

**The Most Interesting
Mock Trial Case Files
in the World**

By Bob Ward

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GRAND JURY TESTIMONY
of
Juliet Capulet
Verona -- July 19, 1595

INQUISITOR: Miss Capulet, may I call you Juliet?

JULIET: If it pleases you, yes.

INQUISITOR: Please state your name, age and where you live for the record.

JULIET: I am Juliet Capulet-Montague; I am 13 years old and live in the house of Capulet with my Father and Mother. I will be 14 years in a few days, July 31st.

INQUISITOR: Now, Juliet, please understand that you are not being charged with any murders or wrong doings in this case, and your alleged marriage with Romeo Montague will be a matter for you and your Father to resolve.

JULIET: We *are* married, in a church by Friar Lawrence, and the marriage was consummated by Romeo.

INQUISITOR: Indeed. Well, could you explain how you met Romeo Montague?

JULIET: I met him at our, the Capulet's, Lammas-tide feast, yearly held at our house.

INQUISITOR: He was an invited guest?

JULIET: He just came, masked.

INQUISITOR: So he came uninvited?

JULIET: I don't know.

INQUISITOR: So you met him at this celebration?

JULIET: Yes, we talked, we kissed and we fell in love.

INQUISITOR: Well, at one meeting? Last week I believe? Why the haste to marry?

JULIET: At first I myself did wonder: Was it was too rash? Too unadvised? Too sudden? Too, like the lightning which instantly doth cease to be, even though it lightens? But when you meet the right person, it flashes in your blood, you just know.

INQUISITOR: So, you know this person, Romeo, very well?

JULIET: Very well.

INQUISITOR: You DO know he murdered your cousin, Tybalt in cold blood?

JULIET: No sir, it was not murder, he was defending himself.

INQUISITOR: We have heard that Romeo did challenge Tybalt and drew his sword, did you know that?

JULIET: Tybalt was my loving cousin, Nephew to my Mother by blood, so my blood as well, but Tybalt did kill Mercutio and needed to be contained; arrested, because the Prince had forbid fighting in the streets, and the murders that they could and did result in.

INQUISITOR: But Romeo is not of the Prince's Guards or police of any kind; he wasn't authorized to arrest anyone.

JULIET: We all have an obligation to obey the law and do whatever needed to make sure others do as well. And sir, the Prince would have sentenced Romeo to death if he saw it as murder.

INQUISITOR: Yes, banishment was the Prince's decree.

JULIET: A horrible ruling -- for both Romeo AND me, but banishment need not be forever. It occurred to me that because Mercutio was nephew to the Prince the sentence was somewhat light, and I doubt it would have been very long because what Romeo did was understandable.

INQUISITOR: So, you think that the killing of your “loving” cousin was justified?

JULIET: No, not maybe justified, easy to say that now. But were I, Romeo, standing there at the *time* of the killing of Mercutio by Tybalt, with sword at my ready, I think I may have felt differently. I did love Tybalt, but he was known to be a hot-head and often started conflicts.

INQUISITOR: Hot-head? Romeo also used that term regarding Tybalt; did you and he discuss this testimony? Agree upon your stories?

JULIET: I have not seen my love since being in the monument with him. Romeo is being held, and I am restricted to my Father’s house.

INQUISITOR: Have you discussed this incident with anyone?

JULIET: Nurse consoled me, but we didn't discuss it.

INQUISITOR: However, I see a report that you did go see Friar Lawrence.

JULIET: Yes, To confess my sins.

INQUISITOR: Did you discuss how to give this testimony with the Friar?

JULIET: I gave confession.

INQUISITOR: Yes, but outside your confession, did you discuss Romeo? Tybalt? Paris?

JULIET: Sir, confession is between me, the Friar and God.

INQUISITOR: Yes, and the Friar is bound by his vows to Mother Church to keep that silent, but you are not.

JULIET: I am not a theologian, but I believe you are wrong about confession; but since I am not charged with any crime, in your own words, I will not divulge our conversation.

INQUISITOR: Your refusal hinders this investigation, do you know that?

JULIET: Do your investigation; I cannot be compelled.

INQUISITOR: Miss...

JULIET: Madam!

INQUISITOR: Madam, if you will, I *do* compel you.

JULIET: The law does not require me to give testimony which may incriminate myself.

INQUISITOR: By saying this, you *are* incriminating yourself. Can you hear what you are saying?

JULIET: The law also states that defending my basic rights cannot be construed as guilt of any kind.

INQUISITOR: So, you refuse to answer?

Juliet pauses here - makes intense eye contact with the Inquisitor - says nothing)

INQUISITOR: Juliet?

JULIET: Actually, as I think it, I forget my discourse with the good Friar; I do not refuse to give it. I am for you and your investigation, but have forgotten.

INQUISITOR: You are clever for a young girl.

JULIET: A married woman. And it is easy to seem clever -- you question by the book.

INQUISITOR: Yes, married woman, this brings me to Paris, your betrothed. How did he fit into these ill-fated events?

JULIET: Well, while admittedly, I was ruled by my Father in such matters, I did not agree because I did not love Paris. I met him at the feast briefly and he seemed like a fine gentleman, but after meeting Romeo, I knew I was in love and could not, and would not, marry Paris. Also, by this time I was secretly married to Romeo.

INQUISITOR: Was there bitterness between Romeo and County Paris?

JULIET: I don't know if they ever met, but I doubt there would have been. I never told Romeo about Paris and his name never came up.

INQUISITOR: Miss Capulet...

JULIET: Capulet-Montague, and actually it's Madam, Madam Montague.

INQUISITOR: Yes. So um, Miss Juliet, is there anything you would like to add for the court to consider?

JULIET: I wish the court to know that Romeo is a gentle soul, loving God. He was always guided by Friar Lawrence. It is unfortunate he was involved in this most horrible mess. It is not Romeo's tenor to fight or kill, but he was enraged by Tybalt's

killing Mercutio -- Romeo lost his senses for a moment. And Paris, well this was simply a fatal misunderstanding.

INQUISITOR: Thank you Miss Juliet.

WHY DO A MOCK TRIAL OF THE MERCHANT OF VENICE?

Merchant is one of the most popular of Shakespeare's plays, second or third only to *Romeo and Juliet* or *Hamlet*, but it has been the most controversial of all his plays. Dealing with the writings of a genius who publishes a play which uses anti-Semitism causes many to feel uncomfortable at the very least. And surely, Shakespeare knew what he was doing; down the street, Marlow was raking in the funds with *The Jew of Malta*, a play slathered with anti-Jewish images and words. Shakespeare knew that this kind of play would be a money-maker, but Shakespeare did something more, a lot more – something brilliant which is one of his many strokes of genius.

Shylock, the Jew in *Merchant*, has a depth of character that Shakespeare “sneaks” into our consciousness. Shylock is not named the main character, the Merchant is Antonio. But Shylock has a soul: “If you prick us do we not bleed?” Shakespeare gave Shylock a voice – a human voice. Yet, Shylock is vengeful and wants to kill Antonio so we can call him villain, but is he the only villain? Is this play black and white or somewhat gray? Let's look at the basic story and then some of these characters.

So, who is the “Merchant” in *The Merchant of Venice*? Antonio. He is wealthy and seems to be in the importing business but currently has all his monies tied up in ships due in from Mexico, England, Tripoli, Lisbon, Barbary, and India. However, he does have good credit. His age is not defined by Shakespeare, but due to his business prowess, he is not very young, probably in his forties or fifties, and does not seem to be married. Antonio, the “merchant” of Venice, is depressed for seemingly an unknown reason, although if we read between the lines...but more to that in a bit.

Enter his young friend, Bassanio. Bassanio is much younger than Antonio and seems to have been somewhat irresponsible with his money in his own words. He admits being indebted to Antonio with whom he has a very close relationship. Bassanio likes the high life and thusly, has spent any inheritance he had – he is broke! But guess what! Bassanio has a plan to deface his debts including those to Antonio – it is to marry a rich heiress named Portia.

Portia lives in Belmont in a large villa, Villa Foscari, ten miles west of Venice. She is currently single, but her late father planned for her marriage by setting up a test for her suitors. The scheme is that suitors would have to select a specific casket, one of three, which would contain a portrait of Portia and the one who chooses the correct casket would be declared the winner of her hand and fortune. The caskets are gold, silver and lead – pretty obvious to most except the first two suitors, but later for that.

Bassanio wants to try his hand at this game to win this lady and her fortune however, the game is only open to men of substance (money) so again, who is willing to be his angel? Antonio.

Bassanio needs 3,000 gold ducats to outfit an expedition to Belmont, complete with boat, the proper apparel of a rich suitor and an entourage of servants to complete the splash. Antonio, who many times declares his love for Bassanio, would be more than willing to aqueous, but unfortunately all his capital (money) is tied up with his ships; but he does have great credit!

Now, since Christians by religious law are not allowed to charge interest for loans, (not civil law), no Christians seem willing to loan Antonio the funds, so he must turn to a Jew named Shylock.

Since Jews are not bound by Christian law, they are allowed to charge interest on loans. Problem solved? Well, for Antonio the new problem is that Shylock, the one who has the money Antonio

needs for Bassanio, has been mistreating Shylock over the years. Antonio has spat on him and cursed him for being a Jew and taken clients away from Shylock by offering interest-free loans. So Shylock now sees an opportunity for revenge.

He agrees to loan Antonio the 3,000 ducats for three months, but if Antonio fails to pay then Shylock will be entitled to cut one pound of flesh from Antonio's breast as forfeit. Today, such a stipulation in a contract would be considered absurd and ridiculous, but in 1596, in the City of Venice, the contract was king. The City had a reputation for upholding contracts which enabled it to become one of the main centers of commerce in the world. Law was trusted here.

So Antonio gets the loan and gives the 3,000 ducats to Bassanio so he can sail off to Belmont to win his bride and fortune. Antonio continues in his depressed state; most think it is worry about his ships, but between the lines we can suspect at least, that his heart is about Bassanio.

Arriving in Belmont, Bassanio of course picks the lead casket which, for some reason, shows good character (silly considering Bassanio is a gold digger and squanderer of other people's monies) and wins Portia's hand.

Meanwhile, Shylock's daughter, Jessica, elopes with Gratiano, a member of that Antonio-Bassanio clique. She, like her Father, is a Jew but Gratiano is a Christian, an insult to Shylock. Additionally she helps herself to a casket of gold ducats and her past mother's ring; a turquoise of some value and to Shylock, personally. The purpose of this side story in the play is to punish Shylock for being vengeful, perhaps?

Three months later, Antonio's ships have not come in and in fact are reported grounded so Antonio is bankrupt. He is unable to pay

Shylock -- Shylock's hope since the beginning. Antonio is arrested and brought to court where, if ruled in Shylock's favor, he, Shylock will take a knife to Antonio's chest and cut away a pound of flesh. Antonio knowing this is the end for his life sends a dispatch to Bassanio to please come and basically, hold his hand as the life trickles away from him. Bassanio tells Portia of this situation and Portia suggests she can pay the bond to save Antonio, but Bassanio admits that is a good solution but it probably won't be acceptable to Shylock who is really after the death of Antonio. So Bassanio leaves for Venice. Portia and her good friend Nerissa have a plan. They also decide to go to Venice but secretly, dressed as men, to see what havoc they can do to change the course of events.

Meanwhile, at Court in Venice, to assist with ruling in this trial, the presiding Duke of Venice has sent for a legal scholar named Bellario, to work this all out – this bond is toxic! Conveniently, Bellario happens to also be Portia's cousin. Somehow the Duke's letter was intercepted (we can only assume) and through Portia's familial relationship with cousin Bellario, a letter of introduction of a *Balthazar* who will take Bellario's place at the trial will be delivered by Nerissa to the Court. Balthazar is of course, Portia dressed as a man. The clothing of lawyers is also procured from Portia's cousin for her and Nerissa.

Arriving in Venice and the Court, Nerissa, dressed as a man, presents this letter of introduction for Balthazar (Portia) who is a "young but brilliant legal scholar" who has come from Padua (the seat of legal learning) to sort things out on behalf of Bellario. The Duke is pleased to have someone to defer this responsibility to so Balthazar (Portia) is accepted without question.

The courtroom scene (Act 4, Scene 1) is the major climax of the play and what everybody remembers. To deface the bond, Shylock is offered 3,000 then 6,000 ducats and even more; Portia begs

Shylock to take the money: “Shylock...Bid me tear the bond.” But Shylock is unrelenting and still refuses.

At first, Portia announces that the Jew, Shylock, is in fact entitled to cut Antonio’s flesh off. Shylock is pleased until she then points out that the bond only mentions flesh and not blood. She then declares that Shylock is entitled to the flesh, but if he sheds any blood, he is in default and will have mortal as well as financial penalties. Realizing the impossibility of cutting flesh without shedding blood, Shylock agrees to end the suit. But wait, Portia sees this as attempted murder and for that Shylock’s assets are to be seized with half going to Antonio and half to the state. The Duke himself realizing this is a bit too much punishment changes the forfeit of half of Shylocks wealth to a smaller fine. (Obviously the Duke has more mercy than Portia who spoke of it at the beginning of the trial.) Antonio then chimes in that the Duke should cancel the fine but instead the other half that was to go to the State should go to Shylock’s daughter, Jessica, and her husband upon Shylock’s death. And, Shylock must also agree to become a Christian. Shylock, feeling coerced to have his life, agrees.

Another drama or sub-plot has to do with rings. It is not addressed in the mock trial as it is a non-legal issue. However, early in the play, at the time when Bassanio won the hand of Portia in the lottery, Portia gave Bassanio a ring as a token of their bond with the nomination that it must not, under any circumstances, leave his possession. Nerissa also having the same inclination gave hers to Lorenzo also upon speaking of their vows. After the trial, everybody, the Duke, Antonio, Bassanio and Lorenzo are so grateful and enamored of Portia and Nerissa, they offer them dinner. Portia, on a time-schedule to get back to Belmont before Bassanio, declines the dinner offer, as does Nerissa, but, Portia (still disguised as Balthazar the legal authority who saved Antonio’s life) asks for the ring Bassanio is wearing. Nerissa also

asks for the ring that Lorenzo is wearing (from Nerissa.) After much prodding and explanation about the rings' values, Bassanio and Lorenzo relent and give forth the rings.

When all are back in Belmont, Portia and Nerissa ask for the rings and get the feeble stories from their husbands. Antonio tries to take blame here, but for now and forever, Portia and Nerissa have something to hold over their husbands' heads – a happy ending for most. Bassanio is happy to have a wealthy wife and be debt free, Antonio through luck, made out on the deal in money though not in love. Portia and Nerissa are now at least married. Jessica, while happy to be a Christian, is feeling guilty as she should. And poor Shylock who is really abused by the end of the play, is lucky to be alive and have some monies and his house.

RESTITUTION MAY BE IN ORDER – THUS, THIS MOCK TRIAL.

DA: SATAN IS CALLED TO THE STAND.

(SATAN TAKES THE STAND)

DA: State your full name please.

SATAN I am friend of mankind, called many names, Satan, Beelzebub, Mephistopheles, Lucifer. You can call me Lou.

DA: Do you understand that you are under oath to tell the truth, the whole truth, and nothing but the truth in this proceeding?

SATAN: Yes, of course I do.

DA: Where do you live?

SATAN: Well, it can hardly be called living, certainly the digs I have are nothing compared to this, but it's warm in the winter and I have plenty of company so I try not to whine.

DA: What do you do?

SATAN: Lots of stuff. Mostly, I help people, I'm good at that.

DA: How do you help people?

SATAN: People have trouble making decisions so I am here to help them see the light so to

speak.

DA: Please explain.

SATAN: Well, there are the things that people want to do, and then there are the things that people think they should do, or NOT do. I help them to do the things they want to do.

DA: Wrong things?

SATAN: Who's wrong? Your wrong? God's wrong? They are the things that they want to do, I just help them with the guilt.

DA: So people only do what's right because of guilt?

SATAN: Mostly, I mean most people don't steal because of guilt of stealing something somebody else probably stole in the first place.

DA: I would say that people also don't steal because they are afraid of going to jail. .

SATAN: That's because you are a prosecutor, but people who do steal know that they can get away without going to jail, they just have to get a good lawyer. I know a lot about lawyers, they're my greatest ally.

DA: Why is that?

SATAN: Because they help people with the guilt problems as well as I do.

DA: How?

SATAN: Most people who commit a crime but get off feel good about it. How many defendants who hear a not-guilty verdict stand up and say, "I'm sorry, but I really did do it." When the court says they didn't do it, after a while, they even believe it.

DA: I see your point. You must know a lot of lawyers.

SATAN: I live in Hell, remember?

DA: Please explain your relationship with Eve.

SATAN: Eve, yes, first of all women; She lived in the Garden where I had my first job.

DA: What was that job?

SATAN: I was put in charge of watching over Adam and Eve.

DA: Who gave you that job?

SATAN: God did - because he knew I could handle it.

Michael, the Arch Angle was really pissed off about it though, I think he was jealous of me.

DA: What makes you think that?

SATAN: He was so happy to throw Adam and Eve out of the Garden, in my opinion; he was too rough with them, baring them with the pillar of fire and all.

DA: Tell me about your encounter with Eve.

SATAN: Yes, she was a lovely woman, 'course there wasn't a lot of competition around at the time, but even Adam knew she was better than the dogs and cats in the Garden.

DA: When did you...

SATAN: Can you believe God asked Adam to pick a mate from amongst the animals?

DA: Wasn't it to be a companion?

SATAN: Hey, I don't know where you come from, but this, "Man's best friend" crap just doesn't make it for most guys, you know?"

DA: I guess. When did you first see Eve?

SATAN: Oh, right after she was created, she was so beautiful, nothing like that in the spirit world

EPILOGUE

Dorothy, as you know, left the Land of Oz with her dog Toto and the red shoes.

In Kansas, she had little need for such shoes, especially on a farm. However, she became aware (some say from Glinda) that her friends, Scarecrow, Tin Man and Lion, were in trouble because of what she had allegedly done; killing the Wicked Witches of the East and West.

While she could have remained safely out of the jurisdiction of Oz, she felt obliged to return to Oz which she was able to do with the red shoes.

Upon returning to Emerald City, she was immediately arrested. She was told her rights and being aware that in Oz, things are not as they seem, she opted not to speak until she spoke to an attorney.

NOTES