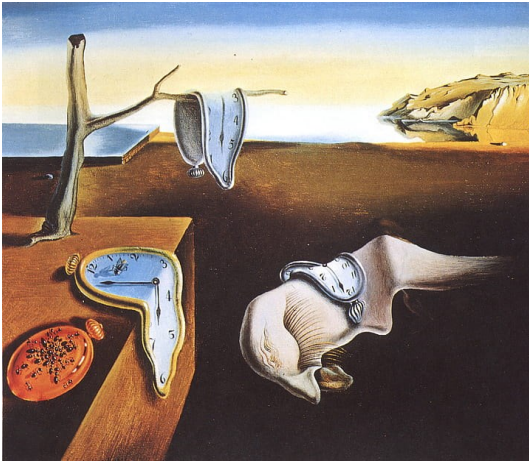


Seminar 3

Law, Time, Image

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Why is time a problem for law and for the image? Start with Aeschylus' *Oresteia*, a play that is all about the ways that legal forms become repeated and ossified in time, calcifying social forces, reifying trauma. Oh, it is good to remember the past, but at what point does that way of thinking about the past become an impediment to growth, to social justice, to the change we need?

Recall Ludwig Wittgenstein: "A picture held us captive. And we could not get outside it, for it lay in our language and language seemed to repeat it to us inexorably." In what ways can we see these problems manifesting themselves in the crises of the world we live in? In what ways do legal and art theories, in their own very different registers, offer a diagnosis?

Specifically, in this seminar we will look at some recent work about the temporal experience of art and explore how these understandings provide new ways of thinking about the relationship of art to history and politics, and offer new ways of seeing 'the legal imaginary.' Through the work of Mieke Bal and Ariella Azoulay in particular, we consider three different kinds of responses to the passage of time in law: the reification of the archive, the alternatives posited in the counter-archive and, above all, the immanent possibilities that reside in the idea of potential history. This seminar will attempt to apply these concepts to several urgent topics of what Frantz Fanon might call political and legal ankylosis.

Essential Readings

- Ariella Azoulay, 'Potential History: Thinking through Violence', *Critical Inquiry* 39.3 (2013), 548-574
- Mieke Bal, *Quoting Caravaggio: Contemporary Art, Preposterous History* (University of Chicago Press, 2001), Introduction, pp. 1-25
- Desmond Manderson, *Danse Macabre: Temporalities of Law in the Visual Arts* (Cambridge University Press, 2019), Foreword, pp. 1-19

Suggested Readings

- Paul Blokker, 'The Imaginary Constitution of Constitutions', *Social Imaginaries* 3 (1) (2017), 167-193
- Georges Didi-Huberman, 'Before the Image, Before Time: The Sovereignty of Anachronism', in Claire Farago and Robert Zwijnenberg (eds.), *Compelling Visuality: The Work of Art in and out of History* (University of Minnesota Press, 2003), pp. 31-44
- Ronald Dworkin, *Law's Empire* (Harvard University Press, 1986), Chapter 7
- Simon Goldhill, *Aeschylus: The Oresteia* (Cambridge University Press, 2004)
- Desmond Manderson, 'Fabulous Retroactivity: Time and Colonialism in Gordon Bennett's Possession Island', *Australian and New Zealand Journal of Art* 20 (2) (2020), 253-267
- Stewart Motha and Honni van Rijswijk (eds.), *Law, Memory, Violence: Uncovering the Counter-Archive* (Routledge, 2016), esp. Chapters 1 and 3