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SHYLOCK AND INDIVIDUAL FREEDOMS IN CLASSICAL LIBERALISM

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RESUMO: Neste artigo buscaremos demonstrar como os temas do direito natural, da liberdade e da propriedade privada, centrais para o pensamento liberal clássico, podem ser analisados em um contexto fictício no qual um indivíduo socialmente execrado, mas possuidor de bens financeiros, é restringido e limitado em sua liberdade diante de indivíduos socialmente aceitos e representantes de valores e costumes coletivos. Este contexto será fornecido pela esplêndida obra de Shakespeare, *O Mercador de Veneza*, através de seu personagem mais emblemático, o judeu Shylock. Analisaremos o caso de Shylock e a forma como ele pode ser tomado como o protótipo de caso que ilustra os pontos que fundamentam o liberalismo moderno. Esperamos poder construir uma análise que seja filosófica, mas, que ao mesmo tempo, permita um exercício de interpretação literária.

PALAVRAS-CHAVE: Liberalismo; Shylock; Shakespeare; Política.

ABSTRACT: In this article we will seek to demonstrate how the themes of natural law, freedom and private property, central to classical liberal thought, can be analyzed in a fictitious context in which a socially marginalized individual, but possessing financial assets, is restricted and limited in terms of their freedom in the face of socially accepted individuals and representatives of collective values and customs. This context will be provided by Shakespeare's splendid work, *The Merchant of Venice*, through his most emblematic character, the Jew Shylock. We will analyse Shylock's case and how it can be taken as the prototype of a case that illustrates the points that underlie modern liberalism. We hope to be able to construct an analysis that is philosophical, but, at the same time, allows an exercise in literary interpretation.

KEYWORDS: Liberalism; Shylock; Shakespeare; Politics.

Introduction

When discussing themes related to the long liberal tradition, whether classical or modern, we are faced with a long and varied range of commentary and interpretive traditions. This fact is not only due to the long list of authors that make up the core of this current of thought, but also because it is a tradition that changes, 'rejuvenates' and adapts both to social and political changes, as well as to the attacks of its detractors. In this sense, as Bobbio rightly pointed out, a basic delimitation is necessary, according to him:

As an economic theory, liberalism is in favour of the market economy, as a political theory is sympathetic to the State that governs as little as possible or, as we say today, of the minimum state (reduced to the indispensable minimum). BOBBIO, 1991, p. 89.

However, in addition to this succinct delimitation, it is also necessary to point out the fundamentals that gave rise to the tradition itself, mainly in its philosophical bases, and which support the aspects raised by Bobbio. It seems quite plausible to point out three basic principles that are shown to be fundamental in sustaining the liberal tradition, namely, the notion of natural law, individual freedom and the right to private property and its use. These principles appear first, in a more orderly manner, in the work of John Locke, more centrally in his *The second treatise of government*, but they are becoming the basis of thought for all liberal thinkers in the centuries after him. Thus, both the political and the economic aspects, which define liberalism, are balanced on this conceptual tripod.

Our intention in this brief article is to analyse, even if succinctly, these three basic principles of the liberal tradition. However, we will seek to fulfil this task by analysing one of the most important and well-known literary works in world literature. *The Merchant of Venice*, by William Shakespeare, is a work that is not limited to the scope of literary production, its characteristic aspects provide us with numerous points of analysis of political, psychological and even philosophical issues. Therefore, we will use one of its main characters, the Jew Shylock, who at first seems only a supporting actor, but who in the course of the plot appears as a complex and central figure in the story. From the social situation, the demands for freedom and the very condition of rights restrictions experienced by Shylock, we can take it as a case, a prototype, which

can well illustrate the points present in the foundation of liberal thought. Our approach will be guided by the analysis of the most important moments of the work, from the figure of Shylock, seeking to point out in parallel the liberal principles already mentioned.

This Shakespearean work is studied from different angles, as we will comment later on, however, the angle to which we are directed is provided by the political reality experienced by the author. In this sense, we must ask ourselves why he uses the city of Venice, why the figure of a Jew who gets involved with aristocrats, as well as why the whole story revolves around an axis, namely, the exchange of interests. We hope to be able to present our hypotheses in a clear way, even if succinctly and incipiently, presenting the points that we indicate as guiding our approach, aware that, in no way, we exhaust the arguments that can be taken.

Shylock and individual freedoms in classical liberalism

At first, it is necessary to point out a latent question, why would Shakespeare choose the city of Venice to place his play? Our thesis is that he is touching on a very popular theme in Elizabethan England, the theme of republicanism. Moreover, he is criticizing a myth that became well known in his day, the so-called ‘Myth of Venice’ or ‘Serenissima’. The constitution of Venice as a stable, prosperous and apparently just and participatory republic, created the spread of a myth that served as a model for English intellectuals, thinkers and politicians who sought to strengthen a mixed government proposal for England. The first theoretical and political constructions around republicanism will take place exactly through the search for a control of the monarch's power, as instructed by Hadfield (2005, p. 17):

If republicanism was somehow taken as clear and coherent doctrine in the mid-sixteenth century in England, this was due to the intellectual conviction that it was necessary to control the power of the Crown by establishing means of ensuring that a set of virtuous and servile advisers could always have the constitutional right to advise the monarch, and also to influence and control his actions within the limits of the law.

This perspective of appropriation of republican theories pleased the nobles and the incipient bourgeois class who saw the opportunity to increase their participation in power and keep real action under control. The forming aspects of a republican model,

recognition and social belonging, as well as the strong legislative apparatus, are easily identified in the Venetian model. The same aspects will also be covered by the English critic and assimilated by his thinkers, the so-called 'myth of Venice' will be widely disseminated and assimilated.

The most outstanding works about the Republic of Venice, such as that of Contarini, were written in Latin in the mid-16th century and published in English later, so it is possible to understand that first only the most 'educated' individuals would have access to the works that initially circulated only in literate environments. However, in the 1590s, these works were translated into English, not by chance, and taking the indication of intellectual curiosity and the yearning for political participation and limitation of real power, this represented an even greater problem for the crown. As Hadfield still instructs us:

It is certainly no coincidence that the work that contains the most sustained and positive representation of Venice is Gaspar Contarini's *De Magistratibus et Republica Venetorum*(1543), translated into English in 1599, when the criticisms against Elizabeth had reached epidemic proportions, as she became aware after the Essex coup. HADFIELD, 2005, p. 41.

Shakespeare's perception of all this movement was certainly not alien or disinterested, his vision of politics could reflect these aspects in its most realistic sense. For this reason, we defend the thesis that his impressions on the subject were transcribed, and influenced, his works of this period, namely, *The Merchant of Venice* (1596/98), *Tito Andronico* (1585/90), *Julio César* (1599), among others with themes involving ancient Rome, Venice or republican scenarios and institutions.

Shakespeare seems to disagree with the praise of the 'Myth of Venice'. His play, *The Merchant of Venice*, reveals a thread of irony about the political, social and legal constructions of the 'mythological Venice'. Along this path, we will read the work as a kind of satire to the proclaimed Venetian myth, within, obviously, our proposal of themes on natural rights, individual rights, freedom and private property, which will be strongly discussed almost a century later by liberalism. It is exactly these themes, the proposition of the discussion about individual rights, the detachment of laws in relation to social, religious and economic customs, as well as the obstacles in social recognition, that led to a dispute between the classic model of republic, represented by Venice, and the future discussion of the liberal ideal of freedom.

It is not too much to say that *The Merchant of Venice* is one of Shakespeare's most iconic and controversial works, not only because it was written during the most stressful period of Elisabeth's reign, but mainly because it has an incredible breadth of subjects covered. As Wilson points out:

Various bonds are established in *The Merchant of Venice*: legal bonds, bonds of love and friendship, bonds of hate and revenge, marital bonds, financial bonds and bonds between evil and laughter that operate in the general economy established in the play. 'General economy signifies not just the flow of goods and money, not just the production of wealth, but also the exchange of values and affections: the economy of love and hate, of inclusion and exclusion; and how the body, as always with Shakespeare, exists, along with money, as the medium for these exchanges. WILSON, 1995, p. 105.

Almost all of these readings were explored in criticisms of the play, from the question of love, which seems more obvious, to the question of marriage out of interest, the relationship between boldness and fortune, the close friendship between Bassanio and Antonio led to numerous allegations of a homo-affective relationship. There is an interesting relationship between these two characters, which does not touch homosexuality, but refers to Machiavelli teaching. The Florentine maintains that Fortuna favours young people, because they are bold, fearless and dominate them, apparently it is not the same with older men who have already lost such audacity. Bassanio is young, fearless, bold and even inconsequential, while Antonio is cautious, thoughtful, even pessimistic. We see Bassanio achieve what he intended and Antonio suffer the terrible difficulties that awaited him, but in the end he will also have his share of joy.

However, the reading that seems more evident and more explored in the criticisms of the play, especially in the last century, is related to the apparent anti-Semitism in the treatment given to the Jew Shylock. For a long time the play was better known as *The Jew of Venice*, in close proximity to an earlier play, *The Jew of Malta*, by Marlowe. According to Bloom (2001, p. 224): "... in order to perceive the gap between the human being invented by Shakespeare and the role to which, as a playwright, he condemns Shylock, we must see the '*Jew of Venice*' as a reaction, an ironic twist with respect to the *Jew of Malta*, from Marlowe". This shows us that the question of anti-Semitism was commonplace in the English dramatist, however, Shakespeare does not seem to reflect that petty, grotesque and 'Christian' anti-Semitism. Shakespeare does not portray an individual who is humanly limited or

projected in an idiotic and monstrous way in society. Shylock is the most complex character and one of the most important in the play, either because of his antagonism towards Antonio, the so-called Venice merchant, or because of the artistic constitution of the play.

The vast majority of readers are led to think that the play is a drama or tragedy, when in reality it was classified, even according to the author, as a comedy. It is necessary, however, to understand the theatrical structure of a comedy. The fact that it is a comedy, in fact classified as such by the author, but considered by many as a drama, does not prevent it from being satirical. In Greek theater, satire always came through comedy. Thus, we start from the understanding that the play is a satirical comedy, with all its comic and tragic elements. According to theatrical, actancial parameters, in comedy there is an imbalance between the two central characters, between the protagonist and the antagonist. In this model, the protagonist has around him, involved in his purposes giving him help, most of the characters. In the case of *The Merchant of Venice*, we see that all the important characters are on Antonio's side, as well as Bassanio. In this sense, the harmed, the one who suffers the hardships and becomes the laughing stock for being deceived, is exactly the Jew.

Shakespeare seems to hide behind the already defamed 'Jew' figure a man who in reality is deceived, robbed and injusticed, always being humiliated and marginalized in the social environment. The cover that serves this purpose is the curtain of evil, the Jew becomes the villain of the piece by demanding the fulfilment of a promissory note that he, for sport, together with Antonio as a guarantor, established for the money lent to Bassanio. However, what led the Jew to lend money to the merchant was exactly the desire to get as close as possible to the 'noble citizens', to be helpful to the aristocrat who disowned him in the Rialto. Let's see how this scene goes:

Antonio: Well, Shylock, shall we be beholden to you?

Shylock: Signior Antonio, many a time and oft,
In the Rialto, you have rated me,
About my moneys and my usances:
Still have I borne it with a patient shrung,
For sufferance is the badge of all our tribe:
You call me misbeliever, cut-throat dog,
And spit upon my Jewish gaberdine,
And all for use of that which is mine own.
Well, then, it now appears you need my help:
Go to, then; you come to me, and you say,
Shylock, we would have moneys: - you say so;
You, that did void your rheum upon my beard,

And foot me as you spurn a stranger cur
 Over your threshold: moneys is your suit.
 What should I say to you? Should I not say,
 Hath a dog money? is it possible
 A cur can lend three thousand ducats? Or
 Shall I bend low, and in a bondman's key,
 With bated breath and whispering humbleness
 Say this? -
 Fair sir, you spit on me on Wednesday last.
 You spurn'd me such a day; another time
 You call'd me dog; and for these courtesies
 I'll lend you thus much moneys.
Antonio: I am as like to call thee so again,
 To spit on thee again, to spurn thee too.
 If thou wilt lend this money, lend it not
 As to thy friends (for when did friendship take
 A breed for barren metal of his friend?)
 But lend it rather to thine enemy,
 Who if he break, thou mayst with better face
 Exact the penalty.
Shylock: Why, look you, how you storm!
 I would be friends with you, and have your love,
 Forget the shames that you have stain'd me With,
 Supply your present wants, and take no doit
 Of usance for my moneys, and you'll not hear me:
 This is Kind I offer. (SHAKESPEARE, *The Merchant of Venice*, Act I,
 Scene III.)¹

In this passage, the resentment that moves Shylock stands out, his social situation demonstrates the degree of exclusion imposed on Jews in Venice, as well as in most of Europe, but it also demonstrates the classic traits of social belonging reflected in the Republican constitution of Venice. This opposition between the classic features of social belonging, essentially republican, and the notion of individual freedom and of trade and use of private property, or capital, will be emphatically put forward by Benjamin Constant in his famous text *Of the freedom of the Ancients compared to that of the Moderns*, from 1819. Shylock was part of the individuals who arrived in the city and already found the political and social scene established in a fully aristocratic way.

Antonio and Bassanio represent the aristocracy, the Venetian citizens who had full social recognition and distinction in public circles. However, something is out of place in this scene, representing the political and social framework of exclusion and restriction we have Shylock, and representing the situation of social recognition we have Antônio and Bassânio, however, we can see a change in the exchange relationship.

¹ Note that the used edition of Shakespeare's work brings the text in its original form according to the English language of his time.

The excluded Jew is in possession of something that the aristocrats need, in this case, the three thousand ducats, while Antonio and Bassanio represent what men like the Jew do not have, social recognition and acceptance. There, a state of exchange is established, interests that intersect in a very clear and rigidly constructed political-social arrangement. As Constant (1997, p. 615) indicates: "... wealth is a force more available at all times, more applicable to all interests and, as a result, much more real and better obeyed...". However, the Jew Shylock, who has the wealth that aristocrats were interested in at that time, seeks their friendship, willing to forget all injuries and insults, just wanting to be recognized and accepted.

It becomes quite symbolic the fine stipulated by the Jew if the money is not paid. For sport, nothing more, it is agreed that a pound of meat will be taken from Antônio if the bill is not paid. Within the established state of exchange, the idea that the Jew wanted to have part of the 'body of Antony' is symbolically intrinsic, not the human flesh without value, but the 'political body', to which he did not belong. "In the information economy of commercial Venice, value is a datum on a ledger or a word on the Rialto. Shylock's 'merry sport' re-establishes the link between monetary value and material life, insisting on their real inextricability. (EGAN, 2004, p.105). The political and social interaction between the Jew and Antonio reveals the fundamental organizational features of the Venetian republic expressed by Shakespeare.

The daily humiliation suffered by the Jew, the strong religious and customs traits that clearly separated Venetian citizens from foreigners and non-Christians. What changes in this picture is the relationship established in the scene mentioned above, the fact that a Venetian citizen, aristocrat from a traditional family, has to resort to the foreigner Jew to raise funds for a friend. The 'centre of gravity' of political and social relations is changing, now the individual who has monetary power can overlap, at least in the field of interests, with individuals who have political acceptance².

There is no doubt that the economic factor, distinct from the social and political factor, appears centrally in the relationship established between Shylock and Antonio, would this be one of the points of tension between the classic model of republic and a

² Constant, in criticizing Rousseau's thought, makes an observation on this issue of social power, that is, the imposition of a social belonging that is built through the negation of individual freedom, as follows: "I will perhaps examine once again, the system of the most illustrious of these philosophers, by J. J. Rousseau, and I will show that in carrying in modern times an expected social power, of collective sovereignty that belonged to other centuries, the sublime genius that animated love more pure freedom, however, has provided dire pretexts to more than one type of tyranny. CONSTANT, 1997, p. 604.

latent modern liberal idea of freedom? It does not seem wrong to argue that in this scenario there is a change in paradigms that will be strongly ingrained in the centuries after Shakespeare, but that appear implicitly in the relationship of the Jew with the Venetian aristocrats. Shakespeare's Venice does not seem as egalitarian, just, welcoming and popular as it was seen in several works that praised the 'Venetian myth'. It does not seem to be by chance that the author uses a figure so abhorred in the European scene to be the central antagonist in his play.

The ironic and satirical question that can be seen in the piece is not only the fact that it is masked by a tragedy, at least for modern models, but also in the colours with which the author paints the 'Perfect Republic'. All the main characters have some kind of interest, whether implicit or explicit. The human game of relationships ends up becoming a constant exchange of interests and benefits. We said that both the Jew and the merchant had an interest, however, they left aside social bonds and made an agreement. “The central exchange of Portia to Bassanio via the caskets, requires Antonio to give Bassanio the money he has secured from Shylock so that Bassanio can, in turn, arrive at Belmont laden with enough gifts to appear an impressive suitor.” (WILSON, 1995 p. 108). This aspect of interests that leads us directly to the conclusions imposed by Smith (1937, p. 14), as follows:

But man has almost constant occasion for the help of his brethren, and it is in vain for him to expect it from their benevolence only. He will be more likely to prevail if he can interest their self-love in his favour, and shew them that it is for their own advantage to do for him what he requires of them. Whoever offers to another a bargain of any kind, proposes to do this. Give me that which I want, and you shall have this which you want, is the meaning of every such offer; and it is in this manner that we obtain from one another the far greater part of those good offices which we stand in need of.

There is a meeting between two interests, from this meeting an agreement may arise that satisfies the wishes and desires of both, or yet, there may be no agreement, but neither of them should be coerced into doing what he does not want. As we said, there is an encounter between a socially limited and oppressed individual, but one that has something that awakens the desire and will of a more socially free, accepted individual, but who needs what the other can offer. The Jew Shylock knows that he cannot count on Antonio's benevolence, he has already had proof of this, so, to reach his interest, he seeks to satisfy the aristocrat's interest. In modern liberalism all interests tend to converge in the economic field, more in the market than in politics, so, as Constant

indicated, wealth has more power. According to Amadeo/Morresi (2006, p. 104): “Individualist freedom and its liberal application constitute the foundation of bourgeois society; a society that makes every man find in the other not the realization of his freedom, but his insurmountable limit”.

In this Shakespearean story there are no ‘good’ and ‘bad’, all characters have objectionable traits, guilt and ulterior motives. As such, the Jew cannot be judged to be the antithesis of ‘good’, or goodness. This aspect also leads us to think about the criticism of the English scenario in which Shakespeare transits. The search for an idyllic, perfect model of society on the part of the English aristocracy seems to hide ulterior motives that adhere more to the political than to the moral sphere.

In his commentary on ‘*The Merchant of Venice*’ and ‘*Ricardo III*’, Girard (1990, p. 310) states:

Two images of the king tend to dominate the piece alternatively, one strongly differentiated and the other indifferent. In the case of the Merchant of Venice and Richard III, we can understand why without difficulties. In one play as in the other, the real aim of the satire is not this or that individual, but a whole social or political system, Venice in one case and the English aristocracy in the other. Shakespeare could not attack the latter very openly. The method he envisions allows him to free himself from indirect satire, more highly effective among the elite of experienced people - and perfectly identifiable by the crowd of ordinary viewers, those who aspire only to harsh catharsis that Shakespeare never fails to provide them.

The defence of a broader participatory government, as support for a mixed government, was the fuel for the overexposure of the ‘myth of Venice’. However, the freedom that Shakespeare seems to indicate, as critical of the aristocratic model, is closer to a liberal notion of freedom and rights. The moralistic, restrictive and exclusive features of an aristocratic organization, based on ethical and religious values, made people very afraid of the danger brought by individuals who were not English, that is, foreigners and even non-Christians. “In terms of the extant materials, the English, especially Londoners, usually rejected foreigners. There arose fears of being overwhelmed.” (YU, 2015, p. 41). Shakespeare shows us a Venice where everyone has ulterior motives, interests, not just foreigners with a reputation for being villains, everyone acts in order to establish exchanges and reciprocities that can satisfy them.

All these movements employed by the author in the writing of the play serve the purpose of establishing a scenario of constant tension and antagonisms. However, the tension that arises in the background is more profound and leads us to maintain our line

of thought. We see an excluded, socially and politically insignificant individual within the framework on which the Venetian republic is founded, but who has something that gives him an advantage in a given situation. We can consider that Shylock is the prototype of the financial capitalist, the individual who does not seek recognition for moral, social, traditional values of the political body, but who only needs freedom to exercise his lucrative activity without strings attached. Although Shylock seems to yearn for the Venetian merchant's friendship and recognition, what he really wants is to be able to carry out his activity without disturbance.

For this reason, the exchange relationship between Shylock and Antonio is the mark of the end of an era and the harbinger of another. The end of an arrangement based on social belonging, recognition, customs and traditions, the beginning of a social organization geared to economic interests, the possession of resources and total freedom to use them as they please, without social ties, excessive political or legal requirements. The focus is precisely on the possession of something that cannot be restricted by external, moral or political issues, it is a property. According to Locke (1952, § 138): “Men, therefore, in society having property, they have such right to the goods which by the law of the community are theirs, that nobody has a right to take their substance or any of it from them without their own consent...”

This understanding leads us to see in Shakespeare's own play, in addition to the criticism of the 'myth of Venice', the harbinger of a discussion that will develop almost a century later. The modern liberal ideals of freedom are based exactly on private property, possibilities of exchange relations without social ties, without political, customs or traditions barriers. In this sense, we can take Shylock as an example of the individual who needs to have the freedom proposed by liberals like J. Locke³ and Constant. As Bloom (2001, p. 235) rightly points out:

The great importance of Shylock is not in the historical world of anti-Semitism, but within the development of Shakespeare's art, no previous figure in Shakespearean drama has the strength, the complexity and the Shylock's vital potential.

However, not only were his social belonging and recognition limited by restrictive traditions, customs and social constitutions, his experience with the laws of the Republic of Venice was also restricted due to his political-social condition. After a

³ To deepen this very controversial view, we recommend reading the work: ANDREW, Edward. *Shylock's rights: A grammar of Lockian Claims*. Toronto: University of Toronto, 1988.

whole set of betrayals, intrigues and losses in the course of the play, Shylock sees himself in the possibility of collecting the debt note that had been made for 'mere sport'. At this moment, what stands out is the figure who went down in history as the villain that shocked many onlookers, the Jew makes a point of pulling a pound of meat from Antonio's body. However, Shakespeare subtly seems to justify the Jew's action as a response, actually a reproduction, to the treatment he has always received from Venetian Christians. At the same time, he puts in the mouth of the Jew what will be the basis for the ideals of freedom based on natural law, sought in modernity.

Let's look at the scene in question:

Salarino: ...But tell us, do you hear whether Antonio have had any loss at sea or no?

Shylock: There I have another bad match: a bankrupt, a prodigal, who dare scarce show his head on the Rialto; - a beggar, that was used to come so smug upon the mart; - let him look to his bond! he was wont to lend money for a Christian courtesy; - let him look to his bond.

Salarino: Why, I am sure if he forfeit thou wilt not take his flesh. What's that good for?

Shylock: To bait fish withal: if it will feed nothing else it will feed my revenge. He hath disgraced me and hindered me of half a million; laughed at my losses, mocked at my gains, scorned my nation, thwarted my bargains, cooled my friends, heated mine enemies! and what's his reason? I am a Jew! Hath not a Jew eyes? hath not a Jew hands, organs, dimensions, senses, affections, passions? fed with the same food, hurt with the same weapons, subject to the same diseases, healed by the same means, warmed and cooled by the same winter and summer as a Christian is? If you prick us, do we not bleed? if you tickle us, do we not laugh? if you poison us, do we not die? and if you wrong us, shall we not revenge? if we are like you in the rest, we will resemble you in that – If a Jew wrong a Christian; what is his humility? revenge. If a Christian wrong a Jew, what should his sufferance be by Christian example? why, revenge. The villany you teach me I will execute; and it shall go hard but I will better the instruction. (SHAKESPEARE, *The Merchant of Venice*, Act III, Scene II).

Again the Jew shows his revolt and bitterness against the treatment he received, however, this time he evokes the alleged equality that should exist in the very configuration of the Venetian republic. The idea of revanchism seems to hide the fact that the Jew is evoking a notion of equality of nature, the basis of natural law. In this sense, Shakespeare, through his character's mouth, exposes a principle that will be dear to liberalism. According to Locke (1952, § 95):

Men being, as has been said, by nature all free, equal, and independent, no one can be put out of this estate and subjected to the political power of another without his own consent. The only way

whereby any one divests himself of his natural liberty and puts on the bonds of civil society is by agreeing with other men to join and unite into a community for their comfortable, safe, and peaceable living one amongst another, in a secure enjoyment of their properties and a greater security against any that are not of it.

From this perspective, Shylock's discourse can be seen as a discourse typical of jusnaturalist liberalism, which seeks to highlight an equality that should exist in the political body independent of religion, race, customs and traditions. It is precisely this perception that everyone is equal by nature that will support the notion of freedom in modern liberalism. The notion that there can be no political limitation that is justified by differences that are not linked to the natural rights of individuals. Freedom understood as equality between individuals, detachment from the political and social bonds that dilute the subject within the universe of the collective⁴.

This definition of freedom seems to fit what the Jew evokes in his speech, the justification for a freedom based on the equality of individuals, not on customs, traditions or social, religious and political obstacles. It would not be very safe to say that Shakespeare is the forerunner of the liberal view of freedom, it would also be risky to say that we see in the mouth of Shylock the ideas of a liberal author of the seventeenth century in all its nuances. But, as Anikst (1966, p. 125) rightly points out: “Shakespeare’s strength as an artist lay not only in his ability to see situations and characters which might be met with in life, but also in his ability to see them in a particular light-in the light of the ideals of a higher humanity”. From this perspective, we can indeed see a perception of Shakespeare that seems to foreshadow the stage of tension that would worsen over the following centuries.

The focal point that demonstrates the whole load of inequality that Shylock alludes to in his speech is undoubtedly the moment of judgement before Doge. When collecting the payment of the debt before the city jury and before the figure of the Doge, Shylock is put at the height of the evil that marks, for some spectators, his condition of monster. After going through all the difficulties and all the betrayals and mistakes during the play, Shylock has the opportunity to charge. However, the whole

⁴ Let us take a definition of freedom according to Constant (1997, p. 593): “It is for everyone the right not to be submissive but to the laws, to be neither able to be arrested, nor detained, nor put to death, nor mistreated in any way, due to the arbitrary will of one or more individuals. It is for everyone the right to express their opinion, to choose their profession and to exercise, to dispose of their property, even to abuse it, to go, to come, without having to obtain permission and without giving an account of their reasons and your steps.”

arrangement of the trial is still a farce, a new deception that will lead the Jew to the condition of being deceived. Upon being informed that a notable jurist would be sent to arbitrate the issue, Shylock believes he has the opportunity to avail himself of Venetian laws, which, on grounds, should be totally impartial, fair and egalitarian.

At this moment, Shakespeare shows his satire in relation to the so praised spirit of justice of Venetian laws, in place of a notable jurist, what we have is Portia, already wife of Bassanio, dressed as a man and presenting himself as an alternate sent by the jurist himself. Starting the trial, Portia points to the validity of Antonio's debt note to Shylock and sets the tone for one of the most intriguing moments in the play. Antonio appears as the individual who is capable of giving his life for the love of a friend. A just, benevolent man, friend to the extreme and ready to give his own flesh to the villain who demands it. It is not even remotely reminiscent of that haughty, prejudiced, aggressive and cruel man presented by Shylock in the dialogue establishing the loan agreement. About this scene, Masugi (2014, p. 208) has an interesting opinion:

Antonio need not have made himself a martyr for Venice's trading laws, in this caricature of Christian charity for the cause of a commercial republic. Antonio seeks literally to imitate Christ by expelling the money-changers from the temple of Venice. Antonio would also be a Lucretia for Venice: As Lucretia sought by her suicide to establish a republic, he would die to affirm Venice's commercial republic. As her death caused the Romans to expel the Tarquins, so might the Venetians be enraged enough to condemn Shylock. Antonio would appear to be a marvellous example of Machiavelli's critique of Christianity.

In the constitution of Venice, the laws are presented as sacred, requiring a sacrifice that can assert its strength and maintain its condition of inviolability. The ironic point is exactly that the whole situation revolves around a deception, Antônio was not the benevolent and selfless man, the jurist in question was nothing but a farce, and finally, the laws themselves proved to be ambiguous, partial and unsafe. In charging the stipulated legal agreement, Shylock evokes the legal certainty that is expected of a just republic like Venice. However, in making this move, he still touches on a Venetian injury, slavery and hypocrisy that nourishes relations between citizens and foreigners as follows:

Shylock: What judgment shall I dread, doing
You have among you many a purchas'd slave,
Which, like your asses, and your dogs, and mules,
You use in abject and in slavish parts,
Because you bought them. Shall I say to you,

Let them be free, marry them to your heirs?
Why sweat they under burdens? let their beds
Be made as soft as yours, and let their palates
Be season'd with such viands? You will
answer,
The slaves are ours : So do I answer you ;
The pound of flesh which I demand of him
Is dearly bought, is mine, and I will have it:
If you deny me, fie upon your law !
There is no force in the decrees of Venice.
I stand for judgment: answer: shall I have it?(SHAKESPEARE, *The Merchant of Venice*, Act IV, Scene I)

It is quite clear that Shakespeare's intention is to create a situation in which the very institution of laws suffers the setbacks of a society that is not perfect, idyllic and much less egalitarian. Shylock becomes the harbinger of a discourse that exposes hypocrisy and partiality, not only in Venetian laws, but above all in its society. Remembering the actuarial models of comedy, we see once again the situation in which Antonio, the protagonist, has the support of all the characters. In contrast, Shylock, the antagonist, has at his side only the prerogative of the law that until then was in his favour.

Portia, by posing as a lawyer, demonstrates how easy it seems to deceive an entire court of justice, at the same time demonstrating the fragility on which the application of laws is based. The figure of the 'Douto', the jurist who dominates the matter of the law, governs the entire process of justification, interpretation and application of the laws, however, at the same time that he applies these legal assumptions, the jurist, in the case of Portia, can yet find the perfect loopholes to complete your ingenious plan. Inverting the terms that were provided in the debt note, Portia can then open space for the application of what really determined the progress of legal processes, namely, the customs and political and social restrictions of an aristocratic society.

Through his artifice, Portia reverses the roles, Shylock is no longer the claimant, that individual who has the right to demand payment, now he becomes the aggressor, the foreign Jew who attacks the life of a good and humble Christian, Venetian citizen. Let's see:

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; the law allows it and the court awards it.

Shylock: Most learned judge! - A sentence; come, prepare.

Portia: Tarry a little; - there is something, 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, 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.(IBID. Act IV, Scene I).

Shylock's expectations of using the Venice laws, even if by apparent revenge, were shattered, the opportunity to take advantage of the only apparent equality between individuals was once again a trap. This situation created by Shakespeare is extremely complex, the fraud that occurs deliberately in relation to law enforcement is overshadowed by the theme of revenge that did not work. The Jew's fame as the bloodthirsty monster dominates the scene and the question of inequality in relation to the access that foreigners could have to the laws goes unnoticed. The law proved to be extremely restrictive, partial and unfair. Religious, social and political customs prevailed before the legal institution of the republic. The difference between the situation of social belonging of the Venetian citizen, Christian, in relation to the foreigner, non-Christian, was decisive for the application of the legal code.

We call attention again to what, according to Constant (1997, p. 595), was the condition of the laws in relation to the customs in the classic traditions: “The laws regulated the customs, and as the customs are in everything, there was nothing that regulated by the laws”. According to this understanding, the modern ideal of freedom must have another parameter, laws cannot be under pressure from customs and traditions that lead the individual to submit to the arbitrary will of a group. In the case of Shylock, the weight of customs and religious restriction led him to be the victim of arbitrariness. The tension between the model of justice rooted in social tradition, the restrictions of social belonging and recognition is shown in the situation where an individual does not respond to such requirements. This tension can be interpreted, as we have hitherto indicated, as the tension between a new social reality, an open society centred on the individual, compared to a more restricted society, centred on the collective and traditions.

Let's see how Shylock is punished for threatening the life of a 'good citizen' of the Republic of Venice:

Portia: Tarry, Jew!

The law hath yet another hold on you.

It is enacted in the laws of Venice,
 If it be prov'd 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 stand'st;
 For it appears by manifest proceeding,
 That indirectly, and directly too,
 Thou hast contriv'd against the very life
 Of the defendant ; and thou hast incurr'd
 The danger formerly by me rehears'd.
 Down, therefore, and beg mercy of the duke.(SHAKESPEARE, *The Merchant of Venice*, Act IV, Scene I).

The end of the trial is the moment of the complete degradation of the antagonist, all his attacks in search of justice have been turned against himself. The final scorn, the obligation to become a converted Christian and thus become a true Venetian citizen. Here we have the end of Shakespearian irony, the Jew who wanted social recognition, belonging to the body of society, who just wanted to enjoy the acclaimed justice of Venice, to become, finally, a citizen. However, for this he must deny his own identity, his religion, his goods and his dignity. In saying that he is happy with his sentence, Shylock takes, for the last time, the role of the resigned individual, dominated by customs, traditions and social restrictions. Bloom (2001, p. 228-9) gives us an excellent view of this moment:

Nobody in *The Merchant of Venice* is what he appears to be - neither Portia, nor Antonio, nor Bassanio, nor Jessica. How could Shakespeare allow only Shylock to remain authentic and congruent? Who, in the play, deserves trust? Shylock acquiesces to conversion because the Venice of the piece, as well as the Vienna of Measure for measure, is too equivocal for any congruence to prevail. The biggest irony of *The Merchant of Venice* is Shylock, the foreigner, he becomes entirely Venetian when he sells himself. What would be your motivation? Are we misinterpreting the words 'I'm glad'?

The condition of foreigner to whom Shylock was imprisoned was transformed into a citizen's situation, however, for this, the necessary adequacy was the very negation of his particularities and individualities. Social belonging and recognition were only possible within the limits imposed by tradition and customs. The modern ideal of freedom, particularly that defended by the first liberals such as Locke, Smith, then Constant and others, has as its central premise exactly the preservation of individualities

before the traditions and customs of the political body in its collective expression. As Constant (1997, p. 600) points out:

Finally, commerce inspires men with a lively love for individual independence. Trade meets your needs, satisfies your desires, without the intervention of authority. This intervention is almost always, and I don't know why, I say almost always, this intervention is always a nuisance.

Shylock was reproached for being a Jew, for having customs and values different from those that founded the society in which he was and, mainly, he could not use the only asset he had, his private possession of income. The plot takes place in a society, a city, which lived from cosmopolitanism, however, it represented a whole political and social arrangement that did not include the new economic model that was emerging from mercantilism, the accumulation of income and the interactions between various cultures. Shakespeare seems to have understood this process and, in the figure of Shylock, he dealt with themes that would be extremely dear to liberal thinkers after his time. Venice was the perfect stage for dealing with these themes.

Conclusion

It is possible to argue, in view of all that we have covered in this brief article, that Shakespeare presents a critical assimilation of a proper reading of the Venice of his time. All the political discussion developed in England about the possibility of a mixed government, taking Venice as an example, fosters the author's ironic criticism. What we see in the colours of Shakespearean Venice appears as a place of deception, artifice, prejudice and, above all, injustice. The character chosen to represent this painting could not be more symbolic, the figure of the foreign Jew, the most scorned and devalued in European society. His social and political condition makes him marginal, excluding, however, the economic context and the changes that he undergoes, placing the Jew as someone who can render a service even to the Venetian aristocracy. In this changing scenario there is a relationship of exchange and interests that will become increasingly clear in the centuries after Shakespeare, the relationship between politics and the market, the dispute between traditional moral values and the search for a freedom that would allow the use of private property without any kind of lock.

In Shakespeare's Venice we see the traces of an aristocratic republic, assimilated by English political thinkers. However, we also see the demands of a new world, a modern world in which the economic factor must be free of any social, political, customs or traditions. Principles such as individual freedom, private property, natural law, free trade, will be fundamental themes for the liberal tradition. This condition will be defended by liberal authors who defended individual rights precisely to favour the 'economic individual', one who doesn't seek social recognition, but has financial resources. What we have in Venice of Shakespeare's play is the ideal scenario, as well as the ideal situation, to think about the tension between the old classic model of republic against what would become the modern model of open society. The first centred on tradition, customs and social recognition, the second centred on the individual and the need for individuality that he should have, without social or political ties.

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