

Shylock's Mock Appeal

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Abstract “What ceremony else?” asks Laertes in Hamlet. This essay raises the same question as regards the 400th anniversary of Shakespeare’s death and recounts Jacobson’s experience of *The Merchant of Venice* events in Venice that year. In particular, he reviews the “Mock Appeal in the Matter of Shylock versus Antonio” held in the Scuola Grande di San Rocco, presided by Ruth Bader Ginsburg observing that “there was both absurdity and *gravitas* in having the infamous bond dissected by experts in the field”.

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I recall an argument at a dinner party about the relative merits of Peggy Lee’s version of “Is That All There Is?” and Georgia Brown’s.¹ One of us happened to know that Peggy Lee was born Norma Deloris Egstrom in North Dakota, that her mother died when she was four, and that her father was an alcoholic. You had to admire a woman who had fought her way up from that. Someone else said that Georgia Brown was born Lillian Claire Laizer Getel Klot and her father was a bookmaker. Hers too had been an admirable upward trajectory. I loved the smoky disappointment of the song itself too much to choose a version. Let them both sing it. “Is That All There Is?”, I would only have been in my twenties when I first heard it but already I knew that was how I would go on feeling for the rest of my life.

Today I ask the question again, not in a general philosophical way – philosophically I know the answer, anyway – but with specific application to Shakespeare. We are now well into the year marking the 400th anniversary

1 This essay was originally presented as a “Point of View” on BBC Radio 4, 23 October 2016, and is accessible online at <https://www.bbc.co.uk/programmes/b07z7d5m>.



Figure 1 Justice Ruth Bader Ginsburg with judges Fabio Moretti and Laura Picchio Forlati. © Alessandro Grassani

of his death, so is that all there is? “What ceremony else?” Laertes demands to know in Act 5 of *Hamlet* as his sister Ophelia is buried without obsequy or requiem. I demand to know the same: what ceremony else?

I know the anniversary has not gone unremarked. There have been talks, workshops, rewrites of the plays in novel form (one by me, as it happens), mugs, merchandise, window displays. But has there been anything like enough? To do justice to Shakespeare's genius and all we owe it - every time we look into our souls and find vipers knotted there as well as angels singing, every time the words we use surprise us by the images embedded in them, every time our thoughts take concrete and even sensual form - all else should have been postponed. No play by any another playwright should have been performed. No word of praise for anyone but him. The Olympics ought to have been postponed until 2017. The European Football Championships, the same - or maybe cancelled. I, had I wielded influence, would not have allowed the sun itself to shine for one whole year lest it rival Shakespeare with its refulgence.

The most comprehensive saturation in Shakespeare I have enjoyed has not been in the country of his birth but in the adopted country of his imagination - Italy. This year marks another anniversary for the Italians - 500 years since the establishment of the Venice Ghetto, in commemoration of which *The Merchant of Venice* has just been performed there. People watching from the scaffold seats enjoyed the irony of Shylock returning in triumph to the place where he was reviled, though in fact there is no mention of any ghetto in the play and no evidence Shakespeare knew of its existence. But there is irony

enough in Shylock's having become the presiding spirit of Venice altogether, the person Dickens hoped to see when he visited Venice, and in Shakespeare - who almost certainly did *not* visit Italy - still being able to conjure an Italy-of-the-mind that Italians recognise. Humanity has done well, after all that is happened this half millennium, not only to have survived to see this play in such a place, but to want to see it.

A similar sense of something important persisting against the odds permeated the following evening's event in Venice - a rerun of the civil suit brought by Shylock against Antonio for the redemption of his ghoulish bond. Billed as a 'Mock Appeal in the Matter of Shylock versus Antonio', this was no mere fanciful fringe happening. It was held in the sumptuous Scuola Grande di San Rocco beneath a ceiling of Biblical panels painted by Tintoretto, and just in case we still had not taken the measure of the lawsuit's seriousness - no matter that the appellant and appellee were long dead, indeed had never existed - it was to be heard by the Honourable Ruth Bader Ginsburg, Associate Justice, Supreme Court of the United States, flown in specially from Washington.

It was a suffocating late Venice afternoon, the sun seeming to have sucked up all the waters of the lagoon and brought them here to flow again under our clothes. So hot and humid were we, we did not always know our bodies from our neighbour's and when we mopped our brows we were as likely to mop someone else's.

There were about a thousand of us gathered to see justice done to Shylock at last, all fanning with such vehemence that we threatened damage to the precious paintings above. They had been up there a long time. Starting in 1560, Tintoretto finished the ceiling in 1590, six or seven years before Shakespeare wrote *The Merchant of Venice*, though to me hundreds of years could have separated them, so much more modern does Shakespeare feel.

But the fact that we were having this mock trial at all suggests that our ideas of justice have changed since 1597. Earlier theatre-goers found it easier to accept the harsh punishment meted out to Shylock - forfeiture of his fortune and his faith - than we can. Today, Jews are trickier to despise for their Jewishness than they used to be. And we are beginning to read Portia differently too. Once revered for her pretty manners, her mercy dropping as the gentle rain from heaven speech, and her smart evisceration of Shylock, she strikes us less favourably today. If she is so attached to mercy, how come she shows so little of it to Shylock? I rejoice in the revision of Portia and her Sunday School sermonising. The greatest moments in Shakespeare come when characters uncover the meaning of humanity in an act of self-examination. Macbeth has to discover a whole iconography of pity before he can comprehend the profundity of its meaning. Portia merely spouts piety. And we owe it to Shakespeare to notice the difference.

There we were, anyway, waiting for the Honourable Ruth Bader Ginsburg to appear and take control. Appointed to office by Bill Clinton in 1993, and much admired for her jurisprudential wisdom ever since, Justice Ginsburg is a tiny, hooped, indomitable woman of eighty-three. She was hard to discern, when she first arrived, so completely was she encircled by bodyguards twice her height. It must have been hot in there. Nothing like as hot, though, as it must have been inside the Supreme Court robes she wore to process down the hall when the court was finally called to order. We fanned in unison and looked on in awe as she took her position on the bench. A 'Mock Appeal' this might have been, but nobody was going to get very far with her who did not take its import seriously.

I will not rehearse the arguments put forward by the attorneys. Suffice to say there was both absurdity and *gravitas* in having the infamous bond dissected by experts in the field. Imagine land agents sorting out Lear's disposal of his kingdom, or a tree surgeon explaining to Macbeth how a wood could come to Dunsinane.

Justice Ginsburg showed her wit. When Portia's counsel defended his client's scant knowledge of the law on the grounds that women in sixteenth century Venice could not get into law school, the judge remarked that she could always have disguised herself as a man.

She found, as it was inevitable that she would, for Shylock. I wanted to rise from my seat and roar my satisfaction, but I was by this time *welded* to it. Portia was reprimanded for her tricksterism and sent for correction to the Law School at Padua University, a suggestion that was met with displeasure by a member of the court who happened to be Professor of Law at Padua University and did not see it as a place of penance.

As for Shylock's original 3,000 ducats - they were to be returned to him, Justice Ginsburg sonorously pronounced, though they would not be subject to interest after 400 years. We could joke now. Some of us even computed how much the interest would have been. We left exhilarated, quickened by the grave comedy.

An ancient misreading of a famous play had been challenged, not by people eager to take offence, but by readers sensitive to the play's meanings. Portia had got hers. And Shakespeare's words burned for another day. Is that all there is?

All right - how much more do I want?