

Billy bud martial law

Law



Marshal Law in Billy Budd The story " Billy Budd" by Herman Melville takes place in 1797 on a British navel warship. A man named Billy Budd was recruited into the ranks as a naval sailor for the British ranks. Britain was at war with France during the time so on the warships marshal law was used. Billy Budd is a young sailor newly recruited into the ranks, he is liked by many of his crew. Munity on a lot of British warships has occurred and many officers are scared of their crew turning on them.

John Claggart is the master at arms of the ship, his job is to keep an eye on the crew by making sure everyone is doing their job and not trying to start a mutiny. Claggart believes that Billy Budd is a dangerous man and thinks that Billy Budd is liable to mutiny. Claggart on his suspicions goes to speak to the captain and tells Captain Captain Edward Fairfax Vere about Billy Budd. Captain Vere does not believe this and asks Claggart and Billy Budd to come confront one another.

Claggart begins to accuse him and Billy Budd overcome with rage strikes Claggart and he collapses instantly to his death. After this the captain is forced to call for a trial for the death of Claggart. The Captain was the sole witness to the case, during the trial most judges as well as Captain Vere know that Billy Budd did not mean to but because of the Marshal Law set place Billy Bud must be put to death. Captain Vere tells the judges that they must vote to execute Billy Budd to show an example to the rest of the crew.

Billy Budd is put to death by hanging. Marshal law plays a big role is the death of Billy Budd. Billy Budd is looked at as unintentionally killing Claggart he is still executed for his crime. The Navy's Marshal law was enforce and stated that murder is murder regardless of intention. If Marshal law was not

enforced Billy Budd would have most likely have been tried for killing Claggart and would have been found guilty but his sentencing would have been different.

Billy Budd would have most likely been sent to jail for a number of years because of his actions but he would not have been sentenced to death. In Marshal law intention does not matter while in regular law intention is more important than the action that has occurred. If someone by accidently killed someone driving they are not put to death but rather charged for manslaughter and could get a couple of years in jail. If the defendant shows that it was not his fault they could even and they did not mean their actions then they could be acquitted of manslaughter as well.

But in Marshal law they could be trialed and put to death for simply killing the other. In the case of Billy Budd, Marshal law had a direct account for his execution. If there was no marshal law on the British warship he would have been spared his life. In conclusion Billy Budd's death had to do solely with the type of law instilled in the British Naval ranks. If Billy Budd would have been charged in regular court he would have been found guilty and sent to jail for a couple of years. Instead Billy Budd was put to death by hanging.