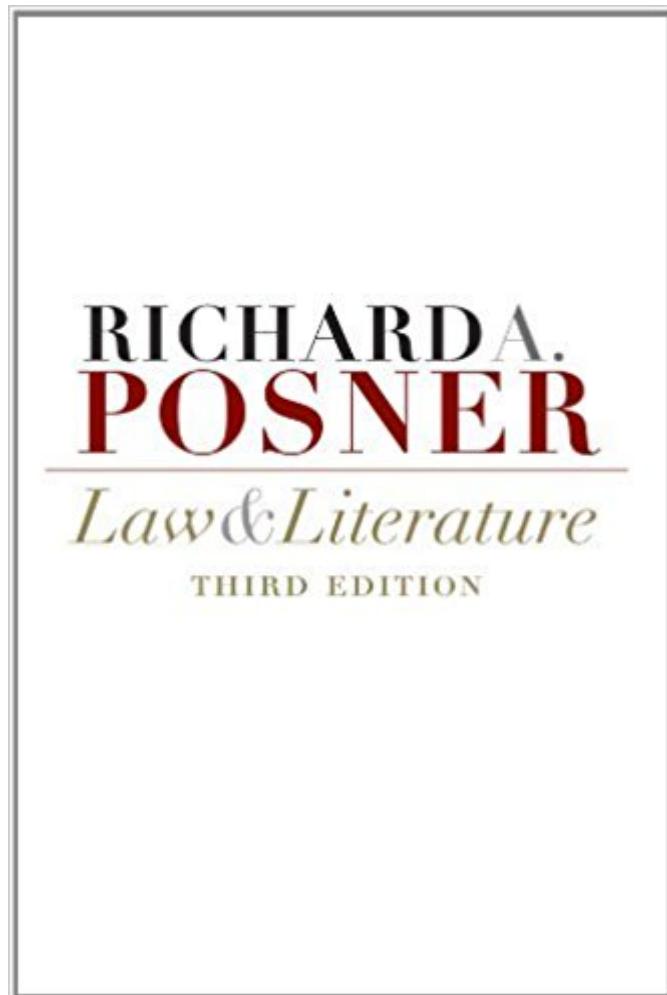


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Law And Literature



Synopsis

Law and Literature is the only book-length treatment of a widely popular subject that is drawing considerable academic attention. Leading legal scholar Richard Posner believes that courses and scholarship in law and literature provide an attractive alternative to courses and scholarship in jurisprudence (philosophy of law), especially since the study of literature can assist lawyers and judges by sharpening their rhetorical skills. The revised edition features considerable new material, including a consideration of plagiarism as well as discussions of novels that grapple with issues very pertinent today, such as illegal immigration, global warming, bioterrorism, surveillance, artificial reproduction, and virtual reality. Posner also discusses the role of the law in popular literature, movies, and television.

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Customer Reviews

A bit testy and sometimes more argumentative than instructive in laying out the field. He has a real antagonism toward the left who write in the field and goes on about it too much. He also says he is less judgmental in this edition about the books, but he certainly isn't. You know without a doubt what he considers mediocre or bad, and good. So it is not an even-handed book, but it does cover the

field well enough to merit reading.

Well written book

What's scary about this volume is the fact that the author sits as a judge near the pinnacle of our legal system. He reads literature as little more than a collection of affirmations of his own opinions, and then develops arguments, which give a superficial appearance of logic, to support his opinionated readings. Except for some cherry picking to support his readings, he generally ignores the vast body of scholarship on these works. He distorts basic facts about many of the works he chooses to write about, raising troubling questions about what he must do when he sits on the bench and decides the fate of actual people.

Posner is not a dumb man, but early in this book he notes that the law and literature movement is so popular because it is a cheap way to hide shoddy scholarship. He certainly proves his point here. My hopes in this book were dashed early on by his "critical introduction," where he relates that "[l]aw and literature is a field with a wide remit" by using Howards End to show the ubiquity of legal issues in even a non-legal literary text. The examples he uses, though, are so superficially related to law (e.g., taking arguments among the protagonists as examples of poor legal reasoning or the contrast between justice and mercy) that I don't know why he bothered. He sometimes indulges in annoying tangents and bizarre readings of literary texts to promote his own agenda. His command of ancient Greek sources, the Bible, and Shakespeare is especially laughable, full of elementary mistakes and poorly worded generalities. Anyone who takes away from Antigone the message that "intense religious feeling can undermine social peace" or from Lear that the king's "failure to grasp the force of self-interest is his undoing" is seriously violating his own earlier recommendation to not make texts into what you want them to say. I tried to give this book a chance but after about the first third just couldn't take it anymore.

A wonderfully original and instructive study of what literature has to teach about the law, the methods of legal argument, and the interpretation of statutes and the Constitution.

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