

Law and...

CSLC 603: Spring 2020
Anna Krakus, Office THH 255
Tuesdays 2:00-4:50pm
VKC153

“It is a fact too often forgotten that law touches at some point every conceivable human interest, and that its study is, perhaps above all others, precisely the one which leads straight to the humanities.” -Ernest W Huffcutt, 1892

“The study of law must be informed by an examination of the socio-cultural narratives that shape legal meaning and empower legal norms: conversely, the study of culture requires an understanding of the law as a normative edifice and coercive system” -Guido Calabrese

The law informs all of life; every big event and every small step we take is legislated. So how can we understand the humanities, our field of study, without considering the law? Luckily, as the quotes above state, the humanities are an exceptional entryway into understanding the law. Literary works encompass the world, they inform us what the law is and what it ought to be. Literary scholars have keen eyes for interpretation, inconsistencies, and patterns, vitally important skills to the successful legal scholar who strives to fully understand and unpack the law. By analyzing legal themes in literary works and by applying critical theory onto legal texts we can learn deeply about the systems that control of our society.

This course will introduce you to studies in the intersection of law and humanities and the social sciences. We will read key texts with legal themes and literary and legal theory from Sophocles to Derrida, via Shakespeare, Kafka, and socialist-era Eastern Europe. By the end of the semester you will be familiar with key scholarship concerning the intersection of law and the humanities and will be able to skillfully analyze legal themes in literary, filmic, and other kinds of artistic texts.

Requirements:

Each Student will give three presentations:

5 minutes: “Introduction to my brain”

During the first 2 weeks of classes students will quickly analyze a brief sample of one of their favorite works. Let us know what kind of scholarly bent you have!

25 minutes: Presentation of key text

You will present one of the main readings of the class and lead discussion about the text

15 minutes

You will present on a secondary reading and prepare 1-2 discussion questions for the group.

last week of classes we will discuss your chosen topic for final paper. This will be more of a **workshop** than presentation.

Throughout the semester, you will write **5 response** papers about the readings. These are approximately one page of reflections or questions concerning that week’s material

You will write a **final paper**, 15-20 p.

date	theme	reading	recommended
january 14	Introductions, what is law?	W. H. Auden, in class: “Law as Love”	
January 21	law and literature	Benjamin Cardozo , “Law and Literature” Austin Sarat, Matthew Anderson, Catherine O. Frank (eds), <i>Law and Humanities: An Introduction</i> , Introduction; Binder and Weisberg: “Introduction”	
January 28: NO CLASS February 4	law and literature 2	Binder and Weisberg “Narrative Criticism of Law;” “Cultural Criticism of Law;” Ronald Dworkin “How Law is Like Literature” in <i>A Matter of Principle</i> , 146-166; Richard Weisberg, <i>The Failure of the Word: The Protagonist as Lawyer in Modern Fiction</i> , introduction	

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February 11	law and rhetoric	<p>Binder and Weisberg “Rhetorical Criticism of Law”</p> <p>Peter Brooks and Paul Gewirtz (eds) <i>Law’s Stories: Narrative and Rhetoric in the Law</i>, introduction</p> <p>Roland Barthes, “Dominici and the Triumph of Literature”</p>	
February 18	Antigone	<p>Sophocles, <i>Antigone</i>;</p> <p>Theodore Ziolkowski, <i>The Mirror of Justice</i>, Chapter Eight;</p> <p>TBA</p>	
February 25	merchant of venice	<p>Shakespeare, <i>The Merchant of Venice</i></p> <p>Brain Cormack, and Quentin Skinner’s texts on MV.</p> <p>Peter Goodrich, “Proboscations: Excavations in Comedy and Law,” in <i>Critical Inquiry</i> 43, no. 2</p>	

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March 3	the trial, Before the Law	Franz Kafka, <i>The Trial</i> Jacques Derrida, “Before the Law;” Jacques Derrida, <i>The Force of Law</i> , selections; Binder and Weisberg, “Deconstructive Criticism of Law”	
March 10	the trial II	Robin West, “Authority, Autonomy and Choice: A Contrast of the Jurisprudence of Franz Kafka and Richard Posner,” 99 HARV. L. REV. 1449 (1986)	
March 24	Eastern Europe (Romania and Soviet Russia)	Sinyavsky/Daniel, “On Trial;” Herta Muller, <i>The Appointment</i> ; Cristina Vatulescu, <i>Police Aesthetics</i> (selections)	
March 31	sociolegal studies	Introduction from Reader, TBA Sally Engle Merry, <i>Getting Justice or Getting Even</i>	

date	theme	reading	recommended
April 7	sociolegal studies	Malcolm Feeley, <i>The Process is the Punishment</i> Charles Goodwin, "Professional Vision." <i>American Anthropologist</i> 96(3): 606-633.	
April 14	Do your taxes! Death Penalty	sarat recommend derrida short film thin blue	
April 21	presentations		
April 28	presentations		