

## **Judgment, Conscience and Shylock's Bond**

### **Julgamento, Consciência e o Contrato de Shylock**

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**Abstract:** This paper aims to analyse part of the trial scene in Shakespeare's **Merchant of Venice**. Even though Portia praises mercy in her speech, she shows no mercy to Shylock. Portia conducts a trial which obliges Shylock to accept the Duke's and Antonio's decision on his life, religion and money. In fact, Portia's judgement points to the inflexible law in Venice and in late Renaissance, wherein class and ethnic choices were taken into account in public trials. Portia's conscience interferes in Shylock's judgement, suggesting that conscience and judgement are intermingled in such a way that it determines the whole trial.

**Key-words:** Judgment; Conscience; Merchant of Venice.

**Resumo:** Este artigo tem como objetivo analisar parte da cena do julgamento no **Mercador de Veneza** de Shakespeare. Embora Portia elogie a misericórdia em seu discurso, ela não mostra misericórdia para Shylock. Portia conduz um julgamento que obriga Shylock a aceitar a decisão do Duque e Antonio em relação à sua vida, religião e dinheiro. De fato, o julgamento de Portia aponta para a lei inflexível em Veneza e no final do Renascimento, em que as escolhas de classe e étnica eram levadas em consideração em julgamentos públicos. A consciência de Portia interfere no julgamento de Shylock, sugerindo que a consciência e o julgamento são misturados de tal forma que determina todo o julgamento.

**Palavras-Chave:** Julgamento; Consciência; Mercador de Veneza.

**Submetido em 24 de janeiro de 2020**

**Aprovado em 10 de março de 2020**

### **Introduction**

This essay analysed the twists and turns in the trial scene in Shakespeare's **Merchant of Venice**. Although Portia praises mercy in her speech, she demonstrates no mercy to Shylock. Portia conducts a partial trial that undoes Shylock's bond and obliges him to accept the Duke's and Antonio's decision on his life, religion and money. In fact, Portia's judgement hints at the inflexible law in Venice and in late Renaissance, when public trials were commonly partial.

Portia debates the bond sealed between Antonio and Shylock. It is odd Portia's contradicting arguments at the courtroom, which suggests her inward feelings, anxieties and inner debate. Moreover, there may be some similarities between Portia and Antonio: she was also bound to her father's will, obliging her to marry the man who chooses the casket containing her portrait. Thus, her body was also bound to her bereaved father's will. As a result, in an unconscious level, Portia

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may re-imagine such situation when she was forced to accept her father's will and marry any man who discovers the real casket. Besides that, it was suggested by Adelman that Shylock symbolically represents the ur-father of the play. Thus, she might re-imagine the absent presence of the paternal figure in Shylock. Thus, she may be imaginatively facing the symbolic representation of paternal figure at the courtroom. Likewise, Antonio's anxieties towards the paternal figure re-imagined in Shylock mirrors Portia's anxieties towards the paternal figure unconsciously re-imagined in Shylock.

### 1. Undoing Shylock's bond: Judgement and Conscience

While the Duke waits for Bellario at the courtroom, Bassanio, Gratiano and Shylock have an argument:

**Bassanio.** Why dost thou whet thy knife so earnestly?  
**Shylock.** To cut the forfeiture from that bankrupt there.  
**Gratiano.** Not on thy sole, but on thy soul, harsh Jew,  
 Thou makest thy knife keen; but no metal can,  
 No, not the hangman's axe, bear half the keenness  
 Of thy sharp envy. Can no prayers pierce thee? (SHAKESPEARE, 2010, p. 341-342)

Shylock's whetting the knife and his demanding a pound of flesh hints at the mythical Jewish murder. According to this myth, the Jews used to take an innocent Christian child and used his body in a sacrificing ritual. For James Shapiro (1996), **The Merchant of Venice** suggestively re-enacts the mythical sacrificial murder throughout the play. In the myth, the Jews sacrificed a Christian when another Jew died, because they believed that bathing the bereaved Jew in Christian blood would save his soul, in case Christian baptism was really necessary to get into Paradise. However, Shylock's reasons for killing Antonio do not lay on stereotypical ritual murder, but on his hate and desire of revenge. The play's tessitura is made of a convergence of ambiguous allusions which create tensions and anxieties in the audience. Shakespeare cunningly mixes up opposing possibilities which make the effect of the play very conflicting and tensional.

Furthermore, Gratiano alludes in this speech to the possibility of perceiving and knowing a man's inwardness, according to Maus (1995). Gratiano suggests that the knife Shylock is whetting will be used to pierce his soul. Gratiano implies that his intended action will damn his soul (DRAKAKIS, 2010, p. 342). Moreover, Gratiano refers to Antonio's premise of the Jew's hard heart, which cannot be moved by any prayer. He subtly refers here to the impossibility of knowing one's heart and soul through this metaphor of piercing his soul, and to the impossibility of figuring out Shylock's inwardness: his inward feelings, inward dispositions of the mind, and innermost intentions. Ironically, though the Christians know Shylock's hate towards Antonio, Gratiano assures

that they do not know and acknowledge Shylock's actual meaning. Shylock's sacrificing promise symbolically depicts him as Abraham-like figure who swore to sacrifice his son Isaac. As Shylock's figure represents the primordial father of the play, he threatens and provokes anxieties and fear of castration, implied in his bond.<sup>2</sup>

Then Shylock acknowledges that no Christian prayer can move and change him: 'No, none that thou hast wit enough to make.' (SHAKESPEARE, 2010, p. 342). Then Gratiano insists once again on Shylock's beastly nature of his spirit:

O, be thou damned, inexecrable dog,  
 And for thy life let justice be accused!  
 Thou almost makest me waver in my faith  
 To hold opinion with Pythagoras,  
 That souls of animals infuse themselves  
 Into the trunks of men: thy currish spirit  
 Governed a wolf, who, hanged for human slaughter,  
 Even from the gallows did his fell soul fleet,  
 And, whilst thou layest in thy unhallowed dam,  
 Infused itself in thee; for thy desires  
 Are wolfish, bloody, starved and ravenous. (SHAKESPEARE, 2010, p. 342-343)

Gratiano tries to figure out the nature of Shylock's soul. Shylock's attitudes and actions make Gratiano believe in Pythagoras' theory. However, Gratiano twists Pythagoras' theory that assures the transmigration of human soul into animals. Gratiano's argument is, in a superficial level, quite comic, but in a subtler level, asserts that Shylock's body possesses a beastly soul. In the second part of the speech Gratiano emphasises more cunningly the wolfish and beastly nature of Shylock's soul, which was a common-place in English Renaissance. According to Bronstein (1969),

to justify the ferocity with which Jews were attacked, excuses just as ferocious had to be made. The image of the Satanic Jew flourished in literature, in ballads, in plays, and was used both as a justification of the terrible treatment of the Jews and as encouragement to the masses to attack the Jews. Thus arose the stereotype of the Jew which Shakespeare knew. (1969, p. 6)

When Gratiano refers to 'unhallowed dam' he means that the Jew is the son of the devil, because 'unhallowed dam' means 'unholy mother', 'the profane opposite of the Virgin Mary' (DRAKAKIS, 2010, p. 343). He also highlights the Jew's desires as wolfish (usurious), bloody, cruel, mean and ravenous. Ravenous means voracious, raven-like, black and thus devilish in the age. Gratiano's description of Shylock's soul enhances Shylock's evilness, which depicted in his actions towards Antonio.

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<sup>2</sup> In many cultures there are some representations of primordial paternal figures which represent primitive feelings and anxieties in society. See Bueno and Falcão (2017) for an interesting representation in Brazilian Literature.

The second verse of his speech is very ambiguous: ‘And for thy life let justice be accused!’ Drakakis suggests that the meaning of this verse is unclear. For him, two possible readings can be implied here: (1) ‘let justice stand accused for allowing you to continue to live’ (2010, p. 342), which, in fact, does not seem to be tuned with Gratiano’s vehement aggression in his speech; and (2) ‘even though you are technically in the right, your inhumanity would provide the justification for taking your life at the risk of justice itself being arraigned for it’ (2010, p. 342), which suggests Gratiano’s and the Christians’ desires in the play: to expatriate and kill the Jews. In that sense, Drakakis (1998) points out that

To this extent the Venetians in the play project onto Shylock a hatred which stems from their recognition of the need of his money to sustain their own society, which are in effect a practical necessity, can have either a religious or an ethical validation. In this sense, Shylock is the object upon whom Venetian society vents its own hatred of itself, and in this respect his own dramatic characterisation is made to incorporate those negative social forces, such as Puritanism, which challenge the norms of Venetian/Elizabethan society. It is within this complex web of significations, both as an *effect* of Venetian self-hatred, and as the representative of a historically ostracised ethnic group, that Shylock is forced to eke out a precarious existence, marginally, yet symbolically central to Venice’s own perception of itself, tolerated, yet repressed. (1998, p. 191)

Gratiano’s hatred, just as Christian hatred, is moved by the recognition of something in Shylock which they indeed hate in themselves. Shylock works as a symbolic figure which haunts and threatens to unmask the true Venetian face. However, his symbolic presence is tolerated and ambiguously repressed in acts of exclusion, marginalisation, and aggression. It is a sort collective unconscious which is projected onto Shylock as a scapegoat to alleviate their inner unconscious conflicts and anxieties. Their ashamed need of money, dealing with money and needing the Jews’ money can be only tolerated through this mechanism of aggression and then scapegoating. Shakespeare constructed Shylock aesthetically, as well as symbolically to represent not only Venetian ashamed unconscious, but also English collective ashamed unconscious. As we have seen in chapter 4, there were many merchants who worked with usury and their usurious practice was extremely rejected and reproached in London.

Shylock’s reply to Gratiano’s speech suggests Shylock inexorability at the courtroom: “Till thou canst rail the seal from off my bond, / Thou but offendest thy lungs to speak so loud: / Repair thy wit, good youth, or it will fall / To cureless ruin. I stand here for law.” (SHAKESPEARE, 2010, p. 343-344). Shylock’s attitude is nourished by his belief that he has the right of demanding his bond in front of the law. He assumes here an arrogant attitude of a self-sufficient man who believes he will never be outwitted and subdued. However, the inexorability of his bond will make him susceptible to the law and will enable Portia to defeat him. As he says that ‘I stand her for law’, he ironically suggests that the same law he claims will judge him and even take from him what he has.

In the next moment of the scene, amid the turmoil of the crowd, the Duke announces that he can dismiss the court unless Bellario comes to the trial. Then, Salerio reveals that there is a messenger (Nerissa, disguised as a lawyer's clerk) standing at the door, waiting to hand in a letter from Padua to the Duke. Then, she hands in a letter from Bellario, allowing Portia (disguised as young Balthazar) to represent him at the courtroom:

Your grace shall understand that at the receipt of your letter I am very sick: but in the instant that your messenger came, in loving visitation was with me a young doctor of Rome; his name is Balthazar. I acquainted him with the cause in controversy between the Jew and Antonio the merchant: we turned o'er many books together: he is furnished with my opinion; which, bettered with his own learning, the greatness whereof I cannot enough commend, comes with him, at my importunity, to fill up your grace's request in my stead. I beseech you, let his lack of years be no impediment to let him lack a reverend estimation; for I never knew so young a body with so old a head. I leave him to your gracious acceptance, whose trial shall better publish his commendation. (IV, i, 149-162)

The first intriguing questions are 'How did Portia get this letter? Did she forge it?' No one knows exactly how Portia got such a letter, allowing her to represent Bellario at the courtroom. Such letter gives power to her to come to the courtroom. It works as a device to suggest that the trial is, in a subtler level, forged, as Charles Ross (2010) has proposed. Furthermore, the name Portia takes – Balthazar – echoes Beltashazzar, which was the Babylonian name for Daniel, an attribute Shylock will give to Portia due to her wisdom and knowledge. Moreover, Shakespeare enhances Portia's law authority by stating that young Balthazar comes from Padua and Rome. Padua was a famous centre of civil law in Renaissance Italy, which would suggest Portia's proficiency in law. Rome was the theological centre in Europe, which makes the judge's character more convincing and could also suggest his proficiency in Theology.

Then, Bellario refers to Portia first as a Doctor, and then as a 'young body'. Though he is described as a learned doctor, his presence is merely bodily, a physical presence which theatrically represents a doctor and disguise her female nature through cross-dressing. In a certain sense, Portia's disguise and theatrical representation of Balthazar usurps the law in Venice by a fraudulent trial. For Ross, 'Portia is always on the verge of fraud' (2010, p. 98). Indeed, she forges a fraudulent trial to undo Shylock's bond. Moreover, instead of determining Shylock's condemnation, in a Pilate-like attitude she washes her hands and demands the Duke and Antonio to give Shylock's condemnation. Thus, it is quite interesting to remark that just some critics have really noticed the Christians' flaws in the play: Shakespeare's artistry veils deeper intentions of the characters by creating an awkward effect. Such veil is constructed by the apparent qualities attributed to the Christians by other characters. For example, they say that Portia is magnificent, smart, beautiful and just; and the reader may take for granted that the Christians do no wrong in the play.

Then the Duke lets Balthazar (Portia) enter the courtroom. As soon as the Duke asks Portia whether she is acquainted with the whole suit, she asks an awkward question at the courtroom: ‘I am informed thoroughly of the cause. / Which is the merchant here, and which the Jew?’ (IV, i, 169-170). Such odd question synthesises the problematic distinctions between Christians and Jews in the play. According to Cecil Roth, in her essay *The background of Shylock* (1933), such question would never be posed because any Elizabethan and Venetian would recognise a Jew by the distinctive symbols and clothes that they were obliged to wear in the ghettos and publicly. In I, iii, Shylock refers to his Jewish gabardine, whereon Antonio used to spit. For Janet Adelman (2008), such question signal the anxiety of loss of the distinction between Christians and Jews in the play and such anxiety is unconsciously pervaded in the characters’ speeches, just as in the disturbing fantasies which threaten to efface the differences between them, taken as legitimate and ontological by the Christians. Alternatively, such anxieties veil the intimate connection between the Jews and Christians in the textuality of the play. For Adelman, ‘the Jew is not the stranger outside Christianity but the original stranger within it’ (2008, p. 04). However, though Roth argues that there were distinctive clothes which differentiated the Christians from the Jews, James Shapiro (1996) argues that Shylock’s speeches which make the point of no difference between Jews and Christians touches on the Christian anxiety of non-differentiation: “his lines take us in a striking different direction, for Shylock’s insistence on the similarity of Jews and Christians is mirrored in the proverb’s double message, one that can be traced back to Paul’s epistles: a Christian is the antithesis of a Jew and yet, in certain circumstances, is potentially indistinguishable from one.” (1996, p. 8). Portia’s awkward question to distinguish the merchant and the Jew reveals the Christian anxiety in the early modern England that the Jews were similar to them. In Shapiro’s view, ‘the early modern Jew, in contrast, confounded those who sought more precise definitions in terms suited to emerging notions of nationhood and race’. (1996, p. 5). Likewise, in an age of religious changes, both Protestants and Catholics accused each other of ‘Judaizing tendencies’ (SHAPIRO, 1996, p. 8). Shakespeare put such question in Portia’s mouth to represent Christian and Jewish inner similarities in the play. It enhances the mirroring device used to represent one’s feelings in other’s actions and attitudes.

Then, she starts to analyse and discuss the bond. The first point is that there is no decree in Venice which can impugn such bond: “Of a strange nature is the suit you follow; / Yet in such rule that the Venetian law / Cannot impugn you as you do proceed.” (SHAKESPEARE, 2010, p. 346). Portia confirms what Antonio had stated in act III, scene iii: that no one can change the law in Venice, because Venice depended on foreign commerce and usury. As Antonio states: “The duke cannot deny the course of law: / For the commodity that strangers have / With us in Venice, if it be denied, / Will much impeach the justice of his state; / Since that the trade and profit of the city / Consisteth of all nations.” (SHAKESPEARE, 2010, p. 318-319). However, as we will see, Portia’s

judgement is full of judicial contradictions which reveal the nature of the trial: a fraudulent judgement (ROSS, 2010, p. 91). Then, she asks the Jew to be merciful:

**Portia.** Do you confess the bond?

**Antonio.** I do.

**Portia.** Then must the Jew be merciful.

**Shylock.** On what compulsion must I? tell me that. (SHAKESPEARE, 2010, p. 347)

Portia's reply to Shylock's question is given in her beautiful and well-known speech on the quality of mercy:

The quality of mercy is not strained,  
 It droppeth as the gentle rain from heaven  
 Upon the place beneath: it is twice blest;  
 It blesseth him that gives and him that takes:  
 'Tis mightiest in the mightiest: it becomes  
 The throned monarch better than his crown;  
 His sceptre shows the force of temporal power,  
 The attribute to awe and majesty,  
 Wherein doth sit the dread and fear of kings;  
 But mercy is above this sceptred sway;  
 It is enthroned in the hearts of kings,  
 It is an attribute to God himself;  
 And earthly power doth then show likest God's  
 When mercy seasons justice. (SHAKESPEARE, 2010, p. 347-348)

In the first moment, mercy is metaphorically a 'gentle rain' from heaven. It blesses twice, it is a blessing from above, from God. It is the greatest feeling in the world; it is mightier than the monarch's thrones and sceptres. The majestic quality of mercy puts it above the kings and should make them be fearful if they were not merciful. 'Gentle rain' evokes gentile, which suggests that mercy is a Christian assumption. Moreover, the double quality of mercy is due to its possibility of blessing twice, the one who gives, and the one who receives it. It is multiplied and reproduced just as Shylock and Antonio create money in different ways of gaining money. Thus, it is, in a subtle and cunning level, a sort of commerce. Though mercy implies humbleness and generosity, Portia's attributes of mercy implies power. Thus, a merciful being seeks, in a deeper and unconscious level, power, because as soon as one is merciful, he can demand submission and abnegation from receiver of his mercy. This connection between mercy, power and force in Portia's speech enhances the implicit connection between mercy and *com-merce*, which philologically share the same root: *merches*. In a subtler level, such detail implies the connection of mercy and power: mercy, money, and commerce. Portia's speech aims at justifying mercy for domination attributed by God. Thus, since mercy and commerce have same the root *merches*, Portia's speech is subtly an attempt to market mercy with the Jew. Somehow, in the same way that Antonio believes that lending money

gratis will generate Bassanio's love for him, Portia believes that money can generate mercy, which implicitly is another form of usury. Nonetheless, she attempts to disguise such trick using the name of justice and faith. The confusion between money and feelings is already enhanced in this speech by the financial attributes implied in mercy.

In the second part of the speech, she tries to convince Shylock of giving up his bond by mercy:

Therefore, Jew,  
Though justice be thy plea, consider this,  
That, in the course of justice, none of us  
Should see salvation: we do pray for mercy;  
And that same prayer doth teach us all to render  
The deeds of mercy. I have spoke thus much  
To mitigate the justice of thy plea;  
Which if thou follow, this strict court of Venice  
Must needs give sentence 'gainst the merchant there. (SHAKESPEARE, 2010, p. 348)

Though Portia stated at the beginning of the speech that mercy is not given under compulsion ('not strained'), at the end of the speech she acknowledges the necessity of obliging Shylock to be merciful. She uses the verb *must* above to refer to mercy, when she demands Shylock's mercy – 'Then *must* the Jew be merciful' (SHAKESPEARE, 2010, p. 347, emphasis mine), and verb *consider* in the imperative trying to dissuade Shylock of his suit. Such speech echoes Antonio's supposition of Shylock's 'hard heart' which cannot be pierced by anybody. In this speech she recognises that the 'strict court of Venice *must*' condemn Antonio, because there is no way to undo such bond. Then, Shylock's answer to Portia's speech alludes to the *talionis lex*. He prefers to claim law and his rights, instead of accepting mercy: 'My deeds upon my head! I crave the law,/ The penalty and forfeit of my bond.' (2010, p. 348-349). He prefers the consequences of the strict law than taking the money.

Then Portia changes the subject of the conversation and asks whether Antonio cannot pay the bond: 'Is he not able to discharge the money?' (SHAKESPEARE, 2010, p. 349). Bassanio answers:

Yes, here I tender it for him in the court;  
Yea, twice the sum: if that will not suffice,  
I will be bound to pay it ten times o'er,  
On forfeit of my hands, my head, my heart:  
If this will not suffice, it must appear  
That malice bears down truth. [*To the Duke*] And I beseech you,  
Wrest once the law to your authority:  
To do a great right, do a little wrong,  
And curb this cruel devil of his will. (SHAKESPEARE, 2010, p. 349).



Bassanio wants to pay the money back with six thousand ducats. However, he is bound to pledge his body – ‘my hands, my head, my heart’ – in the same as Antonio pledged his body for Bassanio. Bassanio wishes to undergo a similar sacrifice for Antonio now. Bassanio also assumes a submissive attitude to Shylock’s bond, which enhances his ambivalent relationship with Antonio. Bassanio ends the speech with ‘will’: ‘curb this cruel devil of his will’. It implies his devilish desire for revenge, as well as echoes the erotic connotations of the word in Shakespeare’s age. If such sacrifice were not be enough to save Antonio, it would be proved Shylock’s evilness is more powerful and will degrade Venetian law.

It is remarkable Bassanio’s attitude in this speech. When speaks with the Duke, he wants *the Duke* to take the authority at the courtroom and decide the trial: ‘Wrest once the law to your authority’. Drakakis highlights that this verse can be read so: ‘On this occasion (*once*) stretch (*Wrest*) the letter of the law so that it becomes subject to your own executive power’ (2010, p. 249). He wants to diminish the lawyer’s power to give a quick solution to such plea. He encourages the Duke ‘To do a great right, do a little wrong’, which is a request to contravene the Venetian law and open a precedent in the law. The audience could perceive that the atmosphere at the courtroom was quite delicate and any misdeed could compromise not only Antonio and Bassanio, but even the Duke. Bassanio’s attitude disregards Venetian strict laws and he is quite cynic in suggesting it at open court. However, it is astonishing that no one mentions anything about Bassanio’s plea. Such silence makes clear that everyone at the courtroom, including Shylock, is really conniving with some frauds in Venetian law.

When Bassanio states that he wants to give the money back, Portia contradicts her question above: ‘Is he not able to discharge the money?’ (SHAKESPEARE, 2010, p. 349). Later on, she states that “It must not be; there is no power in Venice / Can alter a decree established: / 'Twill be recorded for a precedent, / And many an error by the same example / Will rush into the state: it cannot be.” (SHAKESPEARE, 2010, p. 349-350). She reiterates that there is no power to change such bond. She uses the modal verbs can and must in the negative, which enhances the impossibility of breaking the law. In fact, Venice was seen as a city state whose justice was very strict and Shylock’s plea was legal and formally according to the law (DRAKAKIS, 2010, p. 349), even though it was a very odd one. Then, Shylock praises her: ‘A Daniel come to judgment! yea, a Daniel! / O wise young judge, how I do honour thee!’ (SHAKESPEARE, 2010, p. 350). She makes him believe that he is going to have his bond. However, he does not see that her speech is pervaded by contradictions, because he is blind for his revenge. Thus he praises and exalts her wisdom by calling her Daniel, who was well-known in the Old Testament for his wisdom.

When she asks to see the bond, she contradictorily claims Shylock’s mercy again and asks him to take his money: ‘Shylock, there’s *thrice* thy money offered thee.’ (SHAKESPEARE, 2010,

p. 350, emphasis added). Her statements oscillate between reiterating that there is no power to break such law and the offer of the ducats. Nevertheless, Bassanio's offer is not thrice the sum, but only twice. Such contradiction is a raising of sum created by Portia, which signals her inconsistent argument against Shylock and the fraudulent disposition in his intention.

Shylock answer that he has an oath in heaven: 'An oath, an oath, I have an oath in heaven: / Shall I lay perjury upon my soul? / No, not for Venice.' (SHAKESPEARE, 2010, p. 350). Here he reveals he has promised to take his revenge at any cost. Damnation, which is a very Christian dogma, is implied in these statements. He ironically suggests the idea of conversion when he refers to 'perjury'. Then Portia contradicts her discourse again by saying that the bond is forfeited, she asks Shylock to be merciful and to take the money and tear the bond: "Why, this bond is forfeit; / And lawfully by this the Jew may claim / A pound of flesh, to be by him cut off / Nearest the merchant's heart. [*To the Jew*] Be merciful: / Take *thrice* thy money; bid me tear the bond." (SHAKESPEARE, 2010, p. 350-351, emphasis added). Her speech oscillates between the promise of giving the money (her money) and to execute the law. The contradiction about the sum of money is reiterated once again (thrice the money, not twice as Bassanio promised). It is quite odd why Portia is contradicting her arguments at the courtroom. One could imagine what goes within Portia's mind in this moment. According to Karen Newman (1985), such contradictions in Shakespeare's play is what she calls the rhetoric of consciousness, the representation inward feelings, anxieties and inner debate which creates an illusion of lifelikeness in Shakespeare's characters. Portia is debating the bond sealed between Antonio and Shylock. In that sense, it is worth noticing a similarity between Portia and Antonio: she was also bound to her father's will, which obliged her to marry the man who would choose the right casket, the golden casket. Thus, her body was also bound to her bereaved father's will. As a result, in an unconscious level, Portia is fantasmatically re-imagining the situation she was obliged to accomplish and to be submissive and obedient. Furthermore, in a Psychoanalytic reading, if Shylock symbolically represents the ur-father of the play, she might re-imagine, as Antonio does, the absent presence of the paternal figure in Shylock. Imaginatively she is in front of her paternal figure while she debates and discusses Shylock's bond, which in subtler and unconscious level, also represents her father's will which she was obliged to accept. Their feelings represent the mirroring device Shakespeare used to represent her inward feelings, fears and anxiety at the courtroom. Antonio's anxieties towards the paternal figure re-imagined in Shylock is also Portia's anxieties towards the paternal figure unconsciously re-imagined in Shylock.

Furthermore, Portia's trembling and indecision in the trial scene comes out as she faces Shylock as the representation and the imaginary return of the paternal figure; and such indecision and trembling is hinted by the constant and seemingly gratuitous changing of the use of the

pronouns *you* (*your, yours*), *thou* (*thee, thy, thine*), third personal pronoun and imperative when she addresses Shylock. Portia uses imperative and third person to compel his mercy, as in ‘Why doth the Jew pause? Take thy forfeiture.’ (SHAKESPEARE, 2010, p. 357), ‘Then must the Jew be merciful’ (SHAKESPEARE, 2010, p. 347) and ‘Be merciful’ (SHAKESPEARE, 2010, p. 350). The shift of the pronouns *you* and *thou* can be seen in the following examples:

**Portia.** I pray *you*, let me look upon the bond.

**Shylock.** Here 'tis, most reverend doctor, here it is.

**Portia.** Shylock, there's thrice *thy* money offered *thee*. (SHAKESPEARE, 2010, p. 350, my emphasis)

And here she also changes the pronouns,

**Portia.** A pound of that same merchant's flesh is *thine*:

The court awards it, and the law doth give it.

**Shylock.** Most rightful judge!

**Portia.** And *you* must cut this flesh from off his breast:

The law allows it, and the court awards it. (SHAKESPEARE, 2010, p. 355, my emphasis)

During the entire scene she shifts from formality to informality and vice versa. Actually, there is no metrical need in changing these pronouns to fit the verse, because *you* and *thou* are both monosyllable words. The shift of *you* and *thou* marks the passage from distant relationship of respect (*you*) to the close and familiar relationships (*thou*), epitomised in the parent/child relationship. Alternatively, *thou* marks the diametrical and vertical relation of a parent to a child and the relation between the master and the servant. Shakespeare intentionally inserted such floatation of the use of the pronouns *you/thou* to represent Portia's inward feelings such as fear and anxiety. Such feelings are suggested in her indecisive use of the pronouns *you* and *thou*. In that sense, Maggie Secara (2010) has written an interesting compendium which explains the uses of the pronouns *you* and *thou* in Shakespeare's age. According to her,

Thou and thee are familiar or informal forms of you. You use it to address your children, your servants, your wife, your most intimate friends, your dog, and God. (who knows you better than God?) Use the more formal you when addressing your parents, your master, your social superiors, your patron, your customers, your officers [...], who may be worth as much as you are. [...] Anger and strong feeling, of course, cancel other conventions. (2010, p. 16-17)

Interestingly, no critics have remarked and analysed such floatation in the use of *you/thou* in Portia's speeches in the trial scene (SHAKESPEARE, 2010, p. 347 ff). Therefore, Portia's desire of undoing her father's testament will be projected and fully accomplished in her undoing of Shylock's bond. But such compensation will be only possible since Portia unconsciously projects

the symbolic representation of paternal figure on Shylock. That is possible because Shylock embodies the representation of the *ur-father* of the play and of all Christianity, according to Adelman (2008). Therefore, Shakespeare uses the variation in language, the shifts of pronouns *you* and *thou* in order to depict Portia's inward conflicting feelings. The uses of break and shift in language constitute a trait of the rhetoric of inwardness in Shakespeare's drama.<sup>3</sup>

During this whole discussion Antonio is silent at the courtroom. After a long time, he says two verses, which signals his submissive attitude to Portia and Shylock, accepting his judgement: 'Most heartily I do beseech the court / To give the judgment.' (SHAKESPEARE, 2010, p. 351). On the one hand, Shylock exalts Portia's wisdom and knowledge; on the other hand, Antonio assumes a mere submissive attitude, as an obedient lamb that goes to the sacrifice without mourning. When Antonio wishes to have his bond, Portia than awards it to Shylock and demands Antonio to prepare his breast:

**Portia.** Why then, thus it is:  
 You must prepare your bosom for his knife.  
**Shylock.** O noble judge! O excellent young man!  
**Portia.** For the intent and purpose of the law  
 Hath full relation to the penalty,  
 Which here appeareth due upon the bond.  
**Shylock.** 'Tis very true: O wise and upright judge!  
 How much more elder art thou than thy looks!  
**Portia.** Therefore lay bare your bosom.  
**Shylock.** Ay, his breast:  
 So says the bond: doth it not, noble judge?  
 'Nearest his heart:' those are the very words. (SHAKESPEARE, 2010, p. 351-352)

Shylock appreciates her decision, enhancing her wisdom, rightness and age, whereas Portia repeats that the pound of flesh is his. In fact, he is blind and very naïve at this point of the play. His blindness is due to his eager desire to take his revenge against Antonio. She may take advantage of such blindness to lead Shylock to believe that it is possible to give the pound of flesh and no blood.

Moreover, only now we learn that the pound of flesh to be cut off is from Antonio's breast. Lukacker's analysis is very suggestive to understand to what is really at stake in such a speech. It is not simply the opposition between mind and the hard heart. For him, 'Shakespeare does not simply oppose to such force the inwardness of the loving heart. Shylock's force draws upon an inwardness far more powerful than that to which any other character in the play has access.' (1994, p. 112). In fact, Shylock embodies the inner obscure dimension of the self which is not noted in a superficial level. Then, Portia asks whether Shylock have the scales to weigh the flesh:

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<sup>3</sup> For an interesting adaption of self's inwardness in other forms of art, see Ludwig and Ferreira (2019); Freitas (2017); Ludwig (2017); and Sousa (2016).

**Portia.** It is so. Are there balances here to weigh  
The flesh?

**Shylock.** I have them ready.

**Portia.** Have by some surgeon, Shylock, on your charge,  
To stop his wounds, lest he do *bleed* to death.

**Shylock.** Is it so nominated in the bond?

**Portia.** It is not so expressed: but what of that?

'Twere good you do so much for charity.

**Shylock.** I cannot find it; 'tis not in the bond. (SHAKESPEARE, 2010, p. 352, emphasis added)

Portia claims mercy again by asking a surgeon to stop the wounds. At this moment, she reads the spirit of the letter. But Shylock does not read the spirit of the bond, just the letter, stating that he cannot find it in the bond. She reiterates the spirit of the letter by stating that 'it is not so expressed' in the bond, but it would be for charity and mercy. In this moment, she acknowledges the jot of blood implicit in the cutting of a pound of flesh: 'lest he do bleed to death'. Why does she deny the blood implied in the bond some lines later and acknowledged by her now? In fact, 47 lines later she will deny it, saying that Shylock has no right for a drop of Christian blood. It seems a rather fraudulent trial, according to Ross (2010).

After that, Portia asks whether Antonio has anything to say. Only now he gives a long speech after a long time of silence and obedience:

But little: I am armed and well prepared.  
Give me your hand, Bassanio: fare you well!  
Grieve not that I am fallen to this for you;  
For herein Fortune shows herself more kind  
Than is her custom: it is still her use  
To let the wretched man outlive his wealth,  
To view with hollow eye and wrinkled brow  
An age of poverty; from which lingering penance  
Of such misery doth she cut me off.  
Commend me to your honourable wife:  
Tell her the process of Antonio's end;  
Say how I loved you, speak me fair in death;  
And, when the tale is told, bid her be judge  
Whether Bassanio had not once a love.  
Repent but you that you shall lose your friend,  
And he repents not that he pays your debt;  
For if the Jew do cut but deep enough,  
I'll pay it presently with all my heart. (SHAKESPEARE, 2010, p. 352-354)

Antonio's speech represents the reiteration of his resignation to fortune, doom, and death. He accepts his fate, desiring thus Shylock's act of circumcision/castration. However, he does not acknowledge that his fate is due to his own deed of accepting the bond of a revengeful man. Instead he attributes it merely to fortune. His non-acknowledgement of his deeds signals Antonio's

imagined unmistakable behaviour. Moreover, his attitude of willingly taking his judgement and penalty enhances his stoical attitude suggested from the very beginning of the play: as he believed that his ships were safe just as his gains, now he believes that even Shylock's cruellest act of cutting off a pound of flesh will provoke suffering and pain, which he will face fearlessly and resigned.

Antonio's sinister inward dispositions of the mind are represented in such frivolous act of sacrificing himself for Bassanio. The physical description of the man's faced with a 'hollow eye and wrinkled brow' is a symptom of anxiety and suffering brought on by the premature ageing and misfortune. Furthermore, Antonio asks Bassanio to tell the story of his life to his wife. As Othello asks to make the narrative of his past as glorious and honourable, instead of the past of an act of murder, Antonio wants to glorify and idealise his sacrifice for Bassanio. His innermost desire is to hide his inward dimensions, which he does not wish to see and praise only his act of generosity paid with his life. Antonio's inwardness is depicted in terms of such frivolous act of sacrifice which modern Psychoanalytical would call a masochistic symptom which provides the self with pain and pleasure, suffering and delight. In a certain sense, by depicting Antonio's inwardness by such masochistic act of sacrifice, Shakespeare intuitively anticipates some of important assumptions pinned down by Psychoanalysis and represents the darker and sinister dimensions of the self, projected in such sacrifice, which imaginatively would generate love, affection and recognition.

Bassanio also makes a speech revealing his love for Antonio, which does not please Portia, as well as Gratiano's speech does not please Nerissa:

**Bassanio.** Antonio, I am married to a wife  
Which is as dear to me as life itself;  
But life itself, my wife, and all the world,  
Are not with me esteemed above thy life:  
I would lose all, ay, sacrifice them all  
Here to this devil, to deliver you.

**Portia.** Your wife would give you little thanks for that,  
If she were by, to hear you make the offer.

**Gratiano.** I have a wife, whom, I protest, I love:  
I would she were in heaven, so she could  
Entreat some power to change this currish Jew.

**Nerissa.** 'Tis well you offer it behind her back;  
The wish would make else an unquiet house. (SHAKESPEARE, 2010, p. 354)

Both Bassanio and Gratiano declare their love for Antonio and would rather see their wives dead to save the bankrupt merchant. The idea of sacrifice is again at stake here. As Abraham, Shylock's power over the scene makes the Christians to offer what they dear most for a frivolous sacrifice. Counterpoised to that, both Portia and Nerissa disapprove of their sacrificing act, which veils their frivolousness of sacrificing them for Antonio. Moreover, in a subtler level, Portia may be cruel to Antonio by lingering the final verdict due to a possible jealousy she feels as she sees

Bassanio declaring his love to Antonio. For Berger Jr. (2010), “Shylock’s bond threatens Antonio with bodily harm and possible death, but Portia quickly neutralizes that threat because Shylock isn’t her real target. Her problem is to overgo Antonio, her competitor in noble deeds, by proving that she can save someone for Bassanio. If she can put Antonio in her debt, she will loosen his powerful hold over Bassanio.” (2010, p. 28). Portia’s cruelty of delaying Antonio’s verdict makes him suffer more than he wished. In addition to that, if she saves Antonio is because she wants to pledge him again as a form of submitting him to her power. In act V, she will make Antonio pledge his body once again for Bassanio, because he lost his ring for the merchant Antonio. She will make Antonio pledge his body again for Bassanio, initiating then a new contract similar to Shylock’s bond.

Even Shylock criticises Bassanio’s and Gratiano’s speeches: ‘These be the Christian husbands. I have a daughter; / Would any of the stock of Barabbas / Had been her husband rather than a Christian!’ (IV, i, 291-292). Now, instead of desiring to see his daughter dead, he sarcastically reveals that he would rather see his daughter married to a thief like Barabbas than to Lorenzo. Barabbas is the thief who was pardoned and released instead Jesus Christ. Barabbas was freed because the mob that was prosecuting Jesus Christ demanded it from Pilates. Also, Barabbas is the Jew of Marlowe’s **The Jew of Malta**, which is one of the sources of **The Merchant of Venice**. Such speech reiterates Shylock’s villain traits.<sup>4</sup> He could not avoid her elopement, which dishonoured him.

Finally Portia allows the bond and she reiterates it twice:

**Portia.** A pound of that same merchant's flesh is thine:

The court awards it, and the law doth give it.

**Shylock.** Most rightful judge!

**Portia.** And you must cut this flesh from off his breast:

The law allows it, and the court awards it.

**Shylock.** Most learned judge! A sentence! Come, prepare! (SHAKESPEARE, 2010, p. 355)

Shylock compulsively emphasises his victory and his conquering the pound of flesh from Antonio. He believes that he has got his revenge now. He exalts Portia’s intelligence, rightness, and wisdom. It is more and more evident that Shylock is blind, which contradicts his former attitude of scepticism portrayed in the first three scenes of the play. His inner self floats from his sceptic attitudes to blindness now. But his blindness and scepticism were something that could be perceived together beforehand: he was sceptic to Antonio, Bassanio and

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<sup>4</sup> In a certain sense, both Shylock and Richard III signals those inner self dimensions of villainous characters in Shakespeare, as pointed out by Ludwig (2017).

Launcelot, yet he was quite blind to Jessica's lying and possible betrayal. Shakespeare depicts Shylock's inwardness presenting both feelings appearing together.

Then Portia stops Shylock and turns her way of reading the bond: now she just reads the letter, not the spirit anymore:

Tarry a little; there is something else.  
 This bond doth give thee here no *jot* of blood;  
 The words expressly are 'a pound of flesh:'  
 Take then thy bond, take thou thy pound of flesh;  
 But, in the cutting it, if thou dost shed  
 One drop of Christian blood, thy lands and goods  
 Are, by the laws of Venice, confiscate  
 Unto the state of Venice. (SHAKESPEARE, 2010, p. 355, emphasis added)

Portia swerves her argument which stated that the court and the law allowed Shylock to have his pound of flesh. Once again, she contradicts her speech and reveals just now the tiny little detail which annuls Shylock's bond: the jot of blood. For Portia, if Shylock drops one jot of blood, his lands and gains will be confiscated by the law of Venice. Nonetheless, a few lines before, Portia claimed that Shylock should provide a surgeon for Antonio to stop the bleeding. In that moment, she recognised the jot of blood in the cutting of a pound of flesh: 'Have by some surgeon, Shylock, on your charge, / To stop his wounds, lest he do *bleed* to death.' (SHAKESPEARE, 2010, p. 352). Now she contradicts her argument, because if before she acknowledges the spirit of the letter by stating that a surgeon would be necessary, now she just reads the letter and does not acknowledge the spirit of the letter.

However, the jot of blood is implied in the bond for any court of law. According to Moulton, Portia's turning-point suggests that 'the two sides are bound together by the principle of measure for measure' (1969, p. 39). He shows then the opposition of the written and unwritten law and he points a juridical problem in Portia's argumentation: "It is appropriate enough in the mouth of a bright girl playing the lawyer, but no court of justice could seriously entertain it for a moment: by every principle of interpretation a bond that could justify the cutting of human flesh must also justify the shedding of blood, which is necessarily implied in such cutting." (1969, p. 40). Portia's non-acknowledging the shedding of blood is a contradiction, since she recognised it implied in the bond beforehand. This is an argument that suggests Shakespeare's ambiguities in the play. Shylock's refusal makes that 'the wheel of Nemesis goes round', and though Shylock tries to get back his money, Portia denied it, 'on the ground that he had refused it in open court'. (1969, p. 41). Portia forges a trial which denies Shylock's bond and money. Since the six thousands ducats she theatrically promised to pay back is in fact hers, in a certain sense, the denial of her money is essential to prove her power over Shylock, Bassanio, and Antonio.



Portia's judgement represents the inflexible law in Venice. Though she allows the bond at first, now she just reads the letter of the bond, not the spirit. As Shylock ask at least his principal back (three thousand ducats), she simply deny it. Thomas Billelo (2010) states that Portia twists the law, usurps the judge's role, condemns Shylock and introduces the revenge rationale instead of the judicial rationale in the courtroom. She becomes as inflexible as Shylock was during the whole trial. The speech on the Quality of Mercy has no effect now. She embodies a hard heart to outwit Shylock's bond and take his fortune. She waited until now to give the verdict. She wanted to make a show, to be in the centre of the scene, wherein she would play the *beau role* in front of the audience. Then Shylock asks whether this is the law:

**Shylock.** Is that the law?

**Portia.** Thyself shalt see the act:

For, as thou urgest justice, be assured

Thou shalt have justice, more than thou desirest. [...]

**Shylock.** I take this offer, then; pay the bond thrice

And let the Christian go.

**Bassanio.** Here is the money.

**Portia.** Soft!

The Jew shall have all justice; soft! no haste:

He shall have nothing but the penalty. (SHAKESPEARE, 2010, p. 356)

Now she denies Shylock's money in the excuse that Shylock will have all justice. She enhances that Shylock will have more justice than he asked, which means that she is going to enforce upon the Jew the strictest law of Venice. In the same way that Shylock judged Antonio beforehand, now Portia judges him. The strictest laws in Venice are indeed based on Christian law. James 2, 13 also provides such law with the same logic of judging: 'For he shall have judgment without mercy, that hath shewed no mercy; and mercy rejoiceth against judgment.' (James 2, 13, King James' Bible, 1611). Shylock's trial fantasies and enacts the law of the *talionis lex*, an eye for an eye, a hand for a hand. When Shylock asks to have thrice the sum, which Portia promised beforehand, Portia denies it and affirms he will have only the penalty, meaning that he will have the pound of flesh and, in a subtler and trickier level, the penalty of trying to kill a Venetian citizen. Shylock's problem is that he was too much stubborn, that he did not want to accept his principle. Now is too late to retreat and try to have his money back.

In fact, the Venetian law, which promises to be impartial and equal to both Venetian and foreign citizens, is now valid only to the Venetians, not to the Jews. However, its basis, the New Testament, guarantees that such double standard becomes a construct based on theological and judicial assumptions. Such judgment is pervaded by the double standard which secures the Venetian rights, whereas it threatens and denies the foreigners' rights. Thus, the inflexible law of Venice is justified in the Christian's eyes by the *Holy Scriptures* which maintains and guarantees its actual

application. No one in the courtroom dares to question such assumption embodied by the Venetian law. Most contradictorily, the New Testament law which promises to be based on Love and Mercy is at this point as inflexible as the Old Testament law which was based on the strict laws of the *talionis lex*. Therefore, Shakespeare touches here deeply the wound and contradictions of Christianity, demonstrating that double standard and injustice are justified by Christian scriptures.

In that sense, Portia applies the principle of equity to render the common law less inflexible. Equity implies impartiality and fairness. According to Stein and Hauck (1975), the equity principle was ‘the application of the dictates of conscience or the principles or natural justice to the settlement of controversies’ and also ‘a system of jurisprudence serving to supplement and remedy the limitations and the inflexibility of the common law’ (1975, p. 447). As a matter of fact, the equity principle was ever applied to amend the common law. But as soon as Portia applies such principle, she makes it more inflexible, because through such rationale she does not allow a drop of blood implied in the bond. It is worth enhancing here that the principle of equity was determined by the judges’ conscience, i. e., moral and ethical principles of the judge. Portia’s conscience is suggested as soon as she applies the principle of equity, as every judge in the age was supposed to do: to judge according to his conscience. Though Portia made a beautiful speech trying to teach Shylock mercy, she is not able to show him mercy. Portia is not moved by her own conscience. In Kaplan’s (2002) compendium of historical texts, a text by William Thomas, *The History of Italy*, presents an important detail about the relationship between the judge and conscience in the age. Though Portia assumes that her judgement is based on the strict Venetian law, according to Thomas’s report it was in fact based on the judge’s conscience:

Their advocates (as we should say are men of law) study principally civil laws, and besides that the statutes and customs of the city: which are so many, that in manner they suffice of themselves. But he that substantially considereth the manner of their proceedings, shall plainly see that *all matters are determined by the judge’s consciences, and not by the civil, nor yet their own laws*. For in every office there be diverse judges, and that part [party, one of the sides litigating] that has most ballots, prevails ever: be it in matter of debt, of title of land, upon life and death, or otherwise. (2002, p. 133 my own highlights).

This report illuminates the play by suggesting the ambiguities implied in the trial scene. Though Portia claims that there is no power that can break the bond, her conscience interferes in her judgement. Conscience and judgement are intertwined in a way that there is no possibility of assuming that judgement is pervaded only by rationality, because conscience and the inner dimensions of the individual interfere in judgement. Shakespeare intuitively perceived the relation between judgement and conscience in this scene. Shakespeare suggests Portia’s conscience – and

one would say, moral and ethical principles – as soon as he makes her apply the principle of equity, yet making it more inflexible than the common law.

In a certain sense, Shakespeare intuitively anticipates Kant's assumptions that both rational and irrational dimensions of the self, ethical and aesthetical faculties of human nature are provoked by inward feelings, sensations, emotions and imagination. Immanuel Kant (1727-1804), in his *Critique of Judgement* (2005), defines his philosophical system based on Aesthetics. Both *Critique of Pure Reason* and *Critique of the Practical Reason* are based on the *Critique of Judgement*. Kant has proposed a philosophical system (the rational, ethic, and aesthetic), in which the aesthetical was the touchstone of his system. This was an innovation in the philosophical thinking. He had already considered sensibility and imagination since his first critique. When judging, conceptualising or defining something, imagination pervades all philosophical and analytical categories employed in our interpretation. Eckart Foerster (2010), parting from Kant's *Opus Postumus*, considers the importance of Kant's *Third Critique* as a touchstone in his philosophical system, once sensibility and imagination are essential faculties which constitute human judgement in sciences, arts and Philosophy. Thus, when we judge, define and conceptualise an object, imagination and sensitivity pervade philosophical and analytical categories employed in our interpretation. According to Kathrin Rosenfield, in her book *Estética* (2006, p. 27-36), Kant freed his Critique from any 'historical presupposition' or 'cultural concepts' which are always determining what the art is. He established the relationship between the beauty and sensibility, knowledge and practical reason. He did not separate aesthetical from the reasonable. He did not determine that imagination was just ancillary to the knowledge. Kathrin Rosenfield states that 'instead of opposing sensibility and reason in a hierarchy, Kant is interested, since the *Critique of the Pure Reason*, in the function that the imagination (which selects the sensible perceptions) fulfils in the activity of understanding.' (Rosenfield, 2006, p. 27-28). There is a free and harmonious game between understanding and imagination, through which, as we analyse or define an object or person, our imagination and sensibility interferes in the constitution of our judgment.

Such an innovating perceptiveness of human nature is not only Shakespeare's capacity of perceiving the mysteriousness of human inward dimensions. Michel de Montaigne also considered such possibilities in his *Essays*. Montaigne was aware of the interferences of our feelings on our judgement, understanding and cognition. In his essay *Of the Folly of opining about the true and false only according to reason* (MONTAIGNE, 1987, I, 27, p. 239). Montaigne also anticipates some Kant's assumptions. Montaigne points out that it is foolish to judge everything just by rationality. (MONTAIGNE, 1987, I, 27, p. 239). Montaigne signals the incapability of judging certain phenomena according to reason. Sensibility, imagination and feelings interfere in our judgement, taking into account that in many moments we cannot explain such phenomena only

according to reason. In many senses, both Montaigne and Shakespeare anticipate the assumptions of Kant's critique, just as innovate the literary forms introducing inward sides of the self, which strongly interfere in judgement and conscience.

Then, Portia threatens Shylock with the Venetian law, which can take all Shylock has:

Therefore prepare thee to cut off the flesh.  
 Shed thou no blood, nor cut thou less nor more  
 But just a pound of flesh: if thou cutest more  
 Or less than a just pound, be it but so much  
 As makes it light or heavy in the substance,  
 Or the division of the twentieth part  
 Of one poor scruple, nay, if the scale do turn  
 But in the estimation of a hair,  
 Thou diest and all thy goods are confiscate. (SHAKESPEARE, 2010, p. 356-357)

The justice Portia promised to Shylock is the confiscation of all his goods and even his death. Portia's law and the Venetian law imply annihilation. As we seen in chapter 3, Portia as a Medea whose powers can bewitch, paralyse and dominate is again evoked in Shylock's trial. The emphasis Portia gives to the correct measure and weight of the pound of flesh, which cannot be more than a hair, enhances the strictness of the law enforced upon Shylock.

Then Portia denies his money, the money which made Bassanio suitable to woo her:

**Portia.** Why doth the Jew pause? take thy forfeiture.  
**Shylock.** Give me my principal, and let me go.  
**Bassanio.** I have it ready for thee; here it is.  
**Portia.** He hath refused it in the open court:  
 He shall have merely justice and his bond. [...]  
**Shylock.** Shall I not have barely my principal?  
**Portia.** Thou shalt have nothing but the forfeiture,  
 To be so taken at thy peril, Jew. (SHAKESPEARE, 2010, p. 357-358)

Shylock demands now only his principal, his three thousand ducats. Though Bassanio is willing to hand it over, Portia denies it once again. The Jew has only the right for a pound of flesh cut from Antonio's breast. Portia's statement is the configuration of the inflexible justice, which now denies Shylock's money. In fact, any court of law would accept negotiation, if one of the parts would accept the payment of his money.

After that, Shylock reacts with rage and contempt: 'Why, then the devil give him good of it! / I'll stay no longer question'. (SHAKESPEARE, 2010, p. 358). Though Shylock gives up arguing at the courtroom, Portia declares other inflictions of the law upon the Jew:

Tarry, *Jew*:  
 The law hath yet another hold on you.

It is enacted in the laws of Venice,  
 If it be proved against an *alien*  
 That by direct or indirect attempts  
 He seek the life of any citizen,  
 The party 'gainst the which he doth contrive  
 Shall seize one half his goods; the other half  
 Comes to the privy coffer of the state;  
 And the offender's life lies in the mercy  
 Of the duke only, 'gainst all other voice.  
 In which predicament, I say, thou standest;  
 For it appears, by manifest proceeding,  
 That indirectly and directly too  
 Thou hast contrived against the very life  
 Of the defendant; and thou hast incurred  
 The danger formerly by me rehearsed.  
 Down therefore and beg mercy of the duke. (SHAKESPEARE, 2010, p. 358-359)

This speech suggests that Venetian law is not really based on precedents, but on strict decrees. Though Portia assumed beforehand that breaking Shylock's bond would open a precedent: 'the Venetian law / Cannot impugn you as you do proceed.' (SHAKESPEARE, 2010, p. 346). However, now she decrees that there are strict laws to judge a suit in Venice. Also, the duke and Antonio stated that Venetian laws protected foreigners and aliens. Shapiro (1996) remarks something very interesting about this speech: that the Venetians could do that to Shylock as long as they (represented by Portia) identified him no longer as a Jew, but as an alien. According to him,

Many readers, and I count myself among them, have found something troubling about this speech. Through the precedent of old laws still on the books – but apparently unknown to Antonio, Shylock and the Duke, and all other interested parties – Venetian society is able to have it both ways: while the city's charter guarantees equality before the law, a feature that has attracted foreigners to Venice, it retains legislation that renders this equality provisional, if not fictional. The trial scene thus offers a fantasy resolution to the conflicting and overlapping jurisdictions intrinsic to such trials by invoking a law that effectively supersedes the city's charter [...]. As much as it might want to, given its charter, Venetian society cannot punish Shylock simply because he is a Jew. But in the terms of the play it can convict him as a threatening alien. In order to accomplish this delicate maneuver in the space of these dozen lines, the nature of Shylock's difference is reconstituted: a Jew at the start of the speech, three lines later he is an alien. Yet once Shylock is convicted as an alien, he can be punished, not as an alien, but as a Jew, who must 'presently become a Christian'. (1996, p.188-189)

However, Antonio and the Duke knew that Venetian laws guarantee the same to the Jews, since they depend on Jewish money. The guarantees the foreigners have Venetian laws seem to be merely contingent. The only way of condemning the 'Jew' is just by transforming him into an alien. Contradictorily, Shylock is punished not as an alien, but as a Jew. In addition to that, the Christians' aggression to Shylock was a Renaissance attitude towards the Jews. Though there were some positive writings about the Jews, they were commonly treated as alien. Thus, Shylock is visibly the alien in the play. In that sense, Stephan Greenblatt (1984) analyses Shakespeare's characters considering the aggression towards an *alien: the witch, the Negro, the women, the other, the*

*foreigner, the Jew, the poor, the Moor* are always created as inward projections and used as tools of power and triumph and targets of violence and aggression, in order to build up the male self and identity. Besides these projections, the characters tend not only to show their negative points of views on them, but mainly they react negatively with aggression and violence in order to conquer social domain over the *alien* and to ascend socially and economically. Therefore, the *alien* can be seen as a construct of the inward male projection, which is invented and controlled to achieve and maintain power.

However, Portia's attitude is to reject the above-mentioned statement and turn to rather strict laws. As a result, part of Shylock's gains and property goes to the state, but the other one goes to the victim of the attempt of murder. The confiscation of Shylock's property was not at all strange in Shakespeare's age. Kaplan (2002) states that reports in Shakespeare's age blamed 'the Italian practice of confiscating a convert's property for the low rate of conversions there. This practice resonates in *The Merchant of Venice* with the dual threat of conversion and the state confiscation of Shylock's property at the end of act 4.' (2002, p. 131). The confiscation of Shylock's property depicts the Venetian practices described in reports of the age. Shakespeare and his audience probably were aware of such practices not only in Venice, but even in England, when king Edward I spelled the Jews from England in 1290 and confiscated their wealth.

Moreover, Shylock's life is in the Duke's hands now. Instead of giving the final verdict to Shylock, Portia demands that the Duke and Antonio give the court's verdict. However, before the Duke pronounces his verdict, Gratiano interrupts his speech in aggressive and derogatory words:

**Gratiano.** Beg that thou mayst have leave to hang thyself:

And yet, thy wealth being forfeit to the state,

Thou hast not left the value of a cord;

Therefore thou must be hang'd at the state's charge.

**Duke.** That thou shalt see the difference of our spirits,

I pardon thee thy life before thou ask it:

For half thy wealth, it is Antonio's;

The other half comes to the general state,

Which humbleness may drive unto a fine. (SHAKESPEARE, 2010, p. 359)

Gratiano interrupts not only here, but during the whole trial. His statements are quite 'anti-Semitic', epitomising the 'anti-Semitism' of the play. In fact, Gratiano's words are quite ironic against Duke's statement that Shylock will see the 'difference our spirits'. The contrast between Gratiano's speech and the Duke's speech is suggestive of their differences of spirits. According to Berger Jr, 'Christian villainy in *Merchant* takes a deceptively mild form. In ancient times Jews were tied or nailed to a cross and left to hang until dead. In Shakespeare's Venice strict justice is mitigated by an act of mercy: the Jew is denied his living but granted his life.' (2010, p. 3). Though Shylock's

attitudes are villain and evil, the Christians' attitudes are mirrored in Shylock's actions, and their own deeds also suggest such villainy. The Duke misrepresents generalises their inner representation with a false premise that all Christians are good to Shylock. Shakespeare contrasts the Duke's and Gratiano's speech in order to suggest that the Christians do not realise their hypocrisy towards the other, the foreigner and the Jews. By counterpoising these speeches, he enhances their inward dimensions: their blindness of their hypocrisy.

Shylock's reply unveils his suffering and pain popping up at this point of the play: "Nay, take my life and all; pardon not that: / You take my house when you do take the prop / That doth sustain my house; you take my life / When you do take the means whereby I live." (SHAKESPEARE, 2010, p. 360). Shylock sees his house and his life as a continuum. His life is his house and his wealth is the means whereby he lives. He prefers to die instead of losing the 'prop' of his life: his house, his gains and his property. Like Antonio and Bassanio, Shylock also confuses and exchanges money and emotions, money and his life, which suggests that his life deeply dependent on his gains. As he enhanced in act II, scene v, 'stop my house's ears' (SHAKESPEARE, 2010, p. 253), here again his house means his life to him, it is like an extension of his body. Shakespeare represents Shylock's inward feelings by such metonymy which suggests that his house is a sort of extension of Shylock's body. His inwardness is emotionally depicted in such connection between his life, body and house.

Then Portia asks Antonio to give his verdict to Shylock: 'What mercy can you render him, Antonio?' Instead of proclaiming the verdict, she lets Antonio give his verdict, as if she wished to wash her hands:

So please my lord the duke and all the court  
To quit the fine for one half of his goods,  
I am content; so he will let me have  
The other half in use, to render it,  
Upon his death, unto the gentleman  
That lately stole his daughter:  
Two things provided more, that, for this favour,  
He presently become a Christian;  
The other, that he do record a gift,  
Here in the court, of all he dies possessed,  
Unto his son Lorenzo and his daughter. (SHAKESPEARE, 2010, p. 360-361)

What judge would ask the accused to give the verdict to the accuser? Such gesture signals at the inflexibility of Venetian law and also Portia's attitude of washing her hands like Pilate. Furthermore, Antonio's mercy is not to Shylock, but rather to Jessica and Lorenzo. In fact, Antonio's decision of giving Shylock's money to Jessica and Lorenzo after his death inflicts pain and embarrassment in Shylock. Shylock feels ashamed of losing his money in the trial scene and to

those who stole his money and jewels. (FERNIE, 2002). Shame is inflicted here in its extreme. Antonio accepts Shylock's money and his purpose is to use it in usury to get interest with Shylock's money. Drakakis points out the verse 'To quit the fine for one half of his goods, / I am content; so he will let me have / The other half in use' is very confusing:

Antonio's proposal is not entirely clear. He is asking that the fine proposed earlier in 368 be remitted, and that he be allowed to administer the remainder of the Jew's wealth with the aim of handing it over to Lorenzo and Jessica on her father's death. The phrase *in use* means simply 'to hold in trust' [...], with the possible subsidiary meaning of deploy in accordance with his own stated mercantilist principles. However, Mahood regards this part of the proposal as 'disturbing' [...], since it resembles a kind of 'usury'. The first gloss effectively transforms the Jew into a beneficent patriarch through an act of Christian mercy, but the second leaves Antonio open to the charge that this demonstration of 'mercy' is less than generous. (2010, 360).

This act of mercy that Antonio believes to show is, in fact, a disguise for his cynical attitude of taking Shylock's money and uses it for his own purpose. Drakakis' reading is quite revealing of what the Christians would never acknowledge. Though Antonio strongly criticises Shylock for gaining money through usury, now Antonio suggests, but at the same time tries to disguise, his intention of using Shylock's wealth in a usurious way. Once again Antonio's speech and attitude enhance the Christians' similarities to the Jews in the play. Shakespeare suggests Antonio's innermost intentions in such obscure and deluding verses, representing therefore his inward dimensions.

One example counterpoises Shylock's trial with the way the law was applied in Shakespeare's age. Portia's partial judgement was not in the same trend of England's law, but in fact in the Venetian way. Queen Elizabeth I's speech called *Proclamation Ordering Peace Kept in London* (1559). According to Kaplan 'the state was clearly concerned that its officers hear and judge cases fairly and impartially to ensure justice and safety for resident and aliens.' (2002, p. 159). The Queen's *Proclamation* decreed that

it is presently ordered by her majesty that the whole circumstance of certain frays in London betwixt her subjects and certain *strangers* shall be duly examined and tried, and according to the laws of the realm judged and determined. For this is her highness' determination, that no partial favor be showed to English or *stranger*, but that every of them shall live in the safety and protection of her laws. (KAPLAN, 2002, p. 160, italics added).

Such act by Queen Elizabeth I contrasts to the way the Christians treats the Jews in the play. In that sense, some playgoers in the audience could react in different ways to such act of 'mercy'. On the one hand, they could be astonished to Portia's twist of the bond and taking of Shylock's wealth. Such gesture was in the same trend that the Venetians, Italians and Catholics were described



in the age.<sup>5</sup> On the other hand, other playgoers could react positively to the Christians' verdict to Shylock, due to the pervading xenophobia and 'anti-Semitism' taken for granted in Shakespeare's age. Shakespeare creates tensions in the play to provoke the dramatic effect of the play, just as to suggest the inward sinister dispositions of the Christians in the play. Then Portia asks whether the Jew is content:

**Portia.** Art thou contented, Jew? what dost thou say?  
**Shylock.** I am content.  
**Portia.** Clerk, draw a deed of gift.  
**Shylock.** I pray you, give me leave to go from hence;  
 I am not well: send the deed after me,  
 And I will sign it. (SHAKESPEARE, 2010, p. 361)

Portia's question is really cynical and hypocritical. Moreover, she inflicts more pain and shame on Shylock. As Berger Jr (2010) pointed out, the play is play based on embarrassment. Just as Shylock tries to embarrass Antonio by his act circumcision and castration at the courtroom, Portia embarrasses both Antonio and Shylock at the courtroom. First, the promise that the law awards the pound of flesh to Shylock makes Antonio very ashamed by exposing his breast, ready to be killed by Shylock.

Ironically, Portia has just taught Shylock how to beg mercy. However, some lines later, when Portia asks Antonio's gloves and Bassanio's ring as a token, Bassanio refuses to give his ring to Portia. Portia's reply is very out of the tune of what she has just done to Shylock: 'I see, sir, you are liberal in offers / You taught me first to beg; and now methinks / You teach me how a beggar should be answered.' (SHAKESPEARE, 2010, p. 364-365). How ironic these lines seem counterpoised to what she has done few lines before. First, she is 'liberal' with Shylock and then she teaches Shylock how to beg mercy to the Duke and Antonio; after that, she also reveals how Bassanio treats a beggar. Shakespeare created such contradictions to show the inconsistency of the court's argument and Venetian law. Such device provokes tension and anxiety, making the audience react ambivalently to the aesthetic effects conveyed in the play.

Besides that, Portia taught Shylock to be merciful to Antonio. But did she really follow the lesson she taught on the quality of mercy? No, certainly not. As Graham (1953) acknowledges, 'Obviously Shylock, valuing his revenge above all else, shows no mercy for Antonio. But do the Christians, valuing so highly the "quality of mercy", exhibit no revenge towards Shylock?' (1953, p. 148). The point is that they do not repay Shylock, whose money helped Bassanio to woo Portia. According to Drakakis (1998), 'Shylock is certainly a victim of judicial violence in the play, and

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<sup>5</sup> Some reports in Kaplan's collection state that Venetians used to steal money from Jews and aliens, p. 150 and 151.

Venice certainly depicts him negatively.’ (1998, p. 186). Even in London, if we think of Elizabeth’s called *Proclamation Ordering Peace Kept in London* (1559), the court should pay at least Shylock’s principal. But as an alien in Venice, ethical and moral scruples are not values which the Christians want to show to Shylock. Shylock represents a symbolic scapegoat to alleviate the Venetian unconscious hatred towards what they do not acknowledge and do not want to see in themselves, according to what Drakakis affirmed (1998, p. 186).

What Portia acknowledges in her first speech in the play, she does not apply to her own acts: “If to do were as easy as to know what were good to do, chapels had been churches and poor men's cottages princes' palaces. It is a good divine that follows his own instructions: I can easier teach twenty what were good to be done, than be one of the twenty to follow mine own teaching.” (SHAKESPEARE, 2010, p. 190). Her speech is merely a matter of rhetoric to disguise her own intentions in the play. Her conscience interferes in her judgement of Shylock. Though she acknowledged that it is easier to teach twenty a lesson than to follow her own instructions, she is not able to show mercy to Shylock and give at least his principal: his three thousand ducats. Actually, it is not a trial based on law, but a theatrical representation of the Christian hypocrisy, their unconscious unacknowledged hate for themselves and their blindness to see that they as villain and evil as Shylock. In that sense, Derek Cohen (2003) points out that ‘an honest and accurate reading of *Merchant* must acknowledge in Portia’s triumph over Shylock the affirmation of a community value that takes satisfaction in the humiliation and exclusion of the Jew’ (2003, p. 61). It is an attempt to maintain state power and the individual privileges. They did not give back his money and force him to become a Christian as a way of imposing power and punishing him.

Shylock’s revelation ‘I am content’ echoes Antonio’s acceptance when he signs Shylock’s bond: ‘Content, i' faith: I'll seal to such a bond’ (I, iii, 148). Shylock’s mood changes here as he states that he is unwell and wants to leave the courtroom. He silences and is silent in front of the court. Then the tragic may start. Sherman (2004) suggests that the tragic starts at this moment, when imagining that Shylock becomes mad as soon as he leaves the courtroom. For her, ‘the skeptical trajectory moves from doubt to crisis to madness, as in the tragedies of *King Lear* and *Othello*, or it moves not to madness but to the fanatic’s quest for certainty, as in the case of Leontes in *The Winter’s Tale*.’ (2004, p. 278). Shylock’s fanatic quest for revenge makes him tend to madness in some moments, especially in act III, scene iii, when he insists that he will have his bond and ask the jailer to arrest Antonio. Moreover, Sherman states that ‘Shylock's bitter passions, however, do not follow the skeptical trajectory mapped out by Shakespeare's tragic protagonists. Unlike Lear, Shylock does not go mad, although it is possible that he descends into madness after he exits.’ (2004, p. 284). This possibility of being mad suggests Shylock’s complex inward dimensions.

Shakespeare represents him as a comic figure, but he is also portrayed with complex inward dimensions.

### **Final Remarks**

This essay analysed the twists and turns in the trial scene. Shylock presents human obscure and uncontrolled dispositions of the mind which correspond to Shylock's inward dispositions and feelings. Likewise, he hints at the irrational causes of human dispositions of the mind, inward feelings and thoughts. Shakespeare perceived that there are some feelings and thoughts which cannot be attributed to rational causes. He represents human inwardness as determined by mysterious forces which cannot be controlled and explained.

Portia debates the bond sealed between Antonio and Shylock. It is quite odd Portia's oscillating and contradicting arguments at the courtroom. Such contradictions in Shakespeare's play represent inward feelings, anxieties and inner debate which create an illusion of lifelikeness in Shakespeare's characters. Moreover, there are some similarities between Portia and Antonio: she was also bound to her father's will, obliging her to marry the man who chooses the casket containing her portrait. Thus, her body was also bound to her bereaved father's will. As a result, in an unconscious level, Portia may re-imagine such situation when she was obliged to accept her father's will and be submissive. Besides that, it was suggested that Shylock symbolically represents the ur-father of the play. Thus, she might re-imagine the absent presence of the paternal figure in Shylock. Imaginatively she may be facing the symbolic representation of paternal figure while she debates and discusses the bond, which in subtler and unconscious level may represent her father's will. Antonio's anxieties towards the paternal figure re-imagined in Shylock mirrors Portia's anxieties towards the paternal figure unconsciously re-imagined in Shylock.

Though Portia makes a beautiful speech on the quality of mercy, she shows no mercy to Shylock. Portia forges a trial which denies Shylock's bond and money. In fact, Portia's judgement represents the inflexible law in Venice. Though she permits that Shylock have the bond, she denies by claiming that he cannot have a drop of Christian blood. Portia turns out to be as inflexible as Shylock was during the trial. She embodies a hard heart to outwit Shylock's bond and take his fortune. Also, though Portia claims that no power can break Shylock's bond, it is suggested that her conscience interfered in her judgement. Conscience and judgement are intertwined in such a way that there is no possibility of assuming that judgement is pervaded only by rationality, because conscience and the inner dimensions interfere in judgement. Shakespeare represented the relation between judgement and conscience in the play.

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