

SEMINAR N. 0.3 **Common Law and English Studies**

Conveners

Greta Olson (University of Giessen, Germany)

Ross Charnock (University of Paris-Dauphine, France)

Report

Ross Charnock

Seminar 03 was devoted to the question of how law is central to English Studies, not just as a literary subject or a narrative technique, but also as a method of evaluating culture and social history. The seminar worked in conjunction with those in Law and Literature (Jeanne Gaakeer and Sidia Fiorato). The judgments (since 1250) also form an important linguistic corpus. As all adjudication is based on interpretation, the law is also useful for theoretical research in both syntax and semantics.

After a general introduction to the topic given by Greta OLSON, Martin KAYMAN (University of Cardiff) gave a paper on “From the writing of unwritten law to law as iconic text”, in which he considered the place of law and literature within a broad range of aesthetic genres and cultural fields, contrasting the so-called “unwritten” character of the common law with the contemporary textual turn in cultural theory.

Ross CHARNOCK considered the development of the English law regarding established religion, a field which remains fundamental both in the history of ideas and in literary studies. He attempted to show how legal judgments depend essentially on linguistic reinterpretation in new contexts. In a paper on “Moll Flanders, the Ordinary’s Accounts and the Old Bailey Proceedings”, Jeanne CLEGG (Università dell’Aquila) showed the importance of judicial source material for an understanding of contemporary practices in law enforcement and the criminal perspective in Defoe. Iulian CANANAU (University of Bucharest), proposed a concept-based approach to American law and literature, relying on a number of 19th century American civil rights cases for a discussion of “Equity, Person, and Citizenship”, in constitutional and literary discourse before and after the American Civil War.

Sebastian McEVOY (University of Paris 10), speaking on “The Exclusion of English and/or US Law”, then introduced a general debate on the place of jurisprudence in English teaching programmes in France. The general feeling of the participants in the discussion was that the importance of the common law has been under-estimated in many European English departments, which claim to teach both language and “civilisation” (unlike “British” departments, which specialise to a greater extent in literary and cultural studies). Those who teach English in law faculties have long recognised that it is impossible to teach the (specialised) language independently of the common law itself. The seminar sought ways to incorporate law into Modern Language departments.