

Index

- A Passage to India*, 2–3, 5, 6, 8, 51–61, 67–9, 71–3, 78, 80–2, 102, 129, 152, 154, 155
 Adam, H. L., 64, 65
 Adorno, Theodor, 171, 187
 Agamben, Giorgio, 10, 32, 46, 119, 120
 Alder, Ken, 101
 appeals, 130–6, 156
 Aristodemou, Maria, 192
 Arnold, G. F., 62, 63
 Arthur, T. C., 67
Aspects of the Novel, 7, 52, 55, 72, 73–7, 79, 81, 110
Atonement, 8, 147, 148–50, 152, 154, 155–6, 158, 160–1
 Austen, Jane, 155

 Bacon, Francis, 13, 29, 31, 33
 Bakhtin, Mikhail M., 15, 20
 Bandak, Faris, 154
 Barnes, Julian, 184
 Barthes, Roland, 20, 81, 104, 129
 Baudelaire, Charles, 46
 Beck, Adolf, 132
 Beckett, Samuel, 124
 Bender, John, 18, 30, 80
 Benjamin, Walter, 6, 10, 35–6, 43, 143, 161
 Bennett, Arnold, 6, 10, 41, 42, 45
 Bentham, Jeremy, 78
 Bentley, David, 27
 Benveniste, Émile, 11
 Bergson, Henri, 6, 9, 32, 34–5, 36, 43, 47
 Berner, Amybeth, 157
 Bersani, Leo, 118–20, 127, 139
 Bertillon, Alphonse, 96, 127, 128, 129
 Blackstone, Sir William, 89
 Boyd White, James, 3
 Boyle, Robert, 25
 Bradley, A. C., 2
 Brewer, Scott, 98
 Brooks, Peter, 94, 167, 171
 Browning, Robert, 2
 Burney, Ian, 96

 Cahm, Eric, 116
 Caputo, John D., 8, 147, 158–61
 Cassell, Richard, 88
 Chapman, Guy, 115, 128
 Charcot, Jean-Martin, 95
 Cheng, Vincent, 84
 Claparède, Edouard, 100, 101
 Cocteau, Jean, 140
 codification, 7, 52, 66, 82, 84, 109, 134, 141
 Collins, Wilkie, 2, 20–4, 27
 Conrad, Joseph, 83, 102
Contre Sainte-Beuve, 45, 111
 Cornwallis, Lord, 65
Cour d'Appel, 131
Cour d'Assises, 131
Cour de Cassation, 29, 112, 116, 117, 131, 135, 141
 Court of Criminal Appeal, 29, 108, 132, 134–5
 Cover, Robert, 3
 Criminal Appeal Act 1907, 132
 Criminal Evidence Act 1898, 100
 Crippen, Dr Hawley, 107

 De Angelis, Rose, 105
 De Lestrade, Jean-Xavier, 8, 147, 151–2, 153, 156–8, 161
 De Man, Paul, 122
 Deconstruction, 158–61
 Defoe, Daniel, 21, 40
 Deleuze, Gilles, 122, 126, 140, 144–5
 Den Boer, Monica, 39
 Derrida, Jacques, 8, 148, 158–61
 Descartes, René, 6, 12–13, 31, 33, 37, 90
 Dickens, Charles, 19, 83
 Dickinson, Goldsworthy Lowes, 54, 59, 70
 Dilthey, Wilhelm, 6, 9, 32–3, 35, 36, 43, 83, 159
 Dolin, Kieran, 5, 81
 Dostoyevsky, Fyodor, 44, 125, 127, 130, 138
 Doubrovsky, Serge, 139
 Draft Indian Penal Code 1837, 67, 78
 Dreyfus Affair, The, 110–17, 127–30, 132
 Duckworth, George, 49

210

Duckworth, Gerald, 47, 49
 Dupré, Ernest, 101

Edalji, George, 132
 Eigen, Joel, 90
 Eliot, George, 18–20, 25, 37, 83, 99
 Eliot, T. S., 45, 129
 Empiricism, 12, 13, 29
 Ender, Evelyne, 48
Erfahrung, 6, 11, 32–6, 38, 44, 49, 56, 63, 83, 93, 122
Erlebnis, 6, 11, 32–6, 38, 43–4, 49, 53, 56, 61, 63, 83–4, 94, 119, 122, 145, 152, 159
 Esterhazy, Charles, 112, 116, 130
 Experience
 crisis in, 31–9
 and Modern Philosophy/Science, 10–15
 and the nineteenth-century trial, 24–31
 and the realist novel, 15–24
 Semantic roots, 10–11
 expert evidence, 95–8, 106–9
 expert reading, 102–6

fabula and szuzhet, 55, 77, 79, 81, 103, 105, 134, 136, 154
 Fanning, Diane, 157
 Farmer, Lindsay, 26, 39, 97, 158
 Felman, Shoshana, 130
 Fielding, Henry, 2, 20
 Fisch, Jorg, 66
 Floriot, René, 133
Folkes v. Chard (1782), 95
 Ford, Ford Madox, 3–4, 7, 34, 42, 45, 74, 83–9, 99–106, 136
 forensic evidence, 96–7
Formalism, Russian, 55, 76, 79
 Forster, E. M., 2–3, 4, 6–7, 45, 51–61, 68–77, 79–82, 110, 111, 113, 124, 146, 152, 154
 Foucault, Michel, 24–5, 39, 133, 161
 Frank, Jerome, 4, 37–9, 132, 134, 135, 142, 161
 Freud, Sigmund, 10, 33–5, 37–8, 48, 95, 97, 105, 142–5
 Fry, Roger, 41, 46

Gadamer, Hans-Georg, 9–10, 11, 14, 32–3, 37, 45, 70, 126
 Galsworthy, John, 6, 41, 42, 45
 Genette, Gérard, 127, 144
 Géný, François, 142
 Gilbert, Geoffrey, 25, 30, 37
 Ginzburg, Carlo, 97, 104
Golden Bowl, The, 2, 57, 102, 155
Good Soldier, The, 3, 5, 7–8, 34, 83–9, 92–4, 99–106, 154
 Goodman, Nan, 4

Index

Goodrich, Peter, 31, 136, 142, 144
 Goring, Charles, 91
 graphology, 127–30
 Griffiths, Richard, 115
 Gross, Hans, 101
 Grossman, Jonathan, 5
 Gumbrecht, Hans Ulrich, 36

Hale, Matthew, 89
 Hall, Marshall, 98
 Hardin, Jim, 151
 Hart, H. L. A., 95
 Hartley, L. P., 155
 Hastings, Warren, 63
 hearsay, 106–9
 Heidegger, Martin, 70
 Heine, Elizabeth, 72
 Heinzelman, Susan Sage, 21
 Holmes, Oliver Wendell, 1, 31
 Holmes, Sherlock, 97
 Holmesland, Oddvar, 46
 Honoré, A. M., 95
Howards End, 175
 Hughes, Linda K, 16
 Hume, David, 33
 Husserl, Edmund, 159
 Hussey, Mark, 43, 44
 Hynes, Samuel, 83
 Hyper-reality, 158–61

Impey, Elijah, 63
In Search of Lost Time, 3, 8, 47, 77, 110–11, 113, 117–27, 129–30, 136–41, 144, 146
 Indian Evidence Act 1872, 7, 56, 62, 79, 90
insanity, 90–1, 92
 involuntary memory, 122–4
 Iser, Wolfgang, 76

Jackson, J. D., 30, 131
Jacob's Room, 41
 James, Henry, 2, 44, 57, 102, 155
 James, William, 32, 35, 43, 70
 Jaurès, Jean, 116
 Jay, Martin, 10, 11, 13
 jealousy, 119, 136–40
Jean Santeuil, 8, 111–13, 117, 121, 127, 130, 133, 136–8, 141, 143
 Jones, Carol, 107, 108
 Joyce, James, 42, 74

Kandinsky, Wassily, 46
 Kant, Immanuel, 32–3, 132, 133
 Kavanagh, Thomas M., 15, 16
 Kermode, Frank, 76, 77

Index

211

- Kern, Stephen, 95
 Kierkegaard, Søren, 110, 126, 159
 Kojève, Alexander, 46
 Koselleck, 13–14
- Lacan, Jacques, 143
 Lacey, Nicola, 181
 Ladenson, Elisabeth, 140
 law and literature methodology, 3–6
 Leavis, F. R., 76
 Lee, Henry, 154
 Lee, Hermione, 155
 Lehmann, Rosamund, 155
 Lesurques, Joseph, 131
 Levenson, Michael, 84, 87, 88
 Llewellyn, Karl, 38, 142
 Locard, Edmond, 96
 Locke, John, 25, 29, 33, 37
 Lund, Michael, 16
 Lynn, David H., 85
 Lyotard, Jean-François, 46
- Macaulay, Thomas, 66, 78
 Marcus, Laura, 40, 48
 Marquard, Odo, 32, 36, 38, 108, 126–7, 145
 Marx, Karl, 35
 Matsuda, Matt K., 98, 101
 Maurois, André, 111
 Maybrick, Florence, 132
 McCracken, Luann, 48
 McEwan, Ian, 8, 148–50, 152, 154, 155–6, 158, 160–1
 McKeon, Michael, 166
 McNaughtan Rules, The, 90
 Mercier, Auguste, 114, 117, 119
 Metcalf, Thomas, 64
 Meyer, Paul, 113
 Mill, John Stuart, 29
 Miller, J. Hillis, 126, 143
 Milton, John, 12
 Minow-Pinkney, Makiko, 46
Moonstone, The, 2, 20–4, 86, 91
 Moore, G. E., 43
 Morelli, Giovanni, 97, 102
 Morrison, William, 91, 94
 Münsterberg, Hugo, 101
 Musil, Robert, 1, 83
- Nerhot, Patrick, 39
 Niceforo, Alfred, 101
 Nietzsche, Friedrich, 35, 126
- Oakeshott, Michael, 9
 Orchard, Harry, 101
- Paléologue, Maurice, 116
 Palmer, William, 20, 27, 29
 Panchasi, Roxanne, 128
Parade's End, 34
 Parsons, Deborah, 42
 Pattenden, Rosemary, 134, 135
 Peirce, Charles Sanders, 70, 71
 perjury, 4, 7, 51, 64–9, 80, 133
 Peterson, Kathleen, 151, 152–4, 156–8
 Peterson, Michael, 151, 152–4, 156–8
 Picquart, Georges, 112, 115
 Plato, 61
 Plomer, William, 81
 Poincaré, Henri, 95
 polygraph machine, 101
 Poole, Roger, 102–6, 154
 Pragmatism, American, 10, 32, 70, 142
 prejudice, 63, 68–73, 153
 Prisoners' Counsel Act 1836, 25
 Proust, Marcel, 3, 4, 8, 34, 35, 37, 44, 45, 48, 74, 77, 110–14, 117–27, 129–30, 136–46, 156, 159
- Rationalism, 29, 30
 Reichman, Ravit, 5, 41
 Reinach, Joseph, 117, 130
 repetition, 3, 8, 13–14, 31, 37–8, 110–11, 124–46, 156–7
 rereading, 111, 138–46
 Riviere, Jacques, 122
 Roberts, Paul, 98
Robinson Crusoe, 20, 21
 Rodensky, Lisa, 2, 4, 5, 19, 62, 89
 Rosenbaum, S. P., 43
 Rudolf, David, 147
 Russell, Bertrand, 70
- Sarat, Austin, 5
 Scheurer-Kestner, Auguste, 130
 Schneider, Wendie Ellen, 65
 Schramm, Jan-Melissa, 2, 5, 20, 84, 106, 175
 Schulkind, Jeanne, 48
 Scott, Joan Wallach, 147
 Scott, Sir Walter, 17, 18
 Sensationism, 13
 Shakespeare, William, 12
 Shapin, Steven, 14, 23
 Shapiro, Barbara, 24–5, 29
 Silver, Brenda, 58
 Sim, Lorraine, 42, 47
 Similar Fact Evidence, 28, 156
 Simmel, Georg, 42, 171, 180, 186
 Smith, Barbara Hernstein, 178, 184
 Smith, George Joseph, 28, 29, 98, 156
 Smith, K. J. M., 78

212

Smith, Roger, 96, 108
 Spilsbury, Sir Bernard, 97, 107
Staircase, The, 8, 147, 151–5, 156–8, 160–1
stare decisis, 8, 31, 141–4
 Stein, Gertrude, 74–5
 Stephen, Sir James Fitzjames, 2, 7, 20, 23,
 49, 52, 56–8, 62–3, 65, 73, 78–80, 84,
 90, 134
 Stokes, Eric, 78, 80
 Strachey, Lytton, 48
 Swift, Jonathan, 40

 Taylor, Charles, 12
 Taylor, David, 26
 Tennyson, Lord Alfred, 2
 testimony, Science of, 100–1
thagi, 63–4, 66
 Thomas, Brook, 4
 Todorov, Tzvetan, 10, 46, 55
 Trollope, Anthony, 40

 Utilitarianism, 29, 78, 80

Index

Vermeer, Johannes, 124–6, 127, 130, 138, 146

 Wallas, Graham, 91
 Watt, Ian, 16–17, 21–2, 77
 Weber, Max, 37, 95
 Weinstein, Philip, 6, 12, 18, 26, 34, 59, 123,
 147, 175
 Wells, H. G., 41, 42, 45
 Welsh, Alexander, 2–3, 5, 6, 15, 20–2, 39, 57, 58,
 84, 89
What Maisie Knew, 155
 Wiener, Martin, 89, 91, 94
 Wittgenstein, Ludwig, 56, 58, 70, 182
 Woolf, Virginia, 2, 5, 6, 10, 18, 40–50, 51, 74, 77,
 83, 140, 146, 155
 ‘A Sketch of the Past’, 10, 47–50, 140
 ‘Modern Fiction’, 40, 42
 ‘Mr Bennett and Mrs Brown’, 40–1, 44–5
 Wordsworth, William, 45

 Zola, Émile, 112, 113, 116, 118, 130
 Zuckerman, Adrian, 98