

Literature and Law, Theory and Practice: A Case Study in Interdisciplinarity
LJST 39, Spring 2009
Monday & Wednesday, 2-3:20
MCLS, Room 230

Ethan H. MacAdam
201 Clark House
Office hours: Monday & Wednesday, 9:10-10:40, and by appointment
Office phone: (413) 542-5369
E-mail: emacadam@amherst.edu
Mailbox: LJST Dept. Office, 208 Clark House (AC# 2261)

This course examines the phenomenon of interdisciplinary scholarship between the fields of legal and literary studies since the 1970s; while we will examine individual pieces of such work (including work emerging from certain areas of philosophy, without which the law-and-literature story cannot be told), our focus will be not only on *what* work has been done, but also on *why* it has been done, what has come of it and what still may. Questions to be examined include: What sorts of concerns have prompted thinkers to cross the boundary (is it a simple boundary?) between literature and law? On either side of this boundary, what institutional features (perhaps in flux themselves) have resisted, or else adapted to accommodate, such crossings? To what extent, and with what consequences, are the disciplines of literary and legal studies already importantly hybridized? How do scholars who write between these disciplines position themselves (and how are they positioned regardless) in addressing at least two distinct disciplinary audiences? Has such interdisciplinary research produced lastingly “better” results, for literary studies or legal scholarship, than disciplinarily bounded work? If not, what (if anything) be done to increase the utility of such work?

Required texts:

at Amherst Books:

William Shakespeare, *King Lear* (New Folger Library)
Sophocles, *Antigone*, *Oedipus the King*, *Electra* (Oxford World’s Classics)

course packet (available for purchase from Ms. Megan Estes-Ryan in the LJST department office); all other texts are on electronic reserve (see course site)

Course requirements: short paper (5-7 pgs.) preceded by a workshop presentation, and final paper (15-20 pgs.)

Attendance: There is no attendance policy for this course; if you do miss class, though, please make yourself responsible for catching up (through classmates, etc.) on what we did during that session. Generally, you will have the option of checking this course’s online site (i.e., in the CMS interface), where you can read/download most announcements, hand-outs, etc. (please be sure to examine all areas when looking for materials you may have missed). Occasionally, I may also post additional announcements or other items not mentioned in class, so it’s a good idea to check the course site once or twice a week even if you have been attending consistently.

Grading:

short-paper workshop presentation: 15%

short paper: 30%

final paper: 55%

HEATHER DUBROW ON LEAR

ON LEAR

Syllabus:

(p) - in course packet

(e) - on electronic reserve (see course site)

Jan. 26: Introduction

Jan. 28: Thomas Morawetz, "Law and Literature" (p)

Feb. 2: Julie Klein, "The Disciplinary Paradox" (p)

Feb. 4: Ronald Dworkin, "How Law is Like Literature" (p)

Feb. 9: Sanford Levinson, "Law as Literature" (e)

Feb. 11: Jane B. Baron, "Law, Literature, and the Problems of Interdisciplinarity" (e)

Feb. 16: Richard Posner, "Law and Literature: A Relation Reargued" (e)

Feb. 18: Sophocles, *Antigone*

Feb. 23: Mark Howenstein, "The Tragedy of Law and the Law of Tragedy in Sophocles' *Antigone*" (e)

Feb. 25: William Shakespeare, *The Tragedy of King Lear*

March 2: William M. Hawley, "King Lear and the Legality of Madness" (p)

March 4: **short paper workshops**

March 9: *Cargill v. Smartwood* (e)

March 11: Stanley Fish, "Force" (p)

short paper due

spring break!

March 23: Guyora Binder and Robert Weisberg, from "Narrative Criticism of Law" (p)

March 25: Peter Brooks, "Narrativity of the Law" (e)

March 30: *West Virginia v. Barnette* (e)

April 1: Robert Ferguson "Judicial Opinion as Literary Genre" (e)

April 6: James Boyd White, *The Legal Imagination* (selection) (p)

April 8: J. M. Balkin, "Deconstruction" (p)

- April 13: Jacques Derrida “Before the Law” (p)
April 15: Declaration of Independence (U.S.) (e)
- April 20: Jacques Derrida, “Declarations of Independence” (p)
April 22: Roberto Unger, “From Critique to Construction” (p)
- April 27: Unger, “Two Models of Doctrine” (p)
April 29: Julie Stone Peters, “Law, Literature, and the Vanishing Real: On the Future of an Interdisciplinary Illusion” (e)
- May 4: Jane B. Baron, “The Rhetoric of Law and Literature: A Skeptical View” (e)
May 6: Giorgio Agamben, “Force-of-Law,” “Gigantomachy Concerning a Void” (p)
- FINAL PAPER DUE**