

LA392-15 Shakespeare and the Law

22/23

Department

School of Law

Level

Undergraduate Level 3

Module leader

Paul Raffield

Credit value

15

Module duration

10 weeks

Assessment

100% coursework

Study location

University of Warwick main campus, Coventry

Description

Introductory description

The one-term (15 CATS) half module will be taught by one 3-hour seminar-workshop per week in one of the studio spaces managed by the Institute for Advanced Teaching and Learning. It will employ rehearsal techniques, and students will be expected to explore ideas by putting texts on their feet.

This module has been designed to complement, rather than replicate, any of the themes addressed in 'Law and Literature' (LA357) and 'Origins of English Law' (LA242). Students who wish to take Shakespeare and the Law in Term 1 may also wish to take (as an external option) the half-module "Othello" (EN3E1) offered by the Department of English.

[Module web page](#)

Module aims

The module incorporates study of three plays by Shakespeare, all of which enact juridical procedures: Richard II, The Merchant of Venice, and Measure for Measure. Interested equally in early modern English law and theatrical performance, it considers the Tudor laws that underpin Shakespeare's sensational dramatization of juridical themes. It asks questions about how lawyers were trained, from grammar school to the Inns of Court – and about how much Shakespeare knew, technically, of the law. Moving from the Inns of Court to the Globe Playhouse, to examine

Shakespeare's staging of trials, the module engages with the performative, seeing the courtroom and the theatre as analogous performance spaces where stories are told and contested. Among the theatrical topics addressed are: advocacy; the rhetoric of prosecution and defence; and the politics of the body.

The module explores Tudor legal practice; brings documents and representations of actual trials into collision with theatrical representation; considers the theatricality of the trial - and the shared language of the courtroom and the stage; and introduces students to modern critical/theoretical writing, to help them acquire a vocabulary for writing and thinking about the issues that the plays engender.

The module combines traditional and innovative models of learning, including both discursive and kinaesthetic approaches to teaching. In particular, it will test the analogy between the seminar and rehearsal room by featuring performative teaching practice: students will be expected to explore ideas by putting text on its feet.

The module is intended to enhance and consolidate students' academic and research skills, while simultaneously stimulating team-work and collaboration; thus creating a pool of transferable skills that students can use both academically and vocationally.

Outline syllabus

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

Week 1. Richard II. Imperium, Treason, and Rebellion: The Treason Trial in Jacobethan England and the Enforcement of Political Conformity.

Week 2. Richard II. The King's Two Bodies and the Judges: Political Theology and the Courts of Common Law.

Week 3. Richard II. The Iconic Image of Kingship and the Birth of Constitutional Law.

Week 4. The Merchant of Venice. English Law and the Rise of Contract in Fin-de-Siècle, Elizabethan England.

Week 5. The Merchant of Venice. Rex is Lex? The Separation of Powers in Early Modern England.

Week 6. Reading week.

Week 7. The Merchant of Venice. Commerce, London, and Xenophobia: Jews and the Law.

Week 8. Measure for Measure. Criminal Law and the Enforcement of Morals in Jacobean England.

Week 9. Measure for Measure. Justitia, Res Publica, and the City-State.

Week 10. Measure for Measure. The Drama of the Courtroom: Forensic Rhetoric and the Theatre of Law.

Learning outcomes

By the end of the module, students should be able to:

- Critical comprehension of the relationship between Shakespeare's plays and the law, and the performative function of the trial in his dramaturgy.
- Detailed historical perspective of developments in English law during the early modern period.
- Understanding the relationship between history, culture and theatrical performance.

- Development of forensic skills of advocacy.
- Development of key skills of communication, negotiation, presentation, and performance.
- Ability to make productive links between theoretical ideas and practical applications.
- Ability to identify issues relevant to the lawyer, to formulate questions and engage in problem-solving.
- Ability to use research tools and resources, including specialist archives, and reference material correctly.
- Development of collaborative skills of listening, feedback, and resolution.

Indicative reading list

Arlidge, Anthony, *Shakespeare and the Prince of Love: The Feast of Misrule in the Middle Temple* (London: Giles de la Mare, 2000);

Baker, J.H., *An Introduction to English Legal History* (London: Butterworth, 2005);

Baker, J.H., *The Third University of England: the Inns of Court and the Common Law Tradition* (London: Selden Society, 1990);

Brand, Paul, *The Origins of the English Legal Profession* (Oxford: Blackwell, 1992);

Collinson, Patrick, *Elizabethans* (London: Hambledon and London, 2003);

Collinson, Patrick, *The Birthpangs of Protestant England: Religious and Cultural Change in the Sixteenth and Seventeenth Centuries* (Basingstoke: Macmillan, 1988);

Gless, Darryl J., *Measure for Measure, The Law and the Convent* (Princeton: Princeton University Press, 1979);

Hindle, Steve, *The State and Social Change in Early Modern England, c. 1550-1640* (Basingstoke: Palgrave Macmillan, 2000);

Jordan, Constance and Cunningham, Karen (eds.), *The Law and Shakespeare* (Basingstoke: Palgrave Macmillan, 2006);

Pocock, J.G.A., *The Ancient Constitution and the Feudal Law: A Study of English Historical Thought in the Seventeenth Century* (Cambridge: Cambridge University Press, 1987);

Raffield, Paul, *Images and Cultures of Law in Early Modern England: Justice and Political Power, 1558-1660* (Cambridge: Cambridge University Press, 2004);

Raffield, Paul, *Shakespeare's Imaginary Constitution: Late-Elizabethan Politics and the Theatre of Law* (Oxford: Hart Publishing, 2010);

Raffield, Paul, *The Art of Law in Shakespeare* (Oxford: Hart/Bloomsbury Publishing, 2017);

Raffield, Paul and Watt, Gary (eds.), *Shakespeare and the Law* (Oxford: Hart, 2008);

Skinner, Quentin, *Forensic Shakespeare* (Oxford: Oxford University Press, 2014);

Ward, Ian, *Shakespeare and the Legal Imagination* (London: Butterworth, 1999).

[View reading list on Talis Aspire](#)

Interdisciplinary

This module explores the plays of William Shakespeare which enact juridical procedures. Interested equally in early modern English law and theatrical performance, it considers the Tudor laws that underpin Shakespeare's sensational dramatization of juridical themes

Subject specific skills

No subject specific skills defined for this module.

Transferable skills

The module is intended to enhance and consolidate students' academic and research skills, while simultaneously stimulating team-work and collaboration; thus creating a pool of transferable skills that students can use both academically and vocationally.

Study

Study time

Type	Required
Practical classes	9 sessions of 3 hours (18%)
Private study	123 hours (82%)
Total	150 hours

Private study description

No private study requirements defined for this module.

Costs

No further costs have been identified for this module.

Assessment

You must pass all assessment components to pass the module.

Assessment group A1

Weighting

Study time

Commonplace Book

100%

The coursework requirement is fulfilled by students compiling an Elizabethan-style commonplace book (or working journal, in modern parlance): a hand-written diary, in which students narrate and collate materials relevant to their thinking on the subject matter of the course, with commentary and analysis where appropriate.

Materials may include writing, drawing, headlines or clippings from newspapers, postcards, quotations, images, words, games, maps, advertisements, website references, designs for costume or built environments. The commonplace book is an attempt to encourage students to apply themselves to the task of gathering material relevant to the module (and providing critical analysis where appropriate), in a style that would have been recognised by Shakespeare and his contemporaries. It is assessed according to the originality of research, the quality of materials evidenced, and the distinctive nature of the analysis.

As an assessment, the commonplace book demonstrates how the student has engaged thoughtfully and creatively with the subject matter of the module.

Feedback on assessment

Each student will be given extensive, formal written feedback on the summative assessment via Tabula. Informal feedback will be given on a continuous basis to each student, in and after classes, and through meetings with individual students during advice and feedback hours, or by appointment.

Availability

Courses

This module is Optional for:

- ULAA-M300 Undergraduate Law
 - Year 2 of M300 Law
 - Year 3 of M300 Law
- ULAA-M105 Undergraduate Law (3 year) (Qualifying Degree)
 - Year 2 of M105 Law (3 year) (Qualifying Degree)
 - Year 2 of M105 Law (3 year) (Qualifying Degree)
 - Year 3 of M105 Law (3 year) (Qualifying Degree)
 - Year 3 of M105 Law (3 year) (Qualifying Degree)
- ULAA-M106 Undergraduate Law (4 year) (Qualifying Degree)
 - Year 2 of M106 Law (4 year) (Qualifying Degree)
 - Year 3 of M106 Law (4 year) (Qualifying Degree)
 - Year 4 of M106 Law (4 year) (Qualifying Degree)
- ULAA-M104 Undergraduate Law (Year Abroad)
 - Year 2 of M104 Law (Year Abroad)

- Year 4 of M104 Law (Year Abroad)
- ULAA-M108 Undergraduate Law (Year Abroad) (Qualifying Degree)
 - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
 - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
 - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
 - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
- Year 3 of ULAA-ML33 Undergraduate Law and Sociology
- Year 2 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 2 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 3 of ULAA-M110 Undergraduate Law with Humanities (3 Year)
- ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
 - Year 2 of M113 Law with Humanities (4 year) (Qualifying Degree)
 - Year 3 of M113 Law with Humanities (4 year) (Qualifying Degree)
- ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
 - Year 2 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
 - Year 2 of M115 Law with Social Sciences (3 year) (Qualifying Degree)

This module is Option list A for:

- Year 4 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 4 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 4 of ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
- ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
 - Year 3 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
 - Year 3 of M115 Law with Social Sciences (3 year) (Qualifying Degree)

This module is Option list B for:

- ULAA-ML34 BA in Law and Sociology (Qualifying Degree)
 - Year 3 of ML34 Law and Sociology (Qualifying Degree)
 - Year 4 of ML34 Law and Sociology (Qualifying Degree)
- Year 4 of ULAA-ML33 Undergraduate Law and Sociology

This module is Option list E for:

- UPHA-V7MW Undergraduate Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law