

The Merchant-Privileged Christian Lawyer of Venice

By Sahara Khan

Shakespeare's *The Merchant of Venice* underscores class tensions along religious lines to reveal how the culturally privileged majority manipulates the legal system to deprive minorities of justice. Even if the audience dislikes Shylock as an individual, his depth of character suggests that an ideal manifestation of justice might favor him despite his social status as a cultural minority. His demise at Portia's privileged hands therefore illustrates how systemic cultural biases may prevent legal justice from being served. Portia's speech juxtaposing Christian mercy and legal justice during Antonio's trial, for instance, epitomizes the law's complacency with the anti-Semitism that has already penetrated society. Depicted as a male lawyer, Portia's Christian moralizing in the courtroom not only reflects how the state enforces religious prejudices to disenfranchise minorities, but furthermore illustrates Shylock's brutal emasculation. In other words, Shakespeare's *The Merchant of Venice* demonstrates that, while justice should ideally treat citizens equally, the systemic, sociocultural biases of those who administer justice will impede the execution thereof. The courts are thus unable to uphold the just, legal bond because those who control the courts are infected by discriminatory cultural attitudes, and are able to manipulate legal systems to result in injustice.

First of all, the moral reasons Portia issues to persuade Shylock to forfeit the bond can only be understood through a Christian moral framework and are therefore ontologically inaccessible to the Jewish merchant. While the concept of "mercy" (IV.1.182), for instance, is present in Judaism when referring to a merciful God, Acts/ Works of Mercy are unique to Christianity (and particularly to the Catholic church) (Keenan 1). Portia contends that if Shylock forgives Antonio for failing to repay him, Shylock would be performing a Work of Mercy that

would “blesseth him[self]” (IV.1.185), creating a path to sanctification. While a Christian may have understood this speech as a helpful plea to follow a spiritual path, Shylock nonetheless still “crave[s] the law” (204) immediately following Portia’s speech to convey that he does not share Christian spiritual values. And, when Portia ambiguously states that “we do pray for mercy” (198) without specifying whether “we” includes or excludes Shylock, she therefore does it either out of cultural ignorance or a cruel desire to emphasize Shylock’s hopeless social exclusion, respectively. Similarly, Portia’s attempts to persuade Shylock to forfeit the bond either reflect her lack of cultural knowledge or are a merely superficial gesture to increase her credibility in the Duke’s perspective by demonstrating herself to be a good, merciful Christian.

Portia additionally tries to use her Christian moral framework to convince Shylock that justice is a lesser value than mercy. When Portia states that “justice be [the merchant’s] plea” (IV.1.196), she concedes that his wish to uphold the bond would be just. But, when she argues that serving justice would result in the loss of “salvation” (198), she appeals to the uniquely Christian concept of atonement for sin. In doing so, she pits the desires of many Christians in the court against the desires of one Jew, and in a utilitarian, zero-sum game, sacrifices “the means whereby [Shylock] lives” (375) to fulfill the self-serving, spiritual desires of her community. Her hypocritical lack of mercy towards Shylock’s resulting indigence and grief emphasizes how morally problematic Portia’s actions really are.

Portia’s lack of logical reasoning in this monologue additionally epitomizes the sociopolitical power that allows her to unjustly manipulate the trial’s outcome. When Portia demands “the Jew be merciful” (IV.1.181) to Antonio after he “confess[es] the bond” (179), Shylock immediately questions why he must forfeit a notarized and consensual legal agreement. Instead of discussing the issue legalistically, Portia illustrates “gentle rain” (183) as a metaphor

for the pristine “quality of mercy” (182) and uses the king’s material “scepter” (188) to represent the law as a “temporal” (188) and “earthly power” (194). While Portia insinuates that Christian morality values God’s mercy over mundane justice, this does not logically imply that serving justice is morally wrong and therefore does not adequately address the validity of Shylock’s inquiry. In other words, stating that Shylock could appeal to a higher virtue is not a reason for Shylock not to appeal to a lower virtue. By employing the “Red Herring” rhetorical fallacy, Portia effectively circumvents any attempt to address the validity of Shylock’s claim to justice. Ultimately, her warrantless, Christian moralizing establishes her social privilege as part of the Christian majority that enables her uncontested, unjust treatment towards the silenced, Jewish minority.

Because the Duke complacently accepts her abstract moralizing as legitimate and applicable “reasoning,” he epitomizes the complacency of the justice system in favoring the status quo of political power. The fact that a lawyer’s logically vacuous argument could persuade the Duke away from delivering justice implies that it might not have mattered what Portia’s arguments were at all— the sociocultural privilege she assumed as an educated, Christian man was alone able to circumvent the law. This is because, even though honoring Shylock’s bond with Antonio would have indicated legal justice, pervading stereotypes of the “currish” (IV.1.290), and “devil[ish]” (215) Jewish moneylenders may have persuaded the Christian Duke to be complicit with injustice. This not only reflects the legal manipulation that privileged individuals can exploit to preclude justice for minorities, but also highlights the normalized discrimination against the otherized Jewish body in Christian society. In this way, Shylock’s bond remains unenforced by the court because artful interpretations of law are permitted, so long as they reaffirm the anti-Semitic society.

Shylock's faith in the legal justice system is therefore tragically misplaced, as he later realizes that the law cannot protect him from Christian exceptionalism, because it governs the courts as well. It is Shylock's paralyzing and disillusioning fear of this vulnerability that causes him to physically become ill and flee the court. In this way, the cloak of comedy proves disturbing by end of the play, as Portia and Nerissa take pleasure in causing their husbands genuine grief as they manipulate and emasculate them. Not only does Portia's domestic domination echo her public emasculation of Shylock in the previous act, but highlights an important distinction: while her fabricated "problem" with her husband is meant to be playful, her legal control over Shylock embodies cultural exploitation. While both Bassanio's physical ring and marital bond are retrieved, Shylock loses both his means to live and legal bond—awarded neither mercy nor justice from the Christian court. By juxtaposing the fates of these men, Shakespeare demonstrates how privilege serves to reinforce and legitimize itself, leaving minorities without the political or economic means to achieve social justice. So, by juxtaposing Antonio's grave trial with the trivial "ring trial," Shakespeare critiques the Christian majority as complicit with legal manipulation and social injustice, mostly due to their inability to comprehend the gravity of the problems suffered by the Jewish minority.

Shakespeare's *The Merchant of Venice* demonstrates the ability of de facto discrimination to penetrate the law through the pervading prejudices held by those with legal powers. By asserting the importance of Christian morality over societal justice, he emphasizes that Shylock's ontological exclusion not only alienates him from Portia's moral arguments, but from justice itself. Shylock's resulting misfortune—controlled by individuals who subscribe to the culturally dominant ideology—ultimately demonstrates that justice will not be served to minorities due to cultural ignorance or colonial malice of the privileged class.

Works Cited

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