

(Updated 5/18/25)

Summer in Spain Program

Professor Ledwon

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Imagining Justice: Comparative Law, Literature, and Pop Culture

Like love we don't know where or why

Like love we can't compel or fly,

Like love we often weep,

Like love we seldom keep.

W.H. Auden, "Law Like Love"

There was a time when you were not a slave, remember that. . . .

You say there are no words to describe this time, you say it does not exist.

But remember. Make an effort to remember. Or, failing that, invent.

Monique Wittig, LES GUÉRILLÈRES

Course Description and Goals

Popular culture helps us imagine the possibility of justice. The relationship between law and culture is interactive and dynamic. As Professor Naomi Mezey explains, "[L]aw is both a producer of culture and an object of culture. Put generally, law shapes individual and group identity, social practices as well as the meaning of cultural symbols, but all of these things (culture in its myriad manifestations) also shape law by changing what is socially desirable, politically feasible, legally legitimate."¹ This summer, we will consider how popular culture and literature within different systems of law (common law, civil law, indigenous systems) shape and are shaped by our desire for justice.

But whose justice and what justice? Does justice mean treating everyone the same or taking account of differences? Should individual rights be paramount or is hierarchy and order the essence of a just society? Ideas of justice can vary in different cultures and in different legal systems, but all legal systems are invested in some concept of justice. As we examine justice in

¹ Naomi Mezey, *Law as Culture*, 13 YALE J. LAW & HUMANITIES 35, 46 (2001).

popular cultures, you will consider such topics as: Social Justice; Economic Justice; Distributive Justice; Earth Justice; as well as Justice and Race, Gender, and Disability.

We will examine the links between comparative law, literature and popular culture in two main ways:

- (1) we analyze law itself as a form of literature (as a particular type of normative cultural narrative with its own tropes, metaphors, and story patterns), and
- (2) we examine law in literature and in popular culture by exploring legal themes in stories, graphic novels, films, plays, and television.

We will read selected judicial opinions and statutes from common law and civil law jurisdictions for their storytelling elements (style, tone, imagery, etc.) in conjunction with critical Law & Literature jurisprudential theory.

Additionally, we will examine law in comparative literature and popular culture through selected topics such as: Legal Education in Cross-Cultural Perspectives; Justice Narratives from the Margins; Cross-Cultural Versions of Antigone; and Law and Comedy. Our readings will include works ranging from Shakespeare plays to 19th-century slave diaries to contemporary graphic novels. We also will view a variety of clips from television programs and films (including Spain's most popular crime drama, "Money Heist").

Course Objectives: The goals of this course are for you to gain a deeper understanding of the social and cultural components of your chosen profession by exploring the rich interdisciplinary connections between comparative law, literature and popular culture. You will have the opportunity to analyze a diverse selection of cultural texts from common law and civil law systems, utilizing analytical methods from the jurisprudence of law and literature. Texts may include judicial opinions, statutes, graphic novels, plays, poetry, film, and television, from Spain, Japan, the U.S., South Korea, the United Kingdom, Ecuador, Australia, and South Africa.

You should be able to comparatively analyze how different legal systems influence and are concomitantly influenced by literature and popular culture. Finally, you should be able to articulate differences and similarities in intercultural stories about justice and evaluate how ideas of justice circulate among texts and law, influencing and being influenced in turn while creating tensions (and occasional harmony) between national identity and the gravitational pull of globalization.

Questions we will consider may include the following: Is there a legal poetics? Can literary techniques such as metaphor, style, and imagery improve legal storytelling? How does interpretation work in law and in literature? Can popular culture help lawyers acquire cross-cultural competencies? Does justice in popular culture differ from justice within the law? How does children's literature instruct young citizens about the rule of law? What are effective storytelling techniques for those marginalized by the law? How does popular culture define a "good lawyer?" And finally, how have streaming popular cultures affected global notions of justice?

Learning Outcomes include: demonstrating and understanding broad knowledge of the common law and civil law systems; communicating effectively and with civility; demonstrating knowledge of lawyers' moral and ethical responsibilities to the rule of law in society.

NOTE: Before our semester begins, please skim the Nutshell. (We will be referring to concepts from these throughout the semester.)

- Mary Ann Glendon, Paolo, Carozza, and Colin Picker, **Comparative Legal Traditions in a Nutshell 4th edition** (West Academic, 2016). ISBN 978-0-314-28560-7
 - This Nutshell is available as a digital edition for free on our law library's website. Please skim this, to get a feel for the common law and civil law systems. Pay particular attention to Chapter 9 (describing legal education in civil law systems).

REQUIRED TEXTS

Books

- Lenora Ledwon, **LAW AND LITERATURE: TEXT AND THEORY** (Routledge/Taylor & Francis) ISBN 978 0 8153 2046 3 (paperback)
- Hayao Miyazaki, **NAUSICAA OF THE VALLEY OF THE WIND, VOL. 1** (paperback) ISBN 13 9781591164081
- Sophocles, **ANTIGONE: A NORTON CRITICAL EDITION** (paperback) Sheila Murnaghan, tr. and ed., (2023). ISBN 978-0-393-65518-6
- William Shakespeare, **THE MERCHANT OF VENICE: NO FEAR SHAKESPEARE** (paperback ISBN 978-1-58663-850-4)
 - This is the preferred text, with each page of Shakespeare's text mirrored with a facing page in plain English.
 - However, any good text of the play will work. If you prefer to read the play online, you can access it at the Folger Shakespeare Library website --
 - <https://www.folger.edu/explore/shakespeares-works/the-merchant-of-venice/read/>
- Note: Additional required readings (short articles, poems, cases, etc.) will be posted on Canvas.

Film

- *A Jury of Her Peers*

T.V. Series

- *La casa del Papel* (Spanish t.v. series, broadcast on Netflix as "*Money Heist*").
- *How To Get Away With Murder* (American t.v. series set in law school).
- *Extraordinary Attorney Woo* (South Korean series)
- *Daredevil* (American t.v. series).
- *Bluey* (Australian children's animated series)

Grading and Assignments

- **Daily Posting (Completion Credit)**
 - The night before each class, you must post one question on our Discussion Board by 11:00 p.m. regarding something in the following day's readings.
- **Small Group Presentation (Completion Credit)**
 - Groups will be assigned in our first class.
 - Each student in the group (2 per group) will lead a discussion about their own posted question or comment and also respond to the posted question of the other student/s in the group (approximately 10-15 minutes total per group).
- **Class Participation is required.**
 - Note: excellent class participation may raise your final grade by up to half a grade.
- **Final Exam** – your grade will be based on the final take-home exam.

Week One

CRITICAL FOUNDATIONS

May 26 Reading Law/Reading Literature

- James Boyd White, "The Judicial Opinion and the Poem" (Ledwon, 5-28).
- W.H. Auden, "Law Like Love" (Ledwon, 221-222).
- Two Cardozo opinions (posted on Canvas, under "Required Readings" module).

May 27 Imagining Law School/Legal Education in Cross-Cultural Perspectives

- Lenora Ledwon, "The Culture of Law School" INTERCULTURAL HUM. RTS L. REV. (2025). (Canvas)
- Alex McBride, *Middle Temple Lane*, in DEFENDING THE GUILTY. (Canvas)
 - (Describes the pupillage apprentice system for training new barristers in England.)
- COMPARATIVE LEGAL TRADITIONS NUTSHELL,
 - (Review Chapter 9, "Roles and Actors: Legal Education").
- In-class clips from "The Paper Chase," "Legally Blonde," "How to Get Away With Murder," "Defending the Guilty."

May 28 New Lawyers and Apprenticeship: Quiet Quitting and the Economics of Justice

- Herman Melville, *Bartleby the Scrivener* (Ledwon, 256-281).
- John Jay Osborne, Jr., "Expectations," (Ledwon, 483-488).
- *How Quiet Quitting is Taking Hold in Law* (Australian article, Canvas)
- *The Quiet Quitting Trend Hits BigLaw: What Firms Are Doing to Retain Talent* (US article, Canvas)

May 29 **Civil Disobedience and the Rule of Law**

- Thoreau, *On the Duty of Civil Disobedience* (Ledwon, 189-200)
- Cassandra Sharp, *Riddle Me This – Would the World Need Superheroes If the Law Could Actually Deliver Justice*, 16 LAW TEXT CULTURE 352 (2012) (Canvas)
- *Daredevil* (clips from series)

Week 2 JUSTICE NARRATIVES FROM THE MARGINS

June 2 **Race, Gender, Disability and Justice**

- Linda Brent, “*Incidents in the Life of a Slave Girl*” (Ledwon 421-429).
- Fugitive Slave Law (Link on Canvas).
- Pauli Murray, “*Dark Testament*” (Link to poems on Canvas).
- ABA Journal op ed, on Extraordinary Attorney Woo (Canvas)
- *Extraordinary Attorney Woo* (South Korean t.v. series, in-class clips)

June 3 **A Jury of Her Peers**

- Susan Glaspell, “*Trifles*” (Ledwon, 151-164).
- Michael Asimow, *Popular Culture and the Adversary System*, 40 LOY. L.A. L. REV. 653 (2007) (Canvas)

June 4 **Field Trip to Spanish Constitutional Court**

June 5 **Indigenous Sovereignty and Song**

- “*Government: You were made a guest by me.*”
 - Youtube video of New Zealand Maori lawmaker Member of Parliament’s performance of a *Haka* as a protest during parliamentary session’s first reading of Treaty Principles Bill. (Canvas)
 - “New Zealand MPs who performed haka in parliament given unprecedented punishment” (Canvas)
 - Treaty (Canvas)
 - What is the Treaty Principles Bill (Canvas)
- Poem, “Whereas” by Layli Long Soldier (Ogala Lakota Nation) (Canvas)

Week 3 Punishment, Outlaws and Wild Justice

June 9

- Michel Foucault, *Panopticism*, (Ledwon, 323-345).
- Jack Sammons, *On Teaching the Legality of Televising Capital Punishment* (poem) (Ledwon, 293).
- Kent Worcester, *The Punisher and the Politics of Retributive Justice*, 16 LAW TEXT CULTURE 329 (2012). (Canvas)

June 10 Spain's Netflix, Netflix's Spain: The Globalization of Anti-Authoritarianism and Economic Justice Movements

- *La casa del Papel* (*Money Heist*), Spanish television series.
 - (This show is a worldwide hit, having become the most watched non-English-language series in the history of Netflix, and has inspired real-life protests. We will watch selected clips.)
- Vanessa Rodriguez de la Vega, *Branded By Netflix*, in 171 NETFLIX' SPAIN: CRITICAL PERSPECTIVES (Jorge Gonzalez del Pozo and Xose Pereira Boan, eds., 2024). (Canvas)

June 11 Cross-Cultural Antigones

- Sophocles, *Antigone: Norton Critical Edition* (Sheila Murnaghan, tr., 2023).
- Athol Fugard, John Kani, and Winston Ntshona, *THE ISLAND*. (South African version of *Antigone*, set in prison). In *ANTIGONE: NORTON CRITICAL EDITION*, at 50.
- Czeslaw Milosz, "Antygona" (Lenora Ledwon, tr.), 71 TRIQUARTERLY 217 (1989). (Poem in honor of Hungarian students, workers, and soldiers.) (Canvas)

June 12 Earth Justice

- Hayao Miyazaki, *Nausicaa of the Valley of the Wind*, vol. 1 (paperback manga).
- Lenora Ledwon, *Green Visual Rhetoric: The Human/NonHuman Connection in "Nausicaa of the Valley of the Wind,"* 7 J. ANIMAL & ENV'T L 1 (2015).
- Constitution of the Republic of Ecuador (Canvas). (In 2008, Ecuador became the first country to recognize the rights of nature in its constitution.)

Week 4 COMEDY AND LAW

June 16 Humor, Censorship, and the Rule of Law in Children's Popular Culture

- Lenora Ledwon, *Children's Picture Books and the Rule of Law: The Jurisprudence of "The Poky Little Puppy,"* in HUMAN FLOURISHING: THE END OF LAW. ESSAYS IN HONOR OF SIEGFRIED WIESSNER 1038 (W. Michael Reisman and Roza Pati, eds., 2023). (Canvas)

- Anna Potter, *Globalising the local in children's television for the post-network era: How Disney+ and BBC Studios helped Bluey the Australian cattle dog jump the national fence*, 24 INTL J CULTURAL STUDIES 216 (2021). (Canvas)
- *Bluey*. (Australian animated preschool televisions series, clips in class.)

June 17 **Comic Structure and Overcoming Law's Blocking Force**

- Northrop Frye, *The Mythos of Spring*, from Anatomy of Criticism (Ledwon, 495-501).
- William Shakespeare, THE MERCHANT OF VENICE.

June 18 **Comic Structure, cont.**

- Shakespeare, THE MERCHANT OF VENICE
- (Note: the “No Fear Shakespeare” edition in paperback is suggested, but alternatively you can access the text of the play at the Folger Library website – link on Canvas)

June 19 **The Comic Logic of Law**

- W.S. Gilbert and Arthur Sullivan, TRIAL BY JURY (Ledwon, 471-481).

Final Exam

- The exam will be distributed at the end of class on June 18.
- Open Book, Take-Home Exam.
- Due any time before **June 20 at 5:00 p.m.** (Madrid time.)

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