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Geng, Penelope. Communal Justice in Shakespeare's England: Drama, Law, and Emotion

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of one to the Parliament of the Republic, did not bring about the end of the ghetto. In July 1797, when the gates of the ghetto were removed, Catholics in Modena rioted, despite the fact that the Italian enlightenment was gaining momentum, or because of it. Previously, as Francesconi observes, the ghetto walls blocked the presence of Jews in Modena from view, but when the gates were opened the Jews became visible. For the rioters, and for many Christians during the nineteenth century, awareness of the presence of Jews created a sense of impurity and danger. Nevertheless, Francesconi traces the negotiations of Modenese Jews in their path to emancipation and citizenship. She follows the pamphlets produced in Modena in favour of toleration of Jews, particularly the *Discorso* by Moisè Formiggini, although like so many appeals for toleration it is limited to only the enlightened among them. Francesconi's introduction of such Italian works to the wider European discussion about the toleration of the Jews and the proposed limitations to it will help to stimulate further interest in nineteenth-century Italian Jewry and its engagement with what will become known as the (yet unanswered) Jewish Question. In *Invisible Enlighteners: The Jewish Merchants of Modena, from the Renaissance to the Emancipation*, Federica Francesconi has made an important contribution to tracing a representative but distinctive Italian Jewish community in the transition from the medieval to the modern period.

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Geng, Penelope.

Communal Justice in Shakespeare's England: Drama, Law, and Emotion.

Toronto: University of Toronto Press, 2021. Pp. xiv, 257. ISBN 978-1-4875-0804-3 (hardback) \$75.

Penelope Geng has written a significant book arguing that popular narratives of lay magistracy and communal justice provided a critique of professional common law, and maintaining that playwrights like Shakespeare participated in this resistance. The Inns of Court also encouraged the writing and performance of plays. Geng reads literary texts in terms of imagination, law, and politics

“that exerted a particular power over the public imagination, shaping popular expectations on such issues as individual legal responsibility, neighbourly care, and communal response to crime” (xiv). She argues that English subjects in the sixteenth and seventeenth centuries had a double obligation to be magistrates and to obey them while noting that playwrights were social observers who harshly criticized the legal profession and prompted playgoers to imagine the power of lay and communal aspects of the law to transform it (3–5). Moreover, Geng sees Renaissance theatre as “the premier place for collective and embodied knowledge-making,” although the church, university, and parliament were key in that regard but were not, in Michael Foucault’s term, “countersites” (5). Geng sees her contribution as exploring early modern theatre in the shaping of legal culture (5). Justice in drama represented the drama of justice. She also maintains that until the closing of England’s theatres in 1642, generations collectively imagined and felt the power of communal justice, which challenged legal professionalization (6).

Geng draws on Pierre Bourdieu’s study of cultural distinction—of class, habit, judgment, and the evaluation of communal praise for the good and beautiful; of taste as a matter of class and not the personal—and legal distinction, of the juridical as a competition for the monopoly over determining the law (6). For Geng, the lawyers who tried to limit lay legal authority found that it conflicted with a popular Protestant culture that “celebrated the magisterial power of the conscientious individual—and the moral community” (21). In discussing drama, Geng recognizes two aspects of community, the fictional or textual and the phenomenological or the spectating playgoers (21).

The book explores tensions within legal culture between the popular and the professional. Chapter 1 discusses the roots of communal justice in medieval England by concentrating on the change of the assize from a legal process to a metaphor for the lay conscience, examines communal justice in the context of the medieval assize, especially the self-informing jury or jury of presentment, in considering evidence, and assesses the development of the early modern assize while examining the rise of the assize sermon in which conscience equipped individuals with juridical authority. In chapter 2, Geng looks at writers defining the judge and his work, religious authors stressing Christian compassion in judgment, and legal professionals emphasizing reason and logic, including the tension between the two discourses in Shakespeare’s *2 Henry IV*. Chapter 3 analyzes Robert Yarrington’s *Two Lamentable Tragedies*

and the anonymous *A Warning for Fair Women*, which stage cooperation when members of the community detect and solve crimes, thereby appealing to the audience witnessing their experience as well as representing neighbourliness in hard times. In chapter 4, Geng discusses John Foxe's communal witnessing in his martyrology and argues that *King Lear* represents witnessing more fully than a prose narration can. Chapter 5 examines how plays stage public penance, interprets Shakespeare's *2 Henry VI*, and discusses the limits of communal judgment in *Macbeth*. In the Postscript, Geng reflects on the connection of the culture and literature of communal justice with the law both past and present.

Throughout the book, Geng makes informative and perceptive points, some of which I will mention here. She explores significant communal legal and theological aspects of criminal prosecution, and notes that in the early centuries of common law the community was accusatory at the assize, a tribunal of legal professionals whom the monarch appointed and lay jurors whom the sheriff selected; moreover, she says that in later centuries, both the jurymen and the language of assize sermons reflected the communal will (27). After examining post-Reformation religious writing, and about six hundred years of legal history, Geng observes: "English common law revolved around the idea and custom of communal justice" (48). She examines how playwrights were critical of professional magistracy while representing "communal witnessing, neighbourly justice, and lay adjudication both to entertain and to challenge their law-savvy audiences" (49). She analyzes the principal distinctions between popular and professional representations of judges and their connections to the community, especially in *2 Henry IV* (50), and argues that domestic tragedy represented communal justice as a legal practice that magistrates impose on the people, and as a fiction in the eyes of the public (95). Leading up to her discussion of *King Lear*, Geng makes a distinction between the two types of testimony in the law courts in Shakespeare's England—the deposition that a justice of the peace or a coroner takes of a witness before the trial delivered at an assize or at a session or an assize, and the *viva voce* report that a witness speaks in person in open court—and she says that judges and lawyers treated the voices in depositions as presence and accepted them, whereas the untrained were suspicious of them and valued more the evidence in oral delivery (96). In qualifying *King Lear* as a bleak tragedy, Geng stresses as a frame for scenes of spectacular violence the witnessing: communal, empathetic, and intersubjective (120). She argues that Shakespeare's theatre destabilizes legal tradition and

that two scenes are exemplary—the penance of the Duchess of Gloucester in 2 *Henry VI* and the sleepwalking of Lady Macbeth (122). Moreover, Geng wonders whether communal justice hinges on communal imagination (144).

She maintains that playwrights, like preachers and moralists, were sensitive to the public’s anti-professional feeling and “helped to define magistracy as the collective action of conscientious individuals” (145). Geng finds hope and redemption, then and now, in exemplary representations of communal justice by people in early modern England choosing “to write, stage, and applaud affirming stories of neighbourly love and care” (149). For readers and scholars generally, and for those of us who have written about law and literature or about figures such as Shakespeare and Edward Coke, Geng’s book makes a distinctive, lively, and considered contribution to scholarship.

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Hall, David D.

The Puritans: A Transatlantic History.

Princeton: Princeton University Press, 2019. Pp. vi, 520. ISBN 978-0-691-15139-7 (hardcover) US\$35.

In the epilogue, David Hall reminds us that “in the early nineteenth century, no one in Britain or the United States remembered the Puritans described in this book” (357). No one who has studied early modern British History since the 1980s could be unaware of them, so dominant have they been in explanations of the English Civil War (perhaps no longer a “war of religion” but certainly still a war in which religion was an issue across the three kingdoms of England, Scotland, and Wales) and of the cultural effectiveness of the Protestant Reformation. This book is an expert account of why the Puritans have been considered so central to early modern political and socio-cultural history on both sides of the Atlantic, and it shows an understanding of these debates that only a career-long study of the primary sources and decades-worth of scholarship can bring.