

Prof. Daniela Carpi (Verona)

Shakespeare Between Law & Literature

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“The first thing we do, let’s kill all the lawyers”. So counsels Dick the Butcher in Shakespeare’s *Henry VI, Part II*. Four centuries on from the Bard’s death in 1616, his most famous ‘anti-lawyer’ line retains considerable currency in popular culture as a shorthand for pouring scorn on the legal profession. That the words are uttered by a follower of the rabble-rousing rebel Jack Cade, who is plotting treason against the state, is commonly overlooked; the pithiness and piquancy of the declaration lends it, it seems, an almost irresistible quotability. Interpretive nuances notwithstanding, however, what is clear is that the



Dick the Butcher & Smith the Weaver seizing the Clerk of Chatham by Henry William Bunbury (1795)

lines serve insufficiently to capture the fuller sweep of Shakespeare’s legal negotiations – his tragedies, comedies and histories all teem with references to juridical concerns and terminology, and, taken together, make up a rich and complex tapestry of reflections on the ethics and politics of law. It is not without reason that Atticus Finch lists rereading Shakespeare as a vital component of legal education.



Excavating a selection of Shakespeare’s various engagements with the law was the aim and purpose of the latest talk in the *laboratorium lucernauris* lecture series, delivered by Daniela Carpi on 6 December. Professor of English Literature at the University of Verona, and founding president of the *Associazione Italiana di Diritto e Letteratura* (AIDEL), Prof. Carpi is among the foremost authorities in the sub-field of ‘Shakespeare and the Law’ studies, and the breadth and profusion of her knowledge were in full evidence as she took the audience on a densely-packed tour through three works: *The Merchant of Venice*, *Othello* and *Romeo and Juliet*.

The themes covered were diverse and far-ranging and can only be cursorily indicated here. Regarding *The Merchant of Venice*, the focus was primarily on the philosophical concept of ‘equity’: the speaker traced a brief history of the term back to Aristotle’s notion of *epieikeia* and the Roman *aequitas*, delineated its function as a form of corrective justice that mitigates a narrow and rigid legalism, and deftly illustrated its creative rendering in the conflict between Shylock’s tenacious clinging to the terms of his bond (“I stand here for law”, “I crave the law”) and Portia’s plea for the “quality of mercy”. In the case of *Othello*, attention was placed on the charge of deception levelled by Brabantio against the title-figure in his wooing of Desdemona, here reinterpreted in the light of a radical shift in contemporary aesthetic discourses of beauty and alterity. Finally, in *Romeo and Juliet*, the spotlight was turned onto questions of identity, subjectivity and legal personhood, exemplified via reference to the various acts of naming and re-naming in the text – from Juliet’s supplication to Romeo to “deny thy father and refuse thy name” to Capulet’s disowning of his daughter (“by my soul, I’ll never acknowledge thee”). The latter example in particular fed into an extended exploration of the

entanglements between questions of identity and legal persona, on the one hand, and those of legitimacy and illegitimacy on the other – were Juliet to be deprived of her name, so the argument, she would, according to the legal customs of the time, be reduced to a bastard child and thus divested of her legitimacy as a citizen and legal subject: *sans* protection, *sans* the right to inheritance, *sans* legal existence.



The insights delivered in the readings of the plays were at once both authoritative and provocative, supplying a welter of information on the texts and their contexts, yet also opening up a number of enticing spaces for further reflection. This was attested to by the lively discussion at the close, during which a number of critical questions relating to both content and methodologies were raised and debated in a spirit of intellectual openness charged with a good measure of interdisciplinary vibrancy.

(Steven Howe)