



RDL

REDE BRASILEIRA
DIREITO E LITERATURA

ISSUE INTRODUCTION

It is with great satisfaction that we present to the academic community a new issue of *ANAMORPHOSIS – International Journal of Law and Literature*, a publication of the Rede Brasileira Direito e Literatura (RDL), whose purpose is to disseminate national and foreign scientific articles aimed at producing interdisciplinary knowledge in the area of studies and investigations of Law and Literature.

The *ARTICLES* section is composed of eleven scientific papers, four of them written by foreign scientists and seven by Brazilian authors.

This issue begins with a study by François Ost, from Université Saint-Louis (Belgium), which analyses the legal and political thought of Sade, assuming an opposite view to the thesis of the “moralistic Sade”, in a perspective that, throughout the Sadian works, the radical criticism of the established order points to the imperfect counterfeiting of the law.

Alberto Vespaziani, from Università del Molise (Italy), investigates the origins of modern political categories in *Decameron*, emphasizing its juridical and European dimension, the legal concerns and the institutional characters explored in the novels that compound the work, as well as the political-constitutional theme of the starting community, and the collective archetype of the plague as a metaphor for the state of exception.

Alícia Ruiz, from Universidad de Buenos Aires (Argentina), based on *Operation Massacre*, by Rodolfo Walsh, creates an instigating parallel between non-fiction literature and the legal discourse, highlighting the narrative instance function played by judges, journalists and writers, in order to reflect on the amount of truth in narratives and the intertwining between politics, history and law.

Leonor Suárez Llanos, from Universidad de Oviedo (Spain), examines the relationship between Law and Literature, focusing on the interpretation, position and function of law interpreters, in the rhetoric, in narrative, and in the *New Criticism*, focusing on the problems to be faced by the literary approach of the Law, especially referring to the transgressive bias of literature in face to the limitations of the complex, dynamic, flexible of the Law.

Luís Roberto Barroso, from Universidade Estadual do Rio de Janeiro (UERJ), revisits *The tragedy of Julius Caesar*, by Shakespeare, in order to highlight the analysis of the neutrality and the idealism of Brutus, offering reflections on power and human behavior in the period prior to the fall of the Roman Republic, and dealing with topics such as love, ideal and treason.

Raphael Henrique Figueiredo de Oliveira, from Universidade de Ribeirão Preto (UNAERP), sheds light upon the work of Franz Kafka, in order to extract the figures his novels and stories offer about the contemporary social ills that hinder the criminal science and to illustrate the penalty as a symbolic tool of repression and the granting inversion of the minimum intervention operated by the contemporary criminal persecution.

Daniel Yamauchi Acosta and Ruth Faria da Costa Castanha, both from Pontifícia Universidade Católica de São Paulo (PUC/SP), concentrate on the novel *The trial*, by F. Kafka, in order to emphasize the slowness and bureaucracy of judicial cases, as well as the relativity of the concept of justice as one of the causes for the stagnation of Law as a juridical science.

Ana Paula Lemes de Souza and Rafael Lazzarotto Simioni, both from Faculdade de Direito do Sul de Minas (FDSM), starting from the historical function developed by religion in the construction of societies and its gradual decrease in importance as modernity advanced, analyze the shot story *El Aleph*, by J. L. Borges, as well as the systemic theory by N. Luhman, in order to question the role of religion in contemporality and evaluate the systemic corruption in the current Brazilian political scenario.

Isabel Cristina Brettas Duarte and Angelita Maria Maders, both from Universidade Regional Integrada do Alto Uruguai e das Missões (URI) (Brazil), investigate the point of view in the work *Mr. Palomar*, by Italo Calvino, and, using the Poetic theory of Law, seek to illustrate the need to overcome the consciousness paradigm.

Luana Paixão Dantas do Rosário, from Universidade Estadual de Santa Cruz (UESC), and João Mateus Silva Fagundes Oliveira, from Universidade Estácio de Sá (UNES), both from Brazil, analyze the representation of women offered by the main character of the novel *Senhora*, by José de Alencar, based on the elements of legal discourse presented on the plot, and, applying theses by M. Foucault and M. Bakhtin, in order to characterize the leading role of the patrimonialist and patriarchal biases in society, as well as the frustrated empowering of the female character Aurelia Camargo.

Finally, Nelson Camatta Moreira and Sandro Nery Simões, both from Faculdade de Direito de Vitória (FDV), state the historical moment of production of the novel *O cortiço*, by Aluísio Azevedo, and the social-legal context registered in the plot, examining three of its characters under the theories of recognition by C. Taylor and A. Honneth, with the aim of highlighting the importance of including the right to housing as a fundamental right in the Brazilian Constitution of 1988 and the relation between this inclusion and the acknowledgment of citizen identities.

The *INTERVIEW* section aims at creating a space for dialog with researchers considered exponents in Law and Literature studies, in order to enable the permanent exchange of ideas and the interaction of points of view, by bringing researchers and readers together.

In this issue, we are pleased to announce the interview given by Daniela Carpi, an Italian scientist with studies on Law and Literature, founder of *AIDEL – Associazione italiana diritto e letteratura* and editor-in-chief of *Pólemos – A Journal of Law Literature and Cultures*.

We thank our authors, as well as the reviewers, who, anonymously, have participated in the submission processes, the translators, and the editorial team. Without the commitment and collaboration of all, this magazine – the first fully multilingual Brazilian publication in the multidisciplinary area of Law, Language and Literature – would not be a reality.

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

Enjoy!

Prof. Dr. André Karam Trindade
Prof Dr. Henriete Karam
Lead editors