

Law and Literature

Course Information

Meeting Time: Monday and Thursday from 11:45 – 1:30.

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Office: 330 Holmes Hall

Office Hours: Wednesday from 12:30 – 2:30, or by appointment.

Course Requirements and Grading Policy

- **Textbooks & Readings:**

- William Shakespeare, *The Merchant of Venice*
- Harper Lee, *To Kill a Mockingbird*
- Franz Kafka, *The Trial*
- Reginald Rose *Twelve Angry Men*
- Truman Capote, *In Cold Blood*
- Bernhard Schlink, *The Reader*
- Robert Louis Stevenson, *The Strange Case of Dr. Jekyll and Mr. Hyde*
- George Orwell, *1984*
- Joy Kogawa, *Obasan*
- Jane Austen, *Pride & Prejudice*

Additional readings will be posted to Blackboard.

- **Class Participation and Attendance: (10%)**

- Attendance is more than merely being in class. Participation is crucial to success in this course. Each class will consist of discussion of the assigned materials and their relationship to law, policy, and society. It is the responsibility of each student to come to class prepared to discuss the readings and to participate in the discussion.

- **4 Unit Papers (20% each)**

- These papers are short (5 - 7 pages) on topics as assigned. Grading will be based on both content and presentation; this includes grammar and style. Proof-reading is essential. Each paper will analyze a specific unit of the course, and the role of literature in framing our understanding of the legal issues in question.

- **Book Review Assignment (10%)**

- Students will select one novel from the reading list and write a book review. This assignment is due on the last day of class, **December 6th**, but can be done at any point in the semester. More specific information is available on Blackboard.

LATE ASSIGNMENTS ARE REDUCED ONE LETTER GRADE FOR EVERY 24 HOURS LATE

Academic Policies

- **Creating a HEALTHY and CONSTRUCTIVE Classroom Environment:** Students are expected to conduct themselves in an appropriate manner with respect for the opinions, ideas, values and thoughts of others.
- **Academic Rules:** The Northeastern University's Rules of Academic Honesty and Integrity apply to this course. The following is taken from the Academic Integrity Policy:

Academic Honesty and Integrity Policy: A commitment to the principles of academic integrity is essential to the mission of Northeastern University. The promotion of independent and original scholarship ensures that students derive the most from their educational experience and their pursuit of knowledge. Academic dishonesty violates the most fundamental values of an intellectual community and undermines the achievements of the entire University.

Cheating: Intentionally using or attempting to use unauthorized materials, information or study aids in any academic exercise.

Fabrication: Intentional and unauthorized falsification, misrepresentation, or invention of any information, data, or citation in an academic exercise.

Plagiarism: Intentionally or knowingly representing the words or ideas of another as one's own in any academic exercise without providing proper documentation of source by way of a footnote, endnote, or inter-textual note.

Unauthorized Collaboration: This refers to instances when students, each claiming sole authorship, submit separate reports which are substantially similar to one another. While several students may have the same source material (as in case write-ups), the analysis, interpretation, and reporting of the data must be each individual's.

For more information please see <http://www.northeastern.edu/osccr/academichonesty.html>

- **Disabilities:** Students attending Northeastern with documented disabilities are protected from discrimination and assured reasonable accommodations under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. If anyone in this class has a documented disability and would like to discuss reasonable accommodations please see either of us or contact the Disability Resource Center (<http://www.access-disability-deaf.neu.edu/index.html>).

Course Schedule and Readings

9 Sept.	Introduction: Course and Syllabus Overview
13 Sept.	<p style="text-align: center;">Law and Justice in Conflict</p> <p><u>Issues:</u></p> <ul style="list-style-type: none"> ◆ Can laws be unjust? How do we determine when that happens? How should society handle that tension? Are there certain higher laws or principles that can never legitimately be overturned by the state? <p><u>Readings:</u></p> <ul style="list-style-type: none"> ◆ Shirley Jackson, "The Lottery" (Blackboard) ◆ Ursula K. Le Guin, "The Ones Who Walk Away From Omelas" (Blackboard)
16 Sept.	<p style="text-align: center;">Law and Equity in Conflict</p> <p><u>Issues:</u></p> <ul style="list-style-type: none"> ◆ What happens when the courts fail to follow the letter of the law? What is "equity"? When are courts justified in ignoring legal rules to come to a ruling in conflict with the law? How do we view those who insist on their legal rights despite those rights' seeming to be unjust? <p><u>Readings:</u></p> <ul style="list-style-type: none"> ◆ William Shakespeare, <i>The Merchant of Venice</i>
20 Sept.	<p style="text-align: center;">Law and Equity in Conflict</p> <p><u>Readings:</u></p> <ul style="list-style-type: none"> ◆ William Shakespeare, <i>The Merchant of Venice</i>

23 Sept.	<p style="text-align: center;">The Role of the Lawyer – Lawyer as Hero</p> <p><u>Issues:</u></p> <ul style="list-style-type: none"> ◆ What role does the appointed lawyer play in our society? Why do so many revere Atticus as a hero? Do his actions justify that? What about the accusation that Atticus agrees with the racism present in his society? <p><u>Readings:</u></p> <ul style="list-style-type: none"> ◆ Harper Lee, <i>To Kill a Mocking Bird</i> (first half) <p style="text-align: center;">Assignment #1 Due – Unit Paper on Law, Justice, and Equity</p>
27 Sept.	<p style="text-align: center;">The Role of the Lawyer – Lawyer as Hero</p> <p><u>Readings:</u></p> <ul style="list-style-type: none"> ◆ Harper Lee, <i>To Kill a Mocking Bird</i> (second half)
30 Sept.	<p style="text-align: center;">Stranger in a Strange Land: The Incomprehensible Legal System</p> <p><u>Issues:</u></p> <ul style="list-style-type: none"> ◆ What do we do when the legal system is incomprehensible? Do we offer protections against that? How? What, specifically, do we require of the legal system? Why do we require these things? <p><u>Readings:</u></p> <ul style="list-style-type: none"> ◆ Franz Kafka, <i>The Trial</i> (first third)
4 Oct.	<p style="text-align: center;">Stranger in a Strange Land: The Incomprehensible Legal System</p> <p><u>Readings:</u></p> <ul style="list-style-type: none"> ◆ Franz Kafka, <i>The Trial</i> (second third)
7 Oct.	<p style="text-align: center;">Stranger in a Strange Land: The Incomprehensible Legal System</p> <p><u>Readings:</u></p> <ul style="list-style-type: none"> ◆ Franz Kafka, <i>The Trial</i> (last third)
11 Oct.	<p style="text-align: center;">Columbus Day – No Class</p>
14 Oct.	<p style="text-align: center;">The Role of the Jury</p> <p><u>Issues:</u></p> <ul style="list-style-type: none"> ◆ What is the proper role of the jury? Do we, as a society, place too much trust in juries? What would happen if a jury were to return an improper verdict? How does this impact our trust in the criminal justice system? <p><u>Readings:</u></p> <ul style="list-style-type: none"> ◆ Reginald Rose, <i>Twelve Angry Men</i> <p style="text-align: center;">Assignment #2 Due – Unit Paper on the Legal System</p>
18 Oct.	<p style="text-align: center;">Villain as Hero</p> <p><u>Issues:</u></p> <ul style="list-style-type: none"> ◆ How do we explain America's fascination with crime and criminals? Why are true crime novels so compelling? Is this an example of literature or merely sensationalism? What problems arise when society elevates criminals, particularly murderers, to this level of celebrity and notoriety? <p><u>Readings:</u></p> <ul style="list-style-type: none"> ◆ Truman Capote, <i>In Cold Blood</i> (first half)

21 Oct.	Villain as Hero
	<u>Readings:</u> <ul style="list-style-type: none"> ◆ Truman Capote, <i>In Cold Blood</i> (second half)
25 Oct.	Crime and Punishment
	<u>Issues:</u> <ul style="list-style-type: none"> ◆ How do we determine a just punishment? Are all crimes equal? Are all criminals equally culpable? What impact should subsequent conduct have on sentencing if punishment is delayed? What is the purpose of punishment? <u>Readings:</u> <ul style="list-style-type: none"> ◆ Bernhard Schlink, <i>The Reader</i> (first half)
28 Oct.	Crime and Punishment
	<u>Readings:</u> <ul style="list-style-type: none"> ◆ Bernhard Schlink, <i>The Reader</i> (second half)
1 Nov.	Crime and Punishment
	<u>Readings:</u> <ul style="list-style-type: none"> ◆ Philip K. Dick, "The Minority Report" (Blackboard)
4 Nov.	Crime, Punishment, and Mental Incapacity
	<u>Issues:</u> <ul style="list-style-type: none"> ◆ What role does mental defect play in criminal sanctions? What if that mental defect is self-inflicted? <u>Readings:</u> <ul style="list-style-type: none"> ◆ Robert Louis Stevenson, <i>The Strange Case of Dr. Jekyll and Mr. Hyde</i>
8 Nov.	Government Surveillance and Control
	<u>Issues:</u> <ul style="list-style-type: none"> ◆ When does government go too far? What role does government surveillance play on policy? On society's faith in government? Should those who have nothing to hide be worried? At what point? <u>Readings:</u> <ul style="list-style-type: none"> ◆ George Orwell, <i>1984</i> (first half) <p style="text-align: center;">Assignment #3 Due: Unit Paper on Criminal Law</p>
11 Nov.	Veteran's Day: No Class
15 Nov.	Government Surveillance and Control
	<u>Readings:</u> <ul style="list-style-type: none"> ◆ George Orwell, <i>1984</i> (second half)
18 Nov.	Government Surveillance and Control
	<u>Issues:</u> <ul style="list-style-type: none"> ◆ Does war justify an intrusion into civil rights? If so, how? Are there any limits? If not, what should be done about it? How can the government justify or atone for its actions? <u>Readings:</u> <ul style="list-style-type: none"> ◆ Joy Kogawa, <i>Obasan</i> (first half)

22 Nov.	<p style="text-align: center;">Government Surveillance and Control</p> <p><u>Readings:</u></p> <ul style="list-style-type: none"> ◆ Joy Kogawa, <i>Obasan</i> (second half)
25 Nov.	<p style="text-align: center;">Thanksgiving Recess – No Class</p>
29 Nov.	<p style="text-align: center;">Law as a Social System</p> <p><u>Issues:</u></p> <ul style="list-style-type: none"> ◆ What role does the legal system overall play in the social position of the young women? What about inheritance and property law generally? How is this reflected in society's expectations of proper behavior and a woman's role in society? <p><u>Readings:</u></p> <ul style="list-style-type: none"> ◆ Jane Austen, <i>Pride & Prejudice</i> (First and Second Third)
2 Dec.	<p style="text-align: center;">Law as a Social System</p> <p><u>Readings:</u></p> <ul style="list-style-type: none"> ◆ Jane Austen, <i>Pride & Prejudice</i> (Last Third)
6 Dec.	<p style="text-align: center;">Conclusion – Semester Wrap Up</p> <p><u>Readings:</u></p> <ul style="list-style-type: none"> ◆ To Be Assigned <p style="text-align: center;">Assignment #4 Due: Law as a Social System and Government Surveillance (Flexible) Book Review Assignment Due</p>