



Online Seminar Series

**Legally Radical?
The Role of Law
in
Emancipatory Struggles**

First seminar: Jessica Whyte

**Monday, March 1st
4 pm EST**



Registration
Required



Jessica Whyte is an Associate Professor in the School of Humanities and Languages (Philosophy) and the School of Law, University of New South Wales, Australia.

She is the author of several books including *The Morals of the Market: Human Rights and the Rise of Neoliberalism*.

Contemporary politics is marked by paradoxical dynamics. On the one hand we observe the exacerbation of structural violence, military interventions and war. We also see colonial and neo-colonial exploitation, forms of domination, economic dispossession, social fracture and segregation, racialized mass incarceration, the criminalization of dissent, and other forms of violence. On the other hand, there's also an increasing resort to law and the language of rights in order to curb this violence. The paradox lies in the fact that despite law playing a central role in furthering these dynamics, political and social movements formed by oppressed people increasingly 'turn to law', translating their political claims into legal language as their primary site for the pursuit of an elusive political emancipation.

How can we explain that people who have witnessed their oppression, dispossession or colonization organized, reified, and embodied in law, place so much faith in legality to achieve political emancipation? The problem is not so much the use of law per se that can offer emancipatory potential. What it is concerning is how many social and political movements seem to have uncritically embraced law as their main—and sometimes only—strategy. The point is that we still and increasingly resort to law while we are perfectly aware of its ideological dimensions, its masking of real social relations, its capacity to articulate domination, and its disciplinary effects. In this seminar series we intend to explore these dynamics, and to try to respond to some other important questions:

- How is that we find ourselves demanding from the state and through the law to heal a 'wound' that we know has been often inflicted through the law and by the state?
- By which logic does our claim for the liberation of human subjects becomes a discursive strategy for legal recognition?
- How does legality constrain our political aspirations and make us want what it promises but cannot deliver?
- What is the nature of the relationship between desire and law? How does law and its productive and legitimizing powers bring us to desire, with such a force, things (rights, institutions, regulations, statuses) that are not only different from our original political claims, but very often subvert them?

And beyond the critique: What kind of victories does law really offer? How radical can we be through law? Can we legally advance transformative political agendas? How do we use law while invigorating political and social movements rather than supplanting their role and narrowing their political aspirations?

The aim of these seminars—crucial to legal scholars, law practitioners, and political/social movements—is to continue a necessary debate on the paradoxes, ambiguities, and traps that law offers, so that our "strategies of emancipation [do not] become technologies of domination".