

Critical Legal Conference 2018

Regeneration

Stream Details

I always thought eternity would look like Milton Keynes.

JG Ballard

List of Streams

- [Art/Law](#)
- [Blockchain as neoliberal regeneration?](#)
- [Complex financial systems: re-generation \(autopoiesis\) and the role of law in systemic failures](#)
- [Critical legal education](#)
- [From Unitary urbanism to community without propinquity](#)
- [Gender, sexuality & law](#)
- [General stream](#)
- [Law, aesthetics, and Critical Legal Studies](#)
- [Law and literature](#)
- [Law in the Anthropocene: regulation as regeneration?](#)
- [Legal regeneration: rebirth, revolution and reform](#)
- [Property and power](#)
- [\(Re\)generating 'European' space through experiences of exile](#)
- [Senses of belonging, identity, and participation in a unsettled world](#)
- [The end of humanity: resisting the catastrophic impact of the transformative technological imaginary](#)

Art/Law

Stream Organisers: Lucy Finchett-Maddock (Sussex) and Sean Mulcahy (Warwick)

Submission of Abstracts: clc@artlawnetwork.org

Milton Keynes, despite its brutalist architecture, has a rich history of art and culture. It is home to Liz Leyh's sculpture *Concrete Cows*, artwork by local painters Fionnuala Boyd and Les Evans, and work by community artist Bill Billings. Art was critical to the generation of Milton Keynes and now its regeneration. Often, however, there can be a lack of legal attention to the arts and vice versa.

In the spirit of drawing scholarly attention to the convergences of art and law, we invite contributions on the broad themes of art as law and law as art. Possible areas of engagement include, but are not limited to:

- Art in/as protest against the law
- Thresholds and margins in art/law
- Art as a pedagogical device in the teaching of law
- The effects of new media/technology on art/law
- Postcolonial futures in the study and practice of art/law
- Art as a mode of rehabilitating legal wrongs and ameliorating trauma
- Artistic responses to the legal regulation of intellectual property
- The legal implications of Brexit on the arts

The practice of art and law necessitates the gathering together of bodies in space to bear witness. This stream invites contact and collaboration with scholars and practitioners of art and law, and provides space to allow new critical convergences arising from the bringing of art into law and law into art. We also welcome creative responses to the stream themes.

Please submit panels or individual proposals or expressions of ideas together with an abstract and presenter bio to clc@artlawnetwork.org

Blockchain as neoliberal regeneration?

Stream Organiser: Rob Herian (Open)

Submission of Abstracts: robert.herian@open.ac.uk

In the last three years shifting trends in blockchain infrastructure and applications have extended the reach of the technology from an original position with cryptocurrencies (e.g. Bitcoin), to different social, cultural, economic and political arenas. Underpinning these trends is a 'blockchain ecosystem' which continues to evolve with each new approach, application, gesture, form of conduct, and way of thinking through digital network infrastructures that blockchain promises. Few of the promises appear all that new however. Instead the blockchain ecosystem is driven by a regeneration in processes of hegemony in the economic reason of competition and free-markets, as well as in ideologies of innovationism or solutionism of a type that began with and continue perforce in the interlocked worlds of the Internet and World Wide Web, the bedrock on top of which is built the contemporary neoliberal technomorality.

Activities and concepts stemming from the blockchain ecosystem and thus possible areas of discussion for the stream include:

- The re-imagining of big data legitimacy and transparency via practices of data self-care and sovereignty (e.g. health records);
- Fostering *post trust* digital practices in order to 'solve' issues of trust online, underpinned by conjunctions of ideology and computational method (code, protocol, etc.);
- Promoting 'harmony' between individuals by rendering porous borders between subjects, business and government. In short, *blockchain governmentality*;
- The disintermediation of 'old' legacy systems, networks and institutions of finance and beyond in order to regenerate and reinvigorate capitalism for the benefit of contemporary neoliberal stakeholders (e.g. entrepreneurs).
- The creation of distributed and fluid systems of democracy.

Contributions are invited for this, the third blockchain stream to be held at the CLC, in order to continue the critical interrogation of the technology, its ecosystem, and the ethics of political economy it is (re)generating.

Complex financial systems: re-generation (autopoiesis) and the role of law in systemic failures

Stream Organiser: Daniele D'Alvia (Birkbeck)

Submission of Abstracts: danieledalvia@yahoo.it

This panel aims at illustrating how the concepts of complexity and re-generation deal with financial systems. Since the collapse of Lehman Brothers in 2008, financial markets have experienced failure cascades that have been socialised through the privatisation of financial risk. For these reasons, it is important to reflect again on the concepts of risk and uncertainty in modern economies. According to Knight, risk is always a measurable entity, whereas uncertainty cannot be measured, but it has a mysterious nature through which the concept of 'profitability' is legitimised in modern economies. Indeed, it should be highlighted that money creation processes are centred on uncertainty. Without uncertainty, there is no profit. In fact, it is the entrepreneurial spirit of facing the many uncertainties of the future that creates progress. Without the figure of the entrepreneur the expectations on risk cannot be actualised. Yet Knight has designed a theoretical framework, which is specific to the insurance market that in turn represents only a sector of financial markets.

Hence, it is useful to approach financial markets from a complexity point of view in order to try to provide answers as to why financial crisis occur, and why complex financial systems tend to find their own balance and equilibrium through disequilibrium paradigms. By analysing the theory of complexity and re-generation of living organisms in biology developed by Maturana and Varela, the panel is devoted to assess whether financial markets can be studied as well under a new stage of complex thinking. Indeed, the property of emergence in complex organisms by which the action of the whole is more than the sum of the actions of the parts can provide a first insight as to why financial systems that can be constructed as complex systems tend to achieve a spontaneous equilibrium, despite being dominated at a first glance by chaos. Indeed, financial innovations as well as risk, uncertainty and competition are essential elements of the markets that shall be studied for the first time under the theory of open systems of Luhmann where the concept of structural

coupling aims at discovering the essence of new interactions and influences that financial systems perceive from their environment as well as from other markets. Alike living organisms where the environment can influence the living body, it is the living body itself that finds its own sources of re-generation. In the same fashion, financial systems re-generate their selves alone (*i.e.* autopoiesis), and through the interactions between the environment and other financial systems, they tend to achieve a possible economic balance. However, it seems that nowadays those interactions such as the one between the law and financial systems have been capable of de-stabilising rather than underpinning the spontaneous equilibrium that markets alone are potentially capable to achieve through autopoietic mechanisms. In other words, the operational closure of open systems calls for a re-interpretation of financial markets as complex financial systems where the role of law as well as the role of competition and economics must be underpinned rather than being undermined by virtue of legal formants.

Keywords: Competition, Complexity; Financial Law; Regeneration; Risk; Uncertainty.

Critical legal education

Stream Organiser: Emma Jones (Open)

Submission of Abstracts: E.J.Jones@open.ac.uk

“Sadly this module was one of the worst I’ve done with the OU. It talked a lot about different peoples theories and points of view instead of just telling me what the law is in that particular area. To be honest I don’t care about other theories, I just want to learn the law. Therefore I found the external book that we got with the module - equity, trusts and Land law was far more beneficial and interesting than the module material. In fact, I didn’t even complete any of the activities within the units because they were so ridiculous”

- Anonymous student (2017)

Recent approaches to higher education, and changes in practices relating to higher education, have somewhat underscored the ambivalence—at the very least—of the notions of progress and regeneration. Shifting expectations of students towards *consumption* of education, as some form of career/future oriented stepping stone, and away from the notion of membership of an academic community, leads us into questionable territory. This instrumentalisation of higher education poses a threat to the university as a time and space of confrontation of ideas and the challenging thereof (Williams and Williams 2017). This also threatens the wellbeing of students, with challenge paradoxically being thought of as leading to a profound sense of contentment (Gibbs 2015, 2017).

The balancing of the purpose of higher education between economic function, student satisfaction, future orientation, ‘social mobility’, social justice, gatekeepers of disciplinary and educative robustness (Fenwick and Edwards 2010)—and the consequences this has on wellbeing—is under the spotlight in this stream. Any papers relating to legal education will be considered, but potential themes could include:

- Critical and reflexive pedagogies in legal education.
- The relationship between legal education and social justice.
- Ethics and values in legal education

- Legal education and affect
- Uses of, and innovations in, technology within legal education.
- The impact of proposed reforms to the law school curriculum.
- Legal education, employability and the professions

From Unitary urbanism to community without propinquity

Stream Organiser: Angus McDonald (Staffordshire)

Submission of Abstracts: a.h.mcdonald@staffs.ac.uk

The Situationist International's critique of the ideology of urbanism went by the name *unitary urbanism*. "Traffic circulation is the organisation of universal isolation ... it is the opposite of encounter", said Vaneigem and Kotanyi in 1961. "With the advent of unitary urbanism, present city planning (that geology of lies) will be replaced by a technique for defending the permanently threatened conditions of freedom."

Derek Walker, the founding architect of Milton Keynes, acknowledged the urban theorist Melvin M Webber as 'the father of the city' for his ideas in the 1960s and 1970s regarding the city of the future, predicated upon mass car ownership. His work on 'Urban Place and the Non Place Urban Realm' proposed the notion of 'community without propinquity', an idea whose influence shifted the planning of Milton Keynes away from a linear city developed along a proposed public monorail system towards a grid system explicitly proposed as a less predetermined series of spaces open to a greater freedom of adaptation to the desires of the (car owning) inhabitants. In this version of the future city, the version which triumphed in Milton Keynes, the organisation of the circulation of traffic promotes movement, speed of change of place, one might say the Deleuzian virtues of nomadism. To the unitary urbanist however, community without propinquity sounds very like the organisation of universal isolation.

Consider though, Costas Douzinas's oft-quoted description of the CLC as a 'community always to come', an annual 'three day gathering' which ceases to exist the other 362 days of the year. This too sounds like community without propinquity, even more so in the age of social media than in the age of the car, the ability to keep in touch without being nearby being ever easier. Then again, without the three days of encounter, there would be no CLC. Vaneigem and Kotanyi referred to "the possibility of what we call unitary urbanism, namely a living critique, fuelled by all the tensions of daily life ... the coming together of those creating their own lives on terrains equipped to their ends."

This too is the CLC, and the works, variously, of Andreas Phillippopolous-Mihalopoulos on the atmosphere of the urban lawscape, Alison Young on the marks on the urban landscape left by graffiti and street art, Thanos Zartaloudis's interest in architectural projects such as those of Cedric Price (the Potteries Thinkbelt proposal for a different vision of the higher education institution comes to mind), all these show a persistent strand of thinking in the critical legal tradition of the CLC which could find no more appropriate locus than the Open University (surely another instance of community without propinquity) in Milton Keynes to propose a stream of encounters on this theme.

Is community without propinquity just the non-place urban realm we all live in now, a fatality to be endured? What potential does it hold? What politics? What laws? Is the encounter hoped for by the

unitary urbanists an anachronistic romance, possible only in a place like, for example, Prague? Or Milton Keynes, even?

Gender, sexuality & law

Stream Organisers: Laura Noakes and Caroline Derry (both Open)

Submission of Abstracts: Laura.noakes@open.ac.uk

As legal rights are won, lost or threatened, the field of gender, sexuality and law is in a constant state of regeneration. Apparently successful fights for formal equality in employment, family, or criminal law have not marked end points in theory or activism; instead issues and responses take on new shapes, but rarely disappear. Recent developments have challenged traditional perspectives of gender, sexuality and the law, and sought new ways of revealing the complex shifts in this field. Aims, methods, and dangers of engagement with the law are constantly interrogated; its relationship to other fields, including media, history, and politics is explored. The very concepts of gender and sexuality in our societies are changing. Against this background of flux, the relationship between sexuality, gender and the law is examined and negotiated.

This stream seeks to draw together scholarship relating to this broad field, and particularly welcomes interdisciplinary and international perspectives. Topics might include, but are not limited to:

- Feminist and queer theories
 - Gender, sexuality and legal history
 - Criminal regulation of sexuality and gender (eg sexual offences, legal approaches to consent, hate crimes, obscenity, abortion, domestic violence, imprisonment)
 - The refugee crisis in terms of sexuality/gender
 - Gender and employment
 - Gender and sexuality activism
 - Gender and religion
-

General stream

Stream Organiser: CLC 2018

Submission of Abstracts: OULS-CLC2018@open.ac.uk

Please submit panels or papers that do not fit within the other streams; if accepted, we will do our best to organise these thematically.

Law, aesthetics, and Critical Legal Studies

Stream Organiser: Thomas Giddens (St Marys)

Submission of Abstracts: OULS-CLC2018@open.ac.uk

Regeneration, as the Doctor reminds us, is a play of change and stasis; difference and similarity. What was there once remains: a trace in a different form. Boundaries are enforced as they are broken and discarded. David Tennant is always already Sylvester McCoy, and institutionally British science fiction reveals a truth.

Regeneration, my wife reminds me as she goes about her daily business of dyeing yarn, is a swirling of colour and shape, a spaghetti junction of change and alteration, contained in a skein of interdisciplinary structuration.¹ It is at once fluid and solid, certain and unclear, a *res in se* and a potentiality that could be anything: a burning flame of becoming.



Giddy Yarns (2016) 'Regeneration'

Regeneration, then, is about the play of forms, the shifting of solidity and softness, of shaping and reshaping. It is the emergence of form from existing form; the appearance of the already there. Regeneration, then, has significant aesthetic dimensions: aesthetics involves attention on the way things appear, the way they emerge in relation to our senses. It is an encounter with form, and thus at play in the play of forms in the twisted flow of regeneration.

To think legal aesthetics thus involves reading the law on a formal level—not as an abstract formalism, but as a sensory object. Like regeneration, in a critical legal context aesthetics involves the querying and reshaping of legal forms. Architecture, dress, spatial arrangement; materiality, delineation, regulation. Engaging the aesthetic also engages questions around the appearance of knowledge more generally, of epistemology and the mediation of life, the universe, and everything else besides. In a critical legal context, this augurs an epistemology of law—its limits, shapes, boundaries, maskings, ethics, and the materiality of its interpretive and constitutive practices. How does law appear? How should it appear, if at all?

This stream seeks an engagement with all things legally aesthetic, everything aesthetically legal. Any questions of form, appearance, embodiment, sensoriality, environment, context, epistemology, knitting, geometry, object, and space (including, of course, time travel in space) are welcome. Alternative formats—that is, performative regenerations of the academic conference—are encouraged. Relationships between aesthetics and the insight we can gain from alternative formations of knowing are of particular interest—what does it mean to expand and explore beyond

¹On the spaghetti-like nature of legal interdisciplinarity, Daniel Hourigan's carbonara recipe may be of interest: see <https://lawetcetera.wordpress.com/2018/02/06/hourigans-carbonara/>.

the limits of doctrine, of institution? Can we still meaningfully imagine such limits? Engagement across the broad remit of legal aesthetics is thus sought, alongside engagement with the aesthetic dimensions of the critical legal project itself—how does this appear? Does it need a makeover, to be regenerated? Or maybe a nice new pair of hand-knit socks?

Law and literature

Stream Organiser: Neil Graffin (Open)

Submission of Abstracts: OULS-CLC2018@open.ac.uk

When regenerating, as places, structures, institutions, or political ideas are reformed, culture and the humanities provide commentary or critique of the reshaping processes. Our abilities to think, discuss, or perform, provide means to shape new regenerative ideas or deconstruct them. Free thought and expression are tolerated within liberal societies, generally, as Marcuse opines, as long as they do not ‘make the transition from word to deed, from speech to action’ (Marcuse, 1965). However, in recent times we have seen culture and the humanities attacked by political elites, through policy reforms, and even within universities themselves, because ostensibly the market demands a knowledge-based economy orientated towards science, technology, engineering and mathematics. Neo-liberal doctrines in these times devalue the contribution that culture and the humanities can make to dialectical processes and to the self. In this stream we encourage scholars to challenge these notions and to engage with interdisciplinary, humanistically-orientated legal scholarship within dialogues of regeneration, drawing on ideas of authority, values, ethics and justice. These include on topics such as (but not exclusive to) legal history, law and cultural studies, law and anthropology, law and literature, law and the performing arts, and legal hermeneutics.

Law in the Anthropocene: regulation as regeneration?

Stream Organiser: Rob Herian (Open)

Submission of Abstracts: robert.herian@open.ac.uk

‘From the point of view of pre-modern fundamentalisms’, claims Andre Gorz, ‘the whole of development of modernity from its beginnings right up to own today, has been a sin against the natural order of the world. Its catastrophic end will force humanity to make the necessary conversion. There is nothing to conserve, and nothing will remain. There is no rational path to salvation; only the inevitable collapse can open up the way’.

There is undeniable catastrophe and tragedy in evaluations of the Anthropocene that centre on the ecological malfeasance wrought by humankind. What is more, a certain mourning and melancholia follows in its wake as an inevitable accompaniment to the conscious realisation of a gathering stress on organic and inorganic networks and systems. What hope therefore of regeneration? How can or must law begin to think past ‘inevitable collapse’ and offer a means with which to ‘open up the way’? In embryology regulation is defined as a process of cell reorganization or readjustment that occurs in the restoration of an organic defect or incompleteness. What, if anything, might law learn from regenerative regulatory processes in order address or counter threats of environmental collapse?

This stream invites contributions that consider concepts and themes of regeneration in law and regulation that speak to critical assessments of the Anthropocene and enable thinking beyond points of catastrophe and tragedy.

Legal regeneration: rebirth, revolution and reform

Stream Organisers: Cosmin Cercel (Nottingham), Simon Lavis (Open) and Gian Giacomo Fusco (Kent)

Submission of Abstracts: cosmin.cercel@nottingham.ac.uk

Continuing our engagement with the question of rupture and disruption within the symbolic framework of the law in Canterbury and Warwick, this stream of panels aims to critically chart the nexus between law and history by focusing on law's reconstruction within and following moments of crisis. We are thus aiming to convene a discussion by following three points of focus, namely, rebirth, revolution and reform in the pursuit of understanding how the presence of the law - understood here under the Lacanian protocols of either an embodiment of the Big Other, or as a supplement of the *superego* - thwarts, limits or taints processes of social change. While the psychoanalytical undertones of this project support our mapping of law as a means of social semiotics, they are certainly not the only theoretical source infusing our endeavour. They should be doubled by a historical engagement with law in contexts of crisis and problematised by this encounter between theory and material history. Through a critical reading of the trope of *rebirth* we seek to explore how the law, through its historical embeddedness, relates with political projects aiming to reconstruct the polity by a purportedly creative return to the past.

As historian Roger Griffin has pointed out, the thrust of fascism can be captured by the notion of *palingenesis*, a rhetorical use of a mythical past as a catalyst for a radical change. Rebirth is thus less a regression to a previous time and order, but a rupture guided by a belief in the return to an imagined *illud tempus*. A common feature of right-wing authoritarianisms of the last century, the rebirth of the polity, is a recurring trope in nowadays authoritarian regimes. Understanding the interplay between law as either a limit or a vector of the ideology of rebirth is central to our mapping of the current status of the law. At the antipodes, revolution is a step outside of the symbolic guarantees of the past, which does not ground itself in the existing legal order. Yet, revolutionary moments nonetheless convey the language of the law and legal concepts.

Analysing both the semantic and symbolic weight of the law in such contexts, as well as law's relationship to change is another point our stream of panels encourages. While rebirth and revolution seem to be rather exceptional material within legal history, the most common occurrence appears to be that of the reform. Either under the guises of a simple continuation of the past, or by conveying the imagery of a radical rupture, the law, more often than not, continues to inscribe social change within the chain of signification of its own history, as if for the law the radical suspension of the symbolic order is unthinkable. Problematising the status of law within historical contexts such as dictatorships, revolutions, counterrevolutionary coups or simply within the humdrum of past and present neoliberal reforms mimicking the language of revolution is thus the central wager of this stream of panels. The following is a non-exhaustive list of possible topics that papers intended for this panel may engage with:

- Law and rebirth in historical fascist, Nazi and authoritarian regimes

- Law and revolution in historical socialist and communist regimes
- The reconstruction of law in current populist regimes
- The role of law in projects of radical reform, past and present
- The symbolic role of the law in the context of regeneration

Property and power

Stream Organiser: Robert Herain

Submission of Abstracts: robert.herain@open.ac.uk

This stream invites papers that cover a wide range of theoretical and doctrinal perspectives on the intersections between property and power. In light of the conference theme of regeneration the ideas of property and power can be viewed as being entangled in tensions between public and private sociality, progress and conservatism. The commons imagined and constructed for the benefit of many versus exclusion and withdrawal as markers of individualism and the delimitation of power and privilege in the hands of a few is one expression of this tension. Commodities as endlessly alienating, traded, exchanged and exploited forms remain equally contestable modes and means of regeneration, whether as public art or forms of private enterprise salvaged from a globalised fate for the sake of nostalgic ideas of retail as the last bastion of dignity for a ‘nation of shopkeepers’. Property and private property in particular is a central pillar of capitalist and neoliberal reason and logic, without it the modern economy as we know it would collapse. Does this make regeneration *through* property a necessary and inevitable path to capitalist re-imagination? Can capitalism collapse and property and importantly property law remain intact or relevant? These are just some of the topics this stream may choose to cover.

(Re)generating ‘European’ space through experiences of exile

Stream Organiser: Emma Patchett and Magdalena Kmak (Helsinki)

Submission of Abstracts: epatc01.ep@gmail.com

“To begin with, there are some questions to be asked about time-space compression itself. Who is it that experiences it, and how? Do we all benefit and suffer from it in the same way?”

Doreen Massey

“An attractive, even contagious "vision" for a future Europe does not fall from the sky. Today it can only be born out of a disturbing sense of helplessness”

Derrida and Habermas

This stream seeks to explore the role of exile and forced displacement in construction of Europe both historically and currently. We start from an interpretation of displacement as a regenerative concept produced both through narratives of immigration and asylum and, simultaneously, that which is engaged in the endless production of subjectivities, identities, knowledges and spaces.

Having this approach in mind we seek to explore the way in which the juridical, topological and ontological imaginaries of Europe are shaped through the temporal conditions of loss, memory

and futurity. By turning from the concept of crisis towards this regenerative reading of exile and displacement, this stream proposes to critically examine the relation between exile and the concept of regeneration in the context of the unfolding of “European” spaces and knowledges. In the context of unfolding experiences of displacement we would like to explore epistemologies of belonging, in order to ask questions such as what kind of knowledges are generated through experiences of exile? What ideas of Europe emerge from the experience of historical and contemporary exiles, refugees and asylum seekers? How can these epistemologies contribute to a critique of concepts of vulnerability and crisis? What forms of European identity-making practices are generated from and through forced displacement? To what extent does migration law respond to or emerge from new forms of identity constructed through exile and/or displacement?

Abstracts are invited which explore themes including but not limited to:

- Critical historical and contemporary interpretations of exile and displacement
- Eurocentrism and deconstruction
- The permutations and interactions of power and violence in the shaping of European space
- Space, place and belonging
- Diasporic identities and law in diaspora
- The plurality of shared public space
- Legal, historical and political narratives of the European border
- Immigration and asylum law and policy in Europe
- Epistemologies of decolonisation
- Critical responses to anti-migrant populism across European states
- Intersectional interpretations of space and time
- The concepts of exile and displacement in relation to human rights and the rule of law
- Refugees and asylum seekers shaping European space
- Knowledge production through forced displacement

Senses of belonging, identity, and participation in a unsettled

world Stream Organiser: Matt Howard and Simon Lavis (both

Open) **Submission of Abstracts:** matthew.howard@open.ac.uk

Questions of belonging, citizenship, and wellbeing—and how these are reconciled with the broader rhetoric of austerity, efficiency, and the individualisation of welfare responsibility—are numerous. We would welcome papers which address these questions, with the following list indicative of relevant themes and topics:

- The role of law in fostering and disrupting a sense of belonging
- The relationship between human rights and belonging
- Issues of citizenship and belonging in the EU and its member nations
- Historical cases of belonging and their implications for today

- Exploration of the connections between belonging and exclusion
- How belonging relates to identity and memory
- The role of non-state institutions in belonging
- How communities of belonging are formed and reformed by events and actors

Across both major political and ideological events, with global repercussions, and more localised issues and impacts are questions of the role law and political organisations play in the determination of identity and senses of belonging. The rise of populism across the western world in recent years is a well-recognised occurrence which, nevertheless, are a source of reflection on what it means to belong to a state, nationality, institution, group, or society. On the other hand, questions of how exclusions from each of these categories are determined also abound.

How we approach these questions relating to belonging, citizenship, and both legal and political participation is also important to address. For instance, there are a number of approaches to the renewed field of democratic theory which seek to develop what we understand participation, belonging, and citizenship to mean.

What are the ethical, legal, social, and economic corollaries for new interrogations of agency, accountability, and democracy? Are there hitherto taken for granted, or ignored, actors which can be more closely examined in order to answer profoundly human questions of belonging and identity? In relation to the connection to be made between democratic theory and questions of belonging, the theoretical concern with the definitional reach of ‘democracy’ leads us to question what can be included—what can belong—within democracy. Should we, for example, take the possibility of opening up democratic deliberations to non-human actors seriously, and where does that take us?

The end of humanity: resisting the catastrophic impact of the transformative technological imaginary

Stream Organiser: Julia J A Shaw (De Montfort)

Submission of Abstracts: jshaw@dmu.ac.uk

Echoing Baudrillard, Elon Musk (the Tesla entrepreneur and SpaceX founder who wishes to colonise Mars) recently suggested that artificial intelligence will make ‘house cats’ of people as we become enslaved to replacement humans and their transcendent technologies. In this particular dystopian configuration the only governing principle is source code and eventually self-improvement code. As artificial intelligence becomes super-AI and self-aware, where is law, even *what* is law in this cultural posthuman configuration?

Against the tightly constrained desert of the real, the hyperreal and taken-for-granted, the legal imagination is fettered by the enduring curse of reason. Relegated to the fringes of consciousness, senses and sensibilities are represented as unruly, capricious and (being closely connected to the emotions and fantasy), more often than not, dangerous. But if as Foucault predicted, ‘like a face drawn in sand at the edge of the sea’ the ‘era of man’ is coming to an end, then it is only by privileging the senses (that which makes us human and unique, or uniquely human) and by galvanising the somatic imagination of law, can we begin to frame our rebellion against our new robot overlords and their creators.

Only an appropriate and imaginatively conceived critical legal framework can address the

challenges of posthuman technologies (such as AI, robotics and the bias inherent in algorithmic thinking), and suggest appropriate controls and protections against the rise of artificial intelligence, to ensure that humans, human endeavour and human creativity will not become irrelevant. Papers and performances are invited on any aspect of law in relation to the dark spectre of a posthuman future, including:

- Confronting the symbolic or literal end of humanity
- Dystopian fiction as a template for a future-world
- Fixing boundaries: where is law, justice and, importantly, where is critique?
- Authoritarianism and algorithms
- The impact of replacement humans in the workplace
- The posthuman city and urban planning
- Aesthetics, creativity, imagination and emotions as the basis of resistance
- AI and the aesthetics of security and control
- Human rights versus robot rights
- Contemplating a world reordered by actual and metaphorical monsters, hybrids and uncertainties
- Nanotechnology, cell regeneration and immortality