



Tools of Meaning

From depictions of saints to on-line guidance for Muslims and computer filing of legal cases, old and new technologies continue to pose questions for practitioners, scholars, and believers. This collection brings together the work of social scientists, architects, lawyers, and semioticians to probe the role of technologies in law and religion. The technologies studied include architecture, art, digital technologies (ICT), documents and scriptures, disciplines, surveillance devices and regulatory signs, symbols and practices. Law and religion are studied together since they have always shared and benefited from each other's experience with technologies, from artistic representations of emperors, saints and judges, to mutual recognition of jurisdictions and certification.

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Giuseppe Gargiulo, *Nel vuoto degli occhi tuoi*, 2017, installation at Liceo Artistico Statale, Napoli. Photo: Patricia Branco, May, 28th 2017.

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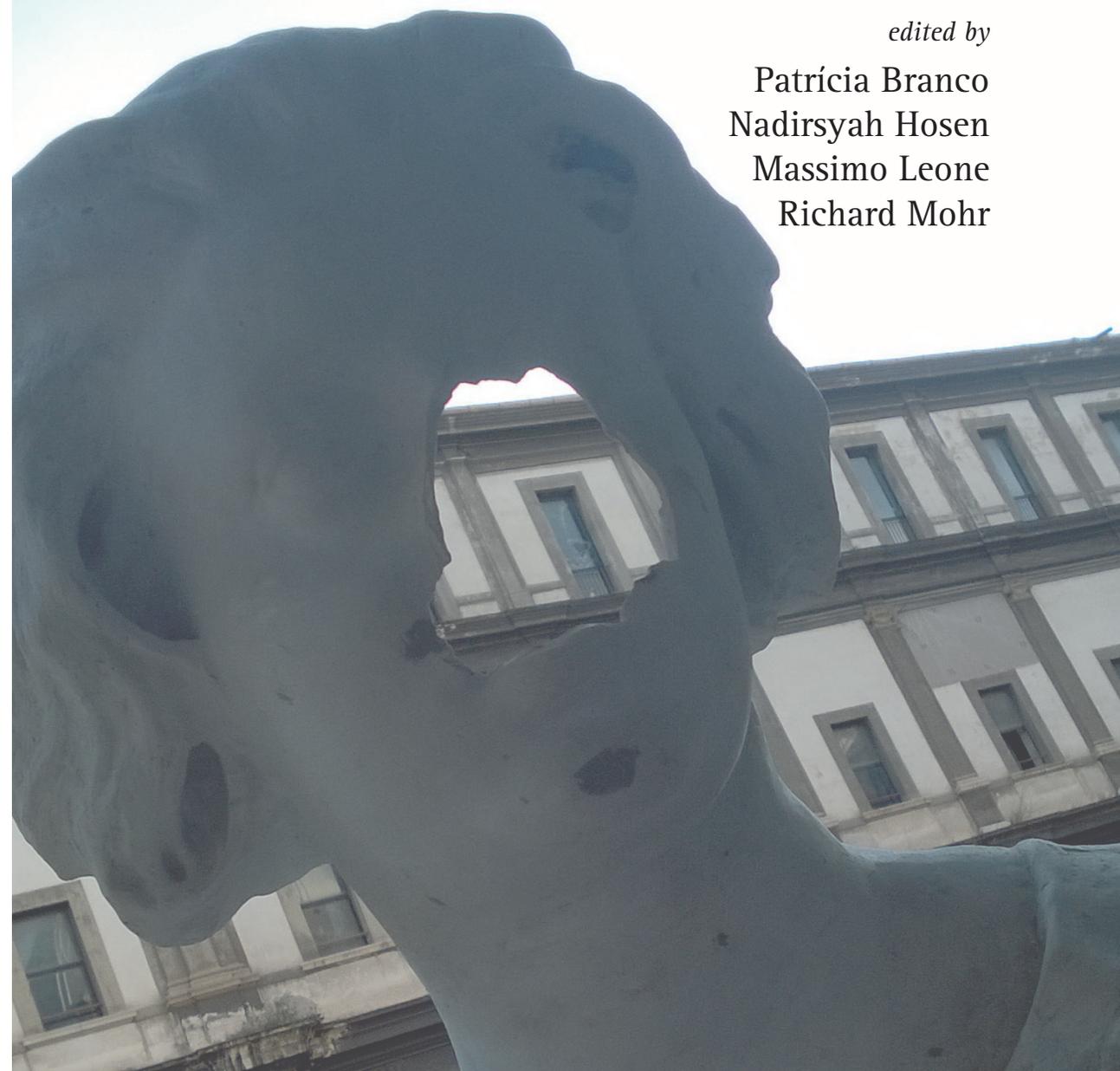
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TOOLS OF MEANING

REPRESENTATION, OBJECTS, AND AGENCY
IN THE TECHNOLOGIES OF LAW AND RELIGION

edited by

Patrícia Branco
Nadirsyah Hosen
Massimo Leone
Richard Mohr



I SAGGI DI LEXIA

29

Direttori

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Aprire una collana di libri specializzata in una disciplina che si vuole scientifica, soprattutto se essa appartiene a quella zona intermedia della nostra enciclopedia dei saperi — non radicata in teoremi o esperimenti, ma neppure costruita per opinioni soggettive — che sono le scienze umane, è un gesto ambizioso. Vi potrebbe corrispondere il debito di una definizione della disciplina, del suo oggetto, dei suoi metodi. Ciò in particolar modo per una disciplina come la nostra: essa infatti, fin dal suo nome (semiotica o semiologia) è stata intesa in modi assai diversi se non contrapposti nel secolo della sua esistenza moderna: più vicina alla linguistica o alla filosofia, alla critica culturale o alle diverse scienze sociali (sociologia, antropologia, psicologia). C'è chi, come Greimas sulla traccia di Hjelmslev, ha preteso di definirne in maniera rigorosa e perfino assiomatica (interdefinita) principi e concetti, seguendo requisiti riservati normalmente solo alle discipline logico-matematiche; chi, come in fondo lo stesso Saussure, ne ha intuito la vocazione alla ricerca empirica sulle leggi di funzionamento dei diversi fenomeni di comunicazione e significazione nella vita sociale; chi, come l'ultimo Eco sulla traccia di Peirce, l'ha pensata piuttosto come una ricerca filosofica sul senso e le sue condizioni di possibilità; altri, da Barthes in poi, ne hanno valutato la possibilità di smascheramento dell'ideologia e delle strutture di potere. . . Noi rifiutiamo un passo così ambizioso. Ci riferiremo piuttosto a un concetto espresso da Umberto Eco all'inizio del suo lavoro di ricerca: il "campo semiotico", cioè quel vastissimo ambito culturale, insieme di testi e discorsi, di attività interpretative e di pratiche codificate, di linguaggi e di generi, di fenomeni comunicativi e di effetti di senso, di tecniche espressive e inventari di contenuti, di messaggi, riscritture e deformazioni che insieme costituiscono il mondo sensato (e dunque sempre sociale anche quando è naturale) in cui viviamo, o per dirla nei termini di Lotman, la nostra semiosfera. La semiotica costituisce il tentativo paradossale (perché autoriferito) e sempre parziale, di ritrovare l'ordine (o gli ordini) che rendono leggibile, sensato, facile, quasi "naturale" per chi ci vive dentro, questo coacervo di azioni e oggetti. Di fatto, quando conversiamo, leggiamo un libro, agiamo politicamente, ci

divertiamo a uno spettacolo, noi siamo perfettamente in grado non solo di decodificare quel che accade, ma anche di connetterlo a valori, significati, gusti, altre forme espressive. Insomma siamo competenti e siamo anche capaci di confrontare la nostra competenza con quella altrui, interagendo in modo opportuno. È questa competenza condivisa o confrontabile l'oggetto della semiotica.

I suoi metodi sono di fatto diversi, certamente non riducibili oggi a una sterile assiomatica, ma in parte anche sviluppati grazie ai tentativi di formalizzazione dell'École de Paris. Essi funzionano un po' secondo la metafora wittgensteiniana della cassetta degli attrezzi: è bene che ci siano cacciavite, martello, forbici ecc.: sta alla competenza pragmatica del ricercatore selezionare caso per caso lo strumento opportuno per l'operazione da compiere.

Questa collana presenterà soprattutto ricerche empiriche, analisi di casi, lascerà volentieri spazio al nuovo, sia nelle persone degli autori che degli argomenti di studio. Questo è sempre una condizione dello sviluppo scientifico, che ha come prerequisito il cambiamento e il rinnovamento. Lo è a maggior ragione per una collana legata al mondo universitario, irrigidito da troppo tempo nel nostro Paese da un blocco sostanziale che non dà luogo ai giovani di emergere e di prendere il posto che meritano.

Ugo Volli

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Representation, Objects, and Agency
in the Technologies of Law and Religion

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Vai al contenuto multimediale



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Table of contents

- 9 *Introduction. Tools of Meaning*
Massimo Leone
- 15 *How do Law and Religion Work? Technical and Semiotic Mediations across Time, Space, and Cultures*
Richard Mohr
- 39 *The Elusive Mediation between Law and Technology. Undetectable Errors in ICT–Based Judicial Proceedings*
Francesco Contini, Giovan Francesco Lanzara
- 67 *Courthouse Architecture as Technology. Some Thoughts on Form vs Function*
Patrícia Branco
- 91 *Blurring the Boundaries of Space and Flesh. Objects, Relations and Norms in Fra Angelico’s Annunciation frescoes, Monastero di San Marco, Florence*
Flavia Marcello
- 119 *Law’s Tools. Scanning, Religion, and Kafka’s Critique*
John Brigham
- 135 *The Whole Truth and Nothing but the Whole Truth, so Help me God. Authenticity, Public Reason, and Just War*
Eric Wilson

- 163 From Divine Healing Powers to the Tyranny of the Virtual Gaze. Medical Practice and the Technological Imperative in Healthcare
Carlo Botrugno
- 177 The Jealousy of Rembrandt. Transparency and Opacity in the History of Visual Media
Massimo Leone
- 193 Definitions of «Sustainability» and «Sustainable Technology». A Semiotic and Narrative Approach on Agricultural Regulations
Davide Puca, Carlo Andrea Tassinari
- 219 Live Cattle Export Ban from Australia to Indonesia. How does «Social Television» Impact on Law and Religion?
Nadirsyah Hosen
- 239 Mixed Blessings. Fatwas in the Age of Technology
Ann Black, Peter Black
- 265 Torments and Technology. The Mark of the Beast, Conspiracy Theories, and the Law
Megan Pearson
- 281 *Authors' Bionotes*

Introduction

Tools of Meaning

MASSIMO LEONE*

A tool is an entity whose agency is not predominantly intentional. A knife can be used to cut a slice of bread but this capacity must be exerted by an intentionality stemming from another entity, such as a human being. The definition allows one to explore the extremities of its spectrum.

On the one hand, when the intentionality of an agent involved in a practice is suppressed, it falls into the ontological category of tools, although it may traditionally be held as extraneous to it. In slavery, human beings keep their agency, yet it is entirely devoted to reach the goals of alien intentionalities. The transfer of agency from slave to master, moreover, is not compensated through symbolical attribution of potential agency under the guise of money. In mainstream employer–employee relations, the latter yields part of her agency to the former, but the former compensates this transfer through an equivalent transfer of potential agency through the form of a salary. If it is too low to compensate the initial transfer of agency, then exploitation takes place, and the employee starts to be configured like a tool rather than as a worker. If the compensation is null, then, alienation takes place, or even slavery, and the used human being is turned into a tool.

On the other hand, the dehumanization of a human being into a tool is symmetric to the humanization of a tool into a human being. Most tools seem to have no intentionality whatsoever. Furthermore, they seem to be deprived of any agency too. A hammer neither can decide whether, when, and how to act nor can act without the physical and cognitive impulse of another agent. Yet, tools necessarily are human artifacts. Even a coconut, if

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it is used to smash a softer object, ceases to be a natural entity and absorbs a specific cultural connotation because of the fact itself of being grabbed, held, and used in a certain way. As a consequence, there is no tool that is entirely devoid of agency and intentionality. A hammer's intentionality resides in its affordances, that is, in the series of characteristics that are likely to move an agent toward grasping and using it in a certain way. As Umberto Eco used to underline, we can use a screwdriver to clean our ears, but that would be a wrong interpretation of the screwdriver's affordances and lead to a painful misinterpretation of the affordances of our own ears.

More generally, behind each tool there hides a project that shaped it so as to somehow predetermine the modalities of its usage. When we use a hammer, then, although we might cultivate the illusion that only our intentionality and our agency are involved, these must actually negotiate their exertion with those that are inscribed in the project of the tool itself. When we hammer a nail, our intentionality works in synergy with those who first thought that a good way so as to have objects stick together is to pierce them through these metallic devices that we call nails and that a good way to pierce objects with nails is to batter them into the objects' matter through another harder object, a tool, which can be grabbed by a human hand and at the same time produce an impact that is violent enough to subjugate the resistance of the matter to be nailed.

Even in the case of such a simple tool as a hammer, the intentionality and the agency that a human project has inscribed into the predetermination of its likely usage are not neutral but descend from a cultural ideology. Those who first invented the hammer, for instance, adhered to an imagination of matter as something that must be subjugated in a permanent and rather violent way, through nailing and perforation. In the building and rebuilding of Shinto shrines at Ise, Japan, on the contrary, nails are systematically avoided, so that the huge wooden temples are assembled through mere dovetailing of components. Such ritual shunning from nails and hammer indirectly voices a different ideology of matter, according to which its being never entirely devoid of spiritual dignity requires one to refrain from violently vanquishing it and to develop, instead, means and tools of construction that are gentle to its inner fibers. A standard Ikea bookshelf assemblage kit does not contain any nails either, but absence of tools in this case results from a different project and from an alternative ideology, that which, conversely, predetermines that customers must be able to assemble

furniture without using other instruments than their bare hands or those, like the «Allen key», which are light enough and cheap to be included in the kit (wherein, hence, plugs replace nails).

The more complex a tool, the less unconscious and innocuous its ideological predeterminations are. There is ideology in a hammer but it is the kind of inertial bias that seeps through the history of human cultures without necessarily stemming from a clear ideological project. Software, on the contrary, is a tool in relation to which the transfer of agency and intentionality from human beings to non-human entities is so encompassing that its ideological potential is necessarily enormous, although software is often designed precisely with the purpose of distracting its users from the perception of how biased its design is.

Complex software that replaces the activity of a university registrar, for instance, embodies an ideological bias under several aspects: 1) it has been intentionally devised so as to restrain, direct, and, therefore, control the agency and intentionality of professors using it, although they might naively think that they are completely in control of such software and that it actually merely enhances their ability to act into the world; 2) through disintermediating the activity of the registrar, it inevitably dehumanizes it, meaning that, as complex as the software might be, it (still) proves unable to react with average human flexibility to the complexity and, sometimes, singularity of the cases it is confronted with; 3) it brings about an ideological predetermination of its usage, and of the human activities connected to it, even beyond the intentions of its designers and programmers (who might even be unaware of how their “programming and designing culture” ends up being enshrined in their products).

Given the adoption of these complex tools, to which human beings delegate increasingly larger domains of their traditional activity and whose behavior becomes more and more unpredictable by human standards, a paradoxical reversal of agency and intentionality might take place to an ever greater extent: human beings progressively become the subservient tools through which exceedingly complex algorithms manifest their agency and intentionality as well as those of the individuals, groups, and institutions that designed and programmed them.

That might present human beings with a dystopian scenario but at the same time reveals an aspect of tools that has been often neglected throughout human history, that is, their content of normativity. When I use a hammer,

the hammer also somehow uses me, for it obliges my body and my mind to adopt a certain posture and a certain movement when I use it. If I refuse to hold a hammer by its handle, I shall never be able to use it properly. Such content of normativity becomes all the more evident as the complexity of tools increases. Microsoft Word, for instance, not only decides that certain words are a mistake, underlining them in red through the function of automatic spelling checking — although they might be simply rare in a language —, but even “decides” in what languages users might write: users can choose to write with the Arabic alphabet, for instance, but the software will not allow them to “link” letters together as the correct Arabic or Farsi spelling requires.

The extent to which tools exert a predetermined agency and intentionality even when they seem to completely yield to the aims and goals of those who use them does not depend uniquely on their complexity but on the fact that it ultimately derives from their predominant intended usage: it is not meant to modify the environment but the human cognition of it. A hammer is primarily meant to modify the environment in its physical appearance. In a horror movie a hammer can be used to introduce fear in the mind of a terrified interlocutor, but in its mainstream usage it simply works as prosthesis of the human hand and fingers, able to beat reality with a strength that these are too soft to produce. A word processor shares with a hammer the quality of being a tool meant to represent and magnify the agency and intentionality of its users. Differently from a hammer, however, a word processor is not primarily conceived to modify the physical status of the environment but the mental simulacra through which human beings interact with it. In other terms, word processors, software in general, and other similar complex devices are “tools of meaning” in the sense that they modify the ways in which representations of the environment intersect the cognitive, emotional, and pragmatic dimensions of human life in it.

There is no sharp distinction but, rather, a polarized continuum stretching from a hammer to complex software that is able to automatically concoct a newspaper article. At the one end of the spectrum, tools will be able to simply modify the physical appearance of the world without exerting any impact on the human intelligence of it; at the other end, they will have the capacity of altering the cognitive apperception of the world without affecting its physical appearance. In the middle between these two extremes, however, one will find tools in which the physical and the cognitive agency intertwine and blend, often in inextricable ways.

Normativity, with its load of biases, is distributed across the entire spectrum. That is why the “semiotics of tools” must systematically intersect those of both fields of law and religion. On the one hand, predominantly normative systems, such as most world religions and law systems, adopt both inert and agentive tools so as to bestow a specific order to reality: present-day law could not be efficiently administered without the existence and usage of handcuffs or similar devices of immobilization, yet how loaded these “tools” are with preconceptions about the human body and its range of rights and duties! These preconceptions are more surreptitiously embedded in the soft power of files and archives, with their cogent grammars of routine documentality.

Similarly, Christian churches as we know them could hardly work without candles, but these “tools of religious lighting” too are not neutral at all but stem from both a history of lighting technique and its cultural consequences.

On the other hand, legal systems and systems of religious beliefs are themselves extremely complex “tools”, handed down from generation to generation with their enormous ideological biases, so that groups of human beings might create an order in the immanence of the relations among themselves as well as in the transcendence of the imagined relations with a superior ontological dimension. In this case too, however, although human beings often believe that they use a certain legal code so as to guarantee social order, they are often directly or indirectly “used” or even, in the worst scenarios, “enslaved” by the code into the order. Analogously, they might think that sacred texts, rituals, and priests work as tools to enable the efficaciousness of communication with an imagined transcendence, yet these often turn out to “use” human beings for their own systemic purposes or even for those of the instrumentalization that they undergo in the hands of such or such hijacker.

Tools of meaning are instruments of human beings but they might also contribute to their instrumentalization. That is the paradox which the chapters collected in this volume seek to address through a wide interdisciplinary approach, defying common frontiers among disciplines, traditions, and histories so as to analyze the dynamics of agency, intentionality, and normativity across the entire spectrum of cultural life, with a specific focus on those domains, law and religion, in which such dynamics coagulate and crystalize into the most influential “tools” of the social predicament.

The volume stems from two symposia: the first organized by the Faculty of Law of Monash University at the Monash University Prato Center, under the initial impulse of Richard Mohr and Nadirsyah Hosen, with the coopera-

tion of IRSIG–CNR, Bologna (Research Institute on Judiciary Systems, Italian National Research Council); SRPP (Social Research, Policy, and Planning), CIRCE (Center for Interdisciplinary Research on Communication, University of Turin), and CES (Associate Laboratory of the Center for Social Studies, University of Coimbra), on June, 13–15, 2016 («Technologies of Law and Religion: Representation, Objects and Agency»); the second, organized at IRSIG–CNR, Bologna, upon the initial initiative of Francesco Contini, with the cooperation of the same partners, on June 6, 2017 («Observing Technologies of Law and Religion: Aspects, Actants, Assemblages»). All the participants in the two symposia are warmly thanked. The volume is published thanks to funding from the Department of Philosophy and Education Sciences, University of Turin (Massimo Leone’s Research Project «RILO 2016, B Line: «Semiotics of Aspectuality»).