CSLS Visiting Scholars Speaker Series

Friday, March 2, 2018

ULADZISLAU BELAVUSAU
University of Amsterdam – T.M.C. Asser Institute, The Hague

"Legal Governance of History in Europe: Holocaust, Memory Laws and Freedom of Speech"

This presentation will examine the legal governance of history in European law and the ongoing conflicts it causes with freedom of speech. I will begin with exploring the genesis and mechanics of the legal prescription of certain historical memories in Western law, starting from the duty of oblivion imposed by the Westphalia Treaty (1648), and the duty to remember, which emerged in French post-revolutionary law (after 1789). My account will unpack the major stages in the deployment of the so-called memory laws (lois mémorielles in French, Erinnerungsgesetze in German, etc.), including their typology and classification. Such laws enshrine state-approved interpretations of crucial historical events. The presentation will subsequently focus on memory politics embedded in the legal systems of two major European organisations, the European Union and the Council of Europe, unfolding the conflicts with freedom of expression. As accompanying reads, I suggest these two publications (with hyperlinks for downloading: 1. Belavusau & Głiszczynśka, Memory Laws: Mapping a New Subject in Comparative Constitutional Law (2017); 2. Belavusau & Wójcik, Polish Memory Law: When History Becomes a Source of Mistrust (2018).

JASON SEXTON
California State University, Fullerton

“The Birth of the Prison as Belief and Unbelief in the Western World”

Drawing from earlier theological rationale for the birth of the prison as an existential ecclesial endeavor, found first in the biblical documents written amid Roman imperial expansion (Gospels, Pauline and General epistles) and then running through the Western utilization, this short essay traces the theological rationale at key moments from the earlier medieval period (Theodosian Code, Augustine) until the rise of the monastic prisons, which facilitate a complex relationship between state and ecclesial operations for dealing with certain sins committed by particular kinds of people, securing a place for punishment and healing, and providing a penal logic that has been carried down to the state of the Western prison today, including its racialization, marginalization of the poor, and various forms of torture (solitary confinement, the decidedly compromised dignity of the incarcerated, etc.).

PLACE  Selznick Seminar Room, 2240 Piedmont Avenue
TIME   2:00 – 3:30 p.m.  Beverages and light refreshments provided.
INFO   https://www.law.berkeley.edu/centers/center-for-the-study-of-law-society/
EMAIL csls@law.berkeley.edu

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