

Law & Literature: Creative writing and Law in the cinema and theater

UGRA_016165

Departments	Department of International, European Union and Comparative Law
Teaching Languages	English
ECTS	6
Teacher responsible	Matias Rodríguez Veny - matias.rodriguez@esade.edu

Course Goals

The main objective of the course is to see the universal value of literature and cinema within a humanistic field in an absolute synergy with Law, taking into account the importance of words as well as narratives and their representation in the field of Law.

Appreciating cinema, art and literature as a creative source for future lawyers when it comes to finding their own voice.

During the classes, they will study a range of different authors from different nationalities and eras. Nevertheless, there will be a main focus on these famous authors: W. Shakespeare, M. Cervantes, T. Capote, E. Hemingway, J.L. Borges, H. Arendt and F. Kafka.

Previous knowledge

Everything regarding this course will be in English: the classes, the material, the resources, the screenings and the evaluation. The teaching material will be uploaded to the campus.

Prerequisites

The only requisite for doing this course is the student's interest in expanding their academic fields in other disciplines such as literature, art and cinema in Law. Interest in an active participation in class is also important.

Description

Course contribution to program

Literature allows for a global access to points of view that are related to law, society, culture and, ultimately, humanities. For a course where the students come from all over the world, this approach facilitates a very fluid communication when it comes to exchanging ideas. This will undoubtedly benefit the students, not only in their understanding of law and their own

readings but also in their ability to network during their time here.

The course will address how several iconic writers were able to write exceptional texts by analyzing some of the techniques they used, such as Hemingway's iceberg theory.

Short description

As stated, we will share techniques that are useful in order to find and develop our own unique voice instead of replicating an artificial one.

In order to understand literature and law we must think in terms of fiction, non fiction, essay and narratives, whether they are true or fake. This terminology will be explained not only in theoretical terms but also with practical examples of novels, tv series and cinema.

Bibliography

John Maynard Keynes, Two Memoirs, Acantilado (Book)
Hannah Arendt, Eichmann in Jerusalem, Penguin Random House (Book)
Franz Kafka, The trial, Penguin Random House (Book)
Virginia Wolf, A Room of One's Own, Penguin Random House (Book)
Truman Capote, In cold blood, Penguin Random House (Book)
Jorge Luis Borges, Fictions, Penguin Random House (Book)
Ernest Hemingway, The First Forty-Nine Stories, Penguin Random House (Book)
Patrick Radden Keefe, Empire of Pain, Picador (Book)
Claudio Magris, Before the Law: Literature and Justice, Sexto Piso (Book)

Activities

In-class discussions and debates
During the course we will do some debates in groups about Law and specific readings.

Other

In this course, there will be a guided trip around Barcelona (where the unforgettable characters created by Miguel de Cervantes, Don Quixote and Sancho, did their last big journey and discovered the sea).

Readings

Delivery of a dossier that will include:

- Short stories to be worked on in class, which the student is encouraged to read before the masterclass.
- Mainly texts by J.L. Borges, Hemingway, Kafka, E.A. Poe and Chéjov.

Presentations

Nonfiction sessions will be done by short cuts of the Capote's movie and each class will have its

own presentation.

Interaction with visiting guest professionals

There will be a masterclass on Shakespeare and Cervantes by Dr. Andreu Jaume, one of the main European references on these two authors.

We will interact with Marcos Marí who is the President of Insotel, Marina Ibiza and Trasmapi. He will talk us about the different economic narratives related with tourism.

Content

#	Topic
1	1. Welcoming and the concept of Literature-History through the universe of J.L. Borges Week 1: - Presentation, explanation of the course and evaluation rules. - Concept of literature and history (Todorov and Borges). - 2 short stories by J.L.Borges: Funes the memorous and Pierre Menard, author of Quixote.
2	2. The concept of non-fiction through the novel In cold blood by Truman Capote and Empire of Pain by Patrick Radden Keefe. Week 2: - Approaching the concept of non-fiction. - How a small newspaper clipping paved the way for T. Capote to write a completely factual novel a few years later. - Viewings: o Interviews with T. Capote. o Scenes from the movie Capote (2005) - Debate on fiction and non-fiction in Law, legal recourses and legal essays. The role that narratives play in media influence.
3	3. Is it a novel? Is it a law essay? Is it a legal essay? Is it a political essay? Is it an intellectual essay? No, it's Hannah Arendt and Eichmann in Jerusalem. Weeks 3 and 4: - The concept of universal law vs the legislation of each country. - The law as an active or reactive force. - The story of Hannah Arendt. - Global impact and the consequences of publishing the book. - Film and story of Eichmann and his trial (comparison with the Nuremberg trials) - The banality of evil - "Otherness": positive (Michel de Montaigne), negative (Thomas Hobbes) and dialog (Hannah Arendt). Closing with Emmanuel Levinas. - Short story of In front of the Law, de F. Kafka. - Class debate: does universal law exist? Can anyone from any academic discipline express their opinion on law?
4	4. Creative writing Weeks 5 and 6: - The importance of writing and the power of words in the law. - With regards to legal texts, explanation of the main theories of narration: o E.A. Poe. o Horacio Quiroga's Decalogue o Hemingway's "iceberg theory" o Ricardo Piglia: Classic short story (E.A.Poe) Kafkaesque short story (F. Kafka) Fantastic short story (J.L. Borges and J. Cortázar). Modern short story. o Class readings of the short stories and debating. o First work assignment (a short story under 500 words)
5	5. Franz Kafka, The Trial Week 7: 100th anniversary of Kafka's death. - Explaining two of his works: The Trial and The Castle. - The term "Kafkaesque". - Movie and series: Fargo - Kafka's literary device with Cicero's ex-abrupto (Catalinarias) and law. - Debate about law and bureaucracy. Has bureaucracy definitely strayed away from humanity with the advent of technologies? Is bureaucracy necessary? Does it have to be regulated? Does it infringe upon our freedom?
6	6. The illusion of theater and the world as a theater. Law as literature. The influence of narratives, film and the media in law: The O.J Simpson trial. Weeks 8 and 9: - Claudio Magris' essay Literature and Law. - Sophocles' Antigone. Infringement of the law by Antigone. - Miguel de Cervantes: o Quixote and the law. o Approaching reality through fiction. o Barcelona Route Tour with the class, following the footsteps of Quixote and Sancho in their final trip, which was to Barcelona. (Making the map as well as doing the

#	Topic
6	tour) - Shakespeare, Othello. Defamation, fake-news and its effect on the law. Screening of scenes from the movie. - Lope de Vega's Fuente Ovejuna and Henrik Ibsen's An Enemy of The People. - Debate on the narratives of the O.J Simpson trial and screening of fragments from the trial.
7	7. Week 10: Work with support from the tutors. Each group will present to the class their scripts in order to debate.
8	The influence of the narratives (fiction, non fiction and fake news) by Matías Rodríguez Veny and Marcos Marí (President of Insotel. Trasmapi and Marina Ibiza).

Assessment

Tool	Assessment tool	Category	Weight %
Attendance and punctuality	Mandatory assistance to 80% of the classes (except for justification).	Ordinary round	20.00%
Group project	A script for film or television related to Law	Ordinary round	40.00%
Final individual project	Write a free short story related to the course (500 words max).	Ordinary round	40.00%

PROGRAMS

113-Law Exchange Program (Undergraduates: Law)
 113 Year 1 (Optative)

113S-Law Exchange Program (Undergraduates: Law)
 113S Year 1 (Optative)

GBD20-Double Degree in Business Administration and Law (Undergraduates: Law)
 GBD20 Year 5 (Optative)
 GBD20 Year 2 (Optative)
 GBD20 Year 4 (Optative)

GDL20-Double Degree in Law and Global Governance, Economics and Legal Order (Undergraduates: Law)
 GDL20 Year 5 (Optative)
 GDL20 Year 4 (Optative)

GED20-Bachelor in Law (Undergraduates: Law)
 GED20 Year 4 (Optative)