



ACADEMIC COURSE SYLLABUS

COURSE TITLE:	Law and Literature
COURSE NUMBER:	LAW E545
UNITS:	2
COURSE TYPE:	Elective
PROFESSOR(S) NAME:	Louise J. Belle, Esq.
PROFESSOR CONTACT INFO:	ljbelleslettres@gmail.com
SCHEDULE:	<p>Summer 2015, Wednesdays 6-8pm or 6-9pm (see weekly details) Room # 212 (NOTE: Classes run 5/13/15 to 8/18/15) May 13-20-27 and June 3-10-17-24, 6-8pm July 1 off July 8-15, 6-9pm July 22-29, 6-8pm August 5, 6-9pm August 18, 6-9pm (presentations of final projects)</p>
PREREQUISITES:	Completion of Introductory courses or equivalent.
COREQUISITES:	None
TEXTS AND MATERIALS:	<ul style="list-style-type: none"> • Cases, law review articles, and other readings, compiled on flash drive, available at school bookstore • Other texts, available from outside sources: <ul style="list-style-type: none"> • Golding, <i>Lord of the Flies</i> (1954) (any edition) • Orwell, <i>Animal Farm</i> (1946) (any edition) • Melville, <i>Billy Budd</i> (c. 1891, pub. 1924) (any edition) • Shakespeare, <i>The Merchant of Venice</i> (1597) (any edition)
COURSE DESCRIPTION:	This course will explore the relationship between law and literature. We will examine interrelated topics through a variety of legal, literary, and philosophical works. Special emphasis will be on studying literature to understand law and legal theories, including social and political order, legal formalism, equity, law and morality, and problems with the search for truth.
COURSE OBJECTIVES / ANTICIPATED LEARNING OUTCOMES: (Description of what students will be expected to and be able to do at the end of the course. What skills or knowledge will be gained by the end of the course.)	<ol style="list-style-type: none"> 1. Students will gain understanding of the relationship between law and literature, including law as portrayed and examined in literature, and case law as literature. 2. Students will gain understanding of the historical bases and development of various theories of justice. 3. Students will gain understanding of theories of social and political order, including situations involving “natural law,” and factors affecting the re-ordering of society through revolt and revolution. 4. Students will gain understanding of theories and applications of legal formalism and equity. 5. Students will gain understanding of the relationship between law and morality. 6. Students will gain understanding of problems with the search for truth, including variable reliability of eyewitness testimony, and

	<p>weaknesses of the jury system.</p> <p>Students should expect to spend a <u>minimum</u> of two hours/per hour of instruction time on assigned readings and briefing cases. For example, a 3-hour class would require at least 6 hours of outside preparation time per week.</p>
<p>FORMAT OVERVIEW / METHOD OF INSTRUCTION (Description of how the course will be taught, including breakdown of lecture, practicum, etc.)</p>	<p>Course material will be presented in a lecture-discussion format. Students should read all cases and other assigned materials. Be prepared to discuss all cases (including concurring and dissenting opinions) and all other readings assigned for each class. Class participation may include occasional short essays written in class in response to questions about the readings and class discussion.</p>
<p>EXAMS:</p>	<p>Exams begin promptly at 6 p.m. Take-home exams and papers must be submitted to the Law School office by 6 p.m. on the due date, unless otherwise noted. All students must take examinations as scheduled. It is recognized that in special circumstances and due to emergencies, it may be necessary to schedule delayed examinations. An emergency is defined as a serious illness or injury to the student or a member of his or her immediate family. Special circumstances are defined as other situations that, in the opinion of the Dean, are sufficient to warrant delay in taking examinations. Any student taking delayed examinations <u>must have the prior written approval of the Dean.</u> No examination may be taken <u>prior</u> to the day of the regularly scheduled examination. If delayed examinations are approved by the Dean, a fee of \$75 will be charged for <u>each such exam taken</u>. Failure to complete an exam is not sufficient reason for a late or retake exam.</p>
<p>GRADING / ASSESSMENT CRITERIA:</p>	<p>This class is graded as follows:</p> <p><u>Pass/Fail Classes:</u> 65 - 100 P Pass/Credit 64 and below F Fail/No Credit</p> <p><u>Grading Breakdown:</u> Pass/fail, based on a final project (50%) and class participation (50%). Class participation may include occasional short essays written in class in response to questions about the readings and class discussion. Both the quantity and quality of participation will be considered.</p> <p><u>Note:</u> Topics for the final project must be approved by the instructor, no later than <u>July 29.</u></p>
<p>ATTENDANCE:</p>	<p>Regular and punctual attendance is <u>essential</u> for the successful completion of law school. Students should plan to attend every class. Students must attend a minimum of 80% of class hours of the class sessions during each semester. Roll will be taken at each class. Class attendance is of particular importance in learning the material and understanding concepts.</p> <p><u>Note:</u> Some class sessions are 2 hours and some are 3 hours; students must attend 80% of total class hours.</p> <p>Make-up classes may be scheduled on evenings when classes are not usually held, on weekends, or made up on another night by staying</p>

	longer. Class sessions that are delayed or canceled because of holidays or policy of Empire College School of Law, and are re-scheduled for a different date are considered regularly scheduled class sessions, not make-up classes. A student who has exceeded the absence limits outlined will be automatically dropped from the course. A student who is dropped from a course will be required to repeat the course at its next offering in order to meet graduation requirements.
ASSIGNMENTS:	
Class 1: 5/13/15 6-8pm	<p><u>Topic:</u> Introduction/Overview</p> <p><u>Reading:</u> Note: This assigned reading is due on the first day of class.</p> <ul style="list-style-type: none"> • Kornstein, <i>The Law and Literature</i>, 66 N.Y. St. B.J. 34 (May/June 1994) • Witteveen, <i>Law and Literature: Expanding, Contracting, Emerging</i>, 10 Cardozo Stud. L. & Literature 155 (Winter 1998) • Luyster, <i>Lawyering Skills in Law and Literature</i>, 81-JAN Mich. B.J. 56 (January 2002) • Friedman, <i>History and Development of Law and Literature</i>, 41-FEB Md. B.J. 46 (January/February 2008)
Class 2: 5/20/15 6-8pm	<p><u>Topic:</u> Social and Political Order: Theories of Justice.</p> <p><u>Reading:</u></p> <ul style="list-style-type: none"> • <i>The Queen v. Dudley & Stephens</i>, 14 Q.B.D. 273 (1884) (excerpts) • Fuller, <i>The Case of the Speluncean Explorers</i>, 62 Harv. L. Rev. 616 (1949) • D'Amato, <i>The Speluncean Explorers—Further Proceedings</i>, 32 Stan. L. Rev. 467 (1980) • Coombs, <i>The Case of the Speluncean Explorers: Contemporary Proceedings</i>, 61 Geo. Wash. L. Rev. 1785 (August 1993)
Class 3: 5/27/15 6-8pm	<p><u>Topic:</u> Social and Political Order: Something from Nothing.</p> <p><u>Reading:</u></p> <ul style="list-style-type: none"> • Golding, <i>Lord of the Flies</i> (1954) (any edition) • Peter Brook on the Making of <i>Lord of the Flies</i>, http://www.criterion.com/current/posts/56-peter-brook-on-the-making-of-lord-of-the-flies, excerpted from Brook, <i>The Shifting Point: Theatre, Film, Opera 1946-1987</i> (Theatre Communications Group, 1994)
Class 4: 6/3/15 6-8pm	<p><u>Topic:</u> Social and Political Order: Revolt and Revolution.</p> <p><u>Reading:</u></p> <ul style="list-style-type: none"> • Orwell, <i>Animal Farm</i> (1946) (any edition) • Orwell, <i>Animal Farm: A Fairy Story</i> (Centennial Ed., Plume/Harcourt Brace Group 2003) (excerpts: Baker, 1996 preface, and Woodhouse, 1954 introduction) • Orwell, <i>A Life in Letters</i>, selected and annotated by Peter Davison (Liveright Publishing Co. 2010) (excerpt)
Class 5: 6/10/15 6-8pm	<p><u>Topic:</u> Legal Formalism and Equity: Doing Justice.</p> <p><u>Reading:</u></p> <ul style="list-style-type: none"> • Holmes, <i>The Common Law</i> (1881), Lectures 1 and 2 • <i>MacPherson v. Buick Motor Co.</i>, 217 N.Y. 382 (1916) • <i>Hynes v. New York Central R.R. Co.</i>, 231 N.Y. 229 (1921) • Glaspell, "A Jury of Her Peers" (1917) • Lawry, <i>The Moral Obligation of the Juror to the Law</i>, 112 Penn St. L. Rev. 137 (Summer 2007) (excerpts)
Class 6: 6/17/15 6-8pm	<p><u>Topic:</u> Legal Formalism and Equity: Law and Injustice.</p> <p><u>Reading:</u></p> <ul style="list-style-type: none"> • Melville, <i>Billy Budd</i> (c. 1891, pub. 1924) (any edition)

	<ul style="list-style-type: none"> • Solove, “Melville’s Billy Budd and Security in Times of Crisis, 26 Cardozo L. Rev. 2443 (May 2005)
Class 7: 6/24/15 6-8pm	<p><u>Topic:</u> Legal Formalism and Equity: Uses and Misuses.</p> <p><u>Reading:</u></p> <ul style="list-style-type: none"> • Shakespeare, <i>The Merchant of Venice</i> (1597) (any edition) • Yoshino, <i>The Lawyer of Belmont</i>, 9 Yale J.L. & the Humanities (Winter 1997) • Bilello, <i>Accomplished With What She Lacks: Law, Equity, and Portia’s Con</i>, 16 Law & Literature 11 (Spring 2004)
Class 8: 7/1/15 No class this night	No class this night
Class 9: 7/8/15 6-9pm	<p><u>Topic:</u> Law and Morality.</p> <p><u>Reading:</u></p> <ul style="list-style-type: none"> • Hyman, <i>The James Frey Scandal: A Million Frivolous Lawsuits</i>, 17 Seton Hall J. Sports & Ent. L. 211 (2007) (excerpts) <p><u>Film in Class:</u></p> <ul style="list-style-type: none"> • <i>My Kid Could Paint That</i> (2007)
Class 10: 7/15/15 6-9pm	<p><u>Topic:</u> Law and Morality (continued).</p> <p><u>Reading:</u></p> <ul style="list-style-type: none"> • Dahl, “Parson’s Pleasure” (1958) • Highsmith, “Not One of Us” (1981) • Highsmith, “Old Folks at Home” (1981) • Rendell, “An Outside Interest” (1982)
Class 11: 7/22/15 6-8pm	<p><u>Topic:</u> The Search for Truth.</p> <p><u>Reading:</u></p> <ul style="list-style-type: none"> • Akutagawa, “In a Grove” (1922) • Akutagawa, “Rashōmon” (1914) <p><u>Film in class:</u></p> <ul style="list-style-type: none"> • <i>Rashomon</i> (1950)
Class 12: 7/29/15 6-8pm	<p><u>Topic:</u> The Search for Truth (continued).</p> <p><u>Reading:</u></p> <ul style="list-style-type: none"> • Richie, <i>The Films of Akira Kurosawa</i> (1998) (excerpt) • Kamir, <i>Judgment by Film: Socio-Legal Functions of Rashomon</i>, 12 Yale L.J. & Human. 39 (Winter 2000) (excerpts)
Class 13: 8/5/15 6-9pm	<p><u>Topic:</u> The Search for Truth (continued).</p> <p><u>Reading:</u></p> <ul style="list-style-type: none"> • Gershman, <i>Contaminating the Verdict: The Problem of Juror Misconduct</i>, 50 S.D. L. Rev. 322 (2005) (excerpts) • Weisselberg, <i>Good Film, Bad Jury</i>, 82 Chi.-Kent L. Rev. 717 (2007) <p><u>Film in class:</u></p> <ul style="list-style-type: none"> • <i>12 Angry Men</i> (1957) <p><u>Conclusion:</u></p> <ul style="list-style-type: none"> • Review; further suggested readings and research
Class 13: 8/18/15 6-9pm (Tuesday)	<p><u>Final Project:</u> Each student is to give an oral presentation of about 15 minutes, on the topic of her or his choice. <u>Topics must be approved by July 29.</u></p>

Syllabi subject to change.