Christian Hiebaum, Susanne Knaller,
Doris Pichler (Hg./eds.)

Recht und Literatur im Zwischenraum

Law and Literature In-Between

Aktuelle inter- und transdisziplinäre Zugänge

Contemporary Inter- and Transdisciplinary Approaches

[transcript] Lettre

Aus:

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Mai 2015, 306 Seiten, kart., 39,99 €, ISBN 978-3-8376-2844-9

Der Beziehung von Recht und Literatur wird seit einigen Jahrzehnten sowohl in der Literatur- als auch in der Rechtswissenschaft große Aufmerksamkeit zuteil. Vor dem Hintergrund der theoretischen und praktischen Anforderungen von Inter- und Transdisziplinarität bietet dieser Band einen Überblick über den aktuellen Stand des Forschungsfeldes.
Rechts- und Literaturwissenschaftler_innen behandeln brisante Fragen wie die Möglichkeit von Methoden- und Begriffstransfers, mediale Darstellungen von Recht und den Zusammenhang zwischen Rechtsempfinden und den Künsten.

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Weitere Informationen und Bestellung unter:
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Inhalt/Contents

Theoretische und methodologische Wechselbezüge/ Theoretical and Methodological Cross-References

Recht, Narration und Fiktion/ Law, Narration, and Fiction

Preface

The present collection of essays is, in part, the result of an international conference which took place at the University of Graz in November 2013.[1] Within the context of the *Grazer Forschungskolloquien zur Allgemeinen und Vergleichenden Literaturwissenschaft*,[2] the event was organized by the Research Department of General and Comparative Literature (AVL), the Center for Cultural Studies, and the Department of Legal Philosophy, Sociology of Law and Legal Informatics. By choosing the topic of Law and Literature, the organizers wanted to explore one of the most productive interdisciplinary exchanges between legal and literary studies and discuss it with internationally renowned scholars for the first time in Austria.

The field of Law and Literature, which has been widely discussed and institutionalized in Anglo-American universities for many years now and has recently also been established in European scientific communities, allows us to deal with several issues of interest: Firstly, it contributes to the currently very popular discussion of inter- and transdisciplinarity; secondly, it offers a debate of theoretical issues such as the relationship between literature, politics, and society, questions of hermeneutics and interpretation, the interdisciplinary exchange of notions and concepts etc. Thirdly, it opens up the discussion about practices of authors and readers of literary and legal texts and other media as members or outsiders of a linguistic, cultural, and social community.

Keeping in mind all these different functions of Law and Literature, the "in-between" of the title of the book refers to the particular movement or processual relationship that takes place when different disciplines, their discourses and their practices are engaged and confronted. Furthermore, it underlines the necessity of an encounter of different discourses, practices, and materials when

1 | In addition to the papers presented at the conference the book now also includes essays by Ino Augsberg, Susanne Knaller, and Christine Künzel.

2 | Cf. Susanne Knaller/Doris Pichler (eds.) (2013): *Literaturwissenschaft heute. Gegenstand, Positionen, Relevanz*, Göttingen. Rita Rieger (ed.) (2015): *Bewegungsfreiheit. Tanz und Literatur (1900-1930)*, Bielefeld (forthcoming).

looking at literature/literary theory and law/legal theory generally, given their intrinsic interdisciplinary status. As for literature, one is always dealing with an aesthetic system that also observes and integrates non-aesthetic issues and material (such as society, other media, science, politics etc.). Therefore, literary theory necessarily has to integrate models and discourses of non-aesthetic systems. In turn, legal practice has an obvious theatrical dimension, and much depends on storytelling and rhetoric (in addition to power and authority), while legal analysis and interpretation typically aim at consistency and coherence, the latter being also (and perhaps essentially[3]) an aesthetic category.

Exchanges between law and legal studies on the one hand, and literature and literary theory on the other, should be neither a mere going back and forth between disciplines or theoretical sides nor should one discipline change into the other. Rather, these exchanges should be understood as a process that takes place in a third ground. Thus, it seems appropriate to work *between* theories, discourses, and practices in terms of an encounter, of a "taking place within." With regard to a more general approach to such encounters, Bernhard Dotzler and Henning Schmidgen thus state:

> Places in-between are those points of intersection, intervals, and spaces in which elemental processes in the production of knowledge settle. [...] They attach themselves to the discursive formations and mythological figures that the exchange between the disciplines, between science and the public, and between science present and science past produce and encumber. [...] In the topology that arises, the brain researcher meets the writer, the engineer meets the archivist, the musician meets the soldier.[4]

And, as is the case with the special in-between of Law and Literature, we could add: the literary critic meets the legal theorist, the writer meets the judge – en-

3 | Cf. Joachim Lege (1999): *Pragmatismus und Jurisprudenz. Über die Philosophie des Charles Sanders Peirce und über das Verhältnis von Logik, Wertung und Kreativität im Recht*, Tübingen, 563-610.

4 | Berhard J. Dotzler/Henning Schmidgen: "Einleitung," in: id. (eds.) (2008): *Parasiten und Sirenen. Zwischenräume als Orte der materiellen Wissensproduktion*, Bielefeld, 7-17, 7. (our translation) Cf. also the volume by Uwe Wirth (ed.) (2012): *Bewegen im Zwischenraum*, Berlin. Orig.: "Zwischenräume sind jene Schnittstellen, Intervalle und Abstände, in denen sich elementare Prozesse der Wissensproduktion ansiedeln. [...] Sie lassen sich aber auch an den diskursiven Formationen und mythologischen Figuren festmachen, die den Austausch zwischen den Disziplinen, zwischen der Wissenschaft und der Öffentlichkeit sowie zwischen Wissenschaftsgegenwart und Wissenschaftsvergangenheit tragen und beschweren. [...] In der Topologie, die so entsteht, begegnet der Hirnforscher dem Schriftsteller, der Ingenieur dem Archivar, der Musiker dem Soldaten."

counters that are not to be understood as arbitrary (even if such confrontations could be stimulating) or as merely contingent but as a necessary conditionality for both the disciplines (legal and literary studies) and the objects in question (here law and literature), as the articles in this book will demonstrate. Dealing with the field of Law and Literature (or the objects of the disciplines, namely law and literature) under the premise of an in-between means, therefore, not to set limits to theoretical approaches, research questions, and the field of objects to be analyzed.

The essays collected in this book want to explore precisely this space of the in-between of Law and Literature. This in-between, on the one hand, can look back at quite a history and tradition, but seems – on the other hand – to be constantly under construction and has to be continuously questioned, as the ongoing discussion on the problematic state of interdisciplinarity shows. According to contemporary academic trends and approaches and considering national traditions and respective disciplinary backgrounds, the interdiscipline of Law and Literature has, therefore, to be always newly aligned.

The collection of essays thus starts with an introductory paper by Doris Pichler in which – with regard to the special encounter between law and literature – she discusses the complexity of the notion of interdisciplinarity, and underlines her arguments with an analysis of a theoretical text concerned with Law and Literature as a practical example of a particularly playful approach to the field.

The assembled papers of the following chapter go on to address important questions and reflections such as on the future of and new trends within Law and Literature. Greta Olson questions the current state of the art of Law and Literature and analyses new orientations and research needs within the field. She strongly proclaims a move away from a too restricted view of literary studies as a merely textual science and suggests opening up the field towards Law and Culture. Whereas Olson inhabits a culturalist's perspective, the judge Jeanne Gaakeer investigates the future of the field from a legal scholar's perspective. As, in part, a response to Olson's paper, she stresses the (in her view) still very important function of literary studies for legal studies, especially as hermeneutic disciplines. Gaakeer thus focuses on concepts such as narrative, metaphor, and mimesis in their usefulness for legal practice, especially for the judge's reasoning. Still questioning the state of the art of the field of Law and Literature, Daniela Carpi then presents a number of recent, similar interdisciplinary approaches to Law and Literature by discussing several "law and…," such as "Law and Religion," "Law and Equity," and others. The last paper of this second section then focuses on a fairly new and particular approach within Law and Literature, namely, on "Law and Emotion." Susanne Knaller suggests involving research on emotion more strongly in order to enlighten important theoretical questions within both legal and literary studies.

In order to figure out the foundations of the in-between of Law and Literature, a third group of essays focuses on the conceptual foundation of the interdiscipline and the potential for interdisciplinary transfer it offers. A number of papers thus combine legal and literary theory or literary theory with legal practice and offer theoretical and methodological cross-references. Ino Augsberg starts off with an analysis of law as an autopoietic system. Under this perspective, legal decisions are not considered as locked in the binarity of justice and injustice (*Recht und Unrecht*), but as a "making" ('herstellen') as well as a "representing" ('darstellen') in an in-between of law, language, and literature without reaching the point of an intrinsic meaning. Whereas Christian Hiebaum, from a legal perspective, parallels legal interpretation and thus the reading of legal texts with the reading of literary texts, Christine Künzel weighs the possibility of working with the concept of aesthetic fiction in legal studies. As a further contribution to the discussion of the conceptual foundation of the interdiscipline, Günther Höfler focuses on a concept that can be located in-between law and literature, namely, "poetic justice" and shows how justice and the perception of justice is generated within literary texts. Peter Deutschmann then analyzes how the literary notion of allegory can be used to describe (and explain) the difficulties within the formation of new nations and thus in International Law.

After these theoretical reflections on the state of the art and future of Law and Literature and their conceptual basis, a number of papers address the field from the perspective of Law and Culture as suggested by Olson. Therefore, the section "Law, Narration, and Fiction" gathers papers which focus on film and texts and the different views on and of law they offer. Joachim Harst opens this last section by connecting literature and legal history. In a detailed reading of Homer's *Odyssey* he analyses the legal implications of marriage and oath. Elke Lackner, also from a cultural studies' perspective, shows the implications and paradoxical overlapping of publicly staged (real) executions and their fictional representation in popular writings of the 18th century. The concluding papers by Peter Strasser and Elisabeth Holzleithner investigate filmic depictions of legal matters and their implications for both our perception of good and evil (Strasser) and our awareness of legal practices (Holzleithner).

The conference and the publication of the present volume would not have been possible without the great help from our colleagues. We thus want to thank Evelyn Höbenreich, Andrea Ploder, and Anita Ziegerhofer for doing an excellent job as chairpersons at the conference. Furthermore, we are very grateful to Mario Huber and Peter Kenny who contributed considerably to the realization of this book with their considerate and careful proofreadings of the papers collected here.

For financial support we would like to thank: *Land Steiermark*, the Dean of the Faculty of Law, the Vice-Rector for Research and Junior Researchers' Promotion and the Center of Cultural Studies of the University of Graz.

Christian Hiebaum, Susanne Knaller, Doris Pichler

Law and Literature: Some Reflections upon the Nature of its Interdisciplinarity

An Introduction

Doris Pichler

I. Law and Literature: A Successful Interdisciplinary Encounter?

The question whether Law and Literature can be considered a successful interdisciplinary encounter or whether it is only an "interdisciplinary illusion"[1] as Julie Stone Peters suspected some years ago, runs like a refrain through Law and Literature research. That this discussion cannot be brought to a reasonable end is due to the floating characteristics of interdisciplinary movements as well as to the fact that "interdisciplinarity" as such is a notion very much in need of specification and clarification. This latter point is also a result of the fact that the notion of interdisciplinarity as such has become a very trendy catchword in all sorts of academic discussions and arguments.

It is worthwhile, therefore, to start off with a few general remarks on interdisciplinarity and interdisciplines: What strikes us first is that interdisciplinarity seems to be as old as disciplinarity itself and in fact there is a wide range of interdisciplines which do not seem all that catchy and "new" after all. This becomes evident if we think of interdisciplines which have become part of the disciplinary canon by now, such as – to name just one, random example – "food technology," which developed out of a number of different disciplines such as chemistry, biology, physics, and others. A discussion about whether this interdisciplinary encounter is successful is superfluous since – out of necessity – an original interdisciplinary approach has developed into a stable (inter-) discipline.

Equally common are interdisciplines whose departing disciplines are still very easily traceable. This is the case with the "classic," original version of "in-

1 | Cf. Stone Peters 2005.

terdisciplinarity" that aims to build a new interdiscipline expressed by just "one word" formations such as biotechnology, biomedicine, psycho-/neurolinguistics, ethnobiology; or by a qualifying adjective plus noun as in chemical physics, physical chemistry, behavioral neuroscience etc. In these cases, closely related disciplines form a new discipline that ideally stands in-between the two former ones; however, the respective second part of the compound or the noun (in the adjective plus noun constructions) seems to stand for the predominant discipline.[2]

What these interdisciplines have in common, however, is that their underlying disciplines are closely related or form logical partners for each other. Seemingly different forms of interdisciplinarity are, in contrast, fields of research such as Law and Economics, Economics and Philosophy, Law and Psychology, Philosophy and Biology, Philosophy and Physics; and, of course, fields of research in connection with literary studies such as Literature and Medicine, Literature and Science, Literature and Economics and, finally, Law and Literature.

In all these cases, the word formation is performed by taking the disciplines' names, in their most abstract and least concrete version, and by connecting them with the conjunction "and." Contrary to interdisciplines such as chemical physics, no new discipline arises, but rather a new *field* that can still be (or should be (?)) attributed equally to both foundational disciplines. At first sight the construction *x and y* thus implies simplicity; however, upon closer reflection they reveal a high degree of complexity. By connecting two entire disciplines (with all their respective sub-disciplines, theories, and methods) we get, in fact, a nearly unlimited number of new interdisciplinary approaches and research questions. It is exactly the conjunction "and" – the intersecting set of the two original source disciplines – that comprises this vast number of new research fields. The complexity of this "and" is especially caused by the fact that it is, in fact, double layered since it opens up interdisciplinary research questions on an object level as well as theoretical reflections about interdisciplinarity (in particular and in general) on a meta-level.

Due to the complexity of the interdisciplinary approach of Law and Literature, a discussion about its particular interdisciplinary status has been vividly led from its beginning on: Most scholars lament the fact that there is a lack of real interdisciplinarity, in so far as it is only a pretended interdisciplinarity; the conjunction "and" misleadingly suggests "equality," but in fact it is very often either too one-sided (that is to say one discipline simply uses the other discipline's methods or imposes its methods on the other)[3] or too "all inclusive."[4] Thus, very often the relationship between the disciplines law and literature is

2 | Cf. Vollmer 2010: 52.

3 | Cf. Binder/Weisberg 2000: 5f.; Greiner 2010: 10.

4 | Stone Peters 2005: 444.

metaphorically described as an unequal gender relationship.[5] This is already determined in the very beginnings of the movement, when Jakob Grimm uses his now famous metaphor of the marital bed, stating that "law and poetry arose out of the same bed"[6] – law would be the male, thus the "strong" and leading part, literature the "weak" female one. This "unequal relation" is manifested in the fact that, at its beginnings, the modern Law and Literature movement mainly stirred interest in legal departments and only gradually gained influence in literary departments. This is especially the case with regard to the founding country of modern Law and Literature, the US. Nowadays the situation seems to have changed: a shift in interest has taken place and it is now rather of interest for literary scholars, especially in European (and German speaking) academia.

A further reason why the interdisciplinarity of Law and Literature is sometimes perceived as only partially satisfying could lie in the fact that the shaping of an interdisciplinary approach is said to be mere compensation for an "innerdisciplinary crisis." In his famous nine theses on the possibilities and boundaries of interdisciplinarity, Jürgen Mittelstraß holds responsible a lack of "disciplinary imagination" for the urge for interdisciplinarity. In other words: a new interdiscipline is said to be a loophole out of inner-disciplinary problems.[7] The trend towards interdisciplinarity would then be (according to Julie Stone Peters) always a form of "disciplinary symptom." Staying within this field of medical metaphors, she talks therefore about the "healing function" each discipline has for the other: Literature (or rather literary studies) gets some practical function and feels thus "needed;" law gets back its lost humanism, which vanished because of bureaucracy.[8]

In a further diagnosis of the interdisciplinary status of Law and Literature, the American lawyer J. B. Baron sees the movement stuck in a paradox status of *too little* interdisciplinarity on the one hand and *too much* interdisciplinarity on the other.[9] A lack of interdisciplinarity is caused by a one-sided perspective and too little thoughtfulness about interdisciplinarity. Thus, the meta-theoretical reflection alongside interdisciplinary research on the object-level is indispensable and cannot be asked for enough. What Baron calls "too much interdisciplinarity" is then the result of too much distance of both disciplines from their origins, so that only few scholars of the two fields can find themselves within the common field.

5 | Cf. Künzel 2007.

6 | Cf. Grimm 1972: 8.

7 | Cf. Mittelstraß 1989: 76.

8 | Cf. Stone Peters 2005: 448.

9 | Cf. Baron 1999: 1061.

The fact that Law and Literature has always (from immediately after its beginnings) been perceived as too wide a field of research has led to its necessary further differentiation into subcategories. A great number of differentiations have been undertaken, which however differ only slightly and in degree one from another; thus, I name just a few particularly influential ones which have exemplary status. Most famously (and most widely agreed upon) is the binary division in *law in* and *law as* literature. As useful and still widely applied as this differentiation is, it still leaves us a very wide field of research.

J. B. Baron, for example, structures Law and Literature into three strands: Firstly, humanist Law and Literature, which can be equaled to law in literature, but its perspective is a merely legal one since humanist Law and Literature starts from the premise that literature should serve to morally educate students of law, lawyers, and judges. Secondly, there is hermeneutic Law and Literature, which describes the use of literary theory by legal scholars; and thirdly, she names narrative Law and Literature, which comprises the analysis and evaluation of "legal stories."[10]

A similar, but further differentiating suggestion to structure the movement is the one presented by Guyora Binder and Richard Weisberg.[11] They list a hermeneutic, narrative, rhetoric, deconstructive, and cultural criticism of law. In the authors' opinion, the last one, namely cultural criticism of law, is the most promising because it avoids a binary choice and thus a too rigid juxtaposition of two disciplines.[12] The "literature" in Law and Literature would then be replaced by terms such as "culture" or "humanities," which gives way to a wide concept of text and thus a large amount of potential material for analysis. The interdisciplinary field, however, is even more open and – as Stone Peters puts it – Law and Literature risks being transformed into something even more "amorphous."[13] A further subcategory of Law and Literature that is less often mentioned, but not less interesting, is the regulation of literature by law.[14]

These attempts at structuring the movement – as useful as they have been on the one hand – have had, on the other hand, the effect that Law and Literature is now perceived as a very fractured movement. There are many different strands and perspectives and the concerns of the single strands differ greatly from one another. Claude Conter's judgment has, therefore, to be taken into serious consideration when he states that the Law and Literature movement

10 | Cf. ibid.: 1063-1066.

11 | Cf. Binder/Weisberg 2000.

12 | Cf. ibid.: 18f.; cf. also Olson/Kayman 2007.

13 | Stone Peters 2005: 451.

14 | Cf. Gaakeer 2007: 30; Weitin 2010: 12.

has been split into a variety of subdisciplines that vary methodologically and in content so much that they can hardly be brought back to a common ground.[15]

We are thus faced with a paradox: The all-inclusiveness as well as the too detailed differentiation are both criticized. One reason why these differentiations are not entirely satisfactory is that they are often based on a merely legal perspective and consider literature and literary theory as the "guest discipline" and law as the "host discipline." The interdisciplinary field is thus clearly structured as an unequal one – differently to what its name suggests in which the two disciplines are co-ordinated at the same level.

A further problem is that most of the Law and Literature approaches mix theory, method, and material and thus do not clearly distinguish between a meta-theoretical reflection (such as in the connection between legal and literary theory in terms of interpretation for example) and the application of this reflection (namely, e.g., the reading of legal and/or literary texts with interpretation methods coming from literary and legal theory). So far, the misleading and far too generalized labels "law" and "literature" are applied. These expressions, however, do not tell us if the studies in question mean by the term "literature" the object or the meta-object of the methods and theories of the analysis of literature. The same can be said of "law": does "law" imply factual law, applied law or the theory and history of law? In fact, Law and Literature wants to comprise both levels. Since disciplines *per se* are self-referential communication systems, bringing together two self-referential communication systems might lead to a vicious circle where the talking *of* the object becomes at the same time the talking *about* the object. To avoid this interdisciplinary self-reference and thus a paradoxical referring back to itself, a conscious handling of the object- and meta-levels has to be undertaken to make this special interdisciplinarity work. At an epistemological level, it is exactly this successful handling of the relationship between object- and meta-level that defines the status of a discipline and, we have to add, an interdiscipline. If the meta- and object-level are poorly differentiated, a discipline encounters difficulties in holding its ground.[16]

A further reason contributing to the complexity and diversity of the movement is that by now we would in fact have to talk about several "Law and Literatures" that differ greatly one from another according to the cultural context and the academic and scholarly tradition they stem from. Even though the modern version of the movement was born in the US in the 1960s, it has by now also gained influence and tradition within Europe, where, however, a different legal system (except from the UK) is at use and thus the demands of Law and

15 | Cf. Conter 2010: 9.

16 | Cf. Jahraus 2004: 50.

Literature are different ones. Greta Olson thus rightly speaks of the need to "de-americanize" the movement.[17]

Consequently, the difficulty in talking about and working within Law and Literature lies in the fact that we always have to keep in mind who is talking (his/her academic background, that is, a legal or literary scholar), where is he/she talking (his/her cultural background and the legal and academic tradition he/she is from, that is, US, Europe etc.) and about what she/he is talking (which of the endless number of research questions generated by Law and Literature is she/he interested in?).

II. Terminological Debate: Interdisciplinarity and its Related Concepts

Already in 1999, Jane Baron argued for a "stronger thoughtfulness about interdisciplinarity."[18] Indeed, there still seems to be a need for further discussion and clarification within the scientific community, mainly because the meta-terminology seems to be used too carelessly. Scholars disagree on how to define or "grasp" the notion of interdisciplinarity. Markus Käbisch thus asks himself:

> Ist 'Inter-Disziplinarität' eine extra Forschung mit eigenen Begriffen und Regeln oder bedeutet das die Zwischenstellung eines Forschungsgegenstandes, wenn sich nicht entscheiden läßt, welcher Disziplin er zugehört? Oder heißt Interdisziplinarität, sich unabhängig von einem konkreten Forschungsgegenstand neugierig bei anderen Disziplinen umzuschauen, um nicht zu übersehen, mit was sich andere Forschungsbereiche beschäftigen? Ebenso könnte 'Inter-Disziplinarität' auch heißen, daß sich die auseinandergefallene Wissenschaft inmitten einer eigentlich einheitlichen Wissenschaft aufhält, die nur metatheoretisch erfaßt werden muß.[19]

What Käbisch hints at is the fact that the semantics of interdisciplinarity is extremely wide: It ranges from interdisciplinarity understood as triggering a new,

17 | Cf. Olson 2012.

18 | Baron 1999: 1061.

19 | Käbisch 2001: 16: "Is 'inter-disciplinarity' a separate field of research with its own terminologies and rules, or does it refer to the halfway house for a research object when it cannot be decided to which discipline it belongs? Or does interdisciplinarity mean to look around with curiosity at other disciplines, independently of a specific research object, in order not to overlook what it is that other fields of research are engaged with. Similarly, interdisciplinarity could also mean that the science that has fallen apart resides within an intrinsically unified science that only needs to be understood metatheoretically." (my translation)

independent research (discipline) to interdisciplinarity perceived as the compensation for the former unity of the scientific spectrum; thus, interdisciplinarity would be an "escape" into the "pre-differentiated area." With respect to this latter point, Mittelstraß states, again in his nine theses, that there is an "intrinsic interdisciplinarity to all disciplines" in so far as several disciplines share a set of methods, theories, and objects.[20] This is due to the development of disciplinary borders not according to logical or theoretical parameters but to primarily historical ones. Modern interdisciplinarity, or rather the contemporary trend towards interdisciplinarity, would then be nothing else than a move back towards the re-establishment of a former unity of the disciplinary spectrum and an escape from a too detailed and complex differentiation of disciplines.[21] Mittelstraß speaks thus of interdisciplinarity as both a "repair phenomenon" (to reinstall the former unity of science) and a "compensation phenomenon" (to evade disciplinary boundaries which are increasingly perceived as "cognitive boundaries").[22]

Due to its floating semantics, "interdisciplinarity" is thus particularly apt to be used as a "label" for reasons of mere science policy and less from the reflective point of view of philosophy of science,[23] or as Weingart puts it: as "a label almost synonymous with creativity and progress."[24] At the same time, historians and philosophers of science do not agree on how to define interdisciplinarity and its related (or subordinated) concepts such as multi-, pluri-, cross- and transdisciplinarity. In his comprehensive analysis of the semantic field of the notion of interdisciplinarity, Philipp Balsiger[25] names an even longer list of related terms, that is, compounds with "disciplinarity": "intra-,"[26] "infra-,"[27]

20 | Mittelstraß 1989: 73; cf. also: Leitch 2000: 4f.: "In this context, each discipline itself is always already infiltrated by some other discipline(s). Physics has mathematics, astronomy, and chemistry not only as neighbors but as guests. Literary studies, a more permeable discipline than most, is entangled with history, mythology and religion, psychology, linguistics, philosophy (especially aesthetics), folklore and anthropology, and political economy."

21 | Cf. Mittelstraß 1989: 74; cf. also Weingart 2010: 11f.

22 | Mittelstraß 1987: 152 (my translation).

23 | Cf. Sperber 2003: 8.

24 | Weingart 2000: 1; cf. also Balsiger 2005: 157: He states that interdisciplinarity has become part of everyday speech on the one hand and is used as a "label" on the other hand.

25 | Cf. Balsiger 2005: 140-150.

26 | Cf. ibid.: 145f.: "Intradisciplinarity" is a rarely used term which describes "transgressive" work within a discipline.

27 | Cf. ibid.: 145: This term was coined in 1973 and is only used as an adjective. It means the basis which all disciplines have in common.

"co-,"[28] "con-,"[29] "multi-," "pluri-,"[30] "cross-," "inter-," and "trans-"disciplinarity. However, apart from multi-, pluri-, cross-, inter- and transdisciplinarity, none of the other terms has gained considerable influence within the scientific discourse and they do not seem to contribute to a clarification of terminological difficulties concerning the semantic field of integrative disciplinary practice. Another obstacle to terminological clarity is caused by a further internal differentiation of interdisciplinarity as one form of interaction between disciplines. In this regard, Heckhausen differentiates between: indiscriminate, pseudo, auxiliary, composite, supplementary, and unifying interdisciplinarity.[31] Sukopp (following Mittelstraß), on the other hand, distinguishes between: theoretical, practical, and methodological interdisciplinarity.[32]

How can we then come to terms with this vast field of the semantics of disciplinary cooperation? The first serious attempt to structure the terminological debate took place in 1970 when influential scholars of interdisciplinarity such as Heinz Heckhausen and Erich Jantsch contributed to a "Seminar on Interdisciplinarity in Universities" in Nice and coined seminal definitions for interdisciplinarity. By now, meta-theoretical literature on interdisciplinarity has become – as expected – very extensive and Balsiger even talks about an "explosion of attempts to regulate terminology"[33] from the late 1970s onwards. I will thus limit myself to the most frequently used terms that, in my opinion, fulfill the purpose of defining more precisely the different research approaches within Law and Literature.

Beyond doubt, "interdisciplinary" is the most widely used term even though very often what is meant by interdisciplinary is, in fact, cross- or multidisciplinary respectively.[34] This "confusion" might be due to a particular characteristic of the term "interdisciplinarity" in that it can be seen as both an umbrella term for any sort of working across disciplines and a special form and degree of interdisciplinary cooperation. Balsiger thus suggests in his analysis replacing interdisciplinarity as an umbrella term by "disziplinenübergreifende Wis-

28 | Cf. ibid.: 142: A very general term meaning any form of co-operation between two disciplines and has been hardly used so far.

29 | Cf. ibid.: 144: "Condisciplinarity" was coined as a synonym for interdisciplinarity in 1990.

30 | Cf. ibid.: 147: This would be the first (simplest) form of interdisciplinary cooperation and is often held as a synonym for multidisciplinarity.

31 | Cf. Heckhausen 1970: 86-89.

32 | Cf. Sukopp 2010: 21f.

33 | Balsiger 2005: 138 (my translation).

34 | Most scholars agree: cf. Jantsch 1970: 107, cf. Gaakeer 2012: 46.

senschaftspraxis,"[35] which could be translated as: "crossdisciplinary scientific practice."

Interdisciplinarity as an umbrella term would then embrace the following interdisciplinary approaches, which I will briefly sketch. In doing so, I will rely on the terminological hierarchization proposed by Erich Jantsch.[36] His scheme of "successive steps for increasing co-operation and co-ordination in the education/innovation system"[37] is based on the seminal distinction between co-operation (a simple form of interdisciplinary encounter) and co-ordination (a more perfect, complex form of disciplinary integration and interaction).

Firstly, multidisciplinarity: Following the definition provided by Julie Thompson Klein in her "taxonomy of interdisciplinarity," "multidisciplinarity" is "an approach that juxtaposes disciplines."[38] Multidisciplinarity is thus the case when different disciplines treat the same topic but from their respective (that is discipline specific) point of view, as is often the case with conferences and lectures where different views on the same topic are presented. What is important here is that multidisciplinary research works on a "topic" rather than on a "precisely formulated scientific problem." Thus, the single disciplines remain fairly independent and do not aim at a final joint coherent conclusion.[39] Jantsch defines multidisciplinarity in terms of "a one-level multi-goal" without "co-coperation."[40]

Secondly, there is pluridisciplinarity, which is often used as a synonym for multidisciplinarity.[41] However, Jantsch, in his categorization (and hierarchization), sets pluridisciplinarity one step higher than multidisciplinarity in so far as pluridisciplinarity aims at "enhancing the relationships between the disciplines" and aims at a first, simple form of co-operation.[42] It does not seek co-ordination and usually takes place between closely acquainted disciplines. Understood in these terms, pluridisciplinarity would then be a first, though minimal version of real interdisciplinarity.

The next step to real interaction between disciplines is, again in Jantsch's hierarchization, a crossdisciplinary approach: working crossdisciplinarily means to adopt methods and research theories which are alien to one's own discipline. As we can see, cross-, multi- and pluridisciplinarity are the basis for

35 | Cf. Balsiger 2005: 139f.

36 | Cf. Jantsch 1970.

37 | Ibid.: 106f.

38 | Klein 2010: 17.

39 | Cf. Balsiger 2005: 154f.

40 | Jantsch 1970: 107.

41 | Cf. Jungert 2010: 2; cf. also Balsiger 2005: 151: He points out that the difference between multi- and pluridisciplinarity seems to be minimal.

42 | Jantsch 1970: 106f.

true interdisciplinarity, which then implies the *joint working* on *one* topic. However, as Balsiger[43] points out, the term "crossdisciplinary" seems to be mainly used in English and has gained less acceptance in German.

Interdisciplinarity is then a form of not only *co-operation between* but *co-ordination of* disciplines.[44] Heckhausen starts his article entitled "'Interdisziplinäre Forschung' zwischen Intra-, Multi- und Chimären-Disziplinarität" with a deliberately general definition of interdisciplinarity:

> Die Rede von 'interdisziplinärer Forschung' besagt gewöhnlich nicht mehr, als dass einige Wissenschaftler, die verschiedenen Fächern angehören, zusammen an einem Problem arbeiten, das so allgemein, alltagsnah oder fachfremd betitelt ist, dass noch kein Vertreter der beteiligten Fächer bereits das Problem unter den Aspekten seiner eigenen Fachlichkeit eingegrenzt und definiert hätte.[45]

In order to be "allowed" to use the term "interdisciplinary" appropriately, what we need is: 1) a new problem concerning all involved disciplines, 2) a personal and institutional cooperation, and 3) a limited difference between the theoretical integration levels of both disciplines.[46] To have the same research object alone is not enough to justify and to guarantee interdisciplinarity.[47] Ideally, the final aim of interdisciplinarity should be to build a new "interdiscipline" that consists of the intersecting set of research questions, methods, and theories of the two disciplines that form its basis.

Why, then, is there so often complaint about "faked and/or failed" interdisciplinarity?[48] The reason lies in the fact that there are a number of inhibiting factors to interdisciplinarity which cannot be so easily ignored. These factors are all based in a certain characteristic of disciplines, namely, their being "self-referential communication entities."[49] The breaking up of this self-referential system can then lead to difficulties caused in particular by: 1) a too special methodology of the single disciplines, 2) distinguished disciplinary codes, 3)

43 | Cf. Balsiger 2005: 144, cf. also Jungert 2010: 3.

44 | Cf. Jantsch 1970: 107.

45 | Heckhausen 1987: 129: "To speak of 'interdisciplinary research' says nothing more than that a number of scientists belonging to different fields work together on a problem that is titled in such a general, mundane or non-specialist way that no member of the relevant fields had as yet localized and defined the problem in terms of the aspects of their own disciplinarity." (my translation).

46 | Cf. Jungert 2010: 8f.

47 | Cf. ibid.: 4f.

48 | For "successful interdisciplinarity" see, e.g., Vollmer 2010: 53-61; Sperber 2003; Mansilla/Gardner 2003.

49 | Cf. Weingart 2010: 8.

rigid world views and paradigms, 4) a certain chauvinism of individual disciplines, and 5) a lack of understanding of disciplinarity.[50] With regard to this latter point, also Mittelstraß agrees that "interdisciplinary competence requires, first and foremost, disciplinary competence."[51] It is thus worthwhile reflecting upon the characteristics that are said to define a discipline.

Mittelstraß deems four elements as particularly significant: 1) objects, 2) methods, 3) a specific knowledge of interest, and 4) theories (and their historical and systematic contexts). As convincing as this list might be at first sight, it reveals itself to be highly difficult to apply on a second viewing and has been criticized.[52] Krüger thus lists the same parameters but accompanies his list with a critical reflection upon its usability.[53] Points of criticism are, among others, that many disciplines share the same object, but change the perspective; also, the same methods can be used by several disciplines. A more useful parameter is – according to Krüger – "theories," that is, the theoretical paradigm a discipline shares and the specific knowledge of interest. For our purpose, that of defining the interdisciplinary status of Law and Literature, one might have to add, therefore, that one of these characteristics alone does not suffice to determine a discipline, but that it is rather the specific understanding of all four characteristics (object, methods, knowledge, and theories) a discipline shares with another that determines its "disciplinary borders." These four parameters are thus relevant in so far as they can help to define interdisciplinarity, or rather to check whether behind the "label" of interdisciplinarity there is in fact also an interdiscipline. The interdiscipline must be found in the intersecting set of at least one of these parameters.[54]

And finally, there is transdisciplinarity, the strongest or "highest" form of interdisciplinary cooperation, that is (to be more precise), co-ordination.[55] According to Mittelstraß, one of the most influential scholars on this matter, transdisciplinarity aims at a lasting cooperation, at a transformation of scientific approaches and methods, and focuses (mainly) on problems that are not exclusively scholarly (such as ecological problems, social matters, problems concerning everyday life). This intense cooperation should ultimately lead to the merging of different disciplines and goes beyond the borders of the scholarly system.[56] Mittelstraß goes even further when – again in his nine theses – he defines *real interdisciplinarity* to be in fact *transdisciplinarity*, which would rule

50 | Cf. Sukopp 2010: 14f.

51 | Mittelstraß 1989: 75 (my translation).

52 | Cf. ibid.: 73; cf. also Sukopp 2010: 19f.

53 | Krüger 1987: 111-117.

54 | Cf. Käbisch 2001: 16-18, esp. 18.

55 | Cf. Jantsch 1970: 106f.

56 | Cf. Mittelstraß 2003: 9f.

out interdisciplinarity as a special form of cooperation between disciplines and would just leave it in its meaning as an umbrella concept:

> Interdisziplinarität im recht verstandenen Sinne geht nicht zwischen den Disziplinen hin und her oder schwebt, dem absoluten Geist nahe, über den Disziplinen. Interdisziplinarität hebt vielmehr innerhalb eines historischen Konstitutionszusammenhanges der Disziplinen disziplinäre Parzellierungen, wo diese ihre historische Erinnerung verlieren, wieder auf; sie ist in Wahrheit *Transdisziplinarität*.[57]

However, whereas the term "transdisciplinarity" is by now widely used within European academia, Robert Frodeman, in his introduction to *The Oxford Handbook of Interdisciplinarity*, points to the fact that interdisciplinarity is used for both concepts in the US.[58]

Coming back to our interdisciplinary research field of Law and Literature, the above reflections imply that when carrying out research within this field, one has to position oneself very clearly. Firstly, the academic and cultural tradition the research stems from or refers to has to be made clear; that is, which law system does the research talk about, which approaches in literary theory, for example, are its guidelines? Secondly, and as a further consequence of the first point, one should be careful to state more precisely what is understood by the generalized, all-encompassing terms of "law" and "literature." Does the paper work on a meta-level and thus reflect upon the "meeting" of the disciplines' theories and methods, or does it rather deal with the object-level, that is, with the analysis of the disciplines' material or does it deal with the encounter of these levels? And thirdly, we have to define the special interdisciplinary relationship which the respective research question or object hints at. If interdisciplinarity is, as suggested above, considered as an umbrella term, meaning any form of cooperation between disciplines, the specific inter-disciplinary research question should be stated according to the particular approach taken as either multi-, pluri-, cross-, or transdisciplinary – something which so far has often been neglected. In the following, I will present a very unconventional paper within the field that can be seen as an illustration of the possibilities and boundaries of Law and Literature research because it tackles all the above mentioned "needs" on a meta- as well as on an object-level.

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57 | Mittelstraß 1989: 77 (emphasis in original): "Interdisciplinarity correctly understood does not move back and forth between disciplines, nor does it float above the disciplines, like the absolute spirit. Rather, interdisciplinarity raises, anew, disciplinary parallels from amidst an historic constitutional coherence between the disciplines, where they cease to have their historical memory; it is, in reality, *transdisciplinarity*." (my translation)

58 | Cf. Frodeman 2010: xxx.

III. "The law of text in the texts of law": an Example of a Meta-Theoretical Narrative on Law and Literature

In their academic book *Postmodern Jurisprudences: the law of text in the texts of law* addressing a particular approach within Law and Literature, namely, a deconstructive criticism of law – in Binder's and Weisberg's differentiation – Costas Douzinas, Ronnie Warrington and Shaun McVeigh provide a particularly sophisticated play with the mentioned meta- and object levels and offer at the same time a nearly metafictional reflection on the special encounter between law and literature or rather between legal and literary practice and legal and literary theory. Using a crossdisciplinary perspective the authors connect jurisprudence with postmodern deconstruction. Their subtitle "the law of text in the texts of law" already hints at a special characteristic of the overlapping area of the disciplines that constitutes the field of Law and Literature, namely, that of operating like a fold (or also a wave). The use of the fold-metaphor to envision the special relationship between law and literature has been suggested by Ino Augsberg and serves to illustrate the special border type between the disciplines: A fold represents a sort of border that can be inverted; what was external becomes internal and vice versa.[59] Thus, it always has several sides which differ from each other, but remain at the same time connected. The fold as the overlapping area of the disciplines represents, therefore, the interdiscipline which has and gives always a different perspective, according to the respective folding and unfolding. In other words, using the terminology of systems theory, a fold is a differentiation which marks the differed as identical[60] and is intrinsically paradoxical because it is always something that at the same time it is not (similar to the liar's paradox). Thus, the title "law of text in the texts of law" implies this intrinsic potential for self-referentiality and endlessness.

Following a crossdisciplinary approach, the authors then use deconstructive theory (from literary studies and philosophy) (=meta-level -> the law of text) to read legal texts, that is, legal theory as well as legislative texts such laws, judgments (=object level -> the texts of law). In their introduction, the authors state the basic difference between jurisprudence and postmodern theory as lying within the aim at unambiguousness and tightness in the case of jurisprudence and an urge for openness and ongoing ambiguity in the case of deconstructive criticism:

> But while the two bodies of theory share some basic concepts, their conceptions seem to differ widely. The orthodox jurisprudence of modernity constructs theories that por-

59 | Augsberg 2012: 16.

60 | Cf. also Bunia 2007: 98f.

> tray the law as a coherent body of rules and principles, or of intentions and expressions of a sovereign will. [...] Its predominant strategy is to try and weave the legal texts into a single, seamless veil in which authorized and symmetrical patterns are endlessly produced, circulated and repeated. In this, postmodern theory could not be more different. It distrusts all attempts to create large-scale, totalizing theories in order to explain social phenomena. [...] an intention to unsettle apparently closed systems and empires of meaning.[61]

However, the distinction (between legal texts and non-legal texts, between theory and non-theory, or between laws of texts and texts of law – to refer once again to the book's title) is, in deconstructive terms, already a contradiction and can thus only be partially maintained. The leading principles of the text are thus uncertainty, indeterminacy, and openness, which are elaborated theoretically on a meta-level and carried out practically on an object-level. After having dealt at length, in a (more or less) usual academic way, with the texts of law and their being read, they dedicate their fourth and last part to "the laws of text" with a chapter entitled: "SUSPENDED SENTENCES: A novel approach to certain original problems of copyright law."

In this last chapter, the alleged borders between scientific (thus highly referential) writing and aesthetic (thus highly self-referential) writing are deliberately blurred: This final chapter is declared as a "chain novel" that tells the story of three law lecturers (the names of whom coincide with those of the real authors of the book at hand) whose paper on legal implications of Melville's *Billy Budd* has been rejected by the editor of the *English Law Journal*. We learn, furthermore, that charges are pressed against the lecturers because a former student claims that they have stolen his ideas out of his dissertation and used them in their essay. In a typically postmodern manner the novel remains open and does not throw light on the outcome of this legal dispute.

The very self-ironic "novel" consists of several parallel narrative parts in which the authors cunningly combine both the object- and the meta-levels of the two basic disciplines: legal practice (copy right claim), legal theory (reflection on copy right law, on ownership), literary practice (writing processes, texts) and literary theory (questions of originality, authorship etc.). These levels manifest themselves in: 1) the correspondence between the lecturers and the journal's editor; 2) a fragment of the legal judgment; 3) a letter from the student's lawyer to an expert in literary studies as well as a dialogue between them discussing legal, aesthetic, and philosophical implications of copyright law and thus related concepts such as originality, form of expression, skill, and economic implications; and 4) a final (interior) and highly comical monologue by an author of fiction where we are told that the author is accused of having copied

61 | Douzinas/Warrington/McVeigh 1991: ixf.

from a 19th century novel. This author has apparently met our fictional authors in a pub and they offer to help him by sending an article on copyright law to a journal. 5) On a fifth level we have "another text, independent from the main plots of the story, which comments, sometimes directly, often obliquely, on the events of the novel."[62] In this text, which runs parallel to the narrative text at the bottom of the pages of the whole chapter, philosophical questions concerning language, text, copyright and the double meaning of "sentence" are addressed. Given its particular content and place, the authors call it a "border text."[63]

The aim of this whole last chapter and its texts is to *do* what has been *said* in the preceding theoretical chapters, namely, to deconstruct a legal story. The authors themselves declare in their introduction to the chapter that:

> [...] the links in the great chain novel of the law are more fragile than the claim of modernist jurisprudence would have us believe. If we can summarise in a sentence, this chapter suspends and reinforces the reader's expectations of what (legal) texts should be. It asks whether readings, writing and speaking about law can be undertaken differently, and hints at the implications of this difference for the possibility of constructing different lives in the law and beyond.[64]

The distinction between legal and non-legal texts is thus suppressed when texts from both genres stand side by side in order to form one narrative. At the same time, the fictional authors oppose the fictional editor's reason for rejecting their paper, namely, that it is neither a novel nor an essay and cannot be textually categorized. The authors reply, however, that: "[...] the distinction between law and literature, novel and essay [...] seemed to us to set up more bifurcations, more sets of binary opposites of the kind we tried to refute in our essay."[65] And they classify their paper with the paradoxical, self-referring argument as: "our paper essayed to play with the form of the novel, it was merely an attempt at a novel form of essay writing. And in so far as our novel was really an essay in the thin disguise of a novel, it [...] [was] a novel approach to essay writing."[66] The authors play with the double meaning of "novel" as a noun and an adjective as well as with the double use of "essay" as noun and verb and thus claim to have developed a new form of essay writing akin to novel writing as well as a novel in the form of essay. The distinction thus deletes itself and is led *ad absurdum*. They

62 | Ibid.: 199.
63 | Ibid.: 200.
64 | Ibid.
65 | Ibid.: 212.
66 | Ibid.: 213.

close their letter to the editor with the rhetorical question: "[...] how can we distinguish the literature of law in fictions from the fiction of literature in law?"[67]

With *Postmodern Jurisprudences* we face, as we have seen, a rare example of an academic text that not only theoretically elaborates on the use of deconstructive readings of law, but also applies them directly. Greta Olson has called this approach the "performative character" typical of British Law and Literature.[68] The final chapter in particular can thus be read, among other levels, as a perfect example of the difficulties and potentials Law and Literature brings about.

Firstly, on the level of discourse as well as on the level of story it strongly hints at the danger of referring back to itself, since the fictional narrative they present gets stuck in a vicious circle when it actually ends where it begins, namely, with the editor's rejection letter. At the same time self-reference (and thus, in a further step, self-reflection) is also shown as a potential. By treating legal matters via a playful fictional mode peppered with post-modern metafictional devices (such as metalepsis, mise en abyme etc.), the authors suggest that a self-ironic referring back to itself, as is possible in literature, would also be useful in legal reasoning.

Secondly, the "novel" illustrates the positive implications of looking for new research questions and of opening up towards new material for analysis. This is the case on the level of story when the lecturers offer their highly enlightening reading of Melville's *Billy Budd*, and on a discursive meta-level when legal scholars writing a scholarly text retreat to the fictional genre in the end in order to offer a further perspective (=final chapter).

Thirdly, they illustrate the limits and potentials of an interdisciplinary dialogue when they highly ironize the different ways to argue offered by the literary expert and the lawyer, but still let them find some common points of view. When the literary expert gets carried away with deconstructing binaries, such as form and content, origins and originality, his legal counterpart tells him: "I think you should stick to the job for which you are being paid; work within the framework and don't try to explode it."[69]

And finally, and very importantly, this last chapter reveals the high degree of playfulness and creativity interdisciplinary research questions in Law and Literature can offer.

67 | Ibid.: 243.

68 | Cf. Olson 2012: 26.

69 | Douzinas/Warrington/McVeigh 1991: 249.

Bibliography

Augsberg, Ino (2012): "Innen des Außen des Innen: Verfaltungen zwischen Rechts- und Literaturwissenschaft," in: id./Lenski, Sophie-Charlotte (eds.): *Die Innenwelt der Außenwelt der Innenwelt des Rechts. Annäherungen zwischen Rechts- und Literaturwissenschaft*, München, 11-24.

Balsiger, Philipp W. (2005): *Transdisziplinarität. Systematisch-vergleichende Untersuchung disziplinenübergreifender Wissenschaftspraxis*, München.

Baron, Jane B. (1999): "Law, Literature, and the Problems of Interdisciplinarity," in: *Yale Law Journal* 108, 1059-1085.

Binder, Guyora/Weisberg, Robert (2000): *Literary Criticisms of Law*, Princeton.

Bunia, Remigius (2007): *Faltungen. Fiktion, Erzählen, Medien*, Berlin.

Conter, Claude (2010): "Justitiabilität und Rechtmäßigkeit. Verrechtlichungsprozesse von Literatur und Film," in: id. (ed.): *Justitiabilität und Rechtmäßigkeit. Verrechtlichungsprozesse von Literatur und Film*, Amsterdam/New York, 7-24.

Douzinas, Costas/Warrington, Ronnie/McVeigh, Shaun (1991): *Postmodern Jurisprudence: The Law of Text in the Texts of Law*, London/New York.

Frodeman, Robert (2010): "Introduction," in: id./et al. (eds): *The Oxford Handbook of Interdisciplinarity*, xxix-xxxix.

Gaakeer, Jeanne (2007): "(Con)temporary law," in: *European Journal of English Studies* 11/1, 29-47.

Gaakeer, Jeanne (2012): "European *Law and Literature:* Forever Young the Nomad Concurs," in: Porsdam, Helle/Elholm, Thomas (eds.): *Dialogues on Justice: European Perspectives on Law and Humanities*, Berlin/New York, 44-72.

Greiner, Bernhard (2010): "Das Forschungsfeld 'Recht und Literatur,'" in: id./Thums, Barbara/Vitzthum, Wolfgang (eds): *Recht und Literatur. Interdisziplinäre Bezüge*, Heidelberg, 7-26.

Grimm, Jakob (1972): *Von der Poesie im Recht*, Darmstadt.

Heckhausen, Heinz (1970): "Discipline and interdisciplinarity," in: Apostel, Léo et al. (eds.): *Interdisciplinarity: Problems of Teaching and Research in Universities*, Nice, 83-89.

Heckhausen, Heinz (1987): "'Interdisziplinäre Forschung' zwischen Intra-, Multi- und Chimären-Disziplinarität," in: Kocka, Jürgen (ed.): *Interdisziplinarität. Praxis – Herausforderung – Ideologie*, Berlin, 129-145.

Jahraus, Oliver (2004): *Literaturtheorie. Theoretische und methodische Grundlagen der Literaturwissenschaft*, Tübingen/Basel.

Jantsch, Erich (1970): "Towards interdisciplinarity and transdisciplinarity in education and innovation," in: Apostel, Léo et al. (eds.): *Interdisciplinarity: Problems of Teaching and Research in Universities*, Nice, 97-121.

Jungert, Michael (2010): "Was zwischen wem und warum eigentlich? Grundsätzliche Fragen der Interdisziplinarität," in: id. et al. (eds.): *Interdisziplinarität. Theorie. Praxis. Probleme*, Darmstadt, 1-12.

Käbisch, Markus (2001): "Sprachlogische Einheitskonzeptionen der Wissenschaft und Sprachvielfalt der Disziplinen. Überlegungen zu theoretischen und praktischen Ansätzen von Interdisziplinarität," in: id./Maaß, Holger/Schmidt, Sarah (eds.): *Interdisziplinarität. Chancen – Risiken – Konzepte*, Leipzig, 13-31.

Klein, Julie Thompson (2010): "A taxonomy of interdisciplinarity," in: Frodeman, Robert et al. (eds): *The Oxford Handbook of Interdisciplinarity*, 15-30.

Krüger; Lorenz (1987): "Einheit der Welt – Vielheit der Wissenschaft," in: Kocka, Jürgen (ed.): *Interdisziplinarität. Praxis – Herausforderung – Ideologie*, Berlin, 106-125.

Künzel, Christine (2007): "'Aus einem Bette aufgestanden'. Anmerkungen zum 'Verhältnis' zwischen Recht und Literatur," in: Hofmann, Gert (ed.): *Figures of Law: Studies in the Interference of Law and Literature*, Tübingen, 115-132.

Leitch, Vincent (2002): "Postmodern Interdisciplinarity," in: http://faculty-staff.ou.edu/L/Vincent.B.Leitch-1/article2.html (10.12.2014), 1-7.

Mansilla, Veronica Boix/Gardner, Howards (2003): "Assessing Interdisciplinary Work at the Frontier: An empirical exploration of 'symptoms of quality,'" in: https://www.mtu.edu/research/administration/sponsored-programs/enhancement/pdf/assessing-interdisciplinary-work.pdf (24.12.2014).

Mittelstraß, Jürgen (1987): "Die Stunde der Interdisziplinarität?" in: Kocka, Jürgen (ed.): *Interdisziplinarität. Praxis – Herausforderung – Ideologie*, Berlin, 152-158.

Mittelstraß, Jürgen (1989): "Wohin geht die Wissenschaft? Über Disziplinarität, Transdisziplinarität und das Wissen in einer Leibniz-Welt," in: id.: *Der Flug der Eule. Von der Vernunft der Wissenschaft und der Aufgabe der Philosophie*, Berlin, 60-88.

Mittelstraß, Jürgen (2003): *Transdisziplinarität – wissenschaftliche Zukunft und institutionelle Wirklichkeit*, Konstanz.

Olson, Greta (2012): "De-Americanizing Law and Literature Narratives: Opening up the Story," in: Porsdam, Helle/Elholm, Thomas (eds.): *Dialogues on Justice: European Perspectives on Law and Humanities*, Berlin/New York, 15-43.

Olson, Greta/Kayman, Martin (2007): "Introduction. From 'Law-and-Literature' to 'Law, literature, and language': A comparative approach," in: *European Journal of English Studies* 11/1, 1-15.

Sperber, Dan (2003): "Why Rethink Interdisciplinarity?" in: www.interdisciplines.org/interdisciplinarity/papers/1 (10.12.2014), 3-9.

Stone Peters, Julie (2005): "Law, Literature, and the Vanishing Real: On the Future of an Interdisciplinary Illusion," in: *PMLA* 120/2, 442-453.

Sukopp, Thomas (2010): "Interdisziplinarität und Transdisziplinarität. Definitionen und Konzepte," in: Jungert, Michael et al. (eds.): *Interdisziplinarität. Theorie. Praxis. Probleme*, Darmstadt, 13-29.

Vollmer, Gerhard (2010): "Interdisziplinarität – unerlässlich, aber leider unmöglich?" in: Jungert, Michael et al. (eds.): *Interdisziplinarität. Theorie. Praxis. Probleme*, Darmstadt, 47-75.

Weingart, Peter (2000): "Part 1. The popularity, functions, and paradoxes of interdisciplinarity: the discourse," in: id/Stehr, Nico (eds.): *Practising Interdisciplinarity*, Toronto, 1-2.

Weingart, Peter (2010): "A short history of knowledge formations," in: Frodeman, Robert et al. (eds): *The Oxford Handbook of Interdisciplinarity*, 3-14.

Weitin, Thomas (2010): *Recht und Literatur*, Münster.