

The Macbeth Trials

We're having a trial. Macbeth and Lady Macbeth did not die in *The Tragedy of Macbeth*, instead the authorities arrived just in time to haul everyone off to jail and get down to the bottom of this maelstrom. There will be two trials, one for MacBeth and one for Lady MacBeth. Macbeth has already confessed to the murder of King Duncan and several other people, but is lobbying for a lighter sentence. Lady Macbeth is pleading Not Guilty and is hoping to avoid her husband's fate.

We will split into two groups with **Group A being the members of Macbeth's trial** and **Group B being the members of Lady Macbeth's trial**. Each person within the group will be responsible for a particular role and must do all necessary prep for that role. This is acting people. Make believe. Pretend. IMA-Gination. Have fun and completely take on your role.

Process:

1. Pick your role. Do all necessary background work. Stretch your mind and think about how that character would logically and accurately react to something. This isn't about YOU this is about THEM. Do your textual research. Look at the chart and determine what is required of your role (for example, witnesses must submit a document before the trial begins and lawyers must read them and look for clues or loopholes).
2. The defense and prosecution need to decide which 3 witnesses they will claim for their side. There are 7 total (Lady Macbeth/Macbeth, Banquo, Duncan, Porter, McDuff, Witches, Investigator). No witness may be for both sides, but can still be questioned by the other side on cross examination.
3. Trial! The jury for case 1 (The People v. Macbeth) is made of the members of the second case. The case 2 (The People v. Lady Macbeth) is made up of the members of the first case. Both trials will follow a simplified mock trial format.
4. Each team is allowed one 2-minute Time Out.

Mock Trial Format:

1. **Calling of Case by Bailiff:** "All rise. The Court of _____ is now in session. Honorable Judge _____ presiding. Judge reads charges.
2. **Opening Statement:** First the lead prosecutor, then the defendant's attorney, explains what their evidence will be and what they will try to prove (5 minute limit).
3. **Prosecution's Case:** Witnesses are called to testify (direct examination) and other physical evidence is introduced. Each witness called is cross-examined '(questioned so as to break down the story or be discredited) by the defense. **The prosecution cannot call more than 3 witnesses or spend more than 5 minutes per witness.**
4. **Defendant's Case:** Same as the third step except that defense calls witnesses for direct examination; cross-examination by prosecution/plaintiff. **The defense cannot call more than 3 witnesses or spend more than 5 minutes per witness.**
5. **Closing Statement:** An attorney for each side reviews the evidence presented and asks for a decision in his/her favor (5 minute limit).
6. **Jury Instructions:** The Judge explains to the jury appropriate rules of law that it is to consider in weighing the evidence. As a general rule, the prosecution must meet the burden of proof in order to prevail. In a criminal case this burden is very high.

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Macbeth's Trial –He's pleading Guilty, and his lawyers want to try and get him the least possible sentence by proving that Macbeth is not solely to blame for this disastrous turn of events. It's not all his fault after all...or is it?

#	Role	Job	Requirements
3	Defense	These lawyers will do their best to throw doubt about Macbeth's role in the murders by proving that other people pushed him to it.	<ol style="list-style-type: none"> 1. Draft witnesses 2. Read witness statements 3. Prepare questions 4. Take notes for cross examination 5. Write opening and closing statement
3	Prosecution	These lawyers will prove beyond a shadow of a doubt that Macbeth is completely and solely to blame for his actions and must pay the highest cost.	<ol style="list-style-type: none"> 1. Draft witnesses 2. Read witness statements 3. Prepare questions 4. Take notes for cross examination 5. Write opening and closing statement
1	Macbeth	The defendant	<ol style="list-style-type: none"> 1. Prepare your testimony, write it out for your lawyers 2. Be ready to answer the prosecutions questions
1	Lady Macbeth	Witness –will she help out her husband or will she throw him under the bus?	<ol style="list-style-type: none"> 1. Be drafted for either prosecution or defense 2. Write a summary of the events from your own point of view. What do you know that might help or hurt Macbeth? 3. Submit this to the lawyers 3 days before the trial. 4. Know your character well enough to answer cross examination questions!
1	Banquo	Witness (are you for the defense or prosecution?)	<ol style="list-style-type: none"> 1. Be drafted for either prosecution or defense 2. Write a summary of the events from your own point of view. What do you know that might help or hurt Macbeth? 3. Submit this to the lawyers 3 days before the trial. 4. Know your character well enough to answer cross examination questions!
1	Duncan	Witness (are you for the defense or prosecution?)	<ol style="list-style-type: none"> 1. Be drafted for either prosecution or defense 2. Write a summary of the events from your own point of view. What do you know that might help or hurt Macbeth? 3. Submit this to the lawyers 3 days before the trial. 4. Know your character well enough to answer cross examination questions!
1	McDuff	Witness (are you for the defense or prosecution?)	<ol style="list-style-type: none"> 1. Be drafted for either prosecution or defense 2. Write a summary of the events from your own point of view. What do you know that might help or hurt Macbeth? 3. Submit this to the lawyers 3 days before the trial. 4. Know your character well enough to answer cross examination questions!
1	Porter	Witness (are you for the defense or prosecution?)	<ol style="list-style-type: none"> 1. Be drafted for either prosecution or defense 2. Write a summary of the events from your own point of view. What do you know that might help or hurt Macbeth? 3. Submit this to the lawyers 3 days before the trial. 4. Know your character well enough to answer cross examination questions!
1	Witches	Witness (are you for the defense or prosecution?)	<ol style="list-style-type: none"> 1. Be drafted for either prosecution or defense 2. Write a summary of the events from your own point of view. What do you know that might help or hurt Macbeth? 3. Submit this to the lawyers 3 days before the trial. 4. Know your character well enough to answer cross examination questions!
1	Investigator	These investigators are the first to come upon the crime scene.	<ol style="list-style-type: none"> 1. Map out the crime. Know enough about the other characters to accurately answer any questions the defense or prosecution have for you.

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CASE 2: Lady Macbeth's Trial –She's pleading Not Guilty, but the defense wants to throw the book at her and give her a sentence equal to that of her husband for being the true "evil" behind the plot.

#	Role	Job	Requirements
3	Defense	These lawyers will do their best to throw doubt about Lady Macbeth's guilt upon the court and either free her completely or get her a much lighter sentence	<ol style="list-style-type: none"> 1. Draft witnesses 2. Read witness statements 3. Prepare questions 4. Take notes for cross examination 5. Write opening and closing statement
3	Prosecution	These lawyers will prove beyond a shadow of a doubt that Lady Macbeth is highly complicit in this crime and deserves a sentence equal to that of her husband	<ol style="list-style-type: none"> 1. Draft witnesses 2. Read witness statements 3. Prepare questions 4. Take notes for cross examination 5. Write opening and closing statement
1	Macbeth	A witness –is he for or against his wife? What does he know?	<ol style="list-style-type: none"> 1. Prepare your testimony, write it out for your lawyers 2. Be ready to answer the prosecutions questions
1	Lady Macbeth	The defendant –how does she feel? What will she say in her defense?	<ol style="list-style-type: none"> 1. Be drafted for either prosecution or defense 2. Write a summary of the events from your own point of view. What do you know that might help or hurt Macbeth? 3. Submit this to the lawyers 3 days before the trial. 4. Know your character well enough to answer cross examination questions!
1	Banquo	Witness (are you for the defense or prosecution?)	<ol style="list-style-type: none"> 1. Be drafted for either prosecution or defense 2. Write a summary of the events from your own point of view. What do you know that might help or hurt Macbeth? 3. Submit this to the lawyers 3 days before the trial. 4. Know your character well enough to answer cross examination questions!
1	Duncan	Witness (are you for the defense or prosecution?)	<ol style="list-style-type: none"> 1. Be drafted for either prosecution or defense 2. Write a summary of the events from your own point of view. What do you know that might help or hurt Macbeth? 3. Submit this to the lawyers 3 days before the trial. 4. Know your character well enough to answer cross examination questions!
1	McDuff	Witness (are you for the defense or prosecution?)	<ol style="list-style-type: none"> 1. Be drafted for either prosecution or defense 2. Write a summary of the events from your own point of view. What do you know that might help or hurt Macbeth? 3. Submit this to the lawyers 3 days before the trial. 4. Know your character well enough to answer cross examination questions!
1	Porter	Witness (are you for the defense or prosecution?)	<ol style="list-style-type: none"> 1. Be drafted for either prosecution or defense 2. Write a summary of the events from your own point of view. What do you know that might help or hurt Macbeth? 3. Submit this to the lawyers 3 days before the trial. 4. Know your character well enough to answer cross examination questions!
1	Witches	Witness (are you for the defense or prosecution?)	<ol style="list-style-type: none"> 1. Be drafted for either prosecution or defense 2. Write a summary of the events from your own point of view. What do you know that might help or hurt Macbeth? 3. Submit this to the lawyers 3 days before the trial. 4. Know your character well enough to answer cross examination questions!
1	Investigator	These investigators are the first to come upon the crime scene.	<ol style="list-style-type: none"> 1. Map out the crime. Know enough about the other characters to accurately answer any questions the defense or prosecution have for you.

The Script:

Judge: Macbeth in Act 2 Scene 2 at line 61 in Scotland, did cause the death of King Duncan and thereby commit murder in the first degree, to wit: (stabbed in the night with a dagger multiple times), contrary to s. 235(1) of the Criminal Code of Scotland. How does the accused plea? (Macbeth “Guilty” Lady Macbeth “Not Guilty”) Macbeth in Act 2 scene 3, at line 110 in Scotland, did cause the death of King Duncan’s two guards and thereby commit murder in the first degree, to wit: (stabbed in the morning with a dagger multiple times), contrary to s. 235(1) of the Criminal Code of Scotland.

Process:

- The Prosecution must prove the facts in issue for each charge beyond a reasonable doubt.
- *The Prosecution calls its witnesses. A typical witness testimony would go as follows:*
 - Witness gets on “stand” and is asked to promise to tell the truth.
 - The witness typically gives some background as to who they are and how they became involved.
 - The judge will then have them give their account of the events.
 - The Prosecution can, as they ask questions, have the witness identify evidence (exhibits) to prove their case, for example a bloody dagger.
 - Once the Prosecution questions the witness the Defense can cross-examine and ask questions about their testimony to try to “raise a reasonable doubt”.
 - Once they do this the Prosecution can then “re-examine”, but can only ask questions to clarify. They cannot ask new questions about things not discussed.
- Once all the Prosecution’s witnesses have testified the Prosecution “rests” and the Defense calls its witnesses.
 - The questioning is the same, but with the Defense going first, the Prosecution cross-examining and the Defense then re-examining.
 - Once the Defense’s witnesses have gone the Defense rests.
- The Prosecution and Defense then present their closing arguments, basically summing up the evidence and explaining why they believe that it proves their case.
- The jury then deliberates and determines whether the accused is guilty or not-guilty of each charge. If the Defense has proven that they are not criminally responsible by reason of mental illness, this means that they have to prove the accused didn’t know it was the wrong thing to do.
- The judge or jury then reads the verdict and then sentencing can begin, or the accused can be free to go.

How to Write an Opening Statement:

This is your first impression and first shot at persuading the judge and jury. You should be making a sharp and smart point. Opening statements are usually dramatic and flashy; they hint at what will be discussed by don’t give away too much. They end with a powerful statement about guilt or innocence.

1. Begin by thanking the jury for their patience and attention.
2. Do not assert your personal beliefs on the evidence to the jury.
3. Use a powerful quote from Shakespeare’s *Macbeth* to emphasize your argument.
4. Use a minimum of 5 adjectives from the play to highlight Macbeth’s good or bad qualities.
 - He had “vaulted ambitions”.
 - He is a “valiant hero”!
 - He “look[s] like th’innocent flower, But [is]the serpent under’t”.

How to Write a Closing Statement:

This is your last attempt at persuading the judge and jury. You should be stringing together all of your evidence and presenting it in a strong, fluid and persuasive manner.

1. Begin by thanking the jury for their patience and attention.
2. Do not assert your personal beliefs on the evidence to the jury.
3. Use a powerful quote from Shakespeare’s *Macbeth* to emphasize your argument.
4. Use a minimum of 5 adjectives from the play to highlight Macbeth’s good or bad qualities.
 - He had “vaulted ambitions”.
 - He is a “valiant hero”!
 - He “look[s] like th’innocent flower, But [is]the serpent under’t”.