Mining the Law/Literature Enterprise

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Binder, Gyora, and Robert Weisberg, 2000. *Literary Criticisms of the Law*. Princeton: Princeton University Press. xv + 539 pp.

Amsterdam, Anthony G., and Jerome Bruner, 2000. *Minding the Law*. Cambridge: Harvard University Press. 291 pp.

Dershowitz, Alan M. 2000. *The Genesis of Justice: Ten Stories of Biblical Injustice that Led to the Ten Commandments and Modern Law*. New York: Warner Books. xii + 259 pp.

Schramm, Jan-Melissa. 2000. *Testimony and Advocacy in Victorian Law, Literature, and Theology*. Cambridge: Cambridge University Press. xvi + 192pp.

College Literature has provided updating reviews of new books in law and literature (1999, 26.2; 1994, 21.2) as well as a special issue on the topic of law and literature (1998, 25.1). The present review continues this service with four new books, representing only a

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limited part of a range of works that continue to issue forth in this field. For example, two recent books that this reviewer would have liked to consider in depth, had time and space allowed, are Maria Aristodemou's *Law and Literature: Journeys from Here to Eternity* and Patricia Ewing and Susan S. Silbey's *The Common Place of Law: Stories from Everyday Life*. Aristodemou reminds us that stories, or myths, themselves acted as law in earlier times and that fictionality is itself a large part of law. She does so in chapters devoted to exemplary readings of individual works that range from Sophocles's *Oedipus Rex*, Shakespeare's *Measure for Measure*, and Emily Brontë's *Wuthering Heights* to Albert Camus's *The Outsider*, Angela Carter's *The Bloody Chamber*, Gabriel Garcia Marquez's *Chronicle of a Death Foretold*, and Jorge Luis Borges's *Dream Harder*. That she does so with a particular focus on the representation of women is yet another reason why her work holds interest. Her retellings rebirth feeling in the law, reaching out to others, the cyclical rather than the linear, and, as Aristodemou puts it in her analysis of Ariadne and the Minotaur, new entrances to the legal labyrinth. Ewick and Silbey's work, by contrast, presents a fresh reading for a wholly different reason. This book grew out of a New Jersey Supreme Court Task Force request to address minority concerns and racial discrimination in the law. Looking at the differential use and impact of the law, stories of everyday experience emerged as a fresh point of departure as well as an opportunity to look in on the law from the eye view of the proverbial fly on the wall. Having approached their study from the point of view of legal consciousness and self-identity, they present the everyday stories and understandings of people who experience the law. Stories become a mode of inquiry and analysis for those who must live the law or act from within it. We are thus offered chapters that read the social construction, confusion, and contradiction of the law from "Before the Law," "With the Law," and "Against the Law."[1]

As an interdisciplinary field, law and literature has attracted works that break through narrow disciplinary perspectives to demonstrate the many ways in which law and literature interface or otherwise comment on one another. The works considered for review here must in some way have earned themselves a place in law and literature classrooms because they play in the interstices between disciplines or because they otherwise bust predictable boundaries and open new ways of seeing and knowing about the ways law and literature can mean in relation to or in resistance against each other.

The centerpiece of this review essay is Gyora Binder and Robert Weisberg's massive tome of over 500 pages of theory (the fact that it is a book on theory makes its own contribution to the sense of the work's massiveness). *Literary Criticisms of the Law* breaks each of its chapters into two sections: one on literary theory and one on its application to legal studies.

Hermeneutics, narrative criticism, rhetorical criticism, deconstructive criticism, and cultural criticism each have their own chapter, some (hermeneutics) more evenly balanced than others, some (narrative and rhetoric) with double the emphasis on literary theory, and some (deconstructive and cultural criticism) with a much stronger sense of the applications to the law. In this sense, the chapter on cultural criticism, with three times more material on law than on literary theory, seems to represent the best balance and integration of material as well as the most applied treatment of the law and literature trope, given the book's focus on the influence of literary theory on law.

Binder and Weisberg raise interesting questions about the law as they pursue the variety of what they call "literary criticisms." They engage in a critical review of provocative work produced in hermeneutics, narrative, rhetoric, deconstruction, and cultural criticism. Among the luminaries whose work is considered, we find not only the originary work of Jacques Derrida, Robert Cover, Stanley Fish, and Martha Nussbaum, but also commentary and resistance from the likes of Patricia Williams, Drucilla Cornell, and Robin West, Duncan Kennedy, Ronald Dworkin, and Owen Fiss, among a host of others.

The authors argue that hermeneutics is both the beginning point and an ending of the interpretive enterprise. That is to say, that "law is interpretive in [a] broad sense, it depends on the meaning not just of authoritative texts, but also of roles, social practices, institutional histories, and cultural identities, and it constantly reshapes these cultural contexts" (200). In this sense, the law begins and ends with a text: the language text and culture as text. Interpretation is thus pervasive throughout the law, both in constructing a tradition and as a source of authority, even as the varying horizons of readers and texts need to be negotiated and reconciled for meaning to happen and for that meaning to be enacted. As those meanings are being negotiated, it becomes apparent that their boundedness and their convertability are very much at issue, as are the pastness of the past together with its currency.

Legal rhetoric connects the three sides of the dynamic triangle of reader, writer, and message in terms of questions of the legal subject, the call of the text, and the role of the judge. For White, rhetoric teaches us to see law and literature as a single culture of discourse that brings a community of values into being, a community that is thereby associated with the "subjectivity of meaning and value" (331). Because this culture of discourse is responsible for creating the community, it is inventive or creative in the same sense as literature. The issue for a liberal model of rhetoric then becomes how discourse can become a force capable of "reconstituting the authority of law in the face of the subjectivity of value" (376). Moreover, White invokes a dialectic of democratic discourse whereby public life brings those who disagree

together to address each other. Here, law "works by testing one version of its language against another, one way of telling a story and thinking about it against another" (353) so that it continually remakes itself, superior authority be damned. White's version brings us face to face with both "the lack of objective foundations for adjudication" (360) and the pursuit of participation in the making of the law, even if they are "nothing more than a pacifying spectacle" (362).

If we wish to address the concept of justice through literary criticisms, deconstructive theory is the place where some students of theory suspect we will find it fully considered. Their expectations are likely to be disappointed. Indeed, Binder and Weisberg conclude that deconstruction not only suffers from self-contradiction in its criticism of law, but that "it has little interesting to say about law in particular" (461). Justice itself is addressed in a tantalizing way by Derrida in two contradictory lectures delivered on separate occasions but published together as "Force of Law: The Mystical Foundation of Authority." In the first lecture, Derrida identifies deconstruction (defined as a "critical analysis of totalitarian logic . . . [a] discovery of the contradiction in every text" 397) with justice. Justice is left undefined other than to say that "deconstruction is justice" (399), "the ideal of justice is never instituted and so never defined" (401), and "to name justice is blasphemy, like speaking the name of God . . . one can only act justly or unjustly" (400). Nevertheless, insofar as legal institutions remain vulnerable to deconstruction—since they are constructed by human will—their deconstruction "makes justice possible" (401). There thus can be just judgment—that which is responsive to rules—despite the indeterminacy with which deconstruction is itself identified, for indeterminacy "is not an embarrassment to judgment, but a prerequisite to its appearing just" (402). Messianic ideals of justice will be found wanting and deconstructable (because they are constructed) next to the "ghostly" figuration of justice posited by Derrida, which is an elusive, infinite, and undecidable form. In the second lecture, Derrida exceeds himself in elusiveness, deconstructing the premises upon which the first lecture depended and undermining the deconstructive base of justice. Of interest here is the extension of deconstructivist thought contributed by critical legal studies where legal doctrine is redescribed "as an inventory of opposing arguments for resolving ambiguities in rules" (408). The arguments (presented in operation through an analysis of the *Lochner v. New York* decision) recursively repeat themselves throughout the levels of the legal system so that "the iterability of arguments in different contexts permits them no fixed meaning" (411). The second body of law that profits from deconstructive criticisms—feminist legal studies—takes a wholly different deconstructive stance that focuses on autonomous subjects, recognition of voices, and identity pol-

itics (exemplified in an analysis of *EEOC v. Sears*) and reiterates some of the themes that later arise in the discussion of cultural feminism.

As they explore how law can be said to be narrative, Binder and Weisberg raise questions about the extent to and ways in which law assimilates narrative. One might conclude that "narrative is inherent in law" (204), even that "legal authority depends upon the narrative imagination," as Cover, West, and Dworkin seem to suggest. But this is not the same thing as saying, as Binder and Weisberg seem to, that the law is inherently narrative, or "that legal theory is a kind of narrative literature" (287). As a way of seeing the law, Cover contends that it is "not merely a system of rules to be observed, but a world in which we live," which he calls a "Nomos," a world in which telling a story invokes a normative order (266, 279-80). Working backwards, using the constructs of Benedict Anderson's invented traditions and Michel Foucault's disciplinary society, Binder and Weisberg find a "link between the narrated nation and the narrated individual" (282). Resisting Binder and Weisberg on this point, we might more successfully hold that the law and narrative are somehow on a continuum represented by a single discursive process. Narrative, in other words, neither redeems law nor constitutes it, although there is considerable discussion that it is capable of ameliorating the law. The latter discussion leads to consideration of victim narratives in mobilizing participation in the law and the role of experiential storytelling in the law. Using Patricia Williams's metaphor of the "sausage-making machine" (258), the kind of self-representation that potentially becomes possible under the theory of narrativity defeats the linguistic shell-games that occur in the law. Participants on juries, for example, become aware of their ability to decide how people will be represented in the law by deciding what goes into and comes out of the sausage machine and by stretching the sausage skin as a "protective shell" over marginalized groups.

Cultural criticism presents in this work the most promising view of the law as literature trope, a view in which law is regarded "as a cultural practice of representing, contesting, and negotiating identities" (461). Having identified rhetoric, narrative, hermeneutics, and deconstruction as infused with skepticism and sentimentality, the authors find in the social and political aspects of cultural criticism a more interventionist and pragmatic view of the law that is capable of fashioning new virtues in the law. The hope is to apply literary analysis to particular legal disputes to create a better understanding of what is at stake in the law (461). Since the law is constructed by human will and since legal authority is the result of such construction, cultural criticism offers the opportunity to engage the law pragmatically and to build society. Accordingly, "We can 'read' and criticize law as part of the making of a culture" (463). The advantage of this approach is its interdisciplinary emphasis

and its blurring of the boundaries between the humanities and the social sciences, making possible ethnographic study of our own culture as itself of anthropological or archaeological interest. Legal phenomena are in this sense not only social texts but they play a role in composing culture. It is therefore unsurprising that the cultural criticism provided in this chapter incorporates readings of disputes as widely disparate as "the Chicago Seven trial, the Klaus Barbie war crimes trial, trials of Catholics in seventeenth-century England, the appellate cast of *Bowers v. Hardwick*, the Mashpee Indian lands trial, medieval Icelandic blood feuds, and violent street encounters" (464) as well as analysis of commercial law in a separate section dedicated to capitalism as an economic as well as a representational system. Law, in sum, not only represents us but enables us to become who we are.

New Historicism exemplifies cultural criticism in legal terms as an approach that treats law as social text, "a medium for negotiating and exchanging" (479) and for self-definition. Interested in uncanny sources of history, New Historicism sheds new light, for example, on both the trials of Klaus Barbie (of war criminal fame) and of Abbie Hoffman (of Chicago Seven notoriety). We are presented in the former with a trial that is symbolic and expressive of society's need to nail down the cultural meaning of the Holocaust, rather than merely to punish yet another war criminal. Barbie's defense—more coherent in light of today's events in the Palestinian territories than it was in the 1987 trial—seemed an off-center anti-Semitic outrage: that the act of Nazi occupation in France was no less an acceptable form of imperialism than Israel's own occupation of the West Bank or France's colonization of Algeria. The Hoffman trial, by comparison, offers us a defendant who not only puts Jews on both sides on civilization's divide through Abbie Hoffman's targeting of Judge Julius Hoffman—by way of "a dramatization of Marx's essay on the Jewish question" (482)—but it reminds us of the contest between legal rites and legal rights in the defendant's use of the trial to test the court's commitment to the civil rights of political subjects who are not themselves properly civil: as John Murray Cuddihy puts it in his study of the Hoffman trial (*The Ordeal of Civility*, 1974), "all civil rights are alienable with the nonperformance of civic rights" (482).

Binder and Weisberg have produced a critical work that Henry James would have called a baggy monster. In one long section in the chapter on rhetoric (339-353), for example, the authors provide a reading of James Boyd White's *When Words Lose Their Meaning* that reads like class notes for teaching. In that spirit the reading is of some interest, but its contribution to the argument the chapter makes is tenuous. The effort to present and critique theories, approaches, contributions, and a sense of historical development as well as to apply that same material to the law means that the reader must go

over a lot of material s/he has already seen, and at great length, so that if the book was half as long or if it had relegated much of its more intricate, and indeed repetitive, discussion to notes it might easily have done twice the work it needed to do. The density and amount of the literary theory, all things considered, leaves the reader frustrated at insufficient applications to the law. This quite fine book would profit from the kind of clarity that greater selectivity and focus would provide. The work itself refers to its project as concerned with "the many ways we can view law as a kind of literary or cultural activity" (ix), a construction of its intent that makes the weight of its attention on literary theory problematic. The quality of the analysis of literary theory is, in any case—irrespective of the fact that Binder and Weisberg are professors of law—often powerful, frequently eloquent, and, even for those of us from the literary side of the law and literature enterprise, worth reading for its insights and command of the material. Indeed, its take on literary theory from a perspective outside of the field provides an intersecting angle of vision that is fresh and thoughtful.

Anthony Amsterdam and Jerome Bruner's *Minding the Law* addresses the application of logical, literary, rhetorical, and cultural analyses to the study of seven Supreme Court opinions, chosen because the authors regard them as "unjust." The opinions largely relate to race (*Plessy v. Ferguson*, *Prigg v. Pennsylvania*, *Brown v. Board of Education*, for example), but consideration is given as well to family law and the death penalty (*McCleskey v. Kemp* and *Michael H. v. Gerald D.*). Building on a decade of teaching a lawyering theory colloquium, *Minding the Law* focuses primarily on a way of thinking about the law that incorporates anthropology, literature, logic, and rhetoric to defamiliarize the familiar and make lawyers aware of that which they take for granted in their understanding of the law. In this sense, the work is a piece of legal pedagogy that should enable its readers, in the authors' words, to discover the water in which they swim by jumping out of it. The conceptual model that underlies their approach is expressed as one in which rhetoric is a part of narrative, which underlies culture; culture is itself split into a tense dialectic between what is and what is not possible as it informs the law, which is caught in its own dialectic between stability and change. Each of the elements of their equation is given its own sub-section of two chapters, with an added sub-section on category systems in the law.

The first chapter of each set provides review background material and the second an analysis of related Supreme Court opinions. Category systems entail discovering the uses of categorizing moves, how they are made and what function they serve in systematic synopses of opinions by Chief Justice Rehnquist and Justice Scalia. In the case of the Scalia opinion, the authors engage in a lengthy discourse on adultery as combat myth utilizing three

examples from the Arthur-Guinevere-Lancelot legend and applying the categories of Vladimir Propp's structural analysis of folk tales. Narrativizing, in contrast to categorizing, examines the opinions by reading them as stories and considering them from a strictly narrative perspective, having provided a review of narrative theory that is necessarily somewhat thin. Nevertheless, the authors take the opportunity to consider the plots of what they consider a classic story of the conquering hero turned tyrant (using elements of the classical tragedies of Antigone and Agamemnon and the Shakespearean Julius Caesar and Othello), again a somewhat lengthy discourse that takes us off on a digression that is intermittently informative, not always illuminating, and sometimes forced. The section on rhetoric produces a rather conventional rhetorical analysis of what the authors consider "a seemingly standard drill in legal reasoning" in the *McClesky* opinion delivered and subsequently disavowed by Justice Powell. It remains for the chapters on culture to offer something less plodding and more original, a thoughtful consideration of a range of opinions on race from *Plessy* (1896) to *Freeman v. Pitts* (1992). The four approaches identified by Amsterdam and Bruner—categories, narratives, rhetoric and culture—have provided alternative strategies of reading the law, but it is the chapters on culture that provide the most satisfyingly substantive readings on case law. Here, the authors put together the parts of their model in a cultural context that provides a truly insightful sweep across the dialectical tensions that express the American racial dilemma. This chapter nevertheless insistently and extensively reduces to polemic in places, in spite of the text's claims that it does not intend to stake out a position.

Well documented throughout, the explanatory chapters are not always convincing, given the purpose they serve. They do tend to be informative, even if the style and usefulness of the analysis varies from one set of opinions to another. A happy idea in its conception, the work is uneven in its application. Unlike the Binder and Weisberg book, *Minding the Law* dips and surges as a work by two sets of hands; it might have profited from a final revision that would have made for a more seamless publication.

In his book *The Genesis of Justice*, Alan Dershowitz refers to his students in a Bible Seminar at Harvard Law School, to his Yeshiva friends, to his time in Israel reading biblical commentary, and to a weekly Bible class he joined with his wife. Dershowitz, it seems, has written a book that came from the classroom and is destined to return to it. In the book of Genesis, the author finds the foundation of Old Testament justice, a foundation that, problematically, "teaches about justice largely through examples of injustice and imperfection" (2). Relying on his own upbringing in the Synagogue, he creates what he refers to as "a law book explicitly rooted in the narrative of experience" (3), a book that, while it deals with covenants and commandments, is

no less interested in the principles of justice as they implicate human life where it is lived. He addresses lawyers like himself, Socratic commentators, and skeptics in his imaginary classroom in his effort to turn the dross of stories of injustice into the gold of prefigurements of justice. He focuses on stories rather than laws in early Jewish tradition as what make the biblical narratives enduring and affective; they give "context and give life to the rules that derive from them" (20).

Dershowitz is unafraid in his choice of ten tales—including such stories as Adam and Eve's encounter with the apple, Cain's murder of Abel, Noah's flood, God's destruction of Sodom and Gomorrah, Lot's rape by his daughters, Abraham's sacrifice of Isaac, and Joseph's revenge on his brothers. The tales demonstrate the anarchy of Old Testament narratives and the ways in which they create the possibility for informed and principled law moving in the direction of an "overarching substantive principle of justice" (254). For example, the story of the flood becomes an opportunity for God to recognize that He has done wrong and to learn from His own mistake. From the Abraham of the tale of Sodom, He learns to allow resistance, to listen, and to negotiate. From such dialogue arises the possibility of contract and a recognition of the rights of both parties, the sacred and the profane. The necessity of defending the guilty, the testing of unjust commands (together with the rejection of a defense that relies upon merely following orders), the pursuit of justice in the absence of rewards, the lack of symmetry in justice, the recognition that revenge and vigilantism are precursors to understanding the need for and developing the law are all features of Dershowitz's construction of a theory of Biblical law. Arguing back and forth with the great rabbinical scholars across the centuries, the author provides one perspective after another in a profusion of interpretive possibilities that enriches because, as he says in his discussion of Job arguing with God, "It is not a debate; it is an arm-wrestling contest" (76).

The Genesis of Justice offers a welcome antidote to the heavy theorizing of Binder and Weisberg and Amsterdam and Bruner. Dershowitz is nothing if not irreverent, colloquial, down to earth; he is, at one and the same time, mischievous and incisive. His wheels-within-wheels discussion of deceit in the lives of Jacob, Esau, Joseph, and Leah, for example, reads the Bible as "a cautionary tale warning against the wages of deception" (141), but the caution lies not only in drawing the right lesson but in knowing when not to apply it. In a world without recourse to a legal system, "In order to succeed and not be victimized, an individual must rely on either violence or guile" (141). Relying on one's wit carries, at the same time, a price, which the biblical figures pay even as the lesson of their own lives takes their world closer to a legal system that will make deception less necessary. As history, legal the-

ory, narrative, Dershowitz's storytelling provides a humanizing balance to the other works reviewed here that is no less well-informed and certainly more likely to leave his intended audience with an embodied sense of the law useful in both the classroom and life.

Jan-Melissa' Schramm's *Testimony and Advocacy*, like the Dershowitz book, engages religion, but with a much narrowed focus. Schramm takes a tight close-up on religious witnessing and testimony through martyrs, religious commentary, and the gospels, relating such testimony to the evidence and oral testimony of English nineteenth-century law in the criminal court trial and the Victorian novel. The book turns out to be an intermittently inspired look at the movement away from reliance on personal oaths to a fact-finding evidentiary model that finds its parallel first in romantic fiction and then in realism. Schramm both uncovers the hidden silence of the law and its apparent authority and examines "fiction's debt to the authority of the law and its ambivalent, ambiguous critique of the law's exclusionary power" (15).

Across the century, circumstantial evidence grew to challenge the validity of authorized testimony in a contest of physical evidence over eye witnessing. From its inception in the eighteenth century, the novel both mirrored and informed that contest in its confessional mode as well as its manipulation of evidence and its largely unimpressed representation of lawyers. Schramm presents a legal scene in which the accused initially represented himself but could not testify on his own behalf. Reforms led to a reversal of sorts in which, allowed legal representation, the accused found that he could no longer represent himself, although he could testify. The legal situation was further constrained by distinctions made over whether the defendant was authorized to give sworn testimony (largely those with credibility, largely landowners and those with social status who were thereby regarded as lacking the motive of self-interest and were considered unlikely to render falsified testimony) as opposed to those who were allowed only unsworn testimony or could not testify at all (members of the lower class, women, and children, whose testimony was either not considered competent or whose oath-taking was disallowed for lack of knowledge of the moral consequences of violating an oath). Schramm pursues her narrowed tale of the law, running her legal quarry to ground in a scene in which physical evidence was used to achieve a demonstration of proof and became a standard privileged beyond the religiously-informed moral certainty contributed by eye-witnessing.

Alternating between court cases, religious commentary, and literary analysis, Schramm hones in on novels by Henry Fielding, Anthony Trollope, Samuel Richardson, George Eliot, Charles Dickens, and Elizabeth Gaskell, the legal theory of such notables as Matthew Hale and William Blackstone,

the religious work of John Henry Newman, Thomas Sherlock, and Joseph Butler, the political theory of John Lock, John Stewart Mill, and Jeremy Bentham, and such infamous trials as those of William Palmer, François Courvoisier, and Frederick and Maria Manning. Moving between a "the accused speaks" model and evidentiary realism—suggested by the law—and a transcendent wholism that provides an omniscient eye—suggested by Scripture—the novel defines for itself an arena in which it must negotiate too loose and too strict an adherence to fact, relying on the mystery of fiction and its natural confessionary attributes. As Schramm asserts, "Victorian authors saw themselves as witnesses—as witnesses, perhaps, of a higher truth than that which the lawyers could prove in court" (183). Novelists thus created their own model of reality with potential for priority as a fuller vision than the law could offer. The novel's growing popularity led to a conflict with the law and a debate over the corrupting influence each exerted, the novel in the public and the law in the legal arena. At the same time, the press and the novel became competitors with the law to capture the intense public interest in contemporary trials.

What one expects from a work like *Trial and Advocacy* is not necessarily what one gets. Schramm maintains a uniquely individual approach to her subject that dictates an interdisciplinary interface of a type that others might not have chosen. Law and literature is a predictable enough combination, given its status as a widely embraced cross-disciplinary approach. The addition of religion to the mix—particularly around an issue as narrow as testimony—is a less easily anticipated, but nevertheless welcome and enlightening, move. The difficulty, of course, is that a reader from either of the three disciplines is likely to come away less than fully satisfied with her share of the disciplinary pie. That objection aside, the author develops considerable interest in the reader by pushing and pulling her law/literature/religion as testimony image back and forth to produce a series of insights that is always well informed, carefully thought through, and well demonstrated.

The works reviewed here offer a variety of perspectives on the law and literature approach that will prove eminently usable in the literature or law classroom. Covering material from legal and literary theory to court trials and Supreme Court opinions, from law as literature to law in literature, Binder and Weisberg, Amsterdam and Bruner, Dershowitz, and Schramm should find a place for themselves among required course texts and supplemental readings in the college and law school classrooms, deepening and expanding the repertoire of lively and informative material such classes offer.

Notes

[1] Other noteworthy books we would have recommended to our readers in recent years, but missed because time slipped away from us, modesty prevailed, or other responsibilities interfered, include Susan Richard Shreve and Porter Shreve's powerful collection of essays, largely by literary figures—among them John Edgar Wideman, Ntozake Shange, and Julia Alvarez—and journalists, indicting the marginalizing authority of the law (*Outside the Law: Narratives of Justice in America*); Kostas Myrsiades and Linda Myrsiades's *Un-Disciplining Literature: Literature, Law, and Culture*, an expansion of *College Literature*'s special issue that presented a variety of interdisciplinary perspectives on law and literature from issues of passport control, abortion clinic violence, subway crime, victims' rights, and postmodern pragmatics, to analysis of cult and colonizing novels; *Inside and Outside the Law: Anthropological Studies of Authority and Ambiguity*, an edited collection of essays by Olivia Harris that gave us such constructions of law as London prostitution, frontier vigilantism, bastards in the sixteenth- and seventeenth-century Andes, and tribal courts among the Tswana, among others; and Peter Brooks and Paul Gewirtz's edited collection *Law's Stories: Narrative and Rhetoric in the Law*, in which the legal side of the law and literature duplex self-examines its use of narrative in judicial opinions, trials, and legal story-telling to explore how narrative and rhetoric affect legal thinking and decision-making.

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