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Lottie Ballanger

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Audience or Jury?

**A metatheatrical approach to the
world of the in-between in *To Kill a
Mockingbird* (2018)**

Lottie Ballanger

Sous la direction de Benoît Tadié

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Introduction.

“*Let’s begin with Justice.*” Here is what Atticus Finch, under Sorkin’s hand, requests of the jury in Maycomb, Alabama, at the trial of one Tom Robinson, a black man unjustly accused of raping a white woman, Mayella Ewell. “*Let’s begin with Justice,*” he asks, his face changing on stage year after year, from Jeff Daniels to Ed Harris, but said face always turned to the audience, rather than to the jury behind him. Striking words for a closing argument, as the silence in the theatre gets religious. It is a holy figure of American literature up on this Broadway stage, revered, despite flaws highlighted by the 2019 version of the play, written by Aaron Sorkin and directed by Bartlett Sher. For this new retelling of *To Kill a Mockingbird*, based on the eponymous Pulitzer winning novel by Harper Lee, has changed the words in his mouth, to make them better fit the stage and the time, as well as the narrative order of the story, giving us a plot that stays faithful to the original, but is, to borrow Aaron Sorkin’s words to Jeffrey Brown for PBS — “not an homage to one of America’s favorite books” but “something new.”

This “something new” is heavy to spectate, and to analyze, for, just like the original, it is composed of many layers. The story of a child growing up could be simple, and still seeing the story through the narration and memories of three children — rather than one, in the novel — allows the audience a certain sense of naiveté that was already present in the original novel. Simple eyes, simple vocabulary, a narrator that learns as we go along is what Lee offered, but Sorkin, by making it a memory play, gives his audience an alternative version of this. We hear Scout, the original narrator, as well as her brother Jem and friend Dill narrate their memories, and relive them on stage. The actors picked by Sher to play the children are three adults, one of them — Celia Keenan-Bolger, who played Scout in the original Broadway cast going as far as to earn a Tony Award for Best Featured Actress in a Play. Yet, the world around them of post-depression Alabama comes alive as if it were the present, as they take the audience by the hand to reminisce of one summer, rather than two years in the novel.

The lights in the house do not go down as Scout comes out the door, as she starts narrating, both at the very beginning of the play, and after intermission. It takes them a while to follow, as she starts addressing the audience, and the courtroom takes shape around her, as

she introduces the characters, the trial, first and foremost. The play is shaped around this trial, much unlike the novel, which is rather built around her character and growth. They are still present on stage, and an important part of the story, just like Maycomb, and this sense of community, just like the Finch's house which is the second most-used set, created by Miriam Buether. And where many things are suggested, in between scenes, anywhere else, the two places we fully get to see taking shape on this stage are the porch of this house, sometimes opening to allow the audience a peek inside, and the courthouse, where the trial takes place. Some characters enter through the back of the theatre, and while the direction isn't what modern theatre would call immersive, the space is often used to make a statement, to engulf the audience in this story they already know.

Said audience is not seeing only one show, *To Kill a Mockingbird* on Broadway starring whoever the top-billed name currently starring might be as Atticus. They are also the audience of a trial — Tom Robinson's. While passive, unable to make any changes to the story — the staging of the trial is made in such a way that with the defense's back to us for most of the play, it does feel like someone just put a courtroom on stage, and allowed us to stare at the jury, in place of the trial's audience. And the jury is never portrayed by actors, while the community of Maycomb has some sort of a place on stage, the chairs of the jury stay empty, encouraging us to think — what is it that we would have done in their place? In their shoes? After all, this empathy is the fatal flaw of one Atticus Finch, what he tries to teach his children, our narrators, yet, the audience might listen — the story won't change. Doomed to be repeated, over, and over, night after night, trial after trial, so long as the system doesn't change. One good person won't change it by going through it, and a person who holds as much privilege as an educated, middle-class white man might empathize with a working-class black man, without necessarily understanding the extent of his struggle. He might even be filled with good intentions, but the way he views the community he is a part of skews his judgements, just like the way he believes strongly in that justice system. This simply leads to an endless cycle of well-intentioned people trying to play by the rules, rather than point out their flaws.

And isn't a play, in the very same way, another endless cycle? We have the same story each night, plus some changes, of course, in the acting, in the players, in the outside world. Yet the words do not change, neither does the direction or the staging. The decor of a play is the same, just as a courtroom doesn't change, despite the protagonists and stories being

different, case after case. Yet, the world around does not, the system and the culture are the same. Just as a theatre will more often than not host an audience, play for it, a courtroom rarely closes its doors, even more so in the United States where trials can be broadcasted openly. It is as if both places entered some sort of discussion, as soon as the actors on stage, in *To Kill a Mockingbird*, start putting together the furniture to create the Maycomb courtroom, and introduce the various characters at play here. The use of narrating characters interacting with each other, but also with the audience breaks the fourth wall constantly, reminding us that this is a play, this is a story, but it also resonates with the way a prosecutor, a lawyer or a judge might interact with their audience, asking for silence, or simply trying to convince them, whether it is the actual audience, in the grand scheme of things, the community, the press — or more simply, the jury.

This leads us to the concept of metatheatricality at the center of this thesis. This notion, originally coined by Lionel Abel (1963) is used to describe the way in which a playwright, or a director might, within a play, draw attention to the fact that we are, in fact, watching a play. Despite the term having entered critical usage, its proper definition, and tools are still discussed, and many things can be included under the term, from the play within a play to more simply breaking the fourth wall. Even using actors who do not necessarily resemble their characters, in age, for example, could be considered metatheatrical, for while the audience might decide on suspending their disbelief, the effect of seeing an adult play a child versus a child playing a child are quite different, and resonate differently, leaving a different aftertaste. In *To Kill a Mockingbird*, this is used to make the story a memory play¹, to make it easier to narrate, and maybe to play eight nights a week on a commercial stage without the need for a rotating cast. It also might underline the fact that while this story can be read by younger people, for it is narrated by one, it is not a story for children, and its many layers should still resonate with the adults who witnessed that story, who read it, and how it shaped them. This might as well be a commentary on audiences, handing them a mirror on that stage, especially to those who might have grown with the novel. Such casting simply draws attention to the illusion of theatre, of performance.

¹ A memory play, a term that often came up in critiques discussing the show as an adaptation, is a play in which one, or more, of the lead characters narrate the events of the play, as they remember them. This, by default, makes them an unreliable narrator for the entire story is only drawn from their souvenirs.

Yet, when we look at the trial, where the children are only secondary characters — narrating some important moments, yet staying back, revisiting their memory, other aspects might draw our attention. Another common trope that characterizes metatheatre, especially if one goes back to Shakespearean studies is the idea of plays within plays, masks and roleplaying. And though no masks are worn at Tom Robinson’s trial, the idea of various characters putting on an act for an audience, choosing their words for an audience, to convince only makes the echo more obvious. Tom Robinson is advised on what words not to use, on the role he should play, not to upset the jury. The job of Horace Gilmer, the prosecutor is even to push him far back enough that he shows who he truly is, rather than the role he has been advised to play. Atticus might be playing himself, with his endless hope in the community and the humanity of the people he is addressing, but he is still performing that for them, and respecting codes of the system, just like an actor would respect the codes of the stage — stage directions, lines, in a courtroom, there is simply no room for improvisation. But just like in a theatre, it is sometimes necessary — and just like in theatre, it might affect just how the audience perceives you, right through the mask rather than just the role performed for them.

Throughout this thesis, we will try to explore just how metatheatricity is used on the stage of the 2018 version of *To Kill a Mockingbird*, and how it impacts the spectator. How those tools and tropes within the staging and the play itself are used to turn simple watchers into more informed, questioning, active watchers. While asking people to look at themselves, and look at the world is something the original novel, and the story as a whole already did, the play focuses more on questioning systemic issues — namely relating to the judicial system, and the very concept of community. It does so through questioning characters who have greatly idolized both the original author, Harper Lee and the general public. We will focus more heavily on reading the play through the prism of metatheatre, and consider the trial as a sort of play-within-a-play. This, of course, influences the way in which the courtroom scenes are staged and received, for the story contains many layers and mainly two intertwined stories of growth for our characters. Those influence each other, influence our characters and narrators, as well as the emotional impact on the audience, which is something we cannot forget, yet, this breaking of the fourth wall has a more severe impact on the way a spectator sees justice being made, both in Maycomb and in the United States of today. While the contexts are quite different, between Depression Era Alabama and 2019 New York, it is

still the same judicial system being put under the microscope, and examined up on the stage, with its biases and its codes.

First though, we will take a look back at the history of Harper Lee's *To Kill a Mockingbird*, for, just as the window cards for the play state, it is her story, only borrowed and reworked by Sorkin on that stage, a story that has heavily influenced American culture and literature. A Pulitzer Prize winning novel, published in 1960, and adapted into an Academy Award winning film in 1960. A story written at the height of the Civil Rights movement, dealing with heavy themes, from racism to the meaning of justice, despite being narrated through the point of view of a growing child — Scout Finch. While we follow her growth, and her discovery of the world, the story explores the small-town community of Maycomb, Alabama, their struggles with racism, and with the difference between what the justice system is, and the Justice it stands for. Through the years, the book has been banned from schools, creating controversies, both from Southern people finding it demeaning to them and from Black activists, critiquing how influential a novel on racism from a white point of view ended up being, and how it might stifle the voices of black authors. Despite this, its importance is not something that can be denied, as names such as Scout and Atticus marked a few generations who studied the book in school, or read it later in life, and kept on holding it dear. Whether through the performance of Gregory Peck as Atticus, or the first stage adaptation by Christopher Sergel, many have a memory of *To Kill a Mockingbird*, which helped the Broadway play break records in ticket sales before it even opened, and left a mark on its development and creation. While the Broadway version is, of course, its own adaptation, its own take on the story, it comes after others, and when the original material has had as much importance as Harper Lee's novel, or Robert Mulligan's 1962 film, it is impossible to deny their influence, not only on the play but on American Culture as a whole.

After exploring this history and context behind this version of *To Kill a Mockingbird*, we will take the time to study the history of audience address, of courtroom plays, and the mere concept of metatheatricality within them, as well as quickly covering how the broadcast of real-life trials has influenced the way we perceive those, almost as entertainment. After all, while the courtroom has often been treated as a show, even in our modern society, followed by mass media nowadays as audiences could simply go and sit through trials for the sake of entertainment and horror in the past, the dynamics of the judicial system have also been explored on stage many times before this 2019 adaptation. From Shakespearean times, the

audiences have been faced with the fourth wall breaking. They have been put in a position to not only watch, but be considered judge and jury, to be active onlookers, questioning both the character in the play, and the echoes it might have with the politics around them. There are also tropes and motifs that come back regularly when it comes to courtroom dramas specifically, that emphasize a certain metatheatrical aspect overall, or simply, deconstruct the way theatre is usually used. Closed spaces are used quite often, whether it is the room a jury might debate in, such as in *Twelve Angry Men* (1957), or the courtroom as a whole. The way certain protocols are replicated is interesting to study, as well as the general exploration of the system versus the philosophical principle of justice, opposing what is right with, for example, decisions taken ‘beyond reasonable doubt’, that might be true without being just. There is also simply the way in which the courtroom play deconstructs a principle common to many works of fiction : “Show, don’t tell”. More often than not, when presented with a trial, we live events through many testimonies and explanations, rather than them simply being shown on stage. Reasons and characters are explored in a way that has to be different from what the usual consumer of modern fiction is used to. And last, courtroom plays more often than not have their politics, whether they be about actuality and current events, or the system itself, whether they explore the meaning of justice, or the world changing outside of court, changing minds through dramatization of trials that have actually happened, or inspired by events that have happened is something quite common with those. And while *To Kill a Mockingbird* is not solely a courtroom drama, but separated between the growth of the Finch children and the Robinson trial, it is important to learn more about those tropes and this history to be able to examine better just how they have influenced Sorkin’s writing, or Sher’s staging.

When on the topic of their previous work, we will also look through it, for once again, it is something that led those two creatives to this adaptation, and to the way it ended up being staged when it opened at the Shubert theatre. Aaron Sorkin is a well-known name for any modern lover of screenwriting, where he has the most experience, having won awards for his work on shows such as *The West Wing* (1999-2006) or for writing David Fincher’s 2010 *The Social Network*. With a habit of projecting onto his main characters, and a unique sense of wit, his writing and balance of realism and dry humour are easily recognizable. His work is shaped by the exploration of parallel realities, and dramatization of actual events, through his own cultural and political prism, but leading the audience to question their roles within their own reality, and within the very events being treated. In the same way, whether for the stage, the screen or even when he ventured towards directing in more recent years, it seems Sorkin

always has had quite the obsession with the judicial system in all its shapes, and the idea of justice, from *A Few Good Men* (1989) which explores court martial, to the recent movie *Trial of the Chicago 7* (2020), created for Netflix. His history with writing courtrooms, and putting them on stage and screen is not to be neglected, just like one has to take into account the history of Bartlett Sher with the theatre. The director of *To Kill a Mockingbird* is another seasoned creative, who has worked heavily with the Lincoln Center, in New York, and more often than not directed shows for them at the Vivian Beaumont theatre, for a proscenium stage, which the Shubert is not, yet, we still find in the play many things he has used previously to get closer to the audience. His history with directing Shakespeare, and Shakespearean monologues, as well as Operas also influences his work heavily, for both of those tend to break the fourth wall often, once again, reminding the audience that their suspension of disbelief is only temporary.

This is how we will finally get to actually discussing metatheatricity in *To Kill a Mockingbird*, with all those tools in hand to understand the play better, as an adaptation, as partly a courtroom drama, and as the product of two creatives who are quite used to breaking the fourth wall, and leading their audience to questions about their reality, their institutions through the theatrical medium. Whether by blurring the line between stage and audience or between history and fiction, as soon as the curtain — a wall — rises, it is as if the fourth wall never existed, for it is constantly broken, and never truly rebuilt. The audience is both faced with a ghost jury, and put in their shoes, as characters address them, try to convince them, tell them their stories, their memories, or simply put on an act for them. An entire dichotomy is built between those roles played by characters played by actors within the confined space of the courtroom, opposing the community, the city, where the rules are different, and everything, from entrances to sound is all over the theatre, rather than simply on stage. Taking this step back, seeing those characters alive, with the best of intentions sometimes being their fatal flaw allows the audience to be emotionally involved with the story, to hope with them, yet see it all crash as they remember just how the world works. Both the one the too hopeful Atticus lives in, and the one they live in. Hope will not change a system, despite all the good will in the world, and maybe he should have listened to Tom Robinson's voice since the very beginning, for in the play he is given a different one than in the book, as 2019 tries to correct the white saviour narrative, not by changing Atticus, but by understanding that his stance might not have been the right one, and trying to question the playgoer who might have been taught, because of the glorification of the character through the years, to try to think like him.

Through the way the courtroom scenes are set up, we will deconstruct not only the way the trial works, dramatically, within the context of the play, but how it resonates within an audience who knows the original novel, as well as the context at hand.

We also must wonder who the play truly is addressing, who the play is encouraging to question the meaning of justice, the courtroom and its systemic violence through various tactics and tropes. We must wonder who is listening to not only the voice of the glorified man, but the unheard voices added in, the echoes and the memories that take on a different sound in 2019. After all, through her memories, Scout is no eight-year old anymore, her brother Jem's anger has a different taste, and so does their father's righteousness. It is all about seeing them through a different lens, just like the court is presented through a new one. All of this we will try to address through this thesis, to try our best to study how this staging includes its audience, and reminds it often just how real this story is, and how the system that crushes our character is still the one many people are faced with nowadays.

1) The history of *To Kill a Mockingbird* (1960 to 2019)

A. Harper Lee's original novel (1960)

1. *Understanding the story and themes of the novel*

Harper Lee's *To Kill a Mockingbird* left a mark on American literature for many reasons, the first probably being just how many themes it encompasses, from some that are universal, to others, more specifically inherent to American History. From growing up to a certain sense of Southern nostalgia, from race issues to the meaning of Justice, many themes entangle throughout her story, giving many readers something to relate to, or think about. Narrative aspects, an adult voice giving life to her memories, and to the child she was, allows for readers of all ages to discover new sides to the story as they grow up, and decide to read it again to keep on reflecting on themes that have a hold on their current lives and society.

It is a child's eyes the reader borrows to go through this story. Jean Louise Finch, nicknamed Scout, who is quite the stand-in for Harper Lee, as she could be the stand-in for many a white child — tells us the story of a few years of her childhood in Maycomb, a fictional town in Alabama, through the Great Depression. As she ages from six to nine, along with her brother Jem and their friend and neighbour Dill, her widowed father Atticus tries to teach them about empathy. Said father is also a lawyer, who takes on the case of Tom Robinson, a black man accused of rape by a white girl, Mayella Ewell, despite the community's disapproval and prejudice. As this goes, the children become interested in a neighbour, Boo Radley, who is almost a legend for he is never seen, and is the object of many local legends and fantasies. Despite his being described as dangerous, they still trespass to try and get a peek at the man, who makes his presence tangible to the children through a series of benevolent acts.

As the story goes, Atticus presents a defense that shows Bob Ewell, Mayella's father, is more likely to be the one to have attacked and hurt her. Yet, Tom Robinson is still convicted and later killed as he tries to escape custody, despite Atticus' best efforts. Later on, Boo Radley finally comes out of hiding in person to help Jem and Scout, as they are attacked by Bob Ewell. He kills the man, but the town's sheriff decides to look away from it, saying it occurred when Ewell fell on his own knife, to spare recluse Radley from the possible consequences of his act as he saved the children.

The way the story of Scout intertwines with the bigger picture, a drama mixing up issues of race, class and the very meaning of humanity, of goodness or evil, of empathy, as well as quite a few different topics layered, one on top of the other, and to study them all at once would be quite impossible. It is the way her eyes guide us though, that makes the bigger picture easier to swallow, for if a child can live through it, even without understanding it all, but understanding enough to separate right from wrong, anyone should be able to relate to at least pieces and parts. There are three main themes though, that we can pull out of this story. The first being this story of the growth of a girl, mixed with just a hint of nostalgia, the part that is solely focused on Scout, placing *To Kill a Mockingbird* somewhere between Southern Gothic and a Bildungsroman. Then, the part that is more heavily linked to American History, to that time of the great depression, where class and, especially, race, play quite the part, and that part of the theme might feel like historical fiction, it is so ingrained in what the USA is now, that it still resonates. Last, but not least, there is the dichotomy between justice and Justice, as in, the mere concept of what is just, fair, and on the other hand, the judicial institution, that Atticus, Judge Taylor and many other characters stand by, despite the story taking the time to show its flaws. Can it be right, if the community at the heart of it is still prejudiced, and not ready for justice within that system?

So, first and foremost — *To Kill a Mockingbird* is a Bildungsroman, and its main theme being the growth of our narrator, Scout, and the evolution of the way she sees the world cannot be denied. As we see the world through the perspective of her as a child, it has to be kept in mind that the novel situates itself in an odd in-between, between the adult Scout narrating, reminiscing those events and her awakening to concepts such as justice, fairness or racism, and the child Scout who lived those, and still lives within her. Having a child narrating through adult themes, or various shapes of trauma is nothing new, and can be traced back to Dickens' *Great Expectations*, in 1861. Bildungsroman are often defined as novels that follow children into adulthood. *To Kill a Mockingbird* might not exactly fit this category at first sight, for we only follow Scout, Jem and Dill through a few years of their life. But what has to be kept in mind is how the novel, is built in this in-between world, between the nostalgia of a child Scout, whom we empathize with, and the realization of one who has already went through those events, and narrates them in a way that defines them as a turning point of her life, and growth. In the first chapter of the novel, she speaks of Jem's arm being "badly broken at the elbow" (p.3), something that only happens when Ewell tries to hurt the children, at the end of the novel. Though how old our narrator is exactly, as she goes through

those memories is never specified, given Lee's ability to project herself into her character, we can assume she is in her thirties, about the age the author was when writing the book. Yet, the vocabulary, and the naivety proper to children is very much at the center of the narration. Robyn Wilkinson (2016), amongst other scholars has studied the way in which fiction narrated by children provokes more empathetic reactions from readers, and it might explain why that choice was made. She notes how "the voice of the child, though limited in terms of knowledge, experience and understanding, can offer an effective mode for the critique of social and political issues, because of its straightforward and unselfconscious nature" (124). And given the way this narration settles, it only leads us towards bigger, more political issues, which are themes just as central to the novel as Scout's own growth, intertwining her childhood experiences with them is something that allows us to take a better look at the unfairness of the events happening, while also using her own child-sized drama of getting to know the unknown, through Boo Radley, as some sort of allegory.

Another theme that is central to the novel is, of course, the paradigm of race, through the Tom Robinson case. Class is another, but more often than not, as understood by Edgar Schuster (1963) as he taught *To Kill a Mockingbird* through the years, it is swept under the rug, as for his students, even as far back as in 1963 "the key moments are the trial scene and the death of Tom Robinson" (506). Even nowadays, those are the moments and plot points which are the most iconic and the most remembered, the ones who left a mark on most who read the novel, saw the movie or any of the theatrical adaptations. If one goes as far as looking up lesson plans online to study *To Kill a Mockingbird*, which many teachers have shared online, the context is often almost reduced to only the issue of race, despite the novel mentioning and taking into account more political issues than a simple black and white view of it all, taking into account social classes, the economy of the time and Southern history. Themes that keep on resonating, as, since the thirties, or the sixties, while the USA have gone forward, race issues are still prominent, and at the heart of the political debate, and the way it all intertwines with the police and judicial system, especially, stay a problem. While the novel treats racism within institutions, the way people have looked at it through the years has evolved. It might have been considered a multicultural text, and might have helped some empathize with the plight of black people in the United States. It is a text that was, and is still studied in many schools. Michael Macaluso (2017) has studied just how the way we look at the way it handles race and racism has evolved through the years — something we will get back to when studying the controversies and criticism surrounding the novel, and how they

have evolved through the years. But of course, Tom Robinson's case is central to the novel, often shocking to those who read it young, and one of the themes of the novel that sticks out when it comes to its importance, often leading other parts of the novel to be forgotten, despite how complex it can be, at times.

Another theme, and one that will interest us most through this thesis has got to be the dichotomy between justice and the judicial system. Between fairness, and Justice. A society where only things that are fair seem to be quite an idealistic projection, and while Scout, our narrator, treats her lawyer of a father as some sort of hero for doing what is right, she grows throughout the story to learn that the system in which he has put much work and faith is not necessarily fair, despite how some people making it up being good. The system, or the community might not be as righteous as they seem, but it is especially the system, and how it was built on prejudiced grounds that is questioned throughout the story. As innocent Tom Robinson is sentenced, as the jury convicts him, while, on the other hand, Bob Ewell suffers no legal consequences, and leaves free enough to attack children. Boo, who kills him, seems to be protected because of that lesson Scout, her father, and the people involved have learned. Justice is not fair, nor ideal.

Jonathan A. Rapping (2016), sees TKAM as a “vehicle through which our nation came to understand the role that lawyers play in protecting and promoting justice” (p. 849). He argues that despite the way Atticus is written in Lee's sequel, *Go Set a Watchman*, or the way in which he is now studied in the 21st century, he should stay a role model for young lawyers wanting to do better, to reach for a certain ideal, and attract them into the profession. Sorkin's adaptation mentions Scout going to law school, even, leading to a strange balance of the judicial system being heavily questioned within the novel, within its action, yet having the protagonists fatal flaw being putting much trust still in that system, just like some reader's fatal flaw might be looking at Atticus words, and how impactful they are, rather than his failure. Scout, throughout the book, as early as Chapter 9, learns from him that the law is not dealt in absolutes, but rather, just like morality, a succession of grey areas. And this lesson is explored throughout the book, its adaptations, and the questioning of many children who come across it, for it is an everlasting question — What is Good, what is Right and what is Just?

As we navigate the courtroom scenes, the Robinson case, or what could become the Radley one, if not swept under the rug, we come to the same realization as the characters — the judicial system was meant to protect a certain type of people, the ones accepted by the community already, for the law is written by them, for the juries are made up of them. The idea of justice, within a trial, therefore, is completely subjective, relies on feelings, on identification to the accused, or the plaintiff, on emotional grounds, rather than factual ones. It relies on an audience, and the mark it might leave on it. The readership recognizes that Tom's trial is unfair, just like the public opinion towards other, real life trials of the time, the Scottsboro Boys' for example, yet, the jury still convicts. Yet, the judicial machine still goes on. Is this fair? How should we keep on hoping such a system might protect us? How can one make Justice right, and fair? Does it have to lead us, sometimes, to turn a blind eye, as the judge does after Boo kills Ewell, to make sure he does not suffer from a law he might have rightfully broken? When even the people that make this system, those laws do not believe in that system, how can we? Atticus even, with all his faith in that system, who so believed he could help Robinson, who said "courts are the great levelers, and in our courts all men are created equal.", agrees not to turn in Radley. And it has to be the one great big question we take out of *Mockingbird*, while that idealism might be necessary, to make the judicial system work and create new lawyers, is it enough to make Justice be just?

2. *History and context*

Exploring the context of the 1960 novel, *To Kill a Mockingbird* became a surprise hit, earning Harper Lee the 1961 Pulitzer Prize, and became quite the sensation. But we have to keep in mind that the political context of the sixties goes hand in hand with the fact that the novel can be considered historical fiction, as the plot unfolds in the fictional town of Maycomb, Alabama in the thirties — following the Great Depression. The story and its characters also draw inspiration from Harper Lee's own life, autobiographical elements. She grew up at that time period, approximately, in Monroeville, Alabama. Those two intertwining contexts carry the plot, and led the novel to resonate in the US, both in terms of history and actuality at the time of publication.

Universal themes such as growing up, or the loss of innocence never stop being relevant, and can be relevant anywhere in the world. Yet, the context of this novel makes it

incredibly American, in and of itself, in how it explores Justice, class, and racial inequality. Of course, its geographical setting makes it American in and of itself, with how it speaks of a segregated South made it feel current, during the Civil Rights movement. Those are ever present in American literature and culture, as well as the theme of community, often built. Yet it is quite interesting to note that Sorkin's 2018 adaptation ended up being developed and opened at the height of the Black Lives Matter movement. *To Kill a Mockingbird* simply has its roots in history, yet grew branches towards current events of the time. This allowed the reader, movie-watcher or theatregoer to use fiction to take a better look at themselves, the world around them and their own communities. But to understand it better, with some more specific details — we shall go more in detail as to what exactly is the context surrounding the novel, both when it comes to the timeline of the novel, its author, and the context of writing.

First and foremost, in the novel itself a reader can find this sentence — “You never truly understand a person until you consider things from his point of view... Until you climb around in his skin and walk around in it.” (p.33). While it is spoken to Scout as a way to show her a new point of view towards the world — it is also something to consider for the reader. After all, what better thing than fiction to do such a thing? A narrative gives us great insight on a character, for we see better inside their head than we will ever see inside the mind of another human person, no matter how they might explain it. Lee, herself, quoted in the textbook *American Decades*, said that, to her, an author “should write about what he knows, and write truthfully”. Knowing this, it should come as no surprise that Scout's story takes after her own. That her family, her friends, and even experiences inspired the novel. So, before speaking of the context of publication, of the sixties and the world that surrounded Lee as she wrote her book, we should first and foremost go over the parallels between her own life and childhood, and the events of the novel.

Atticus is a character that becomes a centerpiece of the novel, for it is his time defending Tom Robinson that is a catalyst to his children learning more about Justice, and fairness. One of the most well-loved characters in American Fiction is one we can easily say has been inspired by Lee's own father, who originally was an attorney, and in 1919, before her birth, defended two black men accused of manslaughter. After they were convicted, and hanged, he refused to ever take on another criminal case — in a way that is similar to the one we see Atticus originally refuse to take on Tom Robinson's case in Aaron Sorkin's play, before he is convinced by judge Taylor. Lee, though, does not give us that insight, as she

writes the story from Scout's point of view only, a tomboy-ish kid, with an older brother, which, once again, reflects her reality. While Scout and Jem's mother is deceased, leaving their care over to their father and Calpurnia, their housekeeper and maid, Lee's was mostly absent due to a 'nervous disorder'. The kids' new friend, Dill, is heavily inspired by Lee's childhood friend, and fellow novelist, Truman Capote. Even the Radleys, who in the novel, hide their son who only comes out of their house at a uniquely practical time for the plot, but whose existence keeps the children incredibly curious were inspired by a forever boarded house, down the street from Lee's childhood home. From plot points to details, Lee's life surely did influence how her novel came out. Her depiction of the Alabama she grew up in, her very own Southern Gothic, is one that can only feel real, alive, for it is built upon her own experience.

As for the Robinson case, it is not a most unique one. A black man being wrongly accused of rape by a white woman, is something that sadly, was common enough to feel just as real as the rest of the novel. That affair seems to be drawn from a few major influences though, the first being the Lett case, which her father covered in the Monroeville newspaper — once he became an editor of it, rather than an attorney. The parallels between this 1933 case and the fictional one can be drawn pretty easily, for the story is similar, if not the same. Harper Lee was ten years old when Walter Lett was accused on poor evidence of raping a white woman. He was later convicted and sentenced to death, but his sentence was later commuted to life in prison, after a series of letters turned up claiming that he'd been falsely accused. While his ending is not as tragic as Robinson's death, the timing of this specific case in Lee's life places it as a pretty obvious inspiration for the story.

Another historical case that is important to keep in mind is the Scottsboro Boys' case. A case that is possibly one of the most famous ones when it comes to miscarriage of justice in the United States, where nine black teenagers in Alabama were accused of raping two white women in a train. This case is culturally significant not only for the impact it had back during the trials, but for marking history and being referenced in many pieces, from novels to a Broadway musical. While it is often said that the Scottsboro Boys trials inspired Lee for *To Kill a Mockingbird*, and both are often studied together in middle and high schools, as to get a better look at the context, Lee herself said in 2006 to Charles J. Shield in his biography (p.118) that she had in mind something "less sensational" than this specific case. While not purposeful, the mob that came to the Scottsboro jail to demand the boys be surrendered to

them for a lynching echo a similar scene in *To Kill a Mockingbird*, and while it cannot be proven that influence was taken from this specific case, for such things were common in the Deep South, that parallel is still striking here.

Patrick Chura (2000) also studied quite heavily the links between *To Kill a Mockingbird* and the Emmet Till lynching. In this article, he dissects the historical present of the novel, and its context of production, exploring details and anachronisms that stitch together the depression era depicted by Harper Lee, the depression era she grew up in, and the sixties, the beginning of the civil rights movement, and the time in which the novel was written. This intersection, between history and the social context of the late fifties to early sixties, is the reading he thinks enlightens best the text and purpose of the novel. He says it, Scout, our narrator, and therefore Lee, refers to blurry memories, a distant past where not every detail might be remembered perfectly. This historicity is partly what leads the reader to constantly question the fact that this might not only be a Depression era story, historical fiction, or even just history. The themes of *To Kill a Mockingbird* were still important and current news at the time of writing, and it might even be said that if the novel held on so well through the decades, and keeps on resonating with readers of the twenty-first century, it is that they still are today.

Chura specifically refers to the Till trial of 1955, which was probably “the most publicized trial of the century” (p. 4), at least at the time, and served as a catalyst for the Civil Rights movement. Till was a fourteen year old American boy, lynched in 1955 after being accused of flirting with a white girl in her family’s grocery store. The boy’s murderers were put on trial, in front of an all-white jury, comprised mainly of Southern farmers, similar to the jury facing Tom Robinson in *To Kill a Mockingbird*. Those men were acquitted. This injustice seems perfectly symmetrical to what happens in the novel — black men put on the stand, black men convicted on barely any evidence, if any at all, while white men drowning in them, even admitting their guilt, will not. Many details seem to echo the Till case and the fictional Robinson case, down to the dates of their murder, in August, “*on the brink of September*” (p.251), or disabilities, that could serve as proof that neither Robinson or Till committed what they were accused of, for Robinson had a hand he could not put to use, and Till a speech impediment that would have made it difficult for him to “offend” the white girl he was accused of flirting with.

While Lee said that the case of the Scottsboro Boys is what she drew more inspiration from for her work, and how she approached the fictional trial more than the Till one, it seems impossible to deny the echoes shown between the two, and the influence it might have had, for everyone, at the time, had heard of that case. She responded to Chura's queries that while she was not in Alabama at the time, or present at the trial in any way, she did not have to be to be aware of what was going on, for it was immediately identified as a monumental legal benchmark, and her interest in the topic of justice seems obvious when reading *To Kill a Mockingbird*. Her future readers too, only five years after the trial, can be assumed to have remembered it, even if the case is not as well-known today. At the time, the figure of Tom Robinson was simply not a stock figure, despite being voiceless at times in the novel, for just how many real men and cases could be projected onto him.

3. *Controversies and criticism.*

Through the years, *To Kill a Mockingbird*, like any novel with a certain importance, had to overcome controversies, and criticism, as the novel is still studied today, yet, the context surrounding it has shifted. Its long history with censorship has it holding the seventh slot in the American Library Association's top ten most challenged and banned books list as close to us as 2017². The story has to start in 1966, when Harper Lee was informed that her book was considered "immoral" and "improper" for students to read by a Hanover County School that decided to ban it. The author herself had to pen a letter to answer this, which was published in her local newspaper. Many more schools kept on banning the book through the years, despite its pretty mild, and quite factual representation of racial discrimination. Fellow Southern writer Flannery O'Connor went as far as to call it a "Child's book", finding it "interesting that all the folks that are buying it do not know they're reading a child's book". While this dismissal points towards a gap between different ways of writing and thinking of literature, it also simply directs us to an easy point — *To Kill a Mockingbird* is not a hard book to read, and its topic should be understandable by all, in their universality. Nowhere do we see vivid descriptions of violence, for example. Yet, it still manages to make parents, such as what happened when the book was banned in Biloxi, Mississippi in 2017, "uncomfortable".

² Top 10 Most Challenged Books List, American Library Association, ala.org, 2017

In 2017, Gabrielle Bellot penned an article closing in those words — to address those seemingly never ending bans of *To Kill a Mockingbird*, especially in the South — “If we teach students and their parents that “*To Kill a Mockingbird*” is too uncomfortable to handle, how will they handle James Baldwin or Toni Morrison, Jamaica Kincaid or Frantz Fanon? How will they handle reality, if their teachers’ actions suggest they can just turn away when America’s racial reality becomes too uncomfortable?”. Once again, the point here is that American history is not comfortable, yet *Mockingbird* is not the book that treats it in the bluntest of ways. White people are even at the very center of the plot, for Scout, Atticus, and most of the main characters are white. The narrative of the book, in and of itself, is a very white one, an external one, for what is happening to Tom Robinson could simply not happen to Scout. Yet, she is taught to empathize with him, just like the reader should. While Atticus and Calpurnia, the only other black character who is prominently featured in the novel, teach her to try and relate to everybody, not to judge, the story is hers, fully, and Atticus rises as a figure of righteousness, while the black characters become almost stock figures behind him, there to teach a lesson, both to Scout, and once again, our readers.

If we look at the novel from this point of view, the other side of the coin when it comes to controversies related to *To Kill a Mockingbird* is easier to see, in 2021. After all, the way we speak about race, and develop narratives about race nowadays is not the same as in the sixties, when the novel was originally written. And while it apparently still manages to shock some parents and school boards, trying to shove discussion of America’s complicated race history in a political atmosphere that makes them as current as ever under the rug, a new wave of criticism has risen, trying to understand why one of the most well-known staples of American Literature, and one of the most studied books in the United States is a white narrative on racism that could allow some to view it all as well in the past.

Michael Macaluso (2017) has tried to understand better ways to teach *To Kill a Mockingbird* today, and through that, came to study how the conversation surrounding racism has evolved, between the context of publication and the twenty-first century. While some do think *To Kill a Mockingbird* should not be studied in school anymore, due to how it might present Atticus as a hero, and black characters as plot devices, rather than fully fledged characters, he has decided to use a different lens, and to make his students analyze the novel while separating what he calls ‘old’ and ‘new’ racism, using Beverly E. Cross’s 2005 Study. Amongst other things, the separation applies between an individual sense of racism, while

nowadays, we see racism through a more systemic prism, one of privilege, going through dynamics of oppression and domination — something that one man cannot change, that one white man cannot be exempt of for he benefits from it.

Analyzing the novel like this, rather than to push it aside completely allows students and readers to see the flaws in the way *To Kill a Mockingbird* presents racism, flaws that are directly influenced by sociological history, and Lee's place in society as a white woman, while still understanding the impact the novel had on American literary history. The story, and the author, try to dismantle this 'old' racism, to show her characters are not racist, and that society can advance, if we all, one by one, make the choice to deconstruct imperialized knowledge, and to go against a visibly segregated society. There, we have the point and goal of the novel. But it also allows us to take a step back and take into account the most recent criticism made of the book. While individual prejudice is questioned, Robinson becomes an othered object, only seen through the eyes of Scout, and Atticus, rather than the protagonist of his own story. He is pitied, and not active in Atticus' attempt to 'save' him, and white Atticus' ultimate failure might deconstruct the white saviour trope, he is still a mythicized figure, rather than the actual victim of this whole story. Atticus is the educated one, with enough power within his community, and within the courtroom to control Tom's narrative, leaving him little room to have agency. He does not even pick up the case to help him as a person, or to combat racism, but out of faithfulness towards his status as an attorney. Out of duty. As the novel goes, he even finds excuses for a racist neighbour, for the community as a whole, and further in — his one downfall might even be that he never openly questions the institutions that he takes part in. The very same ones that put him and Tom Robinson on two different sides of the fence, and keep on digging a trench of disparity, between white and black people. So why should a character like this one even be idolized?

In and of itself, looking at both sides of the argument is important, and might even be the only way to study *To Kill a Mockingbird* nowadays.

B. Robert Mulligan's movie adaptation (1962)

Following the commercial, and critical success of the novel, Hollywood decided to get their hands on in the story of *To Kill a Mockingbird*. A movie came out in 1962, only two years after the publication of the novel, and became an instant hit. Playwright Horton Foote, who at this point, and for most of his life, worked more on theater than cinema penned the script, for which he later went on to win an Academy Award for best adapted screenplay. His history with the theatre shines through the movie, and especially the courtroom scenes. While Harper Lee herself declined to write the movie, just like she declined to lend her voice to the adult Scout voiceover at the edges of the movie, she oversaw much of what happened during its development, and as discrete as she was through her life, she knew how to make her presence known when it was about adapting her works, which, as we have went over previously, are quite influenced by her own life and experiences. The movie as a whole also led to more of a glorification of Atticus than previously, earning Gregory Peck what might be his most mythical role, and an Academy Award win. As the first *To Kill a Mockingbird* adaptation altogether, the 1962 movie tried its best to stick close to the novel, both in narrative and atmosphere, yet, it made its own impact on the film industry, and was selected for preservation in the United States National Film Registry by the Library of Congress in 1995, for being “culturally, historically or aesthetically significant”.

But to get back to the movie and how it was made, we can take a look at Harper Lee's involvement with it, as early as during the casting phases. While Universal had their eyes on Rock Hudson, their number one star at the time, to play Atticus, neither Director Robert Mulligan nor producer Alan J. Pakula nor Lee were much convinced, Lee going as far as to say, in an interview later on in life that “No, he wouldn't have been right at all,” while she much approved of the choice of Gregory Peck, saying that “As far as I'm concerned that part is Greg's for life.” She shows much reverence, when going back to talk about him as Atticus, finding the man to look and act enough like her father — the one person the character is based on, and the one, it seems, Atticus will always be in her mind. But farther than just having her eye on this character, she met with Henry Bumstead, the set designer, in her Monroeville home, escorting him around town to help him find inspiration. She seemed to be involved in every creative aspect of the movie, “from teaching the designer about Southern foods to penning encouraging notes to the actors who got cast as her characters.” She went on

to meet Horton Foote, as well, who describes their encounter as them “kind of falling in love.” And even then, that wasn’t enough, for she spent weeks on the set, making Mulligan nervous, yet never rarely, if ever, criticizing. And she, two years after her book was published, at 36 years old, seemed quite happy, just as it came out, about how the film adaptation ended up coming along. “I can only say that I am a happy author,” she said, something quite unique when many authors end up displeased with the adaptations of their books, for it is not always easy to transfer words to the screen.

Through this transfer, while the movie stays faithful to the book in many ways, one thing that has to be noted is this change in the weather. While Scout was obviously the main character of the novel, on top of being its narrator, Gregory Peck’s star-power, as well as the care Lee, and the rest of the team, put towards making sure he ended up looking like a glorified version of her father left its mark. If the American Film Institute named him the greatest movie hero of the 20th century, it must have been for a reason, and the movie truly marks a change in how the character was perceived, mysticized, and glorified. In the novel, we see through the eyes of six-year-old Scout. The movie makes much of an effort to align itself with that perspective, from the voiceovers lifted word for word from the book to the violence of Radley’s encounter with Ewell, which the viewers escape by having the camera focused on Scout, yet, it cannot be successful at every turn. While it might be due to Peck’s innate charisma, the virtue of his Finch is not always seen from the eyes of his daughter. Of course, her thinking of him as some sort of hero would make sense, like Lee still thinks fondly of her father.

Peck’s Atticus, though, illustrates himself best as an attorney, in the trial scenes, where Scout is barely present, in the upper stands, something the camera tends to forget when we dive more from the childhood memories, to the pure, very theatrical courtroom drama. In those moments, we can even forget that the trial is Tom Robinson’s. He is there, so is the racism, as we see, upstairs, the black folk, and the white jury and public downstairs. But justice lacks in importance, for rhetoric seems to be taking over, for the drama of it all becomes some sort of play, of which Atticus is a sort of white knight, who does not exactly succeed, but in the movie — this loss almost does not matter. What seems interesting, to the camera, is how he still, as he spoke, commanded the room. As he leaves the courtroom in an iconic scene, the black people stand in reverence, one of them, Reverend Sykes (played by Bill Walker, who was not even listed in the film’s credits) instructing Scout to stand as well.

She is meant to understand his courage there. Yet, as we look back into it, especially from the perspective of a 21st century, it simply makes this narrative about him, rather than the man he was defending. Amy Davidson (2015), has criticized this moment in particular for “what it suggests is the essential transaction of the civil-rights struggle: black Americans’ bestowal of gratitude on sympathetic white Americans who are willing to recognize their rights.”. Indeed, should Atticus deserve so much praise, so much reverence for simply doing his job, and recognizing that a black man is as deserving of justice as any other person?

As we have spoken of theories of old, and new racism, the Atticus of the movie, as we focus more on him than in the novel, in a less subjective way, shows more of an obvious problem than his fictional counterpart. It is obvious he wants to change hearts, minds, but those of singular people, not a systemic change, for he believes deeply in the system, along with a certain naivety that has him believe in the story of Tom being killed ‘by accident’, which does not make much sense when he has had to defend him from being lynched earlier in the novel. Scout believes that story makes sense, in the novel, as it is her point of view. The way he seems to believe it earnestly as well in the movie seems a tad more strange, showing his privilege as his fatal flaw, giving the character a naivety he should not have, while also putting him on a pedestal he might not deserve, but that has made a mark in how both the character and *Mockingbird* are perceived nowadays.

C. First Theatrical Adaptation — Christopher Sergel (1991)

Long before the Sorkin adaptation which we will talk about further on in this thesis, another adaptation of *To Kill a Mockingbird* reached the stage. Though Christopher Sergel’s adaptation had its US professional premiere in 1991, at New Jersey’s Papermill Playhouse, one of the major regional professional theatres in the US today, it was written, and started its course much earlier. It was created by Sergel, and approved by Harper Lee in 1969, under specific terms that would later prove troublesome to deal with on a legal level, and as long as Sergel was alive and working, kept on being edited, as some work in progress, something he could allow himself to do as both the playwright and head of Dramatic Publishing, which published and rented the rights to do the play throughout the US, and other English-speaking countries.

Originally, when approving this project, Lee signed on and wrote that the project had her support for “stock and amateur productions”, in the words of Chris Sergel, current head of Dramatic Publishing, not to be confused with his grandfather, Christopher, the playwright. Her agent, around 1970, penned a request to Horton Foote, who had already written the script to the movie, for him to adapt the screenplay to a play, for professional theatres specifically, as reported by Shields (2006). Theatres were not exactly what they are today, at this point, and thinking Harper Lee believed she had not signed on for Sergel’s version to be professional made sense, as, at the time, not many regional theatres had the importance they have today, or even existed in the same shape. Originally, the play was staged throughout the seventies and the eighties in schools or community theatres, allowing it to be seen by a wide audience who had already enjoyed the movie, who already knew the characters, or maybe studied them, and used the play more as a way to go more in-depth than a way to discover the story, which was already a hit, both as a Pulitzer Prize winning book, and Academy Award winning movie.

Sergel’s version was even put up in Monroeville, in an amateur production that still exists nowadays. The play started outside the courthouse, and, for the second season, moved inside the building, selecting twelve members of the audience to act as a jury. This version of the staging ended up being played in a few other cities, and even in Jerusalem and England, but it is above all still vital to the city of Monroeville to attract tourists. Harper Lee herself made sure the play was performed in full, not simply vignettes, and created a non-profit organization to make sure Mockingbird Players could keep on performing the play in Monroeville in 2015, following a dispute with Dramatic Publishing.

Yet, as the play premiered professionally at Papermill, reviews went from mixed, to negative, including the two the New York Times gave it. Strouse considered this version of the story “lacks nuance and is mainly the highlights of the book, meant for an audience familiar with the novel who want to see actors in the guise of Atticus and Scout.”. Indeed, this play is, while very faithful, more of a series of scenes, and sequences rather than a story as linear as the one found in the novel, or the film. This did not keep the play from being performed, and it was quick to become a hit in professional theatres, one of the most performed plays professionally in the US, one that has been played in most theatres at this point, as well as one of the most performed in schools and community theatres.

From 1991 on, it went through a few changes, often influenced by directors, who made changes to their production, which moved on to other productions, until Sergel had to incorporate them into his version of the play. For example, originally, Miss Maudie, a secondary character in the novel and neighbour of the Finches was the narrator, and that had to change to allow an adult Scout to narrate the play, following changes made by Charles Towers' that Dramatic Publishing had to match, as many more theatres used his changes. Dramatic Publishing actually had to put their foot down to keep directors from taking too much freedom with their script after this, including with Towers.

Yet, many directors kept on blending together pieces from Sergel's older versions, or even Foote's script with the version they licensed, taking enough creative freedom for many professional productions to have their own unique identity. This kept going on for Harper Lee did not seem to approve the idea of a new play being made for most of her life, so getting the license to write a new, possibly better play seemed, for quite a while, close to impossible, only allowing directors limited creative freedom. Things changed as time moved forward though, and Lee was not the one dealing with her own licensing anymore, that responsibility moving on to her estate. Said estate proved controversial when they pushed for the publication of *Go Set a Watchman*, a sequel to *To Kill a Mockingbird* that shone a different light on the character of Atticus, and they were also the ones to deal with new adaptations, such as Sorkin's.

D. Second Theatrical Adaptation — Aaron Sorkin (2019)

To Kill a Mockingbird did not finish its course with the stage with the Sergel adaptation though, as, in 2018, a new version of it reached Broadway. While still based on the same story, that new play was penned by Aaron Sorkin, produced by Scott Rudin, and directed by Bartlett Sher, featuring a cast of well-known names on Broadway or the screen, namely Jeff Daniels as Atticus. The show premiered two years after Harper Lee's death, and it is her estate that oversaw the changes and the licensing, causing the play to end up in court twice before it even officially opened. A different context, years after the original publication, and a different writer made for a different way to present the narrative altogether.

With the rise of movements such as Black Lives Matter, and a better focus on institutional racism, our point of view on racism and social justice has shifted. Racism, as we have spoken about in this thesis already in the chapter on themes, is a major theme in the novel, but an adaptation for the stage, in the 21st century, simply had to present the story in a different way. While the *Mockingbird* lives on, racism is now thought of as something structural, and systemic, not individual, and not something one can change by speaking up to their friends, for example, which would be more of an idealistic view. Change could come by changing the people one by one, while nowadays, the focus is simply more on institutions, such as the police, and justice. Arguably, given Atticus' ultimate failure, one could say this is already something Lee understood to a certain extent, and something that was not changed by the adaptation. Yet, this can explain why the playwright decided to put the trial center stage, rather than the community aspects, which are still present, of course, but to a different extent.

It is to be noted that, just like Lee, Sorkin is a white playwright, with a habit of creating characters who resemble him. While reworking *Mockingbird* did not allow him any self-insert as blatant as the typical Sorkinian character, such as Will McAvoy from HBO's *The Newsroom* (2012-2014), also played by Jeff Daniels, the original Broadway Atticus, Atticus did end up more center stage than in the novel, being the top-billed character. This is quite understandable given that, since the movie, Atticus has taken on quite a cultural importance in the United States. Yet, despite focusing so much on him, Sorkin still wanted to give more of a voice to the black characters of the play, and collaborated with his actors to give them some more room, adding in scenes that were not in the original novel either because Scout could simply not have witnessed them, or because Lee's focus relied too heavily on fleshing out the white characters she related to, while allowing her black characters to feel more stock-like. Those scenes are not enough to shift a white focus to a perfectly diverse one, to allow the black characters to own their stories fully, but their existence is still an important shift from the novel, and previous adaptations, which went on to cut things, rather than to add new ones.

They did not exactly solve the problem actors, such as Gbenga Akinnagbe, the original Tom Robinson, had with dying night after night for a white audience, looking for the comfort of faces of color in the audience. As he notes, in a piece published in the *Washington Post* in 2019, the audience he faced nightly was a mostly white, upper-class audience, who might be empathetic, but simply could not understand his struggle. He speaks of how, despite

the fact that this version of the play gives Tom a voice he feels he did not have in previous iterations, it is still taxing, and still a strange in-between that allows white people to use the n-word to speak of him, or to him, repeatedly, on, and off-stage, as if it being said on stage stripped it of its meaning. How draining it is to die, night after night, for the entertainment of people who might empathize, but never truly understand the black experience. After all, Broadway is a very white world, whether on a creative level, or when it comes to the audiences it serves.

That diversity problem has been outlined heavily recently, following Karen Olivo deciding to step down and leave the musical *Moulin Rouge!* to call for action, both because of this issue, and to call out the silence surrounding another affair concerning Scott Rudin's workplace abuse. This led to the creation of actions and movements such as March on Broadway, which happened April 22nd, 2021. Their demands and further work can be followed on social media, or in theatre-specific news outlets. This is only the start of more diverse people being given the room to voice and highlight diversity issues within the world of commercial theatre to hopefully be able to solve them. Some companies, such as the one of Diana, A New Musical Story, or Hadestown, have also put forward new ways to bring up racial discrimination in the workplace if necessary.

We can note, despite all of this, that the play *To Kill a Mockingbird* strives to be more inclusive when it comes to the audiences it tries to reach, allowing classes from all over New York to come and see the show for free, or creating initiatives such as the first theatrical representation of a play in Madison Square Garden, created only for students to get a taste of the play. One could say that representation was more about breaking records, and a bit of a publicity stunt, but it was still a way to open up to a different audience, by inviting students from all five boroughs to attend.

Despite all this, the play was well-received, for even before the run started, getting tickets for the first few months of the run seemed impossible. Despite Broadway-type prices, it kept on breaking records. The box office record over a week, namely, as it grossed \$2,244,415.34 for the week of October 13th, 2019, the 49th week of its run³. That record of highest-grossing non-musical play over a week was broken by TKAM nine times, and it now

³ DKC/O&M, “*To Kill a Mockingbird*’ Breaks Box Office Record in its 49th Week on Broadway”, omdkc.com (Press Release), 15 October 2019

holds the title of highest grossing American play in Broadway history, and played to standing-room only crowds for the complete run of the original cast, and most of the run of the second year cast until the COVID pandemic forced all theatres to stop their activity. The firsthand experience to get standing room tickets could even be a hassle, as even to find a way to get those, or cheaper rush seats, one had to be in the rush line at least two hours before the box office opened, and it was not uncommon to see people asleep in front of the theatre at three in the morning.

When it comes to critics, they ended up being mainly positive, though some criticized the liberties taken with the story. Most major critics considered it, though, to be a well-made adaptation. Despite this the awards did not necessarily follow. While the season was a crowded one when it comes to plays, and the play did score a fair amount of nominations, the only repeated win whether for the Tony Awards or other more minor awards was for Outstanding Featured Actress, for Celia Keenan-Bolger, who played Scout. The part of Scout being considered featured is an interesting choice in and of itself. The production team could have petitioned for her to be considered a lead. The convention is that any name coming above the title is a lead, while any written under, on the window card and promotional materials, is considered a supporting role. It is to be noted that despite the commercial success of the play, it not earning that many awards could be linked to the fact that many voters have stakes in regional theatres and that Scott Rudin, the main producer of *To Kill a Mockingbird*, who recently stepped back from Broadway following allegations of workplace abuse only to stage a comeback a year later, ended up at the center of a controversy involving those.

This case of Rudin vs Licensed Production actually had to do with the Sergel adaptation, more than the Sorkin version. Lawyers, in the name of the company formed to produce the Sorkin adaptation claimed worldwide exclusivity for the professional stage rights to any adaptation of *To Kill a Mockingbird*, and they went on to sue, and shut down any production of the Sergel adaptation staged within 25 miles of any ‘major metropolitan center’ that might eventually host a production, whether touring or sit-down, of the Sorkin version. Given the facts that some of those productions had already paid the rights holders, and some were even in the rehearsal process, many community and non-profit theatres had to cancel productions of Sergel’s adaptation, as well as a professional production planned to tour the UK, following a run of the same staging in London a couple of years prior. Given the horrid publicity this gave the Sorkin production which had not yet properly opened, Rudin tried to

“ameliorate the hurt caused” by offering the rights to use the Sorkin script to the regional producers who had to cancel a production. It can be said that when this was offered, the harm was done, and quite hard to reverse, as the Sorkin version is quite different from the Sergel adaptation, being a memory play with no child actors, for example.

This case was not even the only legal case involving the production for another one was settled between Sorkin himself and the Lee estate, who believed that the script written simply was too different from the book. A complaint was filed in Alabama in March 2018, while the play was still being workshopped — as previews would only start in November of the same year. The Estate had previously specified that the character of Atticus, specifically, should not deviate from the original created by Lee, and adored by many. While still a heroic figure, Sorkin tried to give him more depth in his own terms, rather than simply allowing him to be the projection of a good man, and Lee’s adored father, presenting him as somehow misguided, and as a Sorkinian character, one who drank bourbon over smart sentences, and one who the Lee Estate acknowledges was framed as more of the center of the novel than Scout. Sorkin argued that his character “does not derogate or depart from the spirit of the novel”. Following a countersuit being filed, and an agreement, both lawsuits were filed and the play could go on as planned, with Sorkin allowing some minor changes, namely, promising that his Atticus would neither drink nor own a gun.

At this point in time, *To Kill a Mockingbird* suffered from the COVID-19 pandemic. After an emergency closure, the show re-opened on Broadway for a short run when theaters came back, planned a move to another theatre, which ended up being canceled, ending its Broadway life effectively. This production has since been duplicated, and an iteration of it opened in the West End, in London where it is currently running, while another is a United States Equity National Tour, starring Mary Badham “going full circle” (2022) as Mrs DuBose.

E. The lasting impact and importance of *To Kill a Mockingbird* in the United States

From the original novel to the Sorokin adaptation, sixty years have passed. Sixty years in which the story of Harper Lee's *To Kill a Mockingbird* left a mark on the people of the United States, making it a staple of modern American Literature. Whether it is about numbers, from awards to record-breaking sales, or impact on popular culture. Harper Lee was even awarded the Presidential Medal of Freedom in 2007 for her contribution to literature, and *To Kill a Mockingbird* won the Pulitzer in 1961. According to PBS' *The Great American Read*, it is even the most well-loved book by Americans, who seem to hold it dear to their hearts. With more than 40 million copies sold, and how it stays at the top of reading lists in many schools, it seems its popularity is unwavering, despite criticism. Even when it comes to adaptations, the movie has scored many awards, and is currently ranked 34th in the Best Movies of All Time list by the American Film Institute. The Sergel adaptation has been ranking amongst the most licensed plays every year in the United States, making it one of the most played all over America, in schools and community theatres. Fred Fordham's adaptation of the novel into a graphic novel also was well-received by critics, and one could wonder if the great reception of every single adaptation might be influenced by the fondness people have for the original story and its iconic characters.

This might explain the reception of the sequel, *Go Set a Watchman*, published in 2015. While Lee longed to escape the spotlight, its publication, only a couple of years before her death, influenced by her estate was the literary event of the year, and the novel immediately ranked first in all best-selling lists. The reception, both critical and from the public though, was lukewarm. This novel was actually not exactly a sequel, written after the success of *To Kill a Mockingbird*, but its first draft, which was actually finished in 1957. Her publisher of the time found that the most striking aspects of the novel were the flashbacks featuring Scout as a child, and requested of her to develop this, and use those scenes as the basis for a new version of the novel. One aspect that is most talked about of this published draft, and that was not so appreciated by many, is how Atticus is portrayed as a segregationist, which has shocked many readers who got attached to the sometimes glorified version of the character. While the evolution from *Go Set a Watchman* to *To Kill a Mockingbird* is a fascinating one to study, if we take into account the draft that it is, the way it was published and advertised, as a sequel can shock, for we move from a tale that shows both the good and bad sides of the

South to one that truly showcases its worst, and the alienation an adult who has left her small-town might feel upon coming back. One detail that many critics tend to forget is the trial, mentioned in passing, of a black man accused of raping a white woman, which evolved into Tom Robinson's trial. While in *To Kill a Mockingbird*, he is deemed guilty by the jury, leading us to question their decision, and the system in which they take part, in *Go Set a Watchman*, he is acquitted, a decision that almost loses sight of how systemic racism can be. This only showcases just how modern of an approach Lee and her editors had, on this level, to the issue of Justice.

To Kill a Mockingbird also influenced the South, or at least, the town of Monroeville which we have mentioned prior. As well as their version of the Sergel play, shown every summer, the Old Courthouse also holds a museum exploring the literary legacy of Harper Lee, as well as Truman Capote's. The town became more of a tourist attraction following the publication of the novel, and especially, the movie, as while it was not shot there — inspiration has been so heavily drawn from the town, fans have been wanting to take a stroll in the streets where Scout, Jem and Dill grew up. This is simply another consequence of how, despite the town of Maycomb being fictional, Lee's projection into the character of Scout influenced the way people see that story. Her depiction of South, at least in Julia Eichelberger's thoughts, is what makes this story unique, and what helped make it such a hit immediately, but it has also helped the South look better in the eyes of many Americans. To her, "A lot of people, particularly in Harper Lee's lifetime, did not really understand the South and looked down upon it, and thought of it as very backward ... Her novel gives us a particular point of view of an independent southern woman's voice and we do not have anything quite like that from other southern women writers.". This helped *To Kill a Mockingbird* endure, sell, and also changed some opinions and minds, questioning national systems rather than solely Southern communities.

On a lighter note, the influence and impact of *To Kill a Mockingbird* can also be measured by references to it in popular culture. Some of those references are light, comedic, using puns on the name of the novel, for example, and many simply assume that every person knows of this book. It goes from bands naming themselves after the characters of the novel, or writing songs referencing them to *To Kill a Mockingbird* canonically being DC's Superman's favorite novel and movie. If a story takes place in a middle or high school, and we end up in a literature class, no matter the genre, from Canadian TV Show *Degrassi*

(2001-2015) to movies such as *Bad Teacher* (2011) or *The Perks of Being a Wallflower* (2012), chances are the novel will be studied by the fictional student, or at least referenced. Yet, some movies do explore more deeply the link between reality and the novel, and its impact. *Just Mercy* (2019), takes place in Monroeville, to tell the story of real-life attorney and Equal Justice Initiative Founder Bryan Stevenson. It draws parallels between him, and Atticus, forcing the real black man portrayed by Michael B. Jordan to live in the shadow of his white fictional counterpart. Faced with billboards showcasing how the town is the proud birthplace of *To Kill a Mockingbird*, he still faces backlash for trying to defend unjustly convicted black inmates. Wherever Stevenson turns, as a black man who is actively trying to keep innocents away from the electric chair, he is faced with the ghost of Atticus Finch, as Southern, white people ask if he has visited the *Mockingbird* museum. It is almost comical, in the context of the movie, but gets sour quickly when one takes a look at how, when the real Bryan Stevenson opened the National Memorial for Peace and Justice and the Legacy museum: From Enslavement to Mass Incarceration in Montgomery, Alabama in 2018, he was also faced with backlash by the very same white Alabamians who praised the *Mockingbird* museum, for putting too much emphasis on discrimination and cruelty, rather than the sweetened togetherness the *Mockingbird* museum promotes.

This has to be the fatal flaw of this story being a white narrative addressing a white audience — just how the quite radical, modern for its time lesson one could draw from it is easily swept away to make Atticus a saviour, to make his words the lesson, rather than a warning. As years passed, and criticism rose on this, adaptations have tried to put more on a focus, with more or less success on how his empathy towards racist people, and his belief in the judicial system, rather than being something to admire, leads to his downfall, and in his stride, Tom Robinson's. It is what we should be led to question, not the individual racism of some, but the institutions, the system, and the communities. Something collective, rather than individual, and layered enough that it is still discussed and debated today. A story of growth, not only for Scout, but for Americans.

2) The show at court, or the court as a show

A history of the courtroom play, its adaptations, broadcasts and politics.

A. Addressing the audience throughout history

1. The Greek Chorus

Long before the judicial system as we know it anywhere in the world was implemented, existed as an institution - there was theater. The art form has existed to carry many concepts, from morals to catharsis, character to self, fiction to history – since its very inception. Before even defining the courtroom drama, a recent genre, it is important to look at its roots. The roots of morality in theater, of representing a certain form of reality, and of course, of addressing the audience. After all, the fourth wall and its destruction is key in understanding metatheatrical concepts, and their effects on an audience. If we look back far enough, to a period often defined as the cradle of democracy, we can learn from a time where plays directly addressed the audience. After all, in Ancient Greece, the fourth wall was a concept unheard of - the very nature of theater was to address the audience, to tell them a story as a narrator might, except the narrator was, more often than not, multiple people.

While the definition of metatheatricality is, at times, ambiguous, for it's one that keeps evolving and expanding since Abel coined it in 1963, we can only be drawn back to its etymological Greek roots. Meta is a prefix that means, in Greek “after”, “with”, or alongside”. Chen (2019), considers it a very active prefix, “denoting the concept of self-reflectivity” (p.1). As, since Abel, many have tried defining it in their own way, one can note that the common ground all scholars seem to agree on is that metatheatricality, or metadrama, would be about an exploration of limits. Limits between stage and audience, between dramatic meaning and reality, between actor and persona. Many gaps that have always been, somehow, exploited by theatrical tradition, by authors as much as audiences, to find themselves in a liminal space, somewhere in between, either drawn fully towards the story encouraged to feel it, or constantly reminded of their place in their seat, of their need to actively think about possible morality, consequences, or meaning.

Traditionally, Greek tragedies employed a chorus of actors, that, per Aristotle's *Poetics* "should be regarded as one of the actors; it should be an integral part of the whole, and share in the action." (ch. 18), an ambiguity stressed by Weiner (1980) for it is hard to distinguish "who is to regard it so? The audience? The poet? The other characters? The chorus itself?" (p.205). Many theories seem to have developed as to what such a sentence could mean, leading to different interpretations in the modern day, and just as many stagings. Its function itself is questioned differently through those many angles that cannot be covered, whether to approve or deny them at once - at best, summed up.

"One hears somewhere along the way that the chorus exists to elevate commonplace details into universal verities. One hears that the chorus acts as a buffer between actor and audience. This theory seems to imply that there will always be some slack between the two, and it is the role of the chorus to take up that slack. One hears that the chorus exists to transform the passions of the characters, which are necessarily diffused, into sharp focus. One hears that the chorus is an Ideal Audience, that the audience may measure its response to that of the chorus. But this is surely wrong, for frequently choruses misunderstand what is happening in the tragedy while the audience understands, and frequently choruses make comments on the action which seem positively stupid or inappropriate. Furthermore, the Ideal Audience theory must give way to Aristotle, who seems to have said that the chorus must be regarded as an actor. Least, but perhaps, not last, one hears that the chorus functions as a decoration. But what, we may well ask, is it supposed to decorate?" (p.206)

One thing that can be agreed upon, is that the chorus acts as a sort of individual collective, reciting a same text, at times directly towards the audience, to introduce them to elements of the play and the narrative they might have not been made aware of, at times being part, themselves, of the narrative, making it move forward, as the Argive Elders in Aeschylus' *Agamemnon*, or the women of Argos in Sophocles' *Electra*. Usually of the same gender as the main protagonist of the play, those choruses, representing a part of the general population seemed a mirror, both to said main protagonist, for if the story was not happening, they might be a part of them, and to the audience - another sort of a general population, one gathered to watch the events of the play unfold. A collective almost introduced with one mind, a chorus integrated into the fabric of the play, echoing mental and emotional reactions of the characters the audience was supposed to focus on, yet seemingly acting as an in-between. As they

address both fellow characters and audience, they act, in a paradoxical way, as both a physical representation of that boundary, and as they acknowledge the audience — as a way to connect with them.

This in-between can easily be considered a metatheatrical function, in the sense that we have defined, for the use of choruses, as a group with one mind, and as masked faces reaching towards the audience, is a constant reminder to the audience that while they might relate, or forget themselves to the events unfolding in front of them - they are, before all, at the theater. Here to learn, think, and feel manufactured feelings. To help with that blur that characterizes the function of the chorus regarding the audience, one must also remember that the use of masks was prevalent, giving them an anonymity that eased the representation of an easily identifiable crowd, or group - as well as possible audience projection in their shoes. As Weiner argues above, it is doubtful that it was to portray an Ideal Audience. The chorus was simply a tool to help the audience reach a better understanding of the piece, by avoiding making the same mistakes as them, possibly, or a way to better reflect, and create possible emotions, while drawing attention to just how manufactured this access to catharsis is. It is not one that drowns the spirit, or tries to immerse the audience in another world, but one that fully assumes the role of a go-between.

It is also of note that this individual collective composing the chorus did not only speak and narrate. The chorus' action was more likely to be sung, per Kitto (1956) "We cannot suppose that a chorus, dancing poetry, should speak it, and not sing it" (p.1). While traces of ancient Greek stages rely on textual remnants "when we have properly analysed the metrical structure of a choric stanza, what we have discovered is not really a literary form, like the metrical structure of an English lyric, but the ground-plan of a music-dance movement" (p.2). A song and dance backdrop, provided by a partly anonymous group, serving a function of connection with the audience, whether emotional or informational, as well as having an influence within the play itself is something not unheard of on modern stages. Whether in Opera, an art that draws roots from the Renaissance's fascination towards ancient Greece, and its theatre, or musical theatre, an art form often regarded as typically American. In the words of Rodgers and Hammerstein (1959), two men often considered pioneers of modern musical theatre, in their work, "The singing chorus is used frequently to interpret the mental and emotional reactions of the principal characters, after the manner of a Greek chorus" (p. 185). Those antique influences are well-understood, for the shape of the

musical choruses are similar — except maybe on one point, they traditionally expose, interact, but do not necessarily address the audience directly, as was more common in Greece. Their reliance on music though, is something that should be questioned as to how it shapes the reality of the play for the audience.

David Bain (1975) wrote that “all drama is meant to be heard by an audience, so that there is a sense in which any utterance in a play may be called audience address” (p.13). Of course, lines should be drawn between the kind of drama where the actors on stage act in a way to make their actions seem as real as possible, and the kind “in which the presence of an audience is acknowledged by the actors — either explicitly by direct address or reference to the audience, or implicitly by reference to the theatrical nature of the action the actors are undertaking”. The chorus, in and of itself, by simply existing, draws the audience’s attention to the theatrical object they are watching. By singing, dancing, by the nature of their verse, by existing as a group, rather than as singular people, yet expressing themselves “using the first person singular” (p.16). By also disseminating information that is necessary to the understanding of the play, that would have not uttered otherwise. Those details are all tools to acknowledge the audience, which is at times also addressed directly, whether in tragedy, comedy, or satyr-dramas. An audience that follows a play, yet has to also listen to choral interludes providing commentary on the very story they are watching. Not always right, not always smart, but a reaction other than their own, that might lead them towards a similar emotion, or contrast their own. A commentary that, in its contents, questions the story, and in its different form than the rest of the play, sung and danced, questions the theatricality itself.

2. *Shakespearean Metatheatricality: Metaphors, Asides and Soliloquies*

Much has been written on the metatheatrical character of Shakespeare’s body of theatrical work since the term came to existence. After all, if many excerpts of his work have made it into popular culture, one of the most famous quotes from any of his works would be from *As You Like It*; “All the world’s a stage”, and as it goes “all the men and women merely players; They have their exits and their entrances; And one man in his time plays many parts”, before he goes on to describe various stages of life, in Jaques’ monologue, as various roles a human would come to be assigned to play. A metaphor and a parallel that seems to

blur the lines between man and character, only to better focus on the societal issues and dynamics at play. As Perry McPartland (2020) would put “metatheatre’s inevitable result is that the spectators’ attention is refocused” (p.3). Hearing words such as Jaques’ monologue, uttered on a stage automatically takes one back from the story unfolding, or even the characters, only to remind them not only that they are at the theatre, but of the context at hand. By stepping back to examine the world as a stage, one is encouraged to analyze it as if it were a fictional work, namely through the framework exposed by the playwright, using the moral of the play as something that could be applied to the human world, uncovering systems and moralities that could have seemed secondary at first sight, hidden behind the pathos, hidden behind tragedy or comedy.

James L. Calderwood (1971) had to be one of the first to offer a definition of metatheatre in Shakespearean drama writing that “as the term is used by Abel and others metatheatre is a dramatic genre that does go beyond drama (at least drama of a traditional sort), becoming a kind of anti-form in which the boundaries between the play as a work of self-contained art and life are dissolved” (p.4). While he does not go further than Abel’s original definition, his application of the theory of metadrama seems to shed a new light on Shakespeare’s works, one that Fly (1986) describes as “an intimate glimpse of a very human craftsman wrestling with an array of practical and theoretical problems associated with his special vocation.” (p.124). There, metatheatre becomes, more than a mirror handed to the audience, one in which the author finds himself in, using his own craft not only to show the world, but to hone his own understanding of it, applying the questioning in his craft to his story, to his sense of reality.

In his book, Calderwood states that “Everyone knows that Shakespeare fairly early got onto the master metaphor of life-as-drama and used it extensively to illuminate the experiences of his characters” (p.5) in monologues such as the one quoted previously, but more commonly by often using in his works the lexical field of the stage. Terms such as “act, play the part, counterfeit, shadow, stage, cast, plot, quality, scene, and pageant” (p.5) appear often in his plays, turning into as many allusions extending a metaphor that shaped an entire body of work, keeping the art of theatre always at the center of it. This would lead to a shift in viewpoints, where the play is not only used as a method to deliver a story, but to “set the world in the focus of art.” (p.5). While he recognizes that this is something most Elizabethan dramatists do, those repeated metaphors and allusions, specifically in Shakespeare’s plays

“give us access to a complex and coherent mode of dramatic meaning in which (he) constantly works” (p.5). In such a way, the ideas and stories that the audience might understand from watching a performance of any of his plays are influenced by not only his understanding of the world, but also his understanding of theatre as a medium.

It would then be quite impossible to try and understand one, without understanding the other - to analyze the world through only the morale of the play would not be enough, if one does not take the time to understand the intertextuality of fiction, real, and medium, for the medium itself has a meaning. As Calderwood puts, “metaphors are reciprocally illuminative; between the metaphor of the play and the play itself there is meaningful interplay.” (p.6). Then, “All the world’s a stage” would say as much about the World, as it uncovers about how Shakespeare views theater.

One could also reminisce Hamlet, which Kate Flaherty (2005) described as “a play deeply concerned with the notions of play: the power of play, the dangers of play and the threshold between play and reality.”. After all, its use of the play-within-a-play is more than a stylistic device, but a plot point that solidifies Hamlet’s descent into madness. By adding a layer of play within a play that is already fictional, Shakespeare blurs the limits, and goes on to question not only Hamlet and his interpretation of *The Murder of Gonzago*, but leads his audience to wonder how they would react to theatre, how they interpret it. Especially when we can note that Hamlet is already a character obsessed with appearances, to how people might interpret his emotions, or how to interpret others’, that might be deceitful. He almost takes on the role of an audience unwilling to suspend disbelief, as he considers outward displays of emotions untrustworthy, for they could be faked, or played. Yet, he is the one to perform another scene, showing an ‘antic disposition’ to distract from his revenge plan.

An ‘antic disposition’ that has been the source of endless speculation, leading to analysis from many angles, from a psychoanalytic profile by Sigmund Freud to more postmodern readings, separating the signifier from the signified, almost as Hamlet, or through his mouth, Shakespeare, once separated the emotion felt to question the emotion shown. Robert Weimann notes that, while his motivations might be understood within the play, for he is a fictional character “Madness as a ‘method’ of mimesis dissolves important links between the representer and the represented, and can only partially sustain a logical or psychological motivation” (p.18). His antics then arouse rather than dissipate suspicion, leading the

audience to question his actions, not on a personal level, but a representational one. One can only show, write, or represent madness as a tool, in this case, to question not madness itself, but the influence of representation in lives. Hamlet has us questioning codes and etiquettes, as a Prince of Denmark, as a son in mourning, as an actor hiding their revenge. A character that might make reasonable, understandable choices, but who is shaped by his interpretation of the world, of a signified that might lead him to mistakes. The audience can only then question not what led him to make those choices — for he is not a person — but why the playwright, the director or the actor show the story in such a way. How a fool is turned into a fool, codified into a fool, like an actor following a script, not shaped by an individual madness, but by a theatrical collective, as society might be shaping, through just as many codes and words, the perceived madness of others, of those that do not follow a script, but an interpretation of it. But then, are not we all, as individuals, interpreting reality in our way, performing our own roles, or the ones expected of us ? This easily leads us back to the world being a stage, and the stage only a medium to reflect it.

Now, one thing that can be considered far from reflecting our reality in Shakespeare is his asides and soliloquies. While they might be directed, as Prospero puts in the *Tempest* into thin air, where characters are nothing but melted spirits reciting a script, it is not uncommon for them to be directed into the audience. An audience that is anonymous, collective, ever changing, night after night, but even if a character pretends looking past and speaking to himself, their thoughts end up being performed for said audience. Soliloquies, or long monologue more often than not will have an actor going on about their current state of mind alone on the stage, while, on the other hand, asides will be short moments of the character looking at the audience, if not necessarily addressing them, to expose either a plot point or a passing thought. By convention, the audience knows that those asides are not words heard by the other characters in the play. Those moments, between narration and dialogue are made for them only, and though accepted, they can only remind one of the lack of realism in the play.

Shakespeare has also used choruses, though rarely, namely in the prologues of both *Romeo and Juliet* and *Henry V*. Unlike his Greek counterparts, his choruses were not as integral to the reality of the play, as they did not seem to interact with other characters at any point. They are only written as addressing the audience to fill them in with plot points, giving the theatregoer a context to get off off, when it comes to *Romeo and Juliet*, or apologizing, in the case of *Henry V*, for not showing the grand battles described in the play. This function of

the chorus seems to be to make up for a lack of time, or a lack of possibilities of the medium to portray things such as war on a contrived stage. Addressing the audience directly then seems a way to actively ask them to suspend disbelief, as much as it does the opposite, reminding them — before they even got a chance to step into the reality of the play — of its artificiality. His choruses were not an anonymous collective, but one singular actor. Newell (1992) explains that “to avoid a nondescript Chorus to appears to be a meaningless loose end in the play, the part is merged with that of Prince Escalus or Friar Lawrence”(p.20), in *Romeo and Juliet*'s case. This is a director's choice, rather than the playwright's, who, just like Shakespeare with *Henry V*, have to take into account the material boundaries of their craft. Battlefields on one side, paying an extra actor on the other. Yet, those boundaries, even if not an organic choice made by a playwright or a director, but a forced one end up purposeful. The material condition of the play, how to create it, how to stage it and the choices it entails are brought in the open, to the eyes, and ears, of an audience who has no choice but to know it, and is even asked to keep it in mind, to remember they are at the theatre, and that while anything might happen, it will only be with their approval.

While the art of the chorus evolved, as evoked above, and the art of the aside has dried out with time passing, some contemporary works use the second still, at times, even on screen - one can think for example of Phoebe Waller-Bridges' *Fleabag* (2016), which, at times, has its Shakespearean moments, as the protagonist looks directly into the camera, letting the viewer know, in this way, of her feelings towards a situation, and signifying rather than an awareness to being the main character of a TV Show, an unease within her world. Those asides seem almost classical, at times mirroring Shakespeare's references to the audience, or the play-within-a-play, when she mentions friends always being there to a therapist. A typical example of Shakespearean heritage by a contemporary playwright and screenwriter, as he was one of the first to popularize the use of the aside, that ends up being turned on its head when another character, by the second season of the series, ends up noticing them, and though he does not hear them exactly, The Priest then adds another layer to her asides by questioning 'where she goes' at those moments, giving us a bit of a deconstruction of our classic aside.

3. *Defining the Fourth Wall, Silencing Audiences*

With such a rich history of audience interaction, or at least of characters addressing audiences directly, comes a time where it becomes elementary to define the term ‘fourth wall’ — to understand exactly what the concept means and entails. While seemingly self-explanatory, the consequences of its use were many changes both in playwriting, as addressing the audience to remind them a work of fiction was unfolding ahead of them became more unconventional, and the theatergoer etiquette evolved to better fit with that seemingly learned convention of not breaking the reality of the play, or other spectator’s immersion.

The term was first used by french playwright Molière in his comedy *l’Impromptu de Versailles* (1663) – as one of his characters ponders “whether this invisible fourth wall does not conceal a crowd observing”. This ironic idea was later coined theoretically by philosopher Denis Diderot. As Stevenson (1995) argues, his critical writing introduced ways to fill the gaps between tragedy and comedy, at the time two very coded genres, with comedies focusing more, at times, on common people - yet not taking them seriously, and tragedies being a genre very few people could see themselves portrayed in, as its heroes were either historical and mythological figures, or high nobility. This led to an advance towards realism, as Diderot suggested to present the audience with the action of the play unfolding on stage as if real events and conversations were observed through a transparent fourth wall of the room.

This wall, in-between audience and stage — audience and story became a clear demarcation which had to automatically lead to gradually codifying audience behaviors. As Stevenson writes “The progress of realism in staging has meant that the participation of audiences has been increasingly controlled and excluded in the service of an illusion of reality.” (p.5). The fourth wall then is more than a concept that would aid playwrights in better setting the scene by writing in a way that would have to silence the audience to speak over them, rather than encouraging possible interaction, and use of their reactions to further a unique theatrical experience. It becomes the root of intricate new social codes. If an audience has to watch as if the action is happening behind a wall, it is impossible for them to draw a door, to speak to the characters of the play, to change anything to the way it might unfold. In such a way, the audience are then led to believe in the illusion of reality separated from theirs

- at the cost of silence for a few hours. A reality as fragile as a glass wall, for any off-beat intervention, any laugh too loud would be seen as a nuisance, for it would bring the audience's attention back to their very existence.

Then, from sitting on stage and voicing reactions, silence became the norm, and nights at the theater something exceptional. More expensive, surely, as Sartre (1961) argued in a lecture, explaining that "bourgeoisie controls the theatre by the price of tickets which rose steadily in order to make the theatre a profit-making enterprise" (p.3). While his analysis leads to question the contents of plays, as well as this material context to contrast dramatic theatre, which "has sprung all the way from bourgeois theater, sprung from means created by its individualism" (p.11) for it does not know how to speak of work, with 'young theatre', that would have to rise as a way to fight this bourgeois praxis, it seems a blind spot is this evolution, in those a hundred and fifty years he speaks of, of audience behavior, and how, since the rise of the fourth wall, they have been silenced. And while some people treat theaters as churches, it might be interesting to note that not all communities, not all social classes adopt the same behavior in church.

If this acquired silence led to strengthening the fourth wall, it also has to be recognized that it is part of an acquired etiquette that might surprise, if not discourage audiences from attending traditional proscenium plays and musicals, preferring to them different forms of entertainment, more accessible and possibly less codified. It is to be noted that spaces trying to attract more diverse audiences in the United States are aware of that fact, and try to correct it. Black playwrights, especially as they try to address their work to black audiences, encouraging more diversity in the audiences rely on audiences that would engage in louder ways with their work. "Chicken & Biscuits", a play by Douglas Lyons (2021), performed on a thrust stage, featured a pre-show announcement encouraging audiences to turn off their cellphones, yet to "Shout. Say hallelujah. Say amen.", as they would in the church of the black community depicted in the play. Earlier on, fellow black playwright Dominique Morisseau wrote up an insert, which could be found in Playbills of her play, Pipeline (2017), a short text openly authorizing audiences to "have audible moments of reaction and response", saying that "this is church for some of us, and that testifying is allowed". The only point stressed towards limits is disrupting the performance, as "this is also live theater and the actors need you to engage with them, not distract them or thwart their performance". This text, titled playwright's rules of engagement inspired others playwrights,

such as Tarell Alvin McCraney and Erika Dickerson-Despenza to create similar authorizations, the first even citing Morisseau as his inspiration.

Morisseau here is emphasizing that despite microaggressions there is room for people of color, and namely black people in the audiences of her shows, and that they should be allowed to react as they deem respectful, not solely following codes set in place by a white bourgeoisie that engages with plays through individualism, rather than as a community, which she closes off by saying an audience is. Which almost leads back to Sartre's lecture, defining bourgeois theatre through its individualistic lens, something that could also be applied to audiences, comforted by being by themselves in a crowd of people respecting the same unspoken rules of their class, using this quiet as the only state of neutrality that would allow them to connect to the image of reality in front of them. To watch through the wall, they must forget there is another side to it. To empathize, and reach catharsis, they must forget they are watching a play, and not reality, while other groups of people, culturally, to reach the very same catharsis, might need to express themselves, connecting to the artists on stage, as well as to other members of the audience in a different way, that might not respect a fourth wall so carefully constructed by conventions that grew to make its existence more natural in western theatre.

4. The Theatre of Law : Addressing Beyond the Courtroom

Now, before diving into the art of courtroom drama, might be the time to turn the concept of its head. For, before courtroom drama could address its audience, one must remember that the courtroom seems almost a theatre, and in the very same way, more and more as its audience grows, tends to address it, forming around the court of law a court of public opinion, as the audience of a theatre might be judge of morality towards the character. Our habitus has become observing, after all, fiction, plays, movies, so much that might have become, through the ages, desensitized to the reality of court, where realities clash in a most theatrical way.

Picture this: an audience, quiet, for it is the codified custom. Unlike in a theatre, it is explicit. An audience member making themselves noticed, breaking the accepted decorum and making their presence and therefore less neutral, making themselves a character in the

play at hand would be escorted out. Above, a judge, guardian of an etiquette, of rules - in theory, for their role does not make them more than a person, for they could carry as many faults into the courtroom as any other. But, here they are, playing their part as any court reporter, any bailiff, any attorney or lawyer sitting by. Their roles are written, part of a routine, almost mechanical, despite the events exposed in a court possibly being life changing for plaintiff and defendant. Two parts of a story, two points of views exposed, and a constant questioning of the truth, within the confines of procedure and material evidence. Last in, a chorus, the Jury, carefully picked to be neutral, only seeing the other participants when the case is in trial. Silent, until their collective voice is deemed the most important in the room.

Of course, it is no surprise that something as codified, at times scripted as the judicial institution in our modern world would be regarded by some as entertainment. While not fictional, everything shown in a courtroom is manufactured, evidence is what it is - but it would not come to the mind of any attorney to get someone unprepared to testify in front of the court. Professional members of the court, who know their part through and through, mingle with witnesses. Witnesses who supposedly tell nothing but the truth, yet the stakes are so high to an audience, and their chorus, buying the story they are selling that it can only be acted.

Courtrooms and trials have been part of the history of theater, and storytelling, for the longest time, and it seems almost impossible to pinpoint the very first play involving one of them. The longest scene in Shakespeare's *Merchant of Venice* is a trial, one involving actors of a typical court of the time - nobility. Something far from our modern courts, but that still proves a certain fascination of the general audience towards the judicial systems, and how they might be turned on their head. After all, isn't a trial nothing more than a play, trying to write a moral conclusion to events that already happened, already are real, already have their truth? A way to untangle the subjective realities of all involved to create a multi-faceted story that anyone could apprehend? A play, with consequences for all protagonists that will be forgotten about once the trial is over, as we lose the characters of a fiction when the final word is written on the page, or uttered on the stage.

When it comes to modern courtrooms in the United States, the first courtroom play, as found by Thomas R. Long (1966) would be from 1771. A play, anonymously written named *The Trial of Atticus, Before Justice Beau, For A Rape*. One might notice a name we have

discussed, and will discuss again, as well as a topic that is at the center of the *Mockingbird* trial, though Harper Lee has never, as far as I could find, acknowledged this play. Long limited his study to “American plays in which the main concern of principal action of each play takes place in a courtroom. It was further required that each play discussed to have a minimum of approximately one-third of its action as courtroom participation.” (p.3). With this criteria in mind, he found sixty-six plays to meet these requirements, a list that finishes in 1966.

In more recent years though, as the media found a place in courtrooms and since trials can now be televised live, they have taken on a new shape, as the audience grew far beyond the hundreds for well-publicized cases. While judicial decisions have always been able to mark history, now enters a court of public opinion that makes the representation at court even more important than the verdict itself. The judicial system and its broadcast have been weaponized since the very first live broadcast trial in the US, the Scopes trial, in 1925 — a case that could almost be seen as a theological contest as it regarded Tennessee’s Butler Act of 1925, which had made it unlawful to teach human evolution in state funded school. This ideological debate was at the center of the trial itself, yet, it is noted by Edward J. Larson (2004) that this trial was first and foremost a “publicity stunt” (p.211). One regarded with humor by the press, fueling the opposition between Northern and Southern states. Some high-profile lawyers involved in the case and politics also used it as a platform. A fictionalization of the trial led to the creation of the play *Inherit the Wind* (1955), turned into a movie in 1960.

Another shift in this sort of high-profile trial was marked in 1995, with the O.J. Simpson trial, a trial often dubbed ‘The Trial of the Century’. This criminal case saw football player Simpson being tried, and later acquitted for the murders of his ex-wife, Nicole Brown Simpson and her friend Ronald Goldman. For Kimberlé Crenshaw (2005), the jurist behind the current use of the term intersectionality, this trial attracted mass attention because of “a fascination about race, about sex, about death.”, three ideas that have been here merged together, for OJ is a black man, and both victims are white. She says “these are themes that are deeply part of the American racial psyche, and here it was all laid out on this television stage for people to consume and consume and consume, and that’s what they did”. The idea of the staging of a trial, even for a camera is more than present here - and this trial marked the beginning of an era where the winner of a trial was not necessarily defined by court of law,

but court of opinion, the audience, wider now, taking precedence over court of law. This leads the jury to become a character, even if their anonymity is preserved to some extent, and as Crenshaw explains in her interview, what shocked her most following the trial was the reaction of those she describes as “middle-of-the-road to liberal people”, who blamed not the prosecutors or the procedure, not the cops knowing the rules but the jury, quickly “made into an all-black jury” by the court of public opinion even “it was a multiracial jury”, quickly “framed in stereotypes”. All of this showcasing efficiently just how ingrained societal issues are not only to the public opinion, but to courts of law. Race played an important factor, and so did gender, and gender-based violence. Rather than justice, or truth, people cheered for “a moment of the American dream when the criminal justice system can acquit an African American man who's accused of murdering a blond woman.”, as well as “the brilliant performance of an African American lawyer who was able to use his skill, use his savvy, master his case, master the law and achieve justice in a system that many times did not deliver justice for African Americans”.

This trial started an era of hybridity for the courts of law. Not content with fictional ones on the stage, or on screen, not content with historical reproductions, we are now at a stage where trials are broadcast, and the public opinion is as important as the opinion of the court. TV Channels such as Law & Crime network end up broadcast trials 24/7, usually high-profile ones. From school shootings, to conspiracy theorists, some will echo the news. Others will exploit our society's systemic faults to easily cast the protagonists of a case as fodder characters that might not need much of an explanation, but that you can binge watch at any time. Of course, what sells best might be celebrity trials - for their public relations tactics are aimed directly at the audience at home, and even at times their defense tactics. For a recent example, the very publicized case this summer that opposed actors Johnny Depp and Amber Heard pulled in number records in viewership on the live streaming platform Twitch, and just as many memes on Tik Tok, extracts turned into quips and funny one-liners that might seem a bit strange when one remembers this case was first and foremost one of diffamation, spousal abuse and rape. In a 2022 article, professor of Feminist Studies Leigh Gilmore explains that Depp here seems to have used the court of law to “to make good on his promise to unleash “total global humiliation” against Heard.”, showing that his strategy was apparently to use the court as a weapon, and to negotiate a televised trial to use the public opinion to his advantage, using fairly patriarchal rhetoric, using that to his advantage, especially as the jury was not sequestered away from said public opinion. A. O. Scott (2022),

from the New York Times wrote “Even before the verdict came in, Depp had already won. What had looked to many like a clear-cut case of domestic violence had devolved into a “both sides” melodrama.”, calling out that “the convention of courtroom journalism is to make a scruple of indeterminacy”. Not only does this show a certain malice, it also is a perfect way to showcase how, nowadays, the courtrooms are becoming far more than theatres - for they have a much wider reach. The reach of radio, television, and at times worst, the internet - making them quite the platform to repair a severed reputation by leaning into the fictionalization of events, and an uncertainty that is what might have attracted people to courtroom drama in the first place.

Courtrooms are now places where a wide audience is addressed directly, rather than the jury, as if taking lessons from years of theatre, and fiction, overall. Going past the chorus, we send our address farther. Taking lessons from all those times throughout history that the audience was ever addressed, asked to judge the character of a story, their morality, where they stand amongst them. By codifying the courts, it seems humanity fell into codifying a fourth wall between them and the world, one that acts as a magnifying glass towards every single flaw of society, every systemic issue, almost sacralizing them, but also making them seem fictional, harder to empathize with if the cases do not follow tropes, or show a very black and white ‘right or wrong’. As audiences in theatre have lost a sense of community, by cultivating quietness in front of the stage, audiences of courtrooms have grown, for they are addressed far beyond the court, and given space to interact and choose to take sides, a plaintiff’s or a defendant’s, which might as well be what the professional actors are play are looking for in high-profile cases, using this sensationalization to their advantage.

A. A space for show and tell

The reality of the closed space and the immersive experience.

If any aspiring writer tries to look up writing tips to better hone their craft, the possibilities of them coming across a simple sentence: “Show, don’t tell” are very high. A piece of advice easy, well-known, yet, one that at first glance, seems it cannot be applied to the courtroom drama. After all, the topic of those seems to be the case at hand, and showing a crime being committed, or not, might ruin all stakes, as with a murder mystery. The thing to consider here is the shift in focus that has to apply for a courtroom drama to work. Here, what

matters is not whether or not the culprit is found, for what challenges the morality of many courtroom plays is not the result, but the system, and what one can show about said system. A writer who wants to write an efficient courtroom scene will not write a scene about a crime, but about the courtroom, the judicial system and the society that codified it. While real-life trials might fascinate people for they might make their own opinion on a case, often with no legal basis, a courtroom drama introduces the idea of a meta-narrative by definition, of the setting being examined as much, if not more, than the story, and the case for the truth. The story is shaped to fit a narrative, a moral, not the other way around, making courtroom dramas as inherently political, about the judicial system and the human faults within society, rather than about a specific gruesome case.

Shifting this focus in writing, in the narrative can be possible in many ways. The goal being to exploit as best as possible the multiplicity of realities, of point of views and possibilities, to make the audience question testimonies and keep in mind that no participant in a court case is objective in any way, all of them with their goals and objectives, all of them with their truth to defend. From this, crafting a narrative that starts and ends with the courtroom seems the most common option, one where the context at hand does not necessarily need to be explained, and the protagonists would be introduced as they traditionally would in court. And one where the main character of the court is the court itself, its inner workings, and how they reflect the entire world outside. Tom Rosenbaum (2015) wrote that “artists tell stories, and stories about the legal system are laced with human vulnerability. They are cinematic not because they are visual, but because the human experience - in all its complexity - is on full display.”. What he calls human vulnerability might as well be human faults, a misjudgment or a mistake, as much as it is a collective human experience of a system of races, social classes and social cues and codes that ingrained into each of us, that in a courtroom drama fills closed spaces, to only burst as the verdict comes. A verdict that is often a quintessential expression not of justice, but of a society’s opinion with its deconstruction, or reality often showcased by the narrative.

Some plays that are not courtroom dramas might use the judicial process to showcase societal issues, both regarding the inner workings of the law, and social classes in general. One might think about Susan Glaspell’s (1916) one-act, *Trifles*. A play written during the first wave feminist movement, it contrasts the behaviour of women in the public and private spheres. Never once, in this play, featuring attorneys, sheriffs, witnesses, and, in an unlikely

turn of events, their wives, do we set foot in a courtroom. Yet, the way it is framed has more in common with a courtroom drama than with your typical murder mystery.

The point here is not the murder, as the characters discuss and investigate the death of a man, possibly murdered by his wife, but an exploration of a societal issue regarding the law, which is a certain gendered bias. By exploring and analyzing the space, in which they are somewhat metaphorically imprisoned, left behind due to domestic roles' expectations, leaving the men to the investigation outside. They figure out, unlike their husbands, that it is likely that the husband was killed by his wife, after he himself killed her bird, the one piece of evidence. They manage to come to the conclusion that said wife was a victim of domestic abuse, and decide to hide the bird. A dead bird that could be used to build a strong case against her, but one that would never be brought before a fair jury. Glaspell adapted this play in 1917 into a short story named "A Jury of her Peers", making even more obvious that Minnie Wright, the wife, could simply not have gotten a fair trial, as women, back then, were not allowed to sit on juries. Here, the case is made without ever making it to court, and the verdict comes not through words, but an action : the hiding of the bird. A protection, somewhat of an absolution given by a jury, never named, but of her peers. By the absence of a courtroom, by the choice of these characters, the inability for the judicial system to serve righteous justice when it comes to gender-based violence is showcased, as much as the awareness of it by an entire social class, thus of women. In a patriarchal world, the only way to reach a fair trial was not in a courtroom.

Another outlier in the history of courtroom drama, and one of the most famous ones, might be Reginald Rose's (1964) *Twelve Angry Men*, in which we witness not the trial itself, but its most anonymous phase - a jury's deliberation. First a teleplay in 1954, then a well-received movie in 1957, the play premiered in London in 1964 before being produced all over the world, including on Broadway in 2004, and going as far as to get adaptations in France, Pakistan or Russia. Exploiting a closed space within a closed space, our characters must discuss to be freed from this jury room in the heat. The twelve jurors are the only characters we see in this play, at most, we hear the judge's voice, and those who usually must speak as one are finally heard as individuals, dissenting voices. With that, part of the codes that usually come with the idea of a courtroom drama are stripped off, no attorneys, or any of those roles we have come to know, and a jury that finally speaks made up of twelve people with twelve unique identities. Twelve people that will only be freed if they come to an

agreement, deciding if a sixteen year-old is guilty beyond reasonable doubt of having murdered his father. At the beginning, eleven seem to agree on his guilt, while the last, juror 8, insists on some discussion before reaching a verdict, saying he will not vote guilty as reasonable doubt exists, despite the case, as exposed by the jurors amongst themselves, and to an audience, seem clear-cut. Hearsay, as they report on a case they only have second hand knowledge of, the knowledge given from the trial. Slowly, the eighth juror draws their attention towards discrepancies in the procedure, as well as towards their own flaws regarding the ability to deliver a fair verdict. The last juror to be convinced, Juror 3, reveals by the end that what leads him to wanting to vote guilty, what leads him to believe the boy they're judging is guilty is his own relationship with his estranged son. Here, as put by Rosenbaum "Rampant prejudice and prejudgment serve as substitutes for thoughtful deliberation.", and Juror 8 turning the debate around is both a lesson in rhetoric, and one examining the struggle of "Twelve men balancing the evidence with their sum certainties and reasonable doubts". Balancing facts, and their own realities, coming with baggage, and each a different history, or socioeconomic level.

By locking them in such a tight space, with no more movement than "pacing men wearing pained faces" on a hot summer day, nothing matters more than words. The tight space shows them suffocating under this decision they must take, for it reveals as much about themselves, if not more, than it does about the case. And through that, reveals to the audience a flawed humanity, that, if it were not for one juror insisting on examining both the case and what brought each of them to want to vote him guilty, would have been sentencing a boy possibly innocent to death. What some saw as a common man resisting against lynch mob mentality is just as much a man standing up to the ideals of a system that lead us to believe a jury is by definition neutral, a collective voice. It shows they are nothing but the sum of their individualities, characters of their own, rather than a fictional chorus.

Now, most courtroom dramas will introduce the trial as it could be seen from a live audience, if walking into a courthouse, and entering the first available room. Thomas R. Long, in his thesis examining the history of the American Courtroom drama defines the genre by its space saying that "the term courtroom play refers specifically to those American plays in which the main concern or principal action takes place in a courtroom" (p. 16), adding immediately after that "the term courtroom may mean an actual court of law involving all levels of civil courts, a Federal court, a military court, or (...) any court the playwright has

manufactured to resemble an actual court of law”. His definition, focused on the courtroom drama rather than the legal drama aspect would not have included *Trifles*, or *Twelve Angry Men*, as it is so focused on this spatial aspect, and tightening the subgenre of legal drama that is the courtroom drama. His pilot study of courtroom drama revealed that, between 1919 and 1956, solely, one-hundred ninety-two professional productions in New York included, to some degree, action in a courtroom, which would be an average of five plays a season. Out of those, only thirty-five counted towards his definition of a courtroom play, where at least a third of the action had to happen in the courtroom itself.

While it would be difficult to say if the average of one play a season, in New York, being a courtroom drama is still the same nowadays, one can see the genre is still popular. The space of courts of law is ever as important in the minds of Americans, and still as culturally represented, whether on stage or on screen. Now many stagings of courtroom dramas or courtroom scenes have been traditional, staging a replica of the trial on a proscenium stage. Yet, as time passes, and as the popularity of immersive theater and site-specific productions grow stronger, it becomes more and more common to see courtroom dramas blurring the lines between reality and fiction more than they ever have, by imitating or invading spaces to truly mimic a proper trial, some going as far as using audience participation to possibly change the issue of a fictionalized trial. It becomes unnecessary to think about adapting the space of the court to make it palatable on stage, to avoid seeing actors’ backs and respect rules of proper staging if it is the audience we bring into a pre-conceived space, after all.

In England, Agatha Christie’s (1953) *Witness for the Prosecution*, first produced on Broadway as a traditional courtroom drama got its first site-specific production in 2014, at the York Guildhall, in the city’s council chambers. Another courtroom staging of the same play opened in 2017 in London, at the London County Hall, where it is still running today following a COVID-19 hiatus. An experience described by critic Greg Stewart (2022) as “a unique experience”, giving to audience members who take a seat amongst the jury “the sense of responsibility a jury might have felt”, as the play is “set in the days of capital punishment”. A willing suspension of disbelief that goes farther than accepting the world on a stage is real, for the audience is now part of it. A willing suspension of disbelief that cannot be complete, if the audience member wants to find in such a responsibility a sort of entertainment that is not completely morbid. But what is of note in this site-specific production is the fact that, like

other courtroom dramas, it has scenes beyond the courtroom, namely, in a pub. Yet, the audience cannot move from the old debate chambers, and here they are, turned into anywhere else, turned into a courtroom, and a proper stage. The courtroom, with talent, and a little bit of design, is turned into anything. A statement that might echo what happens in proper courtrooms, when the evidence and good storytelling almost make a story appear out of nowhere. In the Guardian, Michael Billington noted that “the play’s appeal lies not just in its mystery” — something Christie is known and revered for — “but in its courtroom formality, and its reminder that the law itself is a theatrical ritual”, once again stressing that there is a reason audiences obsess over courts, whether in the United States or over the pond, for its decorum is inherently theatrical, something immersive production only come to underline.

Back in New York, Off-Broadway, this time, a similar kind of experience was offered to the audiences of *The Trial of An American President*, which opened in 2016 at the Lion Theatre, for a two-month run. Here, rather than a story, we enter a fictional exploration of an alternate reality. The play is after all taglined as ‘What If?’. This three-people play inhabits a black box theatre with the most minimalist staging. An actor, originally Tony Carlin, sits playing former president George W. Bush. The plot is simple - a scenario in which Bush would abandon his retirement to travel to the The Hague International Criminal Court, to be prosecuted over alleged war crimes. The other characters of the play are a prosecutor, arguing his case against Bush, and, something more uncommon for a courtroom play, an unnamed narrator adding in facts, and context, making seemingly as much of a case against the former president as the prosecutor. On the black wall behind them, often, projections of testimonies, as Bush tries to defend himself. Yet, he is there, in this staging, alone. Burdened by the weight of facts, rather than by a judiciary system that might have favored him. He is, on this stage, the only person on his own side. On the other, prosecutor, testimonies, and the facts. Facts represented by a narrator that, in many literary ways, is considered the voice of reason, for she is shown as an impartial voice delivering context, and not shown to be biased, or untrustworthy to the audience. An audience that might find the fourth wall difficult to find when dealing with such speculative history.

By the end of the play, nineteen members of the audience are selected for jury duty. They get to vote to acquit or convict the ex-president, following a seventy-five minutes exposé. Inhabiting both the parallel reality of this trial, and their own, as people who possibly suffered, or approved, the actions of his mandates. A courtroom play as a political tribune,

holding accountable a former president, yet showing him as a human one might be able, if not to empathize with, but to pity. Here, the courtroom is staged with an emptiness that seems to stress the falsity of the case. A case that is nothing but a fantasy for the author, one that will never be tried, for as the judiciary system is not here, on stage, in full, it will never be. The topic at hand here is not the court, or the judicial system, but the lack thereof, especially as Bush himself undid the agreement the United States had with the ICC. And that might be why he only get a prosecutor, and no defense counsel to defend himself with. At times, the absence might be as meaningful in staging as the presence, just like convicting or absolving him, even in an alternative reality, might have led to the catharsis necessary for some members of the audience, selected for jury duty, as they surely came in with their own baggage regarding the man's political history, as any jury would come with baggage leading them to having an opinion on a case tried.

Whether traditional or immersive, every staging of a courtroom drama, or a legal drama, as similar as it might seem at first glance, for it portrays the same institution — with nuances regarding geography and type of court — has something to say. The use of space in such a piece, one that is usually full of verbiage, and little action, is important. On one side some choices are made in writing, those of the spaces inhabited by the characters. Those will be carefully picked to best serve the intentions an author wants their narrative to carry. Whether they list three characters or the entire court living in it has its importance, as does the heat in *Twelve Angry Men*, or the domestic spaces explored in *Trifles*. Spaces are inhabited by as many social codes and cue, even more spaces such as courtrooms, so the choice of how they are later on portrayed through set design and staging is of the utmost importance, for even an immersive production, or a proscenium aiming to replicate the feel of a courtroom might lead to questioning, and especially questioning of the judicial institutions, where each space is as filled with theatricality as a theater stage.

B. Dramatization of real-life events

Approaching the Truth through romanticization

While some courtroom and legal dramas will at times appeal only to the imagination of their authors, it is often that the genre appropriates historical facts, events, and proper trials. By fictionalizing them, reappropriating and rearranging the narrative of previous trials, authors find ways to use history to create metaphors about the truth or current events that might be even more efficient for they call to events people have at least of, or, on the other, shed light to these events by fictionalizing them. The line between reality and fiction then is often examined, for such works will make creative changes, or at least fill in the blanks of history and actuality to present a compelling story. This is not something that every person possibly involved, or with stakes in said history might like, for while the theatricalization of events has its perks, it might also give wrongful ideas about history to a casual viewer, uninterested in learning more about the actual facts. Yet, using history for metaphors has its perks, avoiding censorship, or drawing attention to dangerous parallels. So what is the influence of those dramatizations on creativity, on truth, and on their present ?

One of the most well-known trial plays in the United States might be Arthur Miller's *The Crucible* (1953), a play depicting a partially fictionalized version of the Salem Witch Trials, which took place almost three centuries prior to the writing of the play. As Henry Popkin (1964) writes, Miller used the play as "a comment on American Life of his own time" (p.139). Indeed, while it borrows historical elements, it also draws parallels between the Salem Witch Trial and the examinations and interrogations of potential 'radicals' under McCarthyism. The House Committee to Investigate Un-American Activities tried their best to managed to unveil any possible communist danger, and required their witnesses to tell not only about themselves, but about others. Popkin, in his article, defines McCarthyism as "ruinous accusation without any basis in evidence" (p. 139), something that, indeed, can easily be associated to the common idea of a witch hunt, where a lot of finger-pointing happens, often not joined by much more than testimonies feeding off irrational fears. It might be interesting to note as well that both historical events that Miller, a Jewish man, chose to parallel, were two parodies of justice facilitated by antisemitic rhetoric and prejudice.

In a piece from the New York Times, Miller wrote “*The Crucible* is taken from history. No character is in the play who did not take a similar role in Salem, 1692.” - the key here being the word similar. He recognizes himself, in *A Note on the Historical Accuracy of This Play*, that he went on to make some changes, namely, conflating all the judges into two. Here though, he does not make more of a matter of changing the age of Abigail Williams’ and John Proctor’s, one increased from a child to being in her late teens, the other made younger for his real-life counterpart was in his sixties when he was convicted. Even that one of the men whose name he used as one of those ‘symbolical judge’ actually was recorded as being critical of the conduct of the trials and did not sit at this court. Yet, one must wonder if this all matters? Of course, this piece should not be taken as history. Miller’s goal, when writing this play, or the script of subsequent movie adaptation was not written as a living lesson following exactly what happened in Salem, for people to learn. While he seems, from his New York Times piece, to have been deeply marked by the history of the Salem trials and examining the town records and retranscriptions of the trials of the time, as Popkin puts it “The Crucible dramatized the phrase that was popularly being used to describe the congressional hearings — ‘witch hunts’. He has never permitted any doubt that the parallel was deliberate ” (p.140). Indeed, in both the introduction to his Collected Plays and the text of the play itself he calls attention to contemporary references, inviting comparisons between the hearings, despite them seemingly not having much in common. The parallel is not perfect, for no situation throughout history will be one to one the same to another. Yet, the impact is there, to an audience of his time, as they see the town of Salem crumble under the weight of mutual accusation, of falling to the idea and methods of mob mentality, and Puritanism.

Inherit the Wind, a play mentioned earlier in this thesis is also one that digs its hands into a real-life trial to contrast it with the McCarthy trials. A trial well-documented, despite no recordings existing, due to the noise the Scopes vs Tennessee trial made in its time, and as it was, as specified earlier, the first trial to be broadcast on the radio. When the play was revived on Broadway in 1996, playwright Jerome Lawrence told Newsweek “It’s not about science versus religion. It’s about the right to think. We thought ‘Here’s another time when there was a corset on your intellectual and artistic spirit.’”. The play was written as theatre, not history, as they fiddled with details, identities, places or events, rather than solely dialogue. Even the main character is not even named Scopes, possibly because the play was written in 1955, thirty years after the fact, as the real Scopes was still alive - much like many of the protagonists of the actual trial. In this trial, truth is an important theme, as whether or not

Darwin's theory of evolution should be taught is debated, and it seems this attracted the attention of other playwrights. After all, while a note at the beginning of *Inherit the Wind* specifies that it is not meant to be an historical account, at least two other playwrights took it upon themselves to create other, 'more accurate plays' about the case. First, Gale Johnson's *Inherit the Truth*, under a title clearly acknowledging the previous fictionalization, in 1987, and then a second one, by Peter Goodchild in 1993, entitled *The Great Tennessee Monkey Trial*, based also on original transcripts of the trial. First a creative interpretation, and then two that claim to be historically accurate, or as close to it as they can be. One might wonder why two would be needed, then, or, with all that, where the reality, the truth of those fictional representations lie.

“There are strange, even weird memories that have connected themselves to this play, and these have to do with the present, and it has all got mixed up together”. Here's what Miller wrote, too, in his piece about his journey to Salem, when writing the *Crucible*. And isn't that, in and of itself, the making of such a play, of such drama ? Not the metaphor itself, but the reappropriation, the adaptation of facts to better stage them, to better give them a current, present meaning. The meaning an author might want to give it, or one given as well by a director, by any actor, by any person projecting onto it, even just an audience member, coming in the room with their own past, their own history, their own journey. To make a collective experience out of this history. The same as with fiction, and how any sort of a theatrical drama is not solely the creation of its writer, but also how it is acted, staged, received, a play that manipulates historical events and proper retranscriptions is as much as manipulation as any other. A reproduction cannot offer more, as hard as one might try, than a fraction of the Truth, giving us a glimpse, at best, onto how an author, in their present, might perceive that history, paralleled with their reality.

3) An old story, a new jury: The case of *To Kill a Mockingbird* (2018)

Addressing the adaptation, the courtroom drama, a new audience, and their interactions.

A. Finding an Audience

It is common for theatrical productions in New York City, especially in the case of Broadway productions, to send out advertisements to theatregoers of the tri-state area before the opening. A way to make audiences aware of the existence of a new play or musical, and tell them a little more about it. Prices, some visual information, a title, some recognizable names, and, most importantly - a synopsis of sorts to better guide the potential spectator. On the first mailer for the 2019 production of *To Kill a Mockingbird*, one is noticeably missing. Of course, the play develops its own visual identity, a serif font in red and white on sepia pictures, injecting in a little nostalgia.. Two of those pictures are on the back, depicting a Southern neighborhood, and another, taking up the centerfold is of a courtroom. A title, names, discounted ticket costs for previews, from the beginning of November to mid-December, and an opening night for December 13. A commercial offer already states that

the best availability is in February. Before advertising to locals even began, tickets had been selling quite well, and the play was set to break box-offices records, carried only by the little information on that advert.



Yet, no mention of a plot on any of the four folds, when two are dedicated to rave reviews — not of the play

itself, which has not gotten any run before Broadway, something typical of recent Scott Rudin productions — but of Harper Lee’s novel. Her name appears above the title, along with the raves. “Long Live the ‘Mockingbird’” a phrase taken for the New York Times was pulled over Shubert Alley on September 7, 2019, for the Marquee unveiling. Words, again, not written about the play itself, but about the original novel. A novel that, as we have examined previously, is a staple of American Literature. One that most Americans have read, and cherish. A name that sells. Yet, this sense of advertising also means the play is meant for the All-American, a commercial choice when, per the New York Times, tourists make up seventy per cent of the ticket sales, many of which are international.

One could think this play defied odds, when it broke box-office records, for plays and musicals carried by well-loved names have also failed. But what this advertising strategy shows is that the play found its audience, and aimed straight at it. An audience already familiar with the book, a novel that is often shared between generations, and that does not intend on replacing it, but on walking hand in hand with it. Harper Lee’s name, after all, is just as big as Aaron Sorkin’s on the pamphlet. Interviewed by CBS Sunday Morning in 2019, Aaron Sorkin describes his work as “a quarter-turn of a wrench. Slight adjustments that make the story more relevant today”. When, in the same report, some of the actors from the show visit a Bronx middle school classroom, the students speak of studying the book, before coming to see the play. This play seems to have been written, from the beginning, not as a free adaptation — which the Harper Lee estate might not have approved of, given they have already tried to bring a draft of it to trial for what seemed to be minute details — but as an update, a type of adaptation that goes hand in hand with the material it is adapted from, rather than one that digs its roots in it before improving too much. Of course, the narrative structure is different, the staging can not be compared to the page, for two mediums are different, inherently, and even the characters are built around narrative arcs. But it is to be remembered that this play, while it can be understood alone, seems to be meant, first, for an audience attached to the original novel to some extent, or at least, to its cultural impact. To those already familiar with Atticus Finch, especially, and the sense of empathy passed on to his children, and to generations of Americans.

In one of the snippets chosen, the original novel is described as both a “cultural touchstone” and “the last book we all read together as a nation”, a quote attributed to the New York Times. This defines an audience whom you do not to summarize things to, for they

recognize a name that has almost been promoted to a brand, aimed specifically for them. With such a marketing tactic, if reading the novel alone was a collective experience, ‘as a nation’ — calling back to the school days of many — those who want to replicate that feeling of community will be attracted to the theatre, automatically, strengthening the morale of the play, for, once staged, within an audience, it can only be received as something collective.

An audience already familiar with the material, with the story, and possibly other adaptations might come in with prejudice, of course, wanting to like or dislike the play presented to them. Finding the perfect balance between what they know and reinvention is necessary, as is allowing suspension of disbelief for them to still empathize with characters and reach catharsis, even when knowing how the events of the play will unfold. Sorkin rearranges the entire narrative structure of the play, arranging it around the trial, of which all know the issue. What unfolds on this stage, in the end, is a play, an adaptation, something the audience is never allowed once to forget. Even when the audience is not addressed directly — and it is at many points — metatheatricality is inherent to a writing that relies so heavily on what the audience knows and on so much intertextuality. Constantly, the audience is brought back not only to their memories of the original material, but what made it evolve into what is presented on that stage. Into how the world outside evolved so this play could be brought to life. By definition, its nature as an adaptation written specifically with the fact in mind that most of the audience will be familiar with the material bring the medium to attention. It is a key aspect to understand how this play is built, and received.

B. Shifting the focus

1. Building a Sorkinian protagonist

In a *Los Angeles Times* interview, writer Aaron Sorkin exposed what, to him, is the main change of his *To Kill a Mockingbird*. He narrates an encounter with producer Scott Rudin in which he was given a note saying “Look, Atticus can’t be Atticus from the beginning of the play to the end. He has to become Atticus.” This made him come to terms with the fact that the character he, like many Americans before him seemed to have been fascinated by, is not the protagonist of *To Kill a Mockingbird*.

If, in Harper Lee's novel Atticus is a figure that does not evolve, it comes partly from him being a supporting character, the voice of wisdom for his growing daughter. It is also because the character is heavily inspired by Lee's own father, someone she did not wish to see flaws in, someone whom she idolized, much like Scout idolizes her father. A molded heroic figure that ended up being an inspiration and an icon to many Americans, one that aspiring lawyers have cited as being their inspiration. Atticus became a figure to be listened to, an icon of American culture. Gregory Peck's Atticus was the same as on the page, unwavering, righteous, and never once flawed. Yet, as Charles McNulty (2019) puts it in, Sorkin and Daniels' Atticus is widely different. "If he's a hero, he's a shambling, fallible, tentative hero, whose faith in the essential goodness of his neighbors blinds him to the intransigent racial hatred lodged in their hearts." More human, and a protagonist with his own narrative arc, with his own growth, at times echoing the growth of American views on anti-racism and living together since the novel was published. From a sense of empathy and color blindness to acknowledging systemic societal imbalances, as Sorkin put on NBC's 60 Minutes, an Atticus "forced to wrestle with the question of 'is there goodness in everyone?'" after spending a good chunk of the narrative, in both novel and play, excusing racist behavior from his neighbors, trying to understand them. Cultivating those parallels with present issues and historical mentality evolution is another thing that, once again, draws audience's attention back to the manufactured nature of theatre, existing in an in-between liminal space.

The most telling example of Atticus' evolution in the play might be its epilogue. At the end of the story, Bob Ewell, humiliated, tries to murder Scout. It happens that he is murdered before he succeeds, by Boo Radley, the neighbour down the street that the children seemed so scared of during the entire play, a mentally disabled man. This murder is covered up to protect him from judicial repercussions, given it seems understood the man would not get a fair trial. While white, disability has led him to be feared by others, rather than helped. In the novel, a discussion goes on about the scuff between the Sheriff and an Atticus, very convinced that the culprit of this murder is his son, not wanting to quiet down about it for a cover up would be unfair, a bad start in life for Jem. Tate demonstrates how Ewell could have fallen on his knife, trying to convince Atticus, before bursting "Goddamnit, I'm not thinking of Jem!" (p.302) to explain why he wants a cover up, leaving behind a decision — that the official version would be that Ewell fell on his knife, and a shell-shocked Atticus. Later, he raises his head to ask Scout if she could possibly understand. She says she does, and echoing his earlier words, replies that "it'd be sort of like shootin' a Mockingbird" (p.302). Here, a child has learned

from her father, and he has been forced to accept the decision of the Sheriff. A just one, rather than a lawful one. She is the one bringing to this statuesque man who does not evolve throughout the play, showing she has learned from, closing her arc, and helping him come to terms with this cover-up that he took no part in.

In the play, the situation starts out in a similar way. Jem and Scout were brought home by Radley, hidden in their room, yet, she is not present when Atticus discusses what to do with the sheriff Tate and the judge Taylor, a conversation overheard in the book as she is sitting on the porch with Boo Radley. Similarly as before, he starts off the scene thinking Jem is the murderer of Bob Ewell, “a clear-cut case of self-defense”. While the sheriff’s lines are very similar to those he gets in the book, insisting, along with the judge, that Ewell has fallen on his knife, here, Atticus argues, rather than observing, loudly. “That’s not even a-No one has ever fallen on a knife”, he says, provoking, often, audience laughter. Raising his voice, something that at no point Atticus does in novel or movie. Something that almost would be hard to imagine the stoic Atticus doing, if he was not, in this iteration, more of a Sorkinian hero, than Lee’s Atticus.

After all, Sorkin’s heroes tend to have a habit of arguing, often at length and passionately. Raising their voices to get a point across, from Josiah Bartlett (*The West Wing*) to Will McAvoy (*The Newsroom*), those men tend to be eloquent, yet prone to bursts of emotions. In his rambling about Jem using self-defense, Atticus admits, almost in a throwaway sentence, that he does not know ‘with these people’ anymore, speaking of the people of Maycomb, the same that made up the jury that decided Tom Robinson was guilty. Something he never admits once in the novel, or the film. In the first, he stays ever optimistic, one of the last sentences of the book is him telling Scout that “Most people are (real nice), Scout, when you finally see them.” (p.309) A faith in community and humanity unwavering, possibly because the sheriff proved him right in a way, did something nice by covering up Boo’s actions.

In the novel, as he comes to terms with the fact that Boo murdered Ewell to save his kids, he goes silent. Almost tetanized. In the play, he is an active participant of the discussion with the sheriff and the judge as they show him the knives, giving him an explanation full of ‘perhaps’, to avoid pointing fingers at a culprit in the most legal of ways. Yet, the explanation is explicit, whereas in the novel, the reader is left with Atticus’ silence to work out on their

own that Radley is the murderer. If the sheriff and judge do get the final word, they speak up. The judge is the one to bring up that a trial would not be fair to Boo for “half the town already thinks he stabbed his father with scissors, they think he was the leader of a gang, they think he’s a dangerous man.”, bringing Atticus growth, and publicly disavowing his own faith in the judicial system, the very same one he is supposed to represent, choosing here to represent Justice instead. And he is the one, here, to turn Atticus’ words back against him, saying “I think it’s a sin... Like killing a Mockingbird”, to convince Atticus. He worries still, about morality, lying to his children. About the fact that Scout might have seen more than she lets on, which really, she has not.

He is not the only decision-maker here, of course. But he appears clear-headed, and in the next scene, explaining to Calpurnia that there was a “second knife”, trusting her with the truth of the events, when she understands that “Boo Radley killed...”, he corrects her. He corrects the truth she came to understand to replace it with the police version. “Bob Ewell fell on his knife.”. Here, he actively collaborates with the cover-up, bringing his narrative arc to an end, bringing forward his awareness of the impossibility to trust a prejudiced community. From the Atticus he was, from the stoic father who believed in empathy and justice, from Lee’s Atticus, an heroic icon who inspired many, here, he shows himself a man proven wrong, disillusioned. Of course, he was Sorkin’s Atticus from the beginning of the play, from the first arguments with Calpurnia that he lost, from the first moment he raised his voice. But here, in those last scenes, turning to an old Bible in his chair, saying that “Joy Cometh in the Morning” — echoing the lyrics of a Christian hymn Sorkin has previously used in the West Wing — he seems more human than ever. More righteous than he was in court, fighting against windmills, for he now knows certain decisions must be made for the greater good, for better Justice, behind closed doors. For he now understands, to paraphrase a president quoted by Sorkin on CBS, that his downfall was caused by believing there are not “good people on both sides”.

2. *Reclaiming unheard voices.*

With a fallible hero, flipping the script becomes necessary. If Atticus’ sense of morality is shown as flawed, or even so, his fatal flaw, someone else needs to be the moral heart of the play, in a way that might balance him out. Throughout the play, her role is expanded, for in the novel she is often seen as scarcely more than a prop for the white

characters to grow. While, of course, the protagonist of *Mockingbird* is still Atticus, and to an extent, Scout, she stands as a foil to him, at times, and what LaTanya Richardson Jackson describes as the “moral compass of the family”. In the original story, nothing would lead a reader to guess she would argue with her employer, but it even seems she shares his point of view towards empathy. In the play, her role is different, as she becomes what Sorkin described as “a new Calpurnia”, in a Los Angeles Times interview.

He describes how she became a “logical antagonist”, and despite Lee’s estate originally being concerned that a typical black maid in the South wouldn’t talk to her employer in such a way, the production managed to keep those changes and expand her role. As Sorkin puts in that same interview, “I couldn’t pretend that I was writing the play in 1960. I had to be writing it now.” Here, he does not concern himself with historical truth, rather with characters that could resonate with a current audience, echoing words that could not have been uttered in the Jim Crow South, yet that might be honest to what they felt. To what black people of today might feel when looking back at that history, or confronting white people willing to excuse racism. The historical setting is an excuse for the story to unfold better, but it is not used as a gag order, as more room is made for previously silent characters to voice their truths, and opinions that differ from Atticus’. A distorted mirror of historical reality to better serve a story, allowing twenty-first century actors to reclaim the voices of their characters.

Sorkin often brings up the courtroom scene from the movie in which, after the courthouse is empty of white people, the black people in the balcony stand in reverence as Atticus leaves. One that was his favorite scene, his father’s — yet inherently flawed, for he points out the black people are here used as props, extras, not given a voice, just standing grateful to a failing white savior for finally being on the side of those marginalized. Something that should be normal, not glorified. Something he calls a “liberal fantasy”, that he decided to turn upside down, while taking time to explore that gratefulness expected of black people by some of their allies, hoping to be patted on the back for speaking up, or like Atticus, doing their job in a just manner. A behavior that, in 2018, should not be seen as exceptional.

So nobody stands at the end of the trial, it is no heroic moment, just a tragedy. But a scene was added, one that Scout could not see. It’s not the first scene that breaks the pattern

of a memory narration we follow through the eyes of the children. A similar one appeared in act one, after Scout describes a “kind of tension between Cal and Atticus” that no one came to understand. This first scene shows Calpurnia setting the table, while Atticus is rambling on, trying to make her laugh, vaguely lending a hand. She asks if he’d like something to drink, doing her job as the Finches’ maid. He assures her that he can see she’s been angry at him, does not allow her to deny it, going on about the history of the term ‘passive aggression’ came to be, describing her behavior as such. As he keeps on insisting, she asks him, finally, why he “wants his kids to be respectful of Bob Ewell”, the father of the plaintiff in the Robinson trial, a character who is introduced as definitely racist. She mimics his voice, making of him and his thoughtful, empathetic, non-judgemental sentences “Who’s a man to judge another man?” she says, in a most-exaggerated tone. “See kids, you got to crawl around in another man’s skin!”, before asking, again “What is the virtue in teaching Jem and Scout that Bob Ewell should be treated with respect?”. His answer is a simple one “The virtue is that it’s virtue”. This discussion already puts in the ground the hypothesis that he might be wrong about it, miscalculating the impact that his empathy towards racist neighbors might have on the man he’s trying to defend, or on the few black people surrounding him. And if, possibly, a black maid in the South would not have talked like this to her employer, her voice here becomes necessary, if Atticus is the protagonist, on one hand, and on the other, to cultivate the uncanny sense that this play is a distorted mirror of history, influenced by current events. Influenced by what has been learned since. And if the scene ends on Atticus saying that “they (the children) shouldn’t hate people they disagree with”, his blind spot, even then, seems to be that empathy will not shield his children, or even himself, from the reality of the world, and the racist hatred of his neighbours.

After the trial comes to a close, with the guilty verdict falling over Tom Robinson, a similar scene happens on the porch of the Finches. Scout’s narration describes her father sitting there “waiting for someone to fight”, before she disappears from the stage, as Calpurnia enters, and opens the conversation by asking Atticus if he would like anything. An opener that’s another reminder of her status in the house — an employee, first and foremost. Atticus immediately starts unloading on her, a situation which she tries to avoid, by stepping back, and moving towards the door. After all, when unloading the facts and venting in such a way, unprompted, he does not take into account her feelings towards the situation at hand, or even the fact that, while empathizing with him, she might have something to say. As she leaves, he asks her to stay, and say what she wants to say. Going on, again, about how

dumbfounded he is by the situation at hand because, as he says, he “knows these people, they aren’t strangers, I know them.”, she bursts “not as well as I do.”. There, her words bring out one fact of point of view and perspective. Before the trial, he has not been confronted with the consequences of their racism. He knows those people of the jury, his neighbors as a white lawyer, well-respected in town. She knows them as a black maid. She knows their racism for she has had to face it and live it firsthand, and possibly, through means of community, she might know stories he does not.

Mrs Henry DuBose, for example, is one of the neighbors who is earlier shown as heavily prejudiced, calling Scout “an ugly girl” who should strive to be “a lady” — because of her wearing overalls. She recalls the children’s mother, ending the conversation saying “she’d die all over again if only she saw the way Atticus Finch was raising her kids”. The scene goes on, to another encounter with her, on the day Scout describes her as going “a step further”, the day Jem got a brand new football. After demeaning, yet again, Scout for not being girly enough, saying she’ll end up working at the OK Café, she goes on a racist rant. “Not only a Finch at the OK Café, but one in the courthouse lawyering for niggers !”, and as the kids leave, “Your father’s no better than the niggers and trash he works for.” The words are as strong as the scene, and we’re told, following, Jem snaps, and uses his sister’s twirling baton to beat down the only thing Mrs Dubose seemed to enjoy — her camellia bush. Something Atticus forces him to apologize for, for she is “sick, old lady.” At the time of her racist rant, her and the kids are not the only characters present on stage. We see, next to her, on the porch, another black maid, as well on the back part of the stage a black man, who, given the staging, can be read as tending her garden.

Calpurnia might have had a secondhand account of the encounter from Atticus himself, from the kids, or from them, for they work for families in the same neighborhood, one where it seems, all white people know each other, have grown up together. It’s only fair to assume the same of the black community. To get back to her act 2 scene with Atticus, after trying to change the topic, asking what his kids were doing in the courtroom for a rape trial — something that apparently did not cross his mind before came the time to scold Calpurnia about it — tries to leave and get back inside the house. Calpurnia stops him in his tracks by saying “You said you’re welcome”, bringing out an issue relating to gratefulness, and how she should not owe it to him.

She says “Under your breath. I heard you say you’re welcome. Back when you told me you’d be defending Tom Robinson. You told me, and I guess I didn’t react with sufficient gratitude, and as I walked away, you said ‘you’re welcome’. And I never, in my whole life that this house would be a place I’d have to remember to be grateful. And that’s why, I guess, I’ve been ‘passive-aggressive’ to you.” He does not deny. Does not apologize for it either. This scene was built, as Sorkin admitted, as a contrast to the movie scene depicting the end of a trial. Atticus here is no hero, just someone who did his job. He does not need to be thanked, or should not expect to be thanked for being on the side of what’s right, being on the side of equality.

She keeps going, still not understanding why he keeps on scolding Jem and Scout when they stand up to racism, or to racists. Calls back to the Mrs Dubose affair, saying that “Jem was sticking up for you, and maybe a little bit me, and you made him say he was sorry”, stressing the fact that Jem was actually showing empathy here, by snapping at Mrs DuBose. Towards his father, possibly, but towards her as well, the woman who’s been raising him, almost. Atticus keeps on finding the old neighbor excuses, saying “she is sick, she takes morphine for the pain”, but Calpurnia reminds him that those are nothing but excuses. In her words “I’m sorry for whatever illness is ailing Mrs DuBose, but she was a negro-hating sack of dirt before it was medicinally enhanced”. Yet, Atticus still does not seem to understand her point. He insists he “believes in being respectful”, and, closing the scene, Calpurnia gets to have the last word “No matter who you’re disrespecting by doing so.”

Through those scenes, she is unwavering, and he does not seem to get the point. She stands straight in her boots, repeating, over and over, that one cannot excuse or make excuses for racism, an issue that, again, was very current to the year the play premiered, as the idea that good people would exist on all sides has been crushed. While he taught empathy, believes in empathy, he does not realize that he’s not showing it to her, and those victims to the people he keeps on making excuses for. And despite him not moving an inch until the very end of the play, the argument is still made enough times for the audience to understand it, and to understand her. Even those holding onto the Atticus of their childhood taught them will have to face a more current sense of ethics.

They will also have to face her despair, as she is the emotional core of the play. Unlike Atticus, who has to keep his composure, she gets to break down when learning of Tom

Robinson's death. She is also the one to bring out the facts out of him, rather than a simplistic "Tom Robinson's dead". She has to ask, multiple times, while he stands, looking into the audience, what exactly happened. "They took him back to the state prison. He tried to run." "Wait, what?" "Tried to jump the fence. And they shot him.". He is going on about Tom trying to run, as if, again, making up excuses for those that shot him. She asks "how many times", and again, has to insist, for he first answers "doesn't matter". After she asks again, he finally says it. "Seventeen. In the hand. And the back. Tried to run!". Once again, he does not try to empathize with Tom, trying to figure out why he might have tried to run, after being sentenced to the electric chair. Why he might be fearful that his appeal would not work, when Atticus in the first place convinced to not take a plea deal because he was so sure they would win in front of a jury. He finds an excuse for the shooters, not for Robinson, still refusing to empathize and understand him. Possibly because, as a white man, understanding his experience facing law enforcement and a racist community is impossible. He keeps going : "I told him we'd win on appeal, that everything was gonna be fine. I don't know why he did that"

Ultimately, Calpurnia breaks it up. Stops him. Shifting the focus, and the overall understanding of the situation. Shifting who is wrong, here — Showing that is not Tom. She screams, almost. Makes her voice heard "Or why prison guards had to shoot a one armed man climbing a fence seventeen times - and everything is not going to be fine!". Of course, for Atticus, it is. He's still a white lawyer, and at worst, this will be a bad memory. He does not fear racism in his day-to-day life, even though he seems to come to the realization that his community is far from flawless. Or at least, twelve individuals are not. "Those twelve men Cal, they were monsters. don't you think i know!", he says, but only so she can reply that, no, he does not know. "They sent him to the electric chair (...). They were monsters when they walked into that courtroom, when they walked out, they were murderers". He knows that, he says. Not admitting that she's been right all along. Not admitting that they are human, individuals, those very same ones he believed in. Made excuses for. But he has to keep his composure, to leave and announce to the Robinsons that Tom is dead. Calpurnia sits on the porch and still empathizes with him. More than ever, as she breaks down, and still sends Jem off with him so Atticus has some level of comfort present near him, in that car, on that drive, she is the moral, emotional core of the play.

Her original actress, in a short portrait for Broadway.com said that “in this particular version, it was important that Calpurnia was not seen as scenery without a point of view”, going along with Sorkin adding that “Calpurnia becomes the person challenging Atticus the most.” And not only is she challenging, she was right, from the beginning, as the ending of the play as it “all falls true”, and in a way, reclaimed Calpurnia’s voice, a character that she says, a lot of white people came to her saying that “They had a Calpurnia”, never realizing the plight of those women, often silenced, kept from seeing their own families to take care of white homes, white children. Finally, here, she is given a voice, and if she still cares for the Finches, and still works for them, she is allowed to fight back. If it’s not historically accurate ? Maybe it simply is not the point. Maybe it is better here to point at the silence a white audience remembers from the novel’s Calpurnia, or from those they knew. And when filling it with a new voice, in this uncanny, manufactured world of the stage, it’s pointing back to not only how far we have come, but the way still to go.

And if only two black characters are named in the novel, and the play — which might be considered very little for a piece of fiction that concerns itself with racism. The other one also needed his role expanded abit, outside of the realm of anything the narrators could have seen. Tom Robinson, the defendant in the rape trial who meets his tragic demise off-stage by the end of the play is a character who, like Calpurnia, is scarcely heard in the novel, outside of his testimony in court. The play’s script chooses to make some space for him, namely adding a scene at the beginning of the play, in which Atticus visits him at the county jail to convince not to take the plea deal he was offered, eighteen years in jail if he admitted to this crime, after he was convinced of taking on his by judge Taylor.

When he gets in the room, Tom already has another lawyer, one who has advised him to take that plea deal, to avoid possibly being sentenced to death. At first, Atticus tries to speak to him as he’d speak to any other client, yet, in the middle of a sentence, swallows back some words. “If you so choose I will defend you in court in front of a jury, not so much of your peers, but still, a group of people from whom a not guilty verdict is available”. While the moment is almost comedic, it brings attention to how unprepared he is to face the racist implications in Tom’s case. While understands, halfway through his sentence that he will, at no point, be facing a jury of his peers, he still argues that those twelve men will empathize with Robinson, a black man. Of course, when Tom asks if he wants to be his lawyer, Atticus answers that “Tom, the very last thing I want is to be your lawyer right now. Negro man,

white teenage girl, wouldn't be going in with a win in hand." He knows their chances are slim. He knows of systemic racism. Yet, he still refuses to recognize that the people of Maycomb could be as violently racist as the judicial system Tom has to face. Racism is othered, in his mind, not associated with actual faces, actual people. Which is why Tom has to be convinced : he knows those people, just like Calpurnia does them. And he knows this deal is his best shot at staying alive. This Mr Finch coming in, a bit patronizing, calling him Tom, and speaking over him, at times refusing to let him finish his sentences is not exactly going to be a beacon of hope.

Of course, he did not come to those conclusions alone, as he had had legal counsel prior to Atticus. When he asks him, bluntly, if Atticus thinks his lawyer is bad, the lawyers answer, almost unbothered, that "Professional courtesy forbids that", and Tom needs to once again, remind him of the gravity of the situation. On a narrative level, Atticus' mistakes and clumsiness come across as comedic, as such a smart man seems to be either clueless or blind to his suffering. Or maybe it's because of how out of place his empathy, his respect seem that the audience laugh, usually, at this time, when the actor portraying Tom has to keep a most closed face, and the characters voices his concerns, again. "I've been locked in a cage for seven months, Mr Finch, and I'll stay in it eighteen years more, and you think courtesy is a prior order ?". Valid concerns that, again, a working-class black man might not have dared voice a white lawyer coming in, in 1930s, Alabama. Finch apologizes, saying that "it was important to my mother that I know how to behave", as if, once again, behavior and respect stood above matters of life and death for Robinson.

The questioning mainly comes from Tom, at this point. Atticus wants to defend him, so he allows it. Saying he's the best lawyer he can afford with no money. Saying he's got a chance, for he did not "do it". When Tom says he knows "about a lot of people who didn't do it" and recognizes that he was "guilty as soon as (he) was accused", recognizing, again, a systemic phenomenon, Atticus insists the they have a chance. The he "understands" why Tom thinks he'll be mistreated, but since Atticus "gets called an optimist a lot, but (not) stupid", he argues that the trial would not be matters for a court of opinion. Robinson would not be tried on the sidewalk or a park bench, but in what he comes to sacralize most "An American Court of Law". An argument that does not really seem to convince Robinson, yet, he is unable to explain why as Finch interrupts him again, despite him trying to speak of his children, of why prison seems easier to deal with than a trial and possible death penalty. He needs to raise his

voice, begging, almost “Please let me say what i want to say Mr Finch”. It is only then that Atticus finally sits down and listens as Robinson explains how he does not want to traumatize his children. An argument that Finch, a single father, turns back to explain that, if he takes the deal, in eighteen years, they will not recognize him. They would not know their mother either for she would have to work twice as hard to put food on the table. He continues, this time seemingly having a chance at convincing Tom. Explains about them having a good judge, and the facts. About them having exculpatory evidence, related to Tom’s disability, proving he could not have been the one to hurt Mayella Ewell. Yet, what ends up convincing Tom, his final argument is the same one he repeats, over and over. “My family’s lived here for generations. I know these people.” Of course, he does not force Tom to sign over the contract, to allow him to defend him. But still, following this, he says he’ll be back in the morning. That they’ll talk again.

The scene does not stop here though, after almost leaving, Atticus stops in his tracks to tell Robinson “They’re gonna ask you *why* you were doing chores for Mayella.” Tom answers the question, simply. Multiple times. She asked him to. She needed help. Empathy, things Atticus, of all people, should understand. He gets the words he wants out of Tom though. “I guess I just felt sorry for her.” Something perfectly understandable when one remembers Mayella is the oldest of seven children, raising them, secluded in her home, and abused on a pretty regular basis by her father, both sexually and physically. Atticus first reacts in the way you’d expect him to “Good. Perfectly reasonable, the jury will understand that, see, just the truth. That’s what you say in court.” This is the answer of an idealist. Which he is, at times, and he might even believe it. But he’s a skilled lawyer, and he knows that’s not something a black man could say in court. Aware of it, even if it is not always. At the doors, he turns back, once again, turning into a bit of a teacher of the manners of court. “You can’t say that in court. you can’t say you felt sorry for Mayella. Do you know why?” And Tom does. There’s no need to explain it to him. A black man in the segregated South cannot feel sorry for a white woman. Atticus finds another way to word it, one that is not exactly the truth, but close enough “Just say, what could you say, just say ‘it looked like she could use a hand’” He improvises, when Tom already knew not to answer him when he first asked that question. When Robinson instinctively is shown as having that training, those defense methods. To know already what is, and what is not expected of him. “Yes, sir” he answers, sitting down, left alone at the County Jail. And as Atticus leaves “I was taught how to behave

too.”, echoing Atticus’ earlier words, again. He is aware of his place in society, something Atticus is only now barely grasping.

When time comes from his testimony, the dreaded question comes. The prosecutor, Horace Gilmer does not go easy on him. Yet, Tom is strong, he could have held it in, repeated what Atticus taught him. A sentence that comes back often in the play, in Atticus’ mouth is that “a man will have his dignity”. We see Tom Robinson reclaiming his, and his truth. Looking Atticus straight in the eye when he says, in front of the courtroom, that he felt sorry for Mayella Ewell. This ends Gilmer’s examination, but those words are presented here not as a mistake, but as a conscious choice. The choice not to stay in the place expected of a black man on the stand. The choice to refuse to shrink, by looking Atticus dead in the eye and wording his truth. Dignity, over a judicial strategy written around racism, written to be palatable to a racist jury, to a white audience.

Of course, it is easy to see how both those characters are still used, in the play, to further the development of Atticus, his character arc. But Sorkin and their original actors gave them a voice, a spot to stand in the spotlight. Some of the most emotional moments of the play rely on Calpurnia and Tom Robinson, on their emotions, on their choices, for the audience is expected to empathize with them, something that Atticus scarcely does. For it is yet another reminder of history, and a current political climate. Once again, the historical fiction here is shown, in private spaces, as almost alternative. A place in-between the present, and the 1930s Alabama described. Something unreal, uncanny, where their voices were heard, even if they were not listened to. Where they are shut off, at times put aside, but never silenced. This only leads an audience to wonder just what went on behind closed doors at the time, far from the history books and the judicial system. What still goes on behind closed doors today. And possibly, maybe, examine the people who are not silenced around them, but whom they are not listening to closely enough to empathize with. Atticus is a vessel for a white audience to hear them through, as one must remember that Broadway audiences are overwhelmingly white.

This is something the actors of *To Kill a Mockingbird* are well-aware of, for it is wearing on them. In a Washington Post piece in which he reflects on his experience in the show, Gbenga Akinnagbe (2019), calls the experience “taxing”, at times “not safe” but not something he regrets for the “Tom that Aaron Sorkin wrote and that (he plays), has a voice

and agency that the Tom of the Harper Lee book and the 1962 film did not have. Making works that shows black people as whole people, people with thoughts, opinions and complications, is everything to (him).” Yet, when he’s on the witness stand, he says, “fighting for his life”, as he looks out to white faces in the audience, as he’s asked “Why’d you run? If you didn’t do anything wrong, Why’d you run?”, he is brought back to reality. “Thinking how, after all this time and so many dead innocents, do they still not understand why we would run?”. The white gaze plastered over him, at that instant, needing, again and again, to explain things that should be obvious brings him back to reality, and he says “In that moment, like so many moments in this play, it’s no longer a play, it’s no longer a role, it’s a theater, and it’s not safe.”. The theatrical world falls apart. Not for the audience, but for a man standing on a stage. We must remember, at that moment, that whoever is watching a play, or any piece of living art, is more often than not watched back by the artists. This is something that makes theater a unique art form, how quick it is received. The performance might impact the audience, but the artists are impacted by its immediate reception. If the ropes start showing, if the play is a play, they show for everyone. The fourth wall only exists as far as we want it to, as far as we do not stare too much through it. And this is a play in which, often, actors will be staring back at the audience.

C. Blurring the lines.

1. A biased tragedy chorus.

To Kill a Mockingbird opens on a strange scene. Scout, thoughtful. Scout, pondering over many questions, namely, what exactly happened on that last night of summer. She questions herself over “Something (that) didn’t make sense”, on that September 2nd, 1934. There, the Maycomb Tribune reported that Bob Ewell died when he fell on his knife. As the play opens, she is trying to work out what exactly happened, for people do not usually fall on their knives, it’s something seemingly impossible. Her brother, Jem, steps in. Explaining that the man was drunk, and replying to very precise questions with “Maybes” that simply do not satisfy her. She asks why his knife would be pointed towards his chest, he bluntly speaks of suicide. She asks why he would want to kill himself after “beatin’ on me, and beatin’ on you”, and when Jem comes up with the idea that the man could have been remorseful, she pushes it away fully.

The matter at hand is deep, complicated, apparently. A matter of mystery, or of childlike misunderstanding. Jem insists she should let it be, and she turns to the audience. “I know what you all are thinking”, she says. He’s still focused on her, but from that moment on, the banter is not solely for themselves, solely a brother and a sister bickering, but the start of a narration, as she unrolls the thread of the events, to try and figure out that “something” that does not make sense. Immediately, she speaks to the audience. Assumes their thoughts, for it seems Jem is either already in a loop he’s trying to keep her out of, or simply annoyed at her trying to figure it out. It seems it is not a mystery to him. It seems he has the keys.

She addresses the audience, and above that, names what this is - “a story”. She says, looking into the first few rows “You’re thinkin’ that if Bob Ewell didn’t fall on his knife, it means someone else in this story was responsible.” Of course, no answer is expected of the audience. Yet, that link is made quickly, a discussion to set up this narration. Scout is the same character we’ll see evolve in the play, same costume, same haircut, and the same could be said of her brother, or of Dill, their neighbor who does not take long to show up, referencing Shakespeare, namely Romeo and Juliet, to remind us that Juliet killed herself with a knife. The choice of a most-famous play to introduce another, and namely, of one of Shakespeare’s few plays that feature a chorus.

At this point, the events of the story have already happened. Ewell is dead, Scout is only trying to figure out how, and why. This is the start of the memory play, of a narration guided by her musings, by her brother’s reminiscing, and Dill’s voice, and references. The three of them navigate both the story, as their younger selves, and a space of narration, as the narrative structure of the play is deconstructed and reconstructed, not necessarily in chronological order, under their voices. Scout starts by introducing the facts, “what we can agree on” — Facts. Namely “My brother, Jeremy Finch, who everyone calls Jem and who, else, is happy to tell anyone who will stand still long enough to listen that he’s four years older than me, was knocked unconscious and had his arm broke just above the elbow. It happened on the last night of summer. We can agree on this fact.” This efficiently introduces Jem, yet, he is the one to disagree here. Of course, the arm and the ages, the information tracks there. But as if to finally extend a hand, and finally allow her to understand that night, as well as to let the audience understand it along with her, taking this trip down memory lane, he says that “It happened on the last night of summer, but it began much earlier.”. More discussion ensues as to exactly when it all started, Dill saying that it started when he said they

should make Boo Radley come out of his house, Jem wanting to go back, much to everyone's confusion, to General Andrew Jackson running the Creek Indians up the Creek and their great-great-grandfather. Of course, the big picture might be necessary, not necessarily the Finches family history, but the mention of Andrew Jackson is not a coincidence. He is after all a historical figure, a general who became president, that brings a link to history, and in the ears of the audience, a link to the racism related to the Indian Removal Act and the Trail of Tears. It is only a mention in passing, before the three of them agree that "It started with the damn trial"

This simple notice, this agreement puts the entire play in motion. From an empty stage, depicting what seems to be an empty warehouse with broken windows, we see a courtroom built. The case is introduced, so are our protagonists, introducing each other to the audience as they reminisce. "That's our friend Dill, that's my little sister Scout", they take turns, explaining who sat where, the matters at hand, introducing characters, bickering at times. Like children at play, using what they have to recreate their memories, to put on a show, or for Scout, to try and understand exactly what happened, back then, on that fateful night where she did not die, but could have.

When, at the end of the play, we shift back to that very same night she is trying to understand — summer is ending. Dill, who only spends his summers in Maycomb has left, to never be seen again. In his last scene, his mother, whom we heard prior is, at best, neglectful, comes to pick him up and take him away. While he promises he will see Jem next summer in that scene, and despite how Jem "missed him bad", they never see each other again. Yet, he comes right back to the stage to announce that "This is the part (he) missed", addressing the audience. He's there, discussing with Scout when she narrates how Bob Ewell attacked her, confused. Narrating, asking questions, bouncing off of her to make up a story. Here, he does not only address the audience, create a story for them. He makes the scene come alive, as Ewell, dead at that point, joins them on stage, as Scout seems to relive the scene. A puppet, under his words. A narrator who knows every detail of that night he did not live through. One who brings Jem back to life, in those memories, when the very same Jem, by a clever stage trick, is still laying still in his bed at the back of the stage. Once again, attention is drawn to the nature of the play. What the medium allows. This is not done in a way that is alienating to the audience, that would not allow them to relate or empathize with the characters of the story. The children are far from Brechtians satiric characters, they still seem multi-faceted,

written as people, growing people, but people. It is only to the setting they're evolving that attention is drawn to. To that space in-between.

Here, he completes her erratic testimony to her father, right after the events. But when Scout turns back the audience for her closing monologue, after bringing Boo Radley home, she seems to find the key to her mystery. How Atticus spoke to Jem alone for "about ten minutes" in his hospital room is all she needed to know about her brother's behavior at the beginning of the play, if he was not only the memory of her brother. She goes on about the future of each character and how Dill "never did come back, that next summer". How they never saw him again, as she stares at his narrative form, on the side of the stage. "I thought I spied him once across the campus green when I was in law school, but it wasn't him." So who is it, then, who has been accompanying her narration, since the beginning. The ghost of him, the memory of him? The voice of him she remembers, and that she built up, kept close to her to help figure this out?

And finally, she does figure it out. Echoes Calpurnia's earlier words, except it is now far from a joke "a sheriff, and a judge, and the most honest and decent man in Maycomb. The most honest and decent person...". Celia Keenan-Bolger, the original Broadway Scout, was usually close to tears at this point of the epilogue, after all, this realization that Scout comes to is not, as she says in the prologue that the "most honest and decent person in Maycomb", how she described her father was "harboring a lie", but that he did the right thing, or at least tried to. Her definition of righteousness, of decency is turned at that moment, as she redefines it as "Trying to do the right thing", which "is the right thing.". A realization that might come a bit too late, now that she has finished law school, in her father's steps. That this lie, proving a disbelief in the judicial system, one that also failed Atticus when he tried to have a law passed that would "make it easier for negroes to sit on juries", which was rejected and cost him his seat, changes how she views the man she saw as so much of a hero. He at this point had lost enough faith in the system and the community to lie, to stop being so honest, yet still tried his best to educate his children in such a way that she would end up in law school, following his teachings.

There are also scenes in the play that she simply could not have witnessed. She could have overheard the disputes between Calpurnia and Atticus, she is even shown as hiding under the decor of the house in multiple scenes where she is not featured. Scenes that feature

Atticus and judge Taylor, when he comes to convince him to take Robinson's case, or Atticus and Bob Ewell. But the scene at the county jail, of Atticus introducing himself to Robinson? Neither her, Jem, or Dill could have been there in any sort of way. So how did they make it into this narrative? Is she making up pieces, in this liminal spaces, scenes that could have happened to better understand the big picture, now that she is older? Is it something Atticus told her? One could say that Sorkin simply wanted that scene, needed to make room for the character of Tom Robinson, one way or another, but it still ends up being part of the narrative here. The same could be said of a scene of Atticus comforting Dill, that Scout did not witness. He is one of the narrators, but if she is only playing with the memory of him, how could she invent such an intimate moment, and why?

There is a chorus of voices, narrating this play. But at no point is their presence in this liminal space, the stage, ever explained. Those blurred memories echo the reality those children remember living. Scout, at least. Trying to apprehend them outside of the medium would not make sense, if Scout is addressing the audience, she is not speaking to herself alone in a room. The narrative versions of Dill and Jem could be seen as figments of her imaginations, of memories that she leans into for she misses them, for their images are necessary to her reminiscences. Or they could be seen as parts of a chorus of voices inhabiting that stage, three distinct narrative voices, three characters with different ways of speaking, different characters, going down memory lane alongside her. Rather than taking any scene as a construction of her mind, and analyzing her as a real person, it might be better to take her as what she is. A character in the play, as a child, and one of three narrators.

To accept this, the audience must accept that this is not only a memory play, but — in the most simple way — a play. One that is shown on that stage open, all ropes showing, all narration assumed by three characters that only exist in the liminal space of the theatre. The piece here is impossible to dissociate from the medium, drawing attention back constantly to the narrative structure, to the elements and tools used by the playwright to change the order of scenes, to make sure they make sense. Those narrative voices, this narrative chorus is puzzling by how uncanny it is, how it lacks realism. Yet, this is an experiment in a third space, in toeing past the fourth wall, sitting on the edge of the stage, and telling a story. This is not just letting the story unfold, it's showing how it takes shapes, and how it shaped the memories of its characters. How it shaped, in quite a way, the memories of many Americans. There is only a fourth wall in this play in the scenes properly played out, effectively making

them a play, not within a play, but within another narrative. Metatheatre is present here because at no point does this story pretend to be anything other than a play. Because every single time Jem, Dill and Scout utter a word of narration, the audience is brought back to the manufactured aspect of it all. How they seem to be manufacturing it in real-time, to show it to us, to let us understand it all from the beginning. A job that, in the end, was done previously by the playwright. This draws the attention back to the very nature of theatre. What it is, and how it works. Of course, some will find it unsettling, just like the idea of adult actors to portray those narrators. But really, is there one thing about theatre that is not unsettling?

2. *Staging the courtroom*

Another aspect of the show that draws attention is its staging, and set design. While those aspects cannot be textually analyzed, they still say a lot of how the play treats its audience. One could speak of the way the community is staged through open walls, of the fact that the Finches home is lacking walls. Scenes happen on the porch, at times inside, but Miriam Buether's set is minimalist, even though the house coming down from the ceiling is quite impressive, it is clear as glass, or clearer, for once again - it features scarcely any hard space. Private spaces are not, when a fourth wall is lacking, and here, with none at all shown, it is always the same manufactured aspect of the play we are drawn back to. One could also consider that this choice is a nod to the lack of privacy in a small town.

Funnily enough, for a play that leans into the medium so well, there is no curtain in *To Kill a Mockingbird*. Only a red wall, and a white door. The musicians who spend the entire play framing the stage, a guitarist on the left side and a pianist on the right pass through that door to mark the beginning of the play. After the intermission, it is Scout who passes through it. Before the wall rises, they are the ones passing through, making a step towards the audience, rather than only opening up their world to be viewed. They are reaching out to tell their story, or, in the case of the musicians, here to illustrate it. Once again, this is pushing the boundaries of the medium, using everything it has to offer. The musicians could be hidden in the wings, or even under the stage - the Shubert Theatre has an orchestra pit that is used when musicals are produced there. Instead, they show up as participating in this story, possibly citizens of Maycomb, sharing similar costumes to the ensemble. They frame the stage through

the whole plan, in the case of the pianist, heavily blocking a fair amount of the view of audience members sitting on the right side of the theatre. Those musicians are almost treated as pieces of furniture for the way they provide atmosphere, but the way they play, and when not playing, turn towards the play watching, just like us, provides insight as to the space we're looking at. If not exactly distracting, their presence is still unusual, remarked, another reminder of the manufactured quality of the play.

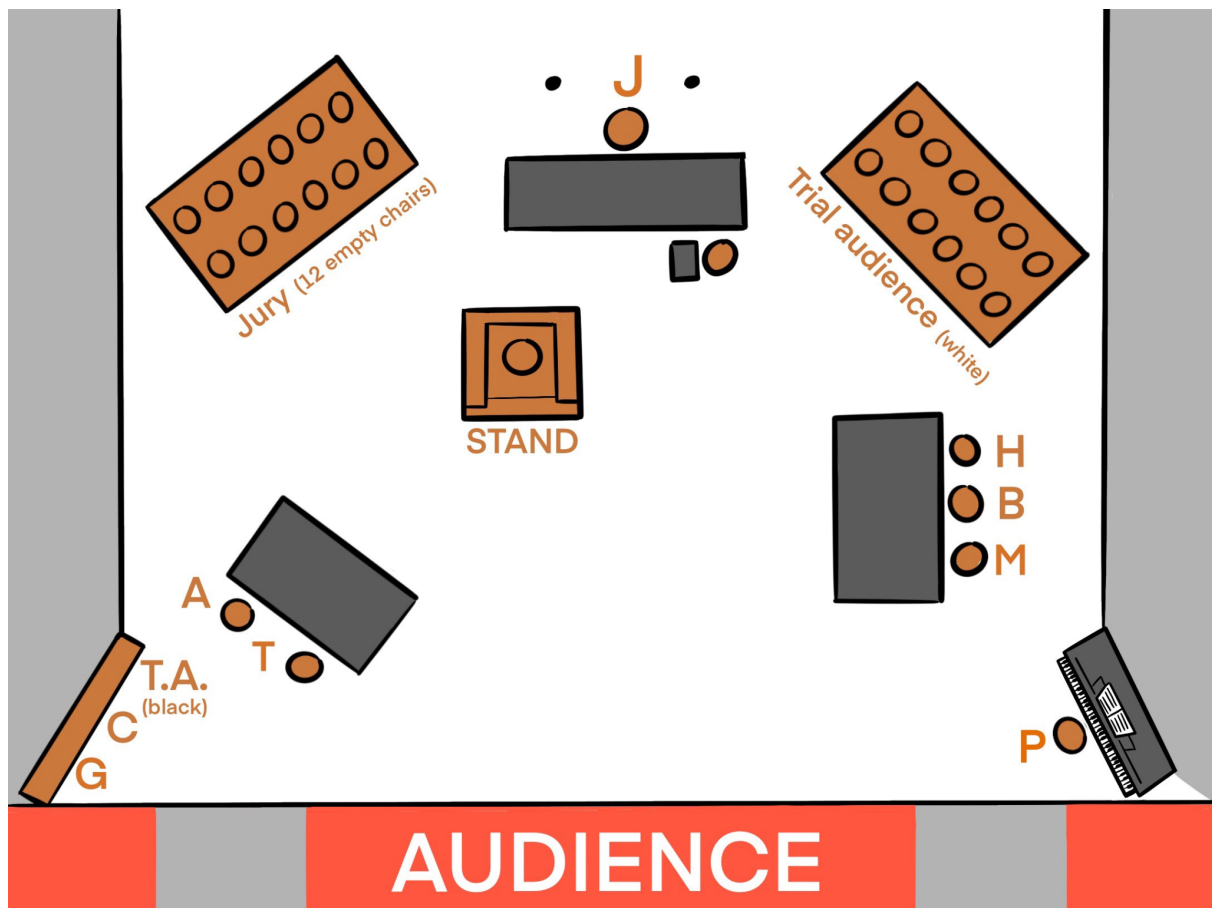


Illustration representing the courthouse set seen from above by Mado Chadebec.

In the very opening scene of *To Kill a Mockingbird*, as the courtroom is being set up behind the narrating children, under the high roof of this almost destroyed warehouse, Horace Gilmer enters through the audience, walking past the entire orchestra to go and sit by his table. Things go fast, as characters step on stage, finish setting up the set, take their spot in this massive game, and the last set pieces come in, almost as puzzle pieces finding their spot. Set pieces that are soon to be inhabited for the entire play. Scout, Jem and Dill never sit down, always walking around, observing, in this narrative liminal space we have examined above within the text. It is perfectly materialized here for they have nowhere to really stay. We know

they were at the trial, for Atticus and Calpurnia fought about it, up in the colored section, the balcony, reserved for black people.

Here, this balcony is just a bench, on the left side of the stage, shared with the guitarist. Calpurnia sits there, along with a couple of other black community members of the city of Maycomb. They're not situated above, but almost squished on this corner of the stage, with barely enough room for all of them, which, on a symbolic level, might be even more powerful than elevating them above the courtroom. They are suffering the direct consequences of this trial after all, nowhere near above it, despite it being the architecture described in the novel, replicating this of the Monroeville courtroom. On the opposite side of the stage, at the back on the right is a set piece, bringing in two rows of chairs, and whenever it is brought back in for courtroom scenes, the white audience. They are rolled in directly on the set piece, while black actors take their place on the opposite side on their own.

At the very back of the stage, we can notice the judge's chair, high up, and in front of him the bailiff, typing away court transcripts. In some courtrooms the stand would be to his side, here, like in the Monroeville courtroom, it is in front of him, ever so slightly to the left, allowing some room for Finch and Gilmer to move a little when questioning whoever is testifying at that moment. The two of them sit at different tables, set up differently. Gilmer's, where Mayella and her father sit as well, is on the right side of the stage, allowing us to see their faces, somewhat, and at worst, profiles. The defense's table, on the other hand, is turned towards the stand, the audience, unless really close, or at a certain angle cannot view Tom Robinson and Atticus Finch's faces for most of the trial, unless they are, of course, on the stand or at work.

The last set piece is another that carries twelve chairs, identical, almost, to the one carrying in the room the white audience of the trial. This is the jury. Twelve chairs, within the story filled with Maycomb farmers, but that will never appear as anything other than empty on stage. This emptiness, there are no monsters or no murders to sit, just nobody, and for the most simple of reasons — it seems that the audience is expected to project in their shoes, in those empty seats, hollow, at the back of the stage, almost a haunting shape. Of course, the decision might have been different, if those twelve members of the jury were picked right from the audience. Asked to choose the verdict. But it is unwavering, as the judicial process is a well-oiled machine, the story goes, and even if the audience gets to be shown the ropes,

they cannot fully step in the story, step in their shoes and take a few steps in their skin, only possibly think about what they might have done in their place. Only possibly imagine a different outcome for Robinson, and the trial, as they observe two very different set of audiences, black and white, segregated. This projection is after all, the best possible way to get an audience to question their own prejudice, not even regarding this exact affair, but others, possibly unfolding in the media within their present.

The trial itself is as codified as any real-life trial. A real play-within-a-play, cut into pieces to better mix with the children's narration, with their eventful summer. The trial is the center part of it, but once that feels almost removed, because of this solemn staging, the one closest to a real trial, when their house has no walls, when doors roll around the stage on their own and, outside of the courtroom, the people of Maycomb take more room than set pieces, often.

Every person on the stand is interrogated, both by prosecution and defense. We have even seen Tom train, if only briefly, to be able to answer certain questions without fuss from the audience, without upsetting a jury made up of white farmers. The examination and cross examination seem different though. As we see Gilmer often addressing the white audience, or gesturing towards the empty jury seats, at times even joking for them between questions. Atticus, on the other hand, is often turned towards the actual audience. While, he does not enter the in-between narrative space his children inhabit, when they're not characters of the story, and was never a part of this narrative side, especially when the time comes for his closing argument, and the iconic "To always remember that it was a sin to kill a mockingbird, because they were innocent", he is turned towards the audience for the most part.

Of course, he navigates the space, walks around for a little. Most of his speech, the beginning of it, is directed, spoken while looking directly into Tom's eyes. A long rant about how they worked for six weeks on what he should say on the stand, only for him to let go of it. Let go of the script, calling out, with one truth, the falseness of the court. Refusing to play the role he was assigned. And if Atticus seems upset about this, it might be because it drags him out of his usual script too. He argues with Gilmer, as well, briefly, as if trying to convince him, as if he could make the prosecutor change sides. That is, until the anger leaves, and there is only the audience left to address.

Then, he does not turn back towards the empty jury, or the all-white audience. He does not give a glance at the black audience. Still in his thoughts, it is to the Shubert theatre's audience he turns, looking up in the box seats, down in the front row. "We have to make good this time" he says, "We have to show Tom Robinson justice in this courtroom" he pleads, "Let's hasten the change, let's hasten the end of the beginning, let's do it right now, in Maycomb.". He begs, almost, to an audience that cannot do much, but think. Think of their world, take in the play for what it is, a play. Take this audience address, and use it as morale, apply it to their lives. For a character so revered addressed them directly. "Let's begin with justice" a concept unheard of, it seems, in an American court of law. And just as quick as this moment, he snaps back into the scene. Speaking to Tom, speaking to his fellow characters. "Let him go home", it's not begging anymore, it's an order, and the lawyer is alive again. Looking at his client square in the eye, breaking, almost. "In the name of God, just let him go home.", he says, still refusing to look behind him, at the jury, when his voice cracks.

When the verdict finally comes out, it is through the mouths of the three narrators. Three children, shell-shocked, looking directly into the audience. Repeating, twelve times "Guilty". A pantomime, for the audience, placing them center stage, instead of that ever invisible jury. Maybe, maybe, if they had done something, as Atticus begged, just a few seconds prior, something could have been done. Change could have been made, and justice restored. But what is there to be done, when the script is already written, already in hand?

Conclusion

It is an uncanny space that the characters of *To Kill a Mockingbird* inhabit. Neither here, nor there. Tangible, yet fleeting. Addressing an audience, yet never expecting an answer. Sticking to a script made up of memories, filled with holes, to better solve a mystery. The courtroom and its customs are questioned through theatre. Community through justice. Empathy through blind spots. It might even be the blind spots, overall, that define this play in all of this theatricality. All of its strangeness, stuck somewhere between past and present, taking the history of one, and the conventions of the other. An in-between that owns up to its status as a play, to its use of the medium not only to convey meaning, but to be the meaning.

The only space that scarcely moves, asked to stay quiet, silent, as in church, as in court, is the audience. Filled with people coming with their own experiences and knowledge of *To Kill a Mockingbird*, and asked to just witness this story again, through a new lens. Begged to do something, begged to help figure out something. Yet, by convention, not allowed to change a word of the script, to move from their seat. The script goes as planned, no matter how many times the fourth wall is broken, hammered with words, hammered with looks. It's not within the play that the audience is begged to act, to rise. It is when they step outside that they must question their place, their passiveness. They were asked to judge one of their peer, throughout this play. As the jury, filling in the twelve empty chairs on that stage, it is not Tom Robinson they were asked to judge. Nothing could have gone and change his story, tainted by systemic racism. It is Atticus, whom they were asked to judge. The lead actor of this play within-a-play, the leading character, the protagonist. The one they might have learned from, growing up, that empathy is the key to everything.

This play, for a white audience, for those who have grown up with the novel, is not just a transcription to the stage, as the Sergei version was. It is a question mark, left hanging. Was he right, in the end? Was it good, was it right, was it just to keep on empathizing with his neighbors, when they proved themselves to be racist? Truly, in the end, when Atticus faces the audience, what he begs for isn't for Tom Robinson. It's to be right. And as he is proven wrong, the audience, now the jury must decide, not if he is good, but if he was right. But if they were right, what he taught him, was right. They find themselves almost in Scout's shoes, as she realizes that the most decent and honest man in Maycomb was harboring a lie. Except this time, all are grown, and the world around has evolved.

It is impossible to detach this adaptation from its condition as a play. Of course, it could have been written as a new novel, as another movie, even. Yet, the choice of the stage, of a memory narrative, that is so specific for the way it creates a believable in-between, a believable third space, almost a hand held out for the audience to take is no detail. This *Mockingbird* is one for the moment, one to inhabit past and present minds. Haunting in the way it shifts the focus, and blurs the lines between reality and fiction, between original and adaptation, between narration and action. Layered, in many ways, but always so the audience doesn't forget that, first and foremost, they are at the theatre.

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