

## Panel Presentations

\* Listed in alphabetical order by the presenter's surname \*

### Burden, Weight, Gravitas. Normative Dimensions of Emotions in Legal Spaces

Carolin Behrmann (Ruhr-Universität Bochum)

The paper discusses the normative dimension of emotions evoked by sculptures and architectural decorum in different legal environments. The moral value of *gravitas*, moderation, thrift and balance has been a common topic in humanist legal thinking. Leon Battista Alberti for example advocated an economical, sober and austere style of public *decorum* that should meet the *gravitas* and the letters of the law. It will be argued that early modern *gravitas* in legal environments owes to sensory experience, morality as well as emotions and has been described as rather affective or contingent. Going beyond a two-dimensional notion of visibility, the paper explores how sites of legal judgment have been visibly shaped by the sense of 'gravitas' embodying weight and seriousness, as well as the force and dignity of the law that tries to align the conduct of individuals with the society and the common sense. The talk will discuss, how sculptures and architectural decorum can both provoke 'small perceptions', the instability of the viewer and literally motivate and move emotionally. They form part of and embody the continuous process of the law's taking shape, maintaining the dignity and *gravitas* of the court proceedings, that are central for upholding the rule of law.

Carolin Behrmann is professor for Early Modern Art History with a focus on Legal Iconology at Ruhr-University Bochum since 2021. From 2014 to 2019 she has conducted the international research project *The Nomos of Images. Manifestation and Iconology of Law* at the Kunsthistorisches Institut in Florence, Max-Planck-Institute that investigated artworks and objects with meaning for the practice and understanding of the law and legal contexts. Her works explore multiple normative dimensions to understand how visibility and aesthetic experience actively take part in and shape juridical normativity, involving form, perception, action, and knowledge. Collaborations with different museums, archives and exhibition projects in Germany, France, Belgium and Italy – such as the exhibition 'Moise. Figures d'un prophète' at the Musée d'Art et d'histoire du Judaïsme, Paris, 'The Art of Law', at the Musea Brugge, the exhibition 'Call for Justice', Hof van Busleyden, Mechelen. Fellowships at the Getty Research Institute, the Italian Academy for Advanced Studies, Columbia University New York, the Centre Allemand d'Histoire de l'Art, Paris, Center for Advanced Study, Käte-Hamburger-Kolleg 'Law as Culture', Bonn. Major publications include *Images of Shame. Infamy, Defamation and the Ethics of oeconomia*. (De Gruyter 2016). Current book project: *Nomoi der Bilder. Common sense und visuelle Normen / The Nomoi of Images. Common Sense and Visual Norms* (forthcoming De Gruyter 2024).

From Seclusion to Forgetting: Legal Portrayals of Privacy in Response to Photographic Harm  
Stephanie Belmer (McGill University)

In her 2013 work, *How Not to Be Seen: A Fucking Didactic Educational.MOV File*, artist Hito Steyerl asks how technological shifts in picturing the world – from analog to digital – also change the conditions for social and political visibility. At once playful and serious, Steyerl's video exposes the tensions underpinning a particular distribution of the sensible, in which visibility and invisibility do not affect everyone in equal ways.

This paper reads Steyerl's artistic intervention alongside shifting legal portrayals of privacy in response to photographic harm. While privacy was once pictured as a right to be let alone from photojournalistic intrusions, privacy in a digital landscape often appears as a process unfolding in time: a forgetting, an erasure, or, to borrow from Steyerl's visual language, a swipe up or deletion. While registering, at least implicitly, Steyerl's contrast between analog and pixelated landscape, I argue that privacy law does not always take up the implications of its own shifting metaphors. This paper will thus situate contemporary privacy law within a broader visual discourse, tracking the ways in which the legal system accommodates yet also resists the tensions portrayed through Steyerl's work.

Stephanie Belmer is currently finishing her law degree at McGill University in Montreal, Quebec. She completed an MA in Art History at the Courtauld Institute of Art in London, England, and a PhD in Social and Political Thought at York University in Toronto, Ontario. Before law school, she worked as a College Professor of Humanities, Philosophy, and Liberal Arts at Vanier College in Montreal, Quebec. Her primary fields of interest are Privacy Law, International Law, Critical Theory, and Political Aesthetics.

Visual Wars and Constitutional Memory Politics in Bulgaria  
Martin Belov (University of Sofia 'St. Kliment Ohridski')

This paper and presentation aim at exploring the ongoing reshaping of constitutional memories through visual construction, deconstruction, and reconstruction of meaning condensed and contained in images. More precisely, the analysis will be focused on the memory wars held recently (during the last couple of years) in the symbolic-imaginary scene in Sofia, the capital city of Bulgaria through visual means of street art, historic monuments vandalization, and deconstruction of monuments representing official history by the public authorities. Special attention will be devoted to the symbolic-imaginary battles around the Monument of the Soviet Army in Sofia. This monument has been used for years as instrument for expression of deconstructive vs. reconstructive attitudes towards the post-World War II history and as a tool for shaping and reshaping of constitutionally relevant ideas through images activating archetypal socio-political and constitutional imaginaries.

The presentation will start with explanation of the key role of visual constitutionalism for signification of constitutional and constitutionally relevant meaning. Then, the Bulgarian constitutional memory politics will be contextualized from the perspective of the visual turn in constitutionalism and constitutional theory. The remaining part of the study will be devoted to the presentation of the range of images (including monumental and pop art forms) used for signification of various attitudes towards history and shaping the official and semi-unofficial constitutional memory politics through visual wars for the symbolic-imaginary heritage of the constitutional ideology in contemporary Bulgaria.

Martin Belov is Professor in Constitutional and Comparative Constitutional Law at the University of Sofia St. Kliment Ohridski. He serves as Vice Dean of the Faculty of Law, responsible for international relations and digitalization. Martin Belov is also adjunct professor at the University Roma Tre, Rome, Italy (since 2019), and has been a visiting professor at several leading universities in Italy, France, Germany, Spain, Poland, Israel and Greece.

Martin Belov has been project researcher at the Max-Planck Institute for European Legal History, Frankfurt am Main, Germany (2010-2012) and visiting researcher at the Institute for Federalism, Fribourg, Switzerland (2014). He has specialized at the University of Oxford (UK) (2017), Max-Planck Institute for Comparative Public Law and International Law, Heidelberg, Germany (2009) and many other academic institutions. He has published 22 books and more than 90 scientific papers and book chapters. His most recent book related to visual semiotics and to the topic of the present conference is *Constitutional Semiotics. The Conceptual Foundations of a Constitutional Theory and Meta-Theory*, published with Hart in 2022.

## We Roar: Exploring the Role of Exhibition in Relation to Prisoner Produced Arts

Ruth Bernatek (University of Warwick)

This paper takes *We Roar*, a travelling exhibition comprising forty works of visual art and poetry by people serving time across the UK and America, as a starting point to reflect critically on the nature and function of prisoner arts exhibitions within and beyond prison walls. Led by artist Faye Claridge, *We Roar* is a curious case because it prioritizes an 'insider' audience, currently being staged in ten English prisons between February and June 2024.

Most of the exhibited works incorporate imagery of lions, tigers, mythical beasts, or hybrid creatures, often chained, or confined, sometimes appearing in place of or combined with human bodies. The theme of animals submitting to human force in a hostile atmosphere is provocative in a carceral setting, and could be interpreted as being at odds with *We Roar*'s outwardly 're-humanizing' agenda or succumbing to a type of 'outsider' or 'raw' sensationalism that feeds voyeuristic behaviours.

However, I argue that *We Roar*'s content exposes uncomfortable ethical issues and prejudices embedded in such critiques of prisoner produced arts/exhibition, which presuppose a (cultural) scenario in which prisoner arts are predominantly framed as a curiosity for consumption by an unimprisoned public. This perspective fails to account for exhibitions such as *We Roar*, that are designed for carceral spaces and prison population audiences. By refocusing attention on specific conditions of exhibition production and viewing, I argue that *We Roar* activates a networked space for counteraction that critically exposes the socio-political inequalities of carceral experiences and the contradictions of state punishment.

Ruth Bernatek is a Postdoctoral Researcher. Her interdisciplinary research focuses on sound and the built environment, with a particular interest in acoustic welfare. Since 2024, Ruth is working on the AHRC-funded project 'Captive Arts' at the University of Warwick with Dr Anastasia Chamberlen, investigating the relationship between the arts, music, and imprisonment, especially the role of sound in relation to contemporary criminal justice objectives. Previously, she was Postdoctoral Research Fellow on the ERC-funded project SONCITIES at Oxford University, having completed her PhD at the Bartlett School of Architecture in 2022. Ruth has presented and screened her research at a number of international conferences and has published articles in peer-reviewed journals focused on history and theory of architecture and sound studies.

## Images of Architecture: Photographic Copyright Law, Disciplinary Practices and the Case of Lucia Moholy's 'Lost Negatives'

Sarah Borree (Goethe University Frankfurt am Main)

My paper examines frictions between photographic copyright laws and disciplinary standards in the first half of the twentieth century in the context of architectural photography, focusing on the disputed status and use of the work of photographer Lucia Moholy. Renowned for her iconic photographs of the Bauhaus buildings in Dessau, Moholy was forced to flee Germany in 1933, leaving behind her archive of more than 500 glass negatives. These ended up in the possession of architect and former Bauhaus director Walter Gropius, who used and distributed the pictures without Moholy's knowledge or consent. After discovering the location of her negatives, Moholy engaged in a prolonged dispute with Gropius to retrieve her archive and contacted various authors and publishers to claim compensation for the unauthorized use of her photographs. I refer to key arguments from these disputes to show that all involved parties referred implicitly and explicitly to legal frameworks to support their cases but, ultimately, relied more heavily on disciplinary standards and protocols regarding the use and status of photographs within the field of architecture to justify their positions. Using the case of Moholy's 'lost negatives', this paper aims to emphasise the significance of researching the history of photographic copyright in conjunction with specific disciplinary practices. It also suggests that analysing how and why the latter deviated from general legal conventions can be valuable in gaining a better understanding of disciplinary practices and the often underexplored role of images and copyright in the context of knowledge production.

Sarah Borree is an architectural historian and cultural studies scholar. Her research focuses on the relationship between architecture and modern mass media as well as socio-professional cultures and knowledge practices from a historical and cultural perspective. She studied architecture in Hamburg, Alexandria, VA and Weimar and holds a PhD in Cultural Studies from the University of Edinburgh. She is currently a postdoctoral researcher in the LOEWE Research Cluster 'Architectures of Order' at the Goethe University Frankfurt/Main. Her most recent publications include *Metaphorical Practices in Architecture: Metaphors as Method and Subject in the Production of Architecture* (Routledge 2023).

The Reichsadler as an Image in the Spirit of the Ages – The Interplay of Ideology and Aesthetics in the Democratic German States and National Socialist Germany  
Fabian Brand (University of Lucerne)

It is recognized that totalitarian systems have had a great affinity for the use of symbolism and used the power of images emanating from signs and slogans to spread and enforce their ideology. Looking at sprawling Italian palazzi, gigantic German sports stadiums, the National Socialist peasant novel and the *Periodici fascisti*, the aesthetics of fascism requires no further proof of its existence. But can one also rightfully speak of 'democratic aesthetics'? Based on the development of the German imperial eagle, an attempt will be made to explain how state symbolism depends on the political and how it might be possible to speak of 'democratic aesthetics'. For it seems that the reflexion on the symbols of the *Rechtsstaat* has been submerged by the amazement at totalitarian aesthetics. Is this a conscious acceptance of a semiotic void or has the liberal secular state not yet been able to become aware of its images?

My contribution first deals with the concept of the aesthetics of the state as the doctrine of state symbols. It describes the historical development of the imperial eagle from its beginnings, through the First Empire and the Weimar Republic, to National Socialism and finally the Federal Republic.

In this paper, I would like to deal with the concept of state aesthetics. The question here is whether liberal democracies even allow for the possibility of state aesthetics, i.e., a concept of state-sanctioned beauty materializing in state symbolism. Linked to this is the question of whether the liberal state – irrespective of its theoretical permissibility – is not actually dependent on such state aesthetics to guide its citizens through the Thick of (other, perhaps more tempting) Images.

After studying law and philosophy at the universities of Tübingen, Freiburg (i.Br.) and Istanbul, Fabian clerked for various institutions, among others the European Anti-Fraud Office in Brussels and the German Embassy in Belgrade. Shortly after passing the bar exam at the Higher Regional Court of Karlsruhe in October 2019, he started working as a research assistant at the chair of Prof. Andreas Eicker at the University of Lucerne. In the meantime, he served as a legal adviser for German-speaking jurisdictions at the Swiss Institute of Comparative Law in Lausanne. In spring 2023, the textbook 'StGB AT Kompakt', co-authored with other criminal law experts, was published. Fabian does research and publishes articles at the interface between law and politics. In his doctoral thesis he deals with the concept of the layman's criminal law (in contrast to the criminal law as it appears in codes and statutes) as one of the two main components of *mens rea* in Swiss and German criminal law, while also referring to Turkish criminal law.

## Law & Art, Art vs Law

Daniela Carpi (University of Verona)

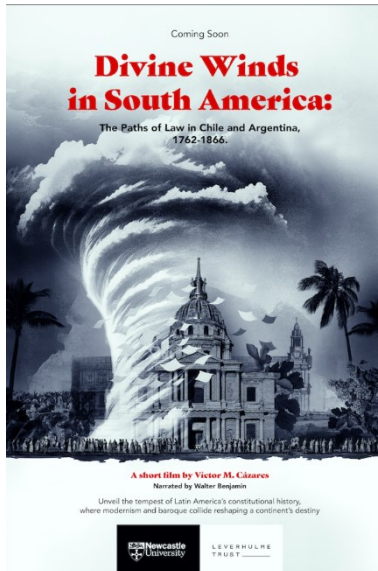
There is a strong psychic investment in the power of images: they give visible form to invisible powers, they make present what is linguistically beyond presentation (Douzinas). The danger and the power of images lies in their direct and unmediated address to the viewer. In order to demonstrate “the importance of the visual arts in illuminating legal concepts, transitions, and transformations” (Manderson) I have decided to concentrate my analysis on one very emblematic painting, Pelizza da Volpedo’s “The fourth estate” (1901), on street art and Banksy in particular, and on some iconic representations of Artificial Intelligence.

The aim of my paper is to demonstrate how the fruition of what I call “legal images”, that is images connected to a legal message (power, rejection of power, reaction and denunciation of some miscarriages of law) has changed across time. Pellizza da Volpedo’s “Il Quarto Stato” (1901), “The Fourth Estate”, describes the new emerging working class and its impending pressure on society. Across the years its message has been re-read and revised so as to be adapted to different viewers from new legal and political surroundings. The particular policy of dissent of street art is indeed highlighted by Banksy’s images of rats in some way seen as an anagram of the word “art” itself: are rats the non-conforming artist or society itself in its many corruptive elements? Finally, the many visual representations of AI convey the problematization of the idea of legal persona. How and where do we draw the borderline between the human and the inhuman?

Daniela Carpi is Honorary Professor of English Literature at the Department of Foreign Literatures and Languages, University of Verona. Her fields of research are: Renaissance theatre, critical theory, postmodernism, law and literature, literature and science, literature and visual arts, law and artificial intelligence. She is the managing editor of *Pólemos, a Journal of Law, Literature and Culture* and editor of the series ‘Law and Literature’ with De Gruyter publisher in Berlin. She is a member of Academia Europaea and the founder and president of AIDEL (Associazione Italiana di Diritto e Letteratura). Her latest publications include the monographs *Fairy Tales in the Postmodern World. No Tales for Children* (Winter 2016) and *Law and Culture in the Age of Technology* (De Gruyter 2022), and the edited volumes *As You Law It. Negotiating Shakespeare* (with François Ost, De Gruyter 2018) and *Monsters and Monstrosity. From the Canon to the Anti-canon. Literary and Legal Subversions* (De Gruyter 2019).

## Constitutions as Hurricanes: A Visual Journey Through the Early Constitutional Evolution of Chile and Argentina

Victor M. Cázares Lira (Newcastle University)



This proposal introduces an animated film based on my current research, exploring the dynamic constitutional development in 19th-century Chile and Argentina, using the metaphor of a hurricane to represent the transformative power of constitutions. The animation brings my research project to life, illustrating how each constitution, akin to a force of nature, had the potential to dismantle established legal orders and to build new states, steering the nations toward varying degrees of centralization and decentralization. The film begins with colonial times, explaining what law looked like on the continent, using the Baroque period as a descriptor. It then moves to the aftermath of independence, visualizing the spiral of violence and territorial fragmentation that led to the creation of numerous states from the Spanish viceroyalties. Constitutions are depicted as battlegrounds where decentralizing and centralizing forces fight over the structural powers necessary for war-making. Key historical milestones and constitutional changes are animated to illustrate the distinct approaches to liberalism, republicanism, and state-building in Chile and Argentina. This animated presentation aims to complement traditional narrative formats, offering a dynamic and engaging way to understand the complex interplay

of law, history, and visual culture in the formation of Chile and Argentina. It seeks to contribute to the conference's exploration of the historical entanglements of law, history, and the visual arts. The latest title of the film is 'Divine Winds in South America: The Paths of Law in Chile and Argentina, 1762-1866'.

A native of Mexico, Victor M. Cázares Lira holds a Bachelor's degree in Political Science from UNAM, complemented by a Master's in History from Uppsala University, and a Ph.D. in History from Edinburgh University. Specializing in U.S. history for over a decade, his research has focused on the historiography of the American Founding, particularly through the analyses of Charles A. Beard and Gordon S. Wood, cantering on the origins, development and influence of the U.S. Constitution. Currently, as a Leverhulme Early Career Postdoctoral Fellow at Newcastle University's, Cázares has expanded his research to the early constitutional histories of Chile and Argentina. This new focus merges political science, law, and sociology to explore the dynamics between war and constitution-making, questioning how constitutions impact state formation amid widespread warfare. By placing law at the centre of political history, he hopes to reassess the dynamics and problems in state building in Latin America.



## The Eye of History

Shane Chalmers (University of Hong Kong)



This talk will think through 'projection' as a technique of the colonial imaginary. As in a map, or an economic model, projection works by taking an arranged set of materials and representing it in a way that makes it available to the senses. The original data is made more lucid, more vivid, more comprehensible. But, while the same can be said of many different modes of representation, what is unique about projection is that it not only intensifies its material, it also extends it, temporally. The whole point of projection is to open a portal onto the future. Cartographers, like economic modelers, have always been futurists: European maps, since antiquity, have not only offered passage to new worlds, but to

new worlds that do not yet exist for the viewer, worlds which are conjured through the map itself. From the sixteenth century in particular, the antipodes, or *terra australis nondum cognita* as it was called, functioned metonymically as land not yet known – as a hand beckoning from the future. As a cartographic technique, combining the disciplines of geography and ethnography, projection has thus worked to intensify and extend a European fantasy of sovereignty over lands and peoples at a world-historical scale. Yet, just as 'one function of the antipodes had always been to turn the European gaze back upon itself' (Hiatt, 2008: 244), so too projection has always also been an anti-colonial technique. Satire holds the key.

*Image: Anonymous, 'The Fool's Cap Map of the World' (c1580-90)*

Shane Chalmers is Assistant Professor at the University of Hong Kong Faculty of Law, and Senior Lecturer at the University of Adelaide Law School. His work has contributed to the fields of law and humanities, law and colonialism, law and development, and critical legal theory. He is also a longstanding member, and currently a Vice President, of the Law, Literature and Humanities Association of Australasia.

Framing Justice Through Expression: Feminist Visual Art Through Time  
Sophie Doherty (Open University)

This paper considers three artworks on the theme of sexual violence, providing an analysis of how these works have shaped the concept of justice through expression (Doherty 2020). Starting with the work of Artemisia Gentileschi, I provide an analysis of *Susanna and the Elders* (1610). I argue that her work provides a platform for understanding the capacity of the arts to challenge narratives on rape and relate this to methods of achieving a sense of justice.

Following from this, I consider the collaborative project, *Ablutions* (1972) by Suzanne Lacy, Judy Chicago, Sandra Orgel and Aviva Rahmani. Through an analysis of the innovative methods of the artists, it is argued that this piece challenged historical representations of sexual violence, through an engagement with those with lived experience, foregrounding visibility, voice and embodiment.

Finally, the paper presents Elisa Iannacone's, *Spiral of Containment* (2018) project as a work that threads together the previous analyses to create an innovative contribution to scholarship on justice, namely, justice through expression.

Throughout the paper I employ a Law and Art methodology, situating artworks alongside feminist legal scholarship on justice, tying together historical and contemporary issues surrounding sexual violence through writings on art, law and temporality. The paper concludes that feminist visual art can influence legal theory and help victim-survivors of sexual violence achieve a sense of justice.

Sophie Doherty is a Lecturer in Law at The Open University. She joined The Open University after working as an Assistant Professor in Criminal Law at Dublin City University, Ireland. Sophie has acted as Module Coordinator for a variety of modules including Criminal Law, Advanced Criminal Law, Jurisprudence, and Law, Culture, Humanities. She supervises multiple doctoral students writing on these themes.

Additionally, Sophie is currently an Advisory Group member of the Law and Humanities journal, a member of the Coordination Group of the international Art/Law Network, and a Committee Member of the Irish Network for Legal Humanities. Most recently, she has co-founded the Law and Humanities Research Cluster at The Open University. Sophie's primary research explores the intersection of feminism, art, and law.

## Behind the Picture - a Myth? The Presentation of the Westphalian Peace Changing over Time Dorothea Endres (University of Geneva)



That the Westphalian peace founded the contemporary international order as composed of sovereign states is a myth. In fact, numerous entities participated in and signed those peace treaties, despite lacking qualification as sovereign states. If we look at depictions of the Westphalian peace at that time, it is evident how the qualification of who participated and signed was secondary – what was crucial was the peace. We have a herald crossing the war-torn lands bringing the good news.

Only step by step, through the centuries, does emphasis shift, and those who participated are put at the centre of the painted images.

Finally, in contemporary texts about the Westphalian peace we find a return to the 17<sup>th</sup> century herald – symbolizing now less peace than the arrival of the 20<sup>th</sup> century international order. What is silenced in this narration through pictures is the participation of entities that were crucial to the 17<sup>th</sup> century international order: the colonial trade companies, or (semi-)autonomous regions such as Alsace. Analysing the depiction of the Westphalian peace throughout the centuries I will demonstrate how a certain ideal of international law was reinforced and how non-sovereign actors were pushed into oblivion.

Dorothea Endres is a Lecturer at the University of Geneva. She holds a PhD in International Law from the Graduate Institute of International and Development Studies (IHEID) and the Swiss Bar Exam. She has worked at the European Court of Human Rights, a data protection law firm, several NGOs, as a research and teaching assistant at the chair of legal sociology at the University of Lucerne and in the Research Project 'Paths of Legal Change' at the Global Governance Centre at IHEID, and as a researcher at the department of history and philosophy of law at the University of Geneva. In her recent research, she analyses how human rights law is used as a tool of both domination and resistance in constructing corporations as subjects in international law. Her publications include 'The Human Side of Protecting Foreign Investment in Transnational Legal Theory' (2021), 'Das Lieferkettengesetz as Global Governance' (with Nico Kritsch, 2022), and 'Norm-Knitting - A Concept Developed through an Inquiry into the Legal Change of the Environmental Human Right', published in the *Leiden Journal of International Law* in 2023.

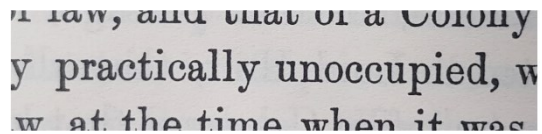
Demythologizing Constitutional Foundations  
Julen Etxabe (University of British Columbia)

If, as Robert Cover and Jacques Derrida have convincingly explained, myth is the register of the act of constitutional foundation, how can its demythologization be undertaken by those wanting to challenge the foundations of settler-colonial states? In this presentation I want to explore Cree artist Kent Monkman's 2016 work 'The Daddies', which critically recreates the famous painting by Robert Harris *The Fathers of the Confederation* depicting 33 delegates or "founding fathers" at the 1864 Conference where the terms of what would become Canada were being negotiated. The painting was commissioned by the Canadian Government in 1883 to commemorate the conference and was hung in the Parliament Building in Ottawa (the painting was destroyed in a fire of Parliament in 1912, but a replica was commissioned in 1967 for the Centennial commemoration of Canada's foundation in 1867).

Known for his thought-provoking interventions into Western European and American art history, Monkman's work introduces his alter ego Miss Chief Eagle Testickle, who appears in the scene as a time-traveling, gender-fluid, and naked model who reverses the colonial gaze and confronts received notions of history and Indigenous peoples. Monkman utilizes different affective registers to ironically recreate the original painting and fundamentally shift the meaning of the constitutional moment it represents, while desacralizing the act of constitutional foundation and its mythical temporality.

Julen Etxabe is Assistant Professor and Canada Research Chair in Jurisprudence and Human Rights at Allard School of Law, UBC. He is the author of *The Experience of Tragic Judgment* (2013) and editor or co-editor of *Living in a Law Transformed: Encounters with the Works of James Boyd White* (2014), *Rancière and Law* (2018) and *Cultural History of Law in Antiquity* (2019).

The Romance of Empire: The Typography of *Cooper v Stewart*  
Thomas Giddens (University of Dundee)



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The appearance of law reports, as a site of legal speech and appearance, is a categorically jurisdictional phenomenon. It is the moment or space that the invisible or immaterial principles and structures of the common law are made manifest—where the ‘juris’ of legality is rendered as ‘dictio’ or

visible speech. When the invisible presence of law, otherwise imperceptible, is staged within sensory perception. As a staging of authority, jurisdiction also incorporates an audience: a space of witness and affect, in which law meets its subjects and has governmental purchase. The jurisdictional theatre of law reports, as materially rendered texts, is primarily typographic. The visual style and arrangement of the letters of the law is not passive or neutral, but is the product of design and convention, and has attendant meanings, histories, associations, and implications. In the context of colonial jurisdiction, the case of *Cooper v Stewart* (1889) has a particular legacy, infamously holding the landmass of Australia to be ‘practically unoccupied’ and describing a romantic myth of the benevolent spread of civilisation out into the empty abyss beyond. Its typography is not innocent in this story, and doubles-down on the romantic contrast found in the elaboration of legal forms over supposedly empty space. This paper traces the heritage of the letters used to render *Cooper v Stewart* in its initial printing in the 1889 Appeal Cases reports, connecting them to the legal substance of the judgment, and detecting not a progressive humanism characteristic of early legal typography, but a romantic letterform that augments and helps to support the European civilising narrative. The typography thereby embeds colonial violence into the most intricate details of the textual artefacts through which the common law claims its authority and jurisdictional presence.

*Image: From Cooper v Stewart (1889) 14 App Cas 286, at 291*

Thomas Giddens is Chair of Jurisprudence at Dundee Law School. Taking its cues from the humanities heritage of the legal discipline, Prof Giddens’s research focuses on critical and cultural legal studies, with a particular interest in visuality and form. He is the author of *On Comics and Legal Aesthetics* (Routledge 2018) and *Judgment* (Routledge 2022), editor of *Graphic Justice* (Routledge 2015) and *Critical Direction in Comics Studies* (University Press of Mississippi 2020), and co-editor of the *Routledge Handbook of Cultural Legal Studies* (with Karen Crawley and Timothy D. Peters, Routledge 2024), *Law and Justice in Japanese Popular Culture* (with Ashley Pearson and Kieran Tranter, Routledge 2018), and two volumes on the biopolitics of legal education: *Resisting the Law School and Life* and the *Structures of the Law School* (with Luca Siliquini-Cinelli, Routledge 2023).

François Boucq as Courtroom Artist in the Charlie Hebdo Trial  
Laura Glötter (University of Heidelberg)

This paper explains how the French comic artist and cartoonist François Boucq played a special role in the Charlie Hebdo Trial: not only did Charlie Hebdo, the victim itself, engage him for the courtroom sketches, but Boucq was also a friend of the murdered victims. Against this background, the fundamental question of the subjectivity of courtroom drawings can be examined.

Laura Glötter is a PhD candidate in art history at the University of Heidelberg. Her thesis focuses on the French comic artist François Boucq, who documented the 2020 Charlie Hebdo trial as a courtroom artist. Based on this case study, she is examining the genre of the courtroom drawing and its iconography. Her project is funded by the Gerda Henkel Foundation. Since 2017, she has been working as an editor for the Caricature & Comic thematic portal and has been involved in various academic projects. Currently, she is co-organizing the lecture series 'Aktuelle Fragen der Comicforschung' as part of the network Comicforschung am Rhein.

Medieval Market Crosses: Mobility, Modularity and Changing Legal Contents  
Masha Goldin (University of Basel)

Crosses made of wood or stone were often erected in markets across the medieval Holy Roman Empire by juridical authorities to serve as legal signs. For example, they could mark the zone around them as operating under special legal regulations, or proclaim the possession of certain rights. Feudal and civic legal codes speak to the crosses' multipurpose nature and semantic polyvalence; they also indicate that the so-called market crosses were movable structures, which could be dismantled, moved, and re-erected as needed; and they could also be modified as display-racks for tokens with legal significance, such as gloves or swords. Late medieval law books shed some light on how these mostly-ephemeral, public signs were handled and invested with meanings by local jurisdictions. They can, however, hardly account for how the subjects of the same jurisdiction could interpret the meanings conveyed by these crosses. In this paper I seek to bridge this gap by turning to other visual representations that can help reconstruct the visual web of associations probably evoked in the minds of medieval viewers by market crosses. These include visual traditions of depicting weapons hanging from crosses in fourteenth and fifteenth century crucifixion scenes, or iconic representations of the *arma Christi*, as well as images of hands displayed in various forms and media across the medieval city, reminiscent of the gloves on the cross. By exploring these contemporary visual vocabularies, the talk will introduce sources other than textual records that are key to deciphering the function and efficacy of market crosses.

Masha Goldin studied Art History (BA, MA) at Tel Aviv University. In 2021, she received First Prize in the Graduate Student Essay Award, International Center of Medieval Art, and since 2021 is a member of the graduate school of eikones—Center for the Theory and History of the Image, at the University of Basel. Her dissertation project is focused on the subject of juridical visual culture in the medieval Holy Roman Empire. Her research has been supported by various institutions, including the Bundesland of North Rhine- Westphalia, the Forschungsverbund Marbach, Weimar, Wolfenbüttel and the German Center for Art History in Paris.

## The 'Paragraph Film' in Weimar Germany: Ideology, Aesthetics, Historical Context

Steven Howe (University of Lucerne)

The latter period of the Weimar Republic sees the emergence of a distinct – and prolific – genre of political cinema: the 'paragraph film'. I introduce the term here to distinguish an array of films that do not merely foreground 'things legal' (Rosenberg 2000), but which explicitly thematize and engage with specific paragraphs of the German Criminal Code, usually in an effort to intervene in the contemporary politics of law and justice. Today, most of these films have faded into obscurity – unsurprising, perhaps, given their lack of artistic merit and narrow political outlook. Yet despite such shortcomings, they constitute an important historical archive, on account of both their popularity and their proximity to the 'real' contested legal issues of the day. Addressing the 'paragraph film' as a contingent genre of its historical context(s), I will here present some conjectural reflections (i) on why these films appear in this particular moment; (ii) on the kinds of cultural – and *cultural-legal* – work they perform; and (iii) on how, in doing this work, they become an important part of the extended flow of representations that constitute the legal imaginary of the period.

Steven Howe is Senior Research Fellow and Lecturer at the University of Lucerne, where he also serves as Associate Director of the Institute for Interdisciplinary Legal Studies – *lucernaiuris*. He studied German and Comparative Literature at the universities of Manchester, Hamburg and Exeter, and has been a visiting fellow at the Humanities Research Centre of The Australian National University in Canberra. His current research focuses on the intersections of law, art and politics across different cultural and historical contexts. Recent publications include essays on legal cinema in 1930s Germany, on contemporary British tribunal theatre, and on artistic pre-enactments, as well as a special issue of the journal *Pólemos* on 'Law and Art in the Aftermath', co-edited with Laura Petersen. In 2022, he was awarded a large-scale grant by the Swiss National Science Foundation to lead the interdisciplinary project 'Imagining Justice: Law, Politics and Popular Visual Culture in Weimar Germany' (2023-2027).



**Memes from the Reich: The Legal Aesthetics of Sovereign Citizens in the Virtual**  
Ben Hundertmark and Andrea Kretschmann (University of Leuphana)

Sovereignists in Germany, so-called 'citizens of the Reich' (Reichsbürger), hold in common an affinity for law that finds manifold forms of expression in the aesthetic sphere. They propagate a firework of images, graphics, cartoons and memes, that testifies to the desire to give their pseudolegal imaginations some of law's 'visive powers' (Goodrich 2008). Their practices of (re)producing, sharing and appropriating visual artefacts in virtual space are a means to oppose against the state and its legal order by invoking aesthetics of law. It is striking that historical visualities of legal life – its images, iconographies and semiotics – thereby serve as blueprints for aesthetic registers through which their contemporary pseudolegal realities take shape. Our contribution examines the manifold ways in which 'law appears' (Giddens 2020) by its visual forms, taking sovereign citizens in Germany as a case study. Based on a virtual ethnography of Telegram chatgroups, webpages and online documents, we trace back the experiences of law that become possible through their legal aesthetics and disentangle their concomitant reinterpretations and rewritings of history. In times of mass technologization, social media and widespread legal expression, memes from the Reich are not solely another way of doing law from 'below'. They are also symptomatic for the use of law in late modernity.

Ben Hundertmark is scientific researcher at the Institute of Sociology and Cultural Organization at Leuphana University Lüneburg. He has studied criminology and geography at the University of Hamburg.

Andrea Kretschmann is professor of cultural sociology at Leuphana University Lüneburg and fellow at the Centre Marc Bloch in Berlin.

Drawing and Re-Drawing the Trial of the Chicago 8  
Charlotte Lerg (Ludwig-Maximilians-Universität, Munich)

The paper examines the way courtroom art became part of public protest during the 1969 trial against eight prominent activists of the US-American Anti-War and Civil- Rights movements. The importance of seeing what was going on in the courtroom was particularly relevant for a protest culture relying heavily on theatrics and spectacle. Moreover, the paper examines the role these images played in the (visual) memory of this seminal US-Court case and in the numerous re-imaginings on film.

Charlotte A. Lerg teaches American history and transatlantic studies at Ludwig-Maximilians-University Munich where she also serves as managing director of the Lasky Center for Transatlantic Studies. Holding an MA in Modern History and Philosophy from the University of St. Andrews and a PhD in History from Tübingen University, she has also taught at the Universities of Bochum, Münster and Jena. She held fellowships at the John W. Kluge Center (Library of Congress) and at the German Historical Institute in Washington DC. Her publications focus on cultural diplomacy and transatlantic relations in the 19th and 20th centuries, and she is one of the editors in chief of HIC. International Yearbook for Knowledge and Society. Her current research projects are concerned with visual knowledge and memory culture, as well as media history, with a special emphasis on documentary drawing.

Troubling Law's Absence/Presence: A Filmic Account of Governance Feminism in India  
Saptarshi Mandal (O.P. Jindal Global University)

Feminists have had spectacular successes the world over in shifting the norms governing family life through laws proscribing domestic violence. These successes are part of a wider phenomenon that some scholars have called governance feminism i.e., feminists and feminist ideas exerting a governing will within human affairs, with governance understood in the Foucauldian sense as the 'conduct of conducts' (Halley et al. 2018). Such processes are witnessed in India as well, where decades of feminist efforts finally resulted in legal protections against routine violence in the home in 2005. This history is usually narrated in terms of a shift from the law's reluctance to enter the private sphere to the ultimate capitulation of the ideology of the public-private distinction (Mandal 2023). In this paper, I ask what if we were to recount this history by turning to images, particularly Bollywood films (films coming out of the Indian popular film industry based in Bombay/Mumbai), a significant genre of which concerns domestic strife, including violence? The paper looks at two such popular films – one from 1988, when the law was purportedly outside the domestic sphere and one from 2020, when women had legal rights on their side to fight violence with. Reading these films through a *law as aesthetic / law in aesthetic* framework (Sircar 2015), I problematize the understanding of law's absence and presence in the prevalent histories. I argue, therefore, that it is by closely examining the imaginal (Manderson 2018) realm, in this case that of films, that we can identify with greater specificity, the 'governance' features of the current feminist laws. The broader implication of this intervention will be to discuss where and how might we locate and apprehend the legal in the 'thick of images'.

Saptarshi Mandal is an associate professor at the Jindal Global Law School, Sonipat, India. His teaching and research span family law, disability and mental health law, and sociolegal studies. His scholarly work has been published in the journals *Feminist Legal Studies*, *Indian Law Review*, *Hong Kong Law Journal*, and the *Indian Journal of Gender Studies*, among others, and has been cited by two constitutional courts in India. In a parallel role, he is a PhD student at the Kent Law School, United Kingdom, where he is researching legal contestations around statues in contemporary India.

Camera and Collective Memory: Tracing the Legal History in India through Protest Photography  
Hamsini Marada (O.P. Jindal Global University)

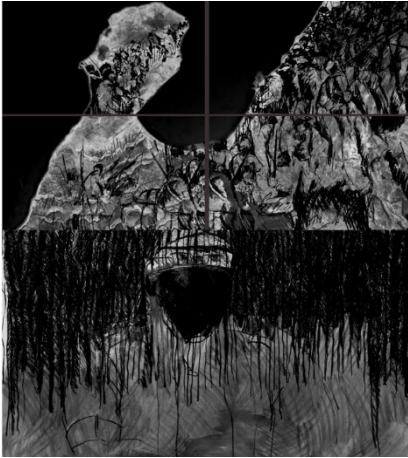
Photographs are memory keepers. The photographs that emerge out of protests are of great evidentiary value. They not only help in documenting a political event but they also preserve the *grief* and the *hope* of the protesting communities within them. Photographs, therefore, help in building collective memory (Weedon and Jordan 2012) of the communities and the nation.

In the past few years, the emergence of photographs during socio-political movements in India such as the Anti-CAA (The Citizenship Amendment Act, 2019) protests and the Farmers protests (Damodaran 2021) has led to further mobilization of people to dissent in solidarity. Further, devastating photographs of the pandemic shed light on the government's failure to handle the state of affairs during Covid-19. However, protests as well as protest art have constantly been throttled by the State authorities in such instances (Khan 2020) by censoring protest images, and subjecting photojournalists to arbitrary travel bans.

Against this backdrop, I aim to analyse how the Indian laws, as a regulatory tool, have reacted to the protest photographs. I argue that the law's *response* to protest photography is not only an account of how the law exists, and resists art, but is also a commentary on how it has been historically interpreted and how it evolved or stayed static over a period of time in this aspect. Therefore, photographs being one of the most accessible forms of protest art, especially with the onset of social media, provide us with a unique lens to trace the history of laws pertaining to free speech, censorship, sedition, surveillance etc., I will adopt a doctrinal methodology to conduct this research and supplement it with a visual analysis of relevant protest photographs.

As an Assistant Professor at Jindal Global Law School, India, I teach Criminal Law and two self-curated elective courses titled 'Sounds and Silences of Law in Art: Identity, Access and Activism' and 'Law, Art and the Camera'. My present research pertains to protest art and democratic dissent. Having completed my LLM in International Law from the University of Cambridge, I seek to further explore the field of public law and aesthetics by pursuing a doctoral degree. I have previously been awarded the DAAD Scholarship to pursue a research fellowship at the University of Humboldt, Berlin, on the topic 'Protest Art takedowns by Social Media: An Inquiry into the Doctrine of Horizontality and Free Speech'. Beyond researching in the area of art and law, I consciously want to foster a care-based teaching pedagogy using artistic tools for law students. Developing a robust mechanism to increase access to law through art in India and South Asia is my goal as an educator and a lawyer.

Saturating Territories: Satellite Imagery and Violence in *Deserere* (2022) by Clemencia Echeverri  
Daniel Moreno (Freie Universität Berlin)



One transformation in the depiction of war in the 20th century is linked to the technological evolution of cameras and aircraft used for reconnaissance. Throughout the war, reconnaissance planes extensively documented the entire front. This process, employing the 'mosaic mapping' principle, involved assembling photographs in army headquarters to create panoramic representations of the wartime terrain. Consequently, the reconnaissance image became associated with air superiority, particularly tied to the actual dominant and decisive war-technique of aerial bombardment. However, in regions dominated by low-intensity conflicts, the circulation of satellite or reconnaissance images is relatively scarce. This draws attention to the work of the Colombian artist Clemencia Echeverri titled *Deserere - Trupillo* (2022) an animated artwork, which using such images unveils a potent portrayal of violence emerging from the reconnaissance image. *Deserere*

addresses a paramilitary massacre known as Portete Bay Massacre (2004) where six indigenous Wayuu women from four families were tortured and murdered. Through the utilization and intervention of reconnaissance and satellite imagery, Echeverri creates a fracture in the legibility of the terrain. While satellite images allude to the construction of a theatre for military operations, Echeverri appears to suggest an alternative terrain. My intervention is related to this alternative terrain, which would be the territory of the memory of violence. While the scandal of Colombian violence lies in its visible, tangible, and monstrously everyday nature, distorting measures and comparisons, Echeverri seeks to intervene in this transformation of violence into a landscape of power, producing another kind of 'mosaic mapping'. I aim to explore these phenomena through Clemencia Echeverri's ethical-aesthetic impulse.

Daniel Moreno is philosopher and jurist. He holds a MA in Philosophy from the Freie Universität Berlin (Germany) with a thesis titled 'Recht–Blut–Geschichte: Walter Benjamins Kritik des Historismus'. He also holds a BA in Philosophy with a minor in Literature, as well as a BA in Law from the Universidad de los Andes (Bogotá, Colombia). He is currently working on his dissertation titled 'Gewaltlandschaften – Das Motiv der Landschaft zwischen Natur und Geschichte und die Darstellung kolonialer Gewalt in Kolumbien' at the Freie Universität Berlin.

Authoritative Materials? Medieval Seal Bags and their Legal Function  
Corinne Mühlemann (University of Bern)

Seal bags, textile covers for seals on medieval documents, served dual purposes: protecting delicate wax seals and enhancing the documents' aesthetic and symbolic significance. Despite their historical significance, the rarity of surviving examples makes it difficult to ascertain how often these additions were used. Many may have been removed to expose the seals or lost to cultural vandalism, leaving only a scant few preserved in archives, libraries, and museums.

This rarity has made them almost invisible in contemporary research across disciplines such as history, art history and archival studies, resulting in a significant oversight in scholarship.

This paper seeks to address this gap by focusing on seal bags as a distinct group of objects. It will explore the parallels between the packaging practices used for seal bags and those used for religious relics. Specifically, it will argue that the seals bearing the image of the ruler wrapped in these textiles could be seen symbolically as the body of the ruler, similar to the wrapped bones of saints. In addition, the study considers how the choice of textile materials may have contributed to the legal authority of the documents they adorned. By focusing on seal bags, this paper aims to illuminate their role in both historical and legal contexts.

Corinne Mühlemann is assistant professor for the history of textile arts (Abegg-Stiftung-Professur) at the University of Bern. She leads the specialized master's program in art history with a special qualification in the history of textile arts. Previously, she was a Marie-Skłodowska-Curie Individual Fellow at the Centre for Textile Research at the University of Copenhagen. Her research contributes to the fields of textile studies and Islamic art history.

Early Modern Paper-Based Visio-Legal Decision-Making and its Countercultures  
Linda Müller (Harvard University / Bibliotheca Hertziana)

The early modern polycentric Spanish Empire ran on paper and ink. To establish a colonial administration and enforce colonial law, imported European paper, together with paper-based technologies that supported the colonial mission, such as the printing press, were foundational elements of its material culture and intellectual ecologies. Within the empire's legal domains, spanning territories across continental Europe, such as Italy, and the Americas, colonial courts, akin to their continental European counterparts, frequently encountered visual evidence—specifically drawings and pictographs—in early modern litigations, criminal trials, and civil or tribunal proceedings. The production and interpretation of these visuals involved a diverse range of Indigenous and European makers, alongside legal professionals, such as notaries, trained in both the Americas and Europe, who played a critical role in mediating verbal, visual, and oral traditions.

Within this context, this paper aims to investigate notions of medium specificity and the micropolitics surrounding a selected group of drawings—specifically those involved in legal actions concerning Jews, alleged Jews, and their descendants—and the impact of these drawings on legal decision-making processes at ecclesiastical courts, specifically Italian and Hispanic Inquisitorial tribunals. Addressing the use of drawings by both the defense and prosecution, as well as notarial copy drawings by legal personnel, this talk delves into the significance of drawing(s) within the larger material culture and intellectual ecology of the early modern transatlantic legal spheres while emphasizing emerging 'countercultures' that appropriated the employed techniques and material properties of the legal-administrative paper trails.

Linda Müller is a PhD candidate in the Department of History of Art and Architecture at Harvard University and a doctoral fellow in the research unit 'Italy in a Global Context' at the Bibliotheca Hertziana, Max Planck Institute for Art History, Rome. Her work engages with visual and material legal cultures, as well as with the visual literacies and material techniques of notaries and legal practitioners in early modern Europe and the Atlantic world, with a special focus on exchanges between Italy, the Spanish Empire, and the Americas. Currently, she is completing her dissertation titled 'Drawn to Law: Legal Drawings in Early Modern Italy in an Age of Empire'. Her doctoral research has previously been supported through fellowships provided by the Newberry Library, Villa I Tatti, and the Samuel H. Kress Foundation's Institutional Fellowship at the Kunsthistorisches Institut in Florenz, Max Planck Institute, among others.

Between Art and Legal History: Infamous Columns and Shame Punishments in Early Modern Italy  
Emilia Musumeci (University of Teramo)

The aim of this paper is to investigate the role of the sculptures known as 'columns of infamy' or 'columns of justice' in legal practices adopted in the Early Modern Italy, introducing a new and noticeable aesthetics. These columns, now priceless art objects, in the past had a practical function related to doing justice: offenders and debtors were showed to public ridicule with the aim to attack the individual in his own dignity. They were exposed to the derision and contempt of the community, in a collective ritual where the object (the column) was the visual symbol of this kind of justice. To this purpose many marble or stone columns were erected in different cities in the Early Modern Age, especially under the Spanish dominion in Italy. For example, the Column of the Vicar of Naples or the 'Column of Justice' of Mercantile Square in Bari. The two pillars were used to show off insolvent debtors or offenders to shame them for their wrongdoing. Other columns were also erected in Arezzo, Genoa, and Rome. However, the most famous infamous column in literature is the Milanese one, erected as an exceptional measure, in 1630 on the site of Gian Giacomo Mora's home, in contempt of the barber accused of being a plague spreader and therefore executed during the plague that devastated the Lombardy region. In 1778 the building was demolished but years later it was made famous by Alessandro Manzoni's essay "The Column of Infamy", which highlighted the distortion of the Spanish judicial system during the domination of Milan.

Emilia Musumeci is Associate Professor of History of Medieval and Modern Law at the Department of Law of the University of Teramo (Italy) where she teaches History of Criminal Law and Criminology, Legal History of Public Administration and Introduction to Legal History. Recently she has been awarded with the National Scientific Habilitation (ASN) as Full Professor. She is member of several scientific organizations. Her research has been focused on the history of crime and punishment, legal history of emotions, and law and humanities. Among her publications are the books *Cesare Lombroso e le neuroscienze: un parricidio mancato* (FrancoAngeli 2012); *Emozioni, Crimine, Giustizia. Un'indagine storico-giuridica tra Otto e Novecento* (FrancoAngeli 2015); *Veneficium. Storia di un crimine atroce* (Eum 2022).



## The Courtroom Sketch: Reflections on the Law and Visual Representation

Lynda Nead (Birkbeck, University of London)

At present, photography is still prohibited in UK courtrooms and so courtroom art has emerged as the preeminent visual form of the legal process, as the visual language that mediates between the formal rituals and enclosed spaces of the law and the indirect observation of the public. Its look is distinctive and generic; it is old-fashioned, unchanging and almost wilfully bad. It represents justice in contemporary society and yet it has never been the subject of sustained or serious analysis.

This paper will reflect on the visual form and oddly styleless style of the courtroom sketch, one of the most highly conventionalised forms within contemporary visual media. Courtroom sketches condense major criminal trials apparently anachronistic images which are then reproduced in newspapers and broadcast on television and online; they are **of** the trial but they are emphatically not **part of it**. The courtroom sketch is a peculiar visual form; it seems hardly to change at all, is curiously timeless and yet is one of the most common ways in which British audiences who are not present in court, actually 'see' a case and its participants. It is a potent, neglected medium that raises questions of mediation and signification, constituting a discourse on media, representation and the law.

Lynda Nead is Pevsner Professor of History of Art Emerita at Birkbeck, University of London. She has published widely on the history of British art and culture, on gender, sexuality and visual representation and on the relationships between law and the image. She is the co-editor with Costas Douzinas of *Law and the Image* (Chicago UP) and is on the Editorial Board of the Edinburgh University Press series, 'Studies in Law, Justice and the Visual.' She has recently completed a book entitled *British Blonde: Women, Desire and the Image in Post-War Britain*, material from this project was presented as the Paul Mellon Biennial Lectures at the Victoria & Albert Museum in London in 2023 and at Yale University in 2024. She is a Trustee of the Holburne Museum and of Campaign for the Arts, a Fellow of the British Academy, the Royal Historical Society and the Royal Society of Arts. Lynda will be taking up the position of Visiting Professor at the Courtauld Institute of Art from September 2024.

Images of Migration Gone Viral – Comparing German and U.S. American Visual Repositories and Imaginaries  
Greta Olson (University of Giessen)

My point of departure is that I understand images as instances of legality. 'Legality' describes, on the one hand, the totality of whatever people take to be binding norms. This includes people's *Rechtsgeföhle* (feelings for law/justice), that is their impassioned feelings about their legal environments and what they think of as law-full. On the other hand, legality denotes expressions of the legal, in the widest sense, such as images and sculptures relating to law, as well as courtrooms and monuments (Olson 2022).

My focus then moves to images of migration and flight in the German and U.S. American contexts and includes both visual and verbal images, or tropes. I describe a three-part typology of salient images of migratory people that is valid for both the American and the German contexts, despite these countries' divergent migration policies and histories, in an interest in determining the kind of cultural, affective, and ideological work these image types are intended to do (Olson and Wessels 2020). Namely, the first type of images works to dehumanize migrants by depicting them as either the visual equivalents of natural disasters, as in the metaphor 'a Tsunami of migrants at the border', or by treating them as hyper-masculine, criminal predators, as in the neologism 'Rapefugee'. A second type of image concentrates on women and children migrating individuals to elicit sympathy for their suffering, while reifying their status as victims. A third group eschews gender clichés and racializing tropes. Depicted persons appear as individualized rights-holding subjects, as actors with the intrinsic and inalienable right to make legal and moral claims.

While defending the usefulness of this typology, I also want to trouble it by looking at images of migration that became iconic in the past and describing their contextual specificity and relation to historical events concerning migration. Images of migration and flight and their dominant messages and affective resonances depend on the context of the person or persons depicted in them, and the images' framing and medium, as well as the relation of the image to the setting of the person interacting with them. Germany's and the United States' historical repositories of images and their accompanying imaginaries differ greatly. This said, I nonetheless want to proffer conjectures about when and why images of migration and flight have gone viral in the past and do so now.

Greta Olson is Professor of English and American Literary and Cultural Studies at the University of Giessen and was Fellow at the Käte Hamburger Center for Advanced Study in the Humanities 'Law as Culture' in Bonn (2014, 2016). She is a general editor of the European Journal of English Studies (EJES), and the co-founder of the European Network for Law and Literature Research. Additionally, she is the head of the MeDiMi sub-project 'Dehumanizing, Victimized, or Universalizing? How Images of Migration Interact with Human Rights Discourse', which examines the affective impact of images of migration in the context of human rights. At the University of Giessen, she wishes to facilitate work on the nexus between political and artistic practices and academic analysis, and is interested in mentoring projects concerning cultural approaches to law/Law and Literature, the politics of form, critical media studies, American Studies, and feminism and sexuality studies.

Drawn into Law: Legal Cartoons in Weimar Germany  
Laura Petersen (University of Lucerne)

This talk examines what it might mean to take cartoons seriously as a cultural expression of legality within the Weimar Republic. Cartoons were central to the numerous satirical and political illustrated journals circulating in the interwar period, and the artists covered a range of topical socio-political-legal themes. I view cartoons as art works and unique historical sources which not only depicted but were also productive of relations with law at this time. Using a selection of legal cartoons from different artists as case studies, I contend the rise of the cartoon in its everyday readership meant different publics were drawn into law and legal debates, creating new and affective relationships to the institutions, laws, and the Constitution of the Weimar Republic.

Laura Petersen is a Postdoctoral Research Fellow at the University of Lucerne, and a current Visiting Fellow at the University of Melbourne. Her research is cross-disciplinary, integrating approaches to jurisprudence with aesthetics. Currently, Laura is working on her postdoc project on law and art in the Weimar Republic at the University of Lucerne as part of the SNSF-funded project 'Imagining Justice: Law, Politics and Popular Visual Culture in Weimar Germany'. Her PhD (2022) focused on the jurisprudence of restitution or 'Wiedergutmachung' in Germany after WWII, arguing that legal, literary, artistic and memorial works are practices of restitution. It won the Harold Luntz Graduate Thesis Prize at the University of Melbourne and will be published in 2025 as a monograph by Cambridge University Press.

Within International Law's Sistine Chapel: José María Sert y Badia's "The Lesson of Salamanca" in, and as, International Legal History (1936)  
Daniel Quiroga-Villamarín (Geneva Graduate Institute / Max Planck Institute for Social Anthropology)

What place, if any, should buildings and artworks have in the history of international law? In the state of the art, there doesn't seem to be much space for either space or art. Indeed, despite the renaissance of legal and historical scholarship on the League of Nations, we still know little about the materiality and aesthetics of the sites in which this institution fashioned a shell for itself. In this essay, I analyse the place of José María Sert y Badia's mural 'The Lesson of Salamanca' (1936) in international legal history. This colossal artwork was commissioned and donated by the fledging Second Spanish Republic to adorn the meeting hall of the League's highest organ: its Council. By glorifying the memory of the Spanish theologian Francisco de Vitoria, "The Lesson of Salamanca" also purported to tell a story about the relationship between the past, present, and future of international law—it acted as a history of international law. To illuminate its role *in*, and *as*, international legal history, I trace how Sert's homage to peace instead became its funeral oration, highlighting the connections between this painting, the Spanish Civil war, and the crisis of the League's 'imperial internationalism'.

Daniel Ricardo Quiroga-Villamarín holds a Law degree from the Universidad de los Andes (Bogotá, Colombia) and a MA in International Law from the Graduate Institute of International and Development Studies (Geneva, Switzerland). He is currently pursuing his doctoral degree in International Law (with a minor in International History & Politics) at this same institution (2020-2024), with the financial support of a Swiss National Science Foundation (SNSF) Doc.CH grant (2021-2024). In tandem with his graduate studies in Geneva, he has also been an exchange student at Melbourne Law School (fall 2019); visiting researcher at Harvard Law School (fall/winter 2019-2020); an adjunct lecturer of European History at Sciences Po Nancy (fall 2020); visiting researcher at the Vrije Universiteit Brussel (spring 2022); visiting exchange scholar at Yale University's History Department (fall 2022); adjunct lecturer at the Universidad de los Andes School of Law (spring 2023); a Junior Visiting Fellow at the Institut für die Wissenschaften vom Menschen (Vienna, Austria); and a guest researcher at the Berlin Potsdam Research Group "The International Rule of Law - Rise or Decline?" From March 2024, he will be a fellow at the Max Planck Institute for Social Anthropology in Halle (Saale), Germany.

## Viewing Publics: A Politics of Spectatorship

Isobel Roele (Queen Mary, University of London)

The question 'what is the public?' is at the heart of my research on the use of visual artwork by the UN's Department of Public Information between 1945 and 1965. The DPI commissioned and exhibited photographs, produced short films, newsreels and (in collaboration) TV programmes. It also featured the UN's fledgling art collection in postcards and stamps, magazine features, guidebooks, and visitor tours. But who on earth – what 'public' – did the Department imagine they were informing?

My paper sets up – before deconstructing – an opposition between an idealized, Habermasean conception of publicness, associated with deliberative democracy, and a cynical, Debordian conception of public consumption and the society of the spectacle. Taking my cue from Rancière's 'emancipated spectator', I ask whether the UN's use of modernist artwork (the nub of Rancière's 'aesthetic regime of art') could ground an emancipatory cosmopolitics of spectatorship which would be visible, for instance, in works like Fernand Léger's abstract murals in the General Assembly Hall in the UN's NYC headquarters.

The answer is easily reached; no – it did not. The line of inquiry is not thereby useless. It leads to a second question: what kind of less emancipated, less inclusive (world) public(s) emerged as real or imagined spectators of the DPI's work? Here, spectatorship strips cosmopolitanism of its idealized status without thereby dismissing it as window-dressing for a passive consumer society. Cosmopolitanism emerges as an ambivalent object of analysis.

Isobel Roele is Reader in Law at Queen Mary University of London. She works on law and the arts. At present, she is writing essays about the UN Charter preamble and pursuing a research project on the UN's use of visual art in its early public information activities. She teaches modules on visual representations of law and on narrative and law. Her last book, *Articulating Security: The UN and its Infra-Law* (Cambridge 2022), drew on Foucault and Freud to consider the relationships between juridico-political and managerial modes of governance.

The Image of Deviance. The Influence of Italian Criminal Anthropology on the Law and the Physiognomic Representation of the Alienated  
Pietro Schirò (University of Verona)

Parma - 28 February 1887, soldier B., in a crisis of jealousy, shoots his girlfriend and subsequently kills himself. His face, with the terrible sneer of suicide, is preserved in a wax mask by the anatomist Lorenzo Tenchini (1852-1906), who included the young man's visage in his *Archive of Criminal Anthropology*. In accordance with the dominant thinking in criminal anthropology and physiognomy at the time, Tenchini proposed creating a museum in which to show his images of deviants, and thus the physiognomic profiles of criminals and the alienated. The paradigms of physiognomy and anthropology at the end of the 19th century also influenced modern disciplines, such as law and psychiatry. As a result, the idea of the 'born delinquent' spread in the courts and in legal sciences.

The idea that from facial features it was possible to discover the secret of the *cursed races*, i.e., certain individuals who did not evolve and were therefore dangerous to society, also penetrated literature and other European art at the end of the century. Two works by Edgar Degas in particular are perfect examples: the 'scandalous' sculpture *La Petite danseuse* and the painting *Criminal Physiognomies*. My paper will therefore focus on various images of deviance, namely faces and physiognomic descriptions, aimed at conveying the physical and biological features of delinquents and the alienated. These will be images that are connected to law but also to art, and will demonstrate the influence of the theses of criminal anthropology on society. This will allow me to recall the theses on criminal liability developed by the Positive School of Criminal Law that spread throughout Europe at the end of the century.

My name is Pietro Schirò and I am a Postdoctoral Research Fellow in History of Law at the University of Verona. I am currently a member of the research team 'Images, Law and Power in the Modern Age' and I am the Operative Coordinator of the Law and Cinema Laboratory: 'Ius fiction'.

I have conducted several research periods abroad, notably at the University Paris I Panthéon Sorbonne in Paris and at the Max Planck Institute for Legal History and Legal Theory in Frankfurt am Main. I have participated in numerous national and international conferences, and am a member of the Italian Society for the History of Law, as well as the European Society for Comparative Legal History, and the Australian and New Zealand Law and History Society.

My research topics concern the history of criminal law and Law and Humanities. Recently, I edited together with Giovanni Rossi the volume entitled *Law and Art in the 19<sup>th</sup> Century. Power in Images*.

## Photography Laws and Law in Photography: Courtroom Photography and Judicial Criticism in Weimar Germany

Nicole Schraner (University of Lucerne)

This talk examines the depiction of law and justice in Weimar Germany through photographs. In the late 1920s, the genre of courtroom photography became increasingly popular in Weimar Germany, placing legal professionals under constant scrutiny from journalists and the critical public. However, the allowance for photography during court proceedings was not a given. The subjects of *where*, *how*, and, most importantly, *who* could be photographed had been topics of legal debate and regulation since the emergence and widespread adoption of photography around the turn of the century.

The discussion centres on two main themes: the legislative framework governing photography in Weimar Germany and the representation of law and justice in photographs. First, it delves into how the German legal system responded to media technological processes and interacted with them, alongside the reactions of photographers and editors to laws and prohibitions, often operating within legal grey areas. Secondly, through the analysis of two case studies, the talk explores the effects of courtroom photography on legal proceedings and public perception. It raises questions about whether the 'visual' participation in court hearings altered the audience's perception of law and justice and how criticism of the judiciary was portrayed in photography.

Nicole Schraner read history, cultural studies and religious studies at the University of Lucerne. She successfully concluded her master's degree in 2023 with a thesis on the history of the identification and tracking of suspects in Lucerne in the period from 1900 to the First World War. During her studies, Nicole worked as a student assistant at both the state and city archives of Lucerne, as well as a student assistant to Prof. Nadir Weber on the SNF-project 'Republican Secrets. Silence, Memory, and Collective Rule in the Early Modern Period'. In September 2023, she took up her current role as PhD researcher on the project 'Imagining Justice: Law, Politics and Popular Visual Culture in Weimar Germany', working on a project on law and photography.

## Thick and Sick Images: Aby Warburg's State-Tables

Fabian Steinhauer (Max-Planck-Institut für Rechtsgeschichte und Rechtstheorie)

The last two tables ('Tafeln') of the edition of Aby Warburg's (1866-1929) *Mnemosyne-Atlas* (1924- 1929) deal with the lateran treaties, the founding of a new roman states and the restitution of an old idea, the idea of an association as a corporation. I want to present both tables as a summa, not only for Warburg history and theory of images but also of a history and theory of law. Warburg thinks about the law not in terms of stability and stabilization, but in terms of pathos and pathology, that is 'instability, meteorology and polarity'.

Since 1896 Aby Warburg was cooperating with legal scientists and did research on the history and theory of law, starting with Gaius' Institutions. Warburg was a reader of contemporary legal theory, for example a reader of Adolf Reinach's theory of the act. In Luzern, I want to present the key concepts and methods of Warburg, but I also want to discuss the meaning of thick and sick images in Warburg's works. Thick and sick images may be considered as images with a sedimentary history (therefore, they are thick) and meteorological and/or polar (for example seismic or vague) effects (therefore, they appear pathological). I will present 'Tafel 78' und 'Tafel 79' in detail, including the history of its reconstruction by Roberto Ohrt and Axel Heil.

Fabian Steinhauer has studied law and art history in Passau (Germany) and St. Petersburg (Russia). After working as a lawyer, he worked as an assistant to the 'artist without work' Bazon Brock and at several universities in Germany, Switzerland and Brazil, where he teaches at law faculties and in the humanities on law, images and cultural techniques. Together with Markus Krajewski and Alexandra Kemmerer he is editor of the works of Cornelia Vismann. Publications include: *Gerechtigkeit als Zufall* (2007), *Bildregeln* (2009), *Das eigene Bild* (2012) and *Vom Scheiden* (2015). He is currently working on Aby Warburg's 'state-tables'.

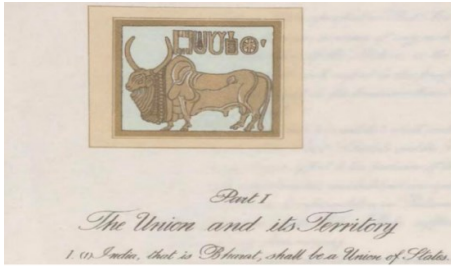


Law, History, and the Visual: On Albrecht Dürer's *The Death of Orpheus*  
Igor Stramignoni (London School of Economics and Political Science)

What does the art of the past want from us? Consider Albrecht Dürer's engraving entitled *The Death of Orpheus*, ostensibly referring to the ancient myth of the *sacer interpretisque deorum* and first legislator. Taking my cue from the work of Aby Warburg, Giorgio Agamben and Georges Didi-Huberman, I argue that, somewhat ensconced in the drawing, is an image whose status seems to place particular demands on historians if they are to succeed in what I call a 'nocturnal' jurisprudence of the image. For example, might one be able to overturn that image as the inapparent gift that seeks to oppose the pain and violence that made it possible?

Igor Stramignoni teaches at the London School of Economics and Political Science where he convenes an award-winning course on the history of law in Europe and is rumoured to have designed and delivered one of the very first postgraduate courses in Europe on the complex interplay between material and legal-political space. Igor has published widely in a range of subjects – including comparative law, legal history and contemporary theory – and presented his research around the world, including in Rome, Paris, Nagoya, and at the Tate Gallery in London.

Constitutional Imaginations: Images, History, Law  
Sabarish Suresh (National University of Singapore)



Even after 73 years since it came into force, examinations of the Indian Constitution have remained partial and incomplete. An important facet of the constitution has not been afforded any serious consideration in scholarship. The Indian Constitution has been predominantly viewed as a text alone, but it is not just a text.

It is not widely known that the original ratified copy of the Constitution also makes a visual argument through the opening pages of every part. These elaborately crafted artworks — of totemic animals, sages, gods, religious teachers, sovereign rulers, national leaders,

emblems, epic myths, mountains, sculptures, and seas — are structured in the form of a teleological and linear narrative, encompassing a claim of an unbroken link to an immemorial civilisation. These visual harbingers have been entirely negated in the scholarship on the constitution, albeit it is in these images that the play and dynamics of collective anxieties and national affect are clearly discernible. Based on archival research and a hermeneutic that combines visual studies, literary theory, psychoanalytic criticism, and constitutional jurisprudence, this paper will demonstrate that these constitutive images adopt the function of representing, and legitimising, a symbolic construction of national identity and historical subjectivity, inducing fantasy and affective attachments to a mythically projected nation. This paper will also show how this undermined function is closely related to a foundational ambivalence that endures in constitutional law.

Sabarish Suresh is a Postdoctoral Fellow at the Faculty of Law, National University of Singapore. He earned a JSD from the Benjamin N. Cardozo School of Law, New York, where he wrote a thesis on the partition of India and its effect on the making of the Indian Constitution. At NUS Law, he is working on British colonial cartography and its role in the coalescence of British Sovereignty and the expansion of the English Common Law in the Indian subcontinent. He is interested in legal history, visual jurisprudence, law and literature, critical cartography, and psychoanalytic criticism.

'An Immense Powerlessness': Figurations of Femininity, Subjectivity and Law in Noir Fiction and Cinema  
Molly Thomas (Newberry Library, Chicago)

Reflecting on the contemporary resonance of noir popular fiction and film, this paper investigates forms of radical social critique central to noir narratives, at the same time considering the real linkages between noir fiction as a narrative form and narratives—as well as images—of law and justice. In particular, this paper focuses on mid-twentieth-century popular literary and cinematic narratives highlighting the imbrication of questions of 'feminine' sexuality and forms of legal and economic subjectivity. What is it about these products of mid-twentieth-century mass culture—traveling across literary and cinematic frames—that compels our attention and interest? Giving close attention to the work of Walter Benjamin, Fabio Vighi, and Joan Copjec, I highlight questions of translation in the double-edged movement between literary and cinematic modes of presentation in several (now canonical) noir narratives: Max Ophuls' *The Reckless Moment* (adapted from a story by Elizabeth Sanxay Holding), Norman Foster's *Woman on the Run* (adapted from a magazine story by Sylvia Tate), and Fritz Lang's *The Blue Gardenia* (adapted from a story by Vera Caspary originally published in *Woman's Day*). Drawing particularly of Copjec's writings on noir, I argue that what remains critical to these 'popular' literary and cinematic texts—and to the 'crimes and misdemeanours' of our current social and legal landscape—is the motif of envy, exemplified in the figure of the *evil eye*.

Molly Thomas is a writer, critic and translator currently based in Chicago. She completed her PhD in art history and cinema studies at the University of Sydney and has taught in these areas at universities in the United States, New Zealand, and Australia. She was a Visiting Research Fellow at the Australian National University in 2021-22 and completed a year-long Fellowship at the Chicago Center for Psychoanalysis in 2023.

Erich Salomon's Photographs from the Courtrooms: Photojournalism in the Weimar Republic  
Ashutosh Kumar Tripathi (Jawaharlal Nehru University)

Photography has undergone multiple shifts since its advent. From being used as a tool to preserve memories and as a reliable witness to being manipulated for political purposes, this manifold use of photography highlights the power and authority of the image. Particularly intriguing are the photographs from the spaces of bureaucracy, law, and justice, with restricted access to the general public. The earliest photographs of such spaces were captured by the German-Jewish photojournalist Dr. Erich Salomon (1886–1944). His candid photographs from legal proceedings such as the Johann Hein Trial (1928), the High Court of London (1929), the US Supreme Court (1932), and bureaucratic meetings from Geneva, Paris, Berlin, etc. provided visual access to such spaces and the human side of the powerful officials in action. Equally interesting are the anecdotes behind his earlier attempts to photograph such closed-door meetings, which earned him titles such as 'Diogenes with a Camera' and 'The King of the Indiscreet'. These enigmatic photographs are replete with stories behind them and the stories they tell. This paper explores Erich Salomon's photographs by situating them within the context of the visual, cultural, and legal shifts of the Weimar Republic. Moreover, it examines the technological developments of the era, such as the introduction of Ermanox and Leica's miniature cameras with wide-aperture lenses and the widespread publication of illustrated magazines such as *Berliner Illustrierte Zeitung* and *Münchener Illustrierte Presse* during the interwar period that helped shape the field of photojournalism.

Ashutosh Kumar Tripathi is a PhD candidate at the Centre of German Studies, Jawaharlal Nehru University, New Delhi, India. He holds a master's degree in German literature from JNU, New Delhi. In 2021, he completed his M.Phil. with a thesis on the figure of flaneur in the writings of Walter Benjamin. Currently, his doctoral research project explores the cultural-historical aspects and the interplay between text and image in Walter Benjamin's *Denkbilder*. His research interests include 20th-century German literature, journalistic writings, and visual culture.

The Sumpul River Tapestry: Bearing Witness to Law, History and Resistance  
Valeria Vázquez Guevara (University of Hong Kong)

This paper examines the material life and disruptive power of a tapestry. The tapestry was made in the 1980s by a Salvadoran woman who survived the civil war's first reported massacre. This massacre, known as Sumpul River Massacre, was investigated thirteen years later by the UN-Truth Commission, and recorded in its Final Report. And yet, while both the UN-Truth Commission's Final Report and the tapestry record the same event, they do so in different ways, with different aims. What makes the tapestry especially relevant is that its account powerfully disrupts the UN-Truth Commission's official account of the past. That disruptive force, I suggest, stems from the tapestry's material life, which allows it not only to be a representation of a past event, but also to speak across time, to contemporary events. By juxtaposing the tapestry's account against that of the UN-Truth Commission, I show how the tapestry contests the role of the UN-Truth Commission's official account in realizing promises about post-conflict peace, reconciliation and democracy. The analysis is informed by scholarship on the visual study of law, on the history and theory of international law, and on legal-political histories of El Salvador and Central America.

Valeria Vázquez Guevara is Global Academic Fellow at the University of Hong Kong's Faculty of Law. Her research engages with law and humanities methodologies to address questions of international law, its institutions, contestations, and geopolitical implications, especially between North-South and South-South. Valeria's first monograph, *Truth Commissions and International Law: Jurisdiction, Representation, Authority* is under contract with Cambridge University Press. Valeria's research has been published in *Leiden Journal of International Law*, *London Review of International Law*, the *Routledge Handbook of International Law and the Humanities*, among others. Valeria currently serves as member of the executive committee of the Law, Literature and Humanities Association of Australasia. She was Managing Editor of the *Australian Feminist Law Journal* (2021-2023).

## Reclaiming the Past: Legal, Performative, and Affective Dimensions of Repurposing Colonial Photographic Archives

Saskia Vermeulen (University of Strathclyde) & Luke Kaplan (Rhodes University)

This paper theorises about the visual through the affective, performative turn in photography, seeking to reinterpret legacy images, recognising their connection to contemporary culture. We scrutinise the repurposing of Kalahari San archives, connecting historical photographic material with the enduring repercussions of dispossession. We focus on whether these legacy images can function as evidence of dispossession, serve as objects of memory, and establish relational connections between future, current and past generations. Originally collected to perpetuate narratives of primitivism or stereotype cultures of poverty, these images have been criticised for continuing negative portrayals of San peoples, and reinforcing colonial naturalisation.

The semiotics of encounters in the photographic narrative of the San have mainly been analysed from ethnographic perspectives; this paper introduces a legal interpretation. Drawing on Neath (2015) and Morton and Edwards (2019), we explore the recodeability of historical photographs, questioning whether their meaning can evolve in tandem with a changing discourse and critical evaluation of the Kalahari myth within the context of ongoing land reform processes in Namibia.

By employing Azoulay's (2008; 215) perspective, which sees photography not as an image but as an event in its performative reconstruction by 'spectators', the paper asserts that photographs are not mere autonomous objects but events requiring a temporal co-presence with the photographed subjects. Comparing the Bleek, Hoefler, and Marshall collections, and in dialogue with our own photographic practice with Ju/'hoansi, we question whether these legacy archives can be conceptualised as a form of participatory citizenship, wielding the power to reterritorialize and redress injustices.

Saskia Vermeulen, PhD is reader in law at the University of Strathclyde, Scotland, and as a phenomenologist and legal anthropologist she is interested in examining the living laws of the San in Southern Africa. More recently, she is also using arts-based methodologies and developing a curatorial practice to co-produce embodied knowledges about different legal cultures.

Luke Kaplan is an artist and researcher based in South Africa, who works primarily with photography. His practice concerns itself with landscape and history, in particular how the identities of people and places are formed through and in relationship with each other over time; and with the parallel inter-forming relationships between camera, light, photographer and photographed. He is also a teacher and PhD scholar at Rhodes University, exploring the confluence of creative process, ethics and justice.

Rusted Constitution, Rusted Act: Visualizing Sri Lanka's Corrosive Rule by Law  
Lars Waldorf (Northumbria Law School)

The artist's own paint-splattered clothes are laid out on a rusted metal prison bed, underneath which is a copy of Sri Lanka's Constitution. The painting of a fallen protester with a sign proclaiming 'People's Sovereignty' is set in a rusted metal frame reading 'Prevention of Terrorism Act'. Sujith Rathnayake's 2023 exhibition, 'Crisis & Struggle', echoed the unheeded demands for 'system change' made by Sri Lanka's remarkable 2022 protest movement, *Aragalaya-Porattam* ('struggle' in Sinhala and Tamil), which forced the Prime Minister and President from office before succumbing to a replacement President's repression. The exhibition also held the law accountable – specifically, the 1978 constitutional amendment creating an Executive Presidency and a draconian 1979 anti-terrorism law that was supposed to be temporary. Rathnayake's creative resistance to these unjust laws was an extension of his activist art ('artivism') during the protests when he ran an art gallery at the main occupy site in Colombo. This paper offers a contextualized interpretation of how Rathnayake's 'Rusted' series challenges Sri Lanka's corrosive rule by law. For, as Manderson (2012) reminds us, 'if the rule of law is to survive, ... it will be because of the way it speaks to us and because of the feelings it is capable of arousing in us. Without these cultural narratives and these affective attachments, no one has any reason to care about it, to understand it, or to improve it.'

Lars Waldorf is a Professor at Northumbria Law School, UK who works in the fields of transitional justice and peacebuilding. He has worked on several projects in Sri Lanka that bring together inclusive dance and rights awareness as a means of empowering disabled people: <https://performinginforming.uk/>. He co-curated 'Artful Struggles 2023: Contemporary Sri Lankan Art' at Harrow Arts Centre (London) in July 2023 and is co-curating 'Artful Struggles 2024: Contemporary Sri Lankan Art' at Gateshead Central Library in July 2024.

Seeing Like a State: Photographic Visualities and the Criminal Court in UK Jurisdictions (c.1900-1925)  
Kate West (Oxford Brookes University)

This presentation extends my extant historical research on the visual-cultural tensions between science and the visual arts, specifically photography on the one hand and drawing and painting on the other in representing criminality. In this presentation, my focus is on the criminal court in UK jurisdictions. Specifically, I am interested in the visual-cultural reasons why the state banned photography and even drawing and painting (the latter is a feature almost unique to UK jurisdictions compared with its common law counterparts) from the criminal court in 1925 and which had the simultaneous effect of generating post-facto drawings and paintings of the court that the state impliedly perceived as acceptable. Theoretically, I use literature from visual culture studies and art history, theory and criticism to critically discourse-analyse a range of primary sources including scholarly and practitioner publications, parliamentary debates, draft and enacted legislation, and case law in the years preceding and leading up to the ban (c.1900-1925). I argue that the state erroneously equated science, objectivity and realism with the apparent immediacy of photography as well as drawing and painting in the criminal court and impliedly created a visual-artistic visuality it considered acceptable that has endured to this day.

Kate West is Senior Lecturer (Associate Professor) in Visual Criminology at Oxford Brookes University. She read her LLB at the University of Edinburgh and her MSc and DPhil at the University of Oxford. Her research interests lie between criminology and critical formations of art history, theory and criticism. She is principally concerned with developing an art-historical literacy in criminology. Her first monograph *The Death of Painting? Criminology's Unlikely Art History* is a revisionist art history of criminology and is under contract with McGill-Queens University Press. Her research has been funded by the Economic and Social Research Council (ESRC), the Scottish International Education Trust, the University of Oxford and Oxford Brookes University.



Political Power, Law and Images in Eighteenth-Century England: Jeremy Bentham (1748-1832) on William Hogarth (1697-1764) and Indirect Legislation  
Claire Wrobel (Paris-Panthéon-Assas University)

Despite growing interest, as evidenced by the volume on Bentham and the Arts (UCL Press, 2020), visual sources remain an understudied aspect of Jeremy Bentham's thought, yet another example of the fact that law is 'an aesthetic practice that denies its art' and is still very much associated with reason and the written word (Douzinas and Nead 1999). Far from being afraid of the power of images, however, Bentham believed they could be enlisted on the side of good government. He saw the benefits of resorting to symbolism and theatricality in penal rituals and institutions; he was quite aware of the cultural practices of his time, including the passion for puppet theatre; and numerous texts show him re-semanticizing existing symbols and images for didactic and reformist ends.

For Bentham, the legislator's toolbox to shape public behaviour was not limited to penal sanctions but also included religious and moral sanctions – non-penal modes of prompting compliance which had and still have a strong visual component. As Manderson (2018) argues, 'images and visual media both illuminate and influence questions of legitimation, authority, and obligation'. In this context, Bentham often praised William Hogarth as a powerful 'indirect legislator' whose art had tangible social effects. This example will offer an opportunity to explore the meaning and inherent limitations of what Bentham called 'indirect legislation', the place of visual arts in it, and, more generally, what it tells us about changing notions of law-making in the eighteenth century, at a pivotal time in English legal history.

Claire Wrobel is Associate Professor in English at Paris-Panthéon-Assas-University in France. She is a researcher with VALE (Voix Anglophones, Littérature et Esthétique) at Sorbonne University and an associate member of the 'Law and Humanities' team of the CERSA (Paris-Panthéon-Assas University) as well as of the Bentham Centre (Sciences Po Law School, Paris). Her research focuses on law and literature in eighteenth-century Britain as well as contemporary ramifications. Her first monograph offers a cross-reading of the works of Ann Radcliffe and Jeremy Bentham under the title *Roman noir, réforme et surveillance en Angleterre (1764-1842)* (Classiques Garnier, 2022). She has co-edited a volume on *Law, Surveillance and the Humanities* with Anne Brunon-Ernst, Jelena Gligorijević and Demond Manderson (Edinburgh University Press, 2023). She is co-organizer, with Greta Olson, of the 'Law and Humanities' seminar at the ESSE conference to be held in Lausanne in August 2024.