Marriage - Lisa Jardine (essay date 1991)

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SOURCE: Jardine, Lisa. "'No Offence i' th' World:' *Hamlet* and Unlawful Marriage." In *Uses of History: Marxist, Postmodernism and the Renaissance,* edited by Francis Barker, Peter Hulme, and Margaret Iversen, pp. 123-39. Manchester: Manchester University Press, 1991.

[*In the following essay, Jardine offers a feminist/new historicist reassessment of Gertrude's guilt in marrying her murdered husband's brother in* Hamlet.]

HAM.

Madam, how like you this play?

QUEEN.

The lady doth protest too much, methinks.

HAM.

O, but she'll keep her word.

KING.

Have you heard the argument? Is there no offence in't?

HAM.

No, no, they do but jest—poison in jest. No offence i' th' world.(1)

This piece is part of the groundwork for a larger project on the relationship between cultural history and textual studies.[2] It is therefore both exploratory and incomplete—characteristics which will, I hope, make the work available for use by others besides myself who are trying to make explicit some of the assumptions behind recent historically-based text-critical practice. The aim is to set up a dialogue with others writing similarly reflectively—an aim which was the starting-point for the Essex Symposium for which an earlier draft of this [essay] was written.[3]

As a start, the remarks which follow are prompted by my reading of a helpful article by David Simpson, entitled 'Literary criticism and the return to "history"' (in double inverted commas). [4] It is that 'return to', and then "history" in double inverted commas, in his title, which immediately takes my attention. And indeed, Simpson sets out to show that

> the status of historical inquiry has become so eroded that its reactive renaissance, in whatever form, threatens to remain merely gestural and generic. 'History' promises thus to function as legitimating any reference to a context beyond literature exclusively conceived, whether it be one of discourse, biography, political or material circumstances.[5]

In other words, he believes that many so-called historicist critics are using the catchword 'history' to mask a quite conventional (and conservative) commitment to a set of unscrutinised, idealised premises about a past already modelled to the ideological requirements of the present.[6] The implication of that idea of 'return', then, is that there is something retrograde, and above all something *positivistic,* about the undertaking—that is, that in invoking history we are privileging something called 'facts' or 'real-life events', whereas in truth we are all now supposed to know that there are only texts, that our access to facts and to history is only and inevitably textual.[7]

I start my own argument by making it clear that I do not regard the present endeavour as either a turn or a *return.* I do not think that we should let the marketing tag, 'new' (targeted at eager academic consumers, after the latest product), suggest fashionable change, any more than we should allow 'historicist' to suggest retroactive, backward-looking positivism (once historicism always historicism). What we should be looking at, I suggest, is the converging practices of social historians, intellectual and cultural historians, text critics and social anthropologists, as they move together towards a more sensitive integration of past and present cultural products. It is to this generally progressive trend or development that I consider my own work belongs.[8]

Both historians and text critics have learnt a lot from recent literary theory. We do, indeed, now begin from that position of understanding that our access to the past is through those 'textual remains' in which the traces of the past are to be found—traces which it will require our ingenuity to make sense of. Nevertheless, it is by no means the case that this inevitably leaves us in a position of radical indeterminacy. In fact, I begin to believe that it only appears to lead us in such a direction if we are committed (wittingly or unwittingly) to the view that what textual remains yield, in the way of an account of the past, is evidence of *individual subjectivity.* In this case, indeterminacy is apparently doubly inevitable. For what we recognise as individual subjectivity is the fragmented, partial, uncertain, vacillating trace of first-person self-expression. And if we take on board Stephen Greenblatt's suggestive idea of *self-fashioning*—an aspiration on the part of the individual, embedded in past time, towards a coherence of self, which is inevitably endlessly deferred, and historically incomplete—it can be argued that what the cultural historian can retrieve and reconstruct of the past will of necessity be correspondingly incomplete and indeterminate. Here, Greenblatt's primary model is an anthropological one, his methodology that of the social anthropologist (and with it some of his assumptions about the strangeness of other selves).[9]

But those of us who are committed to social and political change may consider that we have another agenda altogether, the focus of which is *group* consciousness (and intersubjectivity).[10] In my recent work, I have emphasised that the specified ground for my own textual and cultural interpretations is a strongly felt need to provide a historical account which *restores agency to groups hitherto marginalised or left out of what counts as historical explanation*—non-élite men and all women. And since that means the focus of my critical attention is social relations within a community, the shaping of events in telling the tale is part of the given of the kind of excavation of the past I am engaged in.[11] In other words, I find that I am able to accommodate competing accounts of a set of textually transmitted events (competing versions of what makes collections of incidents in past time culturally meaningful), without discarding as illusory the lost incidents in past time which gave rise to them. That is a methodological matter to be negotiated, the very fabric out of which perceived social relations are constructed, not a break-down or paradox within the community as such. Texts may be *generated* by individual, gendered selves, but we may nevertheless choose to give our attention to the way in which in any period, membership of a community is determined by a shared ability to give meaning to the shifting unpredictability of everyday life. This is the group consciousness on which social practice depends, and which provides the boundary conditions for individual self-affirmation and action.

'Restoring agency' is, for me, a matter of countering the apparent passivity of non-élite groups within the historical account. But this needs a little further glossing. The counter-position to passivity (by implication, powerlessness), is *active participation,* but not (without falsifying the account) *power.* In my recent exploration of the defamation of Desdemona in *Othello,* I was not able to give back to Desdemona *power* to

accompany her activity—but I was able to reposition our attention in relation to the events which take place on the stage, so that representation no longer overwhelmed the interpersonal dynamics of an early modern community to which the text gives expression.[12] In so far as I was successful, this retrieval of agency for Desdemona was achieved by my treating the individual subject in the drama as a 'cultural artefact': [13] the play gives us a tale of Desdemona's actions in the (then) recognisably shared terms of the early modern community. We can retrieve that recognition, I argued, by juxtaposing the tales told in contemporary court depositions (where the recognition of the *infringing* of shared codes of behaviour is the essence of the story) with the dramatic text—both being 'performances' before 'audiences' in that same community. Our access to something like 'who Desdemona is' is given by learning to 'read' in the social relations dramatised, those situations which were meaningful—which established or expressed Desdemona's relationship to her community in ways acknowledged as socially significant. Those 'events' (as I choose to call such socially meaningful sets of relationships) are the expressed form of Desdemona's 'lived experience', and I mean that, since in my view it will not make a significant difference whether the 'person' who is presented via this shaped version of experience is real or fictional.[14]

What distinguishes this kind of retrospective critical activity from that of the social historian, I think, is that we want to position ourselves so as to *give meaning* to early modern agency, not simply to record it, to show that it was there. As Geertz says:

> We are seeking, in the widened sense of the term in which it encompasses much more than talk, to converse with [our 'native' informants], a matter a great deal more difficult, and not only with strangers, than is commonly recognized. 'If speaking *for* someone else seems to be a mysterious process,' Stanley Cavell has remarked, 'that may be because speaking *to* someone does not seem mysterious enough.' [15]

Or as Greenblatt puts it—consciously alluding to the Geertz, as he specifies his own methodological starting-point:

> I began with the desire to speak with the dead.
>
> This desire is a familiar, if unvoiced, motive in literary studies, a motive organized, professionalized, buried beneath thick layers of bureaucratic decorum: literature professors are salaried, middle-class shamans. If I never believed that the dead could hear me, and if I knew that the dead could not speak, I was nonetheless certain that I could re-create a conversation with them.[16]

What distinguishes the kind of analysis I am after, in the new 'interdiscipline' I see my work as moving towards, from much literary criticism, and from much recent text criticism, is that it seeks to engage with the *external manifestations* of selfhood. It does not treat the 'lived experience' of the individual, as something with which the modern critical self can engage, and which it can make meaningful in its own terms. Nor does it posit an unchanging human nature immune to local circumstances, which it is the critic's task to retrieve.[17]

This brings me to a crucial distinction which in the consideration I shall be giving to *Hamlet* I shall particularly need to sustain, between the version of the term 'subject' which my own approach addresses, and the one which I introduced earlier—individual internalised selfhood (of which the related term 'subjectivity' is symptomatic).

The form that the pursuit of the 'lived experience' or untramelled universal selfhood in textual criticism currently takes is grounded in psychoanalytical theory. It is the pursuit of a gendered first-person, authentic utterance—a discourse which inscribes the individual's unique experience of reality. The *subject,* in this sort of textual study, *is* that first-person discourse—which is the only access we have to individual selfhood.[18] And

this discourse, which inscribes the individual's experience and determines her selfhood, is a discourse of desire and sexuality. And since this symbolic construction of the subject depends on a sign system which the receiver of the discourse shares with the discourser, subjectivity, in so far as it is grasped and understood is transhistorical.

In Greenblatt's pioneering work, this pursuit of the psychoanalytical subject via psychoanalytic theory coexists with the methodology of social anthropology.[19] The individual critic acknowledges the distance which separates him from the discoursing subject in past time; he (*sic*) attempts to 'speak with the dead'. It follows that the *terms* of the dialogue he establishes are those which he can 'hear' as the textual trace of selfhood, within his own discursive formation: desire and sexuality. By reaching back into texts which preserve desirous discourse in the early modern period, the new historicist critic retrieves those sign systems which he (from his own position in time and culture) can recognise; it is those shared discursive strategies which are, for him, all we can know of selfhood in past time.

The drawback in such an approach for the feminist critic is that sexuality is explicitly assumed to code 'power' in ways which lead to the *subjection* of women (no longer *qua* women, but ostensibly as *standing for something else*)—even (ironically, and anachronistically) the subjection of Elizabeth I to her desirous male subjects.[20] But the main point to note is that, on this account of subjectivity, the 'actual' is coextensive with what two discourses *share*—a matter of intertextual identity. This is, in my view, a fundamental difficulty for such a theory, and its methodology of power relations and subjectivity construction, when we are trying to deal with an inaccessible historical past, and particularly when we are trying to recover female agency from the cultural traces of the past.[21]

Which brings me finally to the problem of 'feeling', and our access to it, in *Hamlet.* Hamlet's feelings towards his mother Gertrude were already described in recognisable terms of incestuous desire in the classic 1919 article on the play by T. S. Eliot:[22]

> The essential emotion of the play is the feeling of a son towards a guilty mother … Hamlet (the man) is dominated by an emotion which is inexpressible, because it is in *excess* of the facts as they appear. … Hamlet is up against the difficulty that his disgust is occasioned by his mother, but that his mother is not an adequate equivalent for it; his disgust envelopes and exceeds her.[23]

This is an appropriate starting point, both because this idea of excess has been a feature of all *Hamlet* criticism since Eliot, and because it already makes clear that an account of Hamlet's 'excessive' feelings in terms of *desire* (inexpressible emotion), immediately makes concrete and specific his *mother* as focus of attention for her *guilt*—she is pronounced guilty not as a judgement on her actions, but as a condition of her presence in the play in relation to Hamlet (thus textual rather than historical in my sense). If Hamlet's feeling is excessive it is because his sense of his mother's guilt exceeds what could possibly fit the facts of the plot: the guilt of a mother who has stimulated sexual desire in her son. Here 'desire' is taken in the psychoanalytic and deconstructive sense, and is not an event but (according to Lacanian theory (and then Derrida)) a permanent condition of language, with regard to which Hamlet adopts a particular (problematic) orientation, one which produces mothers as guilty of arousing excessive desire in their sons.[24]

If desire is taken to be 'a permanent condition of language', then the analysis of the subject, and the interpretation of the text (in our case, the text of *Hamlet*) tend increasingly towards one another. In a recent article entitled 'Sexuality in the reading of Shakespeare', Jacqueline Rose writes:

> The psychoanalytic concept of resistance … assumes that meaning is never simply present in the subject, but is something which disguises itself, is overwhelming or escapes. Freud came to recognize that its very intractability was not a simple fault to be corrected or a history to be

> filled. It did not conceal a simple truth which psychoanalysis should aim to restore. Instead this deviation or vicissitude of meaning was the 'truth' of a subject caught in the division between conscious and unconscious which will always function at one level as a split. Paradoxically, interpretation can only advance when resistance is seen not as obstacle but as process. This simultaneously deprives interpretation of its own control and mastery over its object since, as an act of language, it will necessarily be implicated in the same dynamic.
>
> In both *Hamlet* and *Measure for Measure,* the play itself presents this deviant and overpowering quality of meaning which appears in turn as something which escapes or overwhelms the spectator.[25]

And if we add the increasing interest of some critics in social anthropology, and in kinship systems as reflected in social forms, including language, the collapse of (specifically) 'incest' from a specified, forbidden sexual union into a universal tendency towards non-conforming, problematic forms of desirous social relationships (manifested above all *in language*) is complete. In his recent book, *The end of kinship: 'Measure for measure', incest and the idea of universal siblinghood,* Marc Shell writes:

> I have tried to bring to light a literary tradition associating physical and spiritual kinship and to suggest the manifestation of this tradition in the politics of the modern world. … [This] project involves reconsidering the polarity or the opposition between ascent into kinship and descent from kinship (or between incest and chastity) just as though 'the way of descent and the way of ascent were one and the same.'
>
> Some literary works display an inescapable vacillation between such descents and ascents, a vacillation from which society as we know it begins in an archaeological sense. Such vacillation takes place in *Hamlet,* where the hero thinks both about descent into incest or parricide, which he both desires and fears … and also about ascent into universal kinship. … The movements to and from absolute chastity and unchastity (incest), taken together, lend credence to a discomforting thesis: that there is no ultimately tenable distinction between chastity and incest, so that our ordinary understanding of marriage—as a middle way or as an adequate solution to the difficulties posed by society's exogamous need for an intersection of intertribal unity and intertribal diversity—is mistaken.[26]

I am not pretending, here, to cover this issue adequately. But I use this abbreviated discussion as a way of distinguishing 'subjectivity' approaches from my own approach, focused as it is on *agency* and *event,* in terms I outlined at the beginning of this chapter. In my terms, what is striking in the play *Hamlet* is that Hamlet does not sleep with Gertrude; there is no incestuous 'event' in the play, between mother and son, to match the excessive emotion on his side, and the excessive guilt on hers.[27] *Claudius* sleeps with (marries) Gertrude, and it is in fact on her sexual relations with *him* that Hamlet's excessive emotion concerning Gertrude is focused. And the point about Claudius's marriage to Gertrude historically (as event) is (a) that it is 'unlawful' and (b) that it deprives Hamlet of his lawful succession. So I first turn my attention to what constituted unlawful marriage in the early modern period, and then show how the social relations of the play are altered if we put back the Gertrude/Claudius marriage in history—reinstate it as event—and look at the *offence* that it causes to Hamlet.

'Unlawful marriage', in early modern England, was a matter for the Ecclesiastical Courts. It is a key feature of the church canons (the legislation in canon law) that someone is *offended* by incest/unlawful marriage. As the 1603 canons put it:

> If any offend their Brethren, either by Adultery, Whoredome, Incest, or Drunkennesse, or by Swearing, Ribaldry, Usury, or any other uncleannesse and wickednesse of life, the

> Church-wardens … shall faithfully present all, and every of the said offenders, to the intent that they may be punished by the severity of the Lawes, according to their deserts, and such notorious offenders shall not be admitted to the holy Communion till they be reformed.[28]

And the crucial passage on incest itself in these canons runs:

> No person shall marry within the degrees prohibited by the lawe of god, and expressed in a table set forth by authority in the year of our lord 1563; and all marriages so made and contracted shall be adjudged incestuous and unlawful, and consequently shall be dissolved as void from the beginning, and the parties so married shall by course of law be separated. And the aforesaid table shall be in every church publickly set up, at the charge of the parish.[29]

Two depositions from the Durham Ecclesiastical Court Records, concerning an 'unlawful marriage' (around 1560) show clearly how this idea of 'offence caused' has a bearing on individual cases brought to the notice of the church courts:

> EDWARD WARD of Langton near Gainford husbandman, aged 40 years.
>
> He saith that ther is dyvers writing hanginge upon the pillers of ther church of Gainford, but what they ar, or to what effect, he cannott deposse; saing that he and other parishioners doith gyve ther dewties to be taught such matters as he is examined upon, and is nott instruct of any such.
>
> He saith, that he was married with the said Agnes in Gainford church by the curat S^{r} Nicholas, about 14 daies next after Christenmas last past, but not contrary to the lawes of God, as he and she thought. And for the resydew of the article he thinks nowe to be trewe, but not then. Examined whither that he, this deponent dyd knowe at and before the tyme of their mariadge, that she the said Agnes was, and had bein, his uncle Christofore Ward's wyfe, ye or no, he saith that he knew that to be trew, for she had, and haith yet, fyve children of his the said Christofer's. Examoned upon the danger of their soules, and evyll example, he saith that both he and mayny honest men in that parish thinks that it were a good deid that thei two meght still lyve to gyther as they doo, and be no further trobled. + AGNES WARD, ALIAS SAMPTON, aged 40 years.
>
> —all the Lordship and paroch of Gainford knew howe nighe hir first husband and last husband was of kyn, and yet never found fault with their mariadg, neither when thei were asked in the church 3 sondry sonday nor sence—they haith bein likned [linked?] to gither more and 2 yere, and yett never man nor woman found fault—but rather thinks good ther of, bicause she was his own uncle wyf.+[30]

The purposive narrative of these depositions is not difficult to unravel: Edward Ward's marriage to his uncle Christopher Ward's widow, Agnes, is incest under ecclesiastical law, but 'mayny honest men in that Parish thinks that it were a good deid that thei two meight still lyve to gyther as they doo, and be no further trobled', and, as Agnes testified, everyone in the parish knew 'howe nighe hir first husband and last husband was of kyn', 'and yett never man nor woman found fault'. Not only did no one find fault; they 'rather thinks good ther of, bicause she was his own uncle wyf'.

Church law holds the marriage unlawful; Christian charity suggests that no one is harmed by the marriage, and widow and children are appropriately cared for. The 'dyvers writing hanginge upon the pillers of ther church' that Edward Ward refers to are the 'table [to] to be in every church publickly set up, at the charge of the parish', specified in the 1603 canons quoted above: the tables of consanguinity and affinity which

specified who might legally marry whom (as Edward Ward clearly deposes, he himself is illiterate, and unable to read the tables). And we may, I think, extend the idea of 'offence caused' one stage further. *Someone* had to draw the marriage to the attention of the courts; that person had to be someone to whom the 'unlawfulness' of the marriage gave some (material) offence. [31] This charge laid by another is what is referred to (but permanently uninterpretable without information now lost to us) in the sentence in Edward Ward's deposition: 'And for the resydew of the article he thinks nowe to be trewe, but not then'. [32]

If we look at the Levitical degrees, the tables of consanguinity and affinity, we see how these already incorporate the idea of 'offence caused'. 'Consanguinity' conforms broadly with what we might expect: a man may not marry his mother, his father's sister, or his mother's sister, his sister, his daughter, or the daughter of his own son or daughter.[33] The table of consanguinity prohibits marriages with close blood ties, in the generations in which it might plausibly occur (parent, sibling, offspring, grandchild). The table of affinity, by contrast, reflects unions which might produce conflicting inheritance claims.[34] A man might not marry his father's wife, his uncle's wife, his father's wife's daughter, his brother's wife, or his wife's sister, his son's wife, or his wife's daughter, nor the daughter of his wife's son or daughter. None of these are blood ties, but each creates complications over the *line.* In particular, the marriage of a widow to her dead husband's brother threatens the son's inheritance claim. The son is first in line, his father's brother second; the marriage of the dowager widow to the second in line threatens to overwhelm the claim of the legitimate heir.

Notoriously, Henry VIII's marriage to his dead brother Arthur's widow, Catherine of Aragon, was incestuous under the Levitican tables of affinity.[35] Since Claudius's marriage to Gertrude is, like Henry VIII's, a marriage to a dead brother's widow, there is no doubt in the play of the incest, and Hamlet states the case directly:

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Let me not think on't—Frailty thy name is woman—
A little month, or ere those shoes were old
With which she follow'd my poor father's body,
Like Niobe, all tears—why, she—
O God, a beast that wants discourse of reason
Would have mourn'd longer—married with my uncle,
My father's brother—but no more like my father
Than I to Hercules. Within a month.
Ere yet the salt of most unrighteous tears
Had left the flushing in her galled eyes,
She married—O most wicked speed! To post
With such dexterity to incestuous sheets!(36)
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The ghost of Hamlet senior puts the case more forcefully still, but unlike Hamlet, gives the active part in the incest entirely to Claudius:

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Ay, that incestuous, that adulterate beast,
With witchcraft of his wit, with traitorous gifts—
O wicked wit, and gifts that have the power
So to seduce!—won to his shameful lust
The will of my most seeming-virtuous queen. …
O horrible! O horrible! most horrible!
If thou has nature in thee, bear it not,
Let not the royal bed of Denmark be
A couch for luxury and damned incest.(37)
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An offence—incest—but (as in the case from the court records), some anxiety as to *who* has been materially offended. In kinship terms there is an offence. It goes unrecognised until someone claims it as such.

Kinship and inheritance are remarkably strong themes in the play from its opening moments.[38] Young Hamlet is heir to Old Hamlet, just as young Fortinbras is heir to Old Fortinbras: *he* comes at the head of an army to reclaim his inheritance.[39] Claudius's first entrance as King, with Hamlet as not-King (dressed in mourning

black), immediately emphasises the alienation of the Hamlet line. Indeed, what is striking about this first entrance is that it is entirely *unexpected* in revealing to the audience *Claudius* as King (referred to throughout the play simply *as* 'King'—here only as 'Claudius King of Denmark'), sumptuously, with Hamlet in mourning black. Everything in the earlier scenes has prepared the audience for *Hamlet's* appearance as King. The prolonged mourning (an interesting topic itself in early modern history) insistently keeps the direct line, Old Hamlet/Young Hamlet present. And Claudius's opening words fix for the audience the *usurpation:*

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Though yet of Hamlet our dear brother's death
The memory be green, and that it us befitted
To bear our hearts in grief, and our whole kingdom
To be contracted in one brow of woe,
Yet so far hath discretion fought with nature
That we with wisest sorrow think on him
Together with remembrance of ourselves.
Therefore our sometime sister, now our queen,
Th'imperial jointress to this warlike state,
Have we …
Taken to wife.(40)
```

The first exchange of words between Claudius and Hamlet (somewhat late in the scene—it follows the 'fatherly' exchange with Laertes) underlines the fact that the 'unlawful' marriage has strengthened the line in Claudius's favour, and to Hamlet's detriment:

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KING.

But now, my cousin Hamlet, and my son—

HAM.

A little more than kin, and less than kind.

KING.

How is it that the clouds still hang on you?

HAM.

Not so, my lord, I am too much in the sun.(41)
```

If Hamlet is Claudius's cousin, Hamlet should be king; if Hamlet is Claudius's son, then he is confirmed as line-dependent on Claudius, who sits legitimately on the throne. I suggest that Act I in its entirety dwells deliberately on *incest* as a material offence committed against Hamlet.[42]

Claudius's unlawful marriage to Hamlet's mother, Gertrude, cuts Hamlet out of the line.[43] The offence is against Hamlet. But for a mother to connive in wronging her own blood-son (even if passively) makes her an *emotional* focus for the blame—not simply the unlawful marriage, but the unnatural treatment of a son.[44] She has indeed committed a sinful and unlawful act, on which Hamlet obsessively dwells. He does so as one to whom that act has caused harm, disturbing the conventional relationship between blood-bond and line-bond, so that his filial duty towards his mother is now at odds with his obligations towards his father and himself (the legitimate line). The act is sexual (as Hamlet insistently reminds us). Its consequences are *material* for the line, and Hamlet is equally insistent about that:

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HAM.

Now mother, what's the matter?
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QUEEN.

Hamlet, thou hast thy father much offended.(45)

HAM.

Mother, you have my father much offended. …(46)

QUEEN.

Have you forgot me?

HAM.

No, by

You are the Queen, your husband's brother's wife,

And, would it were not so, you are my mother. …(47)

QUEEN.

What have I done, that thou dar'st wag thy tongue

In noise so rude against me?

HAM.

Such an

That blurs the grace and blush of modesty.(48)

Offence against Old Hamlet (‘my father’); offensive behaviour towards Claudius (‘thy father’, because Gertrude is ‘[her] husband's brother's wife’, and thus he her son's father). Hamlet is caught between the knowledge of an unlawful marriage, a crime committed (and perhaps two), to which the community turns a blind eye,[49] and a sense of personal outrage at a wrong perpetrated against himself, by his close kin, when to rectify that outrage would be to commit petty treason.[50]

Here, I suggest, we have an alternative account of ‘(the man) … dominated by an emotion which is inexpressible, because it is in *excess* of the facts as they appear’—one in which we can see quite clearly that in so far as Gertrude is supposed to have behaved monstrously and unnaturally towards her first husband *and* her son, her guilt—in direct contrast to Claudius's—is culturally constructed so as to represent her as responsible without allowing her agency.[51] In my version, the intensity of feeling, the sense of outrage on Hamlet's behalf is still there, but it is produced as a consequence of offences recognised within the early modern community (in which Gertrude is much more straightforwardly and specifically implicated). In *this* account, Gertrude has participated in the remarriage—has (literally) *alienated* her son, and Old Hamlet's name (and does not apparently accept Hamlet's urging to leave Claudius's bed, because that argument (his) does not effect *her*).

We have not, then, exonerated Gertrude, but we have recovered the guilt surrounding her as a condition of her oppression: she is required by the kinship rules of her community to remain faithful to her deceased husband; that same community deprives her of any but the proxy influence her *re*marriage gives her, over her son's future. Yet she is the emotional focus in the play's cultural construction of the guilt which taints the State of Denmark.

Let me end by reminding you of something I said at the start: that there are grave reasons why I have found myself pushed to look for evidence of such agency in history—this is by no means simply an urge to identify my own critical position as an end in itself. It is above all the consequences for women of thus shifting the focus from text and discourse to history and agency, which, for me, currently, 'motivates the turn to history'. [52] As a Shakespeare critic, I have become tired of having to listen to offensive critical discourses, for which the author need apparently take no responsibility, which excavate desire in discourse so as to 'objectivate' the female subject—object of desire, object of blame, permanently victim. [53] After my initial reaction, which was one of anger (as some people will remember all too well),[54] it occurred to me that there must be something *wrong* with such accounts in relation to women, whether or not such critical enterprises were valuable in relation to men and patriarchy. For in history, women are *not* permanently in the object position, they are subjects. To be always object and victim is not the material reality of woman's existence, nor is it her lived experience. If we look at event, at agency in history, the inevitability of these accounts disappears. And we find that we are once again entitled to ask (as I have done in the case of Gertrude): Who, after all, has been wronged, and by whom?

Notes

1. *Hamlet,* III.ii.224-30. All references are to the Arden edition, ed. Harold Jenkins (London, 1982).
2. *Reading Shakespeare historically* (forthcoming).
3. I am particularly grateful to Annabel Patterson and Jean Howard, with whom I discussed that earlier draft at length, on that occasion, and to Bill Sherman, who couldn't be there, but who criticised the paper at length and in detail afterwards.
4. Simpson 1987-8.
5. *Ibid.,* 724-5. For another powerful argument which meshes with Simpson's doubts about the authenticity of discourse theorists' commitment to 'history' see Montrose 1986.
6. 'In particular, given the current popularity of discourse analysis, it seems likely that for many practitioners the historical method will remain founded in covertly idealist reconstructions' (*ibid.*).
7. Catherine Belsey, in her chapter in this volume, 'Making histories then and now: Shakespeare from *Richard II* to *Henry V*', gives an elegant account of the ideological motivation for the privileging of a master-narrative version of history in criticism of Shakespeare's 'history' plays (for a similarly astute account of the ideology of Hamlet criticism, see Terence Hawkes, 'Telmah', in Hawkes 1986). Unlike Simpson, however, she sees the possibility of a post-modernist deconstruction which 'uncovers the differences *within* rationality, and thus writes of it *otherwise*', and which will thereby 'activate the differences and promote political intervention'. She proposes this as an alternative to both 'the master-narrative of inexorable and teleological development' and 'a (dis)continuous and fragmentary present, a world of infinite differences which are ultimately undifferentiated because they are all confined to the signifying surface of things'.
8. For a challenging account of these developments in cultural history see Chartier 1988.
9. See, for instance, Geertz 1984; M. Rosaldo 1984; Shweder and Bourne 1984; Bruner 1986.
10. For a clear account of the way in which political commitment sharpens the focus of feminist historical work, see Jean Howard's chapter in this volume, 'Towards a postmodern, politically committed, historical practice.'
11. See most eloquently Davis 1987.
12. See Jardine 1990.
13. See first of all Geertz 1973, p. 51; then Greenblatt 1980, p. 3.
14. See Geertz 1973, pp. 15-16.
15. Geertz 1973, p. 13.
16. Greenblatt 1988, p. 1. I am grateful to Bill Sherman for making this helpful connection for me, and for his continued support for my efforts to get to grips with recent writings in social anthropology.
17. See Geertz 1973, p. 35: 'The image of a constant human nature independent of time, place, and circumstance, of studies and professions, transient fashions and temporary opinions, may be an

illusion, that what man is may be so entangled with where he is, who he is, and what he believes that it is inseparable from them. It is precisely the consideration of such a possibility that led to the rise of the concept of culture and the decline of the uniformitarian view of man. Whatever else modern anthropology asserts—and it seems to have asserted almost everything at one time or another—it is firm in the conviction that men unmodified by the customs of particular places do not in fact exist, have never existed, and most important, could not in the very nature of the case exist. There is, there can be, no backstage where we can catch a glimpse of Mascou's actors as 'real persons' lounging about in street clothes, disengaged from their profession, displaying with artless candor their spontaneous desires and unprompted passions.'

18. I leave aside here the issue of the disadvantaging of women *per se* in Lacanian theory, see Jardine 1989.
19. This coexistence is made easier by the fact that social anthropologists like Geertz have thoroughly absorbed psychoanalytical theory, and tend to assume the Freudian subject as the starting point for their discussions of the cultural construction of selfhood. See Geertz 1973; Rosaldo 1984.
20. See Neely 1988, pp. 5-18.
21. In our Symposium discussions it became clear, I think, that in this respect (and this respect *only*) feminist critics are currently at an advantage in the critical debate being conducted around historicist and deconstructive critical approaches to text. Since they have a declared political objective, they are entitled to discard methodologies which fail to contribute constructively to it.
22. I concede, after many discussions on the subject, that taking Eliot as starting-point is in some sense a rhetorical device. But I find it striking that Eliot is fully aware of Freud, and thus that psychoanalytical reading of the play is established before psychoanalytical theory is explicitly introduced into literary studies.
23. Eliot 1932, pp. 144-5.
24. For a clear account of the consistent allocation of blame to the woman in psychoanalytical readings of *Hamlet* and *Measure for measure* see Rose 1985.
25. *ibid.,* pp. 116-7. See also her very clear rehearsal of a series of psychoanalytical readings of *Hamlet* prompted by Eliot's essay.
26. Shell 1988, p. 24.
27. The same kind of account can be given of Ferdinand's 'incestuous desire' for his sister, in *The Duchess of Malfi.* See Jardine 1983b.
28. Gibson 1730; Burn 1763.
29. Gibson 1730; Burn 1763.
30. Surtees Society 1845, p. 59. The 'marks' made by both dependents indicates that they were illiterate (a fact which is confirmed within Edward Ward's deposition).
31. See Davis 1983 for a clear case in which an unlawful relationship goes unreported in the community until a charge is brought by an individual who regards the 'marriage' as depriving him of something (land) due to him: 'The new Martin was not only a husband, but also an heir, a nephew, and an important peasant proprietor in Artigat. It was in these roles that the trouble finally began' (p. 51).
32. In fact, the canons of 1603 were drawn up hastily upon Elizabeth's death, since at her death it was suddenly realised that there now was no body of valid ecclesiastical law (her own legislation having been specified as for the duration of her reign). Owing to an oversight, the 1603 canons did not go through Parliament until some three years later, when it was realised that the clergy was probably operating outside statute law, and the situation was rectified. Patrick Collinson has recently suggested to me that these canons in fact *never* went on to the statute book—that in fact the Tudor and Stuart governments left church law in a kind of deliberate limbo. All of this is really to suggest that (*a*) it was extraordinarily difficult to operate the various competing demands of common law, statute, and canon law, and (*b*) 'moral' and 'legal' demands might readily be perceived to be in opposition, the legal contrary to custom, or the moral dubious within the technical law.
33. There are exactly comparable tables of consanguinity and affinity for the woman.

34. Indeed, this is how theological dictionaries traditional describe the rules of affinity—as concerning *property.*
35. So was Henry's marriage to Ann Boleyn, since he had already had a relationship with her sister (Catholic propaganda, interestingly, claimed more obvious incest: that Ann was in fact Henry's daughter).
36. *Hamlet* I.ii.146-57. And see the Book of Common Prayer, cit. Jenkins, *Hamlet,* 319, n. 14. For another example of explicit affinity incest in the drama see Spurio's relationship with his stepmother in Tourneur's *The revenger's tragedy.* There, as here, the unlawfulness of the relationship is emphasised by the repeated formula from the tables of affinity: '*Spurio.* I would 'twere love, but 't 'as a fouler name / Than lust; you are my father's wife, your Grace may guess now / What I call it' (I.ii.129-31). In *Cymbeline* Cymbeline tries both to force Imogen to divorce her true husband, Posthumous, and to enter into an incestuous marriage with her stepbrother, Cloten.
37. I.v.42-6; 80-3.
38. For extended discussion of the 'elective' monarchy in Denmark, see Harold Jenkins's discussion in the recent Arden edition. I point out for brevity that Scotland was an elective monarchy: the eldest son of the reigning monarch was removed at birth to the care of the Earl of Marr. In due course the clans were assembled, and he was 'elected' heir to his father.
39. 'Now sir, young Fortinbras, … [comes] to recover from us by strong hand … those foresaid lands / So by his father lost.' I.i.98-107.
40. I.ii.1-14.
41. I.ii.64-7, and then see 107-12: 'You are the most immediate to our throne, / And with no less nobility of love / Than that which dearest father bears his son / Do I impart toward you.'
42. The offence is committed against Hamlet senior *and* Hamlet junior. See Greenblatt 1986, p. 219: 'The ghost of Old Hamlet—'of life, of crown, of queen at once dispatched'—returns to his land to demand that his son take the life of the imposter who has seized his identity.' There seems to be a useful notion here of 'Hamlet' as an identity, a nexus of relations that Hamlet junior *ought* to occupy. See Girard 1986, 285-6: 'This significance of twins and brothers … must be present … if we are to interpret correctly the scene in which Hamlet, holding in his hands the two portraits of his father and his uncle … tries to convince his mother that an enormous difference exists between the two. There would be no Hamlet 'problem' if the hero really believed what he says. It is also himself, therefore, that he is trying to convince.'
43. Had Hamlet an heir himself his position would be strengthened (the play stresses Gertrude's maturity). I have come to think that *this* is the emphasis which so insistently produces Ophelia as fallen woman—were she pregnant she would threaten the (new) line in Denmark.
44. The intensity of the blame this occasions stands comparison with the blame which drives Ophelia insane—the murder of a father by the daughter's 'husband' (an act of petty treason, carried out by a king's son). Early modern inheritance law consistently reflects anxiety as to whether mothers can be expected to act reliably on their male offspring's behalf, in the absence of a male head of household. See Jardine 1987, p. 9.
45. That is, 'been offensive to'.
46. That is, 'committed an offence against'.
47. See Bullinger: 'A woman maye not mary husbandes brother' (fol. xvir.)
48. III.iv.7-41.
49. On this account the possible *murder* of the king is a secondary issue.
50. On murder by wife or child as petty treason see Sharpe.
51. It is because this particular cultural construction of female guilt is still current that it remains plausibly 'real' to critics.
52. The phrase comes from Howard 1986, p. 13, and is a question addressed to all those whose work has been called 'New Historicist'—'What motivates the turn to history?' (p. 14).
53. 'Objectivate' is Chartier's term. See, for instance, Chartier 1988: 'To combat [the] reduction of thoughts to objects or to "objectivations" … a definition of history primarily sensitive to inequalities

in the appropriation of common materials or practices has come into being' (p. 102). 'Foucault has a lot to say about the way 'public' discussion of sex constitutes the chief way in which public institutions manipulate the consciousness and intimate experiences of great masses of people' (Sintow, Stansell and Thompson 1983, p. 9).

54. San Diego, 1984.