



RDL

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ISSUE INTRODUCTION

It is with great satisfaction that we offer to the academic community the new issue of *ANAMORPHOSIS – International Journal of Law and Literature*, a publication of the Brazilian Law and Literature Network (*Rede Direito e Literatura – RDL*). The purpose of this journal is to disseminate National and International scientific articles of interdisciplinary knowledge in the Law and Literature research area.

The ARTICLES section is composed of thirteen scientific papers – for the first time, most of the papers are related to theoretical and methodological issues. There are four papers written by foreign authors, and nine by Brazilian researchers.

This issue begins with an essay by jurist and writer Joaquín Trujillo Silva, from Universidad de Santiago de Chile (USACH). The paper is on the intertextuality between the works of William Shakespeare and Heiner Müller, and it brings an analysis of several machines and machinations that, originally from *Hamlet*, are dismantled in the post-dramatic play *Die Hamletmaschine*.

Voltaire de Freitas Michel and Marc Antoni Deitos, both from Faculdade Meridional (IMED), bring another instigating essay: *The Dürrenmatt Courts*. Starting on the analysis of the skepticism and pessimism of the Swiss playwright regarding justice, the authors identified a set of common aspects in the productions of *The Visit* and *A Dangerous Game*. The conclusion is that these two plays by Dürrenmatt constitute an important testimonial of his hopeless disappointment toward social institutions.

Werther and the (putative) power of literature, by Fábio Perin Shecaira, from Universidade Federal do Rio de Janeiro (UFRJ), brings forth the discussion on the ability of literary narrative to make people more comprehensive or benevolent; Or, even, to understand its readers. In this

article, the author analyzes one of the literary works that have been mentioned the most in order to illustrate the dangerous effects of literature: *The Sorrows of Young Werther*, by Goethe, a novel that has been accounted for inspiring a suicide contagion in Eighteenth-century Europe. In the end, the article questions this supposed effect of Goethe's novel, and highlights the fragility of its evidence as well as the seriousness of its implications.

Amanda Muniz Oliveira, from Universidade Federal do Pampa (UNIPAMPA), brings an important theoretical debate started in the U.S. She reviews the criticism by Richard Posner and Robert Weisberg to the "law in literature" branch, in the very beginning of the *law and literature movement's* wider dissemination. Their criticism was directed to the possibility of jurists' humanization, since the publication, in 1973, of the famous work *The Legal Imagination*, by James Boyd White.

Margaret Axt, from Universidade Federal do Rio Grande do Sul (UFRGS), and Dieter Axt, from Universidade do Vale do Rio dos Sinos (UNISINOS), discuss the dimensions of the responsible ethic act and the theory of polyphony. They analyze the writings of M. Bakhtin, and investigate their correlations to the theory of Law, especially regarding the concept of event and its aesthetic objectification.

Gilberto Guimarães Filho and Saulo Monteiro Martinho de Matos, both from Universidade Federal do Pará (UFPA), investigate the role of narrativity in the legal theory by Ronald Dworkin. The central idea is to determine, based on the six theses presented in Dworkin's classic essay *How law is like literature*, whether his proposition could be seen as a narrativist theory of law. The authors reach a positive conclusion, since, without the narrativist element, Dworkin's legal theory may be seen, erroneously, as a legal naturalistic theory, because the purpose or value of the law would thus become absolute.

Fernando Armando Ribeiro, from Pontifícia Universidade Católica de Minas Gerais (PUC-Minas), studies, in a punctual and problematic way, the famous book by Jacques Derrida titled *This Strange Institution Called Literature*. He analyzes the work with aims of finding correlations between Philosophy and the Law.

Jorge Fabara Espín and Rina Pazos, both from Universidade do Minho (UMINHO), study the writing process of constitutional texts, under the perspective of transculturality. They analyze the process of re-writing the law and refounding a country as moments of needed redefinition of national identity, especially regarding the preambles in the past constitutions of Ecuador.

Carolina Reis Theodoro da Silva and Pedro Pulzatto Peruzzo, both from Pontifícia Universidade Católica de Campinas (PUC-Campinas), based on theoretical support from Antonio Candido, research the role of literature in the humanization of people and in the emancipation of subjects. To do so, they analyze different areas of influence that literature has over readers – i. e. personal, psychological and social areas. In the end, they link Candido’s concept of “right to literature” to the legal right to education and culture.

Elisa Pérez de los Coos Hernández, from Universidad de Murcia (UMU), focuses on climate change and studies *The Chronicles of Ice and Fire*, by George Martin. Her objective is to investigate the novels’ allegorical aspect and the representation of fantastic elements to cover references to objective reality in them.

Wilton Bisi Leonel and Nelson Camatta Moreira, both from Faculdade de Direito de Vitória (FDV), analyze the essay *Contemporaneity of D. Quixote*, originally published in 1948. In the original text, Francisco Campos contrasts the metaphorical importance of Hamlet and Faust to D. Quixote, who respected and loved the common destiny of his society. The objective of the original text was to relate the classic characters to the spiritual crisis of modern times and the hopelessness felt by humankind. With the study, the authors are able to analyze certain aspects of the anti-liberal constitutional thought of Francisco Campos during mid-Twentieth-century Brazil.

Flavia Rodrigues de Castro and Natalia Cintra de Oliveira Tavares, both from Pontifícia Universidade Católica do Rio de Janeiro (PUC-Rio), critically analyze the process of refugee status granting in the Brazilian law and practice. Based on Kafkaesque dystopia, they question the sentence mechanisms in recent cases, especially regarding collective decision-making

institutes and confidential situations, under the perspective of subject protection.

To finish, renowned jurist José Calvo González, from Universidad de Málaga (UMA), studies the relevant and theretofore unexplored contribution of Francisco de Oliveira e Silva (1897-1989), to be included in the pioneering canon of Law and Literature studies in Brazil.

In the INTERVIEW, section, we thank the collaboration of Sergio Ramírez, writer, lawyer and journalist who participated in the revolutionary Sandinista movement in Nicaragua, where he held the vice presidency of the Republic, from 1985 to 1990, before becoming one of the main dissidents of Daniel Ortega's government. Winner of the 2017 Cervantes Prize, in recognition of his literary career, Sergio Ramírez talks about politics, resistance, law, democracy, corruption, authoritarianism, power, censorship and, above all, the role of literature.

In the REVIEW section, closing this issue, Augusto Jobim do Amaral and Rosália Mourão introduce the new book *Criminologia visual: selos postais como artefatos imagéticos de aculturação ideológico-jurídica* (*Visual Criminology: postage stamps as imagery testimonials of ideological-legal acculturation*), by José Calvo González, published in 2019, in Brazil, by Tirant lo Blanch publishing house.

We thank our authors, as well as the reviewers, who, anonymously, participated in the selection of papers. We also thank the translators, and the editorial team. Without the commitment and collaboration of all, this journal – the first fully multilingual Brazilian publication in the multidisciplinary area of Law, Language and Literature – would not be possible.

May the texts published here serve to open new possibilities for research in law and literature, at the most diverse education levels (undergraduate, master's and doctorate). These are our sincere wishes.

Enjoy!

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Editors-in-chief