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Introduction: Law's Theatrical Presence + Contributions & Acknowledgements

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Introduction: Law's Theatrical Presence + Contributions & Acknowledgements

Abstract
This special issue of Law Text Culture explores law through the lens of theatrical theory and reads theatre through the paradigm of law. This unique interaction between the disciplines of theatre studies and law has brought together an extraordinary array of scholars working at the interstices of these fields, and delivers, we hope, a fascinating range of perspectives that will serve as both introduction to, and illustration of, the richness of this disciplinary exchange.

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Law's Theatrical Presence

edited by

Marett Leiboff and Sophie Nield

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Introduction: Law's Theatrical Presence

This special issue of *Law Text Culture* explores law through the lens of theatrical theory and reads theatre through the paradigm of law. This unique interaction between the disciplines of theatre studies and law has brought together an extraordinary array of scholars working at the interstices of these fields, and delivers, we hope, a fascinating range of perspectives that will serve as both introduction to, and illustration of, the richness of this disciplinary exchange.

Our initial call invited responses prepared to think beyond the 'theatrical' as simply words or playtexts, drama or literature, and beyond the 'performative' as a universal referent to any form of enacted public practice. Our hope was that the revitalised field of theatricality, rather than pivoting around acting, costumes, props and stages, would allow us to foreground ideas of frame, the body, appearance, rhetoric, and image as key intersections for understanding the work of the law in producing, shaping and staging justice.

We have been rewarded by the range and generosity of our contributors, who have engaged with this challenge across a broad sweep of intellectual, creative, and practical perspectives. As well as containing several scholarly articles, this collection also offers some intriguing and insightful meditations from practitioners and scholars across both disciplines whose creative contributions are interspersed throughout the issue. We would acknowledge in particular the contribution of lawyer-turned-visual artist Carolyn McKay, and thank her for her stunning images, which so aptly capture the themes and questions which we framed in our call for contributions. Her work on our covers literally encompasses our inquiries and encapsulates the

limits of the word: a theme which resonates throughout the essays and articles in the issue.

We would like to extend our grateful thanks to the editorial board of *Law Text Culture* for entrusting us with this special issue, and for facilitating this innovative and exciting collaboration. We would like to thank too the participants in the preparatory workshops that we held in London and Wollongong for their interest and insights into the ideas and themes as they developed: they have added to the collection in many ways. In particular, we would like to acknowledge the generous contributions of Paul Dwyer and Barbara Nicholson. It is a slightly unusual gesture, but we would also like to acknowledge here the referees who offered extraordinary support and guidance to authors both within and across their disciplinary specialisms: their generosity in responding to the disciplinary differences of the scholarship explored here has enriched the issue, and also offered much encouragement for the future development of this kind of interdisciplinary project.

Finally, we thank Rick Mohr for his patience, persistence, and his belief in the project. It was his introduction of us to each other, and his identification of potential shared agendas and questions, which lit the spark under this enterprise. Without his insight and support, the synergies and energies that have taken flight in this volume would not have left the ground. We hope that this will not be the last exchange between our two disciplines: as we hope the issue demonstrates, there is much that the theatre and the law can say to each other, about each other and for each other. We look forward to those future conversations.

Marett Leiboff
Wollongong

Sophie Nield
London

December 2010

Contributors

Michael Bachmann teaches theatre and cultural history at Mainz University, Germany, where he holds a Junior Professorship in Theatre Studies, Comparative Media, and Comparative Art Studies. He has recently published his Ph.D. dissertation on authorizing strategies in Holocaust representation (in German): Der abwesende Zeuge: Autorisierungsstrategien in Darstellungen der Shoah. Francke, 2010. Articles in English include: "Derrida on Film: Staging Spectral Sincerity" in The Rhetoric of Sincerity. Ed. Ernst van Alphen, Mieke Bal and Carel Smith. Stanford UP, 2008.

Olivia Barr is a PhD candidate and Senior Fellow in the Melbourne Law School, University of Melbourne, Australia. Having graduated from the University of Western Australia with a Bachelor of Laws (Distinction) and a Bachelor of Arts (Anthropology) and from the University of British Columbia with a Master of Laws, Olivia has worked in law reform, as a government solicitor, for the United Nations Permanent Forum on Indigenous Issues and more recently as a lecturer in the Melbourne Law School. Her research interests include the relations between different forms of lawfulness and the place of movement in a critical poetics and critical prudence of the common law tradition. Currently writing a doctoral thesis creating a minor jurisprudence of movement, Olivia is also designing and building her first bamboo bicycle and hopes to be meandering through the mountains of Laos sometime soon.

Patrícia Branco is a researcher at Centro de Estudos Sociais (CES) and a PhD candidate at the University of Coimbra, Portugal. Patrícia obtained her LL.M degree in Legal Theory at the European Academy of Legal Theory in Brussels, and has a Bachelor degree in Law from the Faculty of Law of the University of Coimbra. Her current research interests include access to law and justice, family and child law and courthouse architecture. She's currently the principal researcher of the

Research Project 'Courthouse architecture and access to law and justice: the case of family and child courts in Portugal', funded by Fundação para a Ciência e Tecnologia.

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Peter Goodrich is an expatriate for love, living out the back nine in Manhattan. Geographically free of the English malaise of ennui, he is co-author and co-producer of the award winning feature documentary Auf Wiedersehen: 'Til we Meet Again (2010) and co-author of a forthcoming children's book, Trouble and Triumph in Gotham. His day job at Cardozo School of Law also involves writing on the thresholds and failures of law. His current project, come to think of it my current project is a book on law's visibility while I also scribble on the lex amicitia and the virtues of non-law.

Ruth Herz is Research Associate at the Centre of Criminology, University of Oxford. She is currently completing a book, Scenes of Justice: Cavellat's Images, to be published by Hart which is a study of a unique collection of drawings made by a French judge, Pierre Cavellat while sitting on the bench between 1930 and 1969.

Kate Leader completed her PhD, "Trials, truth-telling and the performing body", at the Department of Performance Studies, University of Sydney. This thesis was a detailed examination of the role of performance in the adversarial criminal trial. She currently lives in London and is continuing her research in the area of legal performance.

Marett Leiboff is Associate Professor in the Faculty of Law, University of Wollongong Australia where she is a member of the Legal Intersections Research Centre. She holds an MA in Theatre Studies from the University of New South Wales, Australia, and has been silently using the theatrical as a cultural legal studies device through which to interrogate law, focussing on the visceral, and the articulate and inarticulate body.

Carolyn McKay is an Australian visual artist who holds degrees in Law and Commerce from the University of New South Wales, Master of Studio Art, The University of Sydney, and recently completed the Master of Visual Arts by research at Sydney College of the Arts (SCA), The University of Sydney. Her thesis Word of Mouth: Eyewitness Testimony considered viva voce testimony in murder trials, with her digital video and photomedia works exploring the nature of the spoken word in re-creating the past crime scene. She is commencing a Master of Criminology by research at Sydney Law School in 2011. Her thesis will explore " Viva Voce: Corporeality v Augmented Reality in the Courtroom." Carolyn is also a lecturer in Research Methodologies in Art Practice at SCA and a Research Assistant on the Australian Research Council funded project, Cultural Asset Mapping in Regional Australia (CAMRA). She has exhibited her work throughout Australia and internationally, and held several solo shows including Reports of Crime Etc., Etc., at The Lock-Up Cultural Centre 2010. Her work is held in public collections in Australia and overseas.

Leslie Moran is Professor of Law, Birkbeck College, London. He is currently undertaking a study of the judicial authority and visual culture. He is a member of JILC (Justice Image Language and Culture Laboratory) Université Paris 8 and the Images of Justice Network.

Sophie Nield teaches theatre, film and performance studies at Royal Holloway, University of London, where she is Director of Graduate Studies in Drama. She writes on questions of space, theatricality

and representation in political life and the law, on the performance of 'borders' of various kinds, and on nineteenth century stage tricks. She is a member of the Board of Directors of Performance Studies international, sits on the Executive Committee of the Theatre and Performance Research Association and is a member of the editorial panel of the journal About Performance.

Connal Parsley teaches critical jurisprudence and legal ethics at the University of Melbourne, Australia, where he is also a doctoral candidate. His thesis is an account of the relation between the thought of the image and that of law in the work of Italian philosopher Giorgio Agamben, with special reference to the manner in which Agamben's work intervenes into the juridical history of the human. He publishes and reviews on the intersection between linguistic, legal, political and aesthetic theory, and is currently translating Roberto Esposito's Categorie Dell'Impolitico (1988) into English.

Sara Ramshaw has been a Lecturer in Law at Queen's University Belfast, UK, since September 2005. She obtained both her LLB and LLM from the University of British Columbia in Vancouver, Canada. She clerked at the Ontario Court of Justice (General Division) in 1998-1999 and was called to the Bar of the Law Society of Upper Canada in 2000. She then worked as a Research Lawyer at the Superior Court of Justice, Family Court in Ontario before commencing postgraduate studies at Birkbeck School of Law, University of London, England, where she completed a PhD. During the 2008-2009 academic year, Sara was a Postdoctoral Fellow with the Social Science and Humanities Research Council of Canada (SSHRC) Major Collaborative Research Initiative (MCRI) Project "Improvisation, Community and Social Practice" (ICASP) in partnership with Centre de recherche en éthique de l'Université de Montréal (CRÉUM). In September 2009, she joined the ICASP project as a Research Associate and a member of the Research Website Editorial Board.

Nicole Rogers is a senior lecturer at the School of Law and Justice at Southern Cross University, Lismore, Australia. She is an activist as well as an academic, and has participated in forest blockades as a member of the North East Forest Alliance. Her doctoral thesis was entitled 'The Play(fulness) of Law' and in it she looked at points of intersection between performance studies theory, legal performances and environmental direct action. She is currently working in the areas of climate change adaptation and wild law.

Theron Schmidt is a writer and performer based in London, where he is currently a lecturer in Theatre and Performance Studies at King's College London. He is completing his PhD on theatricality and the politics of spectatorship, supported by the UK Arts and Humanities Research Council, in the Department of Drama at Queen Mary, University of London. His critical writing on live art and performance has been published in Contemporary Theatre Review, Dance Theatre Journal, The Live Art Almanac, Platform, RealTime, and Total Theatre.

Olivera Simić is (from January 2011) a Lecturer in Law at Griffith University, Australia, and is currently finishing her PhD in Law (University of Melbourne). She graduated from Essex University, UK with a Masters in International Human Rights Law and from the UN University for Peace, Costa Rica with a Masters in Gender and Peacebuilding. Olivera's current research seeks to reflect on local ownership of transitional justice processes in the former Yugoslavia by exploring the ways in which non-governmental organisations, such as DAH Theater and Women in Black, mobilize and make significant contribution to local and international criminal justice processes, although often marginalized or ignored by them. Contact: o.simic@griffith.edu.au

Beverly Skeggs is Professor and current head of Sociology at Goldsmiths College London. She has an international reputation for her pioneering research and scholarship on social class and gender and culture. She is completing a monograph on reality television and social class formation.

Māmari Stephens (Te Rarawa, Ngāti Moetonga) BA(Hons), MA, LLB(Hons) VUW. After some years working in the Department of Corrections and Māori broadcasting Māmari completed an MA (Distinction) in Classical Studies, BA (Hons), and an LLB (Hons) at Victoria University, Wellington New Zealand. She spent three and a half years at New Zealand's largest law firm, Russell McVeagh, working in the Māori legal team in the Corporate Advisory Group, latterly concentrating on accident compensation law. Māmari has been with the Faculty of Law at Victoria University since January 2006 and, with Assistant Professor Mary Boyce of the University of Hawai'i, runs the Legal Māori Project, which will, in early 2012 complete a substantial dictionary of legal terms in the Māori language. Her primary research interests are law and language, Māori and the New Zealand legal system, and social security law. Māmari is on research leave until February 2011 and will be teaching welfare law, criminal law and first year statute law in 2011. Māmari is married to Maynard Gilgen and has two sons, Te Rangihuia (7) Havelund (4) and a daughter, Jessica-Lee Ngātaiotehauauru (1).

Caroline Wake recently completed her PhD in theatre and performance studies at the University of New South Wales, Australia. Her research interests fall into three areas: cultural responses to and representations of asylum seekers and refugees; the relationship between trauma, memory and performance; and verbatim, documentary and reality theatres. She is the co-editor, with Bryoni Trezise, of the special double issue "After Effects: Performing the Ends of Memory" Performance Paradigm (2009), a version of which will be published by Museum Tusculanum Press in 2011. She also recently contributed several chapters to the

textbook Verbatim: Performing Memory and Community (Sydney: Currency Press, 2010). She currently works as a casual academic and as a writer and online producer for RealTime Arts, Australia's critical guide to the international contemporary arts.

Karen Walton is a Barrister at Law, Dyers Chambers, London. A member of Middle Temple, she specialises in serious crime, sexual crime and offences against children, prison law. She has also lectured at City University London (2000-2004) in criminal litigation, evidence and sentencing, and, as an accredited trainer, carried out IATC (Inns of Court advocacy training) as an accredited advocacy trainer. In addition, she has contributed to the publication Criminal Litigation and Sentencing Manual, Oxford University Press, and 'Breaking the Circle' Shelter publications. Karen holds a BA Hons Geography, Manchester University, and a Post Graduate Diploma, Housing and Social Policy, School for Advanced Urban Studies, Bristol University.

Graham White is Reader in Drama and Creative Practice in the Department of Drama, Theatre and Performance at Roehampton University, London. He has written a number of articles on the 'play' of performance in legal settings and its role in the construction of narratives of history, truth and justice. These include pieces on the Hague War Crimes Tribunal (for TDR, The Drama Review) and on the Bloody Sunday Inquiry in the UK (Theatre Research International). He is also the author of two radio plays based on celebrated conspiracy cases, The Trial of the Angry Brigade and Oswald in Russia, both commissioned and broadcast by the BBC.

David Williams is a performer, technician, and director, holding an Honours degree in Theatre from the University of Western Sydney (Nepean) (UWS), and a PhD from the University of New South Wales (UNSW) Australia. He is a founding member and CEO of version 1.0 inc, and has co-devised and produced all of the company's work since 1998 including The Bougainville Photoplay Project, THIS KIND OF RUCKUS, Deeply Offensive and Utterly Untrue, The Wages of

Spin, CMI (A Certain Maritime Incident), From a distance... and The second Last Supper. David is currently an Honorary Associate at the University of Sydney, and has lectured in theatre at UWS and UNSW. He has scholarly articles published in Australasian Drama Studies, Performance Paradigm and Research in Drama Education, and his writings about contemporary performance appear regularly in RealTime.

Acknowledgements

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- Richard Mohr, December 2010

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