

## TRIAL BY JURY: STAGING JUSTICE IN WESTERN DRAMA.

Spring, 2014

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Thursdays 3:00-5:45 p.m.  
TBA  
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### COURSE THEMES

Where did the concept of trial by jury arise? Why do citizens of the United States take it a given, a right guaranteed by our Constitution as a political and civic sanctity, while citizens of other western nations depend on trials before a judge or a panel of judges? Alexander Hamilton said that for any nation wishing independence, trial by jury was "... the very palladium of free government," because the jury trial was a guarantor of "security against corruption." For other 18<sup>th</sup> century thinkers, the jury was the great leveler, for even the "unlettered peasant" had "common sense" to aid him in "distinguishing right from wrong" (Anonymous). And today, if you are called to jury selection in the federal court system, you are likely to hear such things as: *"If it wasn't for people like you, we would not be able to make real the Constitution's guarantee of the right to trial by jury ..."* (Judge, 9<sup>th</sup> Circuit, U.S. Federal Court). Or, *"... we want a full sampling of the community ... because these are people to whom we entrust our honor, our lives, and our most important issues"* (Sandra Day O'Connor). Why is trial by jury an anchor of our democracy and why does the principle itself depend on ordinary citizens?

Oddly enough, almost as soon as trial by jury was introduced in the West—in ancient Athens—it was also *staged*, dramatized in tragedy and comedy before Athenian citizens. And today, courtroom dramas, trial scenes in films and TV—even the 'reality TV' of Judge Judy—continue to fascinate us. For the Athenians, tragic debate lay before them in stark terms issues of justice, truth, and vengeance; such debate also served as a 'school of rhetoric' for ordinary citizens who might find themselves in court. Is our experience today similar? In her famous meditation on the trial of Adolph Eichmann in Jerusalem, Hannah Arendt draws an explicit parallel between the courtroom and a play. Both have scripts, costumes, set characters with specific roles. Both are stage-managed. Both claim to present to their audience an investigation of the truth of human nature. Both dramatize the culture itself—what it condemns or exonerates.

Through an exploration how playwrights, ancient and modern, Athenian, American, and otherwise, have staged trial scenes, this course opens up questions about the nature of justice versus retribution, guilt and punishment, the state's integrity versus the individual's rights. The themes of our study emerge from how playwrights studies the paradoxes framed within these cultural moments: the conviction that trial by jury is the public spectacle of freedom as well as the suspicion that the whole thing is staged.

## COURSE GOALS

1. **Control of Themes. By the end of the semester, students will:**
  - a. learn to raise and investigate the questions appropriately raised about culture by plays that stage courtroom scenes;
  - b. be able to discuss the the dynamic between the jury as audience and the role of the audience as playgoers (readers);
  - c. develop their own opinions about the fundamentals of staging a trial, whether what is sought is a dramatization of the truth, or justice, or retribution.
2. **Knowledge of Dramatic Texts as a Genre. By the end of the semester, students will:**
  - a. learn how to engage a dramatic text both as literature and as a cultural artifact;
  - b. how to speak and write knowledgeably about a play's script as it suggests characterization and action;
  - c. be able to differentiate dramatic conventions from those of other literary texts;
  - d. be able to discuss how drama engages a culture as both a reflection of a challenge to itself.
3. **Competency in Writing. By the end of the semester, students will:**
  - a. practice writing short essays in varying voices: reflective pieces, theoretical discussions, dramatic monologues, and argumentation.
  - b. be able to write persuasive short essays that argue for particular positions about trials;
  - c. produce a research paper that combines an understanding of the dramas studied in class with an exploration of new texts or films.



*Orestes Pursued by the Furies*, William-Adolphe Bouguereau (1862)

## REQUIREMENTS

1. Attendance and Class Discussion. (10%) Since class will depend on students' discussion of the readings, it is imperative that students attend every class with the readings prepared for our conversations. Students cannot miss more than one class without having their grade lowered by one letter grade; missing two classes will require a withdrawal from the course, as stipulated by BALS policy.
2. Weekly Reflections. (20%) You are to write a short paper (2 pages) every week, except as indicated, and post it in Blackboard by Tuesday at 10:00 p.m. I evaluate these on their thoughtfulness.
3. Comments on other students' reflections. (5%) These comments, also posted in Blackboard, are not formally graded but are required.
4. Take-home midterm (25%) Due Monday, March 17<sup>th</sup>.
5. Short Essay. (15%) You must develop one your reflections into a formal short (5-page) essay. Due February 27<sup>th</sup>.
6. Final research essay. (25%) Due Thursday, May 8<sup>th</sup>.

## GRADING SCALE

Students will earn a grade in this course according to the following scale:

A	94-100%	C	73-76%
A-	90-93%	C-	70-72%
B+	87-89%	D+	67-69%
B	83-86%	D	60-66%
B-	80-82%	F	< 60%
C+	77-79%		

## REQUIRED TEXTS

Aeschylus. 1991 (458 BCE), *Oresteia*, translated by Richmond Lattimore.  
Aristophanes *Wasps*, translated by David Barrett.  
Brecht, Bertolt. 1991. *Galileo*, translated by Eric Bentley.  
Euripides 1992 (425-424 BCE). *Hecuba*, translated by William Arrowsmith.  
Gilbert, W. S. (1868) *Trial by Jury*. (to be distributed in Blackboard)  
Lawrence, Jerome & Robert E. Lee. 2007 (1955). *Inherit the Wind*.  
Mann, Abby. 2002 (1959). *Judgment at Nuremberg*  
Miller, Arthur. 2003 (1953) *The Crucible*.  
Rose, Reginald 1997 (1955) *Twelve Angry Men*

## REQUIRED FILMS

All films, including *The Ox-bow Incident*, are available through *Lauinger* and will be on Reserve. Most are also available for streaming through Amazon or Netflix.  
Boorman, John. 2004. *In My Country*.  
Cukor, George. 1949. *Adam's Rib*.  
Lumet, Sidney. 1982. *The Verdict*.  
Lynn, Jonathan. 1992. *My Cousin Vinny*.  
Peck, Raoul. 2005. *Sometimes in April*.  
Wellman, William. 1943. *The Ox-bow Incident*

## ACADEMIC RESOURCES

Students who struggle with the writing assignments in this course or require further direction when it comes to revising papers are always encouraged to contact the professor for one-on-one advice and help. In addition, any student enrolled in the BALS program has access to the Writing Center, which provides graduate tutors who are specially trained to assist degree candidates in BALS. To schedule an appointment, view hours of operation and a listing of graduate student tutors, please visit the website of the Writing Center itself at:

[http://writingcenter.georgetown.edu/resources\\_writers.html](http://writingcenter.georgetown.edu/resources_writers.html)

If you believe you have a disability, then you should contact the Academic Resource Center at 202-687-8354 (arc@georgetown.edu) for further information. The Center is located in the Leavey Center, Suite 335. The Academic Resource Center is the campus office responsible for reviewing documentation provided by students with disabilities and for determining reasonable accommodations in accordance with the Americans with Disabilities Act (ADA) and University policies.

## ACADEMIC INTEGRITY IN THIS COURSE

As students of Georgetown University, you are expected to conduct yourself honestly and honorably in all your work for this class. All of your written work must be your own; if you quote from texts or from secondary material you must document your sources appropriately. You will receive a prompt for each formal essay that explains, among other things, the correct method of citation for each set of texts. You are expected to follow this method. If you are in any doubt about whether what you are doing for any assignment is appropriate, ask first.

I am also obliged as a member of the Georgetown University faculty to abide by the Honor System, and I will pursue evidence of cheating, plagiarism, or inappropriate use of the work of others—whether fellow students or scholars—to the fullest extent required by the Honor System. If a student is found in violation of the honor system, he or she will receive no credit for the specific assignment. A second finding against the student will result in a failure of the course.



#### SCHEDULE OF TOPICS, READINGS & FILMS

Date	Topic	Readings
<b>I. STAGING JUSTICE</b>		
1.9	Acting Out Justice before an Audience	Rose, <i>Twelve Angry Men</i> Arendt, <i>Eichmann in Jerusalem</i> , excerpts <a href="http://www.youtube.com/watch?v=PDQ9LZ87dgl">http://www.youtube.com/watch?v=PDQ9LZ87dgl</a>
1.16	The Burden of Proof	<i>Twelve Angry Men</i> <i>The Verdict</i> (film—watch this BEFORE class) <i>The Palladium of Justice</i> , excerpt (reflection due on Tuesday, January 14 <sup>th</sup> —see rubric in Blackboard)
<b>II. WITH MALICE AFORETHOUGHT</b>		
1.23	Murder's Reek within Society: Kin-killing & Blood Guilt	Aeschylus, <i>Oresteia</i> : <i>Agamemnon</i> & <i>The Libation Bearers</i> (reflection due on Tuesday, January 21 <sup>st</sup> )
1.30	Furies and Felons	<i>Oresteia</i> : <i>Eumenides</i> (reflection due on Tuesday, January 28 <sup>th</sup> )
<b>III. TRIAL BY JUDGE</b>		
2.6	Wild Justice at the barbarian edge	Euripides, <i>Hecuba</i> <i>The Oxbow Incident</i> (film) (reflection due on Tuesday, February 4 <sup>th</sup> )
2.13	Knowledge & Truth before the Throne of Judgment	Brecht, <i>Galileo</i> (reflection due on Tuesday, February 11 <sup>th</sup> )
2.20	War Crime & Justice	Abby Mann, <i>Judgment at Nuremberg</i> (reflection due on Tuesday, February 18 <sup>th</sup> )

2.27	Justice without the Jury	<i>In My Country &amp; Sometimes in April</i> (films) Short Essay Due
3.6	Midterm (take-home) – Class for questions only	
3.13	SPRING BREAK – NO CLASS	Midterm Due Monday, March 17 <sup>th</sup>
<b>IV. CRIMES OF PASSION &amp; PASSIONATE JUSTICE</b>		
3.20	The Sting of Rhetoric	Aristophanes, <i>The Wasps</i> MacDowell, <i>Aristophanes and Athens</i> , Chp. 7: “The Wasps” (handout). <i>The Wasps</i> (reflection due on Tuesday, March 18 <sup>th</sup> )
3.27	Words Can Never Hurt Me?	Gilbert, <i>Trial by Jury</i> <i>Adam’s Rib</i> (film) (TOPIC FOR FINAL RESEARCH PAPER DUE)
<b>V. STAGING THE JUSTICE OF THE PEOPLE</b>		
4.3	The Refining Fire of Accusation	Miller, <i>The Crucible</i> (reflection due on Tuesday, April 1 <sup>st</sup> )
4.10	Old Time Religion: Reaping what you sow ...	Lawrence & Lee, <i>Inherit the Wind</i> (reflection due on Tuesday, April 8 <sup>th</sup> )
4.24	Staging Justice: Comedy or Tragedy?	<i>My Cousin Vinny</i> (film) (DRAFT OF FINAL RESEARCH PAPER DUE)
5.8	FINAL PAPER DUE	

