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Elizabeth Hanson
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1 Introduction

When Hamlet rails that Guildenstern, formerly a school friend, now a spy recruited by the king, "would pluck out the heart of my mystery" (3.2.356–7), he assumes a position, as the resistant object of another man's scrutiny, within a scenario that recurs insistently in the discourses of Renaissance England.[1] The struggle to discover the secrets in another's heart, or to resist being the object of such discovery, is rehearsed not only in the drama but in the records of the Privy Council and state trials, and in correspondence, philosophical writing, conduct books, and literature of social description of the period. In fact, Hamlet's imagery here links his situation both to the actual culmination of many discovering operations of the Elizabethan state, the extraction and display of the traitor's heart at execution, and to moments of resistance to such operations, as when Catholic sympathizers wrote of the martyred Jesuit Edmund Campion that "one might sooner pluck his heart out of his bosom than rack a word out of his mouth that he made conscience of uttering."[2] The hostile discovery of another's innermost being, with its concomitant insistence on that other's secrecy, constitutes one of the most prevalent and historically specific versions of inter-subjectivity in Renaissance England. These discovering operations differ from other practices which make the heart the object of knowledge, such as the spiritual accounting of seventeenth-century Puritanism or the much later explorations of psychoanalysis, both in the presumed enmity of the participants and in the reification of the "mystery" of inner life they entail, the reduction which makes the "heart" susceptible to "plucking."

In this book I explore some instances of this Renaissance obsession with the discovery of the heart's secrets: the Elizabethan resort to interrogatory torture, particularly in response to the Jesuit mission to England; the revelation of secret iniquity in agents of the state which Shakespeare stages in *Measure for Measure* and *Othello*; the exposure of a criminal "underworld" in cony-catching pamphlets and in Jonson's *Bartholmew Fair*; and the discovery of nature that Francis Bacon envisioned, a project which will both replicate and depart in crucial ways

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from the discovery of the interior reaches of other people. The argument of this book is that the tendency to construe other people in terms of secrets awaiting discovery, which seems to have grown particularly intense during the period roughly defined by the reigns of Elizabeth I and James I, can be understood as a symptom of an epistemic change, of a redrafting of the terms on which the subject relates to the world in dominant political, religious, and intellectual discourses. The nature of this change is adumbrated in the very awkwardness which attends my use of the term "subject" in connection with this period, the jostling it produces between the modern meaning which designates the site of thought and experience, and the Renaissance meaning which proclaims the subordination of the governed. Implicit in these different meanings are two different grammars of knowledge. The first supposes that the subject knows transitively, taking the world as the object of his thinking. The second posits that to the extent that the subject knows (and this may not be his defining activity) he must do so self-reflexively, recognizing his place in a hierarchical order. The epistemic structure of discovery would appear to align with the first option. In the discovery of another's secrets, or, for that matter, of a new continent, truth lies outside the mind that would know it, masked by distances or surfaces which the discoverer labors to penetrate. This labor evinces the discoverer's freedom to act, the fact that existing authority cannot hold him for it does not as yet contain the truth he goes to seek. Thus the discoverer takes up a position that we might very crudely call modern. But our sense of the operative grammar is complicated in the scenarios with which I am concerned (Bacon's discovery of nature partially excepted) by the fact that the object the discoverer seeks to know is a subject: the site of thought and the origin of action. The intractable otherness which the discoverer encounters in his quarry arises, we shall see, because the latter possesses powers akin to those of the discoverer himself.

The self-reflexiveness of these discoveries suggests that they do not simply enact a modern epistemic stance but also defend against it. What is ambivalently at stake in them is the structure and meaning of knowing itself rather than the acquisition of specific information. More concretely, I would argue that in these discoveries of the subject we encounter a contradictory set of impulses and strategies arising from the new scope for individual action which an expanding royal administration, religious schism, new technologies, and economic arrangements – and their accompanying institutional fractures – had produced. As one man examined another, searching for signs of hidden motives or loyalties, struggling to place him in the social order (I will come presently to the reasons for my masculine gendering of this scenario), he confronted as in

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More information

a mirror the idea of the subject, not merely as authority's subordinate but as the origin of discourse and action, as a practitioner who is not fully expressed in the structures which constitute the givens of his world. He saw, in other words, the possibility of a subject for whom certain claims, to authorial or to legal rights for instance, or to control over nature, might come to seem natural.

My purpose is thus to offer investigations toward a history of the subject, and in so doing to assist in the ongoing project, initiated by Michel Foucault among others, of de-naturalizing the relations between the subject and the world which have prevailed in the West at least since the eighteenth century. But my topic is not only the substance of epistemic change but also how it occurs. The conditions which underpin the Renaissance discovering operations – a distancing of the subject from his world and his reattachment to it through appropriating activity such as the methodical acquisition of knowledge – will receive philosophical exposition in the course of the seventeenth century by thinkers such as Descartes and Locke. However, in reading the Renaissance episodes in these terms, I do not wish to argue for backdating the emergence of their ideas by fifty to seventy-five years. The axiom from which this study proceeds is that by the time epistemic assumptions are held with sufficient consciousness and consistency to receive philosophical treatment they have long been used by people in highly contingent and untheorized ways to negotiate myriad local crises and opportunities in economic, social, and institutional life. In other words, new epistemic possibilities begin as improvisations around the fissures between the material conditions of life and the conceptual resources already in place in a culture. Therefore new ways of knowing are often profoundly at odds with the consciously held commitments of the people who begin to articulate them, emerging not as principles from which a world order can be derived, but as contradictions in discourse and social practice. The motives for the discovering operations I trace, as well as for some of the resistance to them, tended to be conservative, or at least stabilizing ones, desires to restore social legibility or to discourage doctrinal or political innovation. But the work both of discovery and of resistance to it necessarily exploited the very resources and opportunities which had disengaged the subject from his world in the first place, enforcing the discontinuities which it sought to close with the result that they could become, in time, the basis of positive claims. The place we are to look for signs of change is thus not the "thought" of a period, that is, the available systematic understandings of the world, but the institutional pressures and *ad hoc* strategies which come into play around particular social and political relationships.

Let me offer as an example both of this messy process and of the

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Excerpt
More information

specific concerns of this book the development of the legal privilege against self-incrimination, a matter which I explore in greater detail in chapter 2. Enshrined in the American Bill of Rights as the Fifth Amendment, the right not to give evidence against oneself memorializes some of the discovering operations with which I am concerned here through the protection it affords against them. The right posits a subject in possession of a vital truth about himself, a truth which is also of interest to the state. But the state must refrain from forcing the subject (or "citizen" in the modern political context) to speak this truth, thereby demonstrating that subjecthood is a condition of freedom. At the same time, the state develops for itself the means to collect the evidence that will permit an objective reconstruction of this truth and its installation in the public domain. A typical architectural feature of modern democratic political structures, this right props up against each other a self-knowing, self-owning subject and a neutral administrative state; the prohibition which demarcates them serves also to maintain the mutual pressure which shapes both formations.

The principle that no one could be compelled under any circumstance to give evidence against him or herself was definitively established in English law during the treason trials between 1649 and 1653 of the obstreperous Leveller John Lilburne. The common law maxim that "no man is bound to accuse himself" (*nemo tenetur seipsum prodere*) seems to have originally meant that the Crown could only question the accused on a properly presented indictment. In the tumultuous half-century which preceded Lilburne's trials, however, it had been more and more frequently invoked as a global right in response to the increasingly inquisitorial legal procedures with which the Crown had met dissent.[3] But as Leonard W. Levy's magisterial study, *The Origins of the Fifth Amendment*, makes clear, the evolution of a legal right against self-incrimination is only one effect of a much longer process, beginning with the establishment of the Inquisition by the Fourth Lateran Council in 1215, which made the individual subject the target of a host of invasive ecclesiastical and political investigations and thus shaped his conscience as a potentially secret site of truth. In other words, the right is inconceivable without the idea of the subject as a private cache of truth, and this comes into being (as Foucault would have predicted) not at first as an oppositional strategy but as a disciplinary effect. During the late and, at least for England, particularly frenzied stage of this process with which my study is concerned, the multiplying occasions on which someone was compelled to utter his or her potentially incriminating thoughts to state authority also led to heated debate about the circumstances under which a Christian conscience could be compelled to answer

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More information

interrogatories meant to ferret out dissenting opinion and activity. Thus the drive of the early modern state to secure uniformity of practice and allegiance was dialectically met by Reformation and Counter-Reformation notions of the authority of the conscience. Sometimes, but not always, these aligned with common-law opposition to inquisitorial procedures.

One of the most notorious instances of such conscientious resistance was the practice of "equivocation" or mental reservation of key details in the answer to an incriminating question, a strategy resorted to by recusants and Catholic priests who were caught between the need for self-preservation on the one hand and a deeply felt religious obligation not to lie on the other. Unlike Protestant claims for the conscience, the debate about equivocation did not explicitly intersect with the mounting common-law opposition to testimonial compulsion. It therefore tends to receive only passing mention in legal histories, although the same forms of investigation gave rise both to equivocation and to legal protests. Indeed such an intersection of legal and religious concerns was unlikely, insofar as the Catholic advocates of equivocation were often being prosecuted by the very common lawyers who were refining the privilege against self-incrimination – a project fueled notwithstanding by their distaste, as common lawyers, for the various inquisitorial devices the Crown had instituted to entrap Catholics. At the same time, the Catholics themselves rarely resorted to arguments based on common-law restrictions, focusing instead on the philosophical problem of what constituted a lie; in part, I would suggest, because their own institutional allegiances made them fundamentally sympathetic to inquisitorial modes of fact-finding. Yet it is precisely for this reason that the Catholic justifications of equivocation belong to the genealogy of the right against self-incrimination as much as do the more obviously pertinent arguments of common lawyers: in them we can see the idea of the subject which the disciplinary mechanisms of medieval Christianity produced, being recruited, under the pressure of the Elizabethan state's hostile discovery and against the ideological commitments of the Catholics themselves, for work in articulating new political and epistemic relationships between the subject and his world.

The Jesuit propagandist Robert Persons presents a fairly typical argument in *A Treatise Tending to Mitigation Towards Catholick Subjects* (1607).[4] Drawing on Aristotelian definitions of what constitutes a proposition, as well as on St. Augustine's treatises on lying, Persons argues that "a Catholicke being demaunded whether he have any Priest in his house, may answere by Equivocation that he hath none, reserving in his mind *that he hath none whome he is bound to utter or discover*"

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Excerpt
More information

(308), and this without lying, because utterances which occur only in the mind have the same ontological status as those which are spoken. For, he asserts,

> there is a voice in writing as well as in speaking, according to *Aristotle* himselfe, so is there an internall voice, as well as an externall, and an internall speach as well as an externall, which speaketh, affirmeth, or denieth to the inward eares as well or better then the voice, or letter to the outward. (329)

The connections between Persons's ability to imagine the inwardness of the subject and the institutional imperatives of Catholicism to interrogate and regulate the soul are evident in the way that inner life seems to be imagined as self-reflexive confession, internal utterance made to inward ears. The point is enforced by the fact that for Persons irrefutable proof of his argument lies in the consensus of

> all Devines [that] there may be mentall Heresy, when a man in his mind doth affirme, or give consent to any Heresy in his hart, for the which he may be damned everlastingly, if he repent not, though he should never utter the same in word or writing to any. (325)

The concerns of the inquisitor are glimpsed through the arguments of the martyr. But while Persons's commitment to Catholic authority leads him to imagine inwardness as always already open to inquisitorial probing, the historical circumstances of his writing compels him to make this inwardness a site of resistance to such probing. The completeness of internal utterance constitutes permission for the accused to thwart the magistrate by withdrawing into his own mind "as though he were alone and no man by" (342), not deceiving the magistrate (because the accused's desire is not to deceive but "to escape, and defend himselfe" [347]) but merely allowing him to be deceived should he fail in the task of interpreting "doubtful utterance" (346). In the protective self-enclosure of the accused, and the intellectually active position in which it places the magistrate, we can discern features of the relationship that will be established in the right against self-incrimination. That Persons does not endorse the idea of such a right and can perceive the threat it poses to Catholic authority appears not only in the anxiety evident in the example of mental heresy, but also in his insistence that his argument pertains only to situations where the magistrate is unjust. Where the magistrate is lawful, it is a mortal sin for an accused to resist interrogation, "either by willful[ly] holding his peace or by denying the truth" (414). And yet when Persons specifies examples of legitimate equivocations he offers "I have not stolne," with the unspoken qualification "so as I am bound to confesse it publickly, for that there is not witnesse, proofe or presumption against me" (421). Grounding the legitimacy of resistance in the

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Excerpt
More information

state's lack of a proper indictment or presentment, Persons's justification of equivocation slides opportunistically into the common-law discourse of his adversaries which will lead to the establishment of the right against self-incrimination.

To read the Jesuit position on equivocation, or indeed any argument from this period as a harbinger of the post-Lockean rights-bearing subject, is to privilege a diachronic interpretation of culture, to analyze a particular historical moment for signs of the future rather than for the systematic beliefs and practices which distinguish a culture from its successors. In its emphasis on the emergent, my study departs from New Historicist treatments of the early modern English state in order to suggest the more tactical nature of practices that have been read as revealing the essence of the culture, and to invite consideration of some social conflicts and institutional pressures which such readings occlude. Thus I hope to make visible the potential for social transformation (although not necessarily liberation) evident even at moments of extreme repression.[5] For instance, against earlier claims about the theatricality of early modern modes of rule and subjection, which often note that England in this period lacked an extensive bureaucracy and police force, I emphasize the effects of the establishment of systems of royal administration, a point to which I will return below.[6] For while bureaucratic mechanisms of government in the inescapable forms in which we have come to know them were absent, the very fact that administrative apparatuses are *developing* in this period means that such arrangements possess a special salience, a capacity to provoke anxiety which their fully developed forms presumably lack. In other words, I want to indicate the ways in which cultural anxiety in the period is *historically* meaningful, the effect less of contradictions within a synchronic system than of new organizational possibilities – possibilities which are themselves multiplied and transformed in the attempt to manage the instabilities they produce.

At the same time that this study departs from some of the assumptions that drove cultural poetics, its more general argument, that discourse from this period offers evidence of a new separation between the subject and his world that is recognizably modern, invokes a familiar narrative of epistemic transition. This narrative received its clearest recent rehearsal in British cultural materialist work of the mid-1980s, such as Catherine Belsey's *The Subject of Tragedy* and Francis Barker's *The Tremulous Private Body*, although it is arguably implicit in every invocation of the period's new designation as "early modern."[7] As David Aers has noted, however, this narrative of the Renaissance emergence of something like modern subjectivity actually begins, although with oppo-

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More information

site ideological investments, with Burckhardt's famous account of the individual's awakening in the Renaissance:[8]

> In the Middle Ages both sides of human consciousness – that which was turned within as that which was turned without – lay dreaming or half awake beneath a common veil. The veil was woven of faith, illusion and childish prepossession, through which the world and history were seen clad in strange hues. Man was conscious of himself as member of a race, people, party, family, or corporation – only through some general category. In Italy this veil first melted into air; an *objective* treatment and consideration of the State and of all the things of this world became possible. The *subjective* side at the same time asserted itself with corresponding emphasis; man became a spiritual *individual* and recognized himself as such.[9]

Behind the cultural materialists' inversions of the Burckhardtian theme lies also Foucault's influential genealogies of modern deployments of power and knowledge. Most important of these is the account in *The Order of Things* of how, between the seventeenth and the twentieth centuries, Man emerged from the matrix of Discourse and temporarily asserted his priority to it only to become in post-modernity once more its mere effect. However, the story of the decorporealizing of punishment detailed in *Discipline and Punish* has also proved crucial to the cultural materialists' project. This narrative of a great epistemic shift has been powerfully criticized by medievalists, most notably Aers, who argues that it both attributes a false unity to medieval culture and wrongly identifies as "new" categories of thought and experience which had been in vigorous use in earlier periods.[10] Recent studies of medieval culture have supported Aers's contention, detailing practices of dissent and theatricalized punishment, and styles of self-presentation which both dissipate the Burckhardtian myth of medieval culture as dreaming corporatism and suggest a good deal of continuity with Renaissance cultural forms.[11] Certainly it must be conceded that the very repetition of the narrative suggests a formalism at work in these various accounts of epistemic change that embarrasses their historicizing claims – a problem, I should add, that is made particularly acute by the cultural materialists' rather reductive use of Foucault. But I also would argue that in focusing their criticism on the content of the cultural materialists' representation of the Middle Ages, the medievalists have to some extent missed the point about what makes that work so problematic. Meanwhile, they leave unaddressed the question of how we are to talk meaningfully about the process whereby new practices and concepts like experimental science, say, or legal rights, began to be thinkable. It will be useful then to consider some of the limitations which attend current versions of this narrative in order to suggest how we might more profitably recount the

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very real changes in what it meant to be a subject which took place in this period.

Any attempt to assess the validity of this narrative enterprise is complicated by the various filiations, revisions, grafts, misreadings, and shifts in focus that define the relationships among its various instances. Burckhardt posits a new consciousness of the objective nature of the world, and thus of the subject's subjectivity which results most crucially in a sense of individuality. These developments are articulated in the political and artistic registers. Barker likewise focuses on an emergent subject–object divide, which he denounces as "what was done to us in the seventeenth century," and follows Burckhardt in linking it to a loss of corporatism and to the emergence of an interiorized subjectivity (68). But he finds it most significant for the way it enforces a subjugation of the body to the mind, an argument indebted to Foucault's account in *Discipline and Punish* of a shift from the corporeal display of sovereign power in punishment to the decorporealized modes of surveillance which took hold in the Enlightenment.[12] Catherine Belsey also echoes Burckhardt's concern with nascent individualism in her account of the emergence of the "subject of liberal humanism" (ix). But if Burckhardt's individual flourished in the despotic political culture of Renaissance Italy, Belsey's subject, "unified, knowing, and autonomous," seeks "a political system that guarantees freedom of choice" (8), in other words, bourgeois liberal democracy. Moreover, Belsey identifies this subject not with Burckhardt's individual but with Foucault's Man, invoking at the beginning of her project the narrative frame of *The Order of Things*, the tale of how this "discursive hero of a certain class" (Belsey's phrase) emerged as the inevitably temporary effect of certain "arrangements of knowledge" (Foucault's phrase) (14). But Foucault himself, it should be noted, is concerned not so much with the emergence of this "discursive hero" *per se* as with the "arrangements of knowledge" that produce him. And he describes these arrangements with such attention both to their internal complexity and to the details of their evolution from the seventeenth century to the present that any sense that there is a single more-or-less coherent version of the subject operating in discourse over this period becomes untenable. In fact, the epistemic shift which Foucault locates in the earlier seventeenth century – a dissolution of knowledge based on the recognition of similitude within the Creation and the emergence of a new knowledge based on the accurate description of the discrete identities of things and their relation to each other – initiates a dispensation that will last only until the end of the eighteenth century.

What this palimpsest of epistemic histories reveals is the wide array of personages, issues, timetables, and models of change that can be adduced

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for what sounds, at a certain level of abstraction, like the same narrative. In each of these accounts we find that the "subject," the placeholder for human consciousness within discourse and material relations, meant something drastically different after the "Renaissance" than before. Moreover, this difference seems to have to do with an increasing sense of the subject's detachment from what we would now call the objective conditions of his existence. This process culminates in philosophical projects, such as Descartes's, which make that detachment the primary meaning of subjectivity, although that condition may be construed in terms of a range of possible relationships, between mind and body, inner self and outward show, individual and state, mind and nature. If the thematic concerns of these accounts echo each other, however, their chronological plotting varies drastically. For example, the epistemic shift which Foucault posits in *The Order of Things* as the beginning of Man's emergence occurs in the early seventeenth century, between what he calls the Renaissance and the Classical periods, while the displacement of the spectacular display of the body by more internalized modes of subjection which he describes in *Discipline and Punish* occurs in the later eighteenth century. But Barker's analysis conflates these events, locating the key transition between *Hamlet*, in which "the spectacularly visible body [. . . lies] athwart that divide between subject and object, discourse and world that characterizes the later dispensation" (24), and the bourgeois regime he reads out of Samuel Pepys's mid-seventeenth-century (i.e. Classical age) diary.[13] Moreover, while both Barker and Belsey find the beginning of the bourgeois subject's lamentable emergence on the Jacobean stage, the awakening of the individual with which Burckhardt is concerned starts in the fourteenth century with Petrarch. We might well ask whether the Renaissance is in fact early modernity, as Burckhardt (ironically enough) would suggest, or, as Foucault argues, the world which "the men of the seventeenth and eighteenth centuries, [who] do not think . . . in terms that had been bequeathed by preceding ages," had left behind.[14]

The incoherence which these chronological variations threaten to produce in the narrative of epistemic change is partly the effect of mapping what I have already suggested are the oversimplifying appropriations of the cultural materialists back onto the works of their progenitors, although the problem is also compounded by conflating projects which deal with developments in Italy, France, and England. But it would be a mistake, I think, to treat oversimplification only as a characteristic of weaker versions of epistemic history, rather than as a methodological feature of the exercise in general. If this statement sounds dismissive it is intended as a recognition that what even strong epistemic history such as Foucault's offers is not a transparent account of the way

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