

Harry Potter and the Business Law Classroom

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In an attempt to increase learning by increasing the attention being paid to the topic, many have turned to popular culture to find interesting and innovative ways of presenting information. This paper presents three quick methods of incorporating concepts from the popular book and movie series “Harry Potter”.

Keywords: Pedagogy, Popular culture

POPULAR CULTURE IN THE CLASSROOM

In an attempt to increase learning by increasing the attention being paid to the topic, many have turned to popular culture to find interesting and innovative ways of presenting information. This paper presents several short exercises and links to mashups involving the popular book and movie series “Harry Potter”.

Stevens (2001) explores the possibility of incorporating popular culture into school curriculum. The goal, of which, was to better engage students in critical thinking across all subjects. As the literacy specialist in a large middle school, Stevens, reached out to her teachers to gauge interest in incorporating popular culture in the classroom. Three teachers responded and were used as the three primary case studies for the paper. The first, was an 8th grade physical science class that was shown action scenes from movies to facilitate a discussion whether or not these events could occur in real-life given the laws of motion. The second, was a 7th grade language arts class which had students pick meaningful songs and then saw a discussion of the themes of these songs in small groups. The final, was then a 7th grade social studies class which had students present on clips of popular culture in the 1990s and how the pieces are positioned in society. One especially nuanced presentation was one that involved the TV show South Park (Parker and Stone, 1997-1999) where the students’ adeptly identified the shows positioning in society. The largest barriers to the success of this approach were the importance and necessity of a discussion of school appropriateness and a mindfulness to stay on track with the school curriculum. However, overall, this paper demonstrates that the incorporation of popular culture in the classroom was shown to help students critically think about concepts they were learning in a more engaging way than simply reading from a textbook.

The use of videos in classrooms has been happening since the era of 16mm projectors, and it has become easier now to incorporate this content into college curriculums (Berk, 2009). The author of this article, Berk, lists twenty reasons why an instructor might be inclined to use video clips, including things such as fostering student creativity and decreasing anxiety for uncomfortable topics. Everyone has three core intelligences: verbal/linguistic, visual/spatial, and musical/rhythmic. Videos tap into all three of

these, as well as emotional intelligence, allowing everyone to use their strengths and weaknesses. They engage a large amount of brain's capabilities. Videos aid visual learners and novices with learning new material, and research suggests that having both visuals and audio increase students' ability to remember the material presented to them. Videos need a set criteria for selection based on their content, structure, genre, and source. Instructors should avoid clips that could be considered offensive unless the offensive material is a part of the lesson, and then if that is the case, students should be warned ahead of time. The clips instructors use can provide information, illustrate a concept, present different views, apply concepts, stimulate learning, provide opportunity for criticism, exaggerate to make a point, draw attention, develop student presentations, inspire, provide a break, or signal the end of a break.

To improve engagement with university American History survey classes, Hoover (2006) began including clips from movies and music to illustrate ideas. Also, the author was of the opinion that the media would help break the monotony that can occur in lectures, as research has shown that the average attention span for students is twenty minutes (Middendorf & Kalish, 1996). Difficulty came from clip selection and creation, as the relevance is not always easy to prove. However, the author noticed that some students looked forward to the clips for their entertainment value, bringing to question whether or not the clips aided in learning the material.

Two types of media were used – audio clips and video clips. The audio clips lasted ten seconds, to avoid instructor discomfort, student annoyance, and any possible copyright issues. Audio came in three categories. The video clips were under three minutes and were immediately followed by discussion of the relevancy of the clip. The first type of video clip was primary source material, which were clips that were included with textbook publishing or were recorded at a historic event. The second was audio clips where the name of the artist or title of the song would act as a mnemonic device and students would discuss the relevancy to reinforce their memories. The third category, which could include movies and television as well, was popular culture content being linked to a historic event or concept. Videos were also in three categories: primary source, reenactments, and the popular culture link with content.

Finally, at the end of the semester the students took a survey that Hoover had created. The survey included questions on whether the students enjoyed the clips, thought they were useful, and if they should be continued to be used. The overwhelming response was that the clips were enjoyable and acted as a positive attitude enhancer (97% of all students responded this way) and that at least some of the students found the clips to be helpful study tools (27% of students responded this way).

Allender (2004) describes how the school he student-taught at used popular music to signal to students that it was time to go to class and how a fellow student teacher wanted to develop an assignment for his students that would have them analyze a network's primetime news. He had them to look at individual segments and look at their relation to each other, as well as the presentation of the information. The author, influenced by this success, began using popular music and movies in his own English course as a way to explore themes in literary texts. Through the use of Marvin Gaye's music, Shakespeare's *Romeo and Juliet*, and the film *Mississippi Masala*, his students engaged in literary analysis to find common themes. Similar analysis was done with "Mask" by the Fugees, Langston Hughes's short story "Who's Passing for Who", Paul Lawrence Dunbar's "We Wear the Mask", and James Weldon Johnson's *The Autobiography of an Ex-Colored Man* to explore the mask symbolism found in African American and African diaspora literature. Popular culture has potential to allow students to explore literary and artistic ideas with something they are familiar with.

A paper by Wright and Sandlin (2009) represents a literature review of adult education literature and its intersection with popular culture. The review identifies six areas of research and practice: (1) representations of adult learning and adult development in popular media, (2) self-reflexive practices of adult educators who consume popular culture, (3) effective classroom practices involving the popular, (4) analyses of popular culture products and processes as adult education curriculum, (5) the impact of adults' learning from popular culture, and (6) community-based "popular" culture as resistance.

Their efforts revealed that representations of adult media have shifted citing Jarvis' (2005) study of "Buffy the Vampire Slayer", where she found "in a morally complex universe, lifelong learning and increased knowledge and power are used by individuals, communities, and social groups." (Jarvis, 2005,

p. 44). Then Wright and Sandlin show through the literature how popular media helps adults reflect on their own processes of learning. Popular culture was found to be effective in classrooms because it helped promote learning by increasing the interest of the students, as well as the relevance of the material.

Analyses of popular culture products in education curriculum are plentiful and the results depend on the types of products being introduced into the curriculum ranging from TV shows to video games. In the end, Wright and Sandlin are of the opinion that while much work on these topics has occurred, a continued effort is necessary to fully understand adult education literature and its intersection with popular culture.

THE MAGICAL WORLD OF HARRY POTTER¹

Harry Potter, a young wizard, is in his fifth year at Hogwart's School of Witchcraft and Wizardry. At the age of 11 he starts the training necessary to master his magical talents and become a certified or licensed wizard. The magical community, of which he is a member, exists alongside of and among non-magical people called "muggles" who do not recognize or see many of the magical events occurring around them.

The events take place in Great Britain, but the magical community has its own government operating outside of the government of Great Britain. The magical community has its own laws and procedures for making and enforcing those laws. It is not made clear each and every process by which the magical government operates but this is a rough outline of the organization of the magical government.

- Ministry of Magic: This is the government of the magical community. It does not appear to have a legislative branch, only an executive, judicial, and numerous administrative agencies.
- Minister of Magic: this person is like a president or governor and is the head of the Ministry of Magic. He or she is elected somehow by the witches and wizards. This person can apparently be replaced by the magical community. No mention was made of regular elections.
- Wizengemot: This is the court and in this court violations of the law are heard. As far as I can tell the Wizengemot does not ever test the validity of laws, as the US appeal court system does, it only tests whether or not a person has violated a particular law and as such operates like US trial courts. Apparently a "Wizengemot Charter of Rights" exists which gives the accused certain due process rights in the trial process.
- Numerous administrative agencies: The magical community has many administrative agencies which do various things. Examples include: Misuse of Muggle Artifacts Department, Department of Magical Transportation, Department of Magical Accidents and Catastrophes, Department of Magical Law Enforcement, Department of International Magical Cooperation, Improper Use of Magic Office.

HARRY POTTER AND THE DENIAL OF DUE PROCESS

In the book, *Harry Potter and the Order of the Phoenix* (Rowling, 2003) and the movie version, (Warner Bros., 2007) many events occur which would be considered a violation of the right to due process. These include making a decision without a hearing, changing the time of the hearing without notice, and not allowing the minor defendant to be represented. A copy of this clip can be found at: <https://tinyurl.com/yc6dptzk>.

In addition to the events depicted in the clip the Minister of Magic appoints Dolores Umbridge to be the High Inquisitor of Hogwarts and she unilaterally makes many orders affecting the students which would be considered a denial of substantive due process.

- Educational decree #24: All student organizations, societies, teams, groups, and clubs are henceforth disbanded. An organization...is defined as a regular meeting of three or more students. Permission to reform may be sought from the High Inquisitor.
- Educational decree #26: Teachers are hereby banned from giving students any information not strictly related to the subjects they are paid to teach.
- Educational decree #27: Any student found in possession of the magazine *The Quibbler* will be expelled.

The video clips were made by converting the DVD files to mp4 with the free program VLC Media Player app. The desired file was then uploaded to an app called AVS Video Editor. AVS has a suite of video and audio editing and converting tools for a reasonable price. Free software may also be available but may not be as user-friendly.

MUGGLE CONTRACT FORMATION VS. MAGICAL CONTRACT FORMATION

Muggles are non-magic folk and their law of muggle contract formation is complex. At the undergraduate level the law is often simplified to encompass a set of elements needed to form a contract. The elements covered vary but often include offer, acceptance, consideration, meeting of the minds, legality, and competency. For a detailed overview of U.S. contract law see Murray, J. and Murray T. (2017).

In the book (Rowling, 2000) and movie (Warner Bros., 2005), *Harry Potter and the Goblet of Fire*, magical contracts can be formed in a very different manner as explained by Barty Crouch, the Minister of Magic. He says:

Once a champion has been selected by the Goblet of Fire, he or she is obliged to see the tournament through to the end. The placing of your name in the goblet constitutes a binding, magical contract. There can be no change of heart once you have become a champion. A binding magical contract is absolute.

What has happened is, unbeknownst to Harry, his name was put into the Goblet of Fire by the Death Eater Barty Crouch Junior, disguised as Mad -Eye-Moody (Alastor Moody) because he had consumed a potion called the polyjuice potion. Although some of the characters believe Harry lied when asked if he had put his name into the goblet or had convinced an older student to do it, all was irrelevant. The fact his name was put in the goblet and the goblet disgorged his name during the champion choosing ceremony, Harry was obligated to participate in the trials required of the champions.

A clip of the scene where Harry is chosen by the Goblet of Fire and a magical contract is formed can be found at: <https://tinyurl.com/y9dxlvtk>

A simple assignment is to ask students to discuss why no contract would be formed in the muggle world based on the events in the clip. Many answers exist: Harry is underage (he is only 14 and the age of consent in the magical world is 17), although an offer has been made, no acceptance has occurred. No meeting of the minds has occurred.

MAGIC SPELLS AND NEGOTIABLE INSTRUMENTS

The law is one place in the muggle world where magic spells are frequently used. A magic spell is a set of words, said or written in a certain way, which transforms something from one thing to another. A very common spell, and one known by most professors and students alike is the one which requires an accompanying hand gesture to work its magic. Specifically, the person raises their right hand, palm outward and repeats this spell, "I swear (or affirm) to tell the truth, the whole truth and nothing but the truth." This spell transforms the words spoken by the person into evidence.

Negotiable instruments law contains two common spells. These are: “for deposit only” and “without recourse”. Use of the first spell, “for deposit only” transforms an otherwise negotiable check or draft into a non-negotiable check or draft. The spell, “without recourse” protects a negotiator of a negotiable instrument from being liable to a later holder in due course on the instrument.

A PowerPoint® presentation with some pictures and short musical audio clips from one of the Harry Potter movies turns an otherwise boring topic into one with some interest. You can view and download slides here: <https://tinyurl.com/ycda9zef>. Bringing your wand to class and using it to point out the spell written on the board is also effective. These pictures are examples of free pictures which might be incorporated into a PowerPoint® to illustrate these concepts.

FIGURE 1



SUMMARY

This paper presents three quick uses of scenes or concepts from the magical world of Harry Potter to teach three different business law topics to students in an interesting way. These three uses are “Harry Potter and the Denial of Due Process” video clip, “Muggle Contract Formation vs. Magical Contract Formation” and the use of magic spells in negotiable instruments law with accompanying PowerPoint® slides. Links to the media are given to aid those who wish to incorporate these items into their teaching.

ENDNOTES

1. This information is summarized by the author from the books, movies, and online sources on the topic.
2. Free pictures courtesy of Pixabay, <https://pixabay.com/en/book-mysticism-magic-mystical1769625/> and <https://pixabay.com/en/photos/magic%20wand/> accessed 4 December 2018.

REFERENCES

- Allender, D. (2004). From the Secondary Section: Popular Culture in the Classroom. *The English Journal*, 93(3), 12-14. Retrieved from <http://www.ncte.org/journals/ej/issues/v93-3>.
- Berk, R.d A. (2009). Multimedia Teaching with Video Clips: TV, Movies, YouTube, and mtvU in the College Classroom. *International Journal of Technology in Teaching and Learning*, 5(1), 1-21. Retrieved from https://www.academia.edu/31949003/Multimedia_teaching_with_video_clips_TV_movies_YouTube_and_mtvU_in_the_college_classroom.
- Hoover, D.S. (2006). Popular Culture in the Classroom: Using Audio and Video Clips to Enhance Survey Classes. *Society for History Education*, 39(4), 467-478.
- Jarvis, C. (2005). Real stakeholder education? Lifelong learning in the Buffyverse. *Studies in the Education of Adults*, 37, 31-46. Retrieved from <https://www.tandfonline.com/doi/abs/10.1080/02660830.2005.11661506>
- Middendorf J., & Kalish A. (1996). The Change-up in Lectures. *The National Teaching and Learning Forum*, 5(2). Retrieved from https://citl.indiana.edu/files/pdf/middendorf_kalish_1996.pdf
- Parker, T., & Stone, M. (Directors) (1997-1999). *South Park*. New York: Comedy Central.
- Rowling, J.K. (2003). *Harry Potter and the Order of the Phoenix*. Scholastic Press.
- Stevens, L.P. (2001). South Park and Society: Instructional and Curricular Implications of Popular Culture in the Classroom. *Journal of Adolescent & Adult Literacy*, 44(6), 548-555. Retrieved from https://www.researchgate.net/publication/290855792_South_Park_and_society_Instructional_and_curricular_implications_of_popular_culture_in_the_classroom
- Warner Bros. Pictures. (2007). *Harry Potter and the Order of the Phoenix*.
- Wright, R.R., & Sandlin, J.A. (2009). Cult TV, Hip Hop, Shape-Shifters, and Vampire Slayers: A Review of the Literature at the Intersection of Adult Education and Popular Culture. *Adult Education Quarterly*, 59(2), 118-141. Retrieved from <https://journals.sagepub.com/doi/10.1177/0741713608327368>