

Cambridge University Press

978-0-521-89905-5 - Law and the Humanities: An Introduction

Edited by Austin Sarat, Matthew Anderson and Cathrine O. Frank

Index

[More information](#)

Index

- Aboriginals Ordinance of 1918 (Australia), 408
 Abrams, Kathryn, 21–23
 Abrams, M. H., 509–510
 Ade Ajayi, A. F., 450
 Agamben, Giorgio, 151, 409
 Akyeampong, Emmanuel, 439
 Allen, Christopher, 481–482
 Amar, Akhil, 442
 Anderson, Benedict, 419
 Antaki, Mark, 497
Antigone, 143–144, 145–151, 157–158
 Aquinas, Thomas, 144–145, 344
 Architecture, postmodernism in,
 190–195
 Arendt, Hannah, 430, 476–477
 Aristotle, 63, 147, 161, 343
 Art, imagining law in, 292–312
 art of law, 295–297
 copyright law, 300–305
 creativity and innovation, 300–305
 cultural internationalism, 299–300
 cultural nationalism, 299–300
 cultural property law, 299–300
 defining art, 307–310
 depiction of law in art, 297–298
 generally, 292–295
 intellectual property law, 300–305
 protection of culture, 298–300
 tension between law and art,
 305–307
 Asad, Talal, 398
 Auden, W. H., 390
 Austen, Jane, 224, 225
 Austen, Ralph, 439
 Austin, J. L., 328–329, 383–384
 Australia, aboriginals in, 409–410
 Badiou, Alain, 336
 Bakhtin, Mikhail, 214–215, 487
 Balkin, Jack, 53, 57, 58–59, 325, 353–355, 505
 Ball, Milner S., 466
 Banville, John, 493
 Barbie, Klaus, 426
 Barkan, Elazar, 436, 448
 Barmash, Pamela, 127
 Barnett, Randy, 369
 Barsky, Robert, 90
 Bauman, Zygmunt, 193
 Baumann, Gerlinde, 130
 Beal, Timothy, 137
 Beattie, John, 481
 Beccaria, Cesare, 519
 Beckett, Samuel, 500
 Behn, Aphra, 217
 Bell, Ian, 489
 Bender, John, 215, 230, 488, 526
 Benjamin, Walter, 328, 398, 509
 Bentham, Jeremy, 483
 Berger, Raoul, 351
 Berkowitz, Roger, 497, 501–505, 507–510, 513, 514,
 515
 Berk-Seligman, Susan, 324
 Berlin, Ira, 422, 437
 Berman, Nathaniel, 191, 295
 Berry, Mary Frances, 445
 Best, Stephen, 449
 Biblical justice, 125–140
 abjection, 136–138
 anger of God, 130–131
 betrayal of God, 129–130, 138–139
 compassion, 126–127
 emotions of God, 133–134
 impurity and cleansing, 134–138

Cambridge University Press

978-0-521-89905-5 - Law and the Humanities: An Introduction

Edited by Austin Sarat, Matthew Anderson and Cathrine O. Frank

Index

[More information](#)

532

Index

- Biblical justice (*cont.*)
 reflexive retribution, 139–140
 retribution, 125–126, 128
 sin and punishment, 128–129, 131–134
 vengeance, 127–128
- Billy Budd*
 continuity in, 92–97
 heterogeneity in, 84–86
 movement in, 75–80
 overview, 73, 74–75
- Bilsky, Leora, 429–430
 Binder, Guyora, 430–431
 Biondi, Martha, 445
 Bittker, Boris, 447–448
 Bix, Brian, 326, 347–348
Bleak House, 231–234, 489–490, 491–492
 Blight, David, 422, 437
 Bloody Code (UK), 457–458
 Bourdieu, Pierre, 317–318, 337
 Braidotti, Rosi, 56
 Brandeis, Louis, 401
 Brandwein, Pamela, 442
 Brantlinger, Patrick, 487
 Brewer, David, 365
 Breyer, Stephen, 371
 Brooks, Peter, 385–386, 478–479, 481, 484–485
 Brooks, Roy L., 449
 Brophy, Al, 445
 Brown, Henry Billings, 388–389, 390, 391, 392, 396
 Brown, Wendy, 335
 Brown, William Wells, 392–393
 Budd, Mike, 277–278
 Burnett, Cathleen, 298
 Burns, Robert P., 468
 Bush, George W., 59, 103
 Butler, Judith, 143, 335, 384–385
- Calabresi, Guido, 10–11
 Caldwell, John, 272–273
 Camus, Jean-Yves, 450
 Capital punishment, 107–108, 526–527
 Carey, Peter, 493
 Carlin, John, 302
 Castle, Terry, 486
 Character-driven story (CDS) form of justice,
 163–164, 169–171, 174–175
 Charles V (Spain), 65
 Chirac, Jacques, 438
 Chivallon, Christine, 438
 Cicero, 63–64, 147, 343, 344
 “Cinematic jurisprudence,” 260–265
 Cleland, John, 237
 Collins, Wilkie, 234–235, 489
- Community, centrality of, 120–121
 Confessions, 483–485
 Constable, Marianne, 99–100, 108, 324–325, 326,
 327, 378–379, 385–387, 497
 Contingency, 102–103, 117
 Continuity, 92–97
 Billy Budd, in, 92–97
 Death and the Maiden, in, 92–94, 95–97
Cops, 283–290
 Copyright law, 300–305
 Corbin, Arthur, 362, 363–364
 Cornell, Drucilla, 206, 325, 327, 328
 Cornett, Judy, 486
 Corrective justice, 171–176
 Coughlin, Anne, 119
 Cover, Robert, 93, 244, 261–262, 321, 322, 327–328,
 332–333, 338, 381–382
 Craig, Steve, 277–278
Crash, 410–413
 Crenshaw, James, 125
 Crenshaw, Kimberlè, 384
 Criminal Evidence Act of 1898 (UK), 483
 Critical legal studies, 203, 204–206, 380
 Critical openness, 116–117
 Critical Race Theory, 206, 384–385, 425
 Criticisms of law and humanities, 113–115
 “CSI effect,” 269, 291
 Cultural internationalism, 299–300
 Cultural nationalism, 299–300
 Cultural property law, 299–300
 Culture, centrality of, 120–121
 Cumberland, Richard, 155–156
 Curtin, Philip, 439
 Curtis, Dennis, 298
 Cvetkovich, Ann, 235
- Dante Alighieri, 165, 180
 Dart, Gregory, 484–485
Death and the Maiden
 continuity in, 92–94, 95–97
 heterogeneity in, 87–89
 movement in, 75–76, 80–84
 overview, 73–75
 Declaration of the Rights of Man and Citizen
 (France), 67
 Deconstruction in law, 202–205, 208–209, 505–507
 Defining humanities, 49–51
 Defoe, Daniel, 217, 220–221, 236–238, 487
 Deger, Jennifer, 260
 Deleuze, Gilles, 205
 Delgado, Richard, 384
 de Man, Paul, 391, 397
 Democracy and equality, 109–113

Cambridge University Press

978-0-521-89905-5 - Law and the Humanities: An Introduction

Edited by Austin Sarat, Matthew Anderson and Cathrine O. Frank

Index

[More information](#)

Index

533

- de Quincey, Thomas, 485
- Derrida, Jacques, 159–160, 202–205, 206, 208, 325, 328, 337, 399, 402–404, 405, 412, 413–414, 496–497, 498–501, 503, 505–506, 512, 514
- de Tocqueville, Alexis, 468
- Diamantides, Marinos, 336–337
- Dickens, Charles, 231–234, 489–490, 491–492
- diCorcia, Philip-Lorca, 292
- Digital representation, 260–265
- Dimock, Wai Chee, 382
- Distributive justice, 176–181
- Dr. Jekyll and Mr. Hyde*, 387–388, 393–395, 396–397
- Dodds, John, 62–63
- Donohue, John J., 107–108
- Dorff, Elliot, 126
- Douglas, Lawrence, 84–85, 429, 469
- Douzinas, Costas, 19–20, 202–203, 298, 306–307
- Doyle, Aaron, 283, 284, 287
- Dubois, W. E. B., 392
- Durkheim, Emile, 54–55, 519–520
- du Toit, André, 432
- Dworkin, Ronald, 109, 141–142, 347, 348, 356–358, 369
- Eades, Diana, 335–336
- Economics, reductionism in, 104–107
- Eichmann trial, 429, 430
- Eisenhower, Dwight, 247
- Eliot, George, 491
- Elsen, Albert, 294
- Elshtain, Jean Bethke, 432
- Ely, John Hart, 369
- Equality and democracy, 109–113
- Erin Brockovich*, 246
- Eskridge, William, 367–368
- European Convention on Human Rights, 494–495
- Evans, David, 296–297
- Evidence Act of 1843 (UK), 483
- Ewick, Patricia, 317–318
- Farley, Christine Haight, 32–34
- Farmer, Lindsay, 41–43
- Feagin, Joe R., 447
- Felman, Shoshana, 387, 475, 494
- Ferguson, Robert A., 297, 468, 474–475
- Fiction. *See* Literature, imagining law in
- Fielding, Henry, 217, 481, 486–487, 488–489
- Fifteenth Amendment (US), 442–444
- Films, imagining law in, 241–268. *See also specific film*
“cinematic jurisprudence,” 260–265
- digital representation, 260–265
generally, 241–248
law and film studies, 265–268
law as film, 242–243, 254–260
law in film, 241–242, 248–253
- Finnis, John, 145, 152, 157, 344–345
- First Amendment (US), 384
- Fish, Stanley, 90, 362–363, 379–380
- Fishman, Jessica, 283, 284
- Fiss, Owen M., 9–11
- Fitzgerald, Robert, 401
- Flanagan, Richard, 493
- Force of Law*, 498–501
- The Fortunes and Misfortunes of the Famous Moll Flanders*, 220–222, 487
- Foucault, Michel, 230–231, 237, 458, 494, 525–526
- Fourteenth Amendment (US), 351, 388, 442–444
- Fourth Amendment (US), 279, 401
- France, slavery in, 449–451
- Frankfurter, Felix, 151–152
- Fretheim, Terrence, 129
- Freud, Sigmund, 144, 157, 159, 464
- Frickey, Philip, 367–368
- Frohmann, Lisa, 334
- Fuller, Lon, 141–142, 500, 503
- “Fundamentalism” of reason, 102–104
- Gadamer, Hans-Georg, 356, 359, 373
- Galanter, Marc, 424
- Gammie, John, 133, 138
- Garver, Gene, 99–100
- Gaskell, Elizabeth, 491
- Gates, Henry Louis, 328
- Geller, Paul Edward, 302
- Genesis of law and humanities, 2–11
- Genocide, 181–182
- Genocide Convention, 407
- George, Robert, 157
- Gerstenblith, Patty, 300
- Gerwitz, Paul, 479
- The Gift of Science*, 501–505
- Gillman, Derek, 300
- Giraud, Michel, 450–451
- Godwin, William, 485
- Goodman, Nan, 382–383
- Goodrich, Peter, 27–28, 220, 317–318, 323, 329–331, 336, 481
- Gordon, Robert, 424–425
- Gourevitch, Philip, 181–182, 185
- Graber, Mark, 442
- Greene, Graham, 237
- Greenspan, Alan, 104–105
- Grisez, Germain, 152, 157

Cambridge University Press

978-0-521-89905-5 - Law and the Humanities: An Introduction

Edited by Austin Sarat, Matthew Anderson and Cathrine O. Frank

Index

[More information](#)

534

Index

- Gross, Ariela, 40–41
 Grossman, Jonathan H., 228
 Grotius, Hugo, 153–154
 Gutmann, Amy, 433–434
- Habermas, Jürgen, 328–329, 373–374, 421
 Haggis, Paul, 410
 Halberstam, Chaya, 23–24
 Halbwachs, Maurice, 418
 Haldar, Piyel, 297
 Hamilton, Annette, 260
 Hand, Learned, 59
 Hart, H. L. A., 141–142, 346–348, 499, 500
 Hartman, Saidiya, 439–440, 449
 Hate speech, 384–385
 Hausner, Gideon, 429, 430
 Havemann, Paul, 409
 Hayner, Priscilla B., 432–433
 Haywood, Eliza, 217
 Hegel, G. W. F., 54–55, 143, 148–149, 510, 527–529
 Heidegger, Martin, 111, 355–356, 496–497, 501, 503, 504, 506
 Heinzelman, Susan Sage, 29–30
 Hermeneutics
 interpretation and, 355–360
 suspicion, of, 116–117
 Heterogeneity, 84–92
 Billy Budd, in, 84–86
 Death and the Maiden, in, 87–89
 Historicism in postmodernism, 194
 History of law and humanities, 61–70
 Hobbes, Thomas, 54–55, 154–155, 195–202, 322
 Hoffman, Lord, 59–60
 Holmes, O. W., 58, 59, 308, 363
 Hom, Sharon, 425
 Homeland security, 287–289
 Homer, 61–62, 401
 Homestead Act (US), 447
 Homicide, 280
 Honoré, Tony, 172
 Houck, Max, 269
 Human rights, law and humanities and, 70–72
 Humility, 121
 Hurd, Heidi, 345
 Husserl, Edmund, 317–318, 337
- Ideas of justice
 Biblical justice (*See* Biblical justice)
 character-driven story (CDS) form, 163–164, 169–171, 174–175
 corrective justice, 171–176
 distributive justice, 176–181
 generally, 161–164
 narrative and justice, 164–166
 natural law (*See* Natural law)
 overview, 23–28
 postmodern justice (*See* Postmodern justice)
 retributive justice, 166–171
 transitional justice, 181–187
 utopian form, 163–164, 179–181, 186–187
- Imagining law
 art, in (*See* Art, imagining law in)
 films, in (*See* Films, imagining law in)
 literature, in (*See* Literature, imagining law in)
 overview, 28–34
 television, in (*See* Television, imagining law in)
- Indian Evidence Act of 1872 (UK), 494–495
- Institutional processes in law
 judgment (*See* Judgment)
 overview, 41–46
 punishment (*See* Punishment)
 testimony (*See* Testimony)
 trials (*See* Trials)
- Intellectual property law, 300–305
- Intentionalism, 349–351
- Interpretation and law, 339–376
 Constitutional law, in, 369–372
 contract law, in, 341–342, 360–363
 generally, 339–342
 hermeneutics and, 355–360
 intentionalism, 349–351
 legal positivism and, 346–348
 natural law and, 344–345
 originalism, 349
 parol evidence rule, 341–342, 360–363
 statutory law, in, 363–368
 textualism, 352–355
 theoretical approaches to, 343
- Jackson, Michael, 455
 Jameson, Frederic, 180–181
 Jay, Martin, 298
 Jencks, Charles, 191
 “Jim Crow” laws, 440–441
 John, Juliet, 492
 Johnson, Barbara, 506
 Johnson, James Weldon, 392–393
 Johnston, Adrian, 151
 Jordan, Emma Coleman, 447
 Judgment, 496–516
 deconstruction and, 505–507
 generally, 496–498
 justice and, 512–515
 legal positivism, critiques of, 498–505
 literature, in, 510–511
 transcendentalism and, 507–510

Cambridge University Press

978-0-521-89905-5 - Law and the Humanities: An Introduction

Edited by Austin Sarat, Matthew Anderson and Cathrine O. Frank

Index

[More information](#)

Index

535

- Kafka, Franz, 190–191
 Kahn, Paul, 16–18, 383
 Kainz, Howard, 142, 152
 Kaminsky, Joel, 131
 Kamir, Orit, 96
 Kant, Immanuel, 54–55, 156–157, 159, 166–167
 Kapczynski, Amy, 444–445
 Karns, Alexander, 436
 Katznelson, Ira, 447, 448
 Kearns, Paul, 306
 Kearns, Thomas, 377
 Keenan, Thomas, 414
 Kellogg, Catherine, 24–25
 Kennedy, Duncan, 203, 380
 Kingsley, Ben, 83
 Klawans, Jonathan, 134–136, 138, 139
 Koch, Klaus, 126, 131–134, 138, 139
 Kozinski, Alex, 362–363
 Kristeva, Julia, 136–138
 Kucich, John, 494
 Kuhns, Richard, 64
 Kundera, Milan, 511
 Kwall, Roberta Rosenthal, 301
- Lacan, Jacques, 143–144, 149–151, 157–158, 328
 LaCapra, Dominick, 419, 421, 423
 LaFree, Gary, 334
 Lane, Philip, 280
 Lang, Fritz, 180
 Langbein, John, 482
 Langille, Brian, 500–501
 Language and law, 315–338
 culture and, 336–337
 generally, 317–318
 instrumental and phenomenological
 relationship, 323–326
 pedagogy and, 331–333
 philosophical and theoretical relationship,
 326–331
 supplementary models of humanist theory,
 319
 theory *versus* practice, 333–336
 Larsen, Nella, 392–393
 las Cases, Bartholomé de, 65–66
Law and Order, 274–283
 Law of Evidence Amendment Act of 1851 (UK),
 483
 Lawrence, Charles R., 384
 Lawrence, D. H., 237, 511
 “Law with humanities,” 51–57
 “Law without humanities,” 57–61
Learning from Las Vegas, 191–193
 le Corbusier, Henri, 191
- Lee, Susanna, 31–32
 Lefort, Claude, 152
 Legal positivism
 critiques of, 498–505
 interpretation and, 346–348
 Legal writing, 331–333
 Legendre, Pierre, 199, 336
 Leibniz, Gottfried, 502
Leviathan, 195–202
 Lévinas, Emmanuel, 203–204, 328, 506
 Levinson, Sanford, 53, 57, 58, 59, 335
 Lieber, Francis, 349–351, 355
 Linguistic processes in law
 interpretation (*See* Interpretation and law)
 language (*See* Language and law)
 memory (*See* Memory and law)
 overview, 34–41
 rhetoric (*See* Rhetoric and law)
 translation (*See* Translation and law)
 Literature, imagining law in, 213–240. *See also*
 specific novel or play
 generally, 213–216
 judgment in, 510–511
 misrepresentations in, 236
 obscenity, 236
 realism in, 216–222
 reformation in, 228–236
 romance in, 222–228
 “sensation novels,” 234–235
 testimony in, 485–493
Lolita, 236–239
 Luhmann, Niklas, 328
 Lumet, Sidney, 248
 Lyotard, Jean-François, 193–194, 399, 404–407,
 413–414
- MacKinnon, Catharine, 326
 Macpherson, Sandra, 225
 Maier, Charles, 420–421, 434
 Maine, Henry, 223
 Manderson, Desmond, 44–45
 Manley, Delarivier, 217
 Marcus, George, 335–336
 Marmor, Andrei, 348, 355
 Marshall, Thurgood, 442, 443
 Marx, Karl, 54–55, 186–187, 189
 Matoesian, Gregory M., 334
 Matsuda, Mari, 384
 M’Bala M’Bala, Dieudonné, 450
 McClean, Daniel, 302–303, 306
 McKeon, Michael, 486
 McLeod, Kembreu, 304
 McNeil, William, 291

Cambridge University Press

978-0-521-89905-5 - Law and the Humanities: An Introduction

Edited by Austin Sarat, Matthew Anderson and Cathrine O. Frank

Index

[More information](#)

536

Index

- Melish, Joanne Pope, 437
- Melville, Herman, 73
- Memory and law, 416–452
- collective memory, 417–418
 - debate regarding, 420–421
 - generally, 416–417
 - history, relationship with, 421–423
 - invented traditions, 419
 - Jewish history, in, 419–420
 - limits of trials in shaping memory, 425–428
 - psychoanalysis and, 419
 - reforming past, use of law for, 423–425
 - slavery and, 436–451
 - truth and reconciliation commissions, role of, 431–436
 - use of trials in shaping memory, 428–431
- The Merchant of Venice*, 402–404
- Merleau-Ponty, Maurice, 102–103, 115, 117–118
- Merryman, John Henry, 294, 299–300
- Mertz, Elizabeth, 333, 334, 336
- Metropolis*, 180
- Mezey, Naomi, 78
- Michelman, Frank, 91
- Mill, John Stuart, 161
- Miller, D. A., 230, 233, 235
- Miller, Henry, 237
- Miller, Patrick, 128–129
- Milosevic, Slobodan, 455
- Milpururu, 309
- Minow, Martha, 98–99, 431–432, 436
- Miranda v. Arizona*, 385–387
- Misrepresentations in literature, 236
- Mootz, Jay, 35–37
- More, Thomas, 164, 165, 180, 186–187
- Morris, Erroll, 246
- Movement
- Billy Budd*, in, 75–80
 - Death and the Maiden*, in, 75–76, 80–84
- Movies. *See* Films, imagining law in
- Mulcahy, Linda, 296–297
- Murav, Harriet, 38–40
- Nabokov, Vladimir, 236–237, 239
- The Naked City*, 170–171, 180
- Narrative
- importance of, 381–383
 - justice and, 164–166
- Natural law, 141–160
- Antigone*, in, 143–144, 145–151, 157–158
 - evolution of, 152–159
 - generally, 141–145
 - interpretation and, 344–345
 - new natural law theory, 151–152, 157, 344–345
- Nerhot, Patrick, 343, 358–359
- Neville, Alisoun, 407, 408
- Nietzsche, Friedrich, 144, 374, 524, 525
- Nonet, Philippe, 497, 503, 504
- Nora, Pierre, 416, 417, 418, 450
- Novak, Maximillian E., 229
- Novels. *See* Literature, imagining law in
- Nozick, Robert, 162, 177–178
- Nuremberg Trials, 183, 426
- Nussbaum, Martha, 53–54, 55–57
- Obscenity, 236
- The Odyssey*, 401
- Oedipus myth, 143, 145–147, 158–159
- Ogletree, Charles, Jr., 446
- Originalism, 349
- Osiel, Mark, 426, 428
- Overview, 18–46
- Papon, Maurice, 426
- Parol evidence rule, 341–342, 360–363
- Peirce, Charles, 325
- Pendas, Devin, 430
- Perlman, Elliot, 493
- Perspectives on scholarship in law and humanities, 19–23
- Peters, Julie Stone, 435–436
- Pether, Penny, 34–35
- Philadelphoff-Puren, Nina, 337
- Picasso, Pablo, 295
- Plato, 54–55, 61–62, 164–165, 180, 186–187
- Plessy v. Ferguson*, 387–397
- Polanski, Roman, 73–74, 83, 88
- Popkin, William, 364
- Posner, Richard A., 105–106, 521
- Post, Robert, 109–113, 334–335
- Postmodern justice, 188–209
- architectural analogy, 190–195
 - critical legal studies and, 203, 204–206
 - deconstruction in law, 202–205, 208–209
 - defining, 188–189
 - generally, 188–189
 - historicism in postmodernism, 194
 - “rendering” justice, 206–208
 - roots of postmodernism, 189–190
- Pound, Roscoe, 51–53, 56–57, 58–59, 365
- Pride and Prejudice*, 224–228
- Primus, Richard, 442, 443–444
- Prisoners’ Counsel Act of 1836 (UK), 459–460, 482, 490
- Psychoanalysis, 144, 159, 419
- Pufendorf, Samuel, 155–156
- Pugliese, Joseph, 337

Cambridge University Press

978-0-521-89905-5 - Law and the Humanities: An Introduction

Edited by Austin Sarat, Matthew Anderson and Cathrine O. Frank

Index

[More information](#)

Index

537

- Punishment, 517–529
 abstract thought and, 527–529
 capital punishment, 107–108, 526–527
 connection with humanities, 517–518
 estrangement of law from humanities and,
 520–523
 historical development of, 518–520
 purposes of, 524–527
 thinking about in humanities framework,
 523–524
- Radin, Margaret Jane, 91, 98
- Rawls, John, 161, 165, 176–177, 179–180, 186–187,
 200–202
- Raz, Joseph, 372–373
- Reade, Charles, 489
- Realism in literature, 216–222
- Reconstruction, 442–445
- Reconstructive trial, 457–466
- Reed, Douglas, 247
- Reformation in literature, 228–236
- Reichman, Ravit, 37–38
- “Rendering” justice, 206–208
- Resistance to law and humanities, 11–18
- Resnik, Judith, 298
- Restatement (First) of Contracts, 361
- Restatement (Second) of Contracts, 361
- Retributive justice, 166–171
- Revels, Hiram, 443–444
- Rhetoric and law, 377–397
 generally, 377–381
 narrative, importance of, 381–383
 race and, 387–397
 speech and, 383–387
- Richardson, Samuel, 217, 486, 493
- Ricouer, Paul, 116–117
- Robinson, Randall, 446
- Rodensky, Lisa, 230–231, 233
- Rodowick, D. N., 243, 262
- Rollenhagen, Gabriel, 195
- Romance in literature, 222–228
- Ronell, Avital, 279
- Rose, Gillian, 505–506
- Rosenbloom, Jonathan, 297
- Rosett, Arthur, 126
- Rotberg, Robert, 433
- Roth, Michael, 421, 422–423
- Rousseau, Jean-Jacques, 179–180, 186–187, 484
- Rouso, Henri, 427
- Rozin, Paul, 139
- Sanders, Mark, 414–415, 435
- Santner, Eric, 144
- Sarat, Austin, 246, 322, 377, 380–381
- Sarony, Napoleon, 309
- Savigny, Friedrich Carl von, 505
- Scafi, Susan, 302, 306
- Scalia, Antonin, 352, 365–367, 370–371
- Scarry, Elaine, 322
- Schauer, Frederick, 326, 335
- Scheppele, Kim Lane, 334
- Schlag, Pierre, 90–91, 296
- Schmitt, Carl, 497
- Schoelcher, Victor, 450
- Scholem, Gershom, 245
- Schramm, Jan-Melissa, 43–44
- Schütz, Anton, 336
- Scipio, 63–64
- Searle, John, 328–329, 506
- Second Amendment (US), 369–372
- Selden, John, 191
- Sennett, Richard, 490
- “Sensation novels,” 234–235
- Separate Car Act (Louisiana), 388, 391
- Sepinwall, Alyssa, 437–438
- Sepulveda, Ginés de, 65, 66
- Shapiro, Barbara, 480–481, 486
- Sherwin, Richard, 30–31, 87, 91, 269–270, 278,
 473, 476
- Shoemaker, Karl, 45–46
- Silbey, Susan S., 317–318
- Simpson, O. J., 455
- Slavery
 France, in, 449–451
 “Jim Crow” laws compared, 440–441
 memory of, 436–440
 Reconstruction and, 442–445
 reparations for, 445–449
 shaping law, role of memory in, 440–441
- Smith, Matthew, 25–27
- Sobchack, Vivian, 260–261, 262
- Social and cultural functions of trials, 474–476
- Solan, Lawrence, 323
- Solomon, Robert, 127–128
- Solove, Daniel, 90
- Sophocles, 143, 145–147
- South Africa, Truth and Reconciliation
 Commission, 413–415, 432, 435
- Spaulding, Norman, 442–443
- Spence, Michael, 305
- Spiegel, Gabrielle, 423
- Spierenberg, Peter, 526
- Starr, Paul, 448–449
- Steiner, George, 148
- Steinman, Clay, 277–278
- Sterne, Laurence, 487

Cambridge University Press

978-0-521-89905-5 - Law and the Humanities: An Introduction

Edited by Austin Sarat, Matthew Anderson and Cathrine O. Frank

Index

[More information](#)

538

Index

- Stevens, John Paul, 366, 371
 Stevens, Wallace, 255
 Stevenson, Robert Louis, 387–388, 393–395, 396–397
 Subjectivity, 114–115, 117–120
 Sumser, John, 278, 279–280
 Sutherland, Edson, 521–522
- Tapper, Colin, 494–495
 Taylor, Charles, 100–101
 Taylor, Katharine F., 297, 466
 Teitel, Ruti, 182, 434–435, 436
 Television, imagining law in, 269–291. *See also*
specific program
 “CSI effect,” 269, 291
 generally, 269–274
 homeland security and, 287–289
 recording and, 272–273
 spectator participation, 270–272
 style and, 273
- Testimony, 478–495
 confessions, 483–485
 Continental tradition, 483–485
 English common law, under, 479–483
 generally, 478–479
 humanities, current status in, 493–494
 law, current status in, 494–495
 literature, in, 485–493
- Teubner, Guenther, 328–329
 Textualism, 352–355
 Thackeray, William, 489
 Theater, trial as, 466–470
The Thin Blue Line, 246
 Thirteenth Amendment (US), 388, 442–444
 Thomas, Brook, 392
 Thomas, Ronald, 490
 Thompson, Dennis, 433–434
 Thompson, Janna, 425
 Tiersma, Peter M., 323
 Todorov, Tzvetan, 66
 Tourgé, Albion, 388, 391, 393
 Touvier, Paul, 426, 427–428
 Transcendentalism in law, 507–510
 Transitional justice, 181–187
 Translation and law, 398–415
 Australian Aboriginals, problems regarding, 409–410
 biometrical data, 409–410
 fidelity to self and, 400–404
 generally, 398–400
 nonverbal forms of communication, 407–410
 others, words of, 404–407
 police and suspects, problems regarding, 410–413
 South Africa Truth and Reconciliation Commission, problems regarding, 413–415
- Trials, 455–477
 fascination with, 476–477
 reconstructive trial, 457–466
 significance of, 455–457
 social and cultural functions of, 474–476
 theater, trial as, 466–470
 “Trial of the Century,” 455–457
 truth and communication in, 470–474
- Trollope, Anthony, 489, 491
 Trotsky, Leon, 182–183
 Truth and communication in trials, 470–474
 Truth and reconciliation commissions
 memory, role in shaping, 431–436
 translation, problems with, 413–415
12 Angry Men, 248–253
- Ullman, B. L., 49–50
 Ullman, Walter, 523
 Umphrey, Martha, 85–86, 96, 473
 Uniform Commercial Code, 361
 United Kingdom, testimony in, 479–483
 Utopian form of justice, 163–164, 179–181, 186–187
- van Wolde, Ellen, 130–131
 Venturi, Robert, 191–195
 von Rad, Gerhard, 127
- Wallace, Elizabeth Kowaleski, 438
 Ward, Humphrey, 493
 Warner, William, 220–221
 Warrington, Ronnie, 202–203
 Watson, Irene, 409
 Watt, Ian, 216–219, 488
 Weaver, Sigourney, 83
 Weber, Max, 54–55, 525
 Weil, Simone, 320
 Weill, Stephen, 293
 Weinreb, Lloyd, 345
 Weisberg, Richard, 319, 320–322, 494, 497
 Welsh, Alexander, 229, 488, 492–493
 West, Robin, 4–8, 85, 322–323
 Westley, Robert, 446
 Wexler, Leila Sadat, 427–428
 White, James Boyd, 2–7, 8, 10–11, 98, 99, 100, 113, 118–119, 295, 319–320, 332, 378, 395, 399, 400–402, 404–406, 409, 410, 412, 413–414, 415
 Whittington, Keith, 352–353, 354–355
 Wiesel, Elie, 494
 Williams, Patricia, 206

Cambridge University Press

978-0-521-89905-5 - Law and the Humanities: An Introduction

Edited by Austin Sarat, Matthew Anderson and Cathrine O. Frank

Index

[More information](#)

Index

539

Wilson, Stuart, 83
Winter, Steven, 20–21, 91
Wither, George, 195–197
Witnesses. *See* Testimony
Wolf, Dick, 283
Wolf, Erik, 151
Wolfe, Christopher, 151–152
Wolfers, Justin, 107–108
Wolff, Tobias, 514–515
Wolterstorff, Nicholas, 125
The Woman in White, 234–235, 489

Wood, Nancy, 427
Wordsworth, William, 485

The Yale Journal of Law and the Humanities, 8–11
Yamamoto, Eric, 425
Yerushalmi, Yosef, 419–420
Yonge, Charlotte, 491

Zerubavel, Yael, 419, 421
Zizek, Slavoj, 66, 151
Zupancic, Alenka, 150–151, 157, 158