discussion on the interplay between law, politics and visuality. We thank all those who took part, including and especially the faculty from our partners who came in and led a series of such innovative and engaging sessions. Immediately following the school, the team on the SNSF project 'Imagining Justice' organized the major interdisciplinary conference *In the Thick of Images: Law, History and the Visual*, which featured around forty presentations from international scholars working across the fields of legal history, visual legal studies and art history. In November, we had the disappointment of having to cancel a talk and workshop with Katharina Pistor, co-planned with the Institute for Social Ethics in Lucerne, on account of troublesome travel arrangements. Happily, the year nonetheless ended on a high with our '20 Years *lucernauris*' anniversary workshop *Sailing the Ship of Fools: On Some Possible Futures of the 'Law And's*. Inspired by Patrizia Comand's wonderful revisiting of the 'Ship of Fools' motif, which is reproduced here as our cover image, the workshop was envisioned as a space for speculative thinking and for flexing the imagination, and prompted a set of lively conversations over some possible future directions for interdisciplinary legal studies.



Alongside these major events, our regular core offerings also continued to prosper. As part of the 'laboratorium *lucernauris*' lecture series, we heard talks by Florian Grisel on a hidden history of international arbitration, and by Emanuele Conte on the construction of public monuments in Rome's urban space. Emanuele's contribution was especially fitting given that he was one of the participants in the kick-off conference for the institute in 2004, and we were delighted to welcome him back. Our Law and Theory workshop continued with a session on 'Capitalism without Democracy?', followed by a works-in-progress series for our own PhDs and postdocs. The online series 'Cultures of Legality in Weimar Germany', initiated in 2023, was also carried forward with six talks throughout the year. Last but by no means least, we were able to again welcome two outstanding young scholars, Lana K. Gotvan and Veronica Pecile, as visiting fellows to the institute, and were delighted to share numerous productive exchanges with them.

Looking forward, our programme for 2025 is already shaping up. We have several renowned speakers lined up for the 'laboratorium' series, and the workshop will start again with an in-depth reading of Silvia Federici's book *Caliban and the Witch*. The summer school will return in late June, on the theme of 'Disruptions', while in October we will be hosting the Rousseau Lectures of the Swiss Association for the Philosophy of Law and Social Philosophy. We are thus anticipating another eventful year of institute life – and an exciting start to our third decade.

In signing off, I would like to offer a special word of thanks to all colleagues, present and past, who have been involved with the institute and who have contributed to its development and success. On behalf of the institute, I also thank all readers of this review for their interest and support, and wish everyone a happy and productive 2025.

Vagias Karavas

TEAM & ORGANISATION

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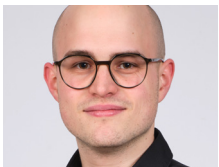
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II: TEACHING



TEACHING PROFILE

At the core of our teaching philosophy lies a firm conviction of the importance of what in German are usually referred to as the 'foundational subjects' (*juristische Grundlagenfächer*) for the discipline of legal studies. Our courses encourage students to engage with the historical, philosophical, social, cultural, economic and technological contexts of law, in the belief that such an approach is vital in:

- strengthening contextual and foundational knowledge
- enhancing methodological competence in understanding structural and systemic connections
- promoting critical reflection on the meaning and validity of positive law
- boosting key skills needed for practice as a lawyer, including analysis, evaluation and communication

Two further principles are also central to our teaching programme. The first is the view that legal education in Switzerland should strive for a more intensive exchange with neighbouring disciplines in the humanities and social sciences. Thus alongside lectures in legal history, legal philosophy and legal sociology, we also offer a set of supplementary seminars and workshops that pursue new interdisciplinary directions. The second is the belief that the study of law should also become more international in content and outlook. To this end, we aim to help familiarise students with other legal cultures and orders by opening up teaching to international guest lecturers, developing collaborative projects with partner universities, and nurturing student exchange relationships.

LECTURES AND SEMINARS 2024

BACHELOR

Grundlagen des Rechts

Vagias Karavas, Michele Luminati, Klaus Mathis

Von der Arbeiterbewegung bis zu den Klimaprotesten: Der Beitrag der sozialen Bewegungen zur Entwicklung des Rechts (Bachelorseminar)

Vagias Karavas, Michele Luminati

Einführung in das juristische Arbeiten

Michele Luminati

Introduzione alla scienza giuridica

Michele Luminati, Christian Bignasca

MASTER

Kapitalismus ohne Demokratie? (Workshop)

Vagias Karavas, Michele Luminati

Immaterialgüterrecht

Vagias Karavas, Gregor Wild

Prozessbeobachtung und faires Verfahren: Rechtstheoretische Ansätze und praktische Umsetzung (Workshop)

Michele Luminati

Law and Justice in Literature and Film

Steven Howe

Rechtsökonomie

Klaus Mathis

Law of Sustainable Development

Klaus Mathis

Recht der digitalen Medien (Workshop)

Vagias Karavas

Geschichte des Handels- und Wirtschaftsrechts

Michele Luminati

Law and Economics of Corporate Governance: Shareholders, Stakeholders and Beyond

Klaus Mathis

Law and Society in a Global Context

Vagias Karavas

Biomedizinrecht

Vagias Karavas

Integrationsseminar Recht und Politikwissenschaft: Demokratie am Ende? Populismus, Radikalisierung der Politik und die Zukunft von Demokratie und Rechtsstaat

Michele Luminati, Stefan Rieder

Law and Literature (LLM in Legal Theory)

Steven Howe

LAW AND THEORY WORKSHOP

The law and theory workshop is a fortnightly gathering of students, PhDs, postdocs and staff, who meet to discuss select essays and book chapters on key legal and theoretical issues. Each semester is organised around a particular thematic focus, which is looked at from a range of critical perspectives.

The workshop provides a relaxed space for open discussion and exchange. As much as it is an intellectual exercise for members of the institute, it is also designed as an opportunity for students to gain exposure to advanced critical reading and thinking in law and theory.

2024 WORKSHOPS

In the spring term, the law and theory workshop was dedicated to a detailed reading of Quinn Slobodian's book *Globalists: The End of Empire and the Birth of Neoliberalism*. Over several weeks, members of the institute met with students to think through some of Slobodian's claims and ideas in a series of thought-provoking conversations. In autumn, the workshop ran as a 'works-in-progress' session, at which our own postdocs and PhDs presented and discussed parts of their research.

**UNIVERSITÄT
LUZERN**

RECHTSWISSENSCHAFTLICHE
FAKULTÄT

INSTITUT FÜR JURISTISCHE
GRUNDLAGEN - LUCERNAIURIS

**LEKTÜREWORKSHOP ZUR AKTUELLEN
JURISTISCHEN GRUNDLAGENFORSCHUNG
HS 2024**

WORKS-IN-PROGRESS
DOKTORIERENDE UND POSTDOKTORIERENDE
PRÄSENTIEREN IHRE FORSCHUNG

MITTWOCHS, 16.15-18.00H | RAUM 4.E11 (WENN NICHT ANDERS ANGEGEBEN)

09.10.24	Suad Salihu
16.10.24	Veronica Pecile
23.10.24	Teona Kvirikashvili (HS 3)
06.11.24	Rüya Toparliak (HS 3)
20.11.24	Emiliano Chiera
27.11.24	Lukas Romer
04.12.24	Silvan Schenkel

Lucernaiuris
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LLM IN LEGAL THEORY

In 2009/10, the European Association for the Teaching of Legal Theory (AEETD) and the European Academy of Legal Theory (EALT) launched an initiative to establish a new collaborative Master's Course in Legal Theory. The following year, the AEETD and a consortium of European partner universities (Lucerne, Vienna, Frankfurt, Brussels, Cracow and Stockholm) prepared and submitted a successful funding application to the EU's Lifelong Learning Programme (Erasmus Multilateral Projects – Curriculum Development), designed to facilitate the development and implementation of a new "EALT LLM Programme in Legal Theory". Subsequently, the partner universities collaborated intensively, over the course of three years, on the design of the teaching curriculum in preparation for its accreditation at the Goethe-University, Frankfurt. In summer 2014, accreditation was approved, and the course was opened to its first cohort of students. The programme has run continuously since, attracting students from all over the world.

As the only course of its kind in Europe, the LLM in Legal Theory offers a unique perspective on the study and practice of law. Based around a series of subject-specific modules, taught by specialists from the various partner universities, the programme is designed to equip students with the conceptual tools and skills required for a thorough understanding of the workings of law in a modern, globalised world. Strongly interdisciplinary in orientation, the modules promote a productive synthesis of the study of the intellectual heritage of law's traditions and institutions with deep methodological and theoretical reflection, allowing participants to not only gain expertise in a wide range of domestic, European and international subject areas, but to also develop advanced, transferable analytical and critical skills. Since 2014, the institute has contributed several modules to the LLM programme, particularly in the fields of Law and Economics and Law and Literature.

III: RESEARCH



RESEARCH PROFILE

The institute is committed to advancing pioneering research and projects. We pride ourselves on being a hub of contact and exchange – an open laboratory for the discussion of issues and ideas, methods and theories. This openness is reflected in the work of our members, much of which is based on innovative, often cross-disciplinary, collaborations with colleagues in Lucerne or at other institutions at home and abroad.

The research undertaken at the institute spans local, national and international concerns in areas as diverse as law and technology, law and economics, legal history and law and humanities studies. Our core interest lies in exploring the conceptual foundations of law, its assumptions and aspirations, and its workings and effects in diverse social and cultural contexts, both historical and contemporary.

Each year, we run a varied schedule of lectures, seminars, workshops and conferences, together with a visiting fellow programme for young scholars. These activities enable us not only to foster a vibrant research community that brings together established and emerging academics, but to also consolidate existing national and international networks, and support new collaborations.

LABORATORIUM LUCERNAIURIS

Launched in 2009, the laboratorium lucernaiuris lecture series provides a platform for critical thinking and discussion around key issues of law, justice and jurisprudence. Speakers from a range of disciplinary, methodological and theoretical orientations are invited to present their latest work and to share their insights with our community of students, faculty and researchers.

The series aims to strike a balance between convention and innovation. While open to talks on traditional legal subject matter, it also strives to nurture a space for showcasing original work that moves outside established disciplinary frames. Speakers are, moreover, actively encouraged to think outside the box and to take the opportunity to test new ideas and approaches.

2024 LECTURES



This year's lecture series kicked off with Florian Grisel, Research Fellow at the Centre national de la recherche scientifique, affiliated with the University of Strasbourg and the University of Oxford. In his talk, Florian unveiled an untold story of the history of international commercial arbitration, focusing on the emergence of a pioneering group of arbitrators at the International Chamber of Commerce, the "margin-aux sécants" (or "secant marginals"). Via thoughtful reconstruction, Florian was able to persuasively demonstrate how this group, comprising representatives of different legal systems and professions, did crucial – and largely overlooked – work in preparing the ground for new ways of governing and collaborating internationally.



Our second lecture featured Emanuele Conte, Professor of Legal History at the University of Roma Tre and longstanding member of the institute's advisory board. Emanuele's talk teased out a series of insights concerning the construction of public monuments in Rome's urban space, and the role(s) these buildings have played in giving tangible presence and form to the 'idea' of Rome. Many of these monuments are, Emanuele explained, built with spolia – fragments taken from other monuments and re-used or re-purposed. Behind the visible thus lies other invisible institutions of the past, which help create a perception of historical continuity, and which linger on as part of the political and legal imaginaries of the city.

A third event in the series was planned with Katharina Pistor, Edwin B. Parker Professor of Comparative Law at Columbia Law School, who was due to speak on the relations of law and capitalism, drawing on the ideas of her book *The Code of Capital*. Unfortunately, the talk had to be cancelled at late notice due to travel complications. We hope to be able to invite Katharina again soon.

PROGRAMME

Tuesday 30 April 2024

Architects of Global Legal Change: The Untold Story of International Arbitration's Pioneers

Florian Grisel (Université de Strasbourg / University of Oxford)

Monday 3 June 2024

Seeing Through the Unseen: How the Invisible Makes Understandable the Visible

Emanuele Conte (Università Roma Tre)

Freitag, 22. November 2024

Das Recht des Kapitalismus (cancelled)

Katharina Pistor (Columbia University)

CRITICAL TIMES 2024: UN/SEEN

Convenors: Steven Howe, Vagias Karavas, Michele Luminati

3 to 7 June 2024



In his 2011 book *The Right to Look*, Nicholas Mirzoeff offers a compelling account of visuality as an “old word for an old practice”, whereby “domination imposes the sensible evidence of its legitimacy” (Mirzoeff 2011). As an exertion of authority over ‘looking’, visuality is not just about images and their meanings, or about the circuits of their production, circulation and consumption. It also refers to the intersection of power with representation, and to the rules and resources that govern the very limits of the visible and the invisible.



With this as its lead idea, the 2024 summer school *Un/Seen* invited postdocs, ECRs and graduate students from a range of disciplines and backgrounds to join together for a week of critical discussion on the interplay between law, politics and visuality. The aim was to provide an intellectual meeting ground for exploring the relations between modes of visual authority and what Mirzoeff terms “countervisualities” that challenge dominant legal, political and aesthetic regimes, and for pursuing new lines of thinking on the conditions of seeing and not seeing, of being seen and unseen.



To this end, the summer school offered an array of events that cut across disciplinary, cultural and geographic boundaries, and which evolved new possibilities of critical insight and inquiry. The programme was organised around a series of innovative morning seminars, led by faculty from the partner universities, which introduced a lexicon of key ideas, texts and practices. In the afternoons, research colloquia provided an opportunity for participants to present their own work and to share thoughts and feedback. These core sessions were supplemented by a series of other events that included a viewing of two short films by cultural theorist Mieke Bal, a screening and discussion of the Spanish documentary *El jurado*, and an interactive workshop on the different types of ‘labour’ that go into crafting academic work.



Overall, the summer school was, again, a resounding success. Much more than a mere teaching initiative, the school represented a celebration of some of the best work being done, by established and emerging scholars alike, at the intersections of legal theory, visual studies and critical theory. As importantly, it was also a space of international camaraderie and community-building, the intellectual vibrancy of the sessions matched by a spirit of openness, generosity, and shared learning that was palpable throughout, and which made the gathering a rewarding and enjoyable experience for all.

PROGRAMME

Morning Seminars

- Metaphors of Visibility in Law, Politics, and the Economy: From the Invisible Hand to the Black Box of Technology, from Mis-framing Justice to Getting Framed
Scott Veitch (University of Hong Kong)
- Images, Imaginings, and the Imagination of Judges
Julen Etxabe (University of British Columbia)
- Law, Time, Image
Desmond Manderson (The Australian National University)
- The Eye of History
Shane Chalmers (University of Hong Kong)
- Visualizing Legality: A Methodology for Unpacking Multimodal Legal Texts
Greta Olson (University of Giessen)

Special Events

- Seeing Through the Unseen: How the Invisible Makes Understandable the Visible
Evening talk by Emanuele Conte (Università Roma Tre)
- Access Denied / It's About Time!
Film screening and discussion with Mieke Bal (University of Amsterdam) and Desmond Manderson (The Australian National University)
- Behind the Scenes: Craft, Method and the In/Visible Labours of Academic Work
Discussion session with Laura Petersen (University of Lucerne) and Valeria Vázquez Guevara (University of Hong Kong)
- Un/Seen Trial: *El jurado* (Virginia García del Pino, 2012)
Film screening and discussion with Mónica López Lerma (Reed College)

IN THE THICK OF IMAGES: LAW, HISTORY AND THE VISUAL

Convenors: Steven Howe, Laura Petersen, Nicole Schraner

10 & 11 June 2024



The ‘visual turn’ has long been turning in critical and cultural studies of law. In the past twenty-five years, a growing body of scholarship has evolved that emphasises law’s “constitutive imbrication” (Crawley 2020) with an array of visual forms and elaborates on the ways in which images “shape and transform legal life” (Sarat et al. 2005). Weaving together an eclectic set of theories, concepts, methods and materials, such studies refuse thin readings of images as merely illustrative of law, and invite us to think more deeply about their ideological and visual operations – about the meanings they carry and make available, about their material presence and affective effects, and about the kinds of cultural work they perform across their multiple contexts of production, circulation and reception.

Much of this scholarship focuses on the contemporary conjuncture of law and visual representation. Yet law’s imbrication with the visual is not exclusive to the present; law has always lived, happened and mattered “in the thick of images”. This was the starting point for our two-day conference, which sought to explicitly foreground historical and historicist work on law and the visual. Situated at the disciplinary crossroads of law, history, visual cultural studies, art history, film and photography studies, *In the Thick of Images* invited multiple viewpoints and approaches to converge on ways of negotiating the entanglements of law, history and the visual – in various contexts, scales and timeframes.

The conference featured nearly 40 panel contributions and three keynote talks by Valérie Hayaert (University of Warwick), Desmond Manderson (The Australian National University) and Frederic J. Schwartz (University College London). It was a lively affair, which fizzed with interdisciplinary energy and was underpinned by careful, historically sensitive scholarship. The conference was generously funded by the SNSF as part of the project *Imagining Justice: Law, Politics and Popular Visual Culture in Weimar Germany*.

KEYNOTE TALKS

Lady Justice’s Fragility

Valérie Hayaert (University of Warwick)

The Rock that Stands Against Time: Re-Constitutional Law

Desmond Manderson (The Australian National University)

Bertolt Brecht, Media and the Law

Frederic J. Schwartz (University College London)

SAILING THE SHIP OF FOOLS: ON SOME POSSIBLE FUTURES OF THE 'LAW ANDS'

Convenors: Steven Howe, Vagias Karavas

11 December 2024



As our anniversary year drew to a close, the institute gathered for a final celebration with the '20 years lucernaiuris' workshop *Sailing the Ship of Fools: On Some Possible Futures of the 'Law Ands'*. Eschewing formality and grandness, the event was an intimate occasion, bringing together current and past members of the institute with a group of colleagues and friends who have contributed to the life of lucernaiuris over the years.



The outlook of the workshop was, however, oriented not to the past but to the future – to asking not where we have been but where we are heading next. It was in this spirit that we invited participants to set sail with us on the 'Ship of Fools'. The metaphor was proposed not in the sense of Sebastian Brant's *Das Narrenschiff* – as a rudderless voyage to the non-existent paradise of Narragonia. Rather, our inspiration came from Patrizia Comand's suggestive revisiting of "La Nave dei Folli" (see cover image) as a carnivalesque space of playfulness and adventure, of creativity and imagination, far removed from the deadening rituals of convention. In Comand's hands, the Ship of Fools becomes a landscape of possibility, a liminal zone, neither here nor there, where rules can be broken and re-made. Are the figures that populate this landscape mere foolish seekers? Or are they morosophs – those wise fools who, standing outside the order of things, can glimpse the unseen, express thoughts unsaid, provide something new?



Taking this motif as a point of departure, the workshop was conceived as a forum for fresh reflection on what it means to work in the borderlands between law and other disciplines, and for speculative thinking about future routes of inter- and transdisciplinary enquiry. In the afternoon, four emerging scholars, from four different countries, gave short impulse-style talks that shed light on their own work and brought forward an array of possible pathways for extending the potentials related to thinking law between and across disciplines. In the evening, long-time friend of the institute Alain Pottage gave a richly associative – and intensely thought-provoking – keynote exploring concepts of corporate form through the conceptual lens of speculative fiction.

The five talks were thematically eclectic and tonally diverse. Yet they dovetailed remarkably well, prompting lively and inspiring discussions. In this sense, the event was an apt celebration of the institute as a place where ideas, theories and approaches are not siloed but rather put into conversation with one another, in the hope of sparking new insights, perspectives and ways of thinking. As it now embarks on its third decade, the institute remains committed to this intellectual adventure, foolish or otherwise, of leaving safe waters and seeking new lands of knowledge and discovery – and to encouraging others to join us on the journey.

PROGRAMME

On Distance and Truth in Law and History

Amadou Sow (European University Viadrina Frankfurt/Oder)

Law, History and Memory Culture: A Difficult Relationship?

Silvan Schenkel (University of Lucerne)

What's Left of Materialism in the Age of New Materialism?

Veronica Pecile, Università LUMSA, Rome

Ecological Translation

Alexander Damianos (University of Kent)

Speculative Fiction and Corporate Form

Alain Pottage (Sciences Po Law School)

CULTURES OF LEGALITY IN WEIMAR GERMANY

Convenors: Steven Howe, Laura Petersen, Nicole Schraner



Cultures of Legality in Weimar Germany is an online seminar series, run as part of the SNSF project Imagining Justice: Law, Politics and Popular Visual Culture in Weimar Germany. The series is an informal setting, where speakers working from different disciplinary and methodological perspectives are invited to present their ongoing research on the relations between law, politics and culture during the Weimar era.

This year, we were pleased to showcase the work of six emerging scholars at different stages of their career. In the first session, Caitlin Powell, PhD student in History of Art at University College London, drew attention to the role of health fairs and hygiene exhibitions as crucial sites for the public production of knowledge on matters of abortion, and explored how complex constellations of historical display practice and socio-political, cultural and legal changes shaped how abortion was visualised and understood through images. Next, Sara Friedman, Visiting Scholar in the Department of History at the University of Berkeley, offered a closely contextualised reading of the 1919 film *Anders als die Andern* as a direct intervention in contemporary debates around the laws penalising male homosexuality, and as a case study to illustrate the possibilities of the medium of cinema to envision and enact social change. Neatly bridging Caitlin's and Sara's talks, Molly Harrabin, PhD student in German Studies at the University of Warwick, rounded off the first part of the series with a set of subtle readings that situated various films of the era in the context of discussions surrounding §218 on abortion, and offered insights into their political meanings and implications.

The second half of the series kicked off with Javier Samper Vendrell, Assistant Professor of German at the University of Virginia, speaking on Gerhard Lamprecht's 1931 adaptation of Erich Kästner's famous children's book *Emil und die Detektive*, focusing particularly on how, through its representation of the villain figure, the film addresses a new critical issue of the times: the sexual vulnerability of the child. Lucy Byford, Alexander von Humboldt Postdoc at the Constructor's University, Bremen, followed up with an art historical analysis of two disruptive interventions staged by Dadaist Johannes Baader, first at the Berlin Cathedral in 1918 and then during a sitting of the National Assembly in 1919 – the latter timed to coincide with a vote on the terms of the new constitution. In the final talk of the year, Nicole Schraner, PhD candidate in History at the University of Lucerne, presented a detailed reading of visual media representations of the Hitler-Ludendorff trial (1924), and considered how courtroom photographs particularly worked to shape not just the public image of the historical figures involved, but also the public imaginary of law and justice.

PROGRAMME

Monday 15 April 2024

The Problem of the Public: Abortion in German Health Fair Culture (1925-1931)

Caitlin Powell (University College London)

Monday 29 April 2024

Through Cinema to Justice: Sex Education Film and Activism in Germany's Revolutionary Moment

Sara Friedman (University of Berkeley)

Tuesday 14 May 2024

Competing Models of Motherhood and Reproductive Choices in Weimar Cinema

Molly Harrabin (University of Warwick)

Wednesday 30 October 2024

A Film for Children? Autonomy and Vulnerability in *Emil and the Detectives*

Javier Samper Vendrell (University of Pennsylvania)

Wednesday 6 November 2024

From Imperial Sanctum to Cradle of Democracy: Site and Semantics in Dada Interventions at the Berlin Cathedral and the National Assembly in Weimar (1918-1919)

Lucy Byford (Constructor's University, Bremen)

Wednesday 20 November 2024

Visual Representations of the 1924 Hitler-Ludendorff Trial in the Context of Law and Media

Nicole Schraner (University of Lucerne)

VISITING FELLOWS

The visiting fellows programme is designed to facilitate intellectual exchange between our members and the wider academic community. The scheme accommodates junior scholars who wish to spend a period of time in Lucerne pursuing work that overlaps with or otherwise complements scholarly activities currently being pursued at the institute. During their stay, fellows enjoy access to our specialist resources, and are invited to share and develop their ideas under the supervision of one or more of our faculty.

Tailored to PhD candidates and postdoctoral researchers, the programme is open to all working critically, theoretically and innovatively at the intersections between law, the humanities and the social sciences. A leading aim of the scheme is to foster conversations that cut across borders both geographic and disciplinary. We strongly believe that the academic and international diversity of our fellows greatly enriches the intellectual life of the institute.

2024 FELLOWS



Lana K. Gotvan

A Behavioural Approach to the Initiation Problem in Insolvency Law

Lana K. Gotvan is interested in behavioural law and economics, with her PhD research focusing on developing a comprehensive behavioural framework for generating incentives with legal rules. Her research specifically addresses the initiation problem in insolvency law. She wants to explore the role bounded rationality, bounded willpower, and bounded self-interest play in delaying the initiation of insolvency proceedings. Furthermore, she seeks to propose efficient incentive mechanisms for prompt initiation of insolvency proceedings, informed by insights from behavioral economics. Lana's other fields of interest include negotiation theory and intellectual property law.

Lana obtained her bachelor's and master's degrees from the Faculty of Law, University of Ljubljana, Slovenia. Additionally, she completed the Magister Juris at the University of Oxford with distinction. Currently, she is pursuing a PhD in Economics at the University of Ljubljana while working as a teaching and research assistant at the Faculty of Law in Ljubljana.



Veronica Pecile

Law as Material: The Making of Italian Colonies Through Legal Fiction

Veronica Pecile is a socio-legal scholar developing a critical and ethnographic approach to law. In her research, she adopts a historical and ethnographic perspective on Western legal forms, focusing on property. At lucernaiuris, she will analyse how Italian colonies were established through legal discourses and techniques materialising fantasies of domination and dispossession. She will focus on the circulation of property law models between the colonies and the metropolis to argue that the colonisers' use of law tells a peculiar story of Italian modernity - one in which fragmentation acted as a structure of domination.

Veronica has held postdoctoral positions at the Swiss Institute in Rome, ETH Zurich and Harvard Law School. She received her PhD in Law and Social Sciences from EHESS with a thesis on the uses of law made by movement for the commons in Southern Italy after the 2008 economic crisis, which she is now turning into her first book.

RESEARCH PROJECTS

Milan and Ticino (1796-1848): Shaping the Spatiality of a European Capital (SNSF Sinergia Project)

Michele Luminati

This research aims to study the evolution of Milan and of the Swiss Canton of Ticino between 1796 and 1848 via an international cooperation and interdisciplinary partnership. The study of the city's physical transformations and its projects is based on the use of a cross-cutting approach to the three fields that had a strong impact on the shaping of public space: legal changes, editorial policies, public opinion and political thought. The research addresses urban spatiality – a physical and cultural reality – taking the example of Milan and its territory and the Swiss Canton of Ticino in the first half of the 19th century: a case-study that can be used to construct a sophisticated model of hybridisation, in which physical, architectural and urban transformation, changes in culture and legal frameworks, were determined by the domination first of Paris and then Vienna, while not interrupting the continuity of practices and customs specific to the Italian-speaking areas in Italy and Switzerland that were its principal field of influence. Adopting a leading hypothesis defining spatiality as a reality both physical and cultural, this research combines, in interdisciplinary fashion, approaches used by the history of law, cultural history and history of architecture. The study period, 1796-1848, corresponds to the time when Milan assumed the status of a capital city, first “French” and then, from 1815, “Austrian” in the Lombardo-Venetian Kingdom. This historical shift, with its impact on the city's physical and cultural transformations, also saw Ticino acquire a political identity under French domination. In Milan there emerged an assertion of a consistent cultural policy that occupied its physical and intellectual space and turned it into a laboratory of modernity for all Italian-speaking areas – a laboratory that caused Ticino to examine the specific nature of its membership of the Helvetic Confederation. Milan will be presented as the archetype of a contemporary European capital: an alternative to the model of national capitals that involves an idea of spatiality combining the city's physical, intellectual and cultural dimensions. The project's general objective is to develop, starting from the Milanese example, a method and instruments that are valid for addressing a wider corpus of European cities, and thus to propose a new paradigm that will identify, indeed assert, the characteristics and values of relative centrality within a complex territorial system in which Ticino played a leading role.

Imagining Justice: Law, Politics and Popular Visual Culture in Weimar Germany (SNSF Project)

Steven Howe, Laura Petersen, Nicole Schraner

This project proposes a first extended investigation of the relations between law, justice and popular visual culture during the era of the Weimar Republic. Its leading premise is that the interwar period in Germany witnessed a remarkable confluence of law, politics and cultural representations that radically altered the shape and texture of the legal imagination. Historical scholarship has not been blind to this, and there is a substantial body of work that considers how traditional journalistic and literary forms contributed to the development of a new popular legal culture. What has been almost entirely overlooked, however, is the impact of the ‘new’ visual media of the era – cinema, photography and mass image-reproduction techniques – that literally changed how legal subjects and the legal system were seen, and which engendered new spaces of conversation, contestation, dissent and critique. The project seeks to excavate this neglected archive of visual material as a way of opening new lines of enquiry on how perceptions and understanding of law and justice were experienced, constructed, conditioned or challenged through the new image regimes of the Weimar period. Working across three distinct media forms – cinema, visual art, photography – the aim is to develop a set of new and innovative critical perspectives on (i) the forms of legal image-making engendered by the visual media of the Weimar era; (ii) the meanings these images generate in the context(s) of their production, circulation and reception; and (iii) the cultural work these images perform in fostering and shaping a popular legal imagination outside the formal spaces of law and politics.

Justizgeschichte des schweizerischen Bundesstaates: Justizelite zwischen Recht und Politik, 1848-2020

Michele Luminati

Die zunehmende Bedeutung der Justiz in der globalisierten Welt hat zu einem beträchtlichen Aufschwung der Justizforschung und Justizgeschichte geführt. Eine markante Lücke besteht allerdings in Bezug auf die Schweiz. Mit diesem langfristigen Forschungsprojekt (teilfinanziert durch den SNF, den Fonds zur Förderung des Akademischen Nachwuchses der UZH und die Stiftung Ecoscientia) sollen die Grundlagen für eine methodisch abgesicherte und international vernetzte Beschäftigung mit der Geschichte der Justiz im schweizerischen Bundesstaat geschaffen werden.

Ein erster Schwerpunkt liegt bei der rechts- und sozialgeschichtlichen Untersuchung des Schweizerischen Bundesgerichts. Auf der Grundlage einer prosopographischen Datenbank entsteht ein biographisches Lexikon der Bundesrichterninnen und Bundesrichter für die Periode 1848 – 2020. Parallel dazu werden laufend multifaktorielle Analysen der gesammelten Daten publiziert, die Aufschluss über die Dynamik von Richterwahlen, Richterkarrieren und Richterprofilen liefern und über die Entwicklung der schweizerischen Justizelite Auskunft geben.

Ein zweiter Schwerpunkt bildet die Frage nach den Wechselwirkungen zwischen Rechtsprechung und Gesetzgebung in der Schweiz. Insbesondere wird der Umgang des Schweizerischen Bundesgerichts mit den grossen Kodifikationen (OR, ZGB und StGB) untersucht. In diesem Zusammenhang stellen sich etwa folgende Fragen: Was bedeutet Gesetzesbindung und Umsetzung des gesetzgeberischen Willens? Wie werden Konflikte zwischen unterschiedlichen (kantonalen) Rechtsprechungstraditionen gelöst?

Symbiotic Associations of Humans and Social Robots: Tracing the Effects of Human-Robot Interaction, Collaboration and Physical Coupling on the Legal Subject

Rüya Tuna Toparlak

This research project inspects human-robot social interactions and its effects on the legal subject. Due to our emotional and physical entanglement, collaboration, and joint decision-making, a symbiotic association of humans and social robots emerges. This symbiotic association holds the potential of restructuring private law. This research introduces a novel perspective to the legal subjectivity debate that concentrates on our interaction with robots, rather than the existing view of closing the liability gaps arising from the robot's autonomy. To understand the characteristics of the emerging symbiosis, a cross-disciplinary view will be adopted. Methods from other social sciences will be borrowed as they pertain to the post-humanist discourse this research will lead towards. To inspect the meaning of robots for humans, and our ability to connect and interact with them, this research conceptualises case studies about sex robots. Legal tensions arise as these robots hold a different value for users, they elicit a sense of reciprocity and are considered more than mere property. Capturing this social reality means assigning certain rights to social robots, not to protect them "as such" but to protect the interaction and the emerging symbiotic association. This research will then illustrate that the human-social robot symbiosis makes it a futile act to try to disentangle the responsibility of human and robot from each other. Thus, it will suggest new liability spheres to address the symbiotic association. Through these suggestions, the research inspects a new ontological category for social robots, between an object and a subject.

Das personalisierte Recht

Suad Salihu

Wenn Künstliche Intelligenz auf Recht trifft, dann für gewöhnlich in folgenden zwei Konstellationen: Entweder geht es um die Suche nach rechtlichen Antworten auf informationstechnologische Entwicklungen – das Immaterialgüter- und das Datenschutzrecht als Dauerthemen unserer Zeit geben Zeugnis hiervon – oder um informationstechnologische Lösungen zur Weiterentwicklung der juristischen Rechtspraxis. In diesem zweiten Themenbereich ist die Rede von AI expert systems, judge analytics und etwa die Möglichkeit, Anwälte durch künstliche Intelligenzen zu ersetzen. Unter der Bezeichnung Legal Technology wird insbesondere letzteres als eine für das Recht disruptive Entwicklung gehandelt.

Suad Salihu untersucht in seiner Dissertation einen davon abweichenden Aspekt der Digitalisierung im Recht. Nach der darin vertretenen Auffassung markiert die Digitalisierung noch keinen Wendepunkt, solange sie sich auf die Automatisierung der Rechtspraxis und der Rechtsanwendung beschränkt. Informationstechnologische Entwicklungen entfalten viel mehr erst dann disruptive Kraft im Recht, wenn sie auf die Rechtsnorm und ihren allgemein-abstrakten Charakter und damit auf die Wesensart des modernen Formalrechts zielt. So soll es gemäss Befürwortern

eines sogenannten personalisierten Rechts möglich sein mithilfe von Big Data und KI, allgemein-abstrakte Normen durch personalisierte, d.h. individuell-konkrete, Regelungen zu ersetzen.

Diese Tendenz hin zur Personalisierung ist dabei auch in anderen Gesellschaftsbereichen bemerkbar. So ist etwa die Rede von personalisierten Preisen, personalisierter Werbung oder personalisierten Therapiemethoden. Noch vor jeder Zustimmung oder Ablehnung untersucht Suad Salihu das personalisierte Recht deshalb vor dem Hintergrund einer gesamtgesellschaftlichen Entwicklung hin zur Personalisierung. Die rechtssoziologische Arbeit soll aufzeigen, wie eine übergreifende Verschiebung der sozialen Logik vom Allgemeinen, Gleichen und der Gleichbehandlung hin zu einer neuen sozialen Logik des Besonderen, des Individuellen und des Unterscheidens Einzug ins Recht hält.

AI Authorship, AI Inventorship, and the Protection of Intellectual Property Rights in the Age of Innovation

Teona Kvirikashvili

Amongst the many areas in which Artificial Intelligence (AI), in its many forms, has caused confusion and raised questions, of course stands the law as the leading mechanism for social regulation. Law at large is naturally challenged by the emergence of this new powerful actor in almost all areas of its application. How does one regulate something which is often too complicated, if not impossible, to understand equally for lawmakers and average humans? What we are facing currently has been described as “the wisdom gap” – the gap between the rising interconnected complexity of our problems and our ability to make sense of it all. From both governments and various organizations, efforts and suggestions are being made to ensure ethical and legal norms are respected in areas of heavy AI involvement. There is a continued need of further analysis and perhaps creation of new, clearer, and ethically balanced legal norms to adequately respond to the challenges caused by AI.

This PhD project concerns itself with exploring the Intellectual Property (IP) law – specifically copyright and patent implications of so-called generative AI. In the light of ever-increasing AI emergence, the author will analyze how the classical concepts of authorship and inventorship are challenged by AI activities in creative and innovative industries. From the copyright side, it needs to be decided how, if at all, the works produced by generative AI machines & software should or could be protected by IP law. Concept of creativity and authorship will be looked at to understand whether machines have become truly creative or if despite their increased autonomy they still remain to be simply another kind of a tool, some version of which humans have always used in their creative process. On the other hand, when it comes to patents, the concept of an inventor has already been challenged by a specific case commonly known as the DABUS with many more to surely follow. Here again, the question is whether inventions of high AI involvement or supposedly fully AI generated can be patented, considering that the laws in virtually all jurisdictions have so far required a human inventor. The thesis shall look at the consequences of both AI inventorship recognition and denial.

Ultimately the project will showcase what it means for current copyright and patent law frameworks to operate in this new world, where machines also produce or at least take a major role in producing creative pieces as well as technical innovations.

Die Genese des Rechts auf Wahrheit als neues Menschenrecht im internationalen Recht

Emiliano Chiera

Neuere Entwicklungen in der Menschenrechtstheorie und -praxis haben ein bedeutendes rechtswissenschaftliches Paradigma hervorgebracht, das als “Recht auf Wahrheit” bekannt ist. Die Frage, ob ein derart komplexes und abstraktes Konzept wie die Wahrheit tatsächlich als Gegenstand oder Objekt des Rechts betrachtet werden kann oder ob es sich lediglich um eine bloße Utopie handelt, steht im Zentrum dieser wissenschaftlichen Diskussion. Diese Dissertation zielt darauf ab, eine umfassende Analyse der Entstehung und Entwicklung des Rechts auf Wahrheit als neues Menschenrecht im internationalen Recht durchzuführen, beginnend von seinen historischen Anfängen bis zur gegenwärtigen Zeit. Der Schwerpunkt liegt darauf, die noch weitgehend unklaren Ursprünge dieses Rechts und seine Evolution hin zu einer rechtsverbindlichen Norm des internationalen Menschenrechts zu untersuchen. Insbesondere wird analysiert, wie aus einem ursprünglichen ethisch-moralischen Bedürfnis bzw. Verlangen, die Wahrheit über Kriegsverbrechen, schwere Menschenrechtsverletzungen und das Schicksal vermisster Angehöriger zu erfahren, ein fest etabliertes Recht im internationalen Rechtssystem entstehen konnte. Das Hauptziel besteht darin, die rechtshistorischen Ereignisse zu rekonstruieren und zu ermitteln, die diesen Verrechtlichungs- und Transformationsprozess ermöglichten und vorantrieben sowie die Existenz und Notwendigkeit dieses

Rechts als autonomes Menschenrecht zu bewerten, indem die Bedürfnisse und Interessen der Betroffenen identifiziert und berücksichtigt werden. Ferner soll die transformative Kraft dieses Rechts für individuelle Opfer abscheulicher Gräueltaten und deren Angehörige sowie für die betroffene Gesellschaft und die Menschheit als Ganzes beleuchtet werden. Diese Forschungsarbeit trägt zum Verständnis der rechtshistorischen, politischen und gesellschaftlichen Zusammenhänge bei, die zu seiner Anerkennung und Verrechtlichung geführt haben, und betont die Bedeutung dieses Rechts für die Förderung von Gerechtigkeit, Wahrheit und Versöhnung auf globaler Ebene.

Das Eigentum in Recht und Politik und der Einfluss der Universität in Basel in der Zeit um die Helvetik

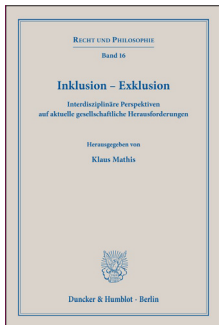
Lukas Romer

Die Ausgestaltung des Rechtsinstituts Eigentum hat einen bedeutenden Einfluss auf die ökonomischen Verhältnisse einer Gesellschaft und damit auch auf ihre soziale Struktur. Die Eigentumskonzepte sind gleichzeitig immer wieder Reformen unterworfen, die entsprechende Veränderungen in der Gesellschaft mit sich bringen.

Am Wendepunkt von der Frühen Neuzeit zur Moderne erfährt das Recht als Ganzes und mit ihm folglich das Eigentumsinstitut eine starke Veränderung: von feudalen und teilweise kollektiven Strukturen hin zum bis heute vorherrschenden Privateigentum. Diese Veränderung zu untersuchen und anhand des rechtswissenschaftlichen Diskurses und der Rechtsanwendung darzustellen, ist Ziel dieses Dissertationsprojekts. Denn auch vor der Alten Eidgenossenschaft machten die revolutionären Ideen während der Helvetik nicht halt, wenn sie sich auch nur am Rande in Umstürzen wie im benachbarten Frankreich manifestierten.

Mit Basel als Untersuchungsort wurde dabei einerseits der Ort der Alten Eidgenossenschaft ausgewählt, an dem es während der Helvetik zu einem politischen Umsturz und später auch zur Kantonsteilung kam. Andererseits war Basel seit 1460 Universitätsstadt – bis dato die einzige der Eidgenossenschaft. Wie weit sich nun der Einfluss der juristischen Fakultät der Universität auf die Gesellschaft und das vorherrschende gemeine Recht wie auch auf das Rechtsinstitut Eigentum auswirkte und wie weit sich dieser Einfluss auch in den politischen Umwälzungen zeigte und zu entsprechenden Veränderungen des Rechtsinstituts führte, soll anhand der Archivbestände aus Stadt und Landschaft Basel untersucht werden.

NEW BOOKS



Klaus Mathis (Hg.), *Inklusion – Exklusion. Interdisziplinäre Perspektiven auf aktuelle gesellschaftliche Herausforderungen* (Berlin: Duncker & Humblot, 2024)

Wer gehört dazu? Wer wird ausgeschlossen? Inklusion und Exklusion beschreiben das Verhältnis Einzelner zur Gesellschaft. In diesem Tagungsband werden gesellschaftliche Phänomene und Mechanismen der Exklusion und Strategien der Inklusion theoretisch und anhand konkreter Fallbeispiele interdisziplinär analysiert, verglichen und die daraus gewonnenen Erkenntnisse integriert. In den einzelnen Beiträgen werden verschiedene insbesondere soziologische und rechtliche Themen behandelt, darunter die Rolle von Inklusions- und Exklusionsmechanismen in der Gesellschaft, die Bedeutung des Rechts für deren Stabilisierung, Bildungschancen und das Schulsystem, sowie Fragen der Rechtspersönlichkeit von nicht-menschlichen Naturpersonen. Weiter finden sich Diskussionen zu Inklusion und Grundversorgung sowie zum Zugang zur Wasserversorgung. Den Abschluss bilden eine historische Perspektive auf Armut und Obdachlosigkeit, eine kritische Reflexion der schweizerischen Asylrechtspraxis und eine Darstellung der Inklusionsprozesse in der katholischen Kirche.



Malte-Christian Gruber, Vagias Karavas and Gunther Teubner (eds.), *Society's Constitutions. Special Issue of the Zeitschrift für Rechtssoziologie 44 (1) (2024)*

How could anyone ever assume that there is such a thing as a uniform constitution of modern society? How could anyone believe that everything social could be subordinated to its universal requirements? And how did it come about that liberal private law – according to its self-image – superseded its own function as societal constitutional law?

It is “the inherent blindness of liberal constitutionalism vis-à-vis societal sub-constitutions” that led Gunther Teubner to reveal the paradox of a civil-societal “constitution” free of a state constitution. Teubner contrasts the liberal idea of “constitution-free spheres of individual freedom” with the constitutional significance of social institutions and the multitude of “autonomous societal orders”. Referring to Reinhart Koselleck’s critical insights into the one-sidedness of state-fixated constitutional histories and the associated constitutional-theoretical neglect of all other legally regulated institutions, “without which a social community of action is not capable of political action” (Koselleck), Teubner’s societal constitutionalism opens up a view of today’s constitutional problems: climate change and ecology, medicine and healthcare, labour and new forms of production and, not least, the digital constitution of cyberspace are just a few, albeit central, arenas of such constitutional conflicts. The articles in this special issue examine the social problems described here from different angles and attempt to illustrate and further develop the multiple perspectives and particular potential of Teubner’s societal constitutional theory.

FURTHER PUBLICATIONS

STEVEN HOWE

- For a Justice to Come: Milo Rau's Utopian Realism. In: Christina Kraenzle and Maria Mayr (eds.), Re-Conceptualizing Utopia: Thinking the Future Today. Special Issue of Seminar: A Journal of Germanic Studies 60 (2) (2024), 108-122
- Legal Cinema in a Time of Crisis: Notes on the Weimar-Era Tendenzfilm. In: Klaus Stierstorfer et al. (eds.), Constitutivity. Literatur und Recht (Berlin: Metzler, 2025) [in print]

VAGIAS KARAVAS

- Introduction on Society's Constitutions. In: Zeitschrift für Rechtssoziologie 44 (1) (2024), 1-2 (with Malte-Christian Gruber)
- The Best of All Possible Worlds: Gunther Teubner's Theodicy (A Reading of Gunther Teubner's Text 'The Constitution of Non-Monetary Surplus Values'). In: Zeitschrift für Rechtssoziologie 44 (1) (2024), 22-47
- "Doing Things with Words": Zur performativen Kraft der Rechtssprache am Beispiel der Patentierung biotechnologischer Erfindungen unter Verwendung biologischen Materials menschlichen Ursprungs. In: Bettina Hürlimann-Kaup et al. (Hrsg.), Recht suchen. Liber comitum für Jörg Schmid (Zürich: Schulthess, 2024), S. 195-204

MICHELE LUMINATI

- Clausdieter Schott (1936-2023). In: Zeitschrift für Neuere Rechtsgeschichte 1/2 (2024), 1-2
- Meistererzählungen und Fragmentierungen in der schweizerischen Rechtsgeschichtsschreibung: Mythen, Fabeln und ein gewisses Unbehagen. In: Zeitschrift für Neuere Rechtsgeschichte 1/2 (2024), 60-96

LAURA PETERSEN

- Book Review: Frederic J. Schwartz, The Culture of the Case: Madness, Crime and Justice in Modern German Art (MIT Press, 2023). In: Law, Culture and Humanities 20 (3) (2024), 635-637

RÜYA TUNA TOPARLAK

- The New Voyeurism: Criminalising the Creation of 'Deepfake Porn'. In: Journal of Law and Society 2025 (forthcoming, with Clare McGlynn)
- Creating Sexually Explicit Deepfakes: Options for Criminal Law Reform. Expert Opinion for Hate Aid (with Clare McGlynn)

PRESENTATIONS

STEVEN HOWE

- “Forward and Don’t Forget!” Notes on the ‘Reichstags-Reenactment’ (2019)
AIDEL Conference on Law and Memory, University of Verona
- The Paragraph Film in Weimar Germany: Politics, Aesthetics, Historical Context
International Conference In the Thick of Images: Law, History and the Visual, University of Lucerne
- Popular Visual Legalities in Weimar Germany
International Conference Constitutivity, DFG Collaborative Research Centre Law and Literature, University of Münster

VAGIAS KARAVAS

- Digitale Körperverfassungen
Interdisziplinäre Tagung Annäherungen an den digitalen Zwilling: Zur Emergenz der Datenkörper, Universität Giessen

MICHELE LUMINATI

- Dittatura e democrazia: Michael Stolleis e Paolo Grossi a confronto
Conference Tradiciones Iushistoriograficas a Debate: Democratizaci3n, Globalizaci3n, Descolonizaci3n, Universidad de Sevilla
- Questioni di confine tra Italia e Cantone Ticino nella prima met  dell’Ottocento
Conference Spazio e “identit ” dell’italianit  in periodi di transizione: 1796-1943, Archivio del Moderno, Palazzo della Nunziatura, Balerna
- Questioni di confine e identit  nazionale: i difficili rapporti tra il Ticino e la Lombardia nell’Ottocento
Conference Identit  plurali e alterit  spaziali dell’italianit  1796-1943: territori, citt , architetture, musei, Venezia, Fondazione Giorgio Cini
- Fehlurteil aus juristischer Sicht
Podium Fehlurteile und Urteilsfehler – Wie uns psychologische Erkenntnisse in der Strafverfolgung helfen k nnen, Universit t Luzern
- Riflessioni sulla digitalizzazione della giustizia
Podiumsdiskussion Justitia 4.0: Digitalizzazione della giustizia, Scuola universitaria professionale della Svizzera italiana (SUPSI)

LAURA PETERSEN

- Futures of Law and Humanities Education
Keynote Roundtable at the Law, Literature and Humanities of Australasia Conference, University of Hong Kong (with Ann Genovese, Benjamin Goh, Peter Goodrich, Karin van Marle, Shaun McVeigh, Honni van Rijswijk, Sabarish Suresh)
- Re-Imagining the Republic? Cartoon Art in the Weimar Era
Law, Literature and Humanities of Australasia Conference, University of Hong Kong
- Drawn into Law: Legal Cartoons in the Weimar Republic
International Conference In the Thick of Images: Law, History and the Visual, University of Lucerne
- Behind the Scenes: Craft, Method and the In/Visible Labours of Academic Work
Critical Times Summer School Un/Seen, University of Lucerne (with Valeria Vázquez Guevara)

NICOLE SCHRANER

- Visual Representations of the 1924 Hitler-Ludendorff Trial in the Context of Law and Media
Online Seminar Series Cultures of Legality in Weimar Germany, University of Lucerne
- Photography Laws and Law in Photography: Courtroom Photography and Judicial Criticism in Weimar Germany
International Conference In the Thick of Images: Law, History and the Visual, University of Lucerne

RÜYA TUNA TOPARLAK

- Redefining (Legal) Personhood: Confronting Technological and Intergenerational Challenges
World Congress of the International Association for the Philosophy of Law and Social Philosophy, Seoul

IV: COVER IMAGE

PATRIZIA COMAND, LA NAVE DEI FOLLI (2014)

Patrizia Comand has been practicing for years in a sort of visual game of playful fantasies: she bets on the echo between ironic stimulus and dreamlike shot. She does that by inventing characters that manage to make you smile and dream – and thus perhaps even think – at the same time. And if sometimes her works remind of the Latin American narration, it is because she must have discovered it herself, travelling around that part of the world, where Fernando Botero gained his background while reading Gabriel García Márquez. In this way, she shaped allegorical figures, bizarre yet funny, arcane or archetypal creatures flying about and dancing in the watcher's mind. Over the years, she has developed an incredible virtuosity in drawing.

Then, she decided to bet with or maybe even against herself: she chose her masterpiece to be a painting that aims at the size and height of a fantasy *Guernica*, in which she decided to summarise all of her experiments to date. She looked for a source of inspiration. And she did not want it to be an easy one ...

She was brave enough to go and find it in Basel at the end of the fifteenth century, where printing was blossoming together with its first attempts of introducing engravings. In this way, she managed to reshape Sebastian Brant's myth *Das Narrenschiff*, his odd masterpiece of printmaking at its very early stage, in which young Albrecht Dürer took part with his efforts at the beginning of his career in the magical world of engraving. Today, we can barely remember to what extent fantasy was taking over in that experimentation. The freedom of expression that sacred and political power painting constrained within the narrow rules of official narration was let loose on printed paper. In those years, playing with foolishness almost became daily routine on the banks of the Rhine. That unknown and mysterious master of the so-called *Hausbuch* did it, Martin Schongauer did it, Dürer – as we said – did it. These artists, who would seem far from contemporary sensitivity, taught a precise and attentive style of sign and drawing, providing an unexpected right to freedom of expression. They were the ones who claimed the right to joke and questioned the perfection of the Italian Renaissance's dogma.

On some occasions, artists are capable and lucky enough to reshuffle the cards, arrange experiences that visual memory drags along. In this way, they revitalize the watcher's sleepy conscience and cast it into a new, lively path. Indeed, liveliness is without a doubt what immediately emerges from this new version of the *Ship of Fools*, an essentially kindly and cheerful liveliness.

The *Ship* is of *Fools* because those who let themselves be dragged around by their own fate are undeniably fools, either diligently pursuing the capital vices or following their own apparently unintelligible reveries. They all act in a way that their bodies convey both desperation and amusement. After all, the author of this critique, the artist, makes them look funny, since her painting and narration have decided to be kind. This benevolent gaze becomes a natural instigation for curiosity, thanks to a chromatic scheme that in turn is colourful and joyful, in a way that the inks used for ancient engravings could not even suggest. The modernity of the work owes a great deal to colour, its lightness and gracefulness. Characters are alive between memory and newness, they look as if they belong to the world of fairytales, and we also know that their purpose is to evoke rather than to shock.

The watcher is invited to smile, and smiling leads to reflection. The *Ship of Fools* aims at being a moral work, without ethical rhetoric but with charming visual rhetoric. The goal of all artists, in dealing with the adventure of shaping a style, is inventing their own language. Necessarily, every language is a collection of already existing signs, which however combine in a new way to overcome what is well known. The goal is clear and reasonable: standing out. We live in an age full of images, or maybe even obsessed with images, though often poor in thoughts. Having a subtle thought to offer is, per se, remarkable. Managing to raise the attention is much harder. Astonishment, which most of current arts pursue as a rule, is overcome by what daily information – much crueler – has in store for us when we read the newspaper. That subtle surprise that puts the gears of cerebral poetics in motion is missing. The stimulus for a mixed activity of head, heart and instinct is rare, but this is precisely the activity required for a visual representation of an imagined world, which, as such, is different from the world shown in a photograph or from the message of a badly filmed video made with a mobile phone. This is the reason why both drawing and colour, which seemed to be doomed to an irreversible obsolescence, are unexpectedly and successfully back as the protagonists in the creation of visual imagery. All they need is an interpreter to skilfully manage their great potential. All of this makes up Patrizia Comand's work of mastery.

Excerpt from Philippe Daverio, 'A Visionary Guernica', in Vera Paladino (ed.), Patrizia Comand, *La Nave dei Folli / The Ship of Fools* (Fondazione FGS, 2014)

PATRIZIA COMAND

Patrizia Comand was born in Corbetta, Italy, and graduated from the Brera Academy of Fine Arts in 1972. Her earliest exhibition followed two years later, and in 1979 she exhibited at the Salone dei Giovani Artisti at the Palazzo della Triennale in Milan. In the early 1990s, Patrizia moved to Central America (El Salvador, Guatemala and Mexico), where she lived for several years and from where she drew radical inspiration for her interpretation of light and colour. In 1995, she was invited by the Minister of Culture of Madeira to hold a solo exhibition featuring paintings from her Central American period at the Palazzo del Governo, entitled 'Dentro da imagem'. In the same year, she also participated in the great exhibition 'Il PO del 900 – Arte, Cinema, Letteratura' curated by Laura Gavioli and Mario de Micheli and held at the Galleria Civica del Castello in Mesola, Ferrara. In 2000, the Fondation du Château de Gruyères – Centre International de l'Art fantastique dedicated a solo exhibition to Patrizia's work, entitled "L'incommensurable légèreté dell'etre". In the following years, she exhibited widely across Europe and in Japan, Morocco and Mexico. In 2004, she was awarded the 'Culture Award 2004' by her hometown; this was followed a year later by a large solo exhibition, 'Visions', curated by Flaminio Gualdoni. In the same year, Patrizia also received first prize at the Ankara Biennial.

At the end of 2007, the Superintendence for Architectural Heritage and Landscape of Milan, together with the Fabbrica del Duomo di Milano, commissioned Patrizia to create the subjects for two large canvasses (10m x 20m each) that were exhibited on the façade of the Duomo, entitled "The Sky over Milan". The originals are now in the Vatican. As a portrait artist, Patrizia was commissioned, in 2005, to paint the official portrait of Pope Benedict XVI for the 'Hall of Popes' of the Basilica di Superga in Turin. In 2013, this appointment was renewed for the newly elected Pope Francis. Patrizia also painted the portrait of Nobel Prize winner Rita Levi Montalcini, exhibited at the Frauenmuseum in Bonn.

In 2015, she was invited to the Triennale di Roma at the Vittoriano and to the First Biennial of Sacred Art in Oosterhout in the Netherlands. In the same year, she exhibited for the first time 'La Nave dei Folli' at the FGS Foundation in Cassano Magnago (Varese). A large painting (2.05m x 8.60m) with 20 large preparatory drawings, the work took over three years to complete. The theme is adapted freely from the satirical poem "Das Narrenschiff" by Sebastian Brant, which was first published in 1494 in Basel with iconographic engravings attributed to Albrecht Dürer. In 2017, the renowned publisher Franco Maria Ricci decided to present the painting at Labirinto della Masone in Fontanellato (Parma) and to publish a prestigious catalogue with prefaces by Philippe Daverio and Giovanni Mariotti. In the same year, the work was exhibited to great critical and public acclaim at the Museo di Palazzo Cipolla in Rome by the Third Pillar-Italy and Mediterranean Foundation. In 2019, it was presented at the Palazzo Comunale in Corbetta.

In 2022, Patrizia received from the Municipality of Milan the 'Faces of the Metropolis' award, which recognizes personalities who have distinguished themselves in various cultural fields.

Since 2006, she has been part of an international group that each year presents a themed exhibition at the Grand Palais in Paris. Since the same year, she has also been represented in the Archive of the National Museum of Women in the Arts in Washington DC.

Website: www.patriziacomand.com

V: 2025 – A PREVIEW



CRITICAL TIMES SUMMER SCHOOL: DISRUPTIONS



The Critical Times summer school will return in late June 2025. This year's event will turn around the theme of 'Disruptions' and offer an interdisciplinary space for thinking about how disruptive forces upset existing notions of law and justice, tradition and community, and about the possibilities they open for transforming our legal, political and cultural imaginaries.

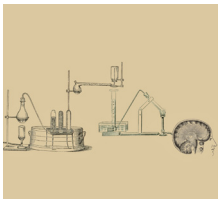
Confirmed speakers: Shane Chalmers (University of Hong Kong), Julen Etxabe (University of British Columbia), Malte-Christian Gruber (University of Giessen), Mónica López Lerma (Reed College), Desmond Manderson (The Australian National University) and Greta Olson (University of Giessen).

ROUSSEAU LECTURES



In October 2025, we will be hosting the Rousseau Lectures of the Swiss Association for Philosophy of Law and Social Philosophy (SVRSP). The main speaker will be Susanne Baer (Professor of Public Law and Gender Studies, Humboldt University Berlin and Former Judge at the German Federal Constitutional Court), who will speak on 'Verfassungsrecht in Aktion: von der Freiheit und der Gleichheit in der Arbeit am Konsens'.

LABORATORIUM LUCERNAIURIS



The lecture series laboratorium lucernaiuris will start back in late-May, with a talk by Gregory Shaffer (Georgetown Law). Other planned speakers for 2025 include Lara Montesinos Coleman (University of Sussex) and Bill Maurer (University of California Irvine).

VISITING FELLOWS 2025

We are delighted to announce the following two fellowships for 2025:



Sabarish Suresh

Dates: November to December 2025

Project: Cartojuridism: Law, Cartography, and Jurisdiction in Colonial India



Alessandro Volpi

Dates: April to May 2025

Project: Populist Verfassungslehre: Schmitt's Legacy and Contemporary Constitutionalism

For further information, and to keep up to date with our programme, please visit www.lucernaiuris.ch. If you would like to subscribe to our mailing list, please send a short message to lucernaiuris@unilu.ch.

