The proliferation of law in film and on television has expanded the sphere of legal life itself. Law lives in images which today saturate our culture and which have a power all their own, and the moving image provides a domain in which legal power operates independently of law’s formal institutions. This course takes up law and film to explore law’s image and the imagined life of law. It will consider the ways “myths” about law are reproduced and contested in film and the way film proposes a visual aesthetics of law. We will ask what happens when legal events are re-narrated in film and examine the treatment of legal officials, events, and institutions (e.g. police, lawyers, judges, trials, executions, prisons), discussing how that treatment positions them in relation to processes of judgment, interpretation, and violence. Attending to the visual dimensions and dynamics of law’s imagined lives as well as to the viewer’s relation to law on film we will also explore the ways in which law provides a template for film spectatorship, positioning viewers as detectives and as jurors. Does film open up new possibilities of judgment, model new modes of interpretation, and provide new insights into law’s violence?

Texts:

Austin Sarat and Thomas R. Kearns, *Law in the Domains of Culture*

The required book can be purchased at Amherst Books, 8 Main Street (on the far side of the town common); readings are available online through the course website.

Course requirements:

- two 5-7 page papers
- in-class final
- class participation

Films: available via on-line streaming. Please see the week’s film prior to Tuesday’s class.
INTRODUCTION: HOW LAW IS LIKE FILM

1. What It Means to Watch: Pleasure, Desire, and Prohibition

FILM: Rear Window

Robert Stam, Reflexivity in Film and Literature, 43-55
Roland Barthes, “Upon Leaving the Movie Theater,” in Apparatus, 1-4
Kyllo v. United States, 121 S. Ct. 2038 (2001)

2. Images as Evidence in Law: Canonical Hopes

FILM: Judgment at Nuremberg

McGoorty v. Benhart, 27 NE2d 289 (1940)

ON THE ORIGINS AND LIMITS OF LAW

3. On the Constitution of Legal Authority and the Conventions of Genre: The Western

FILM: The Man Who Shot Liberty Valence


4. Justice on the Horizon: Race and the Limits of Law

FILM: To Kill a Mockingbird

Powell v. Alabama, 287 US 45
Austin Sarat, “Between (the Presence of) Violence and (the Possibility of) Justice: Lawyering Against Capital Punishment,” in Austin Sarat and Stuart Scheingold, eds., Cause Lawyering: Political Commitments and Professional Responsibilities, 317-346

5. On the Constitution and Limits of Legal Authority: Fathers and Fate

FILM: Sweet Hereafter

Jerome Frank, Law in the Modern Mind, 3-21
6. On the Limits of Legal Authority and the Conventions of Genre: Doing Evil to Do Justice

**FILM:** Touch of Evil

*On Lee v. U.S.* 343 US 747 (1952)

**LAW'S WAYS OF KNOWING AND WAYS OF KNOWING LAW**

7. Detection

**FILM:** Silence of the Lambs


8. Confession-I: On the Inner Life of the Confessing Subject

**FILM:** I Confess

Peter Brooks, *Troubling Confessions*, Chapter 2

9. Confession-II: A Knowledge Beyond Law?

**FILM:** Dead Man Walking


10. The Trial-I: What (if any) Stories Do Trials Tell and How Do They Tell Them?

**FILM:** Witness for the Prosecution

*People v. Zackowitz*, 254 N.Y. 192 (1930)


11. The Trial-II: Reconstruction and Judgment

**FILM:** Twelve Angry Men

Tocqueville, “Trial By Jury in the United States Considered as a Political Institution,” in *Democracy in America*, 358-367

12. The Trial-III: Repetition, Repression, Reception

**FILM:** *Inherit the Wind*

*Edwards v. Aguillard* 482 U.S. 578 (1987), 1-16, 26-41

**CONCLUSIONS: DOING JUSTICE TO LAW**

13. Can Film Do Justice to Law?: Pleasure, Desire, and Prohibition Revisited

**FILM:** *Unforgiven*

*Video Software Dealers v. Missouri*, 968 F2d 684 (1992)

14. Evidentiary Conventions and Legal Mis-readings: Contemporary Anxieties Revisited

**FILM:** *Capturing the Friedmans*