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WERTHER AND THE (PUTATIVE) POWER OF LITERATURE[1]

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ABSTRACT: Friends of literature often claim that it is capable of making readers more tolerant and benevolent. Enemies of literature, on the other hand, claim that it is capable of corrupting readers. Both groups exaggerate the power of literature. The exaggeration has important consequences for the debate about the role of literature in the curriculum of law schools and also for the debate about the limits of literary expression. This paper discusses one literary work frequently used to exemplify the negative effects of literature: Goethe's *The sorrows of young Werther*. It is a commonplace among literary scholars that the publication of the book caused numerous suicides in eighteenth-century Europe. This paper raises doubts about that commonplace by emphasizing the lack of evidence to support it as well as the gravity of its political implications.

KEYWORDS: the power of literature; censorship; Goethe; Werther effect.

> "Book lovers are usually not great fans of statistics."
>
> (Barbagli, 2015, p. 161)

1 INTRODUCTION

It is commonly said that literature is capable of shaping our thoughts and behavior. This is an idea advanced by individuals of very different political persuasions. On the one hand, it is emphasized by humanists who defend the place of fiction in the curriculum of schools and

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universities (West, 1988; Rorty, 1989; Nussbaum, 1995). On the other hand, the same idea has served historically to justify the censorship of books and other kinds of attack against literary freedom.[3] There is no paradox here. It is not surprising that friends and enemies of literature would share the same fundamental premise, namely, the idea that literature is deeply influential. The difference that separates the two groups is related only to the type of influence that strikes each group as more common or more important: while the friends of literature celebrate its positive effects, the enemies of literature worry about its negative effects.

It is important to resist the temptation to say that the enemies of literary freedom are always reactionary individuals who see art as a necessarily subversive or irreverent force. In fact, the distinction made here between friends and enemies of literature does not correspond exactly to the political distinction between liberals and conservatives. The members of each category, friends and enemies, vary according to historical contingencies. There are books that, at different times, attracted the wrath of conservatives and liberals. Take the case of the Mark Twain's *Adventures of Huckleberry Finn* (1885). The novel has long been surrounded by controversy (Marx, 2018, p. 130). First, it was considered vulgar by many nineteenth-century readers; now it is considered politically incorrect and racially offensive by individuals who understand themselves as liberals.

It is also possible for one and the same person to be friendly to some types of literature while being inimical to others.[4] That would be the case of a conservative reader who celebrates Charles Dickens as a moralist but rejects Nelson Rodrigues, the Brazilian playwright, as pornographic. It

[3] The long history of the "hatred of literature" is eloquently related by William Marx (2018).

[4] This is a possible, but arguably incoherent, posture. Must defenders of free speech defend it in respect of all kinds of written work? This question will not be pursued here. At most, the paper shows that those who want to debate the limits of literary expression must pay heed to the often exaggerated claims made about the power of literature. To debate literary freedom intelligently one should study the real impact of literature.

would also be the case of a liberal reader who applauds the revolutionary message of Zola while despising the racial prejudice of Monteiro Lobato.

I have tried to show elsewhere (Shecaira, 2018; Shecaira, 2019) that friends and enemies of literature are both prone to exaggerate the power of this form of art. It is not my contention that literature is irrelevant or innocuous – on the contrary, I agree with those who defend the inclusion of fiction in legal education – but its effects are much less clear, immediate and powerful than they are often thought to be. It is hard to even touch on this subject without hearing the following objection: "How can you say literature is not powerful? Do you know about the case of Werther?" This is a reference to *The sorrows of young Werther* (1774), the famous novel by Johann Wolfgang Goethe.[5] In this classic of German literature, the main character commits suicide after a romantic disappointment.[6] It is said that the novel caused such agitation in Europe that its publication was followed by a wave of suicides by young readers who imitated Werther even in his distinctive style of dress. Here is the crucial scene (Goethe, 2013):

> When the doctor arrived, he found the unfortunate man on the floor. There was no hope of saving him. [...] The blood on the armchair was evidence of the fact that he had shot himself while sitting in front of his desk, then had slumped down and twisted himself convulsively out of the chair. He was lying on his back, against the window, fully clad in his blue coat and yellow vest, with his boots on.

Could there be a clearer proof of the power of literature? A single book was apparently capable of pushing young readers, dozens or even hundreds of them, to the most drastic act of self-destruction.[7] In this paper I intend to raise questions about the commonplace concerning the impact of *Werther*. It is doubtful that the book caused a wave of suicides.

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5 Henceforth the book will be referred to as *Werther*. When it is not italicized the term refers to the main character, not the book.

6 This is a simplification. There are other reasons behind the suicide. Even before his romantic problems, Werther's letters manifest a "profound dislocation between Werther and the life around him" (Swales, 1983, p. 30).

7 The precise number of deaths is unclear. Sometimes it is said that Goethe's book caused a suicide "epidemic", which suggests a great number of deaths. Then again, the term "epidemic" is often used loosely in these contexts (Jan Thorson; Per-Arne Öberg, 2003, p. 71).

The commonplace should be revisited for two reasons. First, it is influential in the debate about the power of literature. Second, arguably the only way to revise the exaggerated belief in the power of literature is to consider, one by one, the myths and distortions that surround the classics.

Here is a brief note on the structure of the paper. Section 2 reports the positions of important authors regarding the (putative) moral and political influence of literature – particularly, the positions of the friends of literature. It is possible that these authors have failed to notice that the main premise of their argument is identical to the premise of an argument used by the enemies of literature, namely, the premise that books are capable of deeply changing us (for better or worse). Section 3 offers a preliminary caveat in relation to this premise: the momentous effects frequently associated with the classics result from other social factors that may be more prominent in the relevant causal explanation than the influence of the books themselves. Section 4 focuses on the specific case of *Werther*. It discusses the origin of the commonplace about the suicides that supposedly occurred after the publication of the book, points to the fragility of the available evidence, and reviews a wider debate about the relation between literature and suicide. Section 5 concludes with a summary of the paper and a brief consideration of its relevance for "law and literature" studies.

2 MORAL AND POLITICAL INFLUENCE OF LITERATURE

Robin West, in a paper about the importance of literature for legal education, expresses clearly and emphatically the kind of thought that this paper wants to revisit: "Literature helps us understand others. Literature helps us sympathize with their pain, it helps us share their sorrow, and it helps us celebrate their joy. It makes us more moral. It makes us better people." (West, 1988, p. 877-878) West is not alone; she is joined by such authors as Martha Nussbaum and Richard Rorty who are also famous for advocating the importance of fiction as an antidote to lack of empathy and human cruelty. According to these authors, reading about the life of others (even if fictional others) is an exercise capable of making us more sensitive

to human suffering and more willing to treat others with dignity and respect.

Lynn Hunt, to give another example, does not simply trust the power of literature but argues that this power has already manifested itself in one of the most important events of the history of Western political thought. According to Hunt, the advent of the epistolary novel in the eighteenth century (a kind of novel composed of letters exchanged between characters) contributed to the introduction of the concept of *human rights*. Novels like J*ulie ou La nouvelle Héloïse* (1761), by Rousseau, were able to move generations of readers and stimulate the expansion of the relatively narrow limits of their empathy, beyond their immediate communities and ultimately in the direction of other cultures.

On the one hand, it is hard not to become excited with the idea that literature has such potential to transform human relations and social institutions. On the other hand, it is important to keep in mind the political risk that one takes when advancing this position. Not every literary work carries a positive or edifying message. Not every work attacks stereotypes or stimulates empathy. Indeed, in world literature there is no shortage of examples of books that do the opposite. As Richard Posner (2009, p. 462) puts it, the classics are "brimful of moral atrocities [...] depicted with uncritical acceptance and often with relish." In the long list of literary atrocities we can include: slavery, misogyny, racism, homophobia, fascism, religious fanaticism, torture, sadism, etc. If we claim that good works of fiction make good readers, then how can we deny that bad works could have the opposite effect? According to Joshua Landy (2008, p. 79),

> ... anyone who can be converted to a view by a fiction can be converted *out* of it by a fiction. If *Gandhi* [the film] is enough to turn me into a pacifist on Thursday night, then *Malcolm X*, which I watch the following evening, is enough to make me believe in the necessity of violence.

This conclusion has problematic consequences. To admit the potentially harmful effects of literature is to arm with a rhetorically powerful weapon those individuals who are always ready to practice censorship. How many literary talents have been persecuted in their

time under the accusation of indecency, obscenity or subversion? Think of Gustave Flaubert, James Joyce, D.H. Lawrence, Jorge Amado, Plinio Marcos, Vladimir Nabokov, etc.[8]

The following pair of arguments may help to clarify the problem I have in mind:

Argument 1

1. There are influential literary works, that is, works capable of deeply affecting the beliefs and behavior of readers.

2. Among the influential literary works there are both works with positive and with negative messages.

Therefore,

3. There are literary works capable of deeply affecting the beliefs and behavior of readers in positive and negative ways.

Humanists like West, Nussbaum and Rorty explicitly defend premise 1. Premise 2, in turn, is obviously true (given that do not every work of literature has a message that is benevolent or inclusive or egalitarian). If they accept premises 1 and 2, the humanists will have also to accept conclusion 3. The problem is that conclusion 3 is often used as a premise in a second, politically distressing argument:

Argument 2

1. There are literary works capable of deeply affecting the beliefs and behavior of readers in positive and negative ways (= conclusion of argument 1).

2. The state should stimulate cultural works capable of affecting citizens positively and should discourage cultural works capable of affecting citizens negatively (which includes the possible censorship of works carrying a negative message).

Therefore,

[8] Some of these cases are studied in detail by Elisabeth Ladenson (2007).

3. The state should stimulate literary works with a positive message and discourage literary works with a negative message (which includes the possible censorship of fiction books with a negative message).

Argument 2 is problematic for obvious reasons. To empower the state to regulate what may be written on the basis of moral considerations is to run the risk of allowing the literary market to be controlled by reactionary and artistically ignorant authorities.[9] Imagine, for instance, if *Madame Bovary*, arguably the major realist novel in history, had been banned in virtue of accusations made by one conservative prosecutor.[10]

There are, of course, at least two ways to attack argument 2. One might target premise 2 (which has been done by so many advocates of free speech) or one might target premise 1, the premise that the humanists, self-proclaimed friends of literature, have helped to establish. This paper, as was indicated in the introduction, wants to raise doubts about premise 1.

3 A CAVEAT

The idea that literature is morally and politically influential is at first quite vague. It starts to become clearer once we consider the series of momentous events that have been associated with the publication of the classics. Here are some examples. *Uncle Tom's cabin* (1852), a novel by Harriet Beecher Stowe, is said to have contributed to the American Civil War and the abolition of slavery in that country. *A sportsman's notebook* (1852), by Ivan Turgenev, collects stories about rural life in Russia that are said to have helped convince Tsar Alexander II to abolish serfdom in 1861.

[9] There is widespread agreement about the fact that the state should have the power to exercise *some* control over the literary market (e.g. in determining what books compose the public school curriculum or selecting works for awards based on public funds). What is by no means a matter of consensus, however, is the state's power to prevent the publication of works deemed immoral.

[10] The attempt to ban the novel and the part played by prosecutor Ernest Pinard can be found in the appendix to one of the Brazilian editions of *Madame Bovary* (Flaubert, 2009).

One day in the life of Ivan Denisovich (1962), by Alexander Solzhenitsyn, a detailed description of the conditions in a soviet labor camp, is said to have contributed to the downfall of Stalinism and even the soviet system.

Michael Hanne (1994) shows that associations of these kinds are often simplistic. All works mentioned above appeared in complex political contexts and are related to revolutionary events that require equally complex explanations. There are social and economic causes underlying the American Civil War and the abolition of serfdom in Russia, for example, that should not be thought secondary to the publication of a single novel or collection of short stories. The adequate explanation of momentous political events is often based on various factors. And even admitting that the books were among the relevant factors, it will always be difficult to estimate the extent of their contribution.

It is also important to note that influential books often have consequences that are very different from those expected by their authors. This may be due to political manipulation or unforeseen reactions by individuals who never read the works or received only distorted reports about their content. Solzhenitsyn's book, for instance, came close to being banned by the censors until Krushchev personally promoted it in his campaign against Stalinism. It is unclear whether Solzhenitsyn had Stalin as his real target or soviet socialism or even totalitarianism in general. Is it reasonable to say that Solzhenitsyn helped tarnish Stalin or is it more precise to say that Krushchev used the book to that end? Who, in the end, deserves the "credit"?

Similarly, one may ask whether *Uncle Tom's cabin* helped cause a civil war or if it is more precise to say that the book was distorted and used by southern whites who never read it and only knew it through the defamatory reports of others. After all, many Americans only had contact with Stowe's story through crude theatrical adaptations that effaced "[a]ll the moral seriousness and subtle ambivalence" of the book (Hanne 1994, p. 108).

4 THE WERTHER CASE

4.1 What is known about the book's impact

The claim that *Werther* caused a wave of suicides in Europe is subject to the same type of qualification made by Hanne in relation to other supposedly influential books. At most, it is plausible to say that Goethe's book was *one factor* among others behind the occurrence of the deaths, or – to be even more cautious – the book may have served to precipitate suicides that probably would have occurred at a later moment in virtue of other personal and social factors.

As Marzio Barbagli (2015) explains, the number of suicides in Europe grew significantly at the end of the seventeenth-century and continued to rise in the next two centuries. The reasons that may explain this change are various: industrialization, urbanization, a crisis of social cohesion, a change in religious attitudes, the softening of legal rules pertaining to suicide, etc. Before Goethe, figures such as Montesquieu, Voltaire and Hume had already questioned the Christian taboo around suicide. *Werther* is a work that appeared within this social context and intellectual climate; context and climate were not created by the work itself (Minois, 2018, p. 334).

For Barbagli (2015, p. 7), "[m]ore perhaps than any other human action, suicide depends on a vast number of psychosocial, cultural, political and even biological causes and must be analysed from different points of view." At different times and in different social groups, suicide is committed in different ways (publicly or privately), with different intentions (for egoistic or altruistic reasons), and is followed by rites and practices imbued with different meanings (to either celebrate or vilify the deceased). To the socio-cultural elements that affect the frequency and form of voluntary deaths one must add psychological and psychiatric elements. According to Barbagli (2015, p. 10), roughly 90% of individuals who commit suicide have some kind of mental illness; e.g. schizophrenia, depression, bipolar disorder.[11]

[11] This is not to say that most individuals who have these illnesses will commit suicide, but the risk is greater for them than for the rest of the population.

So, one way to revise the commonplace about *Werther* would be to emphasize the complex nature of the explanation of suicide. The publication of a book could hardly be the only or most important cause of a large number of deaths. On the other hand, it may be unfair to interpret the commonplace as I have done so far. Those who affirm it (to be mentioned shortly) would probably agree with the claim that *Werther* was one factor among others. For this reason, it is important to note that the commonplace about *Werther* is subject to a stronger objection. To say that the book is not the only factor behind the wave of suicides is to presume that the suicides in fact occurred. It is to admit, independently of discussion about causality, that in fact a large number of voluntary deaths took place after the book was published. But this presumption is also dubious. The commonplace about *Werther* may be no more than a rumor.

Goethe's biographers do not give the commonplace much credit. Nicholas Boyle (1992, p. 175) says that it is impossible to prove that *Werther* caused suicides. Rüdiger Safranski (2017) claims that the commonplace is only a rumor. It is true that other authors (not exactly Goethe specialists) say the opposite. Patricia Ortiz and Eindra Khin, for example, write that "[a]fter the book was published, several suicides occurred across Europe with significant evidence that at least some were influenced by the novel: victims were found dressed in similar clothing, they used the method as described in the book, or the book was found at the scene of the death (Jack, 2014)" (Ortiz; Khin, 2018, p. 246). Ortis and Khin do not offer evidence to support their claims, but refer to "Jack, 2014", which suggests that the evidence is reported in that paper. But Belinda Jack's paper will disappoint the reader. Jack (2014, p. 19) writes:

> That there was significant imitation of Werther's suicide was never demonstrated conclusively, but we do know that various authorities were sufficiently concerned to move them to ban the book in, for example, Italy, Copenhagen, and Leipzig (where the Werther costume was also banned).

Jack does not offer evidence of the occurrence of suicides after the publication of Goethe's book. The strong reaction of the authorities is a weak indication of the problem given what we know from history about the moralism and alarmism of state censors. As John Sutherland puts it, "Authorities, everywhere and at every period of history, are always nervous about books, regarding them as naturally subversive and potential dangers to the state" (Sutherland, 2013, p. 167). *Werther* was also apparently a victim of excessive nervousness because, independently of evidence about its impact, the authorities took as sufficient reason to ban the book the fact that it offered, in the words of another Goethe biographer, a "sophistical justification" of suicide (Brown 1971, p. 144). Identifying in the book a defense of suicide was enough for censorship.

Other authors besides Ortiz and Khin have also affirmed the commonplace (e.g. Bates, 2018; Pirkis et al., 2006). But they also fail to offer evidence and do not address the skepticism of the biographers. This is a curious state of affairs. How does one explain the persistence of the commonplace in the absence of evidence? Why do some many authors repeat it without clear grounds? To refute the commonplace it is necessary to face the challenge of explaining how it has survived. This is what I try to do in the next section.

4.2 "Werther effect": fact and fiction

It is likely that the persistence of the commonplace about *Werther* owes much to the work of David Phillips, a sociologist who coined the phrase "Werther effect". To begin, it is important to understand what Phillips had in mind when using the phrase. Then we can discuss why and how Phillips has been misunderstood. Consider some of the central passages of Phillips's most influential article on the topic: "Widespread imitation of Werther's suicide was never conclusively demonstrated, but authorities were sufficiently apprehensive to ban the book in several areas…" (Phillips, 1974, p. 340). It is clear that Phillips does not endorse the commonplace, although he acknowledges its influence. Later, que defines the Werther effect as follows: "In this paper, I will use American and British statistics to show that the number of suicides increases after

the story of a suicide is publicized in the newspapers. It seems appropriate to call this increase in suicides 'the Werther effect', after Goethe's hero." (Phillips, 1974, p. 341; footnote omitted).

Note that the so-called "Werther effect" does not consist in the claim that Goethe's book led to a wave of suicides. This was never proved, according to Phillips. Phillips's goal was to show that there is a relation between news reports of non-fictional suicides and the increase in suicides – which indicates that some newspaper readers are stimulated to seek death after reading suicide reports. If Phillips labels his sociological hypothesis with the name "Werther" he probably does so for rhetorical reasons: the label could contribute to the dissemination of his work by lending his hypothesis some literary charm.

Phillips may have failed to appreciate the risk of being misread. The most serious mistake that came of Phillips's literary allusion is that of thinking that the Werther effect is precisely the view that Werther's suicide was imitated by many young readers in eighteenth-century Europe. Phillips did not say that, but some readers have come away with that impression (e.g. Cordeiro, 2017, p. 1544). Another, less obvious mistake is that of thinking that the evidence that non-fictional suicides are imitated by some newspaper readers retrospectively supports the hypothesis that Werther's suicide was also imitated by some readers of the novel when it was published. If suicide reports generate imitations, then why deny that a novel about suicide could have the same effect? A novel that is vivid and moving could be even more powerful than a cold newspaper article.

It should be clear, however, that confirmation of the Werther effect (in the sense intended by Phillips) does not automatically establish the truth of the commonplace about the impact of Goethe's book in the eighteenth century. At most, confirmation of the Werther effect shows that imitation of fictional suicides is a possibility worthy of study. If factual suicide reports generate imitations, then *maybe* fictional suicide stories will do the same.

Indeed, fiction about suicide has been the subject of intense debate in the media and in academia, especially fictional works that are consumed by teenagers and young adults. This is the case of the recent and controversial Netflix series *Thirteen reasons why*, whose main character, a teenager, commits suicide (Bates, 2018; Campo; Bridge, 2018). A victim of bullying and other kinds of abuse by her peers, the teenager records a series of tapes that explain how the actions of other students in her school contributed to her tragic decision. As in *Werther*, the method of suicide is not omitted; in a particularly controversial scene, the main character cuts her wrists in a bath tub. There is a genuine worry about whether the Werther effect (as defined by Phillips) might not also apply to this type of fictional work.

Since Phillips published his paper, there has been a significant consensus among sociologists and mental health researchers about the claim that factual suicide reports are frequently responsible for an increase in suicides among readers and spectators (especially when the reports concern the death of celebrities or otherwise widely admired individuals). This consensus explains the dissemination of guidelines by different national and international organizations relative to how suicides ought to be reported in the media (Pirkis et al., 2006). It is precisely to avoid imitations that newspapers are told to avoid romanticizing suicide, to omit information about the method used in the act, and to offer guidance about medical services available to those who are considering suicide.

On the other hand, there is no comparable academic consensus with respect to imitation of fictional stories about suicide. As reported in one recent literature review, the evidence of fiction's potential to stimulate suicides is equivocal (Ortiz; Khin, 2018, p. 246). Moreover, the equivocal evidence at issue does not concern literature but other forms of fiction, such as film and television (Stack, 2009, p. 239). To sum up, the Werther effect is related to the impact of factual reports of suicide. The impact of fiction in this area will continue to be a subject of debate and research.

4.3 Lessons from *Werther*

Of course, to doubt the wave of deaths caused by *Werther* is not to deny that it had social impact in other ways. Indeed, the book was very popular and influential in its time. Boyle (1992, p. 175) summarizes the cultural impact of the book thus:

> The work, first translated into English in 1779 (there were at least seven more English editions in the next twenty years), was by 1800 available in most European languages. [...] When in 1808 he had a series of interviews with Napoleon the conversation turned mainly on Werther, which the Emperor claimed to have read seven times. [...] Two camps quickly formed: those who stammered out their adoration [...] and those who followed the lead of the redoubtable Pastor Goeze of Hamburg in seeing the blasphemy in Werther itself, a book calculated to encourage the mortal sins of adultery and suicide and a sure sign that contemporary Christendom was about to suffer the fate of Sodom and Gomorrah. [...]
> Werther, in short, became a fashion. (The Chinese porcelain manufactories executed commissions for services decorated with scenes from it.)

In addition to acknowledging its popularity in the eighteenth century, it may be admitted that Goethe's book – like most classics – is capable of having, even today, a positive effect on readers. Although it is a politically risky exaggeration to affirm (with West, for instance) that books *humanize* us, it is no exaggeration to say that books make us more sophisticated thinkers, which has to do with our capacity to understand the seriousness and complexity of moral problems. As I have argued elsewhere (Shecaira, 2018) the classics tend to be books with complex characters and intricate plots. Instead of didactic contrasts between heroes and villains, they present characters with the psychological depth that we expect to find in real people. Real people, along with their problems and relationships, are not simple.

In fact, it is unfair to say that Goethe's book glorifies suicide precisely because the book fails to convey any such simple and direct message as that. To denounce the book as a defense of suicide is to ignore

its subtlety and sophistication. The attentive readers will hardly finish the book with the impression that Werther made the best decision. But the book also does not go so far as to condemn Werther's act. Goethe leaves the reader with conflicting impressions. On the one hand, Werther has serious flaws: he is egocentric, sentimental, and impressionable. On the other hand, he has important virtues: he is sincere, principled, and incapable of deferring to frivolous social conventions. It is precisely this explosive combination of traits that explains his tragic end. Werther is no hero, but he is no villain. For the same reason, the idea of suicide is not glorified in the book, even though it is not refuted.

It is arguable, then, that *Werther* invites the reader to refine her opinions about human sensibility and our self-destructive tendencies. In this sense, the book helps us to become more sophisticated. It is important to insist that a sophisticated reader is not necessarily a more humane or kindly reader. There may be a tendency for these traits to coincide in many individuals, but they are conceptually distinct and separable in real life.

One way to illustrate the contrast is to make brief reference to another debate that has attracted the attention of moral philosophers, namely, the debate about the behavior of ethics teachers. It can be assumed that ethics teachers – i.e. specialists in the theories of the good, the right, the just, the virtuous – have an exceptionally sophisticated understanding of the moral problems affecting humanity. If sophistication were a guarantee of good behavior, ethics teachers would also be exceptionally well-behaved. But according to studies involving philosophy professors in the US and German-speaking countries, "ethicists do not behave morally better or more in line with their expressed views than [do] either non-ethicist philosophers or non-philosophers" (Schönneger; Wagner, 2019, p. 555). Specialists in ethics often make mistakes and, what is perhaps more impressive, show difficulty living according to their own principles and theories. A discussion about the possible reasons for the difference between ethical knowledge and ethical behavior would go

beyond the scope of the paper. For our purposes, it suffices to note that the studies confirm the possibility of a contrast between knowledge and behavior. Intellectual refinement resulting from book reading does not necessarily lead to reform in moral behavior.

5 CONCLUSION

The goal of this paper is not to refute the view that books have influence on the ways we think and act. If books did not have some influence (and if this influence were never positive) I would not be among those who defend "law and literature" as an important element of the law school curriculum. Rather, the goal of this paper is to criticize the sort of exaggeration that affects discussion about the influence of literature. Reading a book does not transform an egoist into an altruist, it does not make a callous person sensitive, and it does not lead relatively contented individuals to commit suicide.

To clarify the relatively limited ambitions of this paper, I highlight some of its main conclusions:

1 - Those who claim that Goethe's book caused an increase in suicides do not usually offer evidence to confirm the claim.

2 - Some confuse the idea that Goethe's book caused suicides with a different idea, namely, the "Werther effect" (a sociological thesis that is respected in academic circles in spite of its misleading label).

3 - Contemporary sociology offers little evidence that stories of fictional suicides tend to be imitated, although this is a topic that merits further study.

While focusing on one particular book (1 and 2 above are exclusively about *Werther*; only 3 is more general) these conclusions should contribute to a wider project whose goal is to expose common distortions about the power of literature. This is an important topic for "law and literature". There are at least two debates in this filed that require well-supported opinions about the power of books.

One debate is that about the role of fiction in the curriculum of law schools. In many Brazilian law schools "law and literature" is simply an

elective course, and fiction still plays a very small role in the syllabus of the mandatory courses. The idea that literature is capable of humanizing the jurist could serve to motivate a deep reform of the curriculum. To some, the inclusion of literature in the legal education is an urgent matter. On the other hand, if at some point a consensus arises that literature is indeed powerful, there will inevitably be a debate (that will certainly divided right and left) about the delicate choice of mandatory reading material for (supposedly susceptible) law students.

As noted in Section 2, another important debate is that about the limits of literary expression. Here the risks of distortion are even more serious. The power of literature is frequently overestimated by its friends and enemies alike. Although the two groups often fail to recognize what they have in common, they do share a premise that ought to be revisited and questioned.

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