

# International Multidisciplinary Research Journal

## *Golden Research Thoughts*

Chief Editor  
Dr.Tukaram Narayan Shinde

Publisher  
Mrs.Laxmi Ashok Yakkaldevi

Associate Editor  
Dr.Rajani Dalvi

Honorary  
Mr.Ashok Yakkaldevi

Golden Research Thoughts Journal is a multidisciplinary research journal, published monthly in English, Hindi & Marathi Language. All research papers submitted to the journal will be double - blind peer reviewed referred by members of the editorial board. Readers will include investigator in universities, research institutes government and industry with research interest in the general subjects.

### Regional Editor

Dr. T. Manichander

### International Advisory Board

Kamani Perera  
Regional Center For Strategic Studies, Sri Lanka

Mohammad Hailat  
Dept. of Mathematical Sciences,  
University of South Carolina Aiken

Hasan Baktir  
English Language and Literature  
Department, Kayseri

Janaki Sinnasamy  
Librarian, University of Malaya

Abdullah Sabbagh  
Engineering Studies, Sydney

Ghayoor Abbas Chotana  
Dept of Chemistry, Lahore University of  
Management Sciences[PK]

Romona Mihaila  
Spiru Haret University, Romania

Ecaterina Patrascu  
Spiru Haret University, Bucharest

Anna Maria Constantinovici  
AL. I. Cuza University, Romania

Delia Serbescu  
Spiru Haret University, Bucharest,  
Romania

Loredana Bosca  
Spiru Haret University, Romania

Ilie Pinteau,  
Spiru Haret University, Romania

Anurag Misra  
DBS College, Kanpur

Fabricio Moraes de Almeida  
Federal University of Rondonia, Brazil

Xiaohua Yang  
PhD, USA

Titus PopPhD, Partium Christian  
University, Oradea, Romania

George - Calin SERITAN  
Faculty of Philosophy and Socio-Political  
Sciences Al. I. Cuza University, Iasi

.....More

### Editorial Board

Pratap Vyamktrao Naikwade  
ASP College Devrukh, Ratnagiri, MS India Ex - VC. Solapur University, Solapur

Iresh Swami

Rajendra Shendge  
Director, B.C.U.D. Solapur University,  
Solapur

R. R. Patil  
Head Geology Department Solapur  
University, Solapur

N.S. Dhaygude  
Ex. Prin. Dayanand College, Solapur

R. R. Yaliker  
Director Management Institute, Solapur

Rama Bhosale  
Prin. and Jt. Director Higher Education,  
Panvel

Narendra Kadu  
Jt. Director Higher Education, Pune

Umesh Rajderkar  
Head Humanities & Social Science  
YCMOU, Nashik

Salve R. N.  
Department of Sociology, Shivaji  
University, Kolhapur

K. M. Bhandarkar  
Praful Patel College of Education, Gondia

S. R. Pandya  
Head Education Dept. Mumbai University,  
Mumbai

Govind P. Shinde  
Bharati Vidyapeeth School of Distance  
Education Center, Navi Mumbai

G. P. Patankar  
S. D. M. Degree College, Honavar, Karnataka

Alka Darshan Shrivastava  
Shaskiya Snatkottar Mahavidyalaya, Dhar

Chakane Sanjay Dnyaneshwar  
Arts, Science & Commerce College,  
Indapur, Pune

Maj. S. Bakhtiar Choudhary  
Director, Hyderabad AP India.

Rahul Shriram Sudke  
Devi Ahilya Vishwavidyalaya, Indore

Awadhesh Kumar Shirotriya  
Secretary, Play India Play, Meerut (U.P.)

S. Parvathi Devi  
Ph.D.-University of Allahabad

S.KANNAN  
Annamalai University, TN

Sonal Singh,  
Vikram University, Ujjain

Satish Kumar Kalhotra  
Maulana Azad National Urdu University



# Golden Research Thoughts

**GRT**

## ROLE OF LAW IN ELIZABETHAN ENGLAND WITH SPECIAL REFERENCE TO *THE MERCHANT OF VENICE*



Ghode Jayashree Popat

T. Y. B. A.

Academic Year: 2015-16

### ABSTRACT

Role of law was very important in the Elizabethan period as the entire Criminal and civil matters were attended to by several law courts including the King's Bench such as Court of Exchequer, Chancery Court, and the Star Chamber in the Elizabethan England. The Inns of Court provided barristers to argue the cases before the courts, and the Inns served as a collegial community modeled after the Oxbridge tradition. Middle Temple and Gray's Inn became the academic and intellectual center of law in London and they aided the courts in administering justice.

**KEYWORDS** :Elizabethan England ,*The Merchant of Venice* , entire Criminal and civil matters .

### INTRODUCTION:

It is difficult to understand the concept of "justice" in Shakespeare's *The Merchant of Venice* and *Measure for Measure* without examining the role of law within Elizabethan England. People were greatly influenced by its environments, and the legal regime of the day had a profound influence on Shakespeare's work. Shakespeare himself met the law both personally



and profession- ally as his financial success in London permitted him to obtain real property in Stratford-upon-Avon, including acquire of two packages of land in 1602. The first parcel was New Place on the corner of Chapel Street and Chapel Lane, while the second parcel was situated on the opposite side of Chapel Lane. Because of some omission on Shakespeare's part, the first sale was held in trust by the manor lord until Shakespeare came to Stratford-upon-Avon to complete livery of seisin and other legal formalities.' Regarding the second purchase, Shakespeare's brother, Gilbert, acted as his agent to take title of the land in accordance with legal procedure. Yet the law extended far beyond Shakespeare's personal affairs; it directly influenced his literary work. Elizabethan England used the

rule to control many aspects of society. Regulation of the acting groups, playwrights and playhouses was coordinated by the Master of the Revels with a range of parliamentary statutes, royal proclamations and Privy Council decrees emanating from the government.'

In the Elizabethan period, acting was a dangerous profession and all concerned with the theater had to be well informed of the law and its operation. Criminal and civil matters were attended to by several law courts, including the King's Bench, Court of Exchequer, Chancery Court, and the Star Chamber. The Inns of Court provided barristers to argue the cases before the courts, and the Inns served as a collegial community modeled after the Oxbridge tradition. Middle Temple and Gray's Inn became the academic and intellectual center of law in London and they aided the courts in administering justice.' In theory, justice flowed from the King to the people through the King's deputies and judges. Shakespeare spoke of this in *Measure for Measure*, when the Duke says to Angelo, "In our remove be thou at full ourselves." Achieving justice, however, was problematic in Elizabethan England. The concept of justice often became secondary in a system preoccupied by form rather than substance. Civil wrongs were often denied justice, and criminal offenders frequently received punishments wholly out of proportion to the offense committed. Those injured who were unable to fit their complaint within one of the established writs simply stood without a remedy. Still others were issued unenforceable judgments because of jurisdictional disputes between the courts. For example, the King's Bench originally could only hear cases between the King and a subject, leaving many without any recourse. To combat this evil, the Courts of Exchequer and Chancery sought to extend their own jurisdiction, but many viewed the courts as a place to participate in an elaborate intellectual game. Court proceedings were not seen as a means to an end, but regarded as an end unto themselves. Legal procedure itself torture to exact confessions when he mentioned "pressing to death" in *Measure for Measure*. "Pressing to death" was a practice where heavy weights were placed on the defendant's chest to force him to plead. The law allowed this tactic because the defendant could not be tried for a felony until he had pled. Shakespeare also wrote about the Chancery Court practice requiring defendants to answer interrogatories under oath, a process called 'scraping the conscience'. In *The Merchant of Venice* he wrote: Let it be so: the first interrogatory "That my Nerissa shall be sworn on is Whether till the next night she had rather stay Or go to bed now, being two hours to day". References by Shakespeare to these draconian practices seem to indicate how secondary justice may have become when the Crown wanted a particular result. In addition to civil and criminal matters, control and censorship of the arts was also within the purview of the Crown. As part of the government, the Master of the Revels kept an extraordinarily tight rein on the substance and tenor of all dramatic works staged in London." Every playwright, including Shakespeare, had to submit to the Master of the Revels every play he wanted publicly staged." Censorship laws dictated that public performances, whether in a playhouse, at the Inns of Court or before the Royal presence, could not offend the sensibilities of the Crown. The Master of the Revels also ensured that public performances of plays did not incite disorder.

### **CONCLUSION:**

Thus, role of law was very important in the Elizabethan period as the Elizabethan state used law to control the behavior, sentiments and thought of its subjects. Shakespeare strenuous under these constraints, He could not help but take note of the role of law in securing justice in his literary works.

### **BIBLIOGRAPHY**

1. Shakespeare, William, and M. Lindsay Kaplan. "The merchant of Venice." *The Merchant of Venice*. Palgrave Macmillan: US, 2002. 25-120.

2. Kish-Goodling, Donna M. "Using The Merchant of Venice in teaching monetary economics." *The Journal of Economic Education* 29.4 (1998): 330-339.
3. MacKay, Maxine. "The Merchant of Venice: A Reflection of the Early Conflict between Courts of Law and Courts of Equity." *Shakespeare Quarterly* 15.4 (1964): 371-375.
4. MacKay, Maxine. "The Merchant of Venice: A Reflection of the Early Conflict between Courts of Law and Courts of Equity." *Shakespeare Quarterly* 15.4 (1964): 371-375.

# Publish Research Article

## International Level Multidisciplinary Research Journal For All Subjects

Dear Sir/Mam,

We invite unpublished Research Paper, Summary of Research Project, Theses, Books and Book Review for publication, you will be pleased to know that our journals are

### Associated and Indexed, India

- \* International Scientific Journal Consortium
- \* OPEN J-GATE

### Associated and Indexed, USA

- EBSCO
- Index Copernicus
- Publication Index
- Academic Journal Database
- Contemporary Research Index
- Academic Paper Database
- Digital Journals Database
- Current Index to Scholarly Journals
- Elite Scientific Journal Archive
- Directory Of Academic Resources
- Scholar Journal Index
- Recent Science Index
- Scientific Resources Database
- Directory Of Research Journal Indexing

Golden Research Thoughts  
258/34 Raviwar Peth Solapur-413005, Maharashtra  
Contact-9595359435  
E-Mail-ayisrj@yahoo.in/ayisrj2011@gmail.com  
Website : www.aygrt.isrj.org