

Vortrag des Zentrums für Kulturwissenschaften  
der Karl-Franzens-Universität Graz

# Law and Literature: interpreting law and interpreting lawyers

Marett Leiboff (University of Wollongong, Australia)

Dienstag, 12. Mai 2015, 18:30 Uhr  
Gewi Sitzungszimmer  
Universitätsplatz 3/EG, 8010 Graz

In the forty or more years since Law and Literature scholarship began as a serious area of study in the US, its pull on lawyers, legal theorists, and literature and cultural studies scholars has not waned. In its various formations, however, very little attention has been paid to the uses by lawyers and the courts of literature, history, and culture when reading and interpreting case law and legislation. Whether consciously or unconsciously deployed, it seems as if these factors will be used to shape their thinking, or to frame their reasoning.

In common law countries, like the US, the UK, and Australia, strict forms of legal interpretation tell us that we follow precedent, interpreting legal texts according to the law alone, to the exclusion of all else. But as will be seen, the interpreting lawyer or judge constantly draws on an interpretative universe through which to filter legal rules, which is as much a product of their own time and place, as our own ability to read and interpret judgments is grounded in our own time and place. Understanding how to interpret law and to interpret and understand ourselves as interpreting lawyers is a prime task of Law and Literature, and its cousins, Law and Humanities and Cultural Legal Studies, as we move towards the uncertainties that face law and its interpreters as we move towards the 2020s.

Dr **Marett Leiboff** is an Australian Associate Professor of Law. She joined the Faculty of Law at the University of Wollongong in July 2008 after 12 years in the law faculty of another Australian university. She is a cultural legal studies and law and humanities scholar who is particularly interested in the role that non-legal factors play in legal interpretation. She is currently working on a conception of theatrical jurisprudence as a means through which to engender concepts of responsibility in legal interpretation. She also researches into legal conceptions of visual and historical culture. In 2014, she was appointed to the National Cultural Heritage Committee by the Australian Attorney-General and Minister for Arts. Marett is also managing editor of the transnational journal *Law Text Culture*, and a member of its Board.

Dr.phil. Doris Pichler  
Zentrum für Kulturwissenschaften  
doris.pichler@uni-graz.at