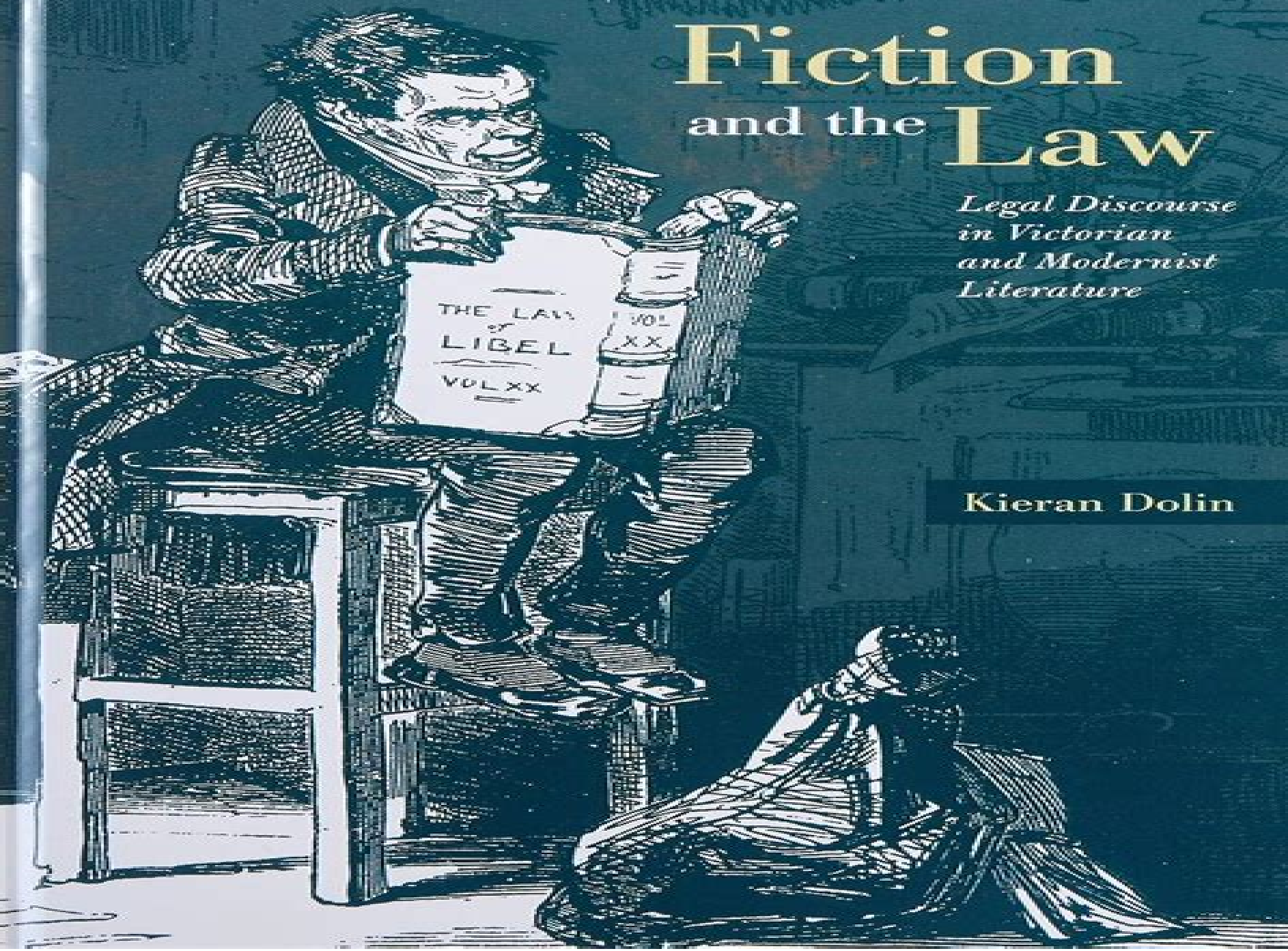


Fiction and the Law

*Legal Discourse
in Victorian
and Modernist
Literature*

Kieran Dolin



Fiction And The Law Legal Discourse In Victorian And Modernist Literature

Desmond Manderson



Fiction And The Law Legal Discourse In Victorian And Modernist Literature:

Fiction and the Law Kieran Dolin, 2009-01-18 Law and literature have been two of the most powerful discourses in the construction of social reality. The relationship between the two has emerged as a vital new area of study as literature has influenced popular understanding of law. Utilizing legal and literary theory, Kieran Dolin examines the interplay between legal discourse and the novel in the century between Walter Scott and E. M. Forster. This comprehensive study draws on legal and literary theory to trace this important convergence of disciplines in a series of canonical Victorian and Modernist texts.

Criminal Law and the Modernist Novel Rex Ferguson, 2013-07-08 The realist novel and the modern criminal trial both came to fruition in the nineteenth century. Each places a premium on the author's or trial lawyer's ability to reconstruct reality, reflecting modernity's preoccupation with firsthand experience as the basis of epistemological authority. But by the early twentieth century, experience had fallen in value. The modernist novel and the criminal trial of the period began taking cues from a kind of nonexperience, one that nullifies identity, subverts repetition, and supplants presence with absence. Rex Ferguson examines how such nonexperience colours the overlapping relationship between law and literary modernism. Chapters on E. M. Forster's *A Passage to India*, Ford Madox Ford's *The Good Soldier*, and Marcel Proust's *In Search of Lost Time* detail the development of a uniquely modern subjectivity, offering new critical insight to scholars and students of twentieth-century literature, cultural studies, and the history of law and philosophy. **Thomas**

Hardy's Legal Fictions Trish Ferguson, 2013-08-20 Explores Thomas Hardy's engagement with Victorian legal debates in his prose fiction. Thomas Hardy's fiction is examined in this book in the context of the seismic legal reforms of the nineteenth century, as well as legal discourse in the literature of the era. The book examines the ways in which Hardy's role as a magistrate and his interest in the law impacted fundamentally on his prose fiction. It demonstrates that throughout his prose fiction, Hardy engages with contentious legal issues that were debated by legal professionals and literary figures of his day, and argues that Hardy used fiction as a forum to question the extent to which legal reform improved the lives of women and the working classes. The study also looks at the ways in which Hardy deployed criminal plots derived from sensation fiction, and reveals that the genre's engagement with legal reform influenced not only his sensation novel *Desperate Remedies* (1871) but also the plots of his subsequent fiction. A New Companion to Victorian Literature and Culture Herbert F.

Tucker, 2014-02-14 **A NEW COMPANION TO VICTORIAN LITERATURE AND CULTURE** The Victorian period was a time of rapid cultural change which resulted in a huge and varied literary output. *A New Companion to Victorian Literature and Culture* offers experienced guidance to the literature of nineteenth-century Britain and its social and historical context. This revised and expanded edition comprises contributions from over 30 leading scholars who, approaching the Victorian epoch from different positions and traditions, delve into the unruly complexities of the Victorian imagination. Divided into five parts, this new Companion surveys seven decades of history before examining the key phases in a Victorian life: the leading

professions and walks of life the major literary genres the way Victorians defined their persons homes and national identity and how recent neo Victorian developments in contemporary culture reconfigure the sense we make of the past today Important topics such as sexuality denominational faith social class and global empire inform each chapter s approach Each chapter provides a comprehensive bibliography of established and emerging scholarship A Companion to the Victorian Novel William Baker, Kenneth Womack, 2002-01-30 Victorian novels remain enormously popular today some continue to be made into films while authors such as Charles Dickens and George Eliot are firmly established in the canon and taught at all levels These works have also attracted a great deal of critical attention with much current scholarship examining the novel in relation to its historical political and cultural contexts This reference book is an introductory guide to the Victorian novel its background and its legacy Each chapter is written by an expert contributor and offers a fresh account of past current and new directions in scholarship The volume is divided into several broad sections with chapters in each section treating more specialized topics The first section looks at the emergence of the Victorian novel and its literary precursors with particular emphasis on the growth of serialization and the development of the novel of syndication The second explores significant social and cultural facets of nineteenth century British literature while the third discusses the principal features of different genres such as ghost stories the Gothic detective fiction the social problem novel and contemporary film adaptations Individual authors are examined in the fourth section while the fifth overviews various critical approaches and their application to nineteenth century fiction **The Oxford Handbook of the Victorian Novel** Lisa Rodensky, 2013-07-11 Much has been written about the Victorian novel and for good reason The cultural power it exerted and to some extent still exerts is beyond question The Oxford Handbook of the Victorian Novel contributes substantially to this thriving scholarly field by offering new approaches to familiar topics the novel and science the Victorian Bildungsroman as well as essays on topics often overlooked the novel and classics the novel and the OED the novel and allusion Manifesting the increasing interdisciplinarity of Victorian studies its essays situate the novel within a complex network of relations among for instance readers editors reviewers and the novelists themselves or among different cultural pressures the religious the commercial the legal The handbook s essays also build on recent bibliographic work of remarkable scope and detail responding to the growing attention to print culture With a detailed introduction and 36 newly commissioned chapters by leading and emerging scholars beginning with Peter Garside s examination of the early nineteenth century novel and ending with two essays proposing the last Victorian novel the handbook attends to the major themes in Victorian scholarship while at the same time creating new possibilities for further research Balancing breadth and depth the clearly written nonjargon laden essays provide readers with overviews as well as original scholarship an approach which will serve advanced undergraduates graduate students and established scholars As the Victorians get further away from us our versions of their culture and its novel inevitably change this Handbook offers fresh explorations of the novel that teach us about this genre its culture and by

extension our own **Law and the Brontës** I. Ward,2011-12-12 In its exploration of legal issues presented in novels of the Brontë sisters this book represents a significant and original contribution to the study not just of the Brontës and the mid nineteenth century woman's novel but also the situation of women in nineteenth century English law and the debates which moved around its prospective reform **Teaching Nineteenth-Century Fiction** A. Maunder,J. Phegley,2015-12-04 This book brings together the experiences of Anglo American teachers and discusses some of the challenges which face teachers of nineteenth century fiction suggesting practical ways in which these might start to be overcome by considering the constantly changing canon issues related to course design and the possibilities offered by film and ICT **The Routledge Research Companion to Anthony Trollope** Deborah Denenholz Morse,Margaret Markwick,Mark W. Turner,2016-09-01 Bringing together leading and newly emerging scholars The Routledge Research Companion to Anthony Trollope offers a comprehensive overview of Trollope scholarship and suggests new directions in Trollope studies The first volume designed especially for advanced graduate students and scholars the collection features essays on virtually every topic relevant to Trollope research including the law gender politics evolution race anti-Semitism biography philosophy illustration aging sport emigration and the global and regional worlds **Kangaroo Courts and the Rule of Law** Desmond Manderson,2012-07-26 Kangaroo Courts and the Rule of Law The Legacy of Modernism addresses the legacy of contemporary critiques of language for the concept of the rule of law Between those who care about the rule of law and those who are interested in contemporary legal theory there has been a dialogue of the deaf which cannot continue Starting from the position that contemporary critiques of linguistic meaning and legal certainty are too important to be dismissed Desmond Manderson takes up the political and intellectual challenge they pose Can the rule of law be re configured in light of the critical turn of the past several years in legal theory rather than being steadfastly opposed to it Pursuing a reflection upon the relationship between law and the humanities the book stages an encounter between the influential theoretical work of Jacques Derrida and Mikhail Bakhtin and D H Lawrence's strange and misunderstood novel Kangaroo 1923 At a critical juncture in our intellectual history the modernist movement at the end of the first world war and struggling with the same problems we are puzzling over today Lawrence articulated complex ideas about the nature of justice and the nature of literature Using Lawrence to clarify Derrida's writings on law as well as using Derrida and Bakhtin to clarify Lawrence's experience of literature Manderson makes a robust case for law and literature With this framework in mind he outlines a post positivist conception of the rule of law in which justice is imperfectly possible rather than perfectly impossible **Literature and Liberty** Allen Mendenhall,2014-02-19 The economic theories of Karl Marx and his disciples continue to be anthologized in books of literary theory and criticism and taught in humanities classrooms to the exclusion of other competing economic paradigms Marxism is collectivist predictable monolithic impersonal linear reductive in short wholly inadequate as an instrument for good in an era when we know better than to reduce the variety of human experience to simplistic formulae A

person's creative and intellectual energies are never completely the products of culture or class. People are rational agents who choose between different courses of action based on their reason, knowledge, and experience. A person's choices affect lives, circumstances, and communities. Even literary scholars who reject pure Marxism are still motivated by it because nearly all economic literary theory derives from Marxism or advocates for vast economic interventionism as a solution to social problems. Such interventionism, however, has a track record of mass murder, war, taxation, colonization, pollution, imprisonment, espionage, and enslavement—things most scholars of imaginative literature deplore. Yet most scholars of imaginative literature remain interventionists. *Literature and Liberty* offers these scholars an alternative economic paradigm, one that over the course of human history has eliminated more generic evils than any other system. It argues that free market or libertarian literary theory is more humane than any variety of Marxism or interventionism. Just as Marxist historiography can be identified in the use of structuralism and materialist literary theory, so should free market libertarianism be identifiable in all sorts of literary theory. *Literature and Liberty* disrupts the near monopolistic control of economic ideas in literary studies and offers a new mode of thinking for those who believe that arts and literature should play a role in discussions about law, politics, government, and economics. Drawing from authors as wide-ranging as Emerson, Shakespeare, E. M. Forster, Geoffrey of Monmouth, Henry Hazlitt, and Mark Twain, *Literature and Liberty* is a significant contribution to libertarianism and literary studies.

Symbolism 21 Florian Klaeger, Klaus Stierstorfer, Marlena Tronicke, 2021-10-25. Special Focus Law and Literature. This special focus issue of *Symbolism* takes a look at the theoretical equation of law and literature and its inherent symbolic dimension. The authors all approach the subject from the perspective of literary and book studies, foregrounding literature's potential to act as supplementary to a very wide variety of laws spread over historical, geographical, cultural, and spatial grounds. The theoretical ground laid here thus posits both literature and law in the narrow sense. The articles gathered in this special issue analyse Anglophone literatures from the Renaissance to the present day and cover the three major genres: narrative, drama, and poetry. The contributions address questions of the law's psychoanalytic, subconscious, copyright, and censorship; literary negotiations of colonial and post-colonial territorial laws; the European refugee debate and migration narratives; fictional debates on climate change; contemporary feminist drama; and classic 19th-century legal narratives. This volume includes two insightful analyses of poetic texts with a special focus on the fact that poetry has often been neglected within the field of law and literature research. Special Focus editor Franziska Quabeck, Westfälische Wilhelms-Universität Münster, Germany.

Law and the Humanities: Cultural Perspectives Chiara Battisti, Sidia Fiorato, 2019-12-02. This volume investigates interdisciplinary intersections between law and the humanities from the Renaissance to the present day. It allows for fruitful encounters between different disciplines: from literature to science, from the visual arts to the post-human, from the postmodern novel's experimentation to most recent approaches towards the legal interpretation of literary texts. This productive dialogue fosters original perspectives in the interpretation of and reflection upon identity, justice, power, and

human rights and values thus underlining the role of literature in the articulation of relevant cultural issues pertaining to specific periods

The Ritual Culture of Victorian Professionals Albert D. Pionke, 2016-02-24 Focusing on the middle decades of the nineteenth century Albert D Pionke's book historicizes the relationship of ritual class and public status in Victorian England His analysis of various discourses related to professionalization suggests that public ritual flourished during the period especially among the burgeoning ranks of Victorian professions As Pionke shows magazines court cases law books manuals and works by authors that include William Makepeace Thackeray Thomas Hughes Anthony Trollope Charles Dickens George Eliot and Elizabeth Barrett Browning demonstrate the importance of ritual in numerous professional settings Individual chapters reconstruct the ritual cultures of pre professionalism provided to Oxbridge undergraduates of oath taking in a wide range of professional creation and promotion ceremonies of the education promotion and public practice of Victorian barristers and of Victorian Parliamentary elections A final chapter considers the consequences of rituals that fail through the lens of the Eglinton tournament The uneasy place of Victorian writers who were both promoters of and competitors with more established professionals is considered throughout Pionke's book excavates Victorian professionals vital ritual culture at the same time that its engagement with literary representations of the professions reconstructs writers unique place in the zero sum contest for professional status

Law and Humanities Russell Sandberg, Daniel

Newman, 2024-01-09 This edited collection provides the first accessible introduction to Law and Humanities Each chapter explores the nature development and possible further trajectory of a disciplinary law and field Each chapter is written by an expert in the respective field and addresses how the two disciplines of law and the other respective field operate This edited work therefore fulfils a real and pressing need to provide an accessible introductory but critical guide to law and humanities as a whole by exploring how each disciplinary law and field has developed contributes to further scrutinizing the content and role of law and how it can contribute and be enriched by being understood within the law and humanities tradition as a whole

The Lawyer in Dickens Franziska Quabeck, 2021-09-07 The Lawyer in Dickens takes a closer look at the construction of his types of lawyers While Dickens's critique of the legal system and its representatives is almost proverbial a closer look at his lawyers uncovers a complex and ambiguous construction that questions their status as Victorian gentlemen These characters offer a complex psychology that often surpasses their minor or stereotypical role within various Dickens novels for they act not only as alter egos for different protagonists but also exhibit behaviour that reveals their abusive attitude towards women This book argues that Uriah Heep lays the groundwork for Dickens's conception of the lawyer in his later works The close analysis identifies a strong anxiety about the uncertain social status of professionals in the law but also unfolds a deeply troubled attitude towards women The novels express admiration for the lawyer's professional power yet the individual characters are simultaneously exposed as ungentlemanly This discussion shows that the lawyer in Dickens is a difficult creature not only because of his professional ambition and social transgression but also because of his intrusion into the

domestic space and into the lives of others especially women *Anthony Trollope's Late Style* Frederik Van Dam, 2016-01-19

This study focuses on Anthony Trollope's stylistic innovations in relation to Victorian liberalism. In his biography of William Makepeace Thackeray, Anthony Trollope posits the ideal of a man without style: 'I hold that gentleman to be the best dressed whose dress no one observes. I am not sure but that the same may be said of an author's written language.' Trollope's own appearance, unlike his written language, did not pass without observation. However, a contemporary poet recalls that he was 'hirsute and taurine of aspect.' This study unravels this paradox. It disentangles the many threads in Trollope's ostensibly transparent writing and reassembles the political and intellectual fabric that they weave, thus showing how Trollope's language exceeds and questions the concepts provided by contemporary ideologies.

Key Features Shows how Trollope's stylistic peculiarities perform his inflection of Victorian liberalism. Reads Victorian literature through the lens of German post-Romantic thinkers such as Goethe and Walter Benjamin. Presents a panorama of Victorian liberalism in its literary, intellectual, and political context. Examines the writings from the last decade of Trollope's life that have received only scant critical attention, such as his novellas and his biographies.

The Transatlantic Gothic Novel and the Law, 1790-1860 Bridget M. Marshall, 2016-02-17

Tracing the use of legal themes in the gothic novel, Bridget M. Marshall shows these devices reflect an outpouring of anxiety about the nature of justice. On both sides of the Atlantic, novelists like William Godwin, Mary Shelley, Charles Brockden Brown, and Hannah Crafts question the foundations of the Anglo-American justice system through their portrayals of criminal and judicial procedures and their use of found documents and legal forms as key plot devices. As gothic villains from Walpole's *Manfred* to Godwin's *Tyrrell* to Stoker's *Dracula* manipulate the law and legal system to expand their power, readers are confronted with a legal system that is not merely ineffective at stopping villains but actually enables them to inflict ever greater harm on their victims. By invoking actual laws like the Black Act in England or the Fugitive Slave Act in America, gothic novels connect the fantastic horrors that constitute their primary appeal with much more shocking examples of terror and injustice. Finally, the gothic novel's preoccupation with injustice is just one element of many that connects the genre to slave narratives and to the horrors of American slavery.

A Necessary Luxury Julie E. Fromer, 2008-11-15

Tea drinking in Victorian England was a pervasive activity that when seen through the lens of a century's perspective presents a unique overview of Victorian culture. Tea was a necessity and a luxury; it was seen as masculine as well as feminine; it symbolized the exotic and the domestic and it represented both moderation and excess. Tea was flexible enough to accommodate and to mark subtle differences in social status; to mediate these differences between individuals and to serve as a shared cultural symbol within England. In *A Necessary Luxury: Tea in Victorian England*, Julie E. Fromer analyzes tea histories, advertisements, and nine Victorian novels, including *Alice's Adventures in Wonderland*, *Wuthering Heights*, and *Portrait of a Lady*. Fromer demonstrates how tea functions within the literature as an arbiter of taste and middle-class respectability, aiding in the determination of class status and moral position. She reveals the way in which social identity and

character are inextricably connected in Victorian ideology as seen through the ritual of tea Drawing from the fields of literary studies cultural studies history and anthropology *A Necessary Luxury* offers in depth analysis of both visual and textual representations of the commodity and the ritual that was tea in nineteenth century England *Feminine Subjects in Masculine Fiction* M. Miller, 2013-04-23 Between 1870 and 1910 male authors were actively engaged with imagining new possibilities for women at the same time as the central female figure continued to function as a troubling and unreachable object of aesthetic desire This book examines these inscrutable female characters who were the ground on which fiction reinvented itself as Art

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Table of Contents Fiction And The Law Legal Discourse In Victorian And Modernist Literature

1. Understanding the eBook Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 - The Rise of Digital Reading Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 - Advantages of eBooks Over Traditional Books
2. Identifying Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 - User-Friendly Interface
4. Exploring eBook Recommendations from Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 - Personalized Recommendations
 - Fiction And The Law Legal Discourse In Victorian And Modernist Literature User Reviews and Ratings
 - Fiction And The Law Legal Discourse In Victorian And Modernist Literature and Bestseller Lists
5. Accessing Fiction And The Law Legal Discourse In Victorian And Modernist Literature Free and Paid eBooks

- Fiction And The Law Legal Discourse In Victorian And Modernist Literature Public Domain eBooks
 - Fiction And The Law Legal Discourse In Victorian And Modernist Literature eBook Subscription Services
 - Fiction And The Law Legal Discourse In Victorian And Modernist Literature Budget-Friendly Options
6. Navigating Fiction And The Law Legal Discourse In Victorian And Modernist Literature eBook Formats
 - ePub, PDF, MOBI, and More
 - Fiction And The Law Legal Discourse In Victorian And Modernist Literature Compatibility with Devices
 - Fiction And The Law Legal Discourse In Victorian And Modernist Literature Enhanced eBook Features
 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 - Highlighting and Note-Taking Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 - Interactive Elements Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 8. Staying Engaged with Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 9. Balancing eBooks and Physical Books Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
 11. Cultivating a Reading Routine Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 - Setting Reading Goals Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 - Carving Out Dedicated Reading Time
 12. Sourcing Reliable Information of Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 - Fact-Checking eBook Content of Fiction And The Law Legal Discourse In Victorian And Modernist Literature
 - Distinguishing Credible Sources
 13. Promoting Lifelong Learning

- Utilizing eBooks for Skill Development
- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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