NEW YORK, JULY 12, 2012
Dear Lucy,
I have read your essay “Archiving Burroughs: Interzone, Law, Self-Medication” with attention and appreciated, as usual, the way you manage to link fiction, law, and space together. I do think, however, that we should keep this text for a little bit further in our conversation, since its specificity might make us skip over the foundations of the discussion we would like to have about architecture and law. I would like to ingeniously start by stating some obvious facts.

Law, understood as a human artifact, constitutes an ensemble of regulations that have been explicitly stated in order to sort behaviors into two categories: legal and illegal. In order to do so, law expects full knowledge of its content by every individual subject to its application, in order to moralize and to hold accountable attitudes that are deemed either respectful or transgressive.

Law is undeniably related to space, as a given territory with precise borders is required for it to be implemented. Nothing is easier to understand than the space where one is allowed to smoke or not. Law also includes within this territory smaller zones of exclusion, from the corners of the classroom to the penitentiary, where another form of law—supposedly a more restrictive one—is applied. These spaces are reserved for individuals who, through an active refusal to obey specific parts of the law, are to be separated from the rest of society. Individuals, when captured by law enforcement forces, are brought into these zones of exclusion and are held in them for a given period of time provisioned a priori by law itself.

Many other spaces constitute territories where law is also different, but composed of layers of laws that do not contradict each other. Spaces like schools, offices, factories, or hospitals apply a legal superimposition over the prevailing territorial law, complementing it with sets of rules specifically formulated to optimize their institutional function.

Space itself is not necessarily an artifact, although the designation of borders that delimit it certainly constitutes a human intervention. This act of delimiting is probably the first legal gesture. Let us consider architecture as the ensemble of human physical modifications of the environment, whether they be agricultural, urban, or infrastructural. It would probably be useless to wonder whether law invented architecture or whether it is precisely the opposite. What we can affirm, however, is that architecture, through its physicality, embodies the immaterial law. This is clear in the case of the zones of exclusion evoked above. The fundamental element of the law of exception applied in them consists in prohibiting their subjects from exiting their space. In order to implement such a prohibition, an impermeable architecture had to be created: this is the invention of prison as an architectural program.

Prisons are the extreme examples of how architecture embodies the law. We are nevertheless surrounded by more domestic cases of architectural enforcement of the law. During a curfew or quarantine, your own house, supposedly so neutral and innocent, can become your own prison. But was this house so innocent to begin with? Isn’t the house the material embodiment of a law that integrates private property as one of its components? How can we better enforce property than to build impermeable walls on the lines abstractly constructed by the law? By using the universal “laws” of physics—nobody can cross a wall without tools, for example—architecture renders explicit the law which otherwise would need to be discursively enunciated in order to be acknowledged by its subjects.

This vision is, however, centered on architecture, and I am wondering how a legal theorist like yourself interprets this relationship. Do you think that there can be a law with no architecture and/or a lawless architecture? If architecture is really the embodiment of the law, can we think of an architecture of illegality?

Cordially yours,
Léopold

Lucy Finchett-Maddock and Léopold Lambert

Letters on LEGAL ARCHITECTURE
Dear Léopold,

EXETER, UK, AUGUST 17, 2012

… Seemingly, order is something that is necessary for the human mind to understand anything. There are these systems that appear ordered, and yet they rely on the dynamism of their elements, their genealogy, to exist and continue. Consider Michael Batia’s description of the new structure of New York in the 1950s:

... marvellous walls of glass with their delicate screens of horizontals and verticals, in which the sky reflects itself; …

What interests us, however, is not so much architecture and law considered separately, even when they are implicated in similar processes of existence, but rather as part of the same strategy in the organization of a society. I want therefore to go back to the notion of immanent domain. Its relationship to law might be more complex than what I was describing earlier. In Turkey, for example, one might already destroy an unauthorized dwelling whose construction has been completed: this kind of dispute has to be settled in court. Therefore, this involves the administrative and judicial protest, this example fascinating, as it interprets the practice of law in a different way than we traditionally do. It is a form of negotiation of the other’s interests in a way that is not only to establish the legal structure of the city, but to obstruct it.

What interests us, however, is not so much architecture and law considered separately, even when they are implicated in similar processes of existence, but rather as part of the same strategy in the organization of a society. I want therefore to go back to the notion of immanent domain. Its relationship to law might be more complex than what I was describing earlier. In Turkey, for example, one might already destroy an unauthorized dwelling whose construction has been completed: this kind of dispute has to be settled in court. Therefore, this involves the administrative and judicial protest, this example fascinating, as it interprets the practice of law in a different way than we traditionally do. It is a form of negotiation of the other’s interests in a way that is not only to establish the legal structure of the city, but to obstruct it.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.

When thinking of the role of land and law, and the wall as the coordinate of legal design; the sketchings of the architect. The walls are not just the boundaries that delimit a piece of land, but they are also a means of negotiation and a tool to impose one’s will on the other. The wall is not just a physical barrier, but also a symbol of power and control. It is a form of resistance to the other, and a means to assert one’s identity.
EXETER, UK, ON A RAINY TUESDAY, MAY 14, 2013

Dearest Léopold,

Not only has it been a while since writing to you, dear Léopold, but it has been a while since writing full stop. The almost robotic practices of touching—reading, reformulating, copying, altering, presenting, speaking, reproducing, shaking—are almost the inside-out of writing, the catharsis of mind that allows for ponderings on an aesthetics of law. But I am sure my six months of vocal, unspoken engagement will be contributng to and inspiring my thoughts nevertheless.

I am back in India with your immanent domain, quite a metaphor for the emergent and by no means inert scientific allegories we are sharing in relation to property—both the kind re-questioned by the state, and the kind performed by the slums. The immunance of the Indian geography speaks to this kinetic energy, in flux through their response to legal and illegal planning regimes. It is interesting that you refer to the dichotomy of legal and illegal, as what has always been of interest to me has in fact been this space in-between, the point and threshold at which a constituent creates the constitution, the resistance becomes law. This is the immimancy of law and resistance, the energy and metabolism whereby from one heartbeat to the next there is something that resembles a juridical formulation.

Locating this moment is akin to imposing a rigid grammar of prescription on a work of art; to the ephemeral that resides as a sapphire in coal dust, because it does just that. But this liminal space in-between the non-institutional and institutional still fascinates, and allows for what is legal and what is illegal, within and external to law, like a Kafkaesque gatekeper, patrolling the door to the stomach of the law. By trying to understand these movements, the idea is to understand any foundation of law.

I also want to draw on your mentioning of disobedience, as this is something that I have been working on of late (sadly more confined within the academy than branching outside these days!) in relation to the concept and practice of “naughtiness.” Thoreau places the justification for disobeying law as that which rests as a duty: “If (an injustice) is of such a nature that it requires you to be the agent of injustice to another, then, I say, break the law. Let your body be a counter friction to stop that energy, cities in flux through their response to legal and illegal planning regimes—is where entropy curlicues. As you know, I have focused my research for the last few years on squatting, a way of performing architecture in both an appearance and legal loophole of transience, and yet the performance can last in a temporality much longer than that antic-ipated by either the squatter or the state. This inertia in which you wondelfully place our discussion of bureaucracy and the techné of law is, as you say, both a source of frustration and also an aesthetic, somewhere objective set of norms for the “greater good.” I am sure that you help your students demystify such an interpretation—an interpretation bordering on the religious.

Back in October 2013, you kindly gave me the opportunity to present another vision at the University of Sussex: one that investigated the weaponization of architecture and law in the context of the Israeli-Palestinian conflict. This research presented various aspects of Israel’s structural domination (in particular through the army) over the Palestinian people. Yet whether we talk about the situation of Palestinians living in the West Bank and Gaza, or those living in other parts of Israel, this case is unique, since the legislation, and therefore its architectural implementaiton, are explicitly conceived to apply differently to two social groups on the basis of an ethnic categorization of bodies. What we are currently experiencing in France as I write these lines may be more complex, since the legislation purports to apply to all bodies that compose the society, even if this is far from the case. The state of emergency declared by President Hollande after the Paris attacks of November 13, 2015, and voted for (near unanimously) by Parliament on November 19, is supposed to last for three months. It gives exceptional powers to the police and the executive branch and, through them, grants the police considerable room to maneuver. The latter has been able to conduct more than 2,000 requisitions in ten years. Houses, apartments, restaurants, offices, and mosques to officially search for weapons, explosives, and “clandestine prayer rooms.” Of course, the overwhelming majority of these requisitions lead to nothing more than terrorizing the inhabitants of these places—who are sometimes awoken in the middle of the night by fully soundproofed doors. As you know, I have focued my research for the last few years on squatting, a way of performing architecture in both an appearance and legal loophole of transience, and yet the performance can last in a temporality much longer than that anticipated by either the squatter or the state. This inertia in which you wonderfully place our discussion of bureaucracy and the techné of law is, as you say, both a source of frustration and also an aesthetic, somewhere objective set of norms for the “greater good.” I am sure that you help your students demystify such an interpretation—an interpretation bordering on the religious.

Back in October 2013, you kindly gave me the opportunity to present another vision at the University of Sussex: one that investigated the weaponization of architecture and law in the context of the Israeli-Palestinian conflict. This research presented various aspects of Israel’s structural domination (in particular through the army) over the Palestinian people. Yet whether we talk about the situation of Palestinians living in the West Bank and Gaza, or those living in other parts of Israel, this case is unique, since the legislation, and therefore its architectural implementaiton, are explicitly conceived to apply differently to two social groups on the basis of an ethnic categorization of bodies. What we are currently experiencing in France as I write these lines may be more complex, since the legislation purports to apply to all bodies that compose the society, even if this is far from the case. The state of emergency declared by President Hollande after the Paris attacks of November 13, 2015, and voted for (near unanimously) by Parliament on November 19, is supposed to last for three months. It gives exceptional powers to the police and the executive branch and, through them, grants the police considerable room to maneuver. The latter has been able to conduct more than 2,000 requisitions in ten years. Houses, apartments, restaurants, offices, and mosques to officially search for weapons, explosives, and “clandestine prayer rooms.” Of course, the overwhelming majority of these requisitions lead to nothing more than terrorizing the inhabitants of these places—who are sometimes awoken in the middle of the night by fully...
accomplishing its segregationist and exclusionary effects at the proportion of the Muslim population in France lives in the... read that the majority of the victims number among the five mil-

The suspension of rights allowed for by the state of emer-
gency tends to make us regard it as a suspension of the law, orecty that really just reasserts the reexpropriation and sur-

Funnily enough, both examples in Brighton result from a piece of planning legislation that confirms the congenital relationship

I am rambling, no doubt, but this “watt there but no longer” attitude of legally sanctioned capitalisation of property sees no problem with the sudden and violent destruction of buildings and the communities that surround them. It sees no problem with the emergence of ersatz, reappropriated forms. This invis-

The driving line of the architect, as you always say, Léopold, is where it all happens, and more and more we can see the expression of remembrance in the sketches and etches of neolib-

Wishing you well from a bighting cold Brighton, Lucy