

The Argumentation 2023 conference continues in the project of providing space to alternative forms of thinking about law, helping to facilitate the emergence of minor jurisprudences that escape the usual field of legal orthodoxy (Goodrich 1996, 2). This year's theme is performativity in law.

*What does the law do?* Such a seemingly banal question can lead us to interrogate the authority of law and its limits. Where does the dead letter of the law end and the liveliness of action begin? Is there even a gap between those two realms that would justify us to pose this very question? Law perceived through the lens of performativity problematizes the notion of law-as-text by pointing to the law's capacity to shape not only the world around us or to set the atmosphere of the courtroom, but also to mould the very idea of legal subjectivity (Sarat, Douglas, Umphrey 2018, 2-3). Law reproduces its meaning through reiteration, transmission and various forms of remodelling, whether in judicial decision making or in legislation. In other words, *law performs and is being performed* (Austin 1962, 122-131).

At the beginning of twentieth century, in then fashionable manner, Axel Hägerström, setting himself the object of demystifying the law, which was to be freed from all myths and superstitions, found a ritualistic basis of law consisting of formal acts reminiscent of coronations, initiation rituals and magical ceremonies. Having influenced Karl Olivecrona, he concluded that legal language in its capacity to produce real, material, consequences makes it the „language of magic“ (Newman 1964, 151). Funnily enough, we can say that Hägerström's project turned from demystification to a sheer fascination by legal performativity. And until today, we have remained awestruck. Indeed, more recent work, such as that of Pierre Legendre,

unearths the performative foundation of Western institutional form itself, in its staging of the emergence of visible form that binds the subject to law (see Legendre 1994/2019).

With the emergence of emancipatory politics, aspects of language performativity also gained momentum, mainly in seminal works such as Judith Butler's *Gender Trouble* (1990) and *Bodies that Matter* (1993), conceiving speech acts as a performative, that is, as „discursive practice that enacts or produces that which it names“, but of course, only in relation to the authority of law (Butler 1993, 13-14).

Thus, performativity brought the critical and at the same time ethical aspect into legal science, revealing a sometimes inconspicuous power of law wherever it was not apparent at first sight. By means of performativity, this disclosed power of language and form showed us new ways of being and becoming and, by extension, new ways of thinking about law. In this sense, the concept of performativity undoubtedly played the role of a milestone that managed to shake up the field of legal theory and philosophy and until now brings many thought-provoking questions, and debates (Stone Peters 2022, 81-84).

With the upcoming Argumentation 2023 conference, we wish to build on the interdisciplinary strand of law and performance studies. Aspiring to bring together diverse perspectives, areas of inquiry include but are not limited to the intersections of law and gender, theatricality of law, alternative methods of legal reasoning and argumentation, legal and institutional rhetoric, the staging of power, semiotic and linguistic approaches to legal performativity, or other cogent studies or approaches.

# MUNI ARGUMENTATION 2023: CALL FOR PAPERS

## LAW

We also warmly invite authors and participants to contribute to one of the traditional workshops, each specializing in a specific and unique method of studying legal argumentation:

- Formal Methods in Legal Reasoning
- Law and Literature
- Law and Language
- Visualization of Law

We are pleased to announce confirmed key note speaker [PROFESSOR ELISABETH HOLZLEITHNER](https://rechtsphilosophie.univie.ac.at/en/team/holzleithner-elisabeth/), University of Vienna, Department of Legal Philosophy (<https://rechtsphilosophie.univie.ac.at/en/team/holzleithner-elisabeth/>).

Abstracts of 300 words (max.) should be submitted to [ARGUMENTATION@LAW.MUNI.CZ](mailto:ARGUMENTATION@LAW.MUNI.CZ) by [AUGUST 15 2023](#) (deadline extended!), with notice of acceptance send by September 1 2023.

For more information see [ARGUMENTATION.LAW.MUNI.CZ](http://ARGUMENTATION.LAW.MUNI.CZ).