

Call for Papers

Virtual Investigations New Perspectives on the Evidential Paradigm in Law, Literature, and the Arts

Call for Papers for an Interdisciplinary Conference at the CRC 1385 Law and Literature
University of Muenster, Germany, May 4th/5th 2023

Organisers: Prof. Joachim Harst (University of Cologne), Nursan Celik (University of Muenster)

Keynote: Prof. Franziska Nori (Direktorin, Frankfurter Kunstverein)

When Ginzburg ([1995](#)) advances the thesis that the humanities, just like crime literature, were founded in the so-called "evidential paradigm," he is primarily thinking of Sherlock Holmes, a detective who would visit crime scenes himself. There he would then collect traces, combine them and solve his case by drawing often ingenious, but also highly speculative conclusions. But since traces can only be identified as such within the framework of an overall narrative, Ginzburg emphasises the narrative value of the interpretation of traces. He argues that the humanities engage in the search for and interpretation of traces in a similar manner. Their acquisition of knowledge, he proposes, can therefore be compared to that of the detective. In addition, the evidential paradigm has been used on various occasions to analyse literary and visual works of art: Works can be examined for "traces" of the past, or conversely, the evidential paradigm can be used as an artistic device for constructing reality or guiding reception.

However, taking into account current developments in research and investigation, the evidential paradigm calls for a revision. For ever since the private detective has been facing competition by "Kommissar Computer" ([Hartung 2010](#)), investigative practices have changed fundamentally: Investigative computer-aided search methods can now supplement or even make redundant a visit to the crime scene. Hence, popular portrayals of modern investigation mark a shift that replaces the individual investigator with a team of forensic scientists solving cases by using digital data processing. What follows is a fundamental change in terms of processes of interpretation, particularly those concerning the crime world. While Columbo's investigations, for instance, were mostly based on a social and psychological level, murderers and victims are now only of importance insofar as they are bearers of traces that can help find evidence (cf. [Gugerli 2007, 12](#)). Following the catchphrase "CSI effect," which refers to the successful series "CSI: Crime Scene Investigation" (USA 2000-2015), the question arises what repercussions this has on criminal and legal practice (*ibid.*). One potential problem that might follow from this is the question if a judge can still comprehend the functioning of algorithmic trace analysis, so that his evaluation of evidence may be based on his belief in the proper functioning of the algorithms instead.

While such investigative practices are often associated with positivist claims to knowledge in popular accounts, it is also necessary to underline their constructivist dimension from a scientific point of view: Reconstructions, visualisations, and simulations produce evidence and, in some cases, produce the traces to be evaluated in the first place (as [Rheinberger](#) demonstrated for the

experimental system in 2007). Visualisations often enough lead to meaningful evidence that goes beyond their data basis. Thus, today's investigative practices both bear witness to and engage in a progressive virtualisation of investigative knowledge, which has effects on the evidential paradigm and its basic concepts (evidence, trace, reference, cognition) – and thus also on works of art that are connected to it.

The conference aims to discuss the aforementioned virtualisation in the late 20th century with regard to aspects in culture, art, literature, and history. Possible topics might include but are not limited to:

1. Contributions regarding the history of the virtualisation of cognition and knowledge practices and their reflection in literature, cinema, or any other works of art.
2. Reflections and case studies on the relationship between showing and proving (Ginzburg), i.e. on the generation of evidence through visualisation (maps, diagrams, simulations).
3. Contributions regarding the relationship between investigation and aesthetics, design and criticism as well as design and recognition.

Proposals for papers of approx. one page are requested by October 31th 2022. Submissions and general inquiries should be sent to jharst@uni-koeln.de and ncelik@uni-muenster.de. Travel expenses will be covered.

Works Cited

- Ginzburg, Carlo. 1995. *Spurensicherung. Die Wissenschaft auf der Suche nach sich selbst*. Berlin: Wagenbach.
- Gugerli, David. 2007. Die Welt als Datenbank. Zur Relation von Softwareentwicklung, Abfragetechnik und Deutungsautonomie. *Nach Feierabend* 5, no. 3: 11–36.
- . 2009. *Suchmaschinen. Die Welt als Datenbank*. Frankfurt a.M.: Suhrkamp.
- Hartung, Lea. 2010. Kommissar Computer: Horst Herold und die Virtualisierung des polizeilichen Wissens. PhD dissertation, FU Berlin. https://refubium.fu-berlin.de/bitstream/handle/fub188/18667/StaR-P_w_7_Herold.pdf?sequence=1.
- Rheinberger, Hans-Jörg. 2007. Spurenlesen im Experimentalsystem. In *Spur: Spurenlesen als Orientierungstechnik und Wissenskunst*, ed. by Sybille Krämer and Werner Kogge, 293–308. Frankfurt a.M.: Suhrkamp.