

Desmond Manderson, *Danse Macabre: Temporalities of Law in the Visual Arts*

Cambridge, Cambridge University Press, 2019, 281 pages, £85

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“Every culture is first and foremost a particular
experience of time”

Giorgio Agamben, *History and Infancy: the
Destruction of Experience*, trans. Liz Heron, Verso,
1993, p. 91

- 1 Desmond Manderson’s book, *Danse Macabre*, is an essential read which reminds us that “the visual and spectacular are indispensable elements of how we come to know and are known by politics, law, and regulation” (p. 16). It presents remarkable research on visual representations of the law, achieving the difficult task of exploring the complex triangulation between art, law and time. Indeed each pole is connected to the other by a complex network of relationships that Manderson unravels in his foreword. He demonstrates that, on account of the connection of law (more particularly justice and criminal law) with death, temporality is central to the law. Then, he shows that time is a common obsession shared by art and law. Lastly, he proves that images are the sites of law’s theory, praxis and critique. It is a delicate balance to keep between the three legs of the analysis, but Manderson masterfully manages to weave all three elements of his argument at each step of the discussion.
- 2 In the next seven chapters, Manderson takes his readers on a tour of major works of arts devoted to the subject of the law. He singles out one major work for analysis per

chapter, unfolding his arguments in the fabric of his narrative. Each visual art piece is not only vividly described while engaging with critical theory, but also beautifully illustrated with black and white as well as coloured plates.

- 3 The first chapter, entitled “Anachronic Time”, is on Pieter Bruegel’s dystopian vision of law as encapsulated in *Justicia*. In keeping with the anachronic structure of Renaissance art – where two different temporal moments were juxtaposed in a single event or experience – Manderson highlights the way in which Bruegel’s work shows the inexorable logic of the law, “tracing a criminal’s progress along the assembly line of modern criminal procedure” (p. 28). Bruegel’s work critically dramatizes the contested space between the central figure of blindfolded justice and the machinery of criminal law it depicts.
- 4 The second chapter, entitled “Diachronic Time”, analyses Joshua Reynolds’s *Justice*. Reynolds’s work is embedded in a classical world-view unfolding consciously through and across time, world-view which Manderson also identifies in the works of Blackstone. In line with his conception of the artist as judge and arbiter of art, Reynolds views justice as “a diachronic practice built around comparison, discrimination, and measurement over time” (p. 62).
- 5 The third chapter, entitled “Utopian Time”, engages with a highly charged colonial proclamation, which was made at the time of the genocide of the Aboriginal people in Van Diemen’s Land/Tasmania. Manderson analyses colonial time as a temporal strategy of deferral, whereby legal commitments of justice are postponed to an unspecified future date. Looking at the various possible readings and interpretations of Governor Arthur’s proclamation, Manderson states that it did not establish the rule of law, but “established the state of exception” (p. 93). He then draws parallels with the contemporary treatment of Aboriginal populations in Australia, looking into the 2007 National Emergency Response as implemented in the Northern Territory, to conclude that colonialism’s utopian temporality has not changed.
- 6 The fourth chapter, entitled “Now Time”, looks at Turner’s *Slave Ship* and the treatment of colonized peoples. The painting is explored in relation to Walter Benjamin’s concept of “now time”, as a critical imperative demanding immediate response or action. The painting depicts the economic and inhumane logic of the slave trade and constitutes a defining moment in the abolitionist sentiment in Britain. The study of the painting and the context of its composition raises the issue of how it is possible to be spectators of the violent death of human beings, what Manderson calls the correlation between colonial pity and colonial violence. The issue of slaves drowned at sea resonates nowadays with the troubling pictures of illegal immigrant shipwrecked in Europe or in Australia. Those images, Manderson writes, force “us to become implicated in what is happening before our eyes” (p. 123).
- 7 The fifth chapter, entitled “Suspended Time”, looks at Klimt’s lost *Jurisprudence* panels from three different perspectives inspired by Agamben’s work: focusing, first, on legal violence as exemplified by sovereign power; second, on human vulnerability as seen in the response of bare life against this same power; and third, on social responsibility when faced with conflicting approaches. Relying on the concept of “state of exception”, Manderson first reads Klimt’s work as exemplifying this suspension of legal norm. Indeed the sovereign’s power is to be able to step outside the reach of the law to declare an exception, in which legal rules do not apply any longer. Klimt’s work is then read as a critique of the law by presenting the law from the point of view of the victims.

The subject of the exception thus becomes an outcast, a bare life, in Agamben's terminology – which leads to Manderson's second line of construction – concluding with the idea “the bareness of life is not simply a legal construct Sickness, mortality, poverty, and ageing remind us of the desires and needs which we share with all human and animal life” (p. 150). In line with the collective responsibility that his volume exemplifies, Manderson interrogates the existence of offshore zones run by Australians but without the protection of their laws. He finishes the chapter on the troubling figure at the center of Klimt's work, which epitomizes *jurisprudence* and all its contradictions.

- 8 The sixth chapter, entitled “Colonial Time”, looks at Gordon Bennett's works. Bennett is an Australian painter who was brought up in a mission and only discovered his mixed-Aboriginal identity later in life. His whole work is a reflection on colonialism as an ongoing event, at least in Australia. His piece, *Possession Island*, is of particular significance as it interrogates the primal scene of the encounter between peoples, laws, cultures: the conquest is presented as a legal fact instead of a social discourse. Manderson also dwells on the meaning of the first handshake, whereby Aboriginals are presented as agreeing to the new British legal order, which is critically represented by Bennett as “colonial time” or a “temporal aporia” where “Aboriginal peoples are perpetually consigned to the no-road of abyss, the dies non juridicus, carnival, or outlaw state, the broken white lines of a justice perpetually deferred” (p. 167). The trauma of colonial violence is represented – or re-presented – so often by Aboriginal artists. Relying on Michel Serres' critical concept of the crumpled handkerchief, Manderson sees Bennett's art – and Aboriginal art more generally – as trauma of loss made present.
- 9 The seventh chapter, entitled “Ghostly Time”, looks at Cauduro's 2009 mural series in the Supreme Court of Justice in Mexico City. Drawing on the Mexican mural tradition, Cauduro steers clear of its ideological tradition and the political agenda it encapsulates. The troubling realism of the *trompe l'oeil* makes for a powerful critical statement on the contemporary justice system in Mexico. As Manderson explains: “the mural finds the legal system itself guilty of ‘crimes of justice’” (p. 212). Cauduro does not represent real events, but their shadows, granting a ghost-like quality to his work. “The ghost is the persistent after-image of an earlier physical event” (p. 225). The wall on which Cauduro paints become a message of the law – even more so a technology of the law – by concealing and forgetting but also witnessing the violence of the law itself.
- 10 Far from being a dry essay on critical art theory, Manderson engages with burning political issues: the situation of Aboriginal peoples and migrants in colonial and post-colonial Australia. It is one of the strong points of the book as it embraces art, law and justice in our time, while offering a timeless and masterful examination of visual representations of the law as well. For all these reasons, and especially for pushing the reader to think the contradictions of Western law anew, Manderson's book is a must read. As he writes, “law is always at the crossroads between the machine, the charnel house, and the voice of conscience” (p. 34). And this volume aims to do just that: prick our conscience.

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