

Ravenstein Seminar (Winter School 2020)

WAR, LITERATURE AND LAW

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Organizers: Prof. Dr. Frans Willem Korsten (Leiden University), Dr Ted Laros (Open University), Mariëlle Matthee (Leiden University)

Wars come in many forms: in the archaic form of the battlefield confrontation between opposing armies, in civil wars, in wars between the state and revolutionary factions, but also, more recently, in the metaphorically indicated but still very real forms of the 'war on drugs' and the 'war on terror'. We are surrounded daily by newsreports on cyberwarfare and ecological warfare. War may be one of the worst horrors human beings can go through, yet they also keep on faring it, which must imply that they somehow, perversely, also desire it.

In this OSL winter school we aim to focus on current and historical instances of warfare, from the contemporary to the distant past, and on a wide range of violent conflicts such as the ones named above. All of them has been thematised in literature – and 'literature' is also a synecdoche here for all forms of art, like cinema, comics, paintings, songs, plays, and so forth. This holds, then, from Tolstoj's epic *War and Peace* to Keiji Nakazawa's manga *Barefoot Gen*, from Isabel Allende's historical novel *Portrait in Sepia* to Tupac's song *Changes*, or from Chibundu Onuzo's novel *Welcome to Lagos* to Matthew Heineman's documentary *City of Ghosts*. As most works of art testify, wars are always fought in close proximity to law, as all acts of war form a provocation to the operation of law, either because 'normal life' and the rule of law have been disrupted or because martial law only covers certain forms of warfare. Or because the laws on war crimes are considered, ironically, as 'soft law'. At the same time it needs to be acknowledged that many forms of war have been legally underpinned, or made possible by law.

Literature has been the instrument that helped people sustain war (as Primo Levi testified) or that was a major vehicle for the call for justice (as in the work of Antjie Krog). At the same time there is much art that promotes war (Marinetti's horrifying manifest), or motivates it (Kipling's "White man's burden"). Law may be the last stronghold people hold on to in times of violence (as happens wherever people keep on registering what happened with an eye to future justice), or may instead itself be the instrument of violence (as perhaps too many examples illustrate). Our aim in this winter school is to investigate the forcefields and dynamics that exist between the two fields, literature and law, as they intersect in making sense of, or in their trying to govern the phenomenon of war.

We invite ResMa students and PhD students to participate in this winter school by means of a focused paper and active participation during the three day gatherings. We invite historical studies as well as conceptual reflections, we invite scholars coming from the legal side and those coming from the humanities. Our aim is to make the different disciplines talk to one another and to have a broad scope of reflections on the dynamics described above.

The first day of our meeting will consist in theoretical explorations of the concepts at stake and in focusing on the papers produced by the participants. The papers will be central in the next two mornings as well. In the two afternoons we will have four speakers giving two key note lectures per day.

Our first confirmed speaker is:

Prof. dr. Richard H. Weisberg

Richard H. Weisberg is the Walter Floersheimer Professor of Constitutional Law. He was an Obama appointee to the Commission on the Preservation of America's Heritage Abroad. Professor Weisberg has helped litigate successfully in American federal courts on behalf of Holocaust survivors and their heirs, providing a measure of justice for World War II victims of anti-Semitism. President Nicholas Sarkozy of France awarded him the Legion of Honor in 2008. The founding director at Cardozo of the Holocaust, Genocide and Human Rights Program and the Floersheimer Center for Constitutional Democracy, he writes widely in those areas, including his book *Vichy Law and the Holocaust in France* and essays on First Amendment developments in the U.S. Supreme Court. He is a pioneer in the growing law and literature movement worldwide, and his books *The Failure of the Word* and *Poethics* have been widely translated. In 2014, he published *In Praise of Intransigence: The Perils of Flexibility* (Oxford University Press).

A complete programme will be available soon.