

Gary Watt. *Shakespeare's Acts of Will: Law, Testament and the Properties of Performance*. Bloomsbury: London and New York, 2016. Pp 288. Paperback £28.99. ISBN: 9781474217859.

SUBHA MUKHERJI

University of Cambridge

Probing the analogy between the conditions of performance and the structure of testamentary action, Gary Watt's book offers an original, minutely researched, and provocative thesis. Tracing 'testament' to its Latin etymology — suggesting the presence of a witness to the mind — Watt offers a new way of understanding the exchange between performers and audience that defines the theatrical event. What is more, he suggests that exchange leads to change — transformations of abiding social significance. In the process, Watt steers us into thinking about the affinity between law and theatre in a novel way: in terms of an expression of will that amounts to a social contract. While readers and viewers of Shakespeare's plays have affectively registered the notion of audience as witness for some time — often through meditations on the epilogues inviting audience judgement, approval or pardon, or on self-reflexive inset plays — Watt's work is the first to connect this notion with such sustained rigour to theatre's engagement of the imaginative work of law, and to the 'understood' nature of this relation in early modern English culture which made the intimacy and impact of this dialogue possible. Watt delves deep into the rhetoric of the law, at the heart of what he calls the 'creative construct' (2) of English common law — at once expressing and moving wills.

Watt establishes his thesis through readings of six Elizabethan plays — *Richard II*, *King John*, *As You Like It*, *The Merchant of Venice*, *Julius Caesar*, and *Hamlet* — though these plays are not his horizon. His reason for concentrating on Elizabethan Shakespeare is the belief that these plays focus Shakespeare's engagement with testament, using it as a plot-making device, a prop, and the basis of a semantic field. This notion is a premise that could bear further examination, as 'inheritance and succession' (3), concerns that Watt attributes to the Elizabethan works, seem to be quite as germane in, say, the emphatically Jacobean play, *Macbeth*, where will, witnessing, success, and succession are all hopelessly and tragically entangled, along with the language of execution. It is not insignificant that Watt uses the Jacobean *Timon of Athens* as his point of entry in the introductory first chapter — and rightly so. The way in which *Timon* connects a deferral of the performance of promissory words with imagining a future, signalled in Watt's

sensitive analysis, is also operative in the Macbeths' blasting of their future in trying to secure it through a will whose agency is obscure; or in the King's contractual promise to Helena in the Jacobean comedy *All's Well that Ends Well*: 'Thy will by my performance shall be served' (2.1.207), or the dynamic between tradition and trade (to borrow Watt's terms) in the same play. The context of land ownership in which the major shifts in testamentary law occurred — the replacement of the traditional feudal or familial inheritance with a more modern model of disposal of private property by will through the Henrician Statute of Wills (1540) — surely begs the question of how this shift inflected the division of kingdom in *King Lear* and its emotional, moral, and political ramifications (only fleetingly glanced at on page 82). There is an entire web of connections entwining promissory words, testamentary action, temporal negotiation, and theatrical transaction, which spreads beyond the Elizabethan plays: a probing analysis of what changes between periods might have been more illuminating than a speculative premise that there was a shift in Shakespeare's interest in testamentary issues for one of several possible reasons. Such an analysis would also have allowed a consideration of the generic implications of testamentary structures of feeling as the law evolved. But this does not detract from the suggestiveness of Watt's discussion of the playtexts he chooses: rather, it comes out of a desire to extend the discussion to the rest of Shakespeare's work, and indeed to ask about the purchase of testamentary thinking in the cultural imaginary that early modern drama, more widely, was tapping into.

An equal sensitivity to the theatricality of testament and to the testamentary structure of drama enables Watt to offer a fresh way of seeing both the ecology of the theatrical event and the several interconnected agents, active and passive, in the human action of making and marking will. It also makes him extraordinarily alive to the power of words — not only performative but also magical — when they act as mediators at thresholds, whether between life and death, stage and audience, blood and wine, or the mind and the world. I would have liked to see a deeper exploration of the analogy with the sacramental metaphor hinted at in the first chapter, as the idea of a form of words that move and make presences real in the midst of absence is central to the idea of testament that Watt unpacks. The concept itself is liminal, straddling domains of knowing, thinking, and acting in the period — legal, theatrical, economic, theological, magical, theatrical, and perhaps even scientific. Some aspects of this rich intersection receive more attention than others, creating an imbalance: law itself drops in and out of view, and amid the variety of approaches and contexts, the placement of law within the full spectrum of interdisciplinary contexts becomes at times unclear.

Richard II and *King John* are used in chapter 2 as case studies for the movement — handing down or handing over — from vertical tradition to lateral trade, an interpretation based on an understanding of a ‘genre of participatory public performance’ that Watt calls ‘testamentary’ (34–5). The key idea here is witnessing, with inscribed witnesses such as the gardener or Philip the Bastard helping the playgoers understand and perform their own testimonial and, indeed, probative function, training audiences in the ‘handling’ of state affairs. Watt deftly weaves in references to specific gestural translations of early modern property law in productions such as *The Hollow Crown* (BBC) to suggest the affective potential of historical specificities in contemporary performance. There are spots of innovative close reading, revealing for instance Shakespeare’s inscription of ‘will’ throughout Richard’s speech about his hollow golden crown (4.1.184–9), scattering ‘fractions’ of the word in order to make its absence palpable (58).

Watt justifies his pairing of *As You Like It* and *The Merchant of Venice* based on the ‘two ... distinct worlds of will’ that they both contain and blur (78). While the basis of the structuring analogies between comedy and testamentary will here seem less than self-evident and at times slippery (is stubbornness necessarily testamentary in its wilfulness?), and the references to recent productions somewhat descriptive and predictable, the idea of ‘playful tension’ between law and love, verticality and horizontality, finds congenial ground in these comedies (101). But the contrary movements that run through the book as a leitmotif find their most effective mapping in the analysis in chapter 4 of the physical geography of Shakespeare’s stage, stretching from *platea* to *locus*, in relation to the rhetorical deployment of political rise and fall in *Julius Caesar*, with Brutus’s ‘congregational’ approach losing ground to the flexible (moveable) Antony’s skilful ‘handling’ (moving) of a popular will, both among the Roman citizens and the Elizabethan playgoers (111–5). This reading in turn recalls Richard II’s downward descent in *Richard II*, and the symbolic establishment of popular sovereignty as he hurls the crown down to Bolingbroke. Watt invokes ‘fractional inference’ several times to show how meaning — and the elusive operations of the will — are embedded in the formal fluidity of Shakespeare’s verse (140–1). In grappling with Caesar’s tragic flaw, Watt leaves us with the provocative suggestion that ‘will without flexibility must be opposed as one must oppose law without equity’ (145). Chapter 5 meanders through a somewhat digressive reading of the downward bent of Hamlet’s thought — his habit of ‘subspecion’ — and its effects on his language and imagery. Interesting as the idea of performance as ‘acting “through form”’ is (165), it is hard to see in this slow-moving section how this might be connected to the experience of the play as a ‘legal hearing’, despite an early warning that this will

(deliberately) not be revealed until later. When Watt finally connects the idea of acting through form to the legal issue of testament and inheritance (183ff), it is through 'a bigger idea of law' as opposed to its technical minutiae: of 'theatrical performance as a "testamentary" performance of will', and of law as 'creative performances ... open to communal participation' (181). While the two halves of the chapter feel inadequately integrated, at least to this reader, the larger point stands, and places Watt at the forefront of where 'Shakespeare and law' studies are now heading: trying to grapple with the way Shakespeare thinks *with* the law. As the biographical thread becomes more visible, with Watt invoking Shakespeare's own will(s) — the one he executes and the one he bequeaths to the audience — in relation to Hamlet's real and spiritual fathers, and carrying them over into the last chapter's movement towards Stratford and Shakespeare's last will and testament, a question raises its head, and remains unaddressed. What does the living play, which finds its own messy, unpredictable, organic, and autonomous course well beyond its creator's will and even his text, do to the temptingly neat mapping of the playwright's testament as the dead father's will?

The final chapter's focus on the materiality of testamentary performance offers an ambitious and intriguing conclusion to a book that is at once rich and occasionally over-busy, but which, through its commitment to the literary texture of Shakespeare's drama, never loses sight of the element of 'play', which Watt calls out the postmoderns for 'forgetting' (23); nor does it neglect the animating power of Shakespeare's poetry. For such vigilance, and for the larger fidelity to law and drama as cognate structures of feeling and acting, we — its inheritors — must pay warm thanks.