

*William E.
Hoddermoy*

reconstituting AUTHORITY

*American Fiction
in the Province of
the Law
1880-1920*

Reconstituting Authority American Fiction In The Province Of The Law 1880 19

Robert Spoo, Simon Stern



Reconstituting Authority American Fiction In The Province Of The Law 1880 19:

Reconstituting Authority William E. Modellmog, 2002-04-25 In *Reconstituting Authority* William Modellmog explores the ways in which American law and literature converged in the late nineteenth and early twentieth centuries Through close readings of significant texts from the era he reveals not only how novelists invoked specific legal principles and ideals in their fictions but also how they sought to reconceptualize the boundaries of law and literature in ways that transformed previous versions of both legal and literary authority Modellmog does not assume a sharp distinction between literary and legal institutions and practices but shows how writers imagined the two fields as engaged in the same cultural process He argues that because the law was instrumental in setting the terms by which concepts such as race gender nationhood ownership and citizenship were defined in the nineteenth century authors challenging those definitions had to engage the law on its own terrain to place their work in a dialogue with the law by telling stories that were already authorized though perhaps suppressed by legal institutions The first half of the book is devoted in separate chapters to William Dean Howells Helen Hunt Jackson and Pauline Hopkins The focus shifts from large theoretical concerns to questions of contract and native sovereignty to issues of African American citizenship and racial entitlement In each case the discussion is rooted in a larger consideration of the rule or misrule of law The second half of the book turns from the rule of law to the issue of property specifically the Lockean version of the self that tied identity to legal conceptions of property and economic value In separate discussions of Charles Chesnutt Edith Wharton and Theodore Dreiser *Reconstituting Authority* reveals authors as closely engaged with those changing perspectives on property and identity in ways that challenged the racial gendered and economic consequences of America's possessive individualism

Legal Realisms Christine Holbo, 2019-08-01 United States historians have long regarded the U S Civil War and its Reconstruction as a second American revolution Literary scholars however have yet to show how fully these years revolutionized the American imagination Emblematic of this moment was the post war search for a Great American Novel a novel fully adequate to the breadth and diversity of the United States in the era of the Fourteenth Amendment While the passage of the Reconstruction Amendments declared the ideal of equality before the law a reality persistent and increasing inequality challenged idealists and realists alike The controversy over what full representation should mean sparked debates about the value of cultural difference and aesthetic dissonance and it led to a thoroughgoing reconstruction of the meaning of realism for readers writers politics and law The dilemmas of incomplete emancipation which would damage and define American life from the late nineteenth century onwards would also force novelists to reconsider the definition and possibilities of the novel as a genre of social representation *Legal Realisms* examines these transformations in the face of uneven developments in the racial ethnic gender and class structure of American society Offering provocative new readings of Mark Twain Henry James William Dean Howells Helen Hunt Jackson Albion Tourg e and others Christine Holbo explores the transformation of the novel's distinctive modes of social knowledge in

relation to developments in art philosophy law politics and moral theory As Legal Realisms follows the novel through the worlds of California Native American removal and the Reconstruction era South of the Mississippi valley and the urban Northeast this study shows how violence prejudice and exclusion haunted the celebratory literatures of national equality but it demonstrates as well the way novelists representation of the difficulty of achieving equality before the law helped Americans articulate the need for a more robust concept of social justice

New Directions in Law and Literature Elizabeth S. Anker, Bernadette Meyler, 2017-05-25 After its heyday in the 1970s and 1980s many wondered whether the law and literature movement would retain vitality This collection of essays featuring twenty two prominent scholars from literature departments as well as law schools showcases the vibrancy of recent work in the field while highlighting its many new directions *New Directions in Law and Literature* furnishes an overview of where the field has been its recent past and its potential futures Some of the essays examine the methodological choices that have affected the field among these are concern for globalization the integration of approaches from history and political theory the application of new theoretical models from affect studies and queer theory and expansion beyond text to performance and the image Others grapple with particular intersections between law and literature whether in copyright law competing visions of alternatives to marriage or the role of ornament in the law s construction of racialized bodies The volume is designed to be a course book that is accessible to undergraduates and law students as well as relevant to academics with an interest in law and the humanities The essays are simultaneously intended to be introductory and addressed to experts in law and literature More than any other existing book in the field *New Directions* furnishes a guide to the most exciting new work in law and literature while also situating that work within more established debates and conversations

Elgar Concise Encyclopedia of Law and Literature Robert Spoo, Simon Stern, 2025-01-09 The *Elgar Concise Encyclopedia of Law and Literature* surveys the intersection between two important fields of study Interdisciplinary in scope the volume showcases the many ways in which literary and legal methods and insights both converge and remain distinct

A Companion to American Legal History Sally E. Hadden, Alfred L. Brophy, 2013-02-22 *A Companion to American Legal History* presents a compilation of the most recent writings from leading scholars on American legal history from the colonial era through the late twentieth century Presents up to date research describing the key debates in American legal history Reflects the current state of American legal history research and points readers in the direction of future research Represents an ideal companion for graduate and law students seeking an introduction to the field the key questions and future research ideas

Sites Unseen William A. Gleason, 2011 *Sites Unseen* examines the complex intertwining of race and architecture in nineteenth and early twentieth century American culture the period not only in which American architecture came of age professionally in the U S but also in which ideas about architecture became a prominent part of broader conversations about American culture history politics and OCoalthough we have not yet understood this clearly OCorace relations This rich and copiously illustrated

interdisciplinary study explores the ways that American writing between roughly 1850 and 1930 concerned itself often intensely with the racial implications of architectural space primarily but not exclusively through domestic architecture In addition to identifying an archive of provocative primary materials Sites Unseen draws significantly on important recent scholarship in multiple fields ranging from literature history and material culture to architecture cultural geography and urban planning Together the chapters interrogate a variety of expressive American vernacular forms including the dialect tale the novel of empire letters and pulp stories along with the plantation cabin the West Indian cottage the Latin American plaza and the OC OrientalOCO parlor These are some of the overlooked plots and structures that can and should inform a more comprehensive consideration of the literary and cultural meanings of American architecture Making sense of the relations between architecture race and American writing of the long nineteenth centuryOCoin their regional national and hemispheric contextsOCO Sites Unseen provides a clearer view not only of this catalytic era but also more broadly of what architectural historian Dell Upton has aptly termed the social experience of the built environment Reading the American Novel 1865 - 1914 G. R. Thompson,2011-10-17 An indispensable tool for teachers and students of American literature Reading the American Novel 1865 1914 provides a comprehensive introduction to the American novel in the post civil war period Locates American novels and stories within a specific historical and literary context Offers fresh analyses of key selected literary works Addresses a wide audience of academics and non academics in clear accessible prose Demonstrates the changing mentality of 19th century America entering the 20th century Explores the relationship between the intellectual and artistic output of the time and the turbulent socio political context **Paternalism Incorporated** David Leverenz,2003 Between the Civil War and World War I David Leverenz maintains the corporate transformation of American work created widespread desire for upward mobility along with widening class divisions In his view several significant narrative constructs notably the daddy s girl and the daddy s boy emerge at the intersection between paternalist practices and more democratic possibilities for self advancement From Mark Twain s Laura Hawkins in The Gilded Age to the protagonist of Theodore Dreiser s Sister Carrie and Willa Cather s Alexandra Bergson in O Pioneers Leverenz finds that the image of the daddy s girl constrains the emerging threat of the career woman even as it articulates the lure of upward mobility for women In surveying the figure of the daddy s boy Leverenz examines tensions between young men s desires for upward mobility and older men s desires for paternal control Paternalism Incorporated also addresses yearnings for individualism and paternalism in various critiques of the emerging corporation Another chapter links honor and shaming to race in the philanthropic practices of Andrew Carnegie and John D Rockefeller framed with narratives by William Dean Howells Booker T Washington and Jane Addams After showing how a daddy s girl becomes a paternalist in Henry James s The Golden Bowl Leverenz considers F Scott Fitzgerald s Tender is the Night as paternalism s elegy contrasted with the Shirley Temple film The Little Colonel

The Literature of Reconstruction Brook Thomas,2017-01-17 In this groundbreaking new study author Brook Thomas

argues that literary analysis can enhance our historical understanding of race and Reconstruction The standard view that Reconstruction ended with the Compromise of 1877 is a retrospective construction Works of literature provide the perspective of those who continued to see possibilities for its renewal well past 1877 Historians have long tried to reconcile social history's emphasis on the local with political history's emphasis on the national Literature creates national political allegories while focusing on events in a particular locale Moreover the debate over Reconstruction was a debate about state legitimacy as well as specific laws It was a question of foundational myths as well as foundational legal principles Literature's political allegories allow us to recreate those debates rather than view the end of Reconstruction as a foregone conclusion Because many of the issues raised by Reconstruction remain unresolved those debates continue into the present Chapters treat how the racial issues raised by Reconstruction are interwoven with debates over state v national authority efforts to combat terrorism the KKK the paternalism of welfare economic expansion and the question of who should rightly inherit the nation's past Thomas examines authors who opposed Reconstruction authors who supported it and authors who struggled with mixed feelings This exciting text will set the standard in literary historical studies for decades to come

A Critical Introduction to Law and Literature Kieran Dolin, 2007-03-15 Despite their apparent separation law and literature have been closely linked fields throughout history Linguistic creativity is central to the law with literary modes such as narrative and metaphor infiltrating legal texts Equally legal norms of good and bad conduct of identity and human responsibility are reflected or subverted in literature's engagement with questions of law and justice Law seeks to regulate creative expression while literary texts critique and sometimes openly resist the law Kieran Dolin introduces this interdisciplinary field focusing on the many ways that law and literature have addressed and engaged with each other He charts the history of the shifting relations between the two disciplines from the open affiliation between literature and law in the sixteenth century Inns of Court to the less visible links of contemporary culture Originally published in 2007 this book provides an accessible guide to one of the most exciting areas of interdisciplinary scholarship

Searching the Law, 3d Edition Frank Bae, Edward

Bander, Francis Doyle, Joel Fishman, Paul Richert, 2021-12-13

Yours for Humanity JoAnn Pavletich, 2022-12-15 Pauline

Elizabeth Hopkins 1859-1930 African American novelist editor journalist playwright historian and public intellectual used fiction to explore and intervene in the social racial and political challenges of her era Her particular form of cultural activism was groundbreaking for its time and continues to influence and inspire authors and scholars today This collection of essays constitutes a new phase in the full historical and literary recovery of her work JoAnn Pavletich argues that considered from the broadest of perspectives Hopkins's life work occupies itself with the critique and creation of epistemologies that control racialized knowledge and experience Whether in representations of a critical contemporary problem such as lynching imperialism or pan African unity or in representations of African American women's voices Hopkins's texts create new knowledge and new frames for understanding it The essays in this collection engage this knowledge articulating nuanced

understandings of Hopkins's era and her innovative writing practices opening new doors for the next generation of Hopkins scholarship. With contributions from well-established Hopkins scholars such as John Gruesser, editor of *The Unruly Voice*, and Hanna Wallinger, author of *Pauline E. Hopkins: A Literary Biography*, the collection also includes important new scholars on Hopkins such as Elizabeth Cali Edlie Wong and others.

Special Issue: Law Firms, Legal Culture and Legal Practice Austin Sarat, 2010-09-24 Large law firms have become a dominant feature of the legal landscape in the United States and elsewhere. This volume of *Studies in Law, Politics and Society* examines the situation of large law firms.

A Historical Guide to Edith Wharton Carol J. Singley, 2003 Various authors focus on life and works of Edith Wharton on her women in fashion in history, out of time, addiction and intimacy, travel and modernity, art, the age of film. The book contains an illustrated chronology and a bibliographical essay.

Reconstructions Thomas J. Brown, 2008-09-23 The pivotal era of Reconstruction has inspired an outstanding historical literature. In the half century after W. E. B. DuBois published *Black Reconstruction in America* (1935), a host of thoughtful and energetic authors helped to dismantle racist stereotypes about the aftermath of emancipation and Union victory in the Civil War. The resolution of long-running interpretive debates shifted the issues at stake in Reconstruction scholarship, but the topic has remained a vital venue for original exploration of the American past. In *Reconstructions: New Perspectives on the Postbellum United States*, eight rising historians survey the latest generation of work and point to promising directions for future research. They show that the field is opening out to address a wider range of adjustments to the experiences and effects of Civil War. Increased interest in cultural history now enriches understandings traditionally centered on social and political history. Attention to gender has joined a focus on labor as a powerful strategy for analyzing negotiations over private and public authority. The contributors suggest that Reconstruction historiography might further thrive by strengthening connections to such subjects as western history, legal history, and diplomatic history, and by redefining the chronological boundaries of the postwar period. The essays provide more than a variety of attractive vantage points for fresh examination of a major phase of American history. By identifying the most exciting recent approaches to a theme previously studied so ably, the collection illuminates the creative process in scholarly historical literature.

The Fictions of American Capitalism Jacques-Henri Coste, Vincent Dussol, 2020-02-26 *The Fictions of American Capitalism: Working Fictions and the Economic Novel* introduces a new way of thinking about fiction in connection with capitalism, especially American capitalism. These essays demonstrate how fiction fulfills a major function of the American capitalist engine, presenting various formulations of American capitalism from the perspective of economists, social scientists, and literary critics. Focusing on three narratives: fictitious capital, working fictions, and the economic novel, the volume questions whether these three types of fiction can be linked under the sign of capitalism. This collection seeks to illustrate the American economy's dependence on fictitiousness, America's ideological fictions, and the nation's creative literary fiction. In relation to what the credit and banking crisis of 2007-2008 exposed about the unreal base of the economy, the volume concludes with a

call to recognize the economic humanities arguing that American fiction and American literary studies can provide a useful mirror for economists

Pauline E. Hopkins Hanna Wallinger, 2012-06-01 Virtually unknown for the better part of the twentieth century Pauline E Hopkins 1859 1930 is one of the most interesting rediscoveries of recent African American literary history This is the first study devoted exclusively to Hopkins s life and her influential career as an editor political writer social critic pioneering playwright biographer and fiction writer Hanna Wallinger s discoveries break much new ground especially regarding Hopkins s relationship with such notable men and women as Booker T Washington and Anna Julia Cooper her position in Boston s black women s club movement her work with the Boston based Colored American Magazine and her concepts of race gender and class Drawing on recently discovered letters Wallinger sheds new light on the relationship between Hopkins and Booker T Washington particularly the acrimony surrounding Hopkins s departure from the Colored American Magazine She discusses Hopkins s pseudonymous writings in addition to those written under the known alias Sarah A Allen Wallinger interprets Hopkins s play Peculiar Sam her now famous novels Contending Forces Hagar s Daughter Winona and Of One Blood and the short stories which have so far received little critical attention This study also contains the little known but important text A Primer of Facts Republished here for the first time it establishes Hopkins as an early advocate of black nationalism and one of the few women writers who joined this discourse Hopkins writes Wallinger was on the scene when race consciousness was being defined This important new study reveals her role at the center of crucial debates about the cultural politics of magazine editing radical activism and the early feminist movement

American History Through Literature, 1870-1920 Tom Quirk, Gary Scharnhorst, 2006 This volume organized from addiction to Ghost stories features articles on works ideas genres aesthetics events places societal values and the history of publishing from 1870 to 1920

America, History and Life ,2004 Provides historical coverage of the United States and Canada from prehistory to the present Includes information abstracted from over 2 000 journals published worldwide

Representing the Race Gene Andrew Jarrett, 2011-08-08 The political value of African American literature has long been a topic of great debate among American writers both black and white from Thomas Jefferson to Barack Obama In his compelling new book Representing the Race Gene Andrew Jarrett traces the genealogy of this topic in order to develop an innovative political history of African American literature Jarrett examines texts of every sort pamphlets autobiographies cultural criticism poems short stories and novels to parse the myths of authenticity popular culture nationalism and militancy that have come to define African American political activism in recent decades He argues that unless we show the diverse and complex ways that African American literature has transformed society political myths will continue to limit our understanding of this intellectual tradition Cultural forums ranging from the printing press schools and conventions to parlors railroad cars and courtrooms provide the backdrop to this African American literary history while the foreground is replete with compelling stories from the debate over racial genius in early American history and the intellectual culture of racial politics after slavery

to the tension between copyright law and free speech in contemporary African American culture to the political audacity of Barack Obama's creative writing Erudite yet accessible *Representing the Race* is a bold explanation of what's at stake in continuing to politicize African American literature in the new millennium

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