

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

5pm

- 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 Merrill** (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): Aousat 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