

LA392-15 Shakespeare and the Law

24/25

Department

School of Law

Level

Undergraduate Level 3

Module leader

Gary Watt

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, the themes and methodologies of 'Law and Literature' (LA357) and 'Origins of English Law' (LA242) and 'The Art of Advocacy: Mooting and Forensic Rhetoric' (LA384).

[Module web page](#)

Module aims

The module incorporates study of three plays by Shakespeare, all of which enact juridical procedures: Richard II, Othello, The Merchant of Venice. Interested equally in early modern English law and theatrical performance, it considers the laws and customs that underpin Shakespeare's 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. The module moves from the Inns of Court to the public playhouse to examine Shakespeare's staging of trials, engaging with the courtroom and playhouse as

analogous spaces of rhetorical performance where narratives are tested and contested. Among the legal-theatrical topics addressed are performative forms of early modern legal education; legal and poetic wordplay; rhetorical techniques in controversy and disputation; material cultures of evidence and proof; tensions between trade and tradition; and the disruption of theatrical types and social stereotypes. The module explores early modern 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, kinaesthetic, and somatic 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 and to grasp matters through material engagement with space and stuff. 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. Shakespeare's Legal Time and Place - from Stratford to London

Week 2. Richard II: The performance of will - early modern transition from tradition to trade

Week 3. Richard II: Throne down - bodies and properties of law

Week 4. Othello: Judging by appearances - questions of evidence and proof

Week 5. Othello: Slander and sound judgment

Week 6. Reading week.

Week 7. The Merchant of Venice: Credit of rhetoric and rhetoric of credit

Week 8. The Merchant of Venice: Laws of dramatic properties.

Week 9. The Merchant of Venice: Shakespeare, theatrical types, and social stereotypes

Week 10. Shakespeare's Justice and Legal Legacy

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, including the relevance of the plays to modern social and cultural issues.
- Development of forensic skills of advocacy and rhetorical performance.
- 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

Brooks, Christopher, *Law, Politics, and Society in Early Modern England* (Cambridge: Cambridge University Press, 2008).

Cormack, Bradin, *A Power to Do Justice: Jurisdiction, English Literature, and the Rise of Common Law, 1509–1625* (Chicago, IL: University of Chicago Press, 2007).

Corrigan, Brian Jay, *Playhouse Law in Shakespeare's World* (Teaneck, NJ: Fairleigh Dickinson University Press, 2004).

Curran, Kevin (ed), *Shakespeare and Judgment* (Edinburgh: Edinburgh University Press, 2017).

Enterline, Lynn, *Shakespeare's Schoolroom: Rhetoric, Discipline, Emotion* (Philadelphia, PA: University of Pennsylvania Press, 2012).

Geng, Penelope, *Communal Justice in Shakespeare's England: Drama, Law, and Emotion* (University of Toronto Press, 2021).

Hutson, Lorna, *The Invention of Suspicion: Law and Mimesis in Shakespeare and Renaissance Drama* (New York: Oxford University Press, 2007).

Jordan, Constance and Karen Cunningham (eds.), *Law in Shakespeare, Early Modern Literature in History Series* (Houndmills: Palgrave Macmillan, 2007).

Kerrigan, John, *Shakespeare's Binding Language* (Oxford: OUP, 2016).

Mukherji, Subha, *Law and Representation in Early Modern Drama* (Cambridge: Cambridge University Press, 2006).

Peters, Julie Stone, *Law as Performance: Theatricality, Spectatorship, and the Making of Law in Ancient, Medieval, and Early Modern Europe* (Oxford: Oxford University Press, 2022).

Prest, Wilfrid R., *The Inns of Court under Elizabeth I and the early Stuarts, 1590-1640* 2nd edn (Cambridge: Cambridge University Press, 2023).

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

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

Raffield, Paul, *Shakespeare's Strangers and English law* (Oxford: Hart, 2023).

Schwartz, Regina M., *Loving Justice, Living Shakespeare* (Oxford: Oxford University Press, 2016).

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

Watt, Gary, *Shakespeare's Acts of Will: Law, Testament and Properties of Performance* (London: Bloomsbury Arden Shakespeare, 2016).

Watt, Gary, *Shakespeare and the Law* [Oxford Shakespeare Topics] (Oxford: OUP, 2024).

Wilson, Luke, *Theatres of Intention: Drama and the Law in Early Modern England* (Stanford, CA: Stanford University Press, 2000).

Winston, Jessica, *Lawyers at Play: Literature, Law, and Politics at the Early Modern Inns of Court, 1558-1581* (Oxford: Oxford University Press, 2016).

Zurcher, Andrew, *Shakespeare and the Law*, Arden Shakespeare (London: Bloomsbury, 2010).

[View reading list on Talis Aspire](#)

Interdisciplinary

This module explores a selection of the plays of William Shakespeare for their engagement with legal themes, materials, and their enactment of juridical processes. Interested equally in early modern English law and theatrical performance, it considers the laws and rhetorical insights that underpin Shakespeare's sensational dramatization of themes of law and justice.

Subject specific skills

Textual interpretation; management of legal, historical, dramatic source material; public presentation / performance; attentive listening; respectful dispute; lucid and persuasive drafting.

Transferable skills

The module enhances and consolidates students' scholarly skills of textual interpretation, drafting, and research as well as performance and presentation, while stimulating team-work and encouraging 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	103 hours (69%)
Assessment	20 hours (13%)
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 A2

	Weighting	Study time	Eligible for self-certification
Assessment component			
Commonplace Book	100%	20 hours	No
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.			
The commonplace book will be present in classes but at the assessment stage the student will photograph and submit 20 self-selected and representative images of the book (each image being of a single page or double-page of the book) collated as a pdf and uploaded to Tabula. This enables the work to be shared with moderators and external examiners and for the original to be retained by the student. Assessment will be based on the 20 images of pages selected by the student.			
As an assessment, the commonplace book demonstrates how the student has engaged thoughtfully and creatively with the subject matter of the module.			

Reassessment component is the same

Feedback on assessment

Each student will be given detailed written feedback on the summative assessment via Tabula. Informal formative feedback on the commonplace book 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:

- Year 2 of ULAA-M130 Undergraduate Law
- ULAA-M105 Undergraduate Law (3 year) (Qualifying Degree)
 - Year 2 of M105 Law (3 year) (Qualifying Degree)
 - Year 3 of M105 Law (3 year) (Qualifying Degree)
- Year 2 of ULAA-M131 Undergraduate Law (4 Year)
- ULAA-M106 Undergraduate Law (4 year) (Qualifying Degree)
 - Year 3 of M106 Law (4 year) (Qualifying Degree)
 - Year 4 of M106 Law (4 year) (Qualifying Degree)
- Year 2 of ULAA-M132 Undergraduate Law (Year Abroad)
- Year 4 of ULAA-M108 Undergraduate Law (Year Abroad) (Qualifying Degree)
- Year 2 of ULAA-M133 Undergraduate Law with French Law
- Year 2 of ULAA-M134 Undergraduate Law with German Law
- ULAA-M136 Undergraduate Law with Humanities (3 Year)
 - Year 2 of M136 Law with Humanities (3 year)
 - Year 3 of M136 Law with Humanities (3 year)
- Year 2 of ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
- UPHA-V7MW Undergraduate Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 3 of V7MW Politics, Philosophy and Law
- Year 4 of UPHA-V7MX Undergraduate Politics, Philosophy and Law (with Intercalated Year)

This module is Unusual option for:

- UPHA-V7MW Undergraduate Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 3 of V7MW Politics, Philosophy and Law

This module is Option list A for:

- Year 4 of ULAA-ML35 BA in Law and Sociology (Qualifying Degree) (with Intercalated year)
- Year 3 of ULAA-M131 Undergraduate Law (4 Year)
- Year 3 of ULAA-M135 Undergraduate Law and Sociology
- Year 4 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 4 of ULAA-M10C Undergraduate Law with German Law (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 3 of ULAA-M130 Undergraduate Law

This module is Option list E for:

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