

Application of Toulmin's Model of Argumentation in Fiction: The Case of Shakespeare's *The Merchant of Venice*

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Abstract

Arguments constitute a large portion in dramatic literary discourse. Toulmin's (1958) model of arguments is one of the leading accounts, which explores the nature of the argument as it is characteristically employed in rhetorical proofs. This model is proposed to account for argumentation in courts. To date, the Toulmin model has not been applied in literature. In this paper, the model is employed as a descriptive tool to see the extent to which the model might be involved in delineating the line of argument and categorizing the argument components against each character. The study will also highlight the implications the new reading attributes to the nature and legitimacy of prosecution. Results showed that most of the components of argumentation are present in Shakespeare's *Merchant of Venice*. The paper opens new horizons to explore the nature of argumentation in literature in general and detective fiction in particular.

Keywords: Toulmin model of argumentation, *Merchant of Venice*, Argumentation in fiction. Arguments in the trial scene

Introduction

The *Merchant of Venice* is a drama written by Shakespeare. It is about Antonio who lends money from a Jew, Shylock. This money is to be given to Bassanio to woo Portia. Antonio signs a bond with Shylock that in case he fails to repay the loan to Shylock on due date, a pound of flesh is exacted from Antonio's chest. Unfortunately, two of Antonio's ships wreck which means that he is not able to repay the loan. The due date comes. The scene moves to the court. The court provides a suitable environment for argumentation. The model in hand will be employed to figure out the component of the argument presented and by which character. In the court, Shylock claims that Antonio owe him a pound of flesh. The Duke and Portia appeal to Shylock's compassion but in vain. Shylock sticks to his promise and demands the forfeit of his bond. Antonio has signed a bond by which Shylock can cut a pound of flesh if he does not repay Shylock on time. Portia, disguised as a judge, tries to convince Shylock to withdraw the case. She lectures him about the quality of mercy and asks Shylock to have mercy on Antonio. Shylock

refuses. He also refuses all the money that was offered by Bassanio. He wants his bond. Portia managed to find a loophole in the bond. The bond does not allow any single blood of Antonio to be shed.

As a judge, she authorizes Shylock to cut a pound of flesh from Antonio. But while Shylock was about to cut, she tells him not to drop single blood because blood is not in the bond. Shylock hesitates and asks for thrice the money. She tells him that he can get nothing but the bond. Then she presents evidence against Shylock that he conspires against a citizen of Venice upon which his lands are confiscated. Eventually, half of his goods are confiscated by the state and his life is spared by the Duke. Having introduced the topic, the next section will highlight the components of Argument.

Theoretical Framework

According to Van Eemeren and Grootendorst (1999), argumentation is a speech act complex aimed at resolving a difference of opinion (p.9). For the analysis of corpora, this study hinges on Toulmin's (1958) Argumentation Model, which is used in constructing or analyzing a persuasive argument (Essid, J. et al.). This model is proposed to account for argumentation used in judicial prosecutions (Kim and Benbasat, 2006, p.768). This model is a milestone in the philosophy of argument.

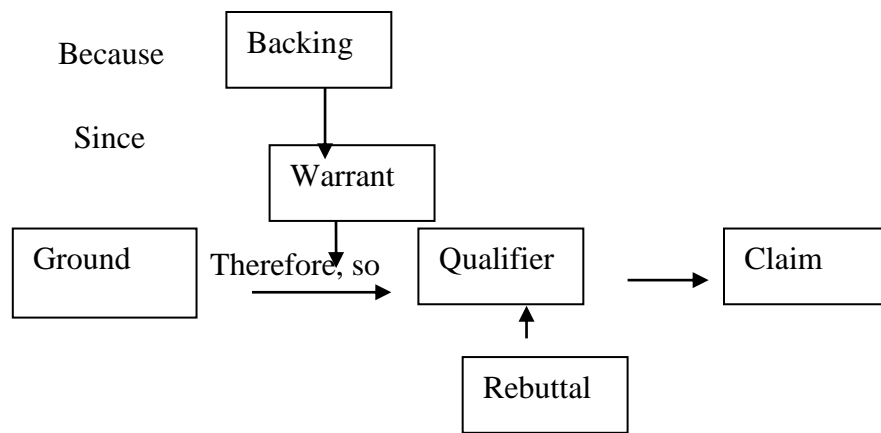
The main purpose of the model is to analyze how argument works. Toulmin has proposed six interrelated components of argument. Not all components have to be there in one setting as some are left unexpressed in argumentation (Ver Linden, 1998). The components are subdivided into primary and secondary. The primary frequent components are the claim, the ground, and the warrant. The other components, which contextualize practical arguments, are backing, modal qualifier and rebuttal. The components can be defined as follows.

First, Claim (C) is statement being argued (a thesis). It is the conclusion put forward for general acceptance. The whole model moves towards the claim. The claim can be explicit or implicit. Second, Grounds (D) are the facts, evidence, proofs used to support the claim. Support might be fact, explanation, examples, statistics, written text, or logical reasoning. Third, Warrants (W) is the general, hypothetical (and often unstated or implied) underlying logical statements that provide a link between the claim and the grounds. It authorizes accomplishing the act. It authorizes movement from the ground to the claim. It assesses whether going from grounds to the claim is legitimate and doable. They are the shared beliefs and values that are acceptable by the majority of society. Fourth, Backing (B) is the statement that serves as additional support to the warrants. It makes the warrant more believable. Fifth, Modal Qualifier (Q) is the statements that proposes the conditions for application of argument. It indicates the

strength of relationship between the grounds and warrant. Some qualifiers are certainly and probably. The final one is Rebuttal (R). It is a counter-argument or statement that indicates conditions wherein the warrant does not justify the claim and argument is consequently wrong.

Though it is the first time to apply Toulmin’s (1958) model in a literary text, it will be shown that the model works properly which eventually opens new horizons to approach the literary text and give rise to new interpretations. Toulmin states that “argument is like an organism. It has both a gross, anatomical structure and a finer, as-it-were physiological one (p.87).” The model can be given in the diagram 1.

Diagram 1: Toulmin’s (1958) model



Having introduced the model and schematized its components, the next section presents data analysis and interpretation.

Analysis and Discussion of Data

We examine the utterances, sort and assign each one of them to one of the components of the argument. The analysis will list the utterances as necessitated by the theoretical framework of the study, and it will also investigate the underlying functions the new framework adds to the world of meaning.

In Toulmin’s scheme, a claim is based on data. Shylock claims that Antonia owes him a pound of flesh to be exacted from the chest. That is, the claim is an action to enact. That action is cutting a pound of flesh from the merchant’s chest. The claim is one but it has been repeated many times during the prosecution.

Duke Which is a pound of this poor merchant's flesh (Shakespeare, 2000, 4, 1, 22-32)

Claim

Shylock And by our holy Sabbath have I sworn **Claim**
To have the due and forfeit of my bond (Shakespeare, 2000, 4, 1, 37-38)

Shylock bases this claim on a written proof, i.e. a bond. That written proof is the ground.

Portia I pray you, let me look upon the bond. **Ground 1**

Shylock Here 'tis, (Shakespeare, 2000, 4, 1, 224-225)

Besides the bond, ground includes the reasoning behind the claim. The text shows that Shylock expressed six additional motives that ground the claim. They are shown in the following extracts.

Shylock You'll ask me, why I rather choose to have **Ground 2**

(. . .)

But say it is my fancy. Is it answered? (Shakespeare, 2000, 4, 1, 40-43)

Shylock What if my house be troubled with a rat **Ground 3**

And I be pleased to give ten thousand ducats

To have it poisoned? Are you answered yet? (Shakespeare, 2000, 4, 1, 44-46)

Shylock So can I give no reason, nor I will not, **Ground 4**

More than a lodged hate and a certain loathing (Shakespeare, 2000, 4, 1, 59-60)

Shylock (. . .), that I follow thus **Ground 5**

A losing suit against him. Are you answered? (Shakespeare, 2000, 4, 1, 61-62)

Shylock What, wouldst thou have a serpent sting **Ground 6**

thee twice? (Shakespeare, 2000, 4, 1, 69)

Shylock The pound of flesh which I demand of him **Ground 7**

Is dearly bought, is mine, and I will have it. (Shakespeare, 2000, 4, 1, 99-100)

The grounds articulated by Shylock above shows that the basis of real persuasion varies, but Ground 4 seems to be the real reason. This is emphasized by the speech of the Duke throughout the trial scene. They state that the real motive was malice.

Duke Shylock, the world thinks, and I think so too,

That thou but leadest this fashion of thy malice (Shakespeare, 2000, 4, 1, 17-18)

To establish the connection between claim and ground, one may cite a warrant. Thus, a pound of flesh is Shylock's (claim) by virtue of having a bond (ground1), because that bond is legally notarized as per the Venetian law (warrant1) and that bond is confessed (warrant 2).

Portia Yet in such rule that the Venetian law
Cannot impugn you as you do proceed. (Shakespeare, 2000, 4, 1, 176-178) **Warrant 1**

Portia Do you confess the bond?
Antonio I do. (Shakespeare, 2000, 4, 1, 180-181) **Warrant 2**

The warrants need support or backing. In the trial scene, the warrant is supported by the legal principles of the city, the city's freedom, and most importantly by the law.

Shylock If you deny it, let the danger light
Upon your charter and your city's freedom! (Shakespeare, 2000, 4, 1, 38-39) **Backing 1**

Portia Yet in such rule that the Venetian law
Cannot impugn you as you do proceed. (Shakespeare, 2000, 4, 1, 177-178) **Backing 2**

Shylock There is no force in the decrees of Venice.
I stand for judgment: Answer; shall I have it? (Shakespeare, 2000, 4, 1, 102-103) **Backing 3**

Shylock To cureless ruin. I stand here for law. (Shakespeare, 2000, 4, 1,142) **Backing 4**

Shylock My deeds upon my head! I crave the law, (Shakespeare, 2000, 4, 1, 205)
Backing 5

Portia It must not be; there is no power in Venice
Can alter a decree established (Shakespeare, 2000, 4, 117-118) **Backing 6**

Backing (1-6) shows that everyone is aware that the law guarantees the proceedings. However, the theory conjectures that Shylock's argument is weakened by his use of the absolute qualifier "no". Shylock is too sure of the legitimacy of proceedings which may put his case at stake.

Shylock There is **no** force in the decrees of Venice. (Shakespeare, 2000, 4, 1, 102)

Shylock There is **no** power in the tongue of man. (Shakespeare, 2000, 4, 1, 240)

In this regard, Parks (2011) observes that “a good argument might also have supporting features, such as qualifiers (e.g., making a claim less absolute by saying ‘most,’ ‘probably,’ etc. rather than leaving the claim as a bald assertion),” (p.5). At this point, the claim is repeated followed by a direct rebuttal by Portia. She requests him to take the money and let her destroy the proof (ground). Unless the bond is void, proceedings have to continue until Shylock forfeits the bond. Once again, the claim is articulated by Portia followed by the first Rebuttal.

Portia And lawfully by this the Jew may claim **Claim Repeated**
A pound of flesh (Shakespeare, 2000, 4, 1, 228)

Portia Take thrice your money; bid me tear the bond (Shakespeare, 2000, 4, 1, 233)
Rebuttal 1

Unfortunately, Shylock refuses the offer and demands justice. He reminds Portia that the law is on his side and again claims his bond.

Shylock You know the law, your exposition **Backing 7**
Hath been most sound. I charge you by the law, (Shakespeare, 2000, 4, 1, 236-237)

Shylock There is no power in the tongue of man **Claim Repeated**
To alter me: I stay here on my bond. (Shakespeare, 2000, 4, 1, 240-241)

Immediately, Portia recognizes that she should follow the law and abide by the rules. The law will execute the penalty.

Portia For the intent and purpose of the law (Shakespeare, 2000, 4, 1, 246) **Backing 8**
To make his position stronger, he reminds Portia of the exact words of the bond.

Shylock Ay, his breast — **Ground 8**
So says the bond, doth it not, noble judge? (Shakespeare, 2000, 4, 1, 252-253)

Shylock, having refused all the offers presented to him; and Portia, having to act as per the law, now comes the moment of the sentencing. She finally authorizes Shylock to cut the pound of flesh from the Merchant’s chest. The claim is reached and is realized by the court and law. However, it is immediately followed by other two rebuttals that have to suspend the claim.

Portia A pound of that same merchant’s flesh is **Claim realized**

thine.

The court awards it, and the law doth give it — (Shakespeare, 2000, 4, 1, 298-299)

Portia: The law allows it, and the court awards it. (Shakespeare, 2000, 4, 1,302)

Claim realized

Portia Shed thou no blood, nor cut thou less nor more **Rebuttal 2, 3**
 . (Shakespeare, 2000, 4, 1, 324)

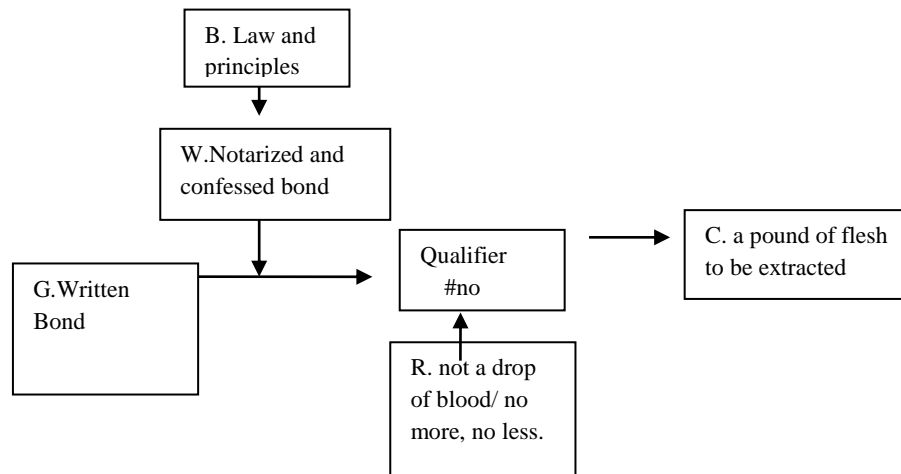
The proceeding ends with sparing the Jew’s life by the Duke and confiscating the Jew’s money and property: half of that is the share of the state and the other half is Antonio’s, who, in turn, makes Shylock sign the deal to leave his fortune to Lorenzo and Jessica after Shylock’s death. The components can be related to the characters as in table 1.

Table 1: relation of argument components to characters

| | Claim | Ground | Warrant | Backing | Qualifiers | Rebuttals |
|--------------------|-------|--------|---------|---------|------------|-----------|
| Shylock | 2 | 8 | | 5 | 2 | |
| Portia | 2 | | | 3 | | 3 |
| Duke | 1 | 1 | | | | |
| Portia and Antonio | | | 1 | | | |
| Portia and shylock | | 1 | 1 | | | |

Table 1 shows that only three members are actively involved in the legal proceedings: the Duke, Shylock, and Portia. The Duke’s role is limited to stating the claim and urging Shylock to have mercy on Antonio. Shylock defends his case bravely. He repeatedly makes claims and cites the Grounds and Backings. Everything goes as he plans. He refuses all kinds of pleas and appeals. He is backed by Portia twice. The Backings by Portia can be interpreted as a trap sat up for Shylock because she intentionally disguised herself as a judge for the purpose of saving Antonio’s life. Antonio is passive during the prosecutions. The argument in the Merchant of Venice can be collectively shown in diagram 2.

Diagram 2: Line of Argument in *the Merchant of Venice*



Conclusion

The main purpose of the paper is to show the extent to which the model is applicable in literary text. It is evident that the model works well to identify the components of argument in the drama and the role each character has played during persecution. The model revealed that Portia’s role has been more of a lawyer than a judge.

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