

Exposition

Further Reading

Anker, Elizabeth S. and Bernadette Meyler, ed.

New Directions in Law and Literature

Oxford University Press, 2017

ISBN: 978-0-1904-5636-8

After its heyday in the 1970s and 1980s, many wondered whether the law and literature movement would retain vitality. This collection of essays, featuring twenty-two prominent scholars from literature departments as well as law schools, showcases the vibrancy of recent work in the field while highlighting its many new directions.

New Directions in Law and Literature furnishes an overview of where the field has been, its recent past, and its potential futures. Some of the essays examine the methodological choices that have affected the field; among these are concern for globalization, the integration of approaches from history and political theory, the application of new theoretical models from affect studies and queer theory, and expansion beyond text to performance and the image. Others grapple with particular intersections between law and literature, whether in copyright law, competing visions of alternatives to marriage, or the role of ornament in the law's construction of racialized bodies.

The volume is designed to be a course book that is accessible to undergraduates and law students as well as relevant to academics with an interest in law and the humanities. The essays are simultaneously intended to be introductory and addressed to experts in law and literature. More than any other existing book in the field, *New Directions* furnishes a guide to the most exciting new work in law and literature while also situating that work within more established debates and conversations.

Bagchi, Barnita, ed.

Urban Utopias: Memory, Rights, and Speculation

Jadavpur University Press, 2020

ISBN: 978-9-3836-6072-8

The social dreaming of Utopia is the object of both fantasy and quotidian reality in the world of today. The concept of utopia has travelled across boundaries of time and space, and manifests strongly in cities, which function as sites of hope and desire. With the rise of technocratic and neoliberal agendas across the world, global imaginations of the urban future have often excluded the more urgent questions of justice and human rights.

This volume, the fruit of a first collaboration between Utrecht University and Jadavpur University, comprises ten essays by scholars based in the Netherlands and India which foreground issues of rights, memory and justice in the speculative imaginaries of urban utopias in South and South-East Asia, and Europe. Embedded in literary and historical studies, this book enters into a lively engagement with questions such as: How do memory and utopia intersect in the urban? What debates and contestations emerge in the framing of the city as a place of hope, desire, and future-making? In sharp and studied contrast to speculations of the capitalist kind at the heart of urban real estate development and planning, this volume examines and uncovers new speculative insights on alternative imaginations of the city.

Barendt, Eric

Anonymous Speech: Literature, Law and Politics

Hart Publishing, 2016

ISBN: 978-1-8494-6613-4

Anonymous Speech: Literature, Law and Politics discusses the different contexts in which people write anonymously or with the use of a pseudonym: novels and literary reviews, newspapers and political periodicals, graffiti, and now on the Internet. The book criticises the arguments made for a strong constitutional right to anonymous speech, though it agrees that there is a good case for anonymity in some circumstances, notably for whistle-blowing. One chapter examines the general

treatment of anonymous speech and writing in English law, while another is devoted to the protection of journalists' sources, where the law upholds a freedom to communicate anonymously through the media. A separate chapter looks at anonymous Internet communication, particularly on social media, and analyses the difficulties faced by the victims of threats and defamatory allegations on the Net when the speaker has used a pseudonym. In its final chapter the book compares the universally accepted argument for the secret ballot with the more controversial case for anonymous speech.

This is the first comprehensive study of anonymous speech to examine critically the arguments for and against anonymity. These arguments were vigorously canvassed in the nineteenth century – largely in the context of literary reviewing – and are now of enormous importance for communication on the Internet.

Bose, Purnima

Intervention Narratives: Afghanistan, the United States and the Global War on Terror

Rutgers University Press, 2020

ISBN: 978-1-9788-0600-9

Intervention Narratives examines the contradictory cultural representations of the US intervention in Afghanistan that help to justify an imperial foreign policy. These narratives involve projecting Afghans as brave anti-communist warriors who suffered the consequences of American disengagement with the region following the end of the Cold War, as victimized women who can be empowered through enterprise, as innocent dogs who need to be saved by US soldiers, and as terrorists who deserve punishment for 9/11. Given that much of public political life now involves affect rather than knowledge, feelings rather than facts, familiar recurring tropes of heroism, terrorism, entrepreneurship, and canine love make the war easier to comprehend and elicit sympathy for US military forces. An indictment of US policy, Bose demonstrates that contemporary imperialism operates on an ideologically diverse cultural terrain to enlist support for the war across the political spectrum.

Braidotti, Rosi, Claire Colebrook and Patrick Hanafin, ed.

Deleuze and Law: Forensic Futures

Palgrave Macmillan, 2009

ISBN: 978-1-349-30281-9

Deleuze and Law: Forensic Futures explores the relation between law and life and the advent of a politics of 'life'. How have recent events focused social, political and cultural attention on the living body and its maintenance and management? The central concept, through which the embodiment of the subject will be examined will be that of 'bio-power'. Articulated by Michel Foucault, but brought to attention more recently in the work of Giorgio Agamben, this concept recognises that the relation between life and law is both historical and necessary: the law must operate on bodies but can only do so by establishing a border between the body of the polity, and the mere life excepted from political concern. The contemporary advent of bio-politics occurs when the polity increasingly and invasively operates on this 'mere' life, and the body or organism - rather than the self - becomes the object of political management. The manner in which the body becomes the focus of contemporary power has led legal theory to explore new questions of the threshold between life and death and has led social theory to question the new extensions of the law and the polity into embodied life. The contributors explore the forensic shift in contemporary social theory and cultural sensibility from a number of perspectives.

Grüttemeier, Ralf

Literary Trials: Exceptio Artis and Theories of Literature in Court

Bloomsbury Academic, 2016

ISBN: 978-1-5013-0318-0

From the 19th century onwards, famous literary trials have caught the attention of readers, academics and the public at large. Indeed it is striking that more often than not, it was the texts of renowned writers that were dealt with by the courts, as for example Gustave Flaubert's *Madame Bovary* and Charles Baudelaire's *Les Fleurs du Mal* in France, James Joyce's *Ulysses* and Henry Miller's *Tropic of Cancer* in the US, D.H. Lawrence's *Lady Chatterley's Lover* in Great-Britain, up to

the more recent trials on Klaus Mann's *Mephisto* and Maxim Biller's novel *Esra in Germany*.

By bringing together international leading experts, *Literary Trials* represents the first step towards a systematic discussion of literary trials on a global scale. Beginning by first reassessing some of the most famous of these trials, it also analyses less well-known but significant literary trials. Special attention is paid to recent developments in the relationship between literature and judicature, pointing towards an increasing role for libel and defamation in the societal demarcation of what literature is, and is not, allowed to do.

Horsman, Yasco

Theatres of Justice: Judging, Staging and Working Through in Arendt, Brecht, and Delbo

Stanford University Press, 2010

ISBN: 978-0-8047-7737-7

What role do legal trials have in collective processes of coming to terms with a history of mass violence? How does the theatrical structure of a criminal trial facilitate and limit national processes of healing and learning from the past? This study begins with the widely publicized, historic trials of three Nazi war criminals, Eichmann, Barbie, and Priebke, whose explicit goal was not only to punish, but also to establish an officially sanctioned version of the past. The Truth and Reconciliation commissions in South America and South Africa added a therapeutic goal, acting on the belief that a trial can help bring about a moment of closure.

Horsman challenges this belief by reading works that reflect on the relations among pedagogy, therapy, and legal trials. Philosopher Hannah Arendt, poet Charlotte Delbo, and dramaturg Bertolt Brecht all produced responses to historic trials that reopened the cases those trials sought to close, bringing to center stage aspects that had escaped the confines of their legal frameworks.

Laros, Ted

Literature and the Law in South Africa, 1910-2010: The Long Walk to Artistic Freedom

Fairleigh Dickinson University Press, 2018

ISBN: 978-1-6839-3016-7

In 1994, artistic freedom pertaining inter alia to literature was enshrined in the South African Constitution. Clearly, the establishment of this right was long overdue compared to other nations within the Commonwealth. Indeed, the legal framework and practices regarding the regulation of literature that were introduced following the nation's transition to a non-racial democracy seemed to form a decisive turning point in the history of South African censorship of literature. This study employs a historical sociological point of view to describe how the nation's emerging literary field helped pave the way for the constitutional entrenchment of this right in 1994. On the basis of institutional and poetological analyses of all the legal trials concerning literature that were held in South Africa during the period 1910-2010, it describes how the battles fought in and around the courts between literary, judicial and executive elites eventually led to a constitutional *exceptio artis* for literature. As the South African judiciary displayed an ongoing orientation towards both English and American law in this period, the analyses are firmly placed in the context of developments occurring concurrently in these two legal systems.

McClennen, Sophia A., and Alexandra Schultheis Moore, ed.

The Routledge Companion to Literature and Human Rights

Routledge, 2019

ISBN: 978-0-3673-6551-6

The Routledge Companion to Literature and Human Rights provides a comprehensive, transnational, and interdisciplinary map to this emerging field, offering a broad overview of human rights and literature while providing innovative readings on key topics. The first of its kind, this volume covers essential issues and themes, necessarily crossing disciplines between the social sciences and humanities. Sections cover:

- subjects, with pieces on subjectivity, humanity, identity, gender, universality, the particular, the body
- forms, visiting the different ways human rights stories are crafted and formed via the literary, the visual, the performative, and the oral
- contexts, tracing the development of the literature over time and in relation to specific regions and historical events
- impacts, considering the power and limits of human rights literature, rhetoric, and visual culture

Drawn from many different global contexts, the essays offer an ideal introduction for those approaching the study of literature and human rights for the first time, looking for new insights and interdisciplinary perspectives, or interested in new directions for future scholarship.

Richardson, Michael

Gestures of Testimony: Torture, Trauma and Affect in Literature

Bloomsbury Academic, 2016

ISBN: 978-1-5013-1580-0

After 9/11, the United States became a nation that sanctioned torture. Detainees across the globe were waterboarded, deprived of sleep, beaten by guards, blasted with deafening music and forced into obscene acts. Their torture presents a profound problem for literature: torturous pain and its traumatic aftermath have long been held to destroy language, shatter experience, and refuse representation. Challenging accepted thinking, *Gestures of Testimony* asks how literature might bear witness to the tortures of a war waged against fear itself.

Bringing the vibrant field of affect theory to bear on theories of torture and power, Richardson adopts an interdisciplinary approach to show how testimony founded in affect can bear witness to torture and its traumas. Grounded in provocative readings of poems by Guantanamo detainees, memoirs of interrogators and detainees, contemporary films, the Bush Administration's Torture Memos, and fiction by George Orwell, Franz Kafka, Arthur Koestler, Anne Michaels, and Janette Turner Hospital, Michael Richardson traces the workings of

affect, biopower, and aesthetics to re-think literary testimony. *Gestures of Testimony* gives shape to a mode of affective witnessing, a reaching beyond the page in the writing of torture that reveals violent trauma - even as it embodies its veiling.

Sapiro, Gisèle

The French Writers' War, 1940-1953

Duke University Press, 2014

ISBN: 978-0-8223-5191-7

The French Writers' War, 1940-1953, is a remarkably thorough account of French writers and literary institutions from the beginning of the German Occupation through France's passage of amnesty laws in the early 1950s. To understand how the Occupation affected French literary production as a whole, Gisèle Sapiro uses Pierre Bourdieu's notion of the "literary field." Sapiro surveyed the career trajectories and literary and political positions of 185 writers. She found that writers' stances in relation to the Vichy regime are best explained in terms of institutional and structural factors, rather than ideology. Examining four major French literary institutions, from the conservative French Academy to the *Comité national des écrivains*, a group formed in 1941 to resist the Occupation, she chronicles the institutions' histories before turning to the ways that they influenced writers' political positions. Sapiro shows how significant institutions and individuals within France's literary field exacerbated their loss of independence or found ways of resisting during the war and Occupation, as well as how they were perceived after Liberation.

Stern, Simon, Maksymilian del Mar, and Bernadette Meyler, ed.

The Oxford Handbook of Law and Humanities

Oxford University Press, 2020

ISBN: 978-0-1906-9562-0

How does materiality matter to legal scholarship? What can affect studies offer to legal scholars? What are the connections among visual studies, art history, and the knowledge and experience of law? What can the disciplines of book history, digital humanities, performance

studies, disability studies, and post-colonial studies contribute to contemporary and historical understandings of law? These are only some of the important questions addressed in this wide-ranging collection of law and humanities scholarship.

Collecting 45 new essays by leading international scholars, *The Oxford Handbook of Law and Humanities* showcases the work of law and humanities across disciplines, addressing methods, concepts and themes, genres, and areas of the law. The essays explore under-researched domains such as comics, videos, police files, form contracts, and paratexts, and shed new light on traditional topics, such as free speech, intellectual property, international law, indigenous peoples, immigration, evidence, and human rights. The Handbook provides an exciting new agenda for scholarship in law and humanities, and will be essential reading for anyone interested in the intersections of law and humanistic inquiry.