



# Shakespearean Drama: A Tapestry of Legal Discourse and Literary Expression

Shaina Dhulapkar<sup>1</sup>, Ruhi Phadte<sup>2</sup>

<sup>1</sup>Department of English Literature, V.M. Salgaocar College of Law, Miramar, Goa, India  
Email: shainadhulapkar16gmail.com

<sup>2</sup>Department of Law, V.M. Salgaocar College of Law, Miramar, Goa, India  
Email : ruhiphadte@rediffmail.com

Received: 03 Mar 2024; Received in revised form: 10 Apr 2024; Accepted: 20 Apr 2024; Available online: 30 April, 2024  
©2024 The Author(s). Published by Infogain Publication. This is an open-access article under the CC BY license  
(<https://creativecommons.org/licenses/by/4.0/>).

*Abstract— This paper examines the intersection of law and literature through the lens of William Shakespeare's plays: "The Merchant of Venice," "Measure for Measure," and "King Lear." By analysing the legal quandaries and moral dilemmas presented in these works, we uncover Shakespeare's insights into jurisprudence and its application in society. "The Merchant of Venice" scrutinizes legal procedures, the rigor of contract law, and highlights the necessity for equity in justice. "Measure for Measure" offers a critique of absolutist legalism, contrasting strict law enforcement with the need for mercy and moral consideration within governance. "King Lear" explores themes of authority, legitimacy, and natural law, presenting a narrative that questions the efficacy of man-made legal systems. Together, these plays demonstrate Shakespeare's profound understanding of legal concepts and his critique of their manifestation in society. This paper posits that Shakespeare's engagement with legal themes invites a reevaluation of justice, emphasizing the relevance of a multidisciplinary approach to legal education and jurisprudence.*



**Keywords—** King Lear, Law and Literature, Measure for Measure, The Merchant of Venice, William Shakespeare

## I. INTRODUCTION

The intricate dance between law and literature has long captured the imaginations of scholars, practitioners, and readers around the world. This relationship is multifaceted, with each domain borrowing motifs and methodologies from the other to enhance its narratives and analytical frameworks. Law, with its codified structures and principles, intersects with literature's rich tapestry of human experience and cultural expression, providing a unique lens through which to examine the human condition. The exploration of legal themes within literature not only reflects but also shapes societal norms and values, offering critical insights into the ways in which we govern ourselves and seek justice.

This paper ventures into the vibrant interplay of law and literature, aiming to unravel how legal concepts are depicted across various time periods and to understand their

perennial significance. The comparative analysis herein will delve into the enduring themes of justice and morality, as well as the evolving understanding of laws within society, as demonstrated in seminal works across the ages – from the foundational myths and dramas of antiquity, through the poignant social critiques of Victorian England, to the modern legal thrillers that dominate bestseller lists today.

By interrogating the portrayal of legal issues in literature, we stand to gain a nuanced perspective on the law's unchanging and evolving facets alike. It is through this literary lens that we can best appreciate the universality of certain legal challenges, understand the historical shifts in legal consciousness, and comprehend the role of literature in both mirroring and moulding societal attitudes towards law and justice. This introductory overview sets the stage for a deeper dive into the potent and enduring influence of law in literature.

Literature has a long history of critiquing and challenging legal norms and practices. Some examples from different periods are like:

a. Middle Ages

"The Divine Comedy" by Dante Alighieri: Dante's epic poem allegorically represents the soul's journey towards God. It critiques the corruption of the church and the legal systems of his time, placing many historical figures in Inferno as a form of poetic justice.

b. Elizabethan Era

"The Merchant of Venice" by William Shakespeare: This play examines the letter vs. the spirit of the law, as Portia challenges the rigid adherence to a contract at the cost of mercy and compassion.

c. 19th Century

"Bleak House" by Charles Dickens wherein Dickens uses his novel to criticize the Victorian legal system, particularly the Court of Chancery, for its bureaucratic inefficiencies, corruption, and indifference to human suffering.

d. Early 20th Century

"The Trial" by Franz Kafka, this novel portrays a nightmarishly opaque and illogical legal system, exploring the themes of bureaucracy and the individual's helpless entanglement within it.

e. Mid to Late 20th Century

"To Kill a Mockingbird" by Harper Lee whose work serves as a poignant critique of racial injustice in the legal system, where the rule of law is skewed by deep-rooted racial prejudices.

Literature has been a powerful tool in influencing public perception of the legal system and its practices over time. Here are some of the ways in which it has shaped societal views:

a. Highlighting Injustices:

Literature has played a crucial role in revealing the inequalities present within legal systems. "To Kill a Mockingbird" by Harper Lee provides a stark depiction of racial biases and injustices in the American legal system of the 1930s through the character of Atticus Finch, who defends an innocent black man accused of raping a white woman. This narrative not only raises awareness about these issues but also encourages readers to empathize with them and take action against such injustices.

b. Promoting Empathy:

Fiction stories allow readers to see the world through the eyes of characters dealing with legal problems or suffering from unfair legal systems. By placing

readers in these characters' shoes, literature promotes empathy and comprehension for people confronting legal obstacles. For example, books such as "Invisible Man" by Ralph Ellison or "The Kite Runner" by Khaled Hosseini give readers a glimpse into the challenges faced by marginalized individuals navigating complicated legal environments, encouraging understanding and solidarity for those facing similar circumstances.

c. Educating Readers:

Writers frequently incorporate legal ideas and processes into their stories, effectively informing readers about how the legal system operates. For example, Charles Dickens' "Bleak House" scrutinizes the inefficiencies and injustices in the 19th century British legal system, while John Grisham's legal thrillers offer a peek into courtroom proceedings and strategies. These narratives help readers grasp legal rights, procedures, and the wider societal impact of legal choices.

d. Offering Critique and Satire:

Satirical pieces employ humor, irony, and exaggeration to criticize unfair or corrupt legal systems. For instance, Jonathan Swift's "A Modest Proposal" satirizes the indifference of British policies towards the impoverished Irish population by proposing absurd remedies for poverty, thus emphasizing the ethical bankruptcy of the ruling class. Likewise, writings such as Joseph Heller's "Catch-22" or George Orwell's "Animal Farm" use satire to reveal the hypocrisy and injustices within legal and political frameworks, prompting readers to question authority and defy societal conventions.

e. Fostering Debate and Discussion:

Literature frequently introduces ethical quandaries and legal inquiries that encourage readers to participate in deep discussions and introspection. For example, Fyodor Dostoevsky's "Crime and Punishment" delves into the intricate psychological and moral aspects of crime, punishment, and atonement, prompting readers to ponder the essence of justice and ethics. Similarly, creations such as Arthur Miller's "The Crucible" or Albert Camus' "The Stranger" pose challenging queries about law, morality, and cultural standards, igniting debates about justice's nature as well as personal accountability.

f. Encouraging Legal Reforms:

By revealing the deficiencies and inequities in legal organizations, literature has the potential to prompt

demands for improvement. Portrayals of courtroom conflicts and legal stories frequently reflect real-life concerns, bringing focus to aspects requiring modification, such as gender, socio-economic status, and racial disparities within the judicial structure. For instance, narratives like John Steinbeck's "The Grapes of Wrath" or Alice Walker's "The Colour Purple" shed light on the challenges faced by minority groups while advocating for societal and legal changes aimed at rectifying systemic injustices.

g. Creating Public Sentiment:

Dystopian literature such as Franz Kafka's "The Trial" and George Orwell's "1984" influence public opinion by portraying oppressive governmental systems. These stories act as warnings, alerting readers to the risks of unbridled state authority and extensive surveillance. Through illustrating the decline of personal liberties, these novels prompt people to stay alert against challenges to democracy and human rights, ultimately impacting discussions and advocacy in society.

h. Influencing Legal Professionals:

Legal professionals are susceptible to the impact of literature, as it can affect their interpretation of the law and their advocacy for clients. Novels such as "To Kill a Mockingbird" or "Inherit the Wind" by Jerome Lawrence and Robert E. Lee prompt legal practitioners to address personal biases and ethical obligations. By engaging with literature that prompts moral reflection, legal professionals may integrate diverse viewpoints into their work, potentially leading to more fair and socially aware legal representation.

Through these various channels, literature becomes a cultural intermediary, reflecting society's anxieties about the legal system while also shaping the public's opinions.

## II. EXPLORING LEGAL THEMES IN CLASSICAL LITERATURE

Classical literary works often reflect the social and ethical concerns of their time through legal themes, providing a glimpse into historical attitudes toward justice, administration, and legislation. These themes include examinations of equity, the nature of laws, an individual's role within the legal system, and the conflict between natural and man-made laws. Numerous classic works of literature examine the concept of justice, including its divine, natural, and societal aspects. Greek tragedies like those written by Sophocles frequently explore the consequences of human actions and the intricate interplay

between destiny and personal responsibility in relation to the supervision of deities. This may entail their judgments either coinciding with or conflicting with human legal norms. Ancient epic poems, like Homer's "The Iliad" and "The Odyssey," also explore legal concepts. These works illuminate early customs of hospitality and their moral foundations, as well as the idea of leadership and the justification of authority. Conflicts in these epics frequently centre on issues of rightful possession or leadership, offering a glimpse into ancient perspectives on resolving disputes and upholding legal principles. Roman literary works, such as those of Cicero and Virgil, address themes related to leadership, political affairs, and the connection between individuals and their governing bodies. Roman dramas delve into legal processes through trial scenes depicted in the writings of Plautus and Terence, providing insight into the legal systems and social norms prevalent during that era.

When examining legal aspects in classic literature, it is crucial to analyse both the storytelling elements and the historical and legal background of these works. This area of study necessitates a deep analysis of the texts and an understanding of the legal systems that were prevalent during their time. Taking this comprehensive approach can provide valuable insights into the origins of our current legal frameworks and enduring legal issues.

William Shakespeare, widely known as one of the greatest classical playwrights, had an exceptional talent for crafting complex stories that delved deep into human existence. His plays, set in various times and places, offer timeless insights into the complexities of life. As a classical playwright, Shakespeare excelled at storytelling using rich language and compelling characters across diverse genres such as romantic comedies like "A Midsummer Night's Dream" and tragic masterpieces like "Hamlet" and "King Lear." Through his exploration of universal themes like love, jealousy, ambition, and betrayal, he created enduring works that continue to resonate with global audiences.

In addition to his prowess as a dramatist, Shakespeare was also attuned to the legal landscape of Elizabethan England. He often incorporated legal themes into his plays by referencing trials, contracts, justice, governance reflecting society's legal framework; he used law to explore deeper philosophical questions about morality, power, and justice infusing layers of meaning & complexity. Overall, Shakespeare's ability to blend intricate human drama with real-life legal concepts underscores his enduring relevance as both a storyteller and observer of human condition

### III. JURISPRUDENCE IN SHAKESPEARE: A CASE STUDY

Shakespeare's plays provide a diverse range of legal matters and themes, offering an opportunity to explore the essence of law and the judicial system. His multifaceted characters and elaborate storylines often involve legal ideas that echo current legal discussions, capturing the societal and ethical preoccupations of the Elizabethan period while remaining relevant today.

#### 3.1. The Merchant of Venice

William Shakespeare's most famous works, "The Merchant of Venice," explores legal concepts in depth, particularly the contract between Shylock and Antonio and the trial that follows. The play's treatment of legal matters is complex, reflecting a thorough grasp of Elizabethan law, and remains pertinent to conversations about fairness, impartiality, and clemency. In "The Merchant of Venice," Shylock, a Jewish moneylender, engages Antonio in a contractual agreement that culminates in a well-known courtroom confrontation exploring the idea of fairness in law. Portia's plea for mercy from Shylock highlights the conflict between adhering strictly to legal statutes and embracing the compassionate principles of fairness. This play raises issues concerning contract law, the understanding of legal contracts, and the influence of personal prejudice within the judicial system.

The core legal conflict arises from a bond formed between Shylock, the Jewish moneylender, and Antonio, a Christian merchant. Shylock lends Antonio money with the gruesome stipulation that if Antonio cannot repay the loan, he must forfeit a pound of his own flesh. When Antonio's ships are reported lost at sea and he is unable to repay Shylock, the moneylender demands his bond be honoured. The case goes to court, and it's during the trial in Act IV that the play's most intense legal scrutiny occurs.

The trial scene explores the tension between the letter of the law and the spirit of justice. Shylock represents strict adherence to the contract, a literal enforcement of the law without regard for compassion or circumstances, which draws on principles relevant to contract law and legal positivism. Antonio has indeed failed to fulfil the terms of the contract, and by the letter of the law, Shylock is owed the agreed penalty. Portia's intervention, disguised as a young male lawyer, brings the concept of equity into the proceedings. Equity, as a legal principle, aims to apply justice when the rigidity of the law would produce an unjust outcome. Portia's famous "quality of mercy" speech suggests that a more humane and compassionate application of justice would allow for Antonio to be spared. She argues for mercy - suggesting that the discretionary power of the judge to mitigate the harsh consequences of the law should prevail. However, Portia herself adheres strictly to the letter

of the law when she turns the tables on Shylock, using the exact wording of the bond to argue that Shylock may take his pound of flesh but not a drop of blood, as the bond does not entitle him to any blood. The dispute over the bond becomes a focal point of conflict between law and fairness in this play. Shylock, as the plaintiff, insists on upholding the bond and seeing it through to execution, despite its dishonourable nature and the brutal penalty it entails. The fact that Antonio ever agreed to such an agreement is truly perplexing. The persistence of Shylock regarding the bond brings attention to the tension between legal principles and moral considerations in "The Merchant of Venice." This controversy delves into complex aspects of human nature, examining the clash between justice and compassion. Throughout the play, audiences are prompted to reflect on ethical nuances evident within legal systems.

The main focus on Act IV that revolves around a civil legal dispute and the clash between literal interpretation of the law and its intended purpose. We witness logical reasoning, pursuit of justice, and a concentrated effort not only on language but also skilful interpretation of legal documents - which Portia does masterfully. The authority of the law is eloquently conveyed in this play. Despite Portia's plea for mercy being rejected by Shylock, she proceeds to strictly follow the letter of the law as desired by him. She abandons her initial defence based on mercy and uses Shylock's own weapon against him. The strict adherence to "the utmost rigidity" demanded by Shylock conflicts with his own basis as pointed out by Portia: "But hold!" says Portia, "the bond mentions no blood." If you desire to stick purely to what's written then accept it wholeheartedly - this contradiction arises from the fact that a law, a bond, or any contract cannot fully encapsulate specific circumstances because they are fundamentally general in nature. The power of legal formalities has never been depicted more forcefully than in these scenes.

Despite all odds including support from both judge and public opinion leaning in favour of one innocent man; they prove unable to rescue him from an odious villain who relies solely on technicalities. However, it would be unsatisfactory if there were no means within the Law itself to confront such injustice - luckily enough there is one provided through criminal intent - uncovering this becomes Portia's next step against Shylock - revealing that he had willed harm upon another citizen resulting in confiscation and death punishment permissible under crime laws regardless of the contract.

This legal manoeuvring epitomizes the idea of legal technicality, which aims to enforce the law but also illustrates how a rigid interpretation can backfire. Portia's plea for mercy in the play serves as a critical moment that

underscores the dynamic and at times conflicting relationship between law and morality. This appeal highlights several key aspects regarding the interaction of these two concepts: Portia's argument suggests that genuine justice extends beyond strict adherence to legal statutes. By urging Shylock to show mercy voluntarily, she advocates for a moral decision that transcends mere legal obligation. Through her invocation of mercy, Portia introduces an element of compassion into what would otherwise be a purely calculated enforcement of the bond. She presents an ideal where laws should consider human fallibility and the complexities inherent in individual circumstances. The principle of equity, which allows for fair judgment taking specific details into account rather than inflexible application of the law, is hinted at by Portia's argument. Emphasizing how mercy "is twice blest," Portia emphasizes that exercising discretion and offering forgiveness are moral choices beneficial to both giver and recipient alike. Her speech prompts contemplation about what constitutes true justice - questioning whether justice devoid of mercy may conform with legality but not necessarily fairness or morality, particularly within Shakespearean society where harsh laws were prevalent.

Ultimately, this depiction illustrates Shakespeare's exploration of legal philosophy by highlighting that seeking justice inherently involves moral considerations alongside legal procedures. For instance, while promoting desirable qualities such as compassion through her plea for leniency towards Shylock yet later using shrewd legal tactics against him further signifies how ethical ends often require adept understanding and skilful application within legally intricate scenarios.

In the play Shakespeare uses the character Portia to navigate the intricate balance between legal rights and ethical considerations, reflecting the play's thorough exploration of law and morality.

a. Portia as Balthazar: Disguised as a male lawyer named Balthazar, Portia enters the courtroom where the trial serves not only as a legal dispute but also as a test probing the characters' perceptions of justice and mercy. Her disguise challenges traditional legal norms, highlighting the constraints and inflexibility of the legal system.

b. Portia's Plea for Mercy: Through Portia, Shakespeare emphasizes compassion that is often absent in legal proceedings. Her appeal for mercy resonates with a universal sense of kindness, advocating for justice tempered with empathy. These underscores prioritizing moral values over strict adherence to laws by suggesting that morality should guide how legal rights are exercised.

- c. Fairness vs Legalism: Portia's approach in addressing Shylock's claim illustrates finding a balance between fairness (equity) and legality. While she initially champions ethical considerations beyond mere legality, she ultimately relies on strictly interpreting laws—pointing out that Shylock is entitled only to Antonio's flesh but not his blood. This astute interpretation not only saves Antonio but also penalizes Shylock for seeking an outcome endangering Antonio's life – which would be considered illegal under Venetian law.
- d. Ethical Implications within Legal Rights: As Portia discusses what repercussions Shylock would face for demanding harm—a violation against state regulations—she illustrates potential moral implications when pursuing specific legal entitlements. Thus her actions portray upholding legislation while being mindful of its ethical ramifications - implying that one's lawful claims are intertwined with moral consequences.
- e. Championing Justice & Mercy: In her role as judge during trial wherein she grants leniency towards Shylock even after he showed none himself—illustrates her embodiment representing equilibrium between rigorous adherence to jurisprudence and compassionate dispensation within justice administration.

These parallel highlights promoting protection through effective use of law whilst still allowing room possibility redemption. Thus, in "The Merchant of Venice," Portia serves to underscore this complex relationship between legal entitlement and moral considerations within both the context of the play and life in general. She upholds the law, but also recognizes the importance of compassion and fairness instead pursuit justice. The play also engages with themes of legal morality, justice, and anti-Semitism, as Shylock's defeat and conversion to Christianity at the hands of the Venetian state reflect societal prejudices of the time. Kornstein's commentary on the trial in "The Merchant of Venice".

### 3.2. Measure for Measure

"Measure for Measure" is a Shakespearean play that debates morality and the application of the law through the lives of its characters in Vienna. The Duke of Vienna, Vincentio, feeling that he has been too lenient in enforcing the city's moral laws, decides to take a leave of absence. He appoints a strict deputy, Angelo, to rule in his stead. The Duke does not actually leave but disguises himself as a friar to observe what unfolds.

Angelo, tasked with restoring order, begins rigorously enforcing the law against fornication. Claudio is sentenced to death for impregnating Juliet, his betrothed, outside of wedlock. Claudio's sister, Isabella, who is about to take her vows as a nun, pleads with Angelo for her brother's life. Angelo becomes infatuated with Isabella and offers her a deal: her virginity for Claudio's pardon.

Horrified, Isabella refuses and plans to expose Angelo's hypocrisy, but knows her word as a woman will not carry weight against a man of Angelo's stature. Meanwhile, the Duke, in his friar disguise, orchestrates a bed trick: Angelo's former betrothed, Mariana – whom Angelo deserted upon the loss of her dowry – takes Isabella's place in the dark and sleeps with Angelo, compelling him to fulfil his broken engagement to her.

Angelo, unaware of the trick, reneges on his promise and orders Claudio's execution to proceed. The Duke intervenes in disguise, assuring Isabella that her brother is alive and guiding her to accuse Angelo publicly. When he sheds his disguise and reveals his identity as the Duke, he dispenses justice by pardoning Claudio, enforcing Angelo's marriage to Mariana, and proposing to Isabella himself.

The play concludes ambiguously with Isabella's response to the Duke's proposal left unstated. Shakespeare uses this dramatic narrative to explore complex themes such as the practice of mercy versus the enforcement of strict legality, the flaws of those in power, the complexities of human sexuality and choice, and the execution of justice.

Some key legal implications and discussions in "Measure for Measure":

Thus, "Measure for Measure" scrutinizes legal authority, the discretion used in punishments, the ethics of governance, and the role of law in regulating private morality. Through conflict and resolution, Shakespeare ponders the potential for both tyranny and redemption within the legal system, advocating, in the end, for moderation, wisdom, and justice tempered with mercy.

Shakespeare address the abuse of power and the tension between personal morality and legal enforceability in the play by using the actions and decisions of his characters to critique and explore these issues.

#### a. Abuse of Power:

Angelo, initially portrayed as an honourable and strict upholder of the law, reveals his true character when he misuses his authority to pressure Isabella into a sexual encounter in exchange for her brother's life. This misuse of power illustrates how even those who seem morally upright can be corrupted by power.

Angelo: *"Who will believe thee, Isabel?"*

*My unsoil'd name, the austereness of my life,  
My vouch against you, and my place i' the state,  
Will so your accusation outweigh" (Act II, Scene IV).*

This conversation demonstrates Angelo's certainty in his own standing and influence, using them to coerce Isabella into submission.

#### b. Tension between Morality and Law:

Isabella's predicament encapsulates the conflict between individual ethics and legal responsibility. As a new nun, she holds her chastity in high regard, but she is forced to confront the requirement of the law that asks her to compromise her virtue to rescue her brother.

Isabella: *"More than our brother is our chastity" (Act II, Scene IV).*

Isabella's declaration emphasizes her focus on preserving her purity over prioritizing her brother's life, emphasizing the clash between personal principles and familial obligation.

#### c. Justice and Mercy:

The Duke's management of events reveals a sophisticated grasp of justice and mercy. Through his orchestration of the resolution, the Duke ensures that leniency prevails over strict adherence to laws, indicating a more well-rounded approach to governance.

According to Duke Vincentio: *"We have strict statutes and most biting laws,*

*The needful bits and curbs for headstrong steeds,  
Which for these nineteen years we have let slip;  
Even like an o'ergrown lion in a cave,  
That goes not out to prey" (Act I, Scene III).*

In this passage, the Duke acknowledges the necessity of laws while also implying their rigidity and underscoring the significance of balancing them with mercy.

#### d. Hypocrisy:

Angelo's hypocrisy becomes evident when his public display of morality contradicts his own immoral behaviour. This contradiction serves as a criticism of those in authority who enforce strict moral codes on others while failing to uphold them themselves.

Lucio: *"Lord Angelo is precise;  
Stands at a guard with envy; scarce confesses  
That his blood flows, or that his appetite  
Is more to bread than stone" (Act I, Scene IV)*

Lucio's portrayal of Angelo as precise and envious, despite having hidden desires and flaws himself, emphasizes the hypocritical nature of Angelo's character.

## e. Resolution and Reform:

The Duke's final decisions demonstrate a longing for change and renewal within the legal system. Through showing leniency and mercy, he highlights the significance of empathy and comprehension in governance.

Duke Vincentio: "*Go, release them, Ariel;  
My charms I'll break, their senses I'll restore,  
And they shall be themselves*" (Act V, Scene I)

The Duke's choice to set free those who have been unjustly imprisoned and to bring back their senses signifies his dedication to fairness and transformation in the realm of justice.

Through the narrative of "Measure for Measure," Shakespeare presents a complex examination of these issues, leading the audience to consider the nature of justice and the need for a legal system that recognizes the nuances of human morality.

The play also questions the effectiveness of strict enforcement of the law versus the practice of mercy and compassion by scrutinizing the effectiveness of strict enforcement of the law in contrast with the exercise of mercy and compassion through its central plot and character interactions:

## a. Strict Enforcement by Angelo:

Angelo's strict implementation of Vienna's laws establishes the theme of legalism versus mercy in the play. His steadfast dedication to upholding morality without considering individual circumstances results in injustices, such as Claudio receiving a severe punishment for fornication.

Angelo: "*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*" (Act 2, Scene 1).

In this speech, Angelo underscores the importance of enforcing the law without leniency, depicting an inflexible and uncompromising approach to justice.

## b. Mercy through the Duke:

Duke Vincentio, after originally empowering Angelo to govern with rigorous oversight, ultimately steps in to rectify the injustices carried out during his absence. Assuming the disguise of a friar, the Duke orchestrates circumstances to rescue Claudio and unveil Angelo's misuse of authority, indicating a conviction in the importance of compassion within the legal framework.

Duke Vincentio: "*Hence shall we see,  
If power change purpose, what our seemers be*" (Act 3, Scene 1).

The Duke contemplates the possibility of power leading to corruption, indicating that one's true nature becomes evident when they are entrusted with authority.

## c. Impartiality of Law:

Isabella's appeal for her brother's survival and her personal encounter with the justice system illuminate the conflict between impartial laws and individual ethics. The clash of Isabella's ethical principles with the inflexible enforcement of the law indicates that a pursuit of justice without compassion can result in negative consequences and unfairness.

Isabella: "*O, it is excellent  
To have a giant's strength; but it is tyrannous  
To use it like a giant*" (Act 2, Scene 2).

Isabella's analogy of the law's strength to that of a colossal figure highlights the risk of damage when control is exercised without empathy or insight.

## d. Consequences of a Legalistic Approach:

The play explores the idea of whether strict adherence to laws actually results in a morally upright society or simply cultivates hypocrisy and fear. Angelo's personal moral shortcomings, despite his appearance of being law-abiding, indicate that stringent enforcement does not always lead to virtuous behaviour.

Duke Vincentio: "*The miserable have no other medicine  
But only hope:  
I have hope to live, and am prepar'd to die*" (Act 3, Scene 1).

The Duke's contemplation of the significance of hope implies that a legal framework based only on punishment, without the chance for transformation, ultimately does not effectively tackle the root issues behind criminal behavior.

## e. Rehabilitative vs. Punitive Justice:

Isabella's appeal for leniency for her brother brings up the issue of whether justice is best achieved through punishment or by providing a chance for reform. The Duke's approaches, often emphasizing rehabilitation and leniency, highlight the significance of forgiveness and redemption in the legal system.

Duke Vincentio: "*He who the sword of heaven will  
bear  
Should be as holy as severe;  
Pattern in himself to know,  
Grace to stand, and virtue go*" (Act 3, Scene 2).

The Duke emphasizes the importance of leaders embodying fairness and compassion, understanding the intricacies of

human behaviour and the possibility for progress and transformation.

These examples from the play illustrate the recurring theme of mercy and justice in the characters' choices and the subsequent tensions between maintaining a stringent legal system and acknowledging the importance of compassion in governance. Through these scenarios, Shakespeare explores whether strict adherence to the law truly serves justice or if a balance must be struck with merciful, humane considerations.

Shakespeare expertly examines the connection between law and literature in "Measure for Measure," diving into intricate legal concepts like the misuse of authority, the essence of agreements and consent, ethical considerations within the law, retributive justice, surveillance and inquiry in legal proceedings, the significance of mercy in law, and the opportunity for transformation within the legal framework.

### 3.3. King Lear

"King Lear" is a tragedy by William Shakespeare. The story revolves around the aging King Lear, who decides to divide his kingdom among his three daughters based on their declarations of love for him. Goneril and Regan, the elder daughters, flatter him with grand but insincere proclamations. However, his youngest daughter, Cordelia, refuses to exaggerate her love and is disowned. Lear's rash decision sets off a chain of events that lead to madness, betrayal, and tragedy. Lear soon discovers the true nature of Goneril and Regan, who strip him of his retinue and authority, leaving him to wander in a storm mentally and physically broken. Meanwhile, Edmund, the illegitimate son of the Earl of Gloucester, schemes against his father and brother, Edgar, leading to further deceit and destruction. Lear makes the decision to divide his kingdom among his three daughters based on their professions of love for him, a choice that distorts traditional concepts of estate planning and property inheritance. The opening scene of the play presents a kind of 'legal' process, though informal and flawed, as Lear asks his daughters to publicly express their affection in order to determine their portion of the kingdom. This demonstrates a legal misstep by bypassing usual protocols required for asset transfer, indicating that decisions made without sound legal judgment can lead to dire consequences. Goneril and Regan, Lear's older daughters, easily manipulate the situation with flattery in order to secure their inheritance. However, Cordelia refuses to take part in this deceitful behaviour and consequently is disowned and denied her share. Here we witness personal bias overriding fair legal procedure within Lear's 'court', leading directly to severe injustice. As the play unfolds further, its exploration of legal themes continues through

various actions taken by characters. For instance, Edmund - the illegitimate son - devises a plot that challenges legitimate succession laws and questions what it means legitimacy itself, manipulating legal structures for personal benefit. The pervasive acts of deception, betrayal, and miscarriage justice throughout paint dark picture --light cast upon highly exploitable nature legality when individuals pursue selfish ends at expense fairness.

In "King Lear," William Shakespeare portrays a story that delves into the themes of law and order, focusing on issues of power, legitimacy, succession, and fairness. The main legal dispute in the play arises from the division of the kingdom by King Lear as he ages, setting off a series of tragic events that expose weaknesses and uncertainties within human legal structures. The turmoil resulting from Lear's decision to step down as king and share his kingdom among his daughters in "King Lear" serves as a warning about the significance of clear succession laws and property law. In the absence of proper legal frameworks, chaos takes over as treachery and madness replace natural order. The play brings in a rife with legal themes that reflect the complexities of justice, authority, natural law, and legitimacy. Some of the main legal themes and the characters involved in each are as follows

#### a. Legitimacy and Inheritance:

The way King Lear distributes his kingdom among his daughters, depending on their expressions of love, brings up concerns about the rightful inheritance and legitimacy of ruling. This action creates a situation for discord and deception as Lear's daughters compete for authority and doubt each other's right to rule.

For example, Lear allocates his kingdom to Goneril, Regan, and Cordelia based on their declarations of affection. However, Cordelia's decision not to flatter him results in her disinheritance, even though she has a valid claim as his daughter.

#### b. Authority and Governance:

Lear's choice to delegate his power to his daughters before fully abdicating the throne highlights the complexities of transferring authority and governing a kingdom. The subsequent struggle for dominance between Lear and his daughters illustrates the challenges of maintaining control when traditional legal and ceremonial structures are undermined. The erosion of Lear's kingship by Goneril and Regan leads to upheaval, ultimately contributing to Lear's declining mental condition.

#### c. Justice and the Natural Law:

The play juxtaposes human legal systems with the concept of a superior inherent law. Characters such as Edmund disregard societal regulations in favor of personal gain,



while others like Edgar and Cordelia exemplify innate goodness and fairness.

For instance, Gloucester's deception by his illegitimate son, Edmund, results in his loss of physical sight. Nevertheless, this impairment ultimately enables him to perceive the reality regarding Edmund's dishonesty and Edgar's faithfulness, symbolizing a profound understanding of divine justice.

#### d. Disinheritance and Property Rights:

Disowning and deprivation of rightful inheritance are pivotal elements in the play, as characters experience loss through deceit and manipulation. Lear's rejection of Cordelia and Gloucester's disinheritance of Edgar contribute to personal and political turmoil. For instance, Lear rejects Cordelia, leaving her without a dowry or portion of the kingdom because she refuses to praise him like her sisters. This decision triggers a series of events that culminate in tragic outcomes and disorder.

#### e. Blindness and Insight:

Both literal and figurative blindness are important themes in the play, symbolizing the inability to perceive truth and justice. Characters such as Gloucester and Lear encounter both physical and metaphorical forms of blindness, which provide them with a deeper understanding of themselves and their situations.

For instance, Gloucester's loss of sight due to his illegitimate son Edmund allows him to see the reality about his sons' true characters. Similarly, Lear's lack of insight into his daughters' real intentions leads him to ultimately recognize their deception.

"King Lear" delves into a range of legal concepts including legitimacy, power dynamics, justice, inheritance, and wisdom by examining the intricate relationships between its characters and the dramatic narrative of authority struggles, betrayal, and reconciliation.

## IV. CONCLUSION

In conclusion, William Shakespeare's plays "The Merchant of Venice," "Measure for Measure," and "King Lear" offer profound insights into the jurisprudential issues of their times, issues that remain remarkably relevant to contemporary legal and ethical debates. Through the intricate narratives and complex characters of these plays, Shakespeare explores the perennial tension between justice versus mercy, the letter versus the spirit of the law, and the nature of legitimate authority.

"The Merchant of Venice" raises questions about the administration of justice, the application of contractual law, and the potential for prejudice within legal proceedings.

Portia's navigation of the Venetian court system reflects the intricate balance between legal rights and ethical considerations, revealing the importance of equity in the execution of justice.

In "Measure for Measure," Shakespeare examines the consequences of strict legal enforcement in the face of human fallibility, and the necessity for mercy within the system of governance. Angelo's hypocritical application of the law stands in sharp contrast to the Duke's ultimate embrace of mercy and forgiveness, critiquing the limits of stringent legalism and advocating for a justice system that acknowledges human complexity.

"King Lear," on the other hand, delves into the themes of authority, legitimacy, and natural law. The legal dilemmas faced by Lear, his daughters, and the Earl of Gloucester underscore the fragility of human institutions and the quest for a form of justice that aligns with a higher moral order.

Collectively, these works suggest that the law—while necessary for the functioning of society—must be tempered with a sense of compassion and moral responsibility. Shakespeare's use of dramatic tension and character development provides a rich exploration not just of legal concepts, but of their impact on the human spirit. The intricate interweaving of law and literature revealed through these plays underscores the importance of interdisciplinary approaches to understanding and improving our legal processes, ensuring they serve not just to exact justice, but also to embody our highest ethical aspirations. Thus, Shakespeare invites readers and legal practitioners alike to continually reevaluate the principles that underlie our legal system, striving for a balance that promotes both order and humanity.

## REFERENCES

- [1] (The Folger Shakespeare. n.d.)
- [2] Folger Shakespeare Library. (n.d.) *Shakespeare's Plays, Sonnets and Poems* from The Folger Shakespeare. Retrieved from <https://folger.edu/explore/shakespeares-works/all-works>
- [3] (Ganesh, Law and Literature, 2023)