



SPEAKING
GUILT IN
LAW AND
LITERATURE

TROUBLING CONFESSIONS

PETER BROOKS

Troubling Confessions Speaking Guilt In Law And Literature

Peter Brooks



Troubling Confessions Speaking Guilt In Law And Literature:

Troubling Confessions Peter Brooks, 2000 In *Troubling Confessions* Peter Brooks juxtaposes law and literature to explore the kinds of truth we associate with confessions and why we both rely on them and regard them with suspicion For centuries the law has considered confession to be the queen of proofs but it has also seen a need to regulate confessions and the circumstances under which they are made as evidenced in the continuing debate over the Miranda decision Western culture has made confessional speech a prime measure of authenticity seeing it as an expression of selfhood that bears witness to personal truth Yet the urge to confess may be motivated by inextricable layers of shame guilt self loathing and the desire to propitiate figures of authority Literature has often understood the problematic nature of confession better than the law as Brooks demonstrates in perceptive readings of legal cases set against works by Rousseau Dostoevsky Joyce and Camus among others

Novel Judgements William P. MacNeil, 2011-09-08 *Novel Judgements* addresses the ways in which jurisprudential ideas and themes are embedded and explored within nineteenth century Anglo American prose fiction

Police Interrogation and American Justice Richard A. Leo, 2009-07-01 Read him his rights We all recognize this line from cop dramas But what happens afterward In this book Leo sheds light on a little known corner of our criminal justice system the police interrogation An important study of the criminal justice system this book provides interesting answers and raises some unsettling questions

The Art of Confession Christopher Grobe, 2017-11-07 *The Art of Confession* tells the history of this cultural shift and of the movement it created in American art confessionalism Like realism or romanticism confessionalism began in one art form but soon pervaded them all poetry and comedy in the 1950s and 60s performance art in the 70s theater in the 80s television in the 90s and online video and social media in the 2000s Everywhere confessionalism went it stood against autobiography the art of the closed book Instead of just publishing these artists performed with around and against the text of their lives

Popular Culture and Legal Pluralism Wendy A Adams, 2016-06-17 Drawing upon theories of critical legal pluralism and psychological theories of narrative identity this book argues for an understanding of popular culture as legal authority unmediated by translation into state law In narrating our identities we draw upon collective cultural narratives and our narrative nomos obligational selves become the nexus for law and popular culture as mutually constitutive discourse The author demonstrates the efficacy and desirability of applying a pluralist legal analysis to examine a much broader scope of subject matter than is possible through the restricted perspective of state law alone The study considers whether presumptively illegal acts might actually be instances of a re imagined alternative legality and the concomitant implications As an illustrative example works of critical dystopia and the beliefs and behaviours of eco animal terrorists can be understood as shared narrative and normative commitments that constitute law just as fully as does the state when it legislates and adjudicates This book will be of great interest to academics and scholars of law and popular culture as well as those involved in interdisciplinary work in legal pluralism

Exploring Courtroom Discourse Le

Cheng,2016-04-15 This volume presents a combination of practical empirical research data and theoretical reflection to provide a comparative view of language and discourse in the courtroom The work explores how the various disciplines of law and linguistics can help us understand the nature of Power and Control both oral and written and how it might be clarified to unravel linguistic representation of legal reality It presents and examines the most recent research and theories at national and international levels The book represents a valuable contribution to the study and analysis of courtroom discourse and courtroom cultures more generally It will be of interest to students and researchers working in the areas of language and law legal theory interpretation and semiotics of law

Criminality and the Common Law Imagination in the 18th and 19th Centuries Sheley Erin Sheley,2020-04-02 By accessing penal history through the mediator of individual memory authors can be seen to depict the cumulative dialogue between the English common law and its cultural representations across historical time Offering legal readings of works by authors including Thomas Hardy Charles Brockden Brown Charles Dickens Samuel Richardson George MacDonald Charles Kingsley Alfred Tennyson Charlotte Bronte Robert Browning Henry Fielding and Sir Walter Scott this book explores this literary phenomenon and its legal significance during the eighteenth and nineteenth centuries In doing so it argues that the importance of precedent in Anglo American common law creates a unique discourse of historical legitimacy that shapes both the cultural and official conceptions of criminality itself during this period Within a Foucauldian framework the book illustrates how the cultural memory of crime and punishment contribute to the development of formal and informal penal institutions Key Features Generates a new framework for analysing the relationship between individual and cultural narratives literary texts and the cumulative e truthe created by the common law Provides three case studies of adultery child criminality and rape testimony that demonstrate the impact of cultural narrative on legal development in the eighteenth and nineteenth centuries Legal readings of works by authors including Thomas Hardy Charles Brockden Brown Charles Dickens Samuel Richardson George MacDonald Charles Kingsley Alfred Tennyson Charlotte Bront Robert Browning Henry Fielding Sir Walter Scott Transformative readings of widely read works including Charles Brockden Brown s Wieland and Ormond Thomas Hardy s Tess of the d Urbervilles Charles Kingsley s The Water Babies Alfred Tennyson s Idylls of the King Charlotte Bronts Jayne Eyre Henry Fielding s The Modern Husband and Sir Walter Scott s Heart of Midlothian

Judging from Experience Gaakeer Jeanne Gaakeer,2018-12-19 Combining her expertise in legal theory and judicial practice in a continental European civil law system Jeanne Gaakeer explores the intertwinement of legal theory and practice to develop a humanities inspired methodology for both the academic interdisciplinary study of law and literature and for legal practice This volume addresses judgment and interpretation as a central concern within the field of law literature and humanities It is not only a study of law as praxis that combines academic legal theory with judicial practice but proposes both as central to humanistic jurisprudence and as a training in the conduct of public life Drawing extensively on philosophical and legal scholarship and through analysis of literary works from

Gustave Flaubert Robert Musil Gerrit Achterberg Ian McEwan Michel Houellebecq and Juli Zeh Jeanna Gaakeer proposes a perspective on law as part of the humanities that will inspire legal professionals scholars and advanced students of law alike

In the Shadow of the Gallows Jeannine Marie DeLombard, 2012-07-24 From Puritan Execution Day rituals to gangsta rap the black criminal has been an enduring presence in American culture To understand why Jeannine Marie DeLombard insists we must set aside the lenses of pathology and persecution and instead view the African American felon from the far more revealing perspectives of publicity and personhood When the Supreme Court declared in Dred Scott that African Americans have no rights which the white man was bound to respect it overlooked the right to due process which ensured that black offenders even slaves appeared as persons in the eyes of the law In the familiar account of African Americans historical shift from plantation to prison we have forgotten how for a century before the Civil War state punishment affirmed black political membership in the breach while a thriving popular crime literature provided early America's best known models of individual black selfhood Before there was the slave narrative there was the criminal confession Placing the black condemned at the forefront of the African American canon allows us to see how a later generation of enslaved activists most notably Frederick Douglass could marshal the public presence and civic authority necessary to fashion themselves as eligible citizens At the same time in an era when abolitionists were charging Americans with the national crime of manstealing a racialized sense of culpability became equally central to white civic identity What for African Americans is the legacy of a citizenship grounded in culpable personhood For white Americans must membership in a nation built on race slavery always betoken guilt In the *Shadow of the Gallows* reads classics by J Hector St John de Crvecoeur Edgar Allan Poe Frederick Douglass Herman Melville George Lippard and Edward Everett Hale alongside execution sermons criminal confessions trial transcripts philosophical treatises and political polemics to address fundamental questions about race responsibility and American civic belonging

Constitutionalism and Transitional Justice in South Africa Andrea Lollini, 2011 Over the last fifteen years the South African postapartheid Transitional Amnesty Process implemented by the Truth and Reconciliation Commission TRC has been extensively analyzed by scholars and commentators from around the world and from almost every discipline of human sciences Lawyers historians anthropologists and sociologists as well as political scientists have tried to understand describe and comment on the shocking South African political decision to give amnesty to all who fully disclosed their politically motivated crimes committed during the apartheid era Investigating the postapartheid transition in South Africa from a multidisciplinary perspective involving constitutional law criminal law history and political science this book explores the overlapping of the postapartheid constitution making process and the Amnesty Process for political violence under apartheid and shows that both processes represent important innovations in terms of constitutional law and transitional justice systems Both processes contain mechanisms that encourage the constitution of the unity of the political body while ensuring future solidity and stability From this perspective the book deals with the importance of several concepts such as truth about the

past publicly shared memory unity of the political body and public confession

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