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25th International Roundtable for the Semiotics of Law (IRSL 2025)

Legal Evidence in the Age of Techno-Societies and Visual Jurisprudence

Dates: 7-9 May 2025

Location: University of Coimbra Institute for Legal Research (UCILeR), Faculty of Law – University of Coimbra, Portugal.

Organizing Committee:

J M Aroso Linhares, Maria João Antunes, Maria José Capelo, Ana M. Gaudêncio, Luís M. Meneses do Vale, Brisa Paim Duarte

Between the 11th and 14th of March 1987, the University of Messina hosted a memorable meeting focused on the discourse and practice of Proof in Law. This event was the third conference of the International Association for the Semiotics of Law, which, as we well know, led to the equally memorable special issue of the *International Journal for the Semiotics of Law* (IJSL), published in two volumes (*Approches du discours de la preuve en Droit / Approaches to the Discourse of Proof in Law*, IJSL vol I, n° 3, 1988; vol II, n° 4, 1989). These volumes presented various meta-dogmatic approaches, ranging from speech act theory and narrative semiotics to sociolinguistics and inductivist probabilism. They also included key chapters by Wróblewski, Jackson, Landowski, and Twining, whose contributions continue to be foundational for contemporary theories of legal evidence.

Our upcoming meeting, **IRSL 2025 in Coimbra**, is not only a tribute to this significant event and its remarkable legacy but also a proposal, nearly 40 years later, to systematically revisit the theme of **Legal Evidence**. As indicated by the conference title, our aim is to address the challenges posed by the markedly different practical and cultural context of today. This context will be explored through two primary dimensions ; i.e. :

1. **Techno-Societies and Legal Evidence**

The first dimension, global in scope, focuses on the influence of techno-societies and the demands for congruence that are often imposed unilaterally by technological teleologism and social engineering projects (Hans Albert).

2. **Visual Jurisprudence**

The second, more specific dimension, examines the importance of visual meaning-making. It explores the new role of rhetoric and the evolving concept of textuality in light of the rapid expansion of "viserbal" (visual and verbal) communication and the "semiotic dance" of the video-sphere (Goodrich), which together have given rise to the emerging field of **Visual Jurisprudence**.

Techno-Societies and Legal Evidence

This dimension opens up discussions about the core topics of **scientific forensic evidence** and **expert testimony**. These discussions require internal (procedural-dogmatic and meta-dogmatic) approaches, as well as external perspectives, drawing on analytical, socio-linguistic, and semiotic tools. A combination of these views is necessary to address key issues such as:

- The communication paradigm that forensic experts' statements and reports should follow. Should they adhere to the **individualization paradigm** or the **likelihood paradigm**?
- The possibilities and limits of **judicial assessment of expert evidence** in various normative frameworks.
- The types of warrants, backing, and criteria that underpin the **adjudicative (judicial) weighing of expert evidence**.
- The principle of **free assessment of evidence** and its different normative and systematic configurations.
- The challenges posed by **hyper-specialization** and the growing range of resources available in forensic science, which impact expert evidence and judicial evaluation.
- The influence of emerging fields such as **neuroscience**, **computer simulations**, **DNA phenotyping** (and other predictive genetic information), and **data analytics** (e.g., probabilistic-inductive arguments provided by machine learning).

- The need for **congruence** between the dominance of scientific (empirical-explicative) proof and **jurisdictional adjudication**.
- The importance of rethinking the construction of reality in the courtroom, including the plausibility of an intensional understanding of **truth and meaning**.
- The necessity of reassessing the relationship between **dogmatic and meta-dogmatic approaches**, particularly where these approaches overlap or conflict.

These considerations highlight the increasingly complex relationship between **legal evidence** and the evolving landscape of **digital democracy**.

Visual Jurisprudence

The second dimension focuses on the theory and practice of **Visual Jurisprudence**, with particular attention to the use of images in evidentiary adjudication. Several critical questions arise like:

- What is an **image**? Can we make an objective statement about what an image truly depicts? Is it possible to make an analytic judgment about the **truth or falsity** of an image or its content?
- What specific issues arise, at both **dogmatic and meta-dogmatic levels**, when images are used as forensic evidence?
- Is visual "evidence" demonstrative? What does – and does not – an image prove? Can images be interpreted literally, as straightforward references to **facts**? Can they be **textualized**?
- Can images or pictures serve as **hermeneutic devices**? What does it mean to interpret an image in legal and forensic contexts? How do images convey **meaning**, whether legal or otherwise?
- Can **images be tamed**? In terms of admissibility, what types of images can and cannot be used as forensic evidence? Can legal discourse truly regulate images in the **visual era**, subjecting them to pre-established disciplinary standards?
- How should the relationship between **evidentiary images** and the broader body of evidence be understood? Are images independent entities to be viewed in isolation, or must they be seen within the context of **other images** and events?
- How does the increasing presence of visual images in the courtroom affect **normative standards** and **legal methodology**?
- Should the perception of images as an interruption in traditional legal discourse be viewed as a call for **new analytical tools** and **structuring criteria**?
- How do visual discourse, **image theory**, and **aesthetics** help us understand the relationship between **visual practice(s)** and **legal discourse(s)**?

- How does the rise of new mass media, digital, and virtual experiences influence the **materiality** of legal evidence?
 - What changes does the understanding of **visual proof** entail in the digital era? How should the relationship between **digital images** and **material reality** be framed, particularly in relation to juridically relevant realities?
 - Does the use of visual evidence open the door to an **aesthetic and visual turn** in legal narrative? What is the relationship between **legal images** and the **narrative paradigm**? Do images reinforce or challenge the role of **narrative rationality**?
 - Does the use of visual evidence suggest the need for a "**juristic methodology of looking**" as part of the pursuit of "**retinal justice**"?
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Confirmed Plenary Speaker:

Peter Goodrich (Benjamin N. Cardozo School of Law, Yeshiva University, NY)

Abstract Submission:

Submit abstracts of up to 300 words by **January 31st, 2025**, to:

- J M Aroso Linhares (jmarolinh@gmail.com)
- Anne Wagner (valwagnerfr@yahoo.com)

Decisions on participation will be communicated by **February 20th, 2025**.

Registration Period:

March 2nd to April 10th, 2025

Selected papers may be published in a special issue of the *International Journal for the Semiotics of Law* or included in an edited volume: *Law and Visual Jurisprudence* series and/or *Living Signs of Law* series.

The roundtable languages will be **English** and **French**.