Interdisciplinary Conference: “Law and Fictional Discourse”

Date: Tuesday, May 19 – Thursday, May 21

Location: Yale University Whitney Humanities Center, 53 Wall St, Room 208

Keynote Address: Prof. Peter Brooks (Princeton/Georgetown Law)

Conference Coordinator: Hans Jochen Lind (hans.lind@aya.yale.edu)

Schedule:

Tuesday, May 19, 1 pm

1 pm: Panel 1: Law’s Stories: Narratives and Images in Legal Theory and Practice

1) Paulina Starski (Max Planck Institute, Heidelberg): Narratives in Legal Scholarship

2) Nancy Johnson (SUNY New Paltz): The Commerce of Modern Life”: Sentiment and the Law in Adam Smith’s Lectures on Jurisprudence

3) Michael Smith (Wyoming College of Law): Allegory: The Nexus of Metaphor and Narrative in Legal Persuasion

Coffee break

3 pm: Panel 2: Law’s stories: From Narrative to Fiction

4) Cathren Koehlert-Page (University of Texas School of Law): Breaking Bad Facts: What Intriguing Contradictions in Fiction Narratives Can Teach Lawyers About Coping with Harmful Evidence – on BREAKING BAD

5) Hugo Bowles (Università di Roma): Speech presentation in 19th century law reports and Dickens’s fiction

6) Simon Stern (University of Toronto): Legal Fictions and Literary Narrative

Coffee break

5 pm

7) Jeffery Johnson (Eastern Oregon University): EVIDENCE: In and About Literature, and In and About the Law

8) Laura Cisneros (Golden Gate University School of Law): Memory, History, and Forgetting in Shelby County v. Alabama

9) Paul Thelen (Northwestern University): Phenomenal fiction
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Wednesday, May 20

8:30 Panel 3: Fictional Discourse in Legal Theory and Practice I: The Fact/Fiction Dichotomy

1) **Christoph Bezemek** (WU Vienna): The Epistemological Neutrality of the Marketplace

2) **Karen Petroski** (Saint Louis University School of Law): Fact and Fiction in Ferguson

3) **Mel Topf** (Roger Williams University): Fictions and Legitimacy: State Supreme Court Advisory Opinions as Fictional Constructs

Coffee break

10:30

4) **Cynthia Merill** (UCLA): Fictions of Constitutional Privacy

5) **Erin Sheley** (University of Calgary Faculty of Law): Criminality, and the Fiction of the King’s Body

6) **Doris Pichler** (Graz): When a fiction becomes a criminal: The handling of fiction in legal sentences

12:30: Lunch break

2pm: Panel 4: Fictional Discourse in Legal Theory II: Re-assessing the Fact/Fiction Dichotomy

7) **Tal Kastner** (Cardozo Law School): Boilerplate: Deconstructing the Fiction of Contract

8) **Jesus Rodriguez-Velasco** (Columbia University): Fiction of Naturality

9) **Hans Lind** (Yale University): Fictio cessat ubi veritas locum habere potest – Re-assessing the Fact/Fiction Dichotomy in Legal Theory from a Continental Perspective.

Coffee break

4pm: Panel 5: Law goes Literature/Literature goes Law

10) **Lisa Siraganian** (SMU Dallas): Mistakes Were Made: Truths and Fictions of Corporate Intention

11) **Sarah Winter** (University of Connecticut): The Novelization of Habeas Corpus and the History of Human Rights

Coffee break

12) 6pm: **Keynote Address: Peter Brooks (Princeton/Georgetown Law)**
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Thursday, May 21

8:30: Panel 6: Fiction as Evidence / Literature becomes Law / Law becomes Literature

1) Luis Roberto Campos (University of New Brunswick Faculty of Law): Ahousat v Canada (Attorney General): Exploration Accounts as Evidence in Aboriginal Rights and Title Litigation

2) Ummi Khan (Carleton University): Rap and R&B as Reality: Feminist Complicity with Legal Interpretive Violence

3) Steitz, Kerstin (Old Dominion University) - Literature becomes the Law: Functions and Effects of Friedrich Schiller’s Wilhelm Tell in Fritz Bauer’s Summation in the Remer Trial (1952)

Coffee Break

10:30:

4) Daniela Gandorfer (Princeton): Heinrich von Kleist and Rudolph von Jhering. Interchanging chronological and hierarchical relations between Law and Literature as well as legal theory and fiction

5) Dan Farbmann (Harvard): Entanglements of the imaginary and the real – Tourgée and the break in American Literature

6) Robert Spoo (Tulsa College of Law) - Legal Paratexts: Binding Law into the Literary Text

12:30: Lunch Break

2 pm:

7) Sara Murphy (NYU): Fearful and Wonderful Institution – Belgravia

8) Jason Bell (Yale University): Improbable Cause in Wieland

9) Daniel Del Gobbo (Harvard Law School) - Reading Unreliability in Literature and the Law

Coffee Break

4pm: Panel 7: Before the Law: Franz Kafka

10) Marie-Luise Wünsche (University of Bonn) and Eva Stubenrauch (University of Koblenz-Landau): Karl Roßmanns kick-off by different forms of strange Laws.”

11) Martina Kolb (Susquehanna University/Philadelphia Center of Psychoanalysis): The Pursuit of Sentences. Trial, Error and the Grammar of Literary Law

12) Patrick Fortmann (University of Illinois at Chicago): Law and Liminality in Kafka