



FOR ONE DAY ONLY

Law, Space, Matter

9/10 September 2021

A 24 hour virtual workshop for a non-travelling global audience

Had we but world enough, and time
Andrew Marvell

Recent years have witnessed a new wave of critical approaches to (re-)thinking the entanglements of law, space and matter. From David Delaney's 'nomosphere' and Peter Sloterdijk's 'nomotop' to Andreas Philippopoulos-Mihalopoulos's 'lawscapes' and Daniela Gandorfer's 'matterphorics' – scholars working in diverse theoretical traditions have rejuvenated discussions on the substance and materiality of law, and opened new perspectives on the reciprocal materialisation of the legal and the socio-spatial.

Matter matters – all the more in our present age of crises and challenges, which press us towards a renewed critical reckoning with the relation(s) between law, place and space, between spatiolegal representations, discourses, and materialities. In this context, we turn again to "the complex, shifting, and always interpretable blendings of words and worlds" (Delaney) in which law is embedded and unfolds.

For One Day Only brings together a global community of thinkers, scholars and artists for 24 hours of conversations on the moment we are living through and the future we want. Hosted by an international consortium of research centres spanning four continents, the workshop sessions will roll around the world from Canberra and Johannesburg, through Rome, Helsinki and Lucerne, to Virginia and Melbourne. Together, we will showcase cutting-edge work that captures the stakes of critical, theoretical and socio-legal enquiry into the spatialisation of law and the legalisation of space, and which poses fresh challenges for thinking about law's depth and character, its politics and social resonances.

Organised by
Institute for Interdisciplinary Legal Studies - lucernaiuris,
University of Lucerne
Centre for Law, Arts and the Humanities, The Australian National University
Institute of the Humanities and Global Cultures, University of Virginia
Wits Institute for Social and Economic Research,
University of Witwatersrand
Faculty of Law, University of Roma Tre
Faculty of Law, University of Helsinki
Institute for International Law and the Humanities, University of Melbourne

Programme & Workshop Abstracts

NB. All times listed below are in Central European Summer Time. Local times are given in brackets, where these differ.

Thursday 9 September, 04.00-06.00 (12.00-14.00 Eastern Australian Time)

Market / Place: A Funny Thing Happened on the Way to the Forum

Hosted by the Centre for Law, Arts and the Humanities, The Australian National University

Legal space and legal geography have been important focuses of research in socio-legal scholarship in recent years. In what ways has the experience of public space been transformed under the pressures of neoliberal ideology and contemporary governmentality? How has biopolitics and securitization changed the materiality of public space and with what impacts on democratic life? How has COVID-19 constrained, revealed, or accelerated these processes? What are the opportunities or challenges facing us?

The Centre for Law, Arts and Humanities has assembled a panel of world class interdisciplinary scholars to reflect on these questions and to talk about their research—historical, theoretical, and experiential—at the intersection of law, power, and public space.

Speakers:

- Margaret Davies is Matthew Flinders Distinguished Professor at Flinders University, and the author of *Law Unlimited: Materialism, Pluralism and Legal Theory* (2017).
- Jessica Whyte is jointly appointed in Philosophy and Law at UNSW, and the author of *The Morals of the Market: Human Rights and the Rise of Neoliberalism* (2019).
- Chris Butler teaches at Griffith Law School and is the author of *Henri Lefebvre: Spatial Politics, Everyday Life and the Right to the City* (2012).
- Desmond Manderson is Director of the Centre for Law, Arts and Humanities at ANU and has recently written on imaginaries of public space from the Renaissance to neoliberalism (2020).

Thursday 9 September, 07.30-08.30 (08.30-09.30 East European Summer Time)

Law, Politics and Emptiness

Hosted by the Faculty of Law, University of Helsinki

Emptiness is assumed to be void of legal and political significance. Spaces without clear presence appear to have few connotations with the workings of the law and they are typically thought of as spaces that need to be filled. Law is usually seen as stepping in at the point when the emptiness is filled. This panel challenges these assumptions. It looks at emptiness generated by the law and explores different notions of emptiness and its significance for law, politics and ethics.

Speakers:

- Panu Minkkinen (University of Helsinki) will argue that seemingly empty spaces in capital cities and government centres like public squares are not actually void at all and available for any use. In fact, they frame potentially effective political contestation into governable civic action that cannot escape the neoliberal logic of 'police', to use Jacques Rancière's terminology.
- Dorota Gozdecka (University of Helsinki) will examine the notion of ethical emptiness within the spaces of the border. She will look at cases disestablishing the workings of ethics at the border and effectively discouraging hospitality to those on the opposite side of the border.

Thursday 9 September, 09.30-11.00

Algorithms and the End(s) of Law

Hosted by the Faculty of Law, University of Roma Tre

We understand law as a complex of abstractions by which communities agree to be bound. Definitions of rights and rules of procedure produce an agreed version of the “truth” or of reality. But it has not always been like this. For many centuries determinations of rights and remedies was entrusted to the will of “god” as interpreted by religious authorities. The concept of law emerged from this system of religious control as a response to the perceived need to humanize the system of justice. Now, the digital revolution has produced a new phase in the cycle in which algorithms, under the guise of operationalizing legal principles, are instead supplanting them and creating their own version of the truth. If law as we now know it begun at a certain point, can we also say that, thanks to the pervasive social power of technology, it is now at its end point?

This panel will address this question focusing on the following issues:

- Emanuele Conte, University of Roma Tre, will outline some of the basic features of the pre-law system of religious control.
- Giancarlo De Cataldo, Judge of the Court of the Assizes in Rome, and award-winning novelist, will talk about the despatialization of law and justice.
- Fiona Macmillan, Birkbeck University of London and the University of Roma Tre, will address the role of algorithms in controlling cultural production and distribution in the digital realm.
- Teresa Numerico, University of Roma Tre, will speak about the invisibility of the algorithmic black box and the re-representation of appearances.

Thursday 9 September, 12.00-14.00

In the Eyes of the Law

Hosted by the Institute for Interdisciplinary Legal Studies - Lucernaiuris, University of Lucerne

Talk and video screening with Carey Young and Desmond Manderson

Since 2003, visual artist Carey Young has developed a body of artistic work across multiple media that examines law’s relationship to ideas of space, language, performance, and materiality. Her talk will centre on a screening of Young’s noted video *Palais de Justice* (2017), in which the artist spent two years surreptitiously filming female judges and lawyers working at the main courthouse of Belgium. Using a painterly, hallucinatory aesthetic, the piece evokes a legal system centred on or controlled by women and explores intersections of power, gender and the ocular. Young will also include other examples of her law-based artistic works, which have conceptualised and explored law as an artistic medium. Young has collaborated with legal advisors to make artworks in installation, video, performance, print, sculpture, and photography, which also operate as bespoke legal instruments. These works have addressed disparate legal fields, including human rights, inheritance law, intellectual property and law relating to outer space. Experimenting with ideas of space, time, and materiality in relation to law, Young’s artistic work explores law as a separate kind of ‘reality’, one with its own inherent subjectivities and points of breakdown.

Young’s talk will be followed by a conversation with Desmond Manderson (ANU), and an open Q&A session. The workshop will be moderated by Steven Howe (Lucerne).

* Since sound is a major aspect of the work, headphones are recommended for the best experience of ‘Palais de Justice’. *

Thursday 9 September, 16.00-18.00 (10.00-12.00 US Eastern Time)

Immunity and Quarantine: The Biopolitics of Space-Making in Pandemics

Hosted by the Institute of the Humanities and Global Cultures, University of Virginia & Wits Institute for Social and Economic Research, University of Witwatersrand

“Immunity”, whether referring to the individual (the official, the diplomat, the patient, the police officer, the doctor) or to the group (civil officers, the police, pharmaceutical companies, the “herd,” or the population) has shuttled among the registers of language that are held responsible for human and social life. Used in law, medicine, politics, religion and philosophy, the idea of immunity underpins that which constitutes the human and its relation to the non-human, disease, impurity, danger, and spatial containment. If natural immunity is the ability to resist infection, legal immunity is the granting of an exemption by a higher authority. In the case of ecclesiastical immunity, immunity is an exception from secular or civil duties. The afterlife of this ecclesiastical model can be found, for example, in the notion of qualified immunity given to police officers in the US who have murdered African Americans. Immunity as a category has gone hand in hand with the idea of quarantine: the enclosure of peoples and places to protect the larger population from contamination of various kinds - epidemiological, ideological, cultural, psychic, and moral. Together, immunity and quarantine have been mutually constitutive in the spheres they have shaped and curtailed. In this seminar, we will explore their interplay both in the context of the differential spatial logics of the Covid-19 pandemic and the cultural and political ramifications of the AIDS epidemic. Theories on vaccines and immunity, biopolitical thought, critical race theory, as well as cultural products such as literary works and art projects will feature in the presentations.

Speakers:

- Sarah Nuttall, Director, WISER, University of the Witwatersrand, will introduce the topic and moderate the seminar.
- Ranjana Khanna, Director, Franklin Humanities Institute, Duke University, will offer an intellectual history of immunity ranging from ancient Roman legal regimes to the rise of queer theory during the AIDS era. She will also draw on critical race theory (a product of legal scholarship) to reflect on the spatial and psychic logics of qualified immunity that offers protection to law enforcement authorities in dealing with racial violence.
- Debjani Ganguly, Director, Institute of the Humanities and Global Cultures, University of Virginia, will explore the interplay of immunity and autoimmunity in a biopolitical regime marked by complex systems, the emergence of risk discourse, and theories of probability. Her talk will engage with the works of Michel Foucault, Roberto Esposito, and Ulrich Beck, and offer insights into speculative fictional modes on pandemics that capture the limits of risk discourse and probability modelling exercises.

Friday 10 September, 01.00-02.30 (09.00-10.30 Eastern Australian Time)

In and Out of Place

Hosted by the Institute for International Law and the Humanities, University of Melbourne

Addressing ourselves to the responsibilities of being ‘in and out of place’ might be one way of encapsulating a central theme of law and humanities scholarship in Australia. The Institute for International Law and the Humanities has assembled a panel of emerging scholars to attend to the topics, arguments, instruments and aspirations of place as jurists cross the city, and cross between cities and nations.

The panel will be curated by Shaun McVeigh, Melbourne Law School, showcasing the work of PhD researchers, Jo Commins, Alex Dela Cruz, Caitlin Murphy, Danish Sheikh, Valeria Vazquez Guevara.