

‘Lawyer Playwrights: Legal Themes and the Making of Drama’

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I.

My underlying philosophy as a University law teacher is rooted in the classical principle that justice is founded in community. The teaching and learning environment which I attempt to engender in the classroom is modelled to a great extent on Aristotle’s theory (expressed in *The Politics* and *The Nicomachean Ethics*) that friendship provides the bond of communities, and that the primary objective of lawmakers is the attainment of harmony and the elimination of faction. My scholastic research has explored the influence of communitarian ideals, as expressed in classical philosophy and Judaeo-Christian theology, over the development of English law; this in turn has provided me with much of the inspiration for my teaching.

My teaching methods derive, to a considerable extent, from my work outside the Academy as an actor and theatre director. That experience has equipped me with many of the skills which I consider to be prerequisites for effective teachers. The primary objective of the actor should be to relate, through his character (and his interaction with other characters), the narrative of the play. I believe that the aims and objectives of the actor are applicable and transferable to those of the teacher. My experience of teaching drama students has strengthened my conviction that the practical skills which apply to teaching student actors are relevant to teaching in the more traditional academic environment of a University law school. My first teaching engagement was at a drama school, in which I devised a module entitled “Text and Interpretation”: for those undergraduate law students who are intent on entering the legal profession, the ability to analyse text and present convincing oral arguments is a crucial technical skill.

My teaching responsibilities at Warwick have enabled me to apply the skills of the rehearsal room, acquired during a career of 30 years in the theatre, to the teaching environment. Paramount amongst those skills is the ability of the good director to facilitate the emergence of a cohesive ensemble from a disparate band of people. This image was foremost when I devised a module for law Undergraduates, entitled ‘Origins, Images and

Cultures of English Law'. The module is intended to broaden the students' understanding of law by considering the various historical, intellectual and literary influences over the development of the English legal system. Fundamental to achieving the aim of the module is the strong emphasis I place on the development of a communitarian ethos amongst the students. Group work, in which students work together on an assessed project, is the primary means through which individual students bond into an interdependent community of scholars. In my experience of University teaching, students usually develop strong individualist skills, principally those related to research and writing. But the acquisition of such skills is often at the expense of commitment to or involvement with the group – at least in the context of the classroom. This strikes me as an anomalous feature of Higher Education, as the future lives of these students will be spent working and socialising with others. The stress I place on creating the bonds of friendship or community in a classroom context enables me also to illustrate the philosophical themes to which I refer throughout the course, the juristic origins of which are traceable to ancient Greek sources. For Aristotle, friendship is the foundation of community and is, he claims, more important to lawgivers even than justice: concord, the ultimate aim of all lawmakers, being synonymous with friendship (*The Nicomachean Ethics*, bk VIII.1155a20-30). My aim, through the use of group work, is to represent in microcosm these Aristotelian themes.

The crucial importance of ensemble work to the successful completion of the module by each student and my intention of creating an innovative learning model, based on shared values and knowledge, is a salient feature of many students' evaluative comments. The student who wrote the following comments clearly appreciated the communitarian ethos of the module: "I will always treasure your words and teaching. Your inspiration undoubtedly drove me on to obtain a successful and more meaningful degree. I am very privileged to have been taught by you. I hope that other students who go on to be taught by you will also learn to approach their degree with a more open mind and learn to work alongside their peers as opposed to being in competition with them. Thank you for being a great teacher".

My teaching methods in this module incorporate interactive lectures (at which students are encouraged to interrupt and discuss emergent themes) and playwriting workshops. The latter are held in the innovative teaching space of The Reinvention Centre, and are intended to place the intellectual content of the lectures in a practical context. In 2010-11, 15 law undergraduates signed up to take 'Origins, Images and Cultures of English Law'. The students were divided into groups of five and worked together on the construction

of plays, on broad legal themes chosen by the students, which were developed and rehearsed each week in front of their peers. The playwriting exercise forms part of the total assessment for each student (40% of the total mark, the remaining 60% is provided by a written, unseen examination). My decision to allow the students to choose titles and themes for their plays is informed by the belief that students should be empowered to commit to their own creative ideas. Working in this way, in the democratic space of the Reinvention Centre (without desks, chairs, lecterns, dais or other hierarchic artefacts of the traditional classroom), it is possible to redefine the relationship between teacher and students, and between the students themselves. Students offer constructive criticism of their peers' work in a mutually supportive environment. My inspiration for this technique derives from research I conducted for my book, *Images and Cultures of Law in Early Modern England: Justice and Political Power, 1558-1660* (Cambridge University Press, 2004). While investigating the form and content of legal education in the early modern period, I discovered that drama played a major role in the training of lawyers at the Inns of Court. Law students in the sixteenth and seventeenth centuries worked collaboratively to produce plays on legal themes, which were presented in the Halls of their Inns of Court (the four Inns are Gray's Inn, Inner Temple, Lincoln's Inn, Middle Temple), to audiences made up of lawyers, members of the royal court, and often the monarch in person.

Apart from illustrating the historical association between drama and law, a major learning outcome is that the students develop cross-curricular and transferable skills of co-operation, negotiation, collaboration and communication. I was assisted in the seminar workshops by the playwright Alan F Pollock (author of 'One Night in November'), whose services were paid for by the award of £1000 from IATL. His role was to teach students the basic craft of dramatic construction, and to consider the correlation between character, plot, space and dialogue. The completed plays are assessed on a group basis, thus underlining the crucial element of teamwork; in addition, each student must provide a reflective essay, explaining his or her methodology and the individual contribution s/he made to their particular group.

This method of assessment is intended to encourage students to consider, as crucial aspects of the learning process, both the responsibility owed their peers and the quality of their separate inputs into a collective project.

II.

The following is a selection of quotations taken from the students' reflective essays on the 2010-11 'Origins' class:

“As a group, it must be admitted that we were initially very challenged by this task. Law is not considered a creative degree, however ‘Origins, Images and Cultures of English Law’ has opened my eyes to how creative the Law really is. Learning in this style, through creating a play exploring legal issues, tested our research, writing and communicative skills as well as our group-work abilities, like no other module I have undertaken in my degree has”;

“After speaking to Paul about my idea of the serial killer character, he liked it and recommended I read Shakespeare’s *Titus Andronicus* to get an idea of how a dignified person could be driven to mad violence by his society and surroundings. It was eye-opening! Discussing it with Ranamit, he seemed to like it and recommended we look at Shakespeare’s *Measure for Measure* for an idea of a plot that revolves around society’s response to immorality”;

“The theatre has always been a medium of expression that appeals to the essence of my being. An opportunity to present an aspect of the law in its theoretical and practical nuances through a play, while an idea borne from simplicity, is in fact a stroke of genius. The theatre brings alive its subject in a way very few other mediums do; an understanding born out of writing a play and developing a story will remain vibrant far beyond the exercise of writing an essay”;

“Overall I learnt much about playwriting; thinking in terms of a stage when writing for scenes, potentially even using the audience space in an alternate manner. I’ve also seen that, although compromises need to be made when writing in a group, the end result is infinitely better. Ideas were allowed to evolve, with all of us helping the progression. This meant

clearly communicating, working as a team, discussing and speaking in an open and honest manner with each other”;

“The Breakthrough...

Right before the end of term, Freddie and I were taking a walk, trying to think of a plot when we got our first break. I proposed the idea that we should start off with a murder scene to grab the reader’s attention and then use a journalist character as a vehicle to explore the plight of women, prostitutes and attitude of society towards the murders”;

“My own personal contribution towards writing was guided by the exercises used in the seminar workshops. I found the dialogue work particularly beneficial because we were able to focus on the elements of a natural conversation. The subtle nuances of speech such as the tone of the words spoken are not a detail I would ordinarily notice. When creating characters however the understated aspects are fundamental”;

“On the art of playwriting Tennessee Williams wrote, ‘I can’t expose a human weakness on the stage unless I know it through having it myself.’ Therefore the decision by five eager law students to write a play centred on a dictator’s fall from power and total loss of control, you may argue, was a rather ambitious one. True I suppose, given that our own experiences of having control and authority over other people stretch as far as the prefect positions that we held at school, or our involvement and participation in a society at university. Law scholars we may be, but law makers we are not, and getting inside the minds of men who believe that they are absolute rulers and above the law was going to be a challenge. Nevertheless, it was our belief that basic human emotions such as love, fear, jealousy, and anger, are a common feature of humanity, and of a kind of mutuality strong enough to unite all peoples, regardless of their age, gender, race, or religion....One conclusion that I have reached during the process of writing *Time is up, I’m afraid* is that I now consider the ‘art’ of playwriting, that process of creating something beautiful or thought-provoking, to actually be something more akin to a science. I now have an appreciation for the technical and methodical way in which playwriting has to be approached. I never realised how disciplined one has to be when writing

creatively, a statement which contradicts itself I know, but a realisation that I feel has given me a greater understanding of the creative arts, and of the law itself as a creative art”.

III.

Playwriting classes took the form of eight weekly classes, each of 2 hours duration. Students were set exercises by Alan in advance of each class. These included the following:

1. ‘...your task for next week is to come to class having written an abstract of your play – what’s the story and who are the characters? On a sheet of A4 (both sides if you need it) write a synopsis of the plot (if you’ve got as far as a breakdown of the scenes, then include that – but that isn’t vital at this stage) and a detailed description of each character. Obviously, you must get together in your groups for this exercise. As Alan said this morning, individual members of the group will bring different strengths and skills. Work out who has which skills and utilise them to maximum effect. Each of you will play a different role in your group, but you must all participate actively and equally towards achieving your objective...the play’s the thing’.
2. ‘Next week, we’ll be continuing to look at the issue of dialogue and how it is written.

The task for next Wednesday is as follows:

Think about an intense conversation that you have had with somebody else, and make detailed notes. Note particularly how meaning is conveyed in conversation, e.g. how do status and perception of status affect the dialogue? Do the speakers express themselves in fully-formed sentences or in fragmentary speech? In short, how do they express themselves?

Alternatively, eavesdrop closely on a conversation between 2 people and make all of the above observations. Be prepared to discuss your findings in next Wednesday's class'.

3. 'It's reading week next week, so there are no classes. The next Westwood workshop will be in week 7, Wednesday 23rd February, 9 a.m.

The 2 tasks for then are as follows:

Write a monologue, based on the real-life character whose story you told today. Choose one of three scenarios: a. lost luggage; OR b. A rainy Sunday; OR c. late for an important exam.

Put the character in a situation where the event has already happened, and s/he is relating their experience to you.

Think of a second character, who would not get on at all with your first real-life character (an antagonist, if you like). Write a biography of them, in the same way as you did for the first character.

The 2-week gap is a good opportunity for your playwriting groups to get together (actually and/or virtually) and exchange ideas on themes, stories, plots, characters...anything, in fact, that you think may be relevant or worth discussing'.

At the time of writing, the final plays have been submitted. Subject matter of the different groups included: prostitution and police corruption in Victorian England ('Profound Shackles'); Shell Oil and environmental pollution in the Niger Delta ('It'S Hell'); and dictatorship and rebellion in the Middle East ('Time is up, I'm afraid').

IV.

The following is a report on the seminar workshops, written by Alan F Pollock:

REFLECTIONS ON ‘ORIGINS, IMAGES AND CULTURES OF ENGLISH LAW: PLAYWRITING’.

Alan Pollock

It is said that the mid-twenties are the optimal age for being able to hold, or consider, multiple opinions simultaneously – to see different sides of the same question. We see this in the vigorous cut and thrust of the young work of all kinds of writers – from Shakespeare’s Henry VI onwards:

Here is Steve Waters, in his play RESILIENCE:

SARIKA. Maybe we cling to this because to believe otherwise is simply too terrifying.

JENKS. We cling to it because it has never been disproved.

SARIKA. But if all the ice in Antarctica were to melt

JENKS. Inconceivable, actually –

SARIKA. - sea levels would rise –

WILL. Sixty metres

JENKS. Oh, this is silly speculation

WILL. Minimum.

CHRIS. Hang on a minute – how high’s Nelson’s Column?

WILL. Sorry?

CHRIS. To put this in perspective, how high’s Nelson’s Column?

The clamour of many views and contrasting voices is exhausting to achieve (getting harder as the writer grows older!) but is at the heart of what we consider to be ‘dramatic’.

The profession of Law – like the writing of drama – is, precisely, the business of understanding different points of view. What people or characters want, why they do what they do, how they see themselves, and how others see them.

The Law – like television police drama – tends to deal in black and white notions of crime, guilt and motivation. ‘What were you doing in the vicinity of X’s house, on the night in question?’ It is sufficient for the television detective, or the Court, to establish means, motive and opportunity, and voila: the criminal, or the character, bang to rights.

To my knowledge, crime fiction and the Law are the *only* spheres which deal in such certainties; reality, as we all know, is more complex, and deals in many different shades of grey.

Which is why the study of drama – all drama, rather than just the screen detective version of it – is such a bold and refreshing way to approach the study of the law. Because great drama is about the nuances and the grey areas between the certainties. As a prosecutor or a defender, or as any kind of representative, you may find yourself sticking rigorously to one version of events. But in order to do the job well, you had better have a good understanding of what a different version might look and sound like.

Is Stanley’s brutal seduction of Blanche, in *A Streetcar Named Desire*, consensual, or non-consensual sex?

How would it play out in court?

Steve Waters puts it like this:

‘The opening of a play is rather like the experience of going to a party where you don’t know anyone. A woman approaches who seems congenial; she offers you a drink, she’s clearly interested in you; she disappears off to the kitchen and, while you wait, the slightly surly-looking fat man on the sofa observes, ‘Jenny’ll drop you in half an hour’. Naturally, you recoil from him, but you note an older woman by the window smiling at his bitchiness: ‘Forgive Jim, he’s her ex.’ OK, you now start to take pity on Jim, who’s clearly had a few, and when Jenny returns with your bottle and notes rather crisply that ‘we only drink Fair-trade wine here’, you sidle over to Jim, only to see him get up off the sofa and retire with

Jenny for a smoke. Within minutes your loyalties have shifted entirely and your initial judgments been unpicked.’

As a member of an audience, or as a representative of Law coming fresh to a case, your task is to examine the web of contradictions inherent in a situation - the clash of wants, needs and desires - and find a version of the ‘truth’ that speaks to you, a position you feel you can attack or defend.

Is Hamlet mad or sane?

Is the main character of David Hare’s *Secret Rapture* a ‘good’ woman, or a total pain in the arse?

Is Vanya in *Uncle Vanya* noble, a buffoon, or a noble buffoon? A would-be murderer or someone infinitely pitiable?

When I teach writing I tend to return – perhaps irritatingly – to the same basic questions, over and over again: What story are you telling, to whom, and why?

These questions can of course be asked of the teller of more or less any kind of story – from a joke, through a stageplay, to a version of events that a defendant or witness might offer as a statement. *What are you trying to say? Who is the audience? And what do you want to happen as a result?* If you are a playwright the answers to those questions might be: I want to tell the truth about the world, to as many people as possible, I want to move mountains to weep. If a defendant, something much simpler: I want to tell my story, to anyone who will listen, and I want to be free...

What do characters in plays – or people in general - want? What happens if they get it? Or if they don’t ?

We looked at different types of stories: the archetypes of love and revenge, journey and return; different types of characters: heroes, tricksters, lovers, dreamers; different types of speech: speech that reveals, speech that conceals, whole speech, fractured speech, wounded speech. And we looked at what constitutes ‘action’ within a play; in plays as a whole, and in their smallest constituent elements, scenes.

As well as the ability to imagine different points of view simultaneously, the good playwright must have empathy. To feel – and encourage the audience to feel – empathy with characters

who are not always good, not always decent, and not always likeable. Some intuition of the processes involved in this would it seems to me be at the heart of what it means to be a lawyer.

And we certainly do not agree with two of the clamourers in that 400 year old play:

CADE. And

when I am king- as king I will be

ALL. God save your Majesty!

CADE. I thank you, good people- there shall be no money; all shall

eat and drink on my score, and I will apparel them all in one livery, that they may agree like brothers and worship me their

lord.

DICK. The first thing we do, let's kill all the lawyers.

CADE. Nay, that I mean to do.

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