

# Theatre and Testimony in Shakespeare's England

*A Culture  
of Mediation*



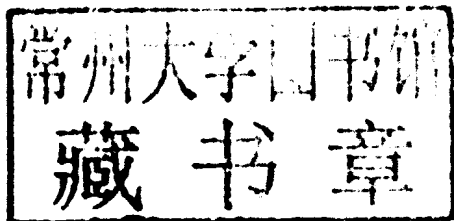
HOLGER SCHOTT SYME

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# THEATRE AND TESTIMONY IN SHAKESPEARE'S ENGLAND

*A Culture of Mediation*

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## THEATRE AND TESTIMONY IN SHAKESPEARE'S ENGLAND

Holger Syme presents a radically new explanation for the theatre's importance in Shakespeare's time. He portrays early modern England as a culture of mediation, dominated by transactions in which one person stood in for another, giving voice to absent speakers or bringing past events to life. No art form related more immediately to this culture than the theatre. Arguing against the influential view that the period underwent a crisis of representation, Syme draws upon extensive archival research in the fields of law, demonology, historiography, and science to trace a pervasive conviction that testimony and report, delivered by properly authorized figures, provided access to truth. Through detailed close readings of plays by Ben Jonson and William Shakespeare – in particular *Volpone*, *Richard II*, and *The Winter's Tale* – and analyses of criminal trial procedures, the book constructs a revisionist account of the nature of representation on the early modern stage.

HOLGER SCHOTT SYME is Associate Professor of English at the University of Toronto. His essays have appeared in publications including *English Literary Renaissance*, *Shakespeare Quarterly*, and *Textual Cultures*, and he is the co-editor of *Locating the Queen's Men, 1583–1603: Material Practices and Conditions of Playing* (2009). For the third edition of the *Norton Shakespeare* he is editing *Edward III* and *The Book of Sir Thomas More*, and is writing an extended essay on the theatre of Shakespeare's time.

*For Alison*

## *Acknowledgments*

This book has been a long time in the making and I have amassed an embarrassingly large number of debts over the years of its gestation. Finally being able to acknowledge in print the many friends and colleagues who have lent helping hands, ears, and eyes is a pleasure, however, that considerably lessens my chagrin that I couldn't finish this project sooner.

Once upon a time, in quite a different shape and form, *Theatre and Testimony* began its life as a dissertation, written at Harvard under the supervision of Marjorie Garber, Stephen Greenblatt, and John Parker. I owe a lasting debt of gratitude to all three members of my *Doktorenfamilie*: Marge for her committed scepticism and her uncanny knack for knowing where my argument was going before I had the slightest idea (as I kept discovering for years after 'finishing' the dissertation); John for being a far more dedicated reader, incisive annotator, and generous listener than could (or should) be expected of any junior faculty member; and Stephen for the pointed, curious, and engaged notes that have guided my work ever since and for his unflagging support and enthusiasm, from the beginnings of this project as a seminar paper to its final, current reincarnation.

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## *Textual note*

Quotations from manuscripts and early printed books are reproduced in their original spellings and punctuation. When citing from manuscript sources, I usually include revisions and deletions as applicable. In transcribing these, I have used the following conventions:

Deletions are enclosed in angle brackets: < >

Insertions or interlineations are marked by carets: ^ ^

Expansions of contractions and abbreviations are enclosed in square brackets: [ ]

I quote most of the dramatic works I discuss (especially Jonson's and Shakespeare's) from standard modern editions; however, wherever I consider features of the original texts important to my argument – as I often do – or where no reliable contemporary editions are available, I have used early modern printings.

## *Abbreviations*

ACT	John H. Langbein. <i>The Origins of Adversary Criminal Trial</i> . Oxford University Press, 2003.
BL	British Library
CAR	J. S. Cockburn, ed. <i>Calendar of Assize Records: Home Circuit Indictments Elizabeth I and James I: Introduction</i> . London: HMSO, 1985.
CT	David Jardine. <i>Criminal Trials</i> . 2 vols. London: Nattali and Bond, 1870.
CUL	Cambridge University Library
EHR	<i>English Historical Review</i>
ELH	<i>English Literary History</i>
ELR	<i>English Literary Renaissance</i>
HLQ	<i>Huntington Library Quarterly</i>
HLS	Harvard Law School
INT	J. H. Baker. <i>An Introduction to English Legal History</i> . 4th edn. London: Butterworths, 2002.
OH	Sir John Baker. <i>The Oxford History of the Laws of England</i> , vol. VI: 1483–1558. Oxford University Press, 2003.
PC	John H. Langbein. <i>Prosecuting Crime in the Renaissance: England, France, Germany</i> . Cambridge, MA: Harvard University Press, 1974.
PRR	Ferdinando Pulton. <i>De Pace Regis et Regni</i> . London: Company of Stationers, 1609. STC 20495.
RA	Thomas Smith. <i>De Republica Anglorum</i> . Ed. Mary Dewar. Cambridge University Press, 1982.
RES	<i>Review of English Studies</i>
SEL	<i>Studies in English Literature, 1500–1900</i>
SNT	Annabel Patterson, ed. <i>The Trial of Sir Nicholas Throckmorton</i> . Toronto: Centre for Reformation and Renaissance Studies, 1998.
SQ	<i>Shakespeare Quarterly</i>

- SRP James F. Larkin and Paul L. Hughes, eds. *Stuart Royal Proclamations*, vol. 1: *Royal Proclamations of King James I, 1603–1625*. Oxford: Clarendon Press, 1973.
- ST T. B. Howell, ed. *A Complete Collection of State Trials . . . from the Earliest Period to the Year 1783*. 34 vols. London: Longman, Hurst, 1816.
- STC Alfred W. Pollack, G.R. Redgrave, W.A. Jackson, F.S. Ferguson, and Katharine F. Pantzer, eds. *A Short-Title Catalogue of Books Printed in England, Scotland, and Ireland, and of English Books Printed Abroad, 1475–1640*. 2nd edn. 3 vols. London: Bibliographic Society, 1976–91.
- TNA The National Archives, Kew

Unless otherwise noted, all citations from Shakespeare's works refer to *The Norton Shakespeare: Based on the Oxford Edition*, ed. Stephen Greenblatt et al., 2nd edn, New York: Norton, 2008.

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## *Introduction: The authenticity of mediation*

A man dressed in a simple black gown or an elaborate robe of office stands before a crowd of listeners. He speaks, and as his audience attend to his words they understand that the words are not his at all, but belong to another, absent voice. Continuing to listen, they begin to hear, through the conduit of the man's body, that other voice as though its owner were speaking. And as the absent voice materializes, it conjures a world of absent events and people, meetings of kings or street brawls among drunkards, mundane business transactions or chilling encounters with the supernatural.

In analytical terms, what takes place in this scene is the substitution of a present body and voice – that of the speaking man – for an absent voice or set of voices, resulting in a representational act that diminishes the real presence of the man's body and makes it almost less palpable than that of the voices that come to inhabit his mouth. An act of embodied mimesis results in a momentary presence effect. In historical terms, the scene depicts a transaction that took place routinely and on an everyday basis in public squares, courtrooms, assemblies of state, and theatres in Tudor and early Stuart England. The man<sup>1</sup> could have been Mr Fanshawe, a court clerk, speaking the words of Richard Weston, from a document in the hand of Edward Coke, at the trial of Anne Turner in 1616; he could have been Lord Keeper Nicholas Bacon, speaking the words of Elizabeth I, from a document in either the queen's or his own hand, in the House of Lords in 1563; he could have been Richard Burbage, speaking the words of Hamlet, from a document in either Thomas Vincent's or William Shakespeare's hand, at the Globe in 1600.

<sup>1</sup> I choose the speaker's gender here advisedly. Almost without exception, the mediator figures I study in this book were male, and in those cases I do not intend the male pronoun to be read as gender neutral. In situations where speakers, authors, or characters may have been either men or women, I use non-gender-specific language equally deliberately.

This book traces the central role such presence-generating performances played in Elizabethan and Jacobean culture. It is organized around two core contentions: first, that this period did not, as scholars have suggested, witness a crisis of representation, but rather relied thoroughly on deferral, mediation, or representation as engines of authority;<sup>2</sup> and second, that the theatre established itself as the central form of cultural expression in the period precisely because it is an art profoundly dependent on similar mechanisms of embodied mediation as its basic functioning principle. It was the art form most perfectly suited for its time. My task, then, is two-fold. On the one hand, I pursue an in-depth study of cultural fields beyond the playhouses (predominantly the habits and practices of participants in criminal trials, but also the activities of historiographers, early scientists, and dabblers in magic) to establish the complex workings of a culturally pervasive if not absolutely dominant logic of mediation. On the other hand, I analyse the deep affinity between this culture and the theatre's means of creating a phantasmagorical reality. Shakespeare's plays are particularly responsive to such an analysis, not least because their theatrical self-consciousness so often finds expression on the level of the plot, and my readings here are designed to allow what might otherwise read simply as metatheatrical ornament to emerge as reflections on political, legal, or even epistemological as well as dramatic concerns.

#### SURROGATE PRESENCES

To flesh out these claims a little, let me begin with an example of the power of deferral and the deferral of power in action. 'We princes, I tell you, are set on stages in the sight and view of all the world duly observed. The eyes of many behold our actions.'<sup>3</sup> Queen Elizabeth I's famous dictum was

<sup>2</sup> It has been a commonplace of critical work on early modern England that the period was marked by a cluster of crises, leading to 'a widespread sense of extreme uncertainty' and opening up 'faultlines of doubt . . . in almost every sphere of life' (David Hillman, *Shakespeare's Entrails: Belief, Skepticism, and the Interior of the Body*, Basingstoke: Palgrave, 2007, 5). Jean-Christophe Agnew has described the theatre as 'the most vivid representation' of 'the crisis of representation' itself (*Worlds Apart: The Market and the Theater in Anglo-American Thought, 1550–1750*, Cambridge University Press, 1986, 99–100; see also Patricia Parker, *Shakespeare from the Margins: Language, Culture, Context*, University of Chicago Press, 1996). Conversely, I will argue that the theatre and other forms of social interaction that shared a logic of authorization through deferral speak to a fundamental confidence that strategies of mediation and representation could resolve crises of knowledge in a way that immediate first-hand experience and presence could not. If there was a central crisis in early modern culture, it was a crisis of presence, not of representation.

<sup>3</sup> Leah S. Marcus, Janel Mueller, and Mary Beth Rose, eds, *Elizabeth I: Collected Works*, University of Chicago Press, 2000, 194.

destined to become a *locus classicus* of late twentieth-century criticism, perfectly encapsulating, as it seems to do, the theatrical strategies of Renaissance monarchies.<sup>4</sup> But where was the queen when she said those words? Not in parliament, nor in any particularly public place, but in her chamber of presence at Richmond, addressing a select group of parliamentary commissioners. Her words only reached a wider audience – the kind of audience under whose scrutiny princes supposedly always labour – on ‘the Monday following’, when the speaker of the House of Commons ‘delivered’ the queen’s speech to the ‘Lower House’.<sup>5</sup> Addressing her subjects through a mediator was in fact the queen’s common *modus operandi*: more frequently than not, royal speeches were performed for a small group of privileged listeners, and only subsequently reiterated, ‘delivered’, to a larger political public.<sup>6</sup> Even more remarkable are occasions such as Elizabeth’s answer to the Lords’ petition urging her to marry in 1563. Despite the personal nature of the issue, her speech was given in parliament by Lord Keeper Nicholas Bacon, with Elizabeth present by his side. Although she remained silent, the manuscript of the speech is titled ‘The queen’s majesty’s answer’ – and justly, since the document is in the queen’s hand, and in the first person throughout.<sup>7</sup> The Lords and Commons thus witnessed a complex orchestration of presences and representations: seeing both the monarch and her officer, hearing his voice speaking her words, grammatically adopting her person as his own persona. A similar transaction regularly took place at the opening of parliament, when it again was the common responsibility of the Lord Keeper, whom J. E. Neale calls ‘the mouth of the sovereign’,<sup>8</sup> to deliver the royal speech.

More often than not, then, the queen’s *body* was not on public display, and even when it was, her *voice* may not have been. What was present were her words, sent forth through another’s mouth. That the Lord Keeper’s breath stood in for the queen’s in those moments was appropriate, given the

<sup>4</sup> The *locus classicus*, which quotes Elizabeth’s *locus classicus*, is Stephen Greenblatt, *Shakespearean Negotiations: The Circulation of Social Energy in Renaissance England*, Oxford University Press, 1988, 64–65.

<sup>5</sup> *Elizabeth I: Collected Works*, 190.

<sup>6</sup> On the question of how Elizabeth was represented and how she represented herself, see, among others, Susan Frye, *Elizabeth I: The Competition for Representation*, Oxford University Press, 1993; Christopher Haigh, *Elizabeth I*, 2nd edn, Harlow: Longman, 1998, esp. 149–69; and Mary Hill Cole, *The Portable Queen: Elizabeth I and the Politics of Ceremony*, Amherst: University of Massachusetts Press, 1999. While I stress here the strategic displacement of the queen’s presence, she was equally capable of instrumentalizing the power of making herself visibly and audibly available, especially on progress (see Cole, *Portable Queen*, 2) and, on occasion, in parliament (see J. E. Neale, *The Elizabethan House of Commons*, Harmondsworth: Penguin, 1963, 412–15).

<sup>7</sup> *Elizabeth I: Collected Works*, 79–80. <sup>8</sup> Neale, *House of Commons*, 340.



nature of his position: as the custodian of the great seal, the instrument which allowed for the authorization of documents in Elizabeth's absence, he functioned officially as her stand-in. And the seal itself reproduced an image – in its wax form, a sculptural, three-dimensional image – of the royal *body*.<sup>9</sup> The Lord Keeper thus traded by the nature of his office in surrogate manifestations of the royal presence.

On the much less elevated local level, similar acts of impersonation took place every time a parish priest read a royal proclamation from the pulpit: again, what was heard was a first-person utterance (as when James I speaks of 'that Right which we had to the succession of this Crowne' in a 1603 proclamation [SRP, 11]), but the author of this speech act and its speaker were clearly distinct. To understand the minister's words as a usurper's declaration would be to misinterpret them entirely. Listeners had to maintain a sharp division between the priest's voice and the king's, even as the former served as the vehicle for the latter: they had to imagine that they were hearing the king speak and at the same time had to remain aware that the speaker was not himself laying claim to that position. The transmitters of royal words needed to be constantly audible and visible precisely in order to underwrite the authenticity of their performance. The minister's credit and literacy ensured that what congregations got to hear was indeed what the printed sheet sent down from Westminster contained, even as the Lord Keeper's office guaranteed that the words he delivered were in fact authentically the queen's. Diverse forms of credit and authority were thus mobilized simultaneously in these performances.

Harold Love has discussed various types of early modern documents that 'possessed a latent authority awaiting release by utterance'.<sup>10</sup> In the case of proclamations or royal speeches, the monarch her- or himself was that latent element. The authority released by speaking the text stemmed directly from the rendering present of the originary royal voice itself. What the queen's concern about being 'set on stages' registers, then, is not so much an anxiety about being a public *actor*, but an awareness of her existence as a *character*, constantly subject to representation as an essential part of the political process. The visual aspects of royal representation have been exhaustively analysed by historians from Frances Yates and Roy Strong to, most recently,

<sup>9</sup> See Roy Strong, *Gloriana: The Portraits of Queen Elizabeth I*, London: Pimlico, 2003 [1987], 56 and 111 for illustrations of the great seal.

<sup>10</sup> Harold Love, *The Culture and Commerce of Texts: Scribal Publication in Seventeenth-Century England*, Amherst: University of Massachusetts Press, 1998, 159.