

Elizabethan Literature and the Law of Fraudulent Conveyance

Sidney, Spenser, and Shakespeare

CHARLES ROSS



Elizabethan Literature And The Law Of Fraudulent Conveyance Sidney Spenser And Shakespeare

Arthur F. Kinney



Elizabethan Literature And The Law Of Fraudulent Conveyance Sidney Spenser And Shakespeare:

Elizabethan Literature and the Law of Fraudulent Conveyance Charles Ross, 2017-03-02 This book investigates the origins impact and outcome of the Elizabethan obsession with fraudulent conveyancing the part of debtor creditor law that determines when a court can void a transfer of assets Focusing on the years between the passage of a key statute in 1571 and the court case that clarified the statute in 1601 Charles Ross convincingly argues that what might seem a minor matter in the law was in fact part of a wide spread cultural practice The legal and literary responses to fraudulent conveyancing expose ethical practical and jurisprudential contradictions in sixteenth century English as well as modern society At least in English Common Law debt was more pervasive than sex Ross brings to this discussion a dazzling knowledge of early modern legal practice that takes the conversation out of the universities and Inns of Court and brings it into the early modern courtroom the site where it had most relevance to Renaissance poets and playwrights Ross here examines how during the thirty years in which the law developed Sidney Spenser and Shakespeare wrote works that reflect the moral ambiguity of fraudulent conveyancing which was practiced by unscrupulous debtors but also by those unfairly oppressed by power The book starts by showing that the language and plot of Shakespeare's *Merry Wives of Windsor* continually refers to this cultural practice that English society came to grips with during the period 1571-1601 The second chapter looks at the social political and economic climate in which Parliament in 1571 passed 13 Eliz 5 and argues that the law which may have been used to oppress Catholics was probably passed to promote business The Sidney chapter shows that Henry Sidney as governor of Ireland a site of religious oppression and his son Philip were surprisingly on the side of the fraudulent conveyors both in practice and imaginatively Sidney's *Arcadia* is the first of several works to associate fraudulent conveyancing with the abduction of women The fourth chapter shows that Edmund Spenser who as an official in Ireland rails against fraudulent conveyors nonetheless includes a balanced assessment of several forms of the practice in *The Faerie Queene* Chapter five shows how Sir Edward Coke's use of narrative in *Twyne's Case* 1601 helped settle the issue of intentionality left open by the parliamentary statute The final chapter reveals how the penalty clause of the Elizabethan law accounts for the punishment Portia imposes on Shylock at the end of *The Merchant of Venice* The real strength of the book lies in Ross's provocative readings of individual cases which will be of great use to literary critics wrestling with the applications of legal theory to the interpretation of individual texts This study connects a major development in the law to the literature of the period one that makes a contribution not only to the law but also to literary studies and political and social history

Architectural Rhetoric in Shakespeare and Spenser Jennifer C. Vaught, 2019-09-23 Jennifer C Vaught illustrates how architectural rhetoric in Shakespeare and Spenser provides a bridge between the human body and mind and the nonhuman world of stone and timber The recurring figure of the body as a besieged castle in Shakespeare's drama and Spenser's allegory reveals that their works are mutually based on medieval architectural allegories exemplified by the morality play *The Castle of*

Perseverance Intertextual and analogous connections between the generically hybrid works of Shakespeare and Spenser demonstrate how they conceived of individuals not in isolation from the physical environment but in profound relation to it This book approaches the interlacing of identity and place in terms of ecocriticism posthumanism cognitive theory and Cicero's art of memory Architectural Rhetoric in Shakespeare and Spenser examines figures of the permeable body as a fortified yet vulnerable structure in Shakespeare's comedies histories tragedies romances and Sonnets and in Spenser's Faerie Queene and Complaints *Shakespeare and the Law* Bradin Cormack, Martha C. Nussbaum, Richard Strier, 2013-04-05 William Shakespeare is inextricably linked with the law Legal documents make up most of the records we have of his life and trials lawsuits and legal terms permeate his plays Gathering an extraordinary team of literary and legal scholars philosophers and even sitting judges Shakespeare and the Law demonstrates that Shakespeare's thinking about legal concepts and legal practice points to a deep and sometimes vexed engagement with the law's technical workings its underlying premises and its social effects The book's opening essays offer perspectives on law and literature that emphasize both the continuities and contrasts between the two fields The second section considers Shakespeare's awareness of common law thinking and common law practice while the third inquires into Shakespeare's general attitudes toward legal systems The fourth part of the book looks at how law enters into conversation with issues of politics and community whether in the plays in Shakespeare's world or in our own world Finally a colloquy among Supreme Court Justice Stephen Breyer Judge Richard Posner Martha C. Nussbaum and Richard Strier covers everything from the ghost in Hamlet to the nature of judicial discretion **A Power to Do Justice** Bradin Cormack, 2009-10-15 English law underwent rapid transformation in the sixteenth century in response to the Reformation and also to heightened litigation and legal professionalization As the common law became more comprehensive and systematic the principle of jurisdiction came under particular strain When the common law engaged with other court systems in England when it encountered territories like Ireland and France or when it confronted the ocean as a juridical space the law revealed its qualities of ingenuity and improvisation In other words as Bradin Cormack argues jurisdictional crisis made visible the law's resemblance to the literary arts A Power to Do Justice shows how Renaissance writers engaged the practical and conceptual dynamics of jurisdiction both as a subject for critical investigation and as a frame for articulating literature's sense of itself Reassessing the relation between English literature and law from More to Shakespeare Cormack argues that where literary texts attend to jurisdiction they dramatize how boundaries and limits are the very precondition of law's power even as they clarify the forms of intensification that make literary space a reality Tracking cultural responses to Renaissance jurisdictional thinking and legal centralization A Power to Do Justice makes theoretical literary historical and methodological contributions that set a new standard for law and the humanities and for the cultural history of early modern law and literature The Oxford Handbook of Shakespeare Arthur F. Kinney, 2012 Contains forty original essays **The Law in Shakespeare** C. Jordan, K. Cunningham, 2006-12-12 Leading scholars in the

field analyze Shakespeare's plays to show how their dramatic content shapes issues debated in conflicts arising from the creation and application of law Individual essays focus on such topics such as slander revenge and royal prerogative these studies reveal the problems confronting early modern English men and women *Taking Exception to the Law* Donald Beecher, Travis DeCook, Andrew Wallace, Grant Williams, *Spenser's Irish Work* Thomas Herron, 2016-12-05 Exploring Edmund Spenser's writings within the historical and aesthetic context of colonial agricultural reform in Ireland his adopted home this study demonstrates how Irish events and influences operate in far more of Spenser's work than previously suspected Thomas Herron explores Spenser's relation to contemporary English poets and polemicists in Munster such as Sir Walter Raleigh Ralph Birkenshaw and Parr Lane as well as heretofore neglected Irish material in Elizabethan pageantry in the 1590s such as the famously elaborate state performances at Elvetham and Rycote New light is shed here on the Irish significance of both the earlier and later Books of The Fairie Queene Herron examines in depth Spenser's adaptation of the paradigm of the laboring artist for empire found in Virgil's Georgics which Herron weaves explicitly with Spenser's experience as an administrator property owner and planter in Ireland Taking in history religion geography classics and colonial studies as well as early modern literature and Irish studies this book constitutes a valuable addition to Spenser scholarship

Shakespeare and Immigration Ruben Espinosa, 2016-04-01 Shakespeare and Immigration critically examines the vital role of immigrants and aliens in Shakespeare's drama and culture On the one hand the essays in this collection interrogate how the massive influx of immigrants during the reign of Queen Elizabeth I influenced perceptions of English identity and gave rise to anxieties about homeland security in early modern England On the other they shed light on how our current concerns surrounding immigration shape our perception of the role of the alien in Shakespeare's work and expand the texts in new and relevant directions for a contemporary audience The essays consider the immigrant experience strangers and strangeness values of hospitality in relationship to the foreigner the idea of a host society religious refuge and refugees legal views of inclusion and exclusion structures of xenophobia and early modern homeland security In doing so this volume offers a variety of perspectives on the immigrant experience in Shakespearean drama and how the influential nature of the foreigner affects perceptions of community and identity and collection questions what is at stake in staging the anxieties and opportunities associated with foreigners Ultimately Shakespeare and Immigration offers the first sustained study of the significance of the immigrant and alien experience to our understanding of Shakespeare's work By presenting a compilation of views that address Shakespeare's attention to the role of the foreigner the volume constitutes a timely and relevant addition to studies of race ethics and identity in Shakespeare *Searching the Law, 3d Edition* Frank Bae, Edward Bander, Francis Doyle, Joel Fishman, Paul Richert, 2021-12-13 *Shakespeare and the Institution of Theatre* E. Sheen, 2015-12-11 This innovative book offers an interdisciplinary analysis of Shakespearean theatre presented in a series of imaginative readings of plays from every period of the playwright's career from *Two Gentlemen of Verona* and *The Taming of*

the Shrew to King Lear and The Tempest mapping a new approach to ideas of the theatre as an institution **Equity**

Stirring Gary Watt, 2009-07-17 Sir Frederick Pollock wrote that English speaking lawyers have specialised the name of Equity. It is typical for legal textbooks on the law of equity to acknowledge the diverse ways in which the word equity is used and then to focus on the legal sense of the word to the exclusion of all others. There may be a professional responsibility on textbook writers to do just that. If so, there is a counterpart responsibility to read the law imaginatively and to read what non-lawyers have said of equity with an open mind. This book is an exploration of the meaning of equity as artists and thinkers have portrayed it within the law and without. Watt finds in law and literature an equity that is necessary to good life and good law but which does not require us to subscribe to a moral or natural law ideal. It is an equity that takes a principled and practical stand against rigid formalism and unthinking routine in law and life and so provides timely resistance to current forces of extremism and entitlement culture. The project is an educational one in the true etymological sense of leading the reader out into new territory. The book will provide the legal scholar with deep insight into the rhetorical, literary and historical foundations of the idea of equity in law and it will provide the law student with a cultural history of and an imaginative introduction to the technical law of equity and trusts. Scholars and students of such disciplines as literature, classics, history, theology, theatre and rhetoric will discover new insights into the art of equity in the law and beyond. Along the way, Watt offers a new theory on the naming of Dickens' chancery case *Jarndyce and Jarndyce* and suggests a new connection between Shakespeare and the origin of equity in modern law. This beautiful book, deeply learned in the branch of jurisprudence we call equity and deeply engaged with the western literary tradition, gives new life to equity in the legal sense by connecting it with equity in the larger sense as it is defined both in ordinary language and experience and by great writers, especially Dickens and Shakespeare. *Equity Stirring* transforms our sense of what equity is and can be and demonstrates in a new and graceful way the importance of connecting law with other arts of mind and language. James Boyd White, author of *Living Speech: Resisting the Empire of Force*. *Equity Stirring* is a fine example of interdisciplinary legal scholarship at its best. Watt has managed to produce a book that is fresh and innovative and thoroughly accessible. Deploying a range of familiar and not so familiar texts from across the humanities, Watt has presented a fascinating historical and literary commentary on the evolution of modern ideas of justice and equity. Ian Ward, Professor of Law at the University of Newcastle upon Tyne. This is an important, compendious and thought-provoking work that should be on the shelves of everyone interested in equity studies. Mark Fortier, *Law and Literature*. There is much of interest to the legal historian; the book's insights and erudition did engage this rather sceptical reader who would like to believe that equity could achieve justice but fears rather that it can only be as fair as the court dispensing it. Rosemary Auchmuty, *The Journal of Legal History*. With luck, *Equity Stirring* will stir taxonomic positivists from their culture of entitlement, waking them to the possibility that law and justice do not form the perfect quadrature. Nick Piska, *Social Legal Studies*. A highly imaginative, original and refreshing foray into the legal and ethical

import of concepts too often thought to be difficult archaic and obscure Watt gives us a way into the subject which is forceful in its imaginative reach and its ethical import David Gurnham Law Culture and the Humanities

Early Modern Catholics, Royalists, and Cosmopolitans Brian C. Lockety, 2016-03-09 Early Modern Catholics Royalists and Cosmopolitans considers how the marginalized perspective of 16th century English Catholic exiles and 17th century English royalist exiles helped to generate a form of cosmopolitanism that was rooted in contemporary religious and national identities but also transcended those identities Author Brian C Lockety argues that English discourses of nationhood were in conversation with two opposing cosmopolitan perspectives one that sought to cultivate and sustain the emerging English nationalism and imperialism and another that challenged English nationhood from the perspective of those Englishmen who viewed the kingdom as one province within the larger transnational Christian commonwealth Lockety illustrates how the latter cosmopolitan perspective produced within two communities of exiled English subjects separated in time by half a century influenced fiction writers such as Sir Philip Sidney Edmund Spenser Anthony Munday Sir John Harington John Milton and Aphra Behn Ultimately he shows that early modern cosmopolitans critiqued the emerging discourse of English nationhood from a traditional religious and political perspective even as their writings eventually gave rise to later secular

Enlightenment forms of cosmopolitanism

The Commodification of Textual Engagements in the English Renaissance Michael Saenger, 2016-12-05 An investigation into the ways in which early modern books were advertised this study argues that those means of advertisement both record and help to shape social interactions between people and books These interactions are not only fascinating in themselves but also demonstrably linked to larger social phenomena such as human commodification the development of English nationalism the increasingly unruly proliferation of literacy and changing conceptions of literature Within the context of recent developments of new textualism and new economic criticism Saenger's approach makes use of formalist strategies of genre recognition as well as new historicist connections between social history and art In this study Saenger illustrates his general account of the formal properties of front matter titles and subtitles prefatory epistles and commendatory verses with engaging readings of specific examples including Feltham's Resolves A Myrrour for Magistrates and Sidney's Arcadia He explores the several ways in which paratextual authors sought to involve the reader in various active roles vis vis the main text whether those books were prose fiction or translated continental sermons Some particular attention is devoted to printed drama both because dramatic texts present printers with a unique set of challenges and because those texts have often been misread in recent criticism This book offers a much needed analysis of profound transformations not only to the book trade as an industry but also to the very concepts of reading and authorship in an age which saw the relatively brief coincidence of ancient marketing strategies and systems and the burgeoning market of the mechanically reproduced text

Romance for Sale in Early Modern England Steve Mentz, 2006 Steve Mentz provides a comprehensive historicist and formalist account of prose romance the most important genre of

Elizabethan fiction He explores how authors and publishers of prose fiction in late sixteenth century England produced books that combined traditional narrative forms with a dynamic new understanding of the relationship between text and audience Though prose fiction would not dominate English literary culture until the eighteenth century Mentz demonstrates that the form began to invent itself as a distinct literary kind in England nearly two centuries earlier [Female Transgression in Early Modern Britain](#) Richard Hillman,Pauline Ruberry-Blanc,2016-04-15 Presenting a broad spectrum of reflections on the subject of female transgression in early modern Britain this volume proposes a richly productive dialogue between literary and historical approaches to the topic The essays presented here cover a range of transgressive women daughters witches prostitutes thieves mothers wives murderers violence in NW England violence in Scotland single mothers women as sexual partners in crime Contributions illustrate the dynamic relation between fiction and fact that informs literary and socio historical analysis alike exploring female transgression as a process not of crossing fixed boundaries but of negotiating the epistemological space between representation and documentation [Problem Solving Courts](#) JoAnn Miller,Donald C. Johnson,2009-11-16 Problem Solving Courts explores a relatively new approach to criminal justice one that can have a powerful impact on how convicts connect with their communities Problem solving courts born out of the drug court movement in the 1980s are run by judges who with the assistance of law enforcement agents and mental health workers meet with convicts on a weekly basis to talk about their treatment Treatment programs often include therapy in addition to the possibility of incarceration or early parole in which an offender can complete his or her sentence under the jurisdiction of the court In this unique collaboration scholar JoAnn Miller and judge Donald C Johnson creators of three successful problem solving courts themselves address the compelling needs for alternatives to prisons analyze problem solving courts in depth and assess the impact problem solving courts can have on convicts and their communities Problem solving courts can include community courts that seek to improve the quality of life in neighborhoods struggling with crime and disorder drug treatment courts that link addicted offenders to drug treatment instead of incarceration family treatment courts that seek to stop the cycle of drugs child neglect and foster care and domestic violence courts that emphasize victim safety and defendant accountability **Spenser's Legal Language** Andrew Zurcher,2007 This volume explores Spenser s linguistic experimentation and his engagement with political and particularly legal thought and language in his major works demonstrating by thorough lexical analysis and illustrative readings how Spenser figured the nation both descriptively and prescriptively [Teaching World Epics](#) Jo Ann Cavallo,2023-07-27 Cultures across the globe have embraced epics stories of memorable deeds by heroic characters whose actions have significant consequences for their lives and their communities Incorporating narrative elements also found in sacred history chronicle saga legend romance myth folklore and the novel epics throughout history have both animated the imagination and encouraged reflection on what it means to be human Teaching World Epics addresses ancient and more recent epic works from Africa Europe Mesoamerica and East Central and

South Asia that are available in English translations Useful to instructors of literature peace and conflict studies transnational studies women s studies and religious studies the essays in this volume focus on epics in sociopolitical and cultural contexts on the adaptation and reception of epic works and on themes that are especially relevant today such as gender dynamics and politics national identity colonialism and imperialism violence and war This volume includes discussion of Ludovico Ariosto s Orlando Furioso Giulia Bigolina s Urania The Book of Dede Korkut Lu s Vaz de Cam es s Os Lus adas David of Sassoun The Epic of Askia Mohammed The Epic of Gilgamesh the epic of Sun Jata Alonso de Ercilla y Z iga s La Araucana Homer s Iliad and Odyssey Kalevala Kebra Nagast Kudrun The Legend of Po iva a Nadu the Mahabharata Manas John Milton s Paradise Lost Mwindo the Nibelungenlied Poema de mio Cid Popol Wuj the Ramayana the Shahnameh Sirat Bani Hilal Edmund Spenser s The Faerie Queene Statius s Thebaid The Tale of the Heike Three Kingdoms Gaspar P rez de Villagr s Historia de la Nueva M xico and Virgil s Aeneid Shakespeare and the Law Paul Raffield,Gary Watt,2008-08-29 In July 2007 the School of Law at the University of Warwick hosted an international conference on Shakespeare and the Law This was a truly interdisciplinary event which included contributions from eminent speakers in the fields of English history theatre and law The intention was to provide a congenial forum for the exploration dissemination and discussion of Shakespeare s evident fascination with and knowledge of law and its manifestation in his works The papers included in this volume reflect the diverse academic interests of participants at the conference The eclectic themes of the edited collection range from analyses of the juristic content of specific plays as in Consideration Contract and the End of The Comedy of Errors Judging Isabella Justice Care and Relationships in Measure for Measure Law and its Subversion in Romeo and Juliet Inheritance in the Legal and Ideological Debate of Shakespeare s King Lear and The Law of Dramatic Properties in The Merchant of Venice to more general explorations of Shakespearean jurisprudence including Shakespeare and Specific Performance Shakespeare and the Marriage Contract The Tragedy of Law in Shakespearean Romance and Punishment Theory in the Renaissance the Law and the Drama

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