



Course Description

This course introduces students to the closely related discourses of law and literature. In the context of nineteenth-century British society, which underwent vast changes in economic, political, religious, and social conditions, we will examine the ways in which legal principles, institutions, and practices permeated the literary imaginations of some of Britain's most popular and widely read novelists. We will also read selections from canonical works of English legal history, as well as more contemporary interpretations of such history with respect to selected topics. These readings will help us identify the central legal issues raised by the novels and evaluate how the novelists perceived the law and its effects on social relations.

Course Prerequisites: Nine hours of coursework in English or Rhetoric and Writing

Unique Number: 35240

Meeting Time: TTH 8-9:30

Meeting Place: Parlin 204

Instructor: George S. Christian

Office: Calhoun 6

Office Hours: MWF 8-9, and by appointment

Email: gschristian@mail.utexas.edu

Course Requirements:

- **Weekly reading.** Reading assignments for each class are given in the detailed syllabus below. Please come to class prepared to discuss the readings assigned for that class period.
- **Regular participation in class discussion.** Class discussion will be the primary method of instruction. While there will be some short lectures for purposes of background or historical context, most class time will be spent discussing the texts we have read and their significance to the topics of the day.
- **Weekly response papers.** Students will write a weekly response paper of no more than 500 words. Each response should discuss a topic relevant to the week's reading, either from a primary or secondary source (or both). These papers may be revised for a higher grade.
- **Exams.** There will be two short-essay take-home exams in the course. These exams may be revised for a higher grade.
- **Prospectus.** Each student shall prepare a brief (500 words) prospectus for the final essay. The prospectus will be due on the date specified in the detailed syllabus.
- **Short essay.** In lieu of a final exam, each student will write a 5-page final essay on a topic selected in consultation with me. This paper is due on the last class day, December 7.
- **Regular attendance.** Attendance is mandatory. Absences should occur only in cases of serious health-related or family emergency. Any student with more than five absences will not receive a passing grade in the course. Special accommodations can be made if a class session or a paper/exam deadline interferes with religious observance. Please let me know as soon as you think a conflict is anticipated.

Books and Course Materials:

Maria Edgeworth, *Castle Rackrent*; George Eliot, *Adam Bede*; Benjamin Disraeli, *Sybil*; Elizabeth Gaskell, *North and South*; Emily Brontë, *Wuthering Heights*; Charles Dickens, *Bleak House*; supplemental reading packet

All required books are available at the University Co-op. The supplemental reading packet is available at Jenn's Copy and Binding, located at 2200 Guadalupe (downstairs).

Grading

- Weekly response papers (includes attendance grade) (30%)
- Examinations (15% each) (30%)
- Final essay (30%)
- Prospectus for final essay (10%)

***Plus/minus grades will not be submitted for this course.**

Accommodations

Students who require special accommodations should notify me at the beginning of the semester (or as soon as possible), and such accommodations will be made. Students requesting special accommodations should obtain a letter from the Services of Students with Disabilities (SSD) Office. To ensure that the most appropriate accommodations can be provided, students should contact the SSD office at 471-6259 or 471-4641.

Thursday, August 27 Introduction and Overview: What is the "law" anyway? Where does it come from? Why is it important?

Tuesday, September 1 Learning to Speak "Legalese": Some Basic Principles of English Law

*Reading Assignment: *Magna Carta*; selections from William Blackstone, *Commentaries on the Laws of England*; S. D. White, "English Feudalism and Its Origins" (packet)

Thursday, September 3 Eighteenth-Century Discontents, or Feudalism Meets Capitalism: Who's the master now?

*Reading Assignment: Maria Edgeworth, *Castle Rackrent*

Tuesday, September 8 Victorian Legal History: The "Majesty" of English Law

*Reading Assignment: selections from Pollock and Maitland, *The History of English Law Before the Time of Edward I* (packet)

Thursday, September 10 Victorian Legal History and Social Reality: Who and what does the law protect?

*Reading Assignment: George Eliot, *Adam Bede* (Chapters 1-16)

Tuesday, September 15 Victorian Legal History and Social Reality, cont.

*Reading Assignment: Eliot, *Adam Bede* (Chapters 17-35)

Thursday, September 17 Victorian Legal History and Social Reality, cont.

*Reading Assignment: Eliot, *Adam Bede* (Chapters 36-end)

FIRST EXAM (TAKE HOME) Due on Tuesday, September 22

Tuesday, September 22 Parliament Weighs In: Legislative Intervention and “Public Law”

*Reading Assignment: selections from A. V. Dicey, *Lectures on the Relation Between Law & Public Opinion in England During the Nineteenth Century* (packet)

Thursday, September 24 Parliament and Public Opinion: The “Two Nations” Debate in Victorian England

*Reading Assignment: Benjamin Disraeli, *Sybil* (Books I, II)

Tuesday, September 29 The “Two Nations” continued

*Reading Assignment: Disraeli, *Sybil* (Books III, IV)

Thursday, October 1--NO CLASS

Tuesday, October 6 The “Two Nations” continued

*Reading Assignment: Disraeli, *Sybil* (Books V, VI)

Thursday, October 8 Forms of Practice: Courts, Judges, Lawyers, and Juries in English Legal History

*Reading Assignment: R. C. Palmer, “The Origins of the Legal Profession in England”; R. V. Turner, “The Origins of the Medieval English Jury”; R. V. Turner, “The Origins of Common Pleas and King’s Bench” (packet)

Tuesday, October 13 Legal Institutions and Social Control: The Law as an Instrument of State Power

*Reading Assignment: selections from Jeremy Bentham, *A Comment on the Commentaries* (packet); Elizabeth Gaskell, *North and South* (Vol. 1, Chapters 1-12)

Thursday, October 15 Law, Commerce, and Industrialization: Economic and Social Regulation from the Bench

*Reading Assignment: B. Malament, “The ‘Economic Liberalism’ of Sir Edward Coke” (packet); Elizabeth Gaskell, *North and South* (Vol. 1, Chapters 13-25)

Tuesday, October 20 Masters and Men: The “Condition of England” Debate

*Reading Assignment: Elizabeth Gaskell, *North and South* (Vol. 2, Chapters 1-12)

Thursday, October 22 Masters and Men, concluded

*Reading Assignment: Gaskell, *North and South* (Vol. 2, Chapters 13-end)

SECOND EXAM (TAKE HOME) Due on Tuesday, October 27

Tuesday, October 27 The Family as Legal Institution

*Reading Assignment: The Married Women’s Property Act, 1882, 1884, 1893, 1907; The Matrimonial Causes Act, 1857, 1864; Selections from William Blackstone, *Commentaries on the Laws of England* (packet)

Thursday, October 29 Ties that Bind: The Legal Basis of the British Empire

*Reading Assignment: Jack P. Greene, “Empire and Identity from the Glorious Revolution to the American Revolution” (packet)

Tuesday, November 3 Ties that Bind, continued

*Reading Assignment: Emily Brontë, *Wuthering Heights* (Chapters 1-15)

Thursday, November 5 Ties that Bind, continued

*Reading Assignment: Brontë, *Wuthering Heights* (Chapters 16-28)

Tuesday, November 10 Ties that Bind, concluded

*Reading Assignment: Brontë, *Wuthering Heights* (Chapters 29-end)

Thursday, November 12 What are the alternatives? The Anti-Juridical State

*Reading Assignment: Charles Dickens, *Bleak House* (Chapters 1-5)

Tuesday, November 17 Alternatives, continued

*Reading Assignment: Dickens, *Bleak House* (Chapters 6-19)/**Prospectus Due**

Thursday, November 19 Alternatives, continued

*Reading Assignment: Dickens, *Bleak House* (Chapters 20-40)

Tuesday, November 24 Alternatives, continued

*Reading Assignment: Dickens, *Bleak House* (Chapters 41-50)

Tuesday, December 1 Alternatives, continued

*Reading Assignment: Dickens, *Bleak House* (Chapters 51-end)

Thursday, December 3 Final Thoughts

Tuesday, December 8--Final Papers Due

The University of Texas Honor Code:

The core values of The University of Texas at Austin are learning, discovery, freedom, leadership, individual opportunity, and responsibility. Each member of the University is expected to uphold these values through integrity, honesty, trust, fairness, and respect toward peers and community.

University Electronic Mail Notification Policy:

(Use of E-mail for Official Correspondence to Students)

All students should become familiar with the University's official e-mail student notification policy. It is the student's responsibility to keep the University informed as to changes in his or her e-mail address. Students are expected to check e-mail on a frequent and regular basis in order to stay current with University-related communications, recognizing that certain communications may be time-critical. It is recommended that e-mail be checked daily, but at a minimum, twice per week. The complete text of this policy and instructions for updating your e-mail address are available at: <http://www.utexas.edu/its/policies/emailnotify.html>.

In this course e-mail will be used as a means of communication with students. You will be responsible for checking your e-mail regularly for class work and assignments. Note: if you are an employee of the University, your e-mail address in Blackboard is your employee address.

Use of Blackboard in Classes:

This course uses Blackboard, a Web-based course management system in which a password-protected site is created for each course. (Student enrollments in each course are updated each evening.) Blackboard can be used to distribute course materials, to communicate and collaborate online, to post grades, to submit assignments, and to take online quizzes and surveys.

You will be responsible for checking the Blackboard course site regularly for class work and announcements. As with all computer systems, there are occasional scheduled downtimes as well as unanticipated disruptions. Notification of these disruptions will be posted on the Blackboard login page. Scheduled downtimes are not

an excuse for late work. However, if there is an unscheduled downtime for a significant period of time, I will make an adjustment if it occurs close to the due date.

Blackboard is available at <http://course.utexas.edu>. Support is provided by the ITS Help Desk at 475-9400 Monday through Friday 8 am to 6 pm, so plan accordingly.