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Titolo	Rethinking Flow Beyond Control : An Outreach Legal Essay // Jean-Sylvestre Bergé
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Descrizione fisica	1 online resource (150 p.)
Collana	Confluence des droits
Soggetti	Law théorie du droit situation en mouvement circulation flux contrôle espace phénomène total risque devoirs droits legal theory situation in movement flow control space total phenomenon risk duties rights
Lingua di pubblicazione	Inglese
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In his 1978 lecture at the Collège de France on the theme of “Security, territory and population”, Michel Foucault established a link between “circulation”, “security” and “space”. He depicted the approach to circulation in the 17th and 18th centuries, based on legal tools such as international agreements and national or local regulations, as the expression of a desire to secure flows in the different spaces (maritime and terrestrial). The objective of this legal essay, intended for a broad readership, is to counter this analysis by arguing that, for a certain number of major forms of circulation (release of greenhouse gases, spread of products and organisms of all kinds, pandemics, dissemination of information, movement of persons, data, capital, waste, etc.), mankind is living with an illusion of control. The question is no longer who controls what, but rather who is suffering the loss of control? To answer this question, we must rethink our traditional models of circulation and control. All sorts of a priori approaches to circulation can be discussed (magical, liberal, social, ontological, fundamental, modal). As for control, we must recognise that it is perennially exercised in an environment full of holes. Dans son cours au Collège de France de l'année 1978 sur le thème « Sécurité, territoire et population », Michel Foucault a établi une relation entre « circulation », « sécurité » et « espace ». L'appréhension de la circulation aux XVIIe et XVIIIe siècles par des outils juridiques (accords internationaux, réglementations nationales ou locales) y est vue comme l'expression d'une volonté de sécuriser les flux dans différents espaces (maritimes et terrestres). L'objectif de cet essai juridique grand public est de prendre le contre-pied de ces analyses en considérant que, pour un certain nombre de flux majeurs (libération de gaz à effet de serre, dissémination de produits et d'organismes en tout genre, pandémie, circulation de l'information, des personnes, des...

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