

Moving from law: documents, dance and stubborn materials

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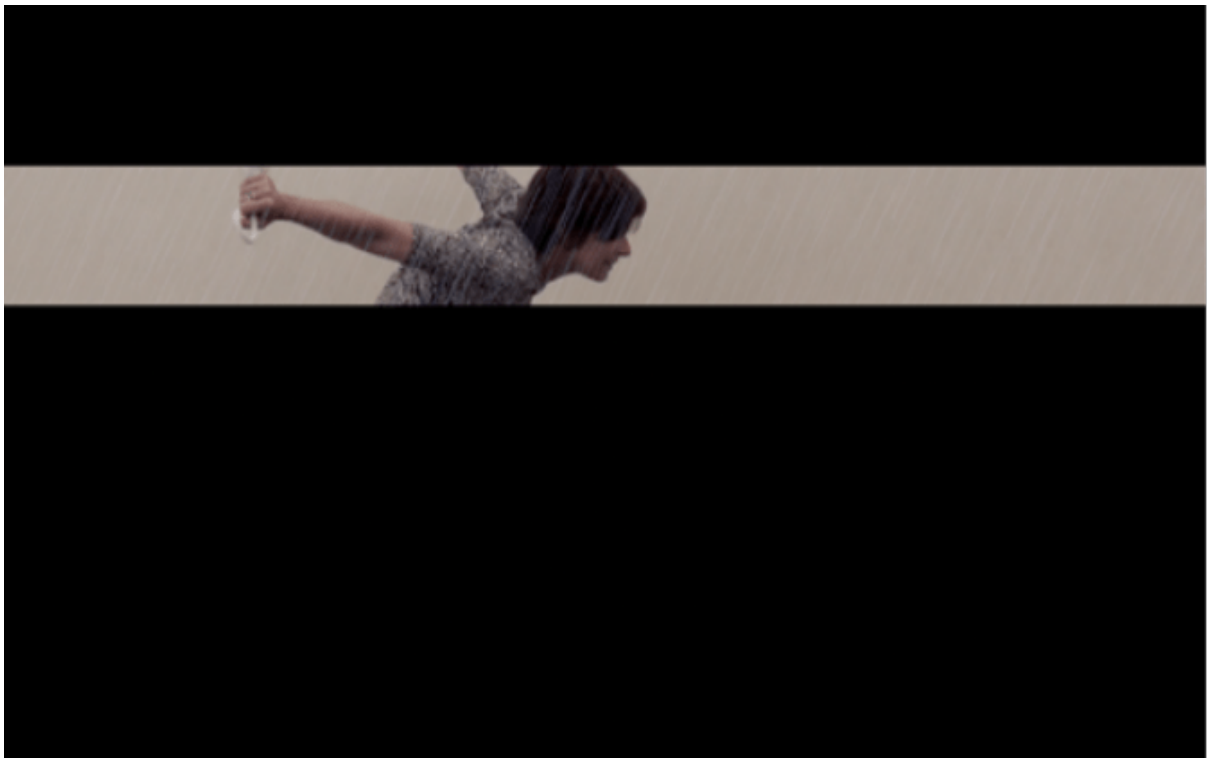
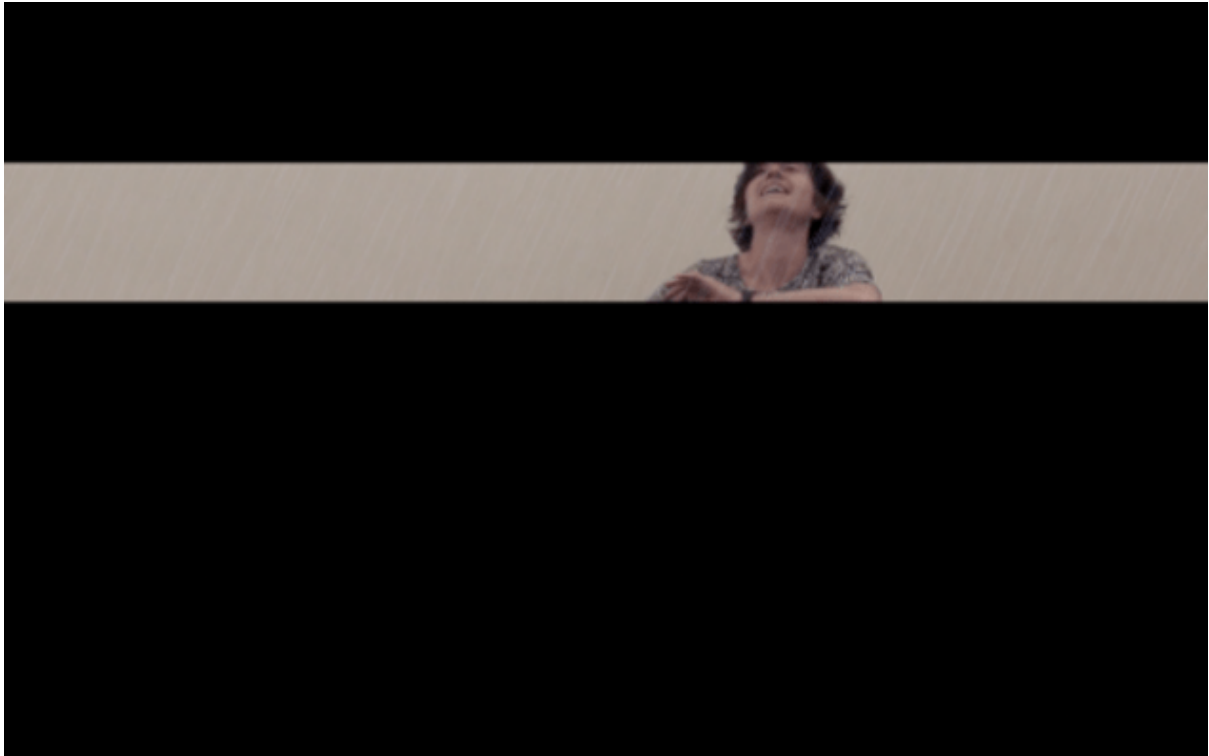


Alongside their Instagram takeover @artlawnetwork this week, Marie-Andrée Jacob, professor of law at Leeds University and Dr Anna Macdonald, a dance and moving image artist from the Manchester School of Art at Manchester Metropolitan University, reflect upon their ‘dance and law’ collaboration, which emerged from Professor Jacob’s work initiated by the Arts and Humanities Research Council’s Science in Culture Theme, led by the Institute of Philosophy.

It is well known that the ways words are arranged, printed and coloured on paperwork has a significant effect on the way we read them. Bold fonts indicate prominence, diagonal watermarks signal that something is in draft form and might change again soon, while Times New Roman can appear more trustworthy than Comic Sans. Certain words, or assemblages of words on a page, can also provoke embodied reactions on the reader. This has informed a growing body of socio-legal research focusing on the visual and physical style of legal documents.

Marie-Andrée Jacob has been exploring the effects of these materials, such as consent forms and papered adjudication, in a number of research projects. As part of her Science in Culture AHRC Fellowship ‘Judging the medics’ science’ she paid attention to the typographical device of strikethrough as used within professional regulation, in particular within the disciplinary proceedings of the General Medical Council. During this work, she was struck by the way this line – used to indicate that a decision had been changed – could create a momentary physical reaction in the reader, and became increasingly frustrated with the limitations of using words to examine its affective and temporal nature.

In 2016, Jacob invited Anna Macdonald to bring her dance-based research methods into a joint quest to get to the embodied root of the unease provoked by the typographical form of the strikethrough. From there, they began to pursue a new interdisciplinary collaboration bringing together dance and legal research, exploring issues of integrity, misconduct and regulation.



Failures to Disclose – Jacob and Macdonald (moving image still 2016)

Stubbornness

Despite the obvious differences between dance and law, we quickly found common denominators. Chief among these were our desire to pay attention to seemingly mundane, everyday materials, whose significance may not be apparent at first glance, and our use of the choreographic devices of taxonomy, assembling and rearranging. In both disciplines we felt a tension between the

transcendent, ideal form of law or dance and its situated enactment, bound by so many limitations such as training and gravity in the case of dance, and the precedent in law.

We suggest that the term 'stubbornness' best articulates our way of working. We use that term in three ways: first, we work with stubborn materials (Macdonald 2019), meaning that the constraints of the materials themselves dictate the direction of our research. We self-consciously decide to be led by the materials, rather than applying particular ideas or theories on objects of research. We also say that we work stubbornly in the sense of deliberate staying with, rather than mastering, our materials even when the findings are not evidently palatable at the outset. Bringing together embodied performative research (Bolt, 2008) and legal ethnography, our work is also indebted to a long lineage of non-hierarchical feminist thinking. In our practice we aim to act as the modest witnesses (Haraway) to found movements and found materials. Working stubbornly also means sticking to the object, not letting it slip away, even when it initially seems resistant or even repellent to academic analysis.

We are mindful that legal materials matter analytically in differentiated ways (Kang and Kendall 2020); in our inquiry we mobilise found legal materials themselves as both the performance and the mode of analysis. We aim to bring law and performance together in a way that avoids simplistic oppositions between language-based and embodied ways of looking at things.

For example, the making of the Strikethrough studies in 2021 (a series of moving image works examining typographical forms of redaction) involved cyclical acts: Jacob reading casework while relying on a movement-based lens common in Anna's work; Anna reading Jacob's work, looking at legal documents using typographical forms, and performing nuanced embodied imaginings of their movement from material to legal matter, both on paper and in the body. We read, we make, we talk, we are affected, we make again, we look again, folding each way of knowing into the other.

Our investigation into the strikethrough, enfolding words-based and body-based practices, forms part of a broader inquiry thinking of legal matters in light of the body, and resonates with other works in law and ethnography that understand legality as an embodied process. While embodied methods have until recently remained largely absent from socio-legal research, our project adds to a growing body of work exploring synergies of law and performance, where performative methods are used to reveal the affective consequences of legal process. We are thinking here of the fascinating work of Jack Tan and the evocative film portraits of Carey Young, both of which have been championed by the Art Law Network.

Our dance and legal ethnography collaboration offers something distinct to legal research. It does not dance the law, or represent the law through dance. Instead, like performative research, it enacts, embodies and temporalises the thing it looks at – in this case, legal objects. Yet in addition to arts-based or performance-based practice, dance's concern with pattern, rules and structures have a particular resonance with law.

Dance and law network plans

So far we have used dance as a form of legal research method (Mulcahy 2021). In the next stages of our work we want to keep working out more productive ways of doing this. But we also wish to turn the tables and see if we can use legality as a form of dance research. We think this conversation between dance and law is important for at least two reasons. Firstly, movement is key to understanding law as a dynamic situated thing (Watt and Gurnham 2020). Secondly, the study of how law regulates can in turn help further the understanding of choreographing, or scoring, as a constitutive quality of dance.

On 26–30 April 2021 we @danceandlaw will take over the @artlawnetwork Instagram, where we will continue to experiment with these questions and engage with the Art Law Network community of scholars and artists. This work will feed into the development of a dance law network that will bring together and build upon the exciting work already existing in this and cognate fields.

We invite you to react to our propositions and provocations during our takeover, and to contact us if you wish to stay informed about our dance law network plans at a.macdonald@mmu.ac.uk and m.a.jacob@leeds.ac.uk.