Singapore Symposium in Legal Theory Seminar

What Did Paper do to the Law? Some Extra-Textual Considerations Professor Paul Halliday, University of Virginia

Monday, 10 March 2025 | 5.00pm to 7.00pm Federal Conference Room, NUS Law (Bukit Timah Campus)

ABSTRACT

This presentation does two things. First, it provides a brief overview of a long-running project I call "The Stuff of Law," concerned with how the material forms through which law operates has shaped how law works and thus what law is and what it can do. For instance, if you conduct litigation in open spaces, do you produce different results than if you proceed in a space designed for that purpose? Likewise, how have different practices for storing and destroying information about law's work—archive practices—affected what is knowable as law; how should our knowledge of these practices affect the claims we make about what counts as law? Second, this presentation will explore more closely one question related to how matter makes the law: if you write on paper, do you change the law you once wrote only on parchment? This presentation considers how paper was used in distinctive ways by different jurisdictions from the fifteenth century to the nineteenth, and the effects this produced. It examines such practices as the growing use of affidavits; the increased tendency for procedure to operate through printed forms; and the adoption of the codex format as a medium for record-keeping and indexing.

ABOUT THE SPEAKER



Paul Halliday is Julian Bishko Professor of History and Professor of Law in the University of Virginia. He teaches and writes about the history of law in England and across the British empire. Among other works, he is the author of Habeas Corpus: From England to Empire, which won the Inner Temple Book Prize for the best book on English law. In recent years, he has been writing about how law's material forms—writing and archiving practices, the transformation of courtroom spaces—have shaped law's work from the fourteenth century to the twentieth; and about legal pluralism and the operation of English laws in Sri Lanka in the first half of the nineteenth century. He also contributes regularly to briefs concerning English and imperial legal history in cases heard before the U.S. Supreme Court.

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