

The concept of ‘theatricality’ in legal performance with respect to musicians and the way they engage with the law

JANET NIKOVA NIKOVA

Universidad Complutense de Madrid

Abstract

The concept of theatricality plays a very important role in legal performance. The courtroom setting has an inherently theatrical nature in its history and rituals that makes it a preferred subject for the theatre. On the other hand the techniques used in the theatre also allow lawyers to present better their case in court, thus making the connection between the two. Although through theatricality the legal system engages with much more people, it has left one group misunderstood and excluded – musicians. Alienating music from the courts of law and refusing to view it as a complex piece of art, goes against the general principle of openness of the law, which should be at the heart of the legal system.

Keywords: Performativity, theatricality and law, law and music, law and the humanities, art and politics, aesthetics, law and modern art, Pussy Riot, rap, natural law

Introduction

The words “theatricality” and “performance” have only recently become a starting point for legal theorists when commenting on the conduct and behaviour of legal professionals. In order to understand the concept of theatricality in legal performance I will examine and compare it with the concept of “performativity”. My aim will be to contrast the relationship between theatre and law with the relationship between law and music and to prove that both concepts define the way everyone, from lawyers and judges to actors and musicians, engage with the law.

The concept of theatricality

Although much used in scholarly critique, the words “theatricality” and “performativity” are not clearly defined within the legal context. In order to explore the relevance of theatricality and performance in this context I will first try to define and explain their meaning and then examine their significance both for the legal system and for musicians who engage with it.

The concepts of theatricality and performativity have often been presented as opposing one another. On the one hand theatricality has usually been associated with a form of trickery. It's defined by A. Chaniotis as ‘the effort of individuals or groups to construct an image of themselves which is at least in part deceiving’⁶⁸. Plato also sees the “imitative art” as that which is “completely divorced from truth” and deceives⁶⁹. On the other hand, performance is the normal presentation of self, something real and truthful, something we do every day.

For example, Joseph Roach divides them in the following way: “derived from the Greek word for seeing and sight, theatre, like theory, is a limiting term for a certain kind of spectatorial participation in a certain kind of event. Performance, by contrast, though it frequently makes reference to theatricality as the most fecund metaphor for the social dimensions of cultural production, embraces a much wider range of human behaviors.”⁷⁰

Therefore, the distinction can be made that performance is the way we behave every day, the code we adopt for different situations, usually done unconsciously by the performer and the audience. Richard Schechner calls this “twice-behaved behavior”⁷¹, that can be rehearsed, repeated, but most importantly – recreated. And it is that recreation that leads to theatricality. Theatricality is taking the performance and putting it on stage where both the actors and the audience are conscious that that is not the performer’s usual behaviour. However, it is not only through techniques of the theatre that the objectives of theatricality can be achieved. Exploiting theatrical spaces for public display or self-advertisement are other forms that theatricality also often employs⁷². Law courts are the types of spaces for public display that are most commonly exploited by the theatre due to their inherently theatrical nature.

⁶⁸ Chaniotis, Angelos. *Theatricality Beyond The Theater*. (Heidelberg: Universitätsbibliothek der Universität Heidelberg, 1997), pp. 219–59

⁶⁹ Plato *The Republic* in John M Cooper, and D. S Hutchinson. *Complete Works*. (Indianapolis, Ind.: Hackett Pub., 1997) 597 e – 598 d

⁷⁰ Parker, Andrew, Eve Kosofsky Sedgwick, and English Institute. *'Performativity and Performance'*, (1995). P. 46

⁷¹ Schechner “*Restoration of Behavior*,” in *Between Theater and Anthropology* (Philadelphia: University of Pennsylvania Press, 1985), p. 36.

⁷² Simon Hornblower, Antony Spawforth, and Esther Eidinow *The Oxford Companion to Classical Civilization* (OUP 2014)

Theatricality in the legal performance

The relationship between law and theatre has always existed and has been examined by many authors. As far back as Ancient Athens the connection between law and theatre can be clearly identified through the Greek term *agôn*, which meant 'formalised competition' which was used most notably to denote both trials in the courts of law and drama festivals⁷³. **Dermot Nolan goes as far as to state that now it is “almost trite to acknowledge the relationship between the courtroom and the stage”⁷⁴.**

The courtroom has provided inspiration for numerous plays, television series, books, etc. These have allowed everyone to become familiar with a courtroom setting, no matter if they have ever stepped foot inside a court of law. But this relationship is not one-sided. Just as the theatre is constantly inspired by the legal process, the law court is a stage in its own right, with lawyers and judges as the lead actors.

Alan Read, in the opening of his book *Theatre and Law*, says “there are courtrooms, judges, lawyers. And then there is, ... the performance or the memory of the actor’s performance, of that judge or lawyer.” Read draws a distinction between lawyers, who perform their roles and actor lawyers who ‘perform-perform’ [sic] a version of their roles. The second group is clearly going to be using the concept of theatricality to perform, to entertain, to attract attention. However, that does not mean that this concept is outside the scope of the first group. For example, Liza Balkan, an actor who had to testify in court, observed the same techniques she used in her profession being applied by the lawyer, who was trying to discredit her, because she was a “professional liar”. Ms Balkan says that “[the lawyers] had brilliant way of working the crowd, the jury, and working the witness, working me. But one of them who spent the most time with me used constant theatrical analogy.”⁷⁵ In her interview, she even suggests that the lawyer was “upstaging” her, in order for the jury not to be able to see her face. These techniques “borrowed” from the theater are constantly used by lawyers and allow them to “work the crowd, the jury, the witness”⁷⁶.

Read has pointed out to ten points of engagement between law and the performance. The dressing, the wigs, the oath, the gavel – there are many visible signs that make a courtroom look like a theatre. However, theatricality goes much further into legal performance itself than this.

The first of Read’s points of engagement relates to the fundamental principle that “law must be seen to be done”. This is directly linked to the idea of Schechner that something must be done in order to be called performance⁷⁷ and Peters who sees law as the “ultimate

⁷³ Paul Millett, (2005) *The Trial of Socrates Revisited*. *European Review of History* (Revue européenne d'histoire 12:1) pp 23-62.

⁷⁴ Gilbert, Reid. 'Theatre, the Law, and the Courts: Editorial', *Canadian Theatre Review*, vol. 142/(2010), pp. 3-5.

⁷⁵ Verdecchia, Guillermo. 'Can the Theatre be a Courtroom?: An Interview with Liza Balkan', *Canadian Theatre Review*, vol. 142/no. 1, (2010), pp. 18-23.

⁷⁶ *Ibid* p. 19

⁷⁷ Read, Alan. *Theatre & Law*. p 9

performative institution”⁷⁸. Hibbitts also suggests that “members of performance cultures tend to think of justice not as something that simply is, but rather something that is done.”⁷⁹ This has led to the idea of show trials, televised trials. Theatricality is an inherent part of “showing” justice to be done. So much so, that cases have even been challenged because the proper “theatrical” rituals have not been followed.

Read also puts forward the question whether it is beneficial for the legal processes to have such a strong connection with the public or it diminishes its authority through its theatricality.⁸⁰ Peters takes this further by examining the division of the academic criticism towards theatricality in the legal performance in her article “Legal performance: good and bad”.⁸¹ She identifies two different points of view when it comes to theatricality in legal performance.

On the one hand, there are critics such as the French psychoanalyst-lawyer Pierre Legendre who sees theatricality in the law as complicit with its authoritarian control.⁸² The theatrical rituals of the law emerge directly from its theatrical imperative and they “hold together all the bits and pieces that we call society”⁸³. Thus connecting theatricality in the law and its coercive power.

On the other hand, Parker presents the ideas of Judith Butler’s performativity of gender⁸⁴ and Ariels Dubler on the “wifely behavior”⁸⁵ to present performance as a “liberating instrument”⁸⁶ both in the courts and on the street.

However, both of these ideas are one-sided. They should not be examined on their own, but as Parker suggests, in the long history of legal performance. “law has often gained a performative power from its exploitation of theatrical means, it has also gained a kind of surplus legitimacy from its disavowal of these means: we are not exploiting theatrical tactics (claim the producers of the legal event), and this is precisely what shows our strict adherence to the law. Theatricality is essential to the production of law. At the same time, theatricality in law often bears its historically negative charge.”

The underlying reason why law and theatre are similar and why they both form such an important part of our society lies with comes out of the “vehicle for social catharsis”⁸⁷. Aoife

⁷⁸ Peters, Julie Stone. 'Legal Performance Good and Bad', (*Law, Culture and the Humanities*, vol. 4/no. 2, (2008)), pp. 179-200.

⁷⁹ Hibbitts, Bernard J. "'Coming to our Senses": Communication and Legal Expression in Performance Cultures', (*Emory Law Journal*, vol. 41/no. 4, (1992)), pp. 873. 959

⁸⁰ Read p. 2

⁸¹ Peters, Julie Stone. 'Legal Performance Good and Bad', *Law, Culture and the Humanities*, vol. 4/no. 2, (2008), pp. 179-200.

⁸² *Ibid.*, p. 179

⁸³ *Ibid.*, p. 189

⁸⁴ Butler, *Gender Trouble*, p.2

⁸⁵ Dubler, “*Wifely Behavior: A Legal History of Acting Married*,” *Columbia Law Review* 100 (May 2000), pp. 957–1021.

⁸⁶ Peters., p. 192

⁸⁷ Parker

Monks suggests that law acts as “surrogate” and when it is represented the audience reach “something more”, justice, fairness, a chance to hear a different side of a story.⁸⁸

At first sight, the ideas of theatricality and performativity might seem mutually exclusive since on the one hand, performativity is all about expressing the “self” and theatricality is concerned with doing something outside of the “self”. However, when it comes to the legal setting, in fact they both lie at the heart of any “good legal performance”. As Hibbitts suggest our culture has changed and has moved on from performative to textual, but ‘performance and theatricality remain inherent to our legal culture and understanding of the law’.

Roach states that “As a cultural system dedicated to the production of certain kinds of behaviours and the regulation or proscription of others, law functions as a repository of social performances, past and present.”⁸⁹ However, the theatre is not the only form that our society uses in order to produce justice through performance.

A further example is the film “Judgment at Nurnberg” where a documentation of an actual trial was used to search for truth and justice. A different example is music⁹⁰.

Musicians and theatricality

Music plays an important part in the culture of our society. It is a type of art with aesthetical value and market importance of its own. However, when it comes to musicians engaging with the law and the legal system, this relationship is extremely complicated. Every trial that involves a piece of music faces challenges, which modern courts continue to struggle to resolve.

When Balkin and Sanford argued for the recognition of law as a performative art they made the following connection between law, music and drama: “Law, like music or drama, is best understood as performance – the acting out of texts rather than the texts themselves. ... “Law on the books” – that is, legal texts – by themselves do not constitute the social practice of law, just as music on a page does not constitute the social practice of music.”⁹¹

Theatricality and performativity are inherent to music. For musicians the performance may be on stage, in front of a camera, in a music video, in public or private, but it is always theatrical, its aim always is to attract attention. Music performances that directly engage with the law most commonly try to challenge an idea, a rule, an orthodox theory, to express their protest, to rebel. As was already stated, justices has to be seen to be done. But when it has

⁸⁸ Read p. 11

⁸⁹ Roach, Joseph R. *Cities Of The Dead*, (New York: Columbia University Press, 1996) p. 55

⁹⁰ Blumenthal-Barby, Martin, *Theatricality and Law: Or, a Cinema of Justice*, (Debate: Journal of Contemporary Central and Eastern Europe, vol. 14/no. 1, (2006)) pp. 71-76.

⁹¹ J.M. Balkin and S. Levinson, “*Interpreting Law and Music: Performing Notes on ‘The Banjo Serenader’ and ‘The Lying Crowd of Jews’*”, *Cardozo Law Review* May-June (1999), 1518 - 9

not been done, when the legal system has failed, it often turns out that the art is the only possible form of rebellion and “violence that does not spill blood”, as Benjamin suggests⁹².

Balkin and Sanford underline that both law and music need to be performed in order to be done. They both need audience in order to function. “Law and music require transforming the ink on the page into the enacted behaviour of others. .. Like music and drama, law takes place before an audience to who the interpreter owes social responsibilities. Legal, musical, and dramatic interpreters must persuade others that the conception of the work put before them is, in some sense, authoritative. And whether or not their performances do persuade, they have effects on the audience.”⁹³ As has already been seen, theatricality is a method, used by the courts in order to establish their authority. Music is another area where it has the same purpose. Furthermore, theatricality in musical performances allows musicians to turn into someone who they might not necessarily be, in order to perform a particular song with the type of emotion needed.

In order to attract the attention of the public and convey the message they want to convey, musicians use different theatrical techniques. Different parts of the performance have different significance, but they should be examined as a whole. However, courts often refuse to do that and are only interested in one aspect of a musician’s performance. Just like theatricality in legal process should be examined in the broader context of political and social change, so should music.

Manderson suggests that music and law together illuminate a shift in the social and cultural ideology over time⁹⁴. They both reflect the current issues of society and react to them. However, music in the eyes of many courts of law is only seen as subjective and is generally dismissed. The most common accusation against music is that it is affected by too much emotion. Erica Schroeder claims that “the legal system is expected to float free of this emotional intensity, an island of pure deliberative reason”⁹⁵. By contrast, Hirsch argues that emotion does not preclude reason and can even have positive effects⁹⁶. Furthermore, she argues that emotion is also part of the law and it is pointless to try to exclude it when law goes as far as recognising it as a defence in the form of “heat of passion” defence.⁹⁷

The use of theatricality allows musicians to “play their part”, to pass the emotion the song is conveying to the public, without being blinded by it.

⁹² Walter Benjamin, “*Critique of Violence*,” in *Reflections*, trans. Edmund Jephcott (New York: Schocken Books, 1986), pp. 277–300, at 291–2.

⁹³ J.M. Balkin and S. Levinson, “Interpreting Law and Music: Performing Notes on ‘The Banjo Serenader’ and ‘The Lying Crowd of Jews’”, *Cardozo Law Review* May-June (1999), 1518 - 9

⁹⁴ Manderson p. 20

⁹⁵ Hirsch, L. E. ‘*Rap as Threat? the Violent Translation of Music in American Law*’, (Law, Culture and the Humanities, 2014) p. 18

⁹⁶ Hirsch, Lily E., 1979. , ‘*Music in American Crime Prevention and Punishment*’, (Ann Arbor, University of Michigan Press, 2012).

⁹⁷ *Ibid* p. 3

Manderson, on the other hand, puts forward the argument that the aesthetic of music is what the court should consider. It is a form of art and self-expression. This side is often forgotten when it comes to dissuading a piece of music at trial. It is often only looked at as text or lyric, or in the case of Pussy Riot, a series of actions on their own, without examining any of the other facts that have led to the end result and the context it was intended to be viewed in.

As Manderson suggests “while we might not be able to claim that law is a kind of music, we can nonetheless see how their underlying social conditions and contexts are subject to the same great forces of cultural construction and transformation”⁹⁸. Both music and law use the concept of theatricality in order to perform their roles. Both of them have a powerful influence in popular culture and the clear refusal of the courts to accept this leads to many controversial cases that have generated a lot of publicity and usually –an unfair result or trial in the eyes of many defendants and commentators.

Example of musical performances engaging with the law

An example of a case where the nature of music as a performative art was not recognised, is the case of Pussy Riot, a Russian feminist punk collective. After the performance of their “Punk Prayer” they were sentenced to two years imprisonment. The charges against them were for hooliganism incited by religious hatred. The video of the song was filmed in a church, while the text was a criticism of the current political system, in particular Vladimir Putin’s rule. The trial has generated a lot of debate about the relationship between law and music.

During the trial the video was only played once and the judge relayed mostly on a textual descriptions of it. Even this fact on its own, goes against the previous discussion of our need, as a performative culture, to see justice being done. If the judge has not even “seen” what he or she is adjudicating on, then how can this be possible?

Furthermore, during the trial no mention was made to the musical aspects of their performance. Manderson argues that it was the aesthetic of the performance that contain the message the women wanted to convey with their music.⁹⁹ The youth of the three women, the sound of the music, their energy and the type of music - punk, all of this was what made their “Punk Prayer” more than an act of hooliganism and transformed it into an aesthetic critique. Neither the judge, nor their defence lawyers made any comments to this, and it was left to the defendants to argue the case for their music as art.

Theatricality is inherent in Pussy Riot’s performance. As a critique of the political system, their performance is meant to provoke, to shock, to challenge, to rebel. Every detail of it is

⁹⁸ Manderson, D. 'Making a Point and Making a Noise: A Punk Prayer', *Law, Culture and the Humanities*, vol. 12/no. 1, (2016), pp. 17-28. p. 19

⁹⁹ Manderson, D. 'Making a Point and Making a Noise: A Punk Prayer', (*Law, Culture and the Humanities*, vol. 12/no. 1, (2016)), pp. 17-28.

part of its aesthetic as a piece of art, as music. Just like the theatre is a form of search for a different kind of justice, so is music.

Their performance cannot be understood by its written description. It should be taken as a whole in the historical context it was created and the purpose it was supposed to serve. Instead, the theatricality of the performance of the three women was reduced to a series of acts and slogans.

The Guardian has suggested that the trial was the “main event” of their performance¹⁰⁰. Although, the women were sentenced, their performance was successful in inspiring debate and putting forward question about the ways law engages with music and how the courts take into account, or refuse to do so, music as art.

Rap Music in the Legal Context

In the case *Commonwealth of Pennsylvania v Jamal Knox and Rashee Beasley* the two defendants were charged and arrested after their rap song “F* the police” was put on the Internet. Both defendants were charged with “terroristic threats” as “communicating a threat, either directly or indirectly, to commit a crime of violence with the intent to terrorise”.¹⁰¹

One of the challenges in this case was to examine rap as music. Hirsch suggests that in this and many other cases, rap is not examined as a piece of music, instead law only uses the lyrics in order to pressure defendants to take a plea.¹⁰² In these cases, the text of the rap song was also dealt with only as a written text, reading the lyrics to the jury in even tones or submitting the texts to the jury as a hardcopy document.¹⁰³ This practice is contrary to the concept of rap music and undermines its significance and purpose. Instead it should be examined in a larger context.

Another problem Hirsch points out to is the decision of many courts to accept rap as evidence, as a self-representation and confession, thus admitting evidence with erroneous implications.¹⁰⁴ This not only leads to injustice but also makes a jury much more likely to convict a defendant. Consideration such as market demand and approval of a stereotype idea of rap music are ignored. Courts generally do not make any reference to the music itself. This leaves a huge gap in the law. Our modern legal systems, which are in themselves linked to theatricality, refuse to accept a type of music that they do not understand and decline to accept the nature of a genre of music that has existed for decades, that has generated a large public and continues to contribute to the music industry. This has led to the neglect of rap

¹⁰⁰ Manderson p. 26

¹⁰¹ *Commonwealth of Pennsylvania v Jamal Knox and Rashee Beasley* (2013) Trial transcript, p. 12

¹⁰² Hirsch, L. E. 'Rap as Threat? the Violent Translation of Music in American Law', (Law, Culture and the Humanities, (2014)) p. 7

¹⁰³ *Ibid* p. 7

¹⁰⁴ *Ibid* p. 8

not only by courts, but also in society in general. It is often associated with a stereotype of performers and audience.

However, theatricality is not part of rap any less than it is of the legal system. Rap music's violent language and music videos are a way to express the performer's opinion. It is not acceptable to draw a straight line between the type of music that is acceptable and the type that is not. Although theatricality is used much more in rap music, than perhaps in other types of music due to the nature of the subject and the points the musicians want to make, it does not make it any less of a performative art.

Furthermore, unlike other cases, cases that involve rap music usually do not interpret the way this music is created and the way it should be understood. There are many factors that are left out when it is only examined through its lyrics. Firstly, in the creation of a rap song, many words are not used for their ordinary meaning, but for the way they would sound in the context of the lyrics. There are other factors that go into the selection of words, meaning not necessarily being at the top of the list. Secondly, these words should be heard as they are being performed. Reading them aloud from a piece of paper makes for a very different experience than seeing the performance by the musician. Thirdly, the instrumental part of the song should be a factor which the court always take into account since it sets out the mood for the entire song. When the lyrics are just presented on a piece of paper, the reader is left to imagine for herself how the song would sound. As a result the jury or judge are not examining the correct evidence and make a decision based on incomplete information and sometimes with an already prejudice mind towards rap music.

Another issue to consider is the identity of the character. Often that is not the same person as the musician himself or herself. For example Eminem uses a lot of different characters in his songs. These different identities have different metaphorical meaning and a further theatrical effect, which is sometimes impossible to understand from the text itself. They add to the overall perception of the song and when they are taken out it might be converted into something very different from what was originally planned.

Therefore, when rap is only confounded to a text, most of its characteristics are treated as irrelevant and its significance is misunderstood. The performance of a lyric is what makes it a song.

Hirsch goes as far as to say that treating rap music in this way denies its performance complexities and suggests it is not an art.¹⁰⁵ Other critics offer different solutions to this problem. However, the most important part is not to forget that any performance is irrelevant if not in the right context, not only musical ones, but also legal.

¹⁰⁵ Hirsch, Lily E., 1979. , *'Music in American Crime Prevention and Punishment'*, (Ann Arbor, University of Michigan Press, 2012). P. 65

Conclusion

The concept of theatricality plays a very important role in legal performance. The courtroom setting has an inherently theatrical nature in its history and rituals that makes it a preferred subject for the theatre. On the other hand the techniques used in the theatre, also allow lawyers to present better their case in court, thus making the connection between the two. However, the courts deny any engagement with the “trickery” of theatricality, because they should only be concerned with objectivity and fairness.

Although through theatricality the legal system engages with much more people, it has left one group misunderstood and excluded – musicians. The courts have decided the faith of an entire type of music based on their unfamiliarity with the manner of expression and the value of rap music for the performers and their audience, based on their own prejudice. Alienating music as a complex piece of art from the law court goes against the general principle of openness of the law, which is at the heart of the legal system, at least in most countries.

The law dismisses the theatricality and the aesthetical nature of music, or at least some types, if not all music. In order to achieve a better and more just legal system, the courts should appreciate the important social and cultural significance of music. As Peters suggests “Performance matters, politically, to law. But how it matters depends on who is using it, and how and when it is being used.”¹⁰⁶ This is also true for music. It is important that all these factors are taken into account when trials which engage with music arise.

One of the responses that Hirsch identifies to rap in the courts is treating it as a foreign language¹⁰⁷. Just because it is the music of a generation very different from that of most of the judges sitting in court. With regards to the case of *Commonwealth of Pennsylvania v Jamal Knox and Rashee Beasley*, Hirsch notes that “justice is supposed to be blind. But in this case, it was deaf as well – deaf to the music and deaf to its own voice in the contested performance of rap at court.”¹⁰⁸

At the heart of this general dismissal lies the law’s conservatism and refusal to accept the modern, sometimes controversial and maybe not to its taste, types of performances. This way courts limit their scope and undermine the ideas of theatricality and performativity, which are vital in order to engage everyone with the law.

¹⁰⁶ Peters p. 198

¹⁰⁷ *Ibid* p. 18

¹⁰⁸ *Ibid* p. 19

Bibliography

Blumenthal-Barby, Martin, *'Theatricality and Law: Or, a Cinema of Justice'*, (Debate: Journal of Contemporary Central and Eastern Europe, vol. 14/no. 1, (2006))

Butler J, *Gender Trouble* (1st edn, Routledge 1999)

Dubler, "Wifely Behavior: A Legal History of Acting Married," *Columbia Law Review* 100 (May 2000)

Chaniotis, Angelos. *Theatricality Beyond The Theater*. (Heidelberg: Universitätsbibliothek der Universität Heidelberg, 1997)

Plato *The Republic* in John M Cooper, and D. S Hutchinson. *Complete Works*. (Indianapolis, Ind.: Hackett Pub., 1997)

Commonwealth of Pennsylvania v Jamal Knox and Rashee Beasley (2013) Trial transcript

Gilbert, Reid. *'Theatre, the Law, and the Courts: Editorial'*, *Canadian Theatre Review*, vol. 142/(2010)

Hibbitts, Bernard J. "'Coming to our Senses": Communication and Legal Expression in Performance Cultures', (*Emory Law Journal*, vol. 41/no. 4, (1992))

Peters, Julie Stone. 'Legal Performance Good and Bad', *Law, Culture and the Humanities*, vol. 4/no. 2, (2008)

Hirsch, L. E. *'Rap as Threat? the Violent Translation of Music in American Law'*, (*Law, Culture and the Humanities*, (2014))

Hirsch, Lily E., 1979. , *'Music in American Crime Prevention and Punishment'*, (Ann Arbor, University of Michigan Press, 2012)

J.M. Balkin and S. Levinson, "Interpreting Law and Music: Performing Notes on 'The Banjo Serenader' and 'The Lying Crowd of Jews'", *Cardozo Law Review* May-June (1999)

Manderson, D. 'Making a Point and Making a Noise: A Punk Prayer', *Law, Culture and the Humanities*, vol. 12/no. 1, (2016)

Manderson, D. *'Making a Point and Making a Noise: A Punk Prayer'*, (*Law, Culture and the Humanities*, vol. 12/no. 1, (2016))

Parker, Andrew, Eve Kosofsky Sedgwick, and English Institute. *'Performativity and Performance'*, (1995)

Schechner "Restoration of Behavior," in *Between Theater and Anthropology* (Philadelphia: University of Pennsylvania Press, 1985)

Peters, Julie Stone. 'Legal Performance Good and Bad', (*Law, Culture and the Humanities*, vol. 4/no. 2, (2008))

Read, Alan. *Theatre & Law*, (Palgrave, 2016)

Roach, Joseph R. *Cities Of The Dead*, (New York: Columbia University Press, 1996)

Simon Hornblower, Antony Spawforth, and Esther Eidinow *The Oxford Companion to Classical Civilization* (OUP 2014)

Paul Millett, (2005) *The Trial of Socrates Revisited. European Review of History* (Revue européenne d'histoire 12:1)

Verdecchia, Guillermo. 'Can the Theatre be a Courtroom?: An Interview with Liza Balkan', *Canadian Theatre Review*, vol. 142/no. 1, (2010)

Walter Benjamin, "Critique of Violence," in *Reflections*, trans. Edmund Jephcott (New York: Schocken Books, 1986)

J.M. Balkin and S. Levinson, "Interpreting Law and Music: Performing Notes on 'The Banjo Serenader' and 'The Lying Crowd of Jews'", *Cardozo Law Review* May-June (1999)

Hirsch, L. E. 'Rap as Threat? the Violent Translation of Music in American Law', (*Law, Culture and the Humanities*, 2014)

Hirsch, Lily E., 1979, 'Music in American Crime Prevention and Punishment', (Ann Arbor, University of Michigan Press, 2012).