



Law, Literature, and Therapeutic Jurisprudence

Amy D. Ronner

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This book explores the affinity between the Law and Literature and Therapeutic Jurisprudence movements. Law and Literature focuses on the analysis and criticism of literary works that have legal themes, portray lawyers, or depict legal practice. It also employs techniques and theories of literary criticism to aid the interpretation of literary texts, particularly judicial decisions. Therapeutic Jurisprudence integrates psychology, mental health, and other related enterprises to enrich and shape the law. It seeks to humanize the law by concerning itself with the human, emotional, and psychological aspects of the legal process. Both interdisciplinary movements celebrate humanity, welcome moral and ethical justice, encourage story telling, and tutor us in the idiom of empathetic kindness. The five chapters of this book put Herman Melville, Fyodor Dostoyevsky, Arthur Miller, W.H. Hudson, and other literary masters under a Therapeutic Jurisprudence lens and suggests that all of these literary masters are, at least implicitly, concerned with therapeutic justice. Chapter One, introducing Law and Literature and Therapeutic Jurisprudence, suggests how the two movements can symbiotically effectuate common goals. Chapter Two applies law, literature, and therapeutic jurisprudence to criminal procedure and shows how this sheds new light on certain protections that the Constitution accords individuals accused of crime. Chapter Three applies law, literature, and therapeutic jurisprudence to witch hunts, ones fueled by irrational fear and discrimination, and also delves into a present day witch hunt - - homophobia - - which pulverizes individuals in their daily lives. Chapter Four applies law, literature, and therapeutic jurisprudence to legal education and law practice itself. It suggests how educators can use literature and therapeutic jurisprudence to improve their interactions with students and train them to demand and build healthy, happy, and rewarding careers. Chapter Five summarizes how Law and Literature plus Therapeutic jurisprudence can become a multidisciplinary perspective that can help us understand and tap into the loving, empathic, and healing forces in not just our legal system, but in our daily lives as well.

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