Introduction
Staging inheritance in early modern England

Rightful succession is fundamentally a narrative construct: it is as much fiction as fact, as much story as certainty. Nowhere in early modern drama is this more apparent than in the famously convoluted and contested Salic Law speech given by the Archbishop of Canterbury in Shakespeare's *Henry V* (1599). Intended to clarify Henry's right to the French throne, the speech's syntactic and genealogical complexity notoriously muddles the issue, revealing in the process competing narrative claims. Henry appeals to Canterbury to "justly and religiously unfold / Why the law Salic that they have in France / Or should or should not bar us in our claim" (1.2.10–12).[1] Canterbury insists that there is "no bar / To make against your highness' claim to France" except the law that states: "'No woman shall succeed in Salic land'" (1.2.35–6, 38). Canterbury quickly notes, however, that there is a dispute about the meaning of the key phrase "Salic land," as the French "unjustly gloss" this phrase as referring to the "realm of France," while at the same time "their own authors faithfully affirm / That the land Salic is in Germany" (1.2.40, 41, 43–4). After a lengthy and detailed exposition of this second opinion, Canterbury concludes:

> So that, as clear as is the summer's sun,
> King Pépin's title and Hugh Capet's claim,
> King Louis his satisfaction, all appear
> To hold in right and title of the female;
> So do the kings of France unto this day,
> Howbeit they would hold up this Salic Law
> To bar your highness claiming from the female,
> And rather choose to hide them in a net
> Than amply to embar their crookèd titles,
> Usurped from you and your progenitors.
>
> (1.2.86–95)

[1] William Shakespeare, *The Life of Henry the Fifth*, in *The Norton Shakespeare: Based on the Oxford Edition*, ed. Stephen Greenblatt et al., 2nd edn. (New York: Norton, 2008). All citations are from this edition.

Despite Canterbury's intentions, the speech reveals not a conclusion "as clear as is the summer's sun," but rather the inherently constructed, even artificial nature of genealogical narratives. The basis for Canterbury and England's claims stems from the disputed authority at the heart of the law, a dispute that foregrounds the interpretive process central to genealogical right. This process would be played out for Shakespeare's contemporaries in dramatic fashion a few years after *Henry V* was first published in quarto, as "would-be royal genealogists" such as John Speed and others were "busy in the first years of the new reign, tracing the ancestry of James VI and I."[2] But even before James's accession, late sixteenth-century England witnessed a well-documented "craze" for genealogies across the social spectrum. As D. R. Woolf notes, however, "[h]eraldic and genealogical materials, like other forms of the past in early modern England, were socially circulating commodities, continuously in a process of revision, not a set of static historical 'facts' intended to advance the development of scholarship."[3] Canterbury's story is thus not so much a disingenuous ploy to justify war with France as it is a perfect example of the commonplace "genealogical creativity"[4] of Tudor and Stuart England that understood lineage as a rhetorical, revisable construct rather than a fixed set of principles.

The problem posed by the Salic Law in Canterbury's description is notably also a problem of geographical space. The "Salic land" has been "unjustly gloss[ed]" by the French as being part of France rather than Germany, meaning that the succession is legitimized (or not) by the dictates of physical boundaries of land rather than blood. Lineage in this narrative is thus subject to and determined by spatial parameters as much as by temporal ones, an idea reinforced by Canterbury and Henry's repeated use of the verb "to bar" and its variants to characterize the unjustified physical exclusion of England from the French line of descent – as if the French were literally barring Henry from a tangible structure. The French hold only "crookèd titles," and to maintain them they "choose to hide them in a net," willfully obscuring the English's right to rule. The linear, hereditary progression that secures royal lineage is here disrupted by both geographical contingencies and deliberate diversions that cover over and obscure the clarity of succession.

[2] D. R. Woolf, *The Idea of History in Early Stuart England: Erudition, Ideology, and "The Light of Truth" from the Accession of James I to the Civil War* (Toronto: University of Toronto Press, 1990), 63.
[3] D. R. Woolf, *The Social Circulation of the Past: English Historical Culture, 1500–1730* (Oxford: Oxford University Press, 2003), 105, 121.
[4] This phrase is Woolf's: see *Social Circulation of the Past*, 127–33.

The spatial aspects of succession alluded to in Canterbury's speech are reinforced by the interactive dramatic fiction of which the speech is a part. The speech, that is, functions differently from a prose or chronicle account of similar events – a listing of "begats," for instance, or a descriptive summary of genealogical succession. Unlike a genealogical table or annal, which often foregrounds "qualities rather than agents, figuring forth a world in which things happen to people rather than one in which people do things,"[5] dramatic narrative is embodied, multidimensional, and rife with personalities and passions. While the immediacy of drama engages the audience in the present moment of onstage action, making historical events, for instance, vividly alive onstage, the spatial dynamics of the Renaissance stage also invite the audience to extend their imaginations to encompass what is *not* staged – actions that take place prior to or in a different place than the onstage scene, for example. It is this kind of imaginative flexibility that enables the theater to interrogate the mutability of inheritance patterns in particularly powerful ways.

We can see this kind of flexibility at work in Canterbury's speech. The structure of the speech both replicates and critiques the French claim and reveals something significant about the nature of lineage itself as a foundational legal, cultural, and historical concept in the period. On the one hand, Canterbury's monologue makes a linear progress beginning with Pharamond and concluding with Henry's purported hereditary rights, connecting one generation of rulers to the next via the expected workings of heterosexual reproduction ("being descended / Of Blithild, which was daughter to King Clotaire" [1.2.66–7]; "sole heir male / Of the true line and stock of Charles the Great" [1.2.70–1]). The additive nature of this list lulls the audience into a sense of inevitability; like father (or mother), like son. But such an impression of predictability belies the fact that the majority of Canterbury's examples are actually counterexamples, rulers who sought to color their titles with "shows of truth" though in actuality their claims to the throne were "corrupt and naught" (1.2.72, 73). What is more, the frequent use of appositives in the speech ("which deposèd Childéric" [65]; "who usurped the crown" [69]) continually directs our attention away from a neatly organized linear progression through time toward a series of diversions that amplify or complicate the storyline. Indeed, crucial information is often squirreled away in these appositives, such as the highly suggestive reference to the "holding in disdain the German women / For

[5] I take this description from Hayden White's account of medieval annals in *The Content of the Form: Narrative Discourse and Historical Representation* (Baltimore: Johns Hopkins University Press, 1987), 10.

some dishonest manners of their life" by "certain French" (1.2.48–9, 47). Such comments invite speculation on the part of the audience and elicit an interactive engagement with the genealogical story being told. With each appositive, the audience is temporarily encouraged to imagine offstage personages and stories that exist in contrapuntal relationship to the action onstage. The path to rightful succession is littered with the traces of unseen yet highly potent agents who unsettle the narrative Canterbury wishes to tell. Dramaturgically, then, the speech models the ideal inevitability of hereditary succession via linear progression and at the same time subtly disrupts that pattern by acting on the impulse to explain "who" and to articulate the relationship between people at each juncture. This push/pull structure of the speech – which produces both its verbal complexity and its unintended humor – embodies a tension between linear clarity on the one hand and dispersal, diffusion, and variation on the other that, as I will demonstrate in the pages that follow, was central to discussions about lineage and inheritance throughout the early modern period.

Canterbury's explication of Henry's right to the French throne highlights the competing genealogical narratives that underwrite royal succession and legitimacy and the distinctive ability of dramatic narrative to evoke those uncertainties. Much has been written in this regard about the politics of English royal genealogy throughout the literature of the sixteenth and seventeenth centuries,[6] and certainly the debate about Henry's claim to the throne in Shakespeare's play would have struck a chord with audiences anxious about the succession in the final years of Elizabeth's reign.[7] But the frictions within Canterbury's speech also attest to the uncertainties that subtend a broader socioeconomic range of lineage and inheritance practices in the period. As the Salic Law speech demonstrates, lineage is fundamentally about narrative, about the stories we tell about who will inherit or who will come next. As a narrative construct, lineage is well suited to the realm of fiction or literature, textual forms

[6] See for instance: Jean E. Howard and Phyllis Rackin, *Engendering a Nation: A Feminist Account of Shakespeare's English Histories* (London: Routledge, 1997); Lisa Hopkins, *Drama and the Succession to the Crown, 1561–1633* (Farnham, England: Ashgate, 2011); Erin Murphy, *Familial Forms: Politics and Genealogy in Seventeenth-Century English Literature* (Newark: University of Delaware Press, 2011); Howard Nenner, *The Right to be King: The Succession to the Crown of England, 1603–1714* (Chapel Hill: University of North Carolina Press, 1995); and Su Fang Ng, *Literature and the Politics of the Family in Seventeenth-Century England* (Cambridge: Cambridge University Press, 2007).

[7] On the connection between the Elizabethan succession controversy and the Salic Law speech in *Henry V*, see Katherine Eggert, *Showing Like a Queen: Female Authority and Literary Experiment in Spenser, Shakespeare, and Milton* (Philadelphia: University of Pennsylvania Press, 2000), 80–99, and Sarah Hanley, "The Salic Law," *Political and Historical Encyclopedia of Women*, ed. Christine Fauré (New York: Routledge, 2003), 10.

adept at showcasing the mutability of patterns of wealth transfer and descent. But dramatic narrative tells a unique story of its own, one that is particularly proficient at exploring the competing narratives and multiple possibilities that characterized patrilineage in the period – a system that was rigid in theory but often much more fluid in historical practice. Drama of the period often juxtaposes the teleological plot implied by the ideal functioning of patrilineal inheritance (the seductive inevitability of Canterbury's speech) with those inevitable events – such as the death of children or the misbehavior of male heirs – that commonly disrupt that plot. In doing so, a speech such as Canterbury's does not simply reveal discrepancies in the discourse of rightful succession; in laying bare these competing narratives, these moments in the drama also test out and assess the validity of different models of genealogical legitimacy, making visible new conceptual possibilities. By staging variant models of patrilineal practice and the affective idiosyncrasies that frequently trouble the theoretical ideal (the digressive appositives in Canterbury's narrative), Renaissance drama invites its audiences to imagine how the practical contingencies that complicate inheritance practices might be reworked in order to make room for new formulations.

The Dynamics of Inheritance on the Shakespearean Stage investigates this process, offering a new understanding of how the theater, England's most vibrant cultural institution in the Renaissance, shaped attitudes about primogeniture, one of the country's most long-standing economic systems. Beyond discussions of royal succession and England's kings and queens, there has not yet been a sustained investigation of primogeniture in early modern drama. But the early modern theater, a commercial enterprise itself intimately invested in the problematics of wealth transfer and the conflicts of personal interest, found ample opportunity to stage the potential ramifications and limitations of this powerful cultural institution. Indeed, Renaissance drama often capitalizes on the pervasive messiness of inheritance, on how the teleological plot implied by patrilineality can be disrupted or diverted. Theatergoers were regularly entertained by tragedies that highlighted competing claims of legitimate governance, by comedies set in London that featured legacy hunters and tricksters who sought to swindle the rich out of their inheritances, and by tragicomedies that placed lost children and dynastic crisis center stage. This dramatic interest in inheritance is not altogether surprising; failed or threatened patrimony, after all, can make for excellent drama. But playwrights also used the inheritance plot to reimagine unstable models of socioeconomic identity in the period. As I argue throughout this study, the early modern theater played

a unique and vital role in shaping how patrilineage was understood, animating the tensions between ideal and practice that fundamentally defined the patrilineal system. And by putting pressure on the transitional aspects of inheritance – the instabilities raised through moments of generational transfer and property exchange – the drama imaginatively expanded the terms through which inheritance itself was knowable as a cultural practice.

Moving from the end of the sixteenth century to the early Restoration, spanning dramatic genres from tragedy to city comedy, and considering well-known plays such as Ben Jonson's *Volpone* and neglected ones such as John Fletcher's *Monsieur Thomas,* I argue that in negotiating the discrepancies between the presumed (and largely theoretical) stability of primogeniture and the social, economic, and geographical fluidity increasingly necessary to England's economy, the theater helped imagine new models of socioeconomic interaction and new forms of genealogical knowledge-making. In repeatedly enacting a human drama that perforates the ideal of patrilineal order, the theater productively estranges normative legal postures, articulating new relationships among family, wealth, and dramatic fiction. As a result, the drama also brings into visibility specific modes of individual and collective authority made possible, and even necessary, by the instability of England's patrilineal economy. By investigating dramatic representations of troubled patrimony and the rhetorical and dramaturgical strategies playwrights used to interpret the idiosyncrasies within England's system of patrilineage, I demonstrate that more than simply exposing the fractures within patrilineage, the early modern theater imaginatively showcases the possibilities those fractures enable, making room for an expanded range of options for subject formation, familial structure, and methods of wealth transfer. Early modern drama, in other words, helped to reimagine the very methods and agents through which patrilineal order could be construed. In tracing this process, *The Dynamics of Inheritance* demonstrates Renaissance drama's previously unacknowledged contribution to the complex and often contradictory discourse of English inheritance.[8]

The common-law doctrine of primogeniture, which stipulated that the eldest son inherited the entirety of his father's estate and title, was one of the most potent forces shaping social and economic order in early modern England. Far from being merely a legal abstraction, patrilineality was a social structure with very real, quotidian consequences for English families,

[8] I use the terms "lineage" and "inheritance" to refer to both genealogical transmission (in the forms of descent and succession) and wealth transfer (most notably the exchange of lands and goods), as these two aspects of social reproduction are crucially interrelated.

affecting not only wealth and property transfer but also the interpersonal exchanges between individuals. Primogeniture was, in the words of one historian, "the prime factor affecting all families which owned property," as it "went far to determine the behavior and character of both parents and children, and to govern the relationship between siblings."[9] From this point of view, "no study of the English landed family makes any sense unless the principle and practice of primogeniture is constantly borne in mind."[10] In addition to determining rightful succession and property rights, primogeniture established a paradigmatic form of social, political, and gendered order that had a profound impact on English culture. Ideally, a patrilineal system helped guarantee stasis and durability by avoiding property dispersal and ensuring the solidity of the male family line: estates would remain intact rather than being dismantled or divided into smaller units, and the succession of one son to the next would ensure the continuity of the family name and patrimony. Such a system helped maintain patriarchal power through sociospatial means: it prevented the dissolution of estates and guarded against the vulnerability that arises at the point of transition between one generation and the next.

However, as powerful a cultural and economic ideology as it was, patrilineage in England was never absolute in either force or application. There were numerous exceptions to the common-law ideal, and practical realities ranging from demographic anomalies to personal whims produced an array of variations on the legal norm. As we will see in more detail in Chapter 1, socioeconomic changes that had taken hold by the late sixteenth and early seventeenth centuries in England further distanced the ideal of patrilineage from its more disjointed reality. In particular, the sociospatial order that primogeniture was intended to secure was frequently disrupted by the increased mobility of goods and peoples that characterized early modern English society. Primogeniture was established to manage the fundamental conflict between stability and dislocation that always attends gendered transfers of power and wealth. It was designed to facilitate the consolidation of goods and peoples by guarding against impulsiveness, fluidity, and the dilation that accompanies any movement away from the patriarchal family line. But protecting the patrilineal economy from excessive movement and fluidity grew increasingly difficult during the early modern

[9] Lawrence Stone, *The Family, Sex, and Marriage in England, 1500–1800* (New York: Harper and Row, 1977), 87–8.

[10] Amy Louise Erickson describes primogeniture in England as "the most familiar aspect of inheritance prior to the twentieth century." See "Family, Household, and Community," in *The Oxford Illustrated History of Tudor and Stuart Britain*, ed. John Morrill (Oxford: Oxford University Press, 2011), 93.

period. The seventeenth century witnessed a notable increase in England's economic and geographical expansion, a much higher incidence of social and geographical mobility (including travel abroad), and the dispersal of many family estates as a result of domestic migration, financial instability, and a highly volatile land market. All of these developments put pressure on patrilineal inheritance, in large part because they exposed the fact that flexibility and movement were increasingly vital to the maintenance of patrilineal order in England's growing proto-capitalist mercantile economy. Amid these socioeconomic changes, a greater degree of elasticity and mobility – whether in the form of foreign mercantile ventures or a more expansive network of domestic kinship relationships – was needed in order to preserve landed estates.

Inheritance, to be sure, is usually understood in terms of temporality; families seek to maintain their wealth and social positions over time, through a chronological line of descent. But, as we can glimpse in Canterbury's Salic Law speech, and as I will argue in more detail in Chapter 1, central to patrilineage as both a theoretical and a practical ideology in early modern England was a distinct sociospatial tension between stability and displacement. In *The Dynamics of Inheritance* I bring a new dimension to our understanding of inheritance by demonstrating that spatiality was just as central to conceptions of patrilineage in the period as was temporality. The significance of space to inheritance becomes particularly clear when we look at the drama. As a medium that thrives in and through embodied interrelationships – those between actor and audience and between actor and actor – the theater is noteworthy for its emphasis on corporeal exchanges that vivify and extend the text of the play itself. The corporeality of the early modern theater, specifically the continual interchange it set in motion among stage, offstage, and audience, meant that it was uniquely positioned to explore the spatial tension between stasis and volatility that characterized early modern inheritance practices. It is this distinctive relationship between the theater and the patrilineal economy that I trace in the pages of this book.

The theater and spatial rhetoric

The early modern theater was a dynamic social institution, a marketplace of ideas that played a crucial role in the processes of ideological development and cultural change. Simultaneously at the vanguard and the margins of London society, the public theaters thrived within the same socioeconomic setting that transformed understandings of patrilineage in

the period. The establishment and popular success of England's first professional, purpose-built theaters depended in concrete ways on the rise of social and geographical mobility, a trend that brought more potential playgoers to London and ensured a demographically diverse audience for recreational pursuits. The growth of England's mercantile economy and the increased emphasis on risk and investment that spurred much of the literal and more symbolic movement away from rural estates directly contributed to the initial development of London's professional theatrical companies. Perhaps most significantly, the commercial theaters were the product of the same divergent, even contradictory, economic impulses that produced strains within inheritance practices in the period. Just as legal and didactic literature on inheritance articulated a friction between stability and mobility that fundamentally shaped perceptions of patrilineage in early modern England, the professional theaters were in many ways caught between older and newer models of labor and production that similarly encoded spatially distinct forms of socioeconomic interaction. London's theaters were as much indebted to traditional guilds for their hierarchical organizational structure as they were to the more abstract and diffuse market economy for their financing. The fictions that emerge from these theaters bear the clear traces of this hybridity, as drama of the period stages and offers creative solutions to the quotidian skirmishes and messy inconsistencies that marked this moment of social transformation.

Institutionally, the London theaters had an even more specific connection to inheritance, in that the management of theater companies necessarily involved the purchasing and leasing of land and playhouses and the management of wealth in the form of theatrical profits. As theater historians have shown, the inheritance of company shares and theatrical profits was often a contentious matter. In 1623, for instance, Susan Baskerville, the widow of Thomas Greene, one of the principal sharers in the Queen Anne's Company, took several other members of the company to Chancery in order to enforce her financial claims.[11] Dramatists of the period would thus have been particularly well acquainted with the socioeconomic instabilities of the patrilineal system, making the theater an especially potent site for exploring the fissures within inheritance practices. The urban setting of the professional theaters is also significant in this regard. In London,

[11] See Andrew Gurr, *The Shakespearean Stage, 1574–1642,* 4th edn. (Cambridge: Cambridge University Press, 2009), 56, and Natasha Korda, *Labors Lost: Women's Work and the Early Modern English Stage* (Philadelphia: University of Pennsylvania Press, 2011), 60. On the finances of the early modern playing companies more generally, see William Ingram, *The Business of Playing: The Beginnings of the Adult Professional Theater in Elizabethan London* (Ithaca, NY: Cornell University Press, 1992).

inheritance was governed by borough law, a legal system separate from the common law that typically allowed for a wider range of possibilities in regard to wealth transfer, a topic discussed in more detail in the following chapter. London's borough law, for instance, allowed for partible inheritance, a process by which all children in a family (male or female) could inherit equally. Physically situated in London, the theaters were thus ideally positioned to interrogate the mechanisms of patrilineage and to explore the various forms of wealth transfer and family maintenance that existed both within and apart from the common law.

But extraliterary historical circumstances offer only a partial explanation of early modern drama's engagement with the messiness of inheritance. Renaissance drama as a genre also has distinctive properties that make it particularly well suited to this task. As a multivocal medium, the theater produces entertainment by staging debate, dissention, and contrary opinions. Drama is a medium of action and conflict that trades in the exploration of contingencies and dilemmas of all kinds. As a result, plays are especially good vehicles for exploring two things of particular interest to me in this study: the discursive contours of subjectivity and the role of cultural fantasy in socioeconomic change. In exploring conflict through the vagaries of dramatic characterization, the theater draws heightened attention to the range of subject positions and forms of individual and collective identity obscured in the strict legal articulation of primogeniture. As Jean-Christophe Agnew puts it: "The drama showed, as no other genre could, how precarious social identity was, how vulnerable to unexpected disruptions and disclosure it was, and therefore how deeply theatrical it was."[12] But the theater does more than merely reflect the malleable nature of identity; it also imagines new conceptual possibilities for socioeconomic behavior.[13] If individual social identity was mutable and theatrical, then so was the situatedness of individuals vis-à-vis lineage and wealth transfer. Patrilineage proposed a structure of familial and economic order, to be sure, but it did not delimit the precise nature of the relationships among family

[12] Jean-Christophe Agnew, *Worlds Apart: The Market and the Theater in Anglo-American Thought, 1550–1750* (Cambridge: Cambridge University Press, 1986), 112.

[13] Although I am primarily interested here in Agnew's understanding of the connection between theater and identity, scholars have also in recent years revisited and complicated Agnew's highly influential argument that the early modern theater functioned as a laboratory for new economic relationships. See for instance Amanda Bailey, *Of Bondage: Debt, Property, and Personhood in Early Modern England* (Philadelphia: University of Pennsylvania Press, 2013); Douglas Bruster, *Drama and the Market in the Age of Shakespeare* (Cambridge: Cambridge University Press, 1992); Jonathan Gil Harris, *Sick Economies: Drama, Mercantilism, and Disease in Shakespeare's England* (Philadelphia: University of Pennsylvania Press, 2004); and Theodore Leinwand, *Theatre, Finance, and Society in Early Modern England* (Cambridge: Cambridge University Press, 1999).