

Law and Literature

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Please note that this is a summarized syllabus. The detailed version containing the course schedule and the complete list of references (bibliography and multimedia) will be presented to the students on the 1st day of class. Throughout the semester, we will work on excerpts of the fictional texts indicated below (see *Bibliography > Fiction*). The students are strongly encouraged to read these works during the summer.

Course Description:

The general objective of the course is to explore the intersection between law and literature through the analysis of the plots of five novels and a novella by 19th-century English and North American authors. Along with the massive political and social changes which took place in the “age of capital” (in Eric Hobsbawm’s terms), the nineteenth century was also marked by decisive developments and the consolidation of legal systems in Europe and in the Americas. Through the study of excerpts—supported by a secondary bibliography and multimedia resources—, we will aim at determining the ways in which the law is depicted in the fiction of George Eliot (*The Mill on the Floss*, 1860), Charles Dickens (*Oliver Twist*, 1837-38), Thomas Hardy (*Jude the Obscure*, 1895), Mark Twain (*Pudd’nhead Wilson*, 1894), Rebecca Harding Davis (*Life in the Iron Mills*, 1861) and Herman Melville (“Bartleby the Scrivener”, 1856). Our main goals are to understand how legal elements are embedded in the plots; to identify how the idea of law interferes and guides the outcome of the narratives; and to discuss whether the central presence of the law in these stories might engage the authors and their readers in an imaginary, and perhaps desired new social order. Our discussion of the texts and of the secondary sources will be guided by four themes: property and inheritance; marriage and divorce; the poor and the law; lawyers and judges. Furthermore, the course will provide the students with an overview of the field of law and literature as it developed in the United States, and its repercussions in Europe.

Course Objectives:

The classes will focus on the following questions:

- What are the intersections between law and literature? What are the origins and the basic aspects of this field of research?
- What can fiction teach us about the presence and influence of the law over the lives and destinies of individuals in 19th-century Britain and America?
- How do these narratives by George Eliot, Charles Dickens, Thomas Hardy, Mark Twain, Rebecca Harding Davis and Herman Melville enact and fictionalize legal issues and themes?
- What role does the depiction of law and the legal system play in these texts?
- How does the legal element guide and interfere with the outcome of each narrative?
- To what extent does the presence of law in these texts point to a different social order? Why does it matter?

Evaluation:

The students will be evaluated through the following tasks:

- Presentation and discussion of an article (group work – 20% of the grade)
- Short analysis of an excerpt (individual work - 20% of the grade)
- Final essay (individual work - 60% of the grade)

More information about the evaluation (including guidelines and deadlines!) will be provided on day 1. (N.B. I might adapt the evaluation according to the size of the group).

General Bibliography:

Fiction:

Dickens, Charles. *Oliver Twist* [1837-38]. (London: Penguin, 2012).

Eliot, George. *The Mill on the Floss* [1860]. Ed. Gordon S. Haight. Introduction by Dinah Birch (Oxford: Oxford University Press, 1997).

Hardy, Thomas. *Jude the Obscure* [1895]. Ed. Dennis Taylor (London: Penguin, 1998).

Davis, Rebecca Harding. *Life in the Iron Mills* [1861] in Cynthia Wolff (ed.), *Four Stories by American Women: Rebecca Harding Davis, Charlotte Perkins Gilman, Sara Orne Jewett, Edith Wharton* (London: Penguin, 1990).

Melville, Herman. "Bartleby the Scrivener" [1856] in *The Piazza Tales* (Richmond: Alma Books, 2018).

Twain, Mark. *Pudd'n'head Wilson* [1894]. Ed. Malcolm Bradbury (London: Penguin, 2004).

Secondary bibliography:

Abbott, H. Porter. *The Cambridge Introduction to Narrative*. Second Edition. (Cambridge: Cambridge University Press, 2008).

Baron, Christine; Sarfati Lanter (eds.), Judith. *Droit et littérature*. (Paris : SFLGC, 2019).

Dolin, Kieran. "Strange Cases in Victorian England in in Kieran Dolin (ed), *Law and Literature* (Cambridge: Cambridge University Press, 2018), 157-171.

Eagleton, Terry. *How to Read Literature*. (New Haven: Yale University Press, 2013)

Frank, Cathrine O. "Narrative and the Law" in Kieran Dolin (ed), *Law and Literature* (Cambridge: Cambridge University Press, 2018), 42-57.

Goodman, Nan. "Forming the Nation in Nineteenth-Century America" in in Kieran Dolin (ed), *Law and Literature* (Cambridge: Cambridge University Press, 2018), 172-187.

Hobsbawm, Eric. *The Age of Revolution. Europe; 1789-1848* (London: Widenfeld and Nicolson, 1962).

_____. *The Age of Capital: 1848-1875*. (London: Widenfeld and Nicolson, 1975).

Moretti, Franco. *The Bourgeois. Between History and Literature* (London: Verso, 2013).

White, James B. *The Legal Imagination*. (Chicago: The University of Chicago Press, 1985).

_____. "The Desire for Meaning in Law and Literature," *Current legal problems* Vol.53 (1) (Oxford: Oxford University Press, 2000), 131-149.

Williams, Raymond. *Culture and Society 1780-1950*. (London: Penguin Books, 1966).