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Justice or injustice in Shakespearean plays: *The Merchant of Venice* and *Measure for Measure*

ABSTRACT
The purpose of this study was to discuss the concept of justice in Shakespeare's plays: *The Merchant of Venice* and *Measure for Measure*. The justice of Shakespearean courts and its effects on society are the focal points. Some examples are given from both of the plays admitting that justice is hard to define in these works since the legal authorities of each play perform a different style in the administration of laws. The conclusions will shed further light on the discussions about how the issues related to justice are reflected in Shakespearean plays.
Keywords: justice; injustice; Shakespeare; society

"Shakespeare's plays address different aspects of the human condition such as love, hatred, envy, treason, revenge, as well as social and political questions such as corruption, morality, crime, and law,

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among many others" (Canuto 2013: 197-210). The issues related to the law exist in various plays of Shakespeare including *Measure for Measure* and *The Merchant of Venice* reflecting social life in two imaginary cities: Vienna and Venice, respectively. The reason for choosing these two plays as a basis for the current study is the vivid reflection of legal matters which creates confusion for the readers. In this respect, Willson states that "His views on the law, especially in *The Merchant of Venice* and *Measure for Measure*, are fascinating and compelling because society has continually struggled with what it means to be "just"" (Willson 2014: 695-726).

Shakespeare, in both *Measure for Measure* and *The Merchant of Venice*, successfully illustrates the "exchange between law and literature" (Canuto 2013: 197-210). He creates intricate plot patterns in which powerful motivations deeply affect behaviours and attitudes of the characters, and their understandings of law and justice. Classifying the characters and their motivations as good or bad is not easy in the plays of Shakespeare due to complex motives of Shakespeare's characters. The current study tried to discuss how the concept of justness is reflected in both *Measure for Measure* and *The Merchant of Venice* by considering confusions of the major characters and regarding the justness or unjustness of the taken decisions.

While analysing the concept of justice, we tried to give some examples from *Measure for Measure* as the first step. Then the reflections of justice in *The Merchant of Venice* were discussed as the second step. Finally, we tried to reach conclusions regarding the concept of justness in these two plays to be able to contribute to the ongoing discussions on the justness of Shakespeare in these two plays.

1. Application of the law in *Measure for Measure*

Measure for Measure is one of the complex plays of Shakespeare and it is difficult to label it with a single genre. The play lacks the complete light spirit of a comedy and as such is considered to be a dark comedy due to its bitter nature reflected in the play. In this regard, Schleiner points out that "the humor in *Measure for Measure* is very funny, but it is a kind of black humor, reinforcing the themes

of hollow justice and tyrannous authority" (Schleiner 1982: 227-236). The play focuses on moral issues by interweaving elements of Christianity and the legal system in its portrayal of the corrupted legal system of a fictional city, Vienna. In order to convey society's corruption, Shakespeare uses a typical feature of his plays which is a disguised character, the Duke Vincento, and a myriad of conflicts leading the play till the final resolution. The play can also be categorized as a problem play that reveals a predicament, the corruption of the social order. The characters of the play are in search of a solution to this problem which creates the outline of the play. As Bradbrook states, "In *Measure for Measure*, the problems are ethical (...) the style is barer, sharper, and harder, the language simpler and plainer, and the characters allegorical rather than symbolical" (Bradbrook 1941: 385-399). In this regard, it is observed that Shakespeare successfully portrays a complex situation using a simple language pattern. Caputi remarks that "the play is unusually rich in ideas – particularly ideas about law and Christian doctrine" (Caputi 1961: 423-434). Among these, one of the play's basic themes, the justness of the court, revolves around a governmental issue. It progresses on the debates regarding characters' punishments and whether or not the guilty ones are punished and the righteous ones receive what the justice system requires. Meanwhile, it is not an easy task to classify the characters as guilty and righteous ones due to the complicated content of the plotline. All of these intense ethical issues confusing the readers create a plotline fitting well with the category of problem plays (Bradbrook 1941: 385-399).

It is observed that the play provides a solution to the problem related to the justice of the judges. However, as Canuto points out, the power and the credibility of the laws are corrupted by authority members, and the play represents a conflict of morals and ethics between the applications of laws as stated in the literal content and whether such applications are actually feasible. This tension emerges because law is sometimes rigidly applied and may sometimes be overlooked due to its disuse (Canuto 2013: 197-210). In the play, this conflict is given through two leaders – the Duke Vincento and Angelo

– whose implementations of the laws are totally different from each other.

In the first scene of the play, the Duke Vincento declares that he is leaving Vienna and Angelo is now in charge of administering the city. Then he disguises himself as a friar in order to observe how Angelo will govern the city. The decision is taken since "the Duke seeks to restore moral and civic order through equitable, merciful, and just action by way of the law" (Stephens 2004: 1-51), however he cannot successfully create a social order that protects everyone's rights in a just way. In Act I Scene III, the Duke clearly expresses that he ignored the application of the law for many years and he thinks that if he now punishes someone with this unimplemented law, it will lead to a chaos in the city. He asserts

> I do fear, too dreadful:
> Sith 'twas my fault to give the people scope,
> 'Twould be my tyranny to strike and gall them
> For what I bid them do: for we bid this be done,
> When evil deeds have their permissive pass
> And not the punishment.

However, there is an urgent need for a return to order which was ruined due to the Duke's laissez-faire approach to enforcement. As cited in the research of Stephens (Stephens 2004: 1-51), Ward (Ward 1999: 1-241) claims that

> [i]t is not the absence of laws in Vienna which has led to the breakdown of social morality. The essential problem lies in their lax execution (...) [i]t is the Duke who is unable to execute his own laws for the benefit of its own commonwealth.

It is observed in the play that the Duke and Angelo represent two different types of legal authorities. While the Duke Vincento is unable to reorder the corrupted society with strict decisions, Angelo is a rigorous and merciless man, entrusted by the Duke with the task of implementing the laws. Moreover, it can be claimed that while the Duke always delays the application of the laws, Angelo is very hasty in judging people (Canuto 2013: 197-210). After taking over the duty from the Duke, Angelo declares in Act II Scene I:

> We must not make a scarecrow of the law,
> Setting it up to fear the birds of prey,
> And let it keep one shape, till custom make it
> Their perch and not their terror.

In line with this exclamation, an example of Angelo's harsh verdicts is seen especially through the condition of Claudio arrested and sentenced to capital punishment due to his sexual affair with his lover, Juliet, because the laws of Vienna strictly prohibit sexual intercourse before marriage. Angelo orders Claudio's execution in Act II Scene I:

> See that Claudio
> Be executed by nine to-morrow morning:
> Bring him his confessor, let him be prepared;
> For that's the utmost of his pilgrimage.

There is the fact that the punishment given to Claudio is clearly stated within the scope of the law, although this kind of punishment is not acceptable for the society which has never been confronted with such a judgement in the past. If any person falling into such kind of guilt were to be killed, there would be nobody alive in Vienna. However, Angelo is as strict as a stone and does not show mercy. In a way, he desires to be faithful to the letter of the law and to set a precedent of punishment that redefines the spirit of the law.

The irony lies in the fact that although Angelo applies the laws of Vienna word for word, he also behaves illegally. Angelo's hypocrisy is clearly reflected in the scene where Isabella, Claudio's sister, desperately begs for pardon in the judgement of Claudio. Isabella expresses her opinions regarding the tyranny of Angelo while judging Claudio without showing any mercy, namely, lessening the degree of the harshness of Claudio's penalty. She is well aware that Angelo can change the given verdict regarding the guilt of Claudio and states that there is nobody punished as harshly as Claudio due to having a sexual affair out-of-wedlock. The justness of the taken action is problematic since Claudio is suddenly punished with death due to having a sexual

affair but nobody has been executed for such kind of guilt until Claudio's case. For this reason, she asks for his guilt to be punished in a different way, not through a harsh execution. She pleads Angelo in Act II Scene II:

> I have a brother is condemn'd to die:
> I do beseech you, let it be his fault, (...)
> O just but severe law! (...)
> Yes; I do think that you might pardon him,
> And neither heaven nor man grieve at the mercy.

However, neither people's comments nor Isabella's pleas can change Angelo's decision (Dunkel 1962: 275-285), and he severely states this in Act II Scene II:

> Be you content, fair maid;
> It is the law, not I condemn your brother:
> Were he my kinsman, brother, or my son,
> It should be thus with him: he must die tomorrow.

It is the disposal of the legal system which should be applied without any discrimination. The civil authority has the priority for him (Magedanz 2004: 317-332). Nevertheless, there is one point that he forgets: his own desires. Isabella awakens Angelo's sexual desires and he becomes a man offering an indecent proposal to her (Dunkel 1962: 275-285):

> Admit no other way to save his life,- (...)
> You must lay down the treasures of your body
> To this supposed, or else to let him suffer; (Act II Scene IV)

Shocked by the offer of saving her brother with a sexual intercourse with a legal authority, Isabella rejects this offer as a virtuous woman. Upon Angelo's insistence, she cries "More than our brother is our chastity" (Act II, Scene IV). Angelo takes the advantage of his power to satisfy his personal desires and "the consequences of Angelo's proposal to Isabella guide the plot" (Canuto 2013: 197-210).

It is clearly seen that Angelo abuses the power of being an authority and deviates from his real purpose to create a just social order. He punishes a man for illegal sexual affair but he also fails to behave in line with the law when it becomes a personal matter. Moreover, he blackmails Isabella, saying that he will pardon Claudio if she accepts his offer to have a sexual intercourse with him. He says "he shall not (die), Isabel, if you give me love" (Act II Scene IV). However, he actually accelerates the execution of Claudio. To be sure about the execution, Angelo even demands the head of Claudio's dead body. His lust turns him into an unlawful man who behaves hypocritically and does not consider what the laws order.

His indecent proposal is a sign showing that he is also a corrupted man. He relies on his power and even disdains Isabella when she tells him that she will announce how corrupted and hypocritical he is. He shamelessly says "Who will believe thee, Isabel?" (Act II, Scene IV). Angelo is now in the same position as Claudio and, in fact, even worse, he threatens an innocent young woman. At the beginning of the play, Angelo is stricter in the application of the rules but he fails to give fair decisions regarding the guilty people and he uses it personally (Magedanz 2004: 317-332) without considering the requirements of the legal system. Thus, he cannot become a judge applying the law in a fair way. In this regard, Magedanz declares that "the law must operate impersonally lest it become a tool for personal agendas. Judges must fulfill their roles whether or not they enjoy it or are morally perfect" (Magedanz 2004: 317-332). Nonetheless, it is observed that Angelo cannot accomplish behaving as per to the laws.

After the failure of Angelo, the Duke returns to take over this duty. He tries to solve the problem that Claudio, Juliet, Isabella and even Angelo face. Although both the Duke and Angelo rule the city with the same laws of the legal system, none of them is successful in its application. In fact, it can be claimed that it is not suitable to categorize laws as either good or bad in the play because they gain features of virtue or vice due to the implementation of legislators. Possible expectations of the readers are challenged by the writer. It is

accessible that Shakespeare intentionally and successfully creates these complex situations in order to increase the tension of the play.

Through the end of the play, the meaning behind the play's title is revealed. As stated in Matthew 7:1-3,

> Judge not, that ye be not judged. For with what judgement ye judge, ye shall be judged: and with what measure ye mete it shall be measured to you again (Do not judge so that you will not be judged. For in the way you judge, you will be judged; and by your standard of measure, it will be measured to you.).

In this concern, Magedans stated that "Tyndale, Calvin, and Luther agree with the Geneva Bible that 'judge not' forbids only hypocritical censure of others for one's own sins" (Magedanz 2004: 317-332). The people having the power to judge others are also to be judged within the same laws when they are guilty as it is witnessed in *Measure for Measure*. The laws do not let subjective judgements so the judges should apply the same rules for anybody objectively. In this respect, Angelo should also be judged and punished in exactly the same manner of Claudio's trial.

With the plan of the Duke, Angelo is put in a situation, having a sexual affair out-of-wedlock, similar to that of Claudio and thus Angelo has to be judged with the same laws. Leaving the justice of the final verdicts open to debate, the play shows the purpose of its title, *Measure for Measure*: both Claudio and Angelo end up in the same situation (Canuto 2013: 197-210). They are alive and forgiven after the Duke administers a decision, not the law, that will not hurt anybody. He announces in Act V Scene I:

> 'An Angelo for Claudio, death for death!'
> Haste still pays haste, and leisure answers leisure;
> Like doth quit like, and MEASURE still FOR MEASURE.

Mangadenz points that when the play ends, both the good and the bad characters are treated equally; the Duke Vincento organizes marriage ceremonies as a solution to the conflicts of the people. That is to say, the punishment given by the Duke to the guilty ones is not so harsh that may cause them to suffer (Magedanz 2004: 317-332).

As it is usual in the plays of Shakespeare, it is difficult to come to an exact conclusion or comment regarding the issue of justice in *Measure for Measure* because it is again left to a subjective basis. The audience is left to decide whether the application of the laws is just and equal enough or not. Thus the readers have to think about this confusion of whether to apply the laws as they are in the legislation or to show mercy and equity in its application.

2. Application of the law in *The Merchant of Venice*

The Merchant of Venice blends several literary genres including romance, tragedy and comedy. Due to its complex plot structure together with the inclusion of a struggle for coping with a problem, *The Merchant of Venice* is also categorized as a problem play by some critics including Ferber who claims that "the play is a 'problem play,' filled with gaps, strains, seams, ironies, silences, subversions, and symptoms of discomfort" (Ferber 1990: 431-464).

The setting and plot of the play, which revolves around the theme of marriage, can be regarded as typical aspects of Shakespeare's comedies, but the point that elevates this play to an effective kind of literary work is the involvement of two characters, Portia and Shylock, two dominant characters among other common ones. Portia is one of the most influential heroines of Shakespearean drama. Shylock, on the other hand, is difficult to describe, and there are many complicated analyses regarding his real status in the play. Namely, whether he is a bloodthirsty cruel man, a comic stereotype or a tragic figure is open to various kinds of interpretation. On this matter, Ferber remarks that "in the general scheme of the play, Antonio, Bassanio, and Portia stand for generosity, self-sacrifice, risk, and love, while Shylock stands for miserliness, sacrifice of others, certainty (or surety), and hatred" (Ferber 1990: 431-464). This is again a proof of Shakespeare's ability to create complex characters and structures that provoke questions regarding how to interpret his plays.

The Merchant of Venice mostly focuses on a bond signed by Antonio for a great loan of money that he borrows from Shylock. In the play, Shylock is denigrated due to his religion. He does not have a

respectful place in the society like the other citizens including Antonio who also disgraces Shylock in public. When Antonio asks for money, Shylock reminds this fact to Antonio as:

> Fair sir, you spit on me on Wednesday last;
> You spurn'd me such a day; another time
> You call'd me dog; (...) (Act I Scene III)

It is seen that Antonio does not quit his sardonic manner and apologize from Shylock while asking money from Shylock. However, the moneylender agrees to lend them the money on condition of Antonio's bond. Shylock demands the profit of the money: a pound of flesh from Antonio's body. He says "Of your fair flesh, to be cut off and taken, in what part of your body pleaseth me" (Act I, Scene III). This is the starting point of the entanglement of the play. Accepting Shylock's provision without hesitation, Antonio behaves as a master of his fate and does not consider the possibility of inability to pay his debt back to Shylock. Since Antonio is a successful merchant in Venice, he also has a kind of pride that nearly brings his tragic end. This factor becomes a crucial step boosting the tension of the play since Antonio cannot pay his debt and Shylock is determined to have his right. He is confident that the laws of Venice will recognize Antonio's bond and will be on the side of Shylock.

"Within this electric atmosphere, 'mercy' and 'justice' become the central issues the play's main characters grapple with (...)" (Willson 2014: 695-726). In this respect, the play "is fascinating and compelling because society has continually struggled with what it means to be 'just'" (Willson 2014: 695-726). Through this struggle, the play reaches its climax in the trial scene, in which the judges are expected to give the required decision in line with the laws. Rather than the application of the laws, many people try to persuade Shylock not to fulfil the bond but he does not show any kind of mercy on Antonio and he only asks for the implementation of the law (Koelb 1993: 107-113). Shylock is determined to have a pound of flesh from Antonio's body, a certain death for Antonio, rather than any sum of

money. He declares "There is no power in the tongue of man. To alter me: I stay here on my bond" (Act IV Scene I).

He takes its strength from the laws supporting his case. Nevertheless, it is thought-provoking that Shylock does not speak about justice but he insists only on the enforcement of the laws. It can be claimed that "Shylock avoids the term, surely not because he feels his claim is unjust, but more likely because he knows others at the trial will think so" (Koelb 1993: 107-113). It is portrayed that Shylock demands the requirement of the laws while others focus on justice. As a result, the trial scene portrays differing perspectives confusing readers' minds.

Disguised as a young male law clerk, Portia's arrival to the court changes the direction of the play. Using her wit, Portia, first, tries to convince Shylock to show mercy on Antonio. Then she declares that since there is a bond signed by Antonio, and Shylock determines to have his right, the laws allow him to have what the bond enables. Portia clearly announces "A pound of that same merchant's flesh is thine" and also adds "The court awards it, and the law doth give it" (Act IV, Scene I). She even states "And you must cut this flesh from off his breast. The law allows it, and the court awards it" (Act IV, Scene I). In fact, there is nothing abnormal because "Antonio did default and Shylock demanded literal performance of the terms of the bargain" (Stevens 1992: 1373-1387). Although everything is carried out according to the procedures in line with the related laws, the people pleading for mercy are shocked after hearing all declarations of Portia. It is also seen that Shylock does not hesitate, not even for a second to fulfil his aim. Nevertheless, by presenting another legal issue, Shakespeare interrupts the judgement process carried out as per to the laws.

Shylock is informed that if he sheds blood or cuts more or less flesh than it is required by the bond, both the state and the victim, Antonio, will certainly share all the properties of the offender, Shylock. Moreover, "offender's life lies in the mercy of the duke only" (Act IV, Scene I). Through Portia's crafty intervention, everything is upside down at that moment and Shylock becomes the

offender if he maintains his aim regarding having a pound of flesh from Antonio's body (Koelb 1993: 107-113). Additionally, Shylock is very fond of money, and he may lose all of his goods if he sheds the blood of Antonio. More importantly, the Duke may give him capital punishment. All of these facts and possibilities compel Shylock to take a step back. He says "Give me my principal, and let me go" (Act IV, Scene I). However, as Portia remarks "He hath refused it in the open court: He shall have merely justice and his bond", Shylock is driven into a tight corner.

Shakespeare presents the theme of justice in a very complex manner. As a result, a reader may have difficulty in understanding the possible reasons and outcomes. The people who expect mercy from Shylock for Antonio become merciless toward Shylock. As they find an opportunity via the laws regarding the life of a Venetian citizen, they extort all wealth of Shylock including his religious belief. Inevitably, Shylock agrees to these conditions and "he pays a terrible penalty" (Draper 1935: 37-47), and the case finally comes to an end. It is vivid that Shakespeare, creating all his plays with a great wit, turns the wheel of fortune totally in the opposite direction at the end of the trial scene. Namely, through the end of the trial scene, while Shylock is on the edge of having what he demands depending on his bond in line with the law, although it is too bloody to be accepted, suddenly Antonio becomes at the forefront of being more justified than Shylock. These reversals change the direction of the play and, as a result, let the readers speculate over one of the vital themes of the play: justice. It is very difficult to claim whether the judgements of either Antonio or Shylock are just or unjust. Since Shakespeare provides this trial scene in a complex manner, it is open to various interpretations regarding the justness and equity of the court in the play. Following the analysis of the play with regard to the aforementioned issues related to justness, it is detected that Shakespeare creates a blurred picture regarding justice system which is difficult to put into a certain frame.

3. Conclusion

The most important concern in both *The Merchant of Venice* and *Measure for Measure* is the application of the law and justice. The major characters having the power in the application of the laws prefer different ways while implementing the laws. Although laws should be the same for everyone, these dominant characters can change the direction and surprise the readers. In both of the plays, the final decisions are given after some tricky plans. Thus, these decisions raise the question regarding the trustworthiness and equity of the justice system in these two plays.

In *The Merchant of Venice*, Shylock is left powerless spiritually, psychologically and financially by the court. At the beginning of the trial scene, Shylock absolutely takes his power from the laws since the court has to apply the laws. However, it is the court itself that puts Shylock into a completely powerless position. One of the important factors leading to Shylock's tragic end is the interference of Portia. In fact, the law is not Portia's profession, and the Shakespearean court takes the aid of a fake situation to rescue a person but it ruins another one.

In *Measure for Measure*, the Duke is unable to implement the laws for many years and the city has become a morally corrupted one. The Duke prefers to assign Angelo to his position but due to fact that strict application of the laws may also create disastrous ends, the Duke takes over responsibility again. He judges people according to the existing conditions and implements oral proceedings by ignoring the written laws. Once more a tricky plan is put into practice to reach a solution to the struggle. At the end of the play, he disregards the written laws and finds solutions through implementing his personal decisions and some tricky plans.

All of these applications in the courts prove that in these two Shakespearean plays, it is very difficult to come to an exact conclusion regarding the justice of the judgements. As Isabella, the heroine of *Measure for Measure*, cries "justice, justice, justice, justice!" (Act V, Scene I), all of the characters in these two plays expect justice. However, Shakespeare does not provide these

characters with exactly what the laws offer. He gives them a chance to get rid of the problems, but the suspicion regarding whether the final points for all of the characters are just enough is still debatable.

In line with the purpose of the current study, it can be declared that it is almost impossible to come to a precise conclusion regarding the application of the law but it can be assured that the concept of justice is open to further debates and interpretations in both *Measure for Measure* and *The Merchant of Venice*. Since the concepts of justice, mercy and equity cannot be certainly defined in one way or another in these two plays, it lets the literary critics further speculate over these concepts. As a result, the matters revealed in the present study can be added to the related literature portraying the uncertainty of the Shakespearean plays with regards to the issues of justice.

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