

**Judith Grbich**

## **Signs of Internment**

The turn to the empirical in the study of the moment of theory has been coupled with a perceived necessity for the suspension of a Kantian *a priori* to any such empirical work. In this suspension of the *a priori* the tenets of any critical legal theory seem to have been removed as simply proxies for other transcendental phenomena – Foucault's episteme, discourse, the paradigm and the problematic are to join the *a priori* as discards. Is this turn to the empirical simply a national parochialism of US graduate schools, a humanities move against 'French theory'? Is the empirical study of legal theory destined to repeat metropolitan governance of wayward colonial scribblers? Or is the empirical turn just another sign of the times, in which the symbolic bodies in law are retold and repeated with new personas? Did the Anglican settlement of Christ's body as both spirit and flesh imprint upon law's bodies the mysteries of incarnation and resurrection, mysteries now unsettled by the discoveries of the bones of Jesus Christ? Is the moment of the empirical in the history of legal theory a crisis of belief in the symbolic bodies of law?

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