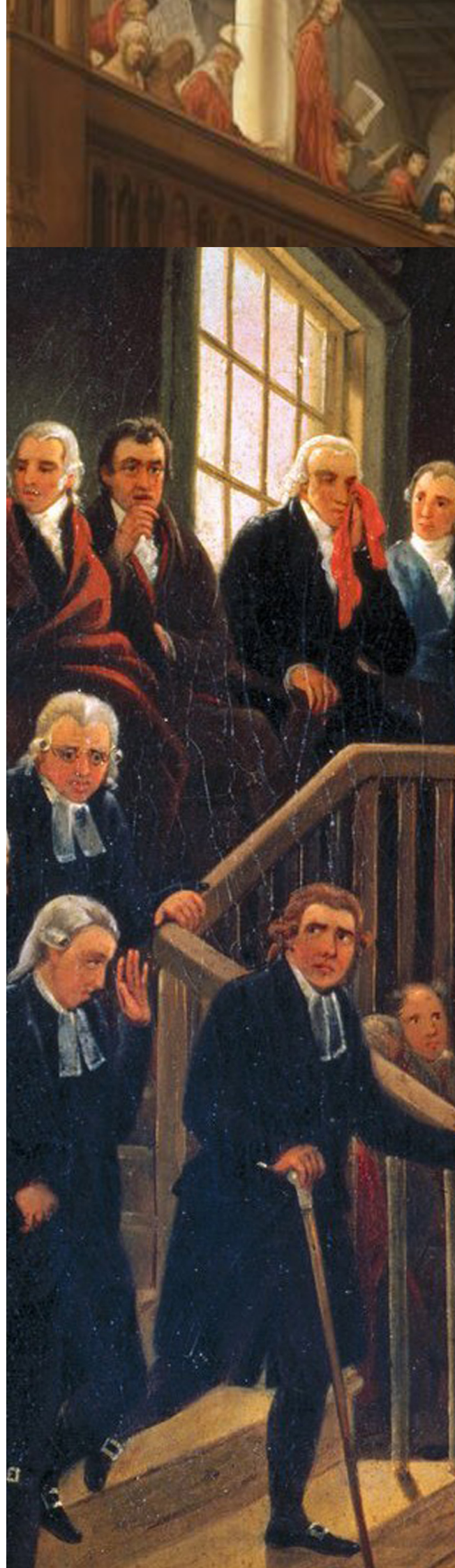


Court Users,
Plaintiff,
and
Government Authorities,
Defendant.

TERRITORY ON TRIAL

REDESIGNING THE COURTHOUSE
TO FOSTER SPATIAL FREEDOM,
TRANSPARENCY AND EQUITABLE
POWER DYNAMICS



THESIS TOPIC

This thesis explores the struggle for territorial control within the courthouse landscape, with a particular focus on the courtroom as a microcosm of these spatial dynamics. The courtroom, in its complexity and scale, serves as a concentrated reflection of the broader territorial tensions that exist throughout the courthouse building. Unlike other spaces, where specific actors are confined to particular roles or areas, the courtroom is unique in that all key players simultaneously present, each claiming and negotiating their spatial territory. Furthermore, the thesis will examine the inherent lack of freedom in these spatial arrangements, tying this to the broader question of what it means for a public building to be truly open, accessible, and democratic. As Mulcahy (2010) argues, "while it may be the case that much more dignity is accorded participants in the trial, over time we have not yet reached a state in which the courthouse can be described as genuinely open." This statement highlights the ongoing tension between the ideals of public accessibility and the realities of courthouse design, which often prioritizes security and authority over openness. Drawing on various case studies and legal precedents, this research aims to explore how spatial design within courthouses, particularly the courtroom, can either reinforce or challenge these territorial struggles. By doing so, it aims to offer a new perspective on how public buildings can evolve to become truly open and accessible, and how architectural design can influence critical aspects of justice and civic engagement. In addressing the territorial complexities of the courthouse, this research aims to not only consider the architectural typology of the courthouse itself but also explore how spatial design can impact the broader social and civic functions of public buildings, influencing how we experience justice in our daily lives.

PROBLEM STATEMENT

Historically, courthouses were not just places of legal proceedings, but open spaces that fostered civic engagement and dialogue. In ancient times, justice was often dispensed in public, with early courts held outdoors under trees or in open air assemblies. For instance, the Athenians and medieval European societies practiced law in public spaces where trees, symbolizing wisdom and stability, stood as natural sentinels to the law. These open-air courts embodied impartiality and a direct connection to the natural world, ensuring that justice was not hidden behind walls but accessible to all. The lack of physical and social barriers in these spaces also reflected a more communal, egalitarian approach to justice, where transparency allowed the public to actively observe, engage, and hold the system accountable. However, as the legal profession became more specialized, so too did the spaces in which it operated, with courts gradually moving indoors and taking on increasingly imposing forms. Hierarchical spaces such as court houses significantly impact behaviour, social interactions, and perceptions of power. The design and layout of a space such as the positioning of individuals, the size of their surroundings, and their proximity to authority reinforce social and power structures. For instance, in a courtroom, the judge's elevated position signals authority, while defendants are placed lower, emphasizing their subordinate role. As the role of the courthouse expands, there is a pressing need to rethink how these environments can accommodate the principles of equity and justice while addressing the territorial dynamics at play. This thesis will explore how architectural and spatial design can effectively address dynamics of authority and hierarchical relations within courthouses, fostering a more equitable distribution of influence among all participants and uphold the foundational ideals of justice and equality for every actor involved.

THEORETICAL FRAMEWORK

The following theoretical frameworks provide a foundation for exploring how courthouse design influences power dynamics, interactions, and the experiences of individuals within legal settings. Each framework focuses on key elements, spatial arrangements, institutional structures, social justice, and human behaviour that together shape the architecture of a courthouse.

Spatial Theory suggests that physical spaces are not neutral but infused with social meaning, shaping interactions and reinforcing or challenging hierarchical relationships. In courthouses, the design of spaces can influence participants' sense of agency, authority, and equality.

- **Proxemics:** This concept examines how spatial arrangements impact the dynamics of personal relationships and interactions within the courtroom, determining how people navigate and engage with each other.
- **Place-making:** Focuses on how thoughtfully designed environments can foster community involvement, inclusivity, and a sense of shared responsibility, promoting democratic ideals in legal proceedings.

THEORETICAL FRAMEWORK

Institutional Theory highlights how organisational structures influence behaviour and relationships between different actors. In the context of courthouses, this theory examines how architectural choices either reinforce or challenge established power structures and norms.

- **Institutional Critique:** Courthouse designs such as the elevated judge's bench signal authority and power. By redesigning spaces to reduce hierarchical physical distance, courthouses can create a more egalitarian and participatory legal process.
- **Adaptive Reuse:** Repurposing older courthouses to align with modern democratic values challenges outdated designs that reflect historical power imbalances, making legal spaces more relevant and inclusive.

Environmental Psychology explores how the physical environment influences human emotions, behaviours, and perceptions. In the context of the courthouse, it examines how spatial design impacts stress levels, perceptions of fairness, and overall participant experiences.

- **Reduced Psychological Distance:** Adjusting spatial configurations can help reduce intimidation and increase feelings of empowerment among participants. By fostering a more open, balanced atmosphere, this approach can lead to a more transparent and equitable legal process.
- **Increased Trust and Inclusivity:** Well designed, accessible spaces help break down territorial boundaries and make participants feel more connected to the legal process. This inclusivity reinforces the idea that the justice system is a space where all voices matter, especially those of marginalized groups.

THEORETICAL FRAMEWORK

Social Justice Framework focuses on fairness, equity, and inclusion within public spaces, particularly how courthouse design can reflect democratic values and ensure that all participants feel respected and empowered.

- **Access and Inclusion:** Evaluates how universal design principles can remove barriers to accessibility, ensuring that the courthouse is welcoming and navigable for all individuals, regardless of their role within the legal process.
- **Empowerment:** Explores how the spatial arrangement can enhance the sense of agency and participation for marginalised groups within the courtroom, ensuring that voices are heard and valued.

Territorial Dynamics focuses on how individuals or groups claim and control space, which in turn affects their interactions and sense of authority. Courthouse design plays a key role in either reinforcing or challenging these territorial dynamics.

- **Territorialisation:** The spatial allocation of judges, defendants, and the public often reflects and reinforces power imbalances. Redesigning these spaces to be more fluid and integrated can reduce territorial claims and encourage more equal participation.

Hierarchical Relations addresses the established power structures within a courthouse, such as the roles of judges, lawyers, and defendants, and how these spatial hierarchies influence interactions and various processes.

- **Hierarchical Relations:** Through re-organisation of courtrooms for example by lowering the judge's bench or altering seating arrangements physical hierarchies can be minimised, creating a more egalitarian environment that fosters mutual respect among all parties involved.

THEORETICAL FRAMEWORK

The theoretical framework aims to provide the starting point for exploring how courthouse design can address territorial dynamics and hierarchical relations and how architectural choices can:

- **Define** how the architecture of courthouses shapes interactions, power dynamics, and participants' sense of agency.
- **Establish** a coherent structure for understanding how spatial configurations can either reinforce or challenge institutional hierarchies.
- **Provide** sub-questions (see the examples below) to guide research, with the aim to contribute to the development of more inclusive and equitable courthouse designs that reflect democratic ideals and promote fair legal proceedings.

SUB-QUESTIONS

- **How** has the law been conceived and how is it being conceived in current times? How have courthouses been recognized throughout the times and across cultures?
- **What** actors, objects, processes & requirements (and their portrayal) make up the current hierarchical courthouse landscape?
- **How** do these characteristics enforce or break-down hierarchical aspects within courthouses?
- **How** open can we design courthouses to still maintain authority while instilling more equal dignity on all participants involved?
- **To what** extent do spatial changes and modifications undermine the right to the presumption of innocence?
- **What** part can architecture play in undermining the alienating tendencies of the modern trial?
- **Is** it necessary for the judge to sit on an elevated podium?
- **How** does this spatial arrangement influence perceptions of authority and equality in the courtroom?

THEORETICAL ARGUMENTATION

By the 20th century, modernist movements and postcolonial independence reshaped courthouse architecture once again, favouring functionality over grandeur. Today, contemporary designs have increasingly shifted toward closed and segregated environments as a result of a combination of factors such as security, authority and efficiency as well as evolving legal processes, this change often obscures the principle of justice as a transparent and communal process. The elevation of the judge's bench as previously mentioned, symbolizes authority and order while physical barriers between participants reinforce these roles. This shift towards more isolated and controlled elements and spaces has, in many ways undermined the ideals of accessibility and public engagement, making the courthouse a more intimidating and less democratic environment. Similar spatial and behavioural aspects can be found in other institutional settings like churches, offices, and schools. In each of these environments, the physical design reinforces power dynamics, social roles, and emotional responses from the individuals within them. In workplaces, executives in large corner offices are visually distinguished from employees in smaller or open-plan spaces. In churches, the elevated altar and pulpit position clergy act as authority figures, creating a physical distance between them and the congregation. In schools, the layout of classrooms with teachers at the front and students facing them positions the teacher as the central authority figure, while students are placed in passive, subordinate roles. These spatial cues influence how people interact, with subordinates often feeling marginalized or voiceless, while authority figures may feel more empowered. Overall, hierarchical spaces shape not only how individuals perceive their own status but also how they engage with others, either fostering formality and distance

THEORETICAL ARGUMENTATION

or encouraging collaboration and equality. Hierarchical spaces, such as those found in courtrooms, profoundly influence behaviour, emotions, and perceptions of justice. The design and layout of these spaces are not just functional—they play a role in legitimizing legal proceedings and shaping the experiences of those within them. While grand courthouses can instil a sense of dignity and formality for some, for others, particularly defendants, they may amplify feelings of vulnerability or humiliation. The physical separation between participants, such as the isolation of defendants from their legal counsel or the public, can hinder communication and exacerbate feelings of disempowerment. Furthermore, the public's role in trials, though intended to promote transparency, is often curtailed by spatial practices that control access and movement within the courtroom. These designs reflect a distrust of the public and, at times, undermine the principle of open justice. In extreme cases, such as when defendants are placed behind screens or elevated in the dock, the courtroom layout can further strip away the presumption of innocence, reinforcing their status as outsiders or criminals. Overall, hierarchical space in the courtroom not only shapes the formal process of justice but deeply impacts the emotional and psychological experiences of those involved, highlighting the tension between dignity, authority, and control.

RESEARCH METHODS | PROGRAMME

Literature Review: Reviewing existing literature on courthouse design, territorial dynamics, and hierarchical relations. Provide a foundation of knowledge on the evolution of courthouse design, territorial dynamics in public spaces, and the relationship between architecture, justice, and public engagement.

Case Study Analysis: Analysing existing courthouses, legal cases and legal systems and the resulting spatial implications.

Spatial Analysis: Examining of existing courthouse layout to understand how space is allocated to different actors. Identifying areas designated for public access versus restricted areas, and how this affects perceptions of power and hierarchy.

Power Mapping: Creating interactive maps that show the flow of people, the designation of spaces, and the physical barriers within the courthouse. Thereby subtle forms of power, such as who gets access to what spaces, and how this aligns with social hierarchies, dignity, and agency within the judicial system can be explored.

Comparative Analysis: Comparing of findings across different case studies to identify common themes and variations.

RESEARCH METHODS | CLIENT

Stakeholder Interviews: Conducting interviews with judges, lawyers, jury, and members of the public to understand how spatial design influences their behaviour, comfort, and participation in legal proceedings. Questions will include how the design of the courtroom affects their sense of dignity, accessibility, and engagement with the legal process.

Actor Analysis: Analysing the various actors act in a courthouse setting, how these interact and the relational dynamics involved and the various spatial implications.

Behavioural Observations: Observing how different actors navigate the courthouse and interact in various spaces.

RESEARCH METHODS | SITE

Site Analysis: Conducting an in-depth analysis of selected courthouse sites through site visits and observations. Taking detailed notes on space usage, circulation patterns, and the territorial separation between different actors within the building. Furthermore sensory experiences of sound, light, texture and temperature creating sensory maps that highlight how these sensory aspects contribute to perceptions of power, hierarchy, and comfort within the courthouse.

Mapping Relationships: Creating spatial maps to illustrate the relationships within the courthouse. Analysing how the design facilitates or hinders access for different actors through user centric spatial mapping, visual connectivity analysis, comfort assessment etc.

Contextual Analysis: Analysing how the design interacts with existing territorial boundaries and whether it reinforces or disrupts hierarchical relations among different actor groups.

CONCLUSION

Throughout the design process of the '**Territory on Trial**' project, the central focus has been to explore how spatial organization, material language, and circulation patterns within a courthouse can mediate the complex and often invisible power structures between the various key actors involved in the judicial process. The traditional courthouse model, often monumental and rigid in its hierarchical expression, tends to reinforce social and institutional divisions. This project seeks to challenge and rethink that model. The research began by mapping the existing spatial protocols of courthouses through site visits, precedent studies and written case studies, examining where actors intersect, where they are separated, and how their movement is controlled. It became evident that spatial segregation particularly between the judiciary and the public or between defendants and victims serves both functional and symbolic roles. However, this often comes at the cost of transparency, accessibility, and emotional wellbeing for those navigating the justice system.

Working within the urban and cultural context of **Milan**, a city shaped by layered histories of power, civic identity, and architectural formality, this project critically examines how courthouse design can evolve to respond to contemporary understandings of justice, transparency, and human dignity. The research centres on the territorial dynamics and hierarchical relationships embedded within judicial architecture, particularly how these are expressed, reinforced, or challenged through spatial design.

CONCLUSION

The existing **Palazzo di Giustizia**, recognizable through its fascist-era architecture, served as a point of reference throughout the design development. Its monumental scale, axial symmetry, and strict segregation of circulation paths embody a top-down model of authority, where power is visually and physically distanced from the public. While such architecture conveys order and formality, it also risks alienating those most vulnerable within the justice system. The **'Territory on Trial'** Project seeks to challenge and question past, current and future courthouses and aims to propose a more inclusive and responsive spatial model for a contemporary courthouse in Milan.

By rethinking spatial hierarchies not as rigid borders but as fluid and negotiated relationships the design proposes a layered approach to circulation, privacy, and territoriality. Judges, lawyers, defendants, and the public are no longer assigned strictly separate domains but are offered shared or adjacent spaces where visibility and mutual acknowledgment are possible. For example, transitional areas such as waiting rooms and mediation zones are designed as semi-public territories where spatial cues such as natural light, material contrast, and acoustic softness mediate behaviour without resorting to strict physical barriers.

CONCLUSION

The Milanese urban fabric, with its dense blocks and permeable courtyards, inspired the design's emphasis on porosity and civic integration. Rather than creating a courthouse as an isolated fortress which acts as a divider in the urban landscape, the project situates the building as part of the everyday life of the city. The more sensitive zones courtrooms, deliberation chambers, and holding areas have been placed below ground, to maintain necessary levels of security and dignity while six distinct buildings above, enable easy direct access to various services and facilities. The buildings depending on the programme vary in materiality in scale, aiming to defuse hierarchical aspects thereby making the engagement with the judicial system more accessible for everyone.

One key challenge was addressing the tension between authority and accessibility. To better understand the dynamics at place, the courtroom itself was reimagined: no longer a theatre of judgment with a dominant axis and elevated bench, but a space that balances gravitas with spatial equity. While the judges bench is still legible as a central figure, the reshaped courtroom offers a environment which fosters dialogue over intimidation and hierarchy. The change of the courtroom layout came with unknown challenges due to the segregation that still needs to stay in place outside of the space to ensure impartiality and safety of everyone involved. Thereby a multi-levelled courtroom cluster was designed with circulation routes on multiple floors, with actors either ascending or descending. Spaces such as waiting areas, mediation rooms, and circulation nodes were developed as shared spaces with spatial cues (lighting, material, acoustics) that subtly communicate behavioural expectations and social dynamics.

These zones act as buffers, promoting moments of encounter that are neither confrontational nor fully integrated, allowing actors to coexist within a more carefully mediated environment with a central passage, where various actors can connect. Another challenging aspect of the design process was understanding how architecture can either embed or soften hierarchical distinctions. While some degree of hierarchy is essential for the functioning of the judicial process, it can be argued that it can be made legible in ways that are more inclusive and less alienating. The spatial exploration how hierarchy and territoriality can be addressed through scale, proximity, materiality, accessibility etc. and how the judicial process which in itself is complex and for many incomprehensible can be broken down spatially and informatively led to a increasingly growing and entangled fabric which can be described more as a '**Centre of Justice**' rather than a courthouse.

Ultimately, the project reflects an attempt to create a active part in Milans urban fabric that acknowledges the complexities of power, vulnerability, and territoriality inherent to the justice system and within the context of Milan, with its strong legal traditions and evolving multicultural population, this architectural rethinking of the courthouse aims to reflect a justice system that is not only fair but also a visibly active and vibrant part of everyday life. Reflecting a shift from viewing courthouses as static monuments of state power toward understanding them as civic spaces of negotiation, prevention and education for various actors irrespective of their level of involvement in the judicial process.

