Record Nr. UNINA9910464228403321 Autore Schneck Peter <1960-> Titolo Rhetoric and evidence [[electronic resource]]: legal conflict and literary representation in U.S. American culture / / Peter Schneck Berlin; ; Boston, : Walter de Gruyter, 2011 Pubbl/distr/stampa **ISBN** 1-283-43010-X 9786613430106 3-11-025377-1 Descrizione fisica 1 online resource (300 p.) Collana Law & literature;;1 Classificazione HR 1520 810.9/3554 Disciplina American literature - History and criticism Soggetti Law in literature Law and literature - United States - History Law in mass media Electronic books. Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Description based upon print version of record. Nota di bibliografia Includes bibliographical references. Front matter -- Acknowledgements -- Table of Contents -- Chapter 1. Nota di contenuto Law, Literature, and the Predicament of Representation -- Chapter 2. Legitimate Fictions: Rhetoric and Evidence in the Law-and-Literature Movement -- Chapter 3 Wieland 's Testimony: Charles Brockden Brown and the Rhetoric of Evidence -- Chapter 4. The Judge and the Code: James Fenimore Cooper and the Common Law of Literature -- Chapter 5. Evidence and Identification: The Case(s) of To Kill a Mockingbird --Chapter 6. Dissenting Opinions: William Gaddis, Alan Dershowitz, and the Spectacles of Media Justice -- Bibliography The book traces the changing relation and intense debates between law Sommario/riassunto and literature in U.S. American culture, using examples from the 18th to the 20th century (including novels by Charles Brockden Brown, James Fenimore Cooper, Harper Lee, and William Gaddis). Since the early American republic, the critical representation of legal matters in literary fictions and cultural narratives about the law served an important function for the cultural imagination and legitimation of law and justice

in the United States. One of the most essential questions that literary

representations of the law are concerned with, the study argues, is the unstable relation between language and truth, or, more specifically, between rhetoric and evidence. In examining the truth claims of legal language and rhetoric and the evidentiary procedures and protocols which are meant to stabilize these claims, literary fictions about the law aim to provide an alternative public discourse that translates the law's abstractions into exemplary stories of individual experience. Yet while literature may thus strive to institute itself as an ethical counter narrative to the law, in order to become, in Shelley's famous phrase "the legislator of the world", it has to face the instability of its own relation to truth. The critical investigation of legal rhetoric in literary fiction thus also and inevitably entails a negotiation of the intrinsic value of literary evidence.