

## TO AND FRO: SIDES OF NEGOTIATION IN SHAKESPEARE'S THE MERCHANT OF VENICE

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### *Abstract*

*Love, power and money determine the characters in this play switch from open to hidden discourse and action. The ability of characters to reveal or conceal their agenda connects communication skills to the success or failure of their negotiation. What is loss and gain in their quest for justice? How are the politically (in) correct elements articulated in public speaking via dramatic techniques? Where does ambiguity start and where does obligation end, entailing both comic and tragic effects on the fate of protagonists? This paper aims to explore the means of negotiation employed by both female and male characters in a complex cultural background, and their adjustable tactics displayed in public contexts.*

**Keywords:** merchant, contract, negotiation, power, justice, Shakespeare

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### *1. Introduction*

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*The Merchant of Venice* has been long acclaimed as a comedy taking relationships, love and power as the key ingredients for scholarly interpretation upon justice, friendship and contractual terms. In this play, archetypal stances extracted from the historical reality of Roman jurisprudence blend with *poïesis* and disclose, directly or indirectly, the visible and dark sides of human nature.

In his recent study devoted to interpretations about power, Answel Haverkamp places the action of this play into the historical background revealed by Hegel: the tradition of the Twelve Tables allowed a creditor “to kill a debtor or sell him into slavery” (Haverkamp, 2011: 109), and in the case of several debtors “they were permitted to cut pieces of the debtor and thus divide him amongst them, with the proviso that if any one of them shout cut off too much or too little, no action should be taken against him” (Haverkamp, 2011: 109-10). By opening his interpretation from the Hegelian angle, Haverkamp states that the core of the play resides in what stands as Shylocks problem, “the more or the less of the cut” (Haverkamp, 2011: 110). He further connects the procedural implications of the contract between Shylock and Antonio with the refined, yet nonetheless impactful, use of the pun built on “the pound” term:

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*This is no vague, approximate paradox, it is a pointed literary affair and Shylock's pun is the paradigmatic instance and place of its negotiation – even and particularly in its legal aspect. It is of a calculated singularity that allows the merchant in the figure of Shylock to tend towards a staged, acted-out emblematic, which, with a fine post-allegorical fermata, finally suspends the drama within the play.* (Haverkamp, 2011: 113)

Negotiation based on rhetoric and dramatic means is employed to sustain identities, reveal or hide intentions and actions, and starts with the introductory lines of the play in which the dramatist presents the key characters in a structured and concise way: Antonio, the wealthy merchant; Bassanio, Lorenzo and Gratiano, standing for the lively, social life of Venice. It extends throughout the play as it links to contradiction, followed by consistency in action and speech and is steadily supported by contrast: intentions sometimes work along manifested actions, characters dress up and cover or divulge their thoughts and will. In the end, legal procedures are not as crystal-clear and unbreakable as the playwright may suggest to a point; there is always a breakthrough, and intelligent, rather liberal-built individuals struggle to find ways around them and force an unexpected solution. Venice appears as a society open to tolerance and liberalism, in which enterprising people could get wealthy, while in reality Jews were restricted to a *ghetto*. Analysing such elements, Sidney Lamb points not only to the crude reality of this successful city, but highlights the downfalls of naivety and ignorance displayed by Lorenzo and Jessica, Shylock's daughter, before their romantic elope. The two lovers attempt to lift their morale and feelings resorting to mythological examples of love, but "the story they use are those in which lovers are betrayed or doomed" (Lamb, 2000: 26), generating a new controversial reception by the audience.

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## ***2. Contract: the means to personal success or potential failure***

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For the two main parties in the play, Antonio, the rich Venetian, acting on Bassanio's behalf, and Shylock, the moneylender, negotiation opens with the preliminary discussion about getting three thousand ducats. The contrast and ambiguity pervading the text turn commercial and love affairs into acts with an intense impact on concerned players, as Harold Bloom suggests: "money and contract are as significant forces in Belmont as in Venice because Portia is immensely rich and the terms set down for winning her are as specific as those in any commercial transaction, even to stipulation of the forfeit that will be exacted should the wooer fail to achieve his objective" (Bloom, 2010: 68).

For Shylock, the contract entails both direct and indirect aspects: he first refers to the risks of Antonio's ventures and expresses doubts on external factors influencing the arrival of his ships in the harbour, given rats, disease or pirates. However, he appears confident that the merchant is able to seal a contract: "The

man is, notwithstanding, sufficient. Three thousand ducats. I think I may take his bond” (Lamb, 2000: 47). Secondly, the closing of the deal has strict limits which he defines without hesitation: “I will buy with you, sell with you, talk with 35 you, walk with you, and so following; but I will not eat with you, drink with you, nor pray with you” (Lamb, 2000: 48). Apart from his direct speech, the audience has access to his interior thoughts, and from the onset he declares his dislike towards Antonio in what may be regarded as a personal enmity: opposite personalities embracing different routes to professional success. Thirdly, his revulsion appears to be attributable to historically-fed causes which he has no intention to forgive. Based on the motive “I hate him for he is a Christian”, the usurer is decided to take revenge against: “On me, my bargains, and my well-won thrift,/ Which he calls interest./ Cursed be my tribe/ If I forgive him.” (Lamb, 2000: 48)

Furthermore, he talks about Antonio’s own distaste for him, and enumerates the words and actions the merchant repeatedly used against him. This personal divide is too severe to allow Shylock any display any tolerance. His reproach is open, but he is in full control, and is completely aware that neither Antonio, nor Bassanio will not leave him without getting the money, and this stance allows him to voice his criticism: “Fair sir, you spit on me on Wednesday last,/ You spurned me such a day, another time/ You called me dog; and for these courtesies/ I’ll lend you thus much moneys?” (Lamb, 2000: 51).

From this perspective, Anita L. Allen and Michael R. Seidl discuss the deal as a cross-commerce operation; their analysis covers the contractual side of their negotiation, discussing the aim of each party: “The contract between Shylock and Antonio benefits Antonio in two aspects: it is both wealth promoting and interest promoting (...) For Shylock, the contract with Antonio initially appears to be interest promoting though not wealth promoting.” (Allen and Seidl, 1995: 841) Despite their willingness to appear as neutral parties and experienced trade practitioners, neither Shylock, nor Antonio cannot fully hold their dislike. From the first encounter though, the Jew appears to have a slight advantage to the Christian merchant, indicated by his partly covered confrontational rhetoric. He is far from being distracted when he asks for the duration of the loan; he is so preoccupied not to lose his enemy that declares he needs Tubal’s financial support to get the whole required amount, he flatters Antonio, is keen to suggest that the bond is a sign of friendship, and after Antonio’s burst against him (“lend it rather to thine enemy”) (Lamb, 2000: 51), the loaner softly admonishes him and asks for sympathy from the Venetian trader (“I would be friends with you and have your love,/ Forget the shames that you have stained me with”) (Lamb, 2000: 51) To make certain that his plan is tightly secured against his victim, he announces the “pound of flesh” to be actually a “mere sport” part of the deal (Lamb, 2000: 51). Noting that Bassanio gets anxious and advises Antonio to reject the terms of the contract, Shylock continues to insist on the humorous character of the “pound of flesh” penalty, suggesting that it cannot serve anyone, so it is certainly a matter of eccentricity,

and not a genuine forfeit; in addition to this, he also insists on the idea of friendship, therefore Antonio can accept such a contractual *bizarrerie*: “A pound of man’s flesh taken from a man/ Is not so estimable, profitable neither,/ As flesh of muttuns, beefs, or goats. I say/ To buy his favor I extend this friendship.” (Lamb, 2000: 52) He cleverly combines the appeasing technique with the suggestion of a potential withdrawal: “If he will take it, so; if not, adieu./ And for my love I pray you wrong me not” (Lamb, 2000: 52). At this moment, he is absolutely convinced that the two friends are not going to reject his proposal. Once Antonio agrees with the clauses, the Jew promptly gives instructions about having the deal signed in front of a notary. He is truly keen to follow this opportunity as swiftly as possible, so he aims to go home, raise the whole amount with the support of Tubal, and make sure that nothing intervenes in the plan.

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### ***3. Plot and deadlock: opposition, complementarity and humanity***

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At the beginning, both Antonio and Shylock start from firm positions of power: Antonio is convinced about the success of his maritime and commercial ventures, yet seeks money to support his friend, Bassanio; Shylock fully understands their case and adopts a politically-correct posture, partially critical, in which he plays upon on his friendship, to win Antonio’s trust. He provides several references to religious and ethnic examples: “my tribe” (Lamb, 2000: 48) or the story of Jacob and Laban in by which he suggests that Jacob’s scheme to get more lambs stands for a mere technical method employed by an intelligent tradesman, the reason for which he himself can “breed” his gold just like the “ewes and rams” (Lamb, 2000: 49) in the Biblical narrative.

His vision of the deal at this moment induces Antonio to believe that the penalty clause is a detail to be included in sealing the bond, but hardly a difficulty for a man like him. Their direct and indirect speech reveals their opposite profiles: Antonio uses the money as a vehicle employed in the name of friendship, while Shylock sees the lending as a means to ambush his long-term opponent and publicly confirm his own professional success in front of Christians.

But this is only one side of the setting, whose complexity is generated by the actions and the speech of the characters. Negotiation tactics entailed in the play depend on and deepen a series of suggestive antinomies. Firstly, Antonio is portrayed as a highly melancholic individual. His mood may be caused by the state of his enterprise, suggested at the beginning by Salerio, while the merchant confesses: “My ventures are not in one bottom trusted,/ Nor to one place; nor is my whole estate/ Upon the fortune of this present year.” (Lamb, 2000: 34) On the other hand, as a wealthy gallant, Antonio seems to be unable to act like his companions and does not seem attracted to the pleasures of life. He appears to be a middle-aged, single, successful entrepreneur, dividing his time between business and short

intermezzo with manly companions. At the other end, Shylock appears to be comparable older, having a rather cold, difficult relationship with his own daughter, Jessica. His apparent lack of fulfilment in family matters makes him engage permanently in trade, suggesting that he needs professional achievement to compensate for interpersonal relationships.

The two rivals, Antonio and Shylock, have two clashing approaches to negotiation: for Antonio, trade is a chief interest in his life, but he does not depend on a single enterprise, and that diversity allows him to enjoy both flexibility, as well as prosperity. He appears able to select the most suitable imports and get profit as required by the market trends, which makes him both versatile and effective, yet places him under a higher risk. Shylock has a contrasting method: he lends money based on a huge interest, and the scheme he plans for Antonio suggests that he might have resorted to the same plan when dealing with young heirs or potential ones expecting massive capital, often after the death of a close relative, as the case during the age. Despite his well-structured plan, he is able to play upon and adjust it to the traits of his victims: the appetite for immediate resources, legal incompetence, arrogance and haste, and takes advantage to punish an arrogant rival, in his own terms. He does not expect Antonio to fail instantly, but he positions legal instruments and secures them with what he thinks is an unbreakable condition: the pound of flesh. From his point of view, this is sufficient, he does not resort to a second alternative, but will wait for the term to come, and if the opponent has a vulnerable spot, he is sure that this minor clause can make a huge difference. To a large extent, Antonio is, despite his temporary melancholia, an able extrovert trader, while Shylock is, on the contrary, as confirmed briefly by Launcelot in the conversation with his father, as well as by Jessica's dialogue with Lorenzo, a human with a certain dark side, and as a result of his narrative and action, an introvert negotiator. His gloomy mind-set is but revealed in the court when asked why he would prefer the pound of flesh to the financial repay: "You'll ask me why I rather choose to have/ A weight of carrion flesh than to receive/ Three thousand ducats. I'll not answer that,/ But say it is my humour. Is it answered?" (Lamb, 2000: 136). Antonio's nature is complemented by that displayed by Bassanio, whose appearance, words and actions show both sincerity, as well as lavishness, since the Jew calls him "[t]he prodigal Christian" (Lamb, 2000: 76).

To complicate the setting, Portia shares their sensibility and nobleness; for when she learns from the letter received by Bassanio from Antonio that the merchant owes three thousand ducats, she instantly suggests to cover the sum to up to an amount that may be an irresistible offer: "Pay him six thousand, and deface the bond./ Double six thousand and then treble that,/ Before a friend of this description/ Shall lose a hair through Bassanio's fault." (Lamb, 2000: 113) Antonio's and Portia's generosity and Bassanio's disrespect to resources meant "to breed" and continuously generate further income make Shylock despise and reject

them; none of them rises, in his eyes, to the truly honourable status of a wealthy person.

Shylock shows an ambiguous psychological profile: firstly, he has the ability to plan and exploit less visible opportunities, often relying on the weakness of his clientele, and this indicates a very cold, well-planned reasoning; secondly, he offers what he thinks is sympathy and benevolence towards those around him, from the type of “kindness” mentioned when he gets the loan for Antonia, to his famous speech in Act III, when he discusses the human characteristics specific to Jews and Christians: “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” (Lamb, 2000: 101). Finally, he has his own weaknesses and limits: when Jessica runs with Lorenzo, taking with her a part of his father’s wealth, the loaner highly laments her loss, but even more the loss of his precious belongings: “I would my daughter were dead at my foot, and the jewels in her ear! Would she were hearsed at my foot, and the ducats in her coffin!” (Lamb, 2000: 101). He is simply infuriated by the loss which he takes as a conspiracy of Christians joined by Jessica against him (“and no satisfaction, no revenge!”) (Lamb, 2000: 101). Corroborated with his exposed joy when hearing that Antonio’s ship is lost, he demonstrates that his dark side will not remain passive, but that he has the intention to revenge. From a miserable individual, lucrative usurer, rather indifferent parent, and scrupulous negotiator, he has turned into a sinister figure, able to exercise all his tools in the climatic court scene.

Secondly, Portia appears as an extreme of her gender: if she plays the victim of her father's will and rejects one suitor after the other, the second part of the play reveals her as far as possible from such frivolities; she is fully geared to fight a contractual battle and has the resources needed to unlock the case in which Antonio is trapped by Shylock. Although she does not contradict her own self, her overall image is far from the reality of the Elizabethan era, which makes it even more attractive for the audience, simply because it is possible only in drama. Her wit is suitable for a public confrontation, and she is not nervous or influenced by the legal procedures; she appears to be unbelievably knowledgeable about legal issues.

When the dispute moves in the court, the Christians are just like Portia who, because she liked Bassanio, starts to build on her claims against other suitors. She no longer uses her crystal-clear reasoning, and solid building of arguments, but resorts to stereotypes, familiar to the average Elizabethan citizens, about national characteristics attributed to other nations: the French is changeable and unreliable, the German drinks too much, the English puts emphasis on fashion, while Belmont appears to grow beyond such trivial preoccupations. In her first lines to Bassanio who comes to try his luck with the caskets whom her father saw as the ideal selection stratagem, Portia seems to have inserted a minor clue related to the choice of caskets: “I pray you tarry; pause a day or two/ Before you hazard, for in

choosing wrong/ I lose your company” (Lamb, 2000: 105). At this point, we need to see what the inscriptions of all the caskets: the golden one it says “Who chooseth me shall gain what many men desire” (Lamb, 2000: 83), the second, the silver-made one invites “Who chooseth me shall get as much as he deserves” (Lamb, 2000: 83), and the last one has a rather threatening caption, easily deceptive for less vigilant minds: “Who chooseth me must give and hazard all he hath” (Lamb, 2000: 83). By using the word ‘hazard’, she tries to inspire Bassanio to make the correct choice. This brief, almost subliminal element works and Bassanio, who has not been attracted to modest appearance or tedious occupations, is suddenly attracted to lead: “Thy paleness moves me more than eloquence/ And here choose I. Joy be the consequence!” (Lamb, 2000: 108).

There is hardly a surprise for the Prince of Morocco to get the right choice since he presents a pompous attitude and superficial understanding of the test; it is a high surprise for the audience to hear that Bassanio succeeds in front of his predecessors, since no earlier actions qualify him for such an alert and minute judgement. The most probable to win, the Prince of Arragon, who is truly attentive to the quality and the meaning of the label, fails because he has to, for Bassanio to win. Once again, the subjective elements of the drama turn certain characters in the play into either victims or winners, and for several of them this is not a consistent and logical effort, as the plot moves on depending on other issues of the agenda, in this case the expectation of the audience for Bassanio to win Portia’s hand. Portia is thus bound by her fate and choices: first, because of her father’s will and the way she has to accept a suitor. Having a clear preference for Bassanio, she cannot actually make any sort of negotiation in this case; she waits for the Prince of Morocco and then the Prince of Arragon to open the golden, respectively the silver caskets, but the two items are but a deceit and not the means to reach Portia’s heart.

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#### ***4. Negotiation tactics: from downfall to ascent***

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Negotiation opens a long while before Portia’s studied entrance as a dramatic character: “Enter Portia, dressed like a doctor of laws”; it may, to a predictable extent, be linked to the historical context taking place in the first part of Shakespeare’s life, context in which Elizabeth I attempted and succeeded “to separate her body politic from her body natural” (Lamb, 2000: 12). From this angle, Portia is one of the Bard’s examples in which femininity matches, if not surpassed, by rational thinking.

Portia is a beautiful, sensitive, but primarily a rational woman, and she moves from a bored, highly admired beautiful lady, to a responsive, warm and generous lover. Moreover, her intellect is not affected by her feelings: her love for Bassanio is not influenced by the affection and friendship between the two males. Her lack of jealousy and meanness places her on a higher moral stand than the two men,

because Antonio has often criticized and spurned Shylock, while Bassanio does not make any personal effort to reduce spending and amend his public role.

For her, the contractual bond with the Jew can certainly be resolved amiably, she initially thinks that a multiplied sum can be accepted and that such a solution would solve the case. After Scene 3 in Act III, Shylock visits Antonio in prison and his speech is a reversion of what Antonio had declared at the beginning, when asking the Jew to lend him money as to an enemy. Following Antonio's rather careless, arrogant stance, the usurer takes pleasure in returning that suggestion: "Thou call'dst me dog before thou hadst a cause,/ But since I am a dog, beware my fangs" (Lamb, 2000: 119).

Shylock steps in at the beginning into a distracted, understanding and calm role: he needs to be reminded the amount ("Ay, ay, three thousand ducats", Lamb, 2000: 49), he delivers the Biblical example aiming to support his activity as an 'honourable' one, and is openly offended by Antonio who claims that "An evil soul producing holy witness/ Is like a villain with a smiling cheek" (Lamb, 2000: 50). The Jew reproaches him the earlier, long- but not forgotten hypocritical criticism versus the current, intense appeal for funding. He instantly spots this unique opportunity and sweetens his own reproach, inviting Antonio to take his attitude as a kind one. At this moment, he calls on the tradition of intra-communitarian negotiation, according to which people used to share not only business relations, but very strong family and personal bonds. His shrewdness lies in the ability to present the bond as an operation involving three different aspects: firstly, the deal is very simple, the two parties have to simply sign it; secondly, there is a concession, practically an exception offered by Shylock: there is no interest attached to the deal; and thirdly the penalty is apparently a jocular condition of "an equal pound/ Of your fair flesh" (Lamb, 2000: 51) as explained to Antonio. Although Bassanio is unsettled by the penalty clause, Antonio does take it easily, and accepts it with the same ease he demonstrates in business.

In Act IV legal strategies reach a climax: at first, the Duke tries to persuade Shylock to give up his claim to take the pound of flesh, and reverse this "strange apparent cruelty" with "human gentleness and love" (Lamb, 2000: 135). Shylock suddenly falls in stubbornness and refuses to explain his intention to claim the forfeit. His superficial explanation for such an attitude is linked to preferences shown by humans, which, in his opinion, escape solid thinking: "So can I give no reason, nor I will not,/ More than a lodged hate and a certain loathing/ I bear Antonio, that I follow thus/ A losing suit against him" (Lamb, 2000: 136). Convinced that there is no lawful escape from the contract, Shylock insists on the pound of flesh be delivered to him. The scene shows the Jew relying heavily on the reputation of Venetian ruling. In their informative paper, Allen and Seidl detail this element, which marks the whole position of the usurer: "Contracting parties must believe in the existence of formal or informal institutions of enforcement that have



the power to compel performance or compensation.” (Allen and Seidl 1995: 844) Although Antonio is a citizen of Venice, the earlier context discussed in the play show the Italian republic as a highly esteemed and correct state. As the two authors find analysing the main characters, “equal justice before the court is a charade” because most of the subjects manifest subjectivity: the Duke has a biased attitude to Antonio and Shylock, while Portia, under the disguise of Balthasar, was sent by Doctor Bellario, an old acquaintance of the Duke and demonstrates to be an instrumental saviour to Antonio’s own life.

Once the court setting is complete, the bond raises a number of issues: how is it possible that no one in the court could support Shylock and indicate that the concept of “the pound of flesh” cannot be separated anything else around it, and that is hence a false argument? Secondly, Portia links her second motivation to the amount mentioned in the act: “[t]he words expressly are ‘a pound of flesh.’” (Lamb, 2000:144). But we do not see any mention quoted from the text linking the amount to the idea of precision; in legal terms, this should have been clearly expressed in the bond. For this reason, Portia’s diatribe about the cutting exceeding or being less than the contractual provision is invalid. To her strategy, the dramatist adds an element of his own, unfamiliar to the audience in the direct, preliminary negotiation carried between Antonio, Bassanio and Shylock in Act I, Scene 3. In the climactic moment, once his appeal to the contractual conditions is rejected because of Portia’s loophole, Shylock steps back and tries to get what he can: “Give me my principal, and let me go” (Lamb, 2000: 145) to which Portia replies: “He hath refused it in the open court./ He shall have merely justice and his bond,” (Lamb, 2000: 145) This is actually void because the clause violated the wider legal context, as Jonathan Gaunt QC elucidates: “He is not even allowed to have his principal, because he has elected to sue on the bond and claim the penalty” (Gaunt QC, 2004: 9). As Gaunt further explains, there was no reason for his whole tirade and effort; Portia could have simply denounced the bond as being void *ab initio* “since its enforcement would have involved an act of murder by the obligee” (Gaunt, QC, 2004: 9).

Moreover, after the Jew is denied access to the forfeit based on the technicality spotted by Portia, Shylock seems to suddenly turn into the legal victim of those in a position of power: his wealth will be given away, and the Duke pardons him, but then accepts Antonio’s suggestion for the loaner to convert to Christianity. From an isolated pole of power, but supported by the law, the Jew is unexpectedly at the mercy of Venetians, joined by Portia, who instantly rally and seem to take revenge rather than strictly apply justice. According to Phyllis Rankin, at this point, the group of Christians gather at this point and follow Portia’s suggestion to confiscate the capital of the Jew, partially under the excuse of a correct retaliation against “the royal merchant” (Antonio) and secondly, in support of a young couple including the daughter of the Jew: “the money is laundered to provide the basis for Jessica’s and Lorenzo’s good life in the privileged Christian community” (Rankin 2002: 85).

What is left outside any negotiation is the issue of usury: once a Christian, Shylock will be most probably forced to abandon his former profession; he might, or not, become a merchant, a trader of goods, but he will no longer build his fortune based on loans and high interests. As Gary Rosenfield suggests, the morale of the story thus shifts from idealism and realism (both the case of Antonio and Shylock) to the key issue of capitalism and the profile of a capitalist: “[c]an one be a good Englishman and a merchant at the same time?” (Rosenfield, 2008: 42). To a large extent, Shylock is right when he comes to the court with an unbreakable trust and rather fix idea that the marketplace has its own regulations, and that this demand for the pound of flesh will be judged upon excluding the interference of personal, cultural or social context. Yet the proceedings of the dialogue reveal the mixture, and even prevalence of non-economic issues, into what is a hard bargaining strategy: this is far from being a case upon the righteousness or wrongness of a bond; it becomes the case of defending a Venetian in front of an outsider, or how to support a Christian in front of a non-Christian. In this regard, the Christians are just like Portia who, because she liked Bassanio, starts to build on her claims against other suitors.

In fact, Shylock is not the only loser: Antonio gains more, in terms of money, than at the beginning, as he does gain in popularity and appreciation among his friends for his resolution to undergo the court *súplice*. But, in fact, he does not grow morally, he does not show any ability to reconcile with his life enemy since he proposes the Jew to become a Christian. As Shylock was constantly revolted by social interactions with the Venetians and refused any further association beyond regular commercial terms, Antonio’s proposal, embraced by the Duke, stands for a similar type of intransigence shown by Shylock during the preliminary stage of court discussion. His lack of sympathy is actually a feature of his own personal limits: this is no mercy, but a manifestation of personal and religious dogmatism. He hides the idea of conversion beyond the noble communal values of Christians, while he manages to take revenge upon the Jew.

Based on the result of her negotiation, Portia is the key winner: she has reverted the contract, freed Antonio’s from his lethal signature, and by doing this, she might surpass Bassanio’s own affection for his older and richer friend and his biased confession in court. In real terms, though, she can be hardly taken for a winner: the technicality of dividing between the pound of flesh from the blood (or other elements) turn into a feeble escape, credible only in the eyes and the ears of an audience as far away from legal matters as Portia. But, then, the question shifts to the question of looking at negotiation in the play as in real life. To a large extent, this is absolutely not the point of the story. Despite implausible aspects, the comedy questions vital values, and the appetite of the modern society for welfare and commodities. The main issue of the whole debate develops then around the condition of a single individual versus a group member. Both Antonio and Shylock

are, in different ways, more isolated from their external environment, than at the beginning: Antonio because Bassanio is from now on Portia's husband, and she does not seem capable of turning into a neglected wife, and Shylock because he lost his daughter, his wealth and his faith.

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### 5. Conclusion

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The issue of the bond, the profiles of Antonio and Shylock, the deadlock and the trick forced by Portia to free the Venetian merchant align the Bard to the series of writers and playwrights preoccupied with the Jews as traders, while exploring the intricate limits of power and wealth and their connections to justice in a society. Long seen in the history as the black sheep of finances, reserve, and meanness, Shylock grows throughout the play and gains in sympathy for modern readers, as compared to critical sources one century ago. Who is the real *homo negotiari* then? Antonio, the long devoted friend, generous with his fellows, but inhumanly inflexible with Shylock? Or Shylock himself, the equally lonely and apparently more competitive negotiator? The quasi-subjectivity of several elements in this negotiation are painted with scrupulous attention in qualities and weaknesses presented by various characters: loyalty by Bassanio and Antonio, arrogance by the Venetian merchant, viciousness and conservatism by Shylock, (in) tolerance and affection by Portia.

In between credible and less credible scenes, realism mixes with idealism in the two main characters to almost a similar level: Antonio has a flexible approach to trade, does not keep his investments and imports depend on a unique variable, yet he fails victim to his superiority and bias, becoming the most suitable target for Shylock. The Jew, in his turn, becomes gradually an expression of humanity as Antonio cannot ultimately stand for, he is devoted to the memory of his wife, and when he finally abandons his insistence on the bond to be delivered, he abandons any hope to defeat a Christian through which he aims to revenge against them all. For him, negotiation fails because he lacks the ability to move beyond one source of capital and revenue; and he cannot find any resource or ally to work as a mitigator between him and his rivals.

Negotiation moves from logical, coherent lines of dialogue and action, to preferences and advantages taken or suggested or simply adopted by certain parties. Although the plot demonstrates a remarkable knowledge of legal procedures, several effects reach, when compared to real terms, the absurd. But the significance of the play is not to be comparable to Elizabethan jurisprudence. The tactics of negotiation show that characters experiment alternative plans, that the most powerful and most able can fall, and that those who take their place at once, need not to appeal to meanness and shallowness.

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