Trial and Error: An Oxford Anthology of Legal Stories

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The courtroom has always contained many of the elements of great literature--conflict, suspense, high drama, and human tragedy. Indeed, the courtroom is a stage on which the noblest passions and basest instincts are played out before a jury who, much like the readers of a story or a novel, must interpret the evidence and formulate a judgment. It is not surprising, then, that law has attracted writers from Sophocles to Joyce Carol Oates, and that some of the most compelling moments in fiction arise from legal conflicts, for the law raises many of the most fundamental human issues: How can we know the truth? How do we decide between mercy and punishment? How can the impersonal machinery of the legal system protect the rights of the individual?

In *Trial and Error: An Oxford Book of Legal Stories*, Fred R. Shapiro and Jane Garry bring together thirty-two riveting stories, excerpts from novels, and nonfiction essays about the human dimensions of the law. From Sir Walter Scott's "The Two Drovers" (1827), to Ernest J. Gaines's *A Lesson Before Dying* (1993), the selections gathered here vividly dramatize the legal process. We see the law as a vehicle of frustration and inertia in Dickens's *Bleak House*, as a baffling affront to common sense in Mark Twain's *Roughing It*, as a forum for humiliation and cruelty in Robert Louis Stevenson's *Weir of Hermiston*, as a cynical and racist form of expediency in James Alan McPherson's "An Act of Prostitution," and as a battleground for the possession of a child in Sue Miller's *The Good Mother*. Here we find lawyers, criminal defendants, litigants, clients, judges, police, jurors, and witnesses, all of them depicted with veracity and insight. Many of the writers in this anthology either practiced or studied law, or were themselves involved in litigation; those who weren't, apply powers of observation to a process that affects us all. Thus, from George Eliot, Herman Melville, Anthony Trollope, and Frank O'Connor to William Faulkner, George Orwell, Nadine Gordimer, Louis Auchincloss, Phillip Roth, Elizabeth Jolley, and many others, this collection allows us to grasp more clearly the inner workings of the law, its effect on the human psyche, and the enormous tensions created by mankind's attempt to impose order and justice on social relations that often remain chaotic, defiant, and ungovernable.

With a sharply illuminating preface that explores the connections between literature and law, and with a helpful headnote for each selection, *Trial and Error* puts readers in the jury box as some of the greatest writers in the English language make their cases.

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