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(IL)LEGIBLE GAME OF CONNOTATIONS?
COMMENTS ON THE REPRESENTATION
OF JUSTICE IN ARCHITECTURE

(NIE)CZYTELNA GRA ZNACZEŃ ?
UWAGI NA TEMAT REPREZENTACJI IDEI
SPRAWIEDLIWOŚCI W ARCHITEKTURZE

Abstract

The facades of palaces of justice (not always intentionally) reflect the meaning attributed to those buildings. Judicial pride aims to immortalize power, administrative efficiency and humanistic openness here gains a specific expression. Despite the fact that justice procedures seem difficult and obscure, one of the fundamental principles of a fair trial is the principle of democratic transparency of proceedings, embodied strongly in the architecture of constitutional courts.

Keywords: Architecture of the third power, transparency, iconography of architecture

Streszczenie

W projektach fasad pałaców sprawiedliwości (nie zawsze intencjonalnie) odzwierciedlają się znaczenia, przypisywane tym gmachom. Swoistą ekspresję uzyskują tu pycha dążącej do nieśmiertelnienia władzy, administracyjna efektywność i humanistyczna otwartość. Pomimo że procedury wymiaru sprawiedliwości wydają się trudne i niejasne, jedną z podstawowych zasad uczciwego procesu jest zasada demokratycznej przejrzystości postępowania, ucieleśniana najsilniej w architekturze sądów konstytucyjnych.

Słowa kluczowe: architektura III władzy, przezroczystość, ikonografia architektury

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1. Quid pro Quo – Wrocław Justitia

A bronze sculpture of an ethereal woman inspecting the location with bright eyes, emblems of judicial power in both hands, is placed above the door of the modernist wing of Wrocław regional court (Werner Haberland, c. 1930), – Justice, sculpted by Theodor Von Gosen. In 2005, as spokeswoman for the court, Judge M. Lamparska recounted “we added a blindfold (...) because we were constantly questioned about why Wrocław Themis could see. Lawyers and their clients either joked about it or even demanded that it changed.” Only after intervention by the Municipal Conservator was the sculpture restored to its original state because “von Gosen had made *Iustitia*, which is the personification of Justice and not *Themis*, who is the goddess of Justice and the Law. Themis is sometimes depicted with a blindfold on, but Justice sees judiciously”[2].

This example illustrates the exceptional durability of general cultural clichés imprinted in the public and at the same time reflects the type of expectations regarding the iconography of the facades of justice facilities. Construction of law courts used to belong in the academic ariergarde of architecture rather than to the avant-garde. With the functionalist revolution of the mid- twentieth century changing the architectural scene, the distinction between building types ceased to exist, and a new language of symbols was needed. The response to the surfeit of formal and excess symbolism of earlier justice buildings was to adopt a model of extreme functionalism (represented for example in Chicago’s Federal Building and Courthouse by Mies van der Rohe of 1964): abstract skyscrapers of power.

It would be extremely difficult to discuss the topic of legal iconology, historical repertoire of motifs and themes of meaning being too replete. However, we should underline the importance of transition from creation of complex, multi-layered narrative decoration, complementing the past architecture of the judiciary, to the simple, often abstract message, preferred today by both artists and patrons of this architecture.

Linda Mulcahy states: “A common approach to the issue of ensuring that courthouses are legible to court users in ways which undermine the impression of an impenetrable facade is to use glass in place of walls of brick and concrete. (...) Glass is seen as an important medium in communicating the openness and accountability of a court to its community and suggests a justice system open to public scrutiny and inclusive of public participation”[3, p. 152].

The answer to the question that emerges here of whether the reception of a message is universal, and the *signifier* and the *signified* are indeed interrelated, should be left to the social sciences. I would like, based on a number of examples, to examine one of the trends: the softening of the image of the palace of justice. Realizations of constitutional and supreme courts, representing the highest social ideas, seem especially expressive in this regard.

2. In search for a universal symbol of transparency: the Federal Constitutional Court of Germany in Karlsruhe

The Constitutional Court in Karlsruhe is probably the most famous example of late modern architectural interpretation of political ideas of transparency and justice. According to the authors of the building, the court embodies the principle of Anglo-Saxon law, “Justice must not only be done, it must also be seen to be done” [1, p. 8]. The unique cultural significance of the court is emphasized by its location: the building is situated between the princely

palace (nowadays housing the court offices) and the city museum of art, in the very centre of the city's radial urban arrangement. Built to a design by Paul Baumgarten in the years 1965–1969, it was enlarged and partly rebuilt without losing its character and in the years 2011–14 has undergone a complete refurbishment, (Assem Architekten et al., the landscape architecture: West 8).

The building consists of five pavilions (courtroom, offices of judges, library, canteen, administration) linked by an axis of a glass corridor. The facades are curtain walls, with strong horizontal lines of aluminium panels and glass. The main courtroom, separated from waiting hall by glass partitions, is located on the upper floor of the pavilion closest to the public path in the surrounding park. The interior is strikingly austere: behind the judges' bench extends a wall clad in timber with an eagle sculpture (the symbol of the republic) – the bench and wall are made of the same wood. The hall around the courtroom is almost transparent and opens up to views of the city. The building seems to be transparent and inviting, a feeling of openness is underpinned by the discreet form of security – there is no fence at the front. Rational and minimalist in its formal aspect, Baumgarten's project suited the need for a building completely different in architectural expression to its Third Reich predecessors and reflecting the ideals of the Bonn Republic: accessibility, transparency, democracy, and modesty [1, p. 19]. This latter feature would be reflected in the ascetic choice of materials. Within the architectural practice, as Michael Wilkens, one of Baumgarten's co-workers reports, there were heated discussions about the idea of radical simplicity being violated through supplanting the more modest facades of sheet aluminium with individually produced corrugated aluminium panels (like the solutions used in facades of banks) [1, p. 77]

With the popularity of the use of large expanses of glass in courthouse facades, the encoded meaning of transparency has become less symbolically evident. The connotation of openness was blurred even more with the subsequent practice of installing facades of opaque, or reflective glass.

3. In search of a language of symbolic synergy of contemporary forms and references to ancient Rome: Warsaw

The modern idiom did not triumph in Poland completely (see Warsaw municipal courts from 1935, by B. Pniewski), and the post-modern age saw return to the architectural syntax of historical symbols, not always perfectly reflecting the present day. These include, among others, quotes from the architecture of socialist realism and a repertoire of references to the Roman idiom: images of Themis, symbolic paraphernalia, eagles, and ancient quotations.

The design for Warsaw's Supreme Court (M. Budzynski, Z. Badowski et al., 1998) contains a unique collection of symbols: the building is characterized by the monumentality of its colossal row of pillars bearing quotes from Roman law-givers, and the colour scheme of its facade evokes the colours of the patina-covered copper roofs of the old town. One of the critics said that the use of Latin inscriptions on the façade gives it an "intellectual patina" and the architect, Professor M. Budzynski, describes described the symbolism of the deployment of columns with Roman quotations as a reflection of "the rhythm of law." The inscriptions were described in a monographic book from which the following quotation is extracted: "The initial intention of the author of the project was to put fragments of binding Polish law on the columns (...) The concept (...) met with reservations from Supreme Court justices, who



- III. 1. Karlsruhe – Constitutional Court seen from the Botanical Garden (during refurbishment works 2014), photo: author
- III. 2. Warsaw – a fragment of the Highest Court’s facade, photo: C. Szabla
- III. 3. Seoul – Constitutional Court, photo: author

(...) feared the rapid fall into obsolescence of many of the inscriptions (due to changes in the Polish law system) “[6, p. 13] The 86 columns with inscriptions in Latin and Polish translations wrapping the building create a didactic narrative, which adds to the edifice’s magnitude.

The rhythms of the building’s facade were underlined by planting topiary shrubs in front of the building and on the roof the green, instead of weakening of the impression of formal rigour, strengthens it. The use of glass seems to be equally ambiguous – a symbol of accessibility and transparency – here in a reflective version coloured green, forms the unreal glass scenery of the buildings’ entrance and its interiors.

4. In search of an equilibrium: Seoul

The Constitutional Court of the Republic of Korea (Hui-su Kim and Sung-dong Kim) is an example of mixed references to two traditions: western (the authority of the government emphasized through motifs imported from another culture, as the idea of constitutional justice is new to the Korean judiciary), and the native (cultural values and the details drawn from local architectural tradition). The building is located outside of the main governmental campus consisting of inaccessible high-rise public buildings (the high court, prosecutor's office, and numerous ministries), in the historic district of traditional hanook type houses. The most characteristic feature of this humble example of post-modern style, beyond the neoclassical expression of a well-balanced façade (clear reference to the North American Art Deco), is a clear reference to the fundamental values of Korean culture – namely, to communion with nature. Inaugurated in 1993, the building is surrounded by a publicly accessible garden housing the national monument – a 600 year-old lacebark pine. The courthouse is pasted into the landscape in a distinctive Korean way – the context for the architecture is a mountaintop and greenery – and therefore the symmetry of the facade does not seem tedious, and the five-storey volume does not dominate the surroundings. The form of the courthouse corresponds to the traditional notion of a major building: the front is composed as a colossal row of pilasters and glazing (with a classic division into plinth, wall and entablature), crowned with a small dome. The stone pilasters are topped with reliefs of *mugunghwa* – the national symbolic flower. The abstract symbolism of vertical and horizontal divisions of the facade is unintelligible to Europeans and is intended to mean: horizontal lines – the constitutional principle of equality, vertical parts (highlighted by the pilasters) – the separation of powers, the central dome – the supremacy of the Constitution as the supreme law. [7] The Constitutional Court distinguishes itself by an efficient combination of motifs taken from native Korean culture – a series of stone steps, with fountains in bas-relief stone pools (references to the architecture of temples and palaces), cultured topiary greens, a horizontal layout interlaced with motifs of universal architectural vocabulary – a colossal row of pilasters with a curtain of glass between them.[III. 2].

5. In search of individuality: Constitutional Hill in Johannesburg

There are various levels of symbolic encoding in the Constitutional Court of South Africa (J. Masojada, A. Makin: OMM Design and p. Wygers: Urban Solutions, 2004): from the building's location to architectural details, reliefs and artwork selection. The main object was to recycle the symbolic space of past oppression – the court is located on the site of a former prison where anti-apartheid activists were incarcerated, among others, Gandhi and Mandela. The physical recycling of construction materials and fragments of the existing prison buildings took place (staircases were incorporated into the court building, the museum block holds maintained and partially adapted prison cells), and the space of the former prison was opened to create a city square in front of the court complex. The court itself is a modest, non-dominant volume. The main entrance façade is decorated with reliefs – the name of the building in all 11 official languages of South Africa. The main wooden door frames are decorated with carvings explaining the symbolism of fundamental rights, (representation of hands depicting the rights in sign language are the most expressive elements of the composition). The interior

of the main hall is, unlike the French courts' *salles de pas perdu* (waiting rooms in courts – called the “halls of steps lost”), a powerful, inviting space filled with works of art, evoking rather the feeling of being in a museum or theatre rather than a hall of justice. The symbolic presence of history and local culture in this place, sometimes described as “theatrical” and “sentimental” [4, p. 121], may be too overwhelming; the walls with preserved barbed wire, the magnificent multi-coloured carpets with traditional designs, the cow leather lining the judges' bench in the main courtroom never stopping to preach values. The building is programmed as a *gesamtkunstwerk*, an account of human values (the fight against apartheid, equality between western and native cultures, freedom, etc.), and was intended to become a socio-cultural factor in the urban rehabilitation of downtown Johannesburg, which has not been fully achieved.

Local architects, interviewed by urban geographers about the legibility of the new Constitutional Court of South Africa's symbolism, often answered that “the South African public is largely illiterate with regard to architecture”, therefore it is impossible for them to refer to the symbolic content of the building [4, p. 124]. Is it really possible not to understand the signs (and writings upon buildings) used by contemporary architecture to encode ideas of justice?

6. Summary

Discussion on the courthouse as a carrier of symbolic content [5] is present in many countries (especially among theorists of law), while the practice of design seems to be heading in two directions, distant (sometimes even hostile) from reflection upon the iconic:

- firstly towards the implementation of the courthouse, understood as an autopoietic architectural artefact – an icon of architecture (a trend established by R. Rogers's design of the courthouse in Bordeaux 1998, continued by the same author's court in Antwerp, visible in the circular plans of court buildings of the proposed Justice Campus in Madrid, with civil courts by Zaha Hadid)
- secondly, to the expression of efficiency, building objects “unrecognizable among other public buildings” (the Justice Campus in Barcelona by David Chipperfield, the new courts in Manchester by Denton Corker Marshall, or the slender 160-metre high new Palace of Justice by the Renzo Piano Building Workshop now in construction in Paris-Batignolles).

How do the Polish architectural circles respond to the problem? At the dawn of the twenty-first century, a considerable number of courthouses of different instances were erected. However, the potential discussion on this subject is absent, partly because of the lack of a solid critique. Individual designs, such as the Warsaw Supreme Court, and the Katowice District Court (Archistudio Pilinkiewicz & Studniarek) are marked by symbolic connotations, while others like Cracow District Courts (W. Obtulowicz et al.), Rzeszów District Court (Konior Studio) or the Supreme Administrative Court Warsaw (SAMI Architects, M. Lewandowski et al.) are laconic and universal architectural forms.

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