

Quentin Skinner's *Forensic Shakespeare*

Reviewed by Richard M. Waugaman

Published by Oxford University Press in 2014, *Forensic Shakespeare* will interest Oxfordians for several reasons. New discoveries about Shakespeare often expose further weaknesses in the traditional authorship theory, and inadvertently lend support to de Vere as the real “Shake-speare.” That is the case with this book. Quentin Skinner is not primarily a Shakespeare scholar. Those who come to Shakespeare from other disciplines often make fresh observations, since they are less constrained by the groupthink of mainstream Shakespeare scholars. Skinner significantly expands Shakespeare’s literary sources, which undermines the false Stratfordian notion that Shakespeare was relatively unlearned. This review will focus especially on Skinner’s discovery that the Roman rhetorician Quintilian (c. 35-c.100 CE) had a crucial influence on how Shakespeare structured several of his works. Further study of Quintilian reveals numerous passages that may have inspired de Vere.

Skinner is an intellectual historian who serves as Professor of Humanities at Queen Mary University in London. He spent four years at the prestigious Institute for Advanced Study in Princeton in the 1970s. This is his first book on Shakespeare. One of his previous books explored the rediscovery of ancient Roman rhetoric and its impact on Renaissance Italy. Most of his previous books are on early modern political history. His *The Foundations of Modern Political Thought* (1978) was named by the Times Literary Supplement as one of the 100 most influential books since World War II.

Since the anonymous *Arte of English Poesie* (1589) – which was probably written by de Vere – was only the sixth book in Early English Books Online (EEBO) to cite Quintilian,¹ Skinner’s findings help support de Vere’s authorship of that influential Elizabethan book on rhetoric.² In a forthcoming article, I will outline my reasons for thinking that de Vere also translated Johann Sturm’s 1549 treatise on rhetoric as *A Ritche Storehouse or Treasurie for Nobilitye and Gentlemen* (1570).

Before going any further, I would like to cite previous reviews of Skinner’s book, in order to establish that many of his conclusions have been accepted by Stratfordians. Andrew Hadfield, former editor of *Renaissance Studies*, calls Skinner’s book “powerful and important.” He adds that “some might wish that Skinner had attempted to explain

why Shakespeare paid such close attention to rhetorical techniques and argument...” (review in online *Irish Times*, March 7, 2015). Hadfield would not find this surprising if he shared my assumption that de Vere wrote or translated two books on rhetoric. Another reviewer, Richard Hull, in *The Review of English Studies* (vol. 66, 777-778, 2015), acknowledges that Skinner’s book “adds up to a remarkable account of Shakespeare’s engagement with classical rhetoric.”

Brian Vickers, in his review, calls Shakespeare “the greatest practitioner of rhetoric in English literature” (*Common Knowledge* 22:322-323, May, 2016). Vickers does not end his sentence, though, before hastily adding that Shakespeare learned about rhetoric in the Stratford grammar school. (We respectfully disagree.) David Wooton, in the *New York Review of Books* (December, 2014), faults Skinner for emphasizing judicial rhetoric at the expense of early modern legal history. Yet Stratfordians themselves are forced to conjecture that Shakespeare knew so much about law because he was a party to so many lawsuits; or even that he “must” have worked as a law clerk during his Christ-like “lost years.”

Skinner’s book is organized around the various stages of a judicial argument: beginnings, judicial narrative, confirmation, refutation, and the peroration, or rhetorical conclusion. As a result, somewhat confusingly, the same plays are discussed in several chapters.

Skinner maintains that the structure of the *Rape of Lucrece* and seven of Shakespeare’s plays are heavily influenced by principles of judicial rhetoric, as spelled out in both classical and Renaissance treatises. Whether or not Shakespeare’s audience and readers recognized these sources, Skinner believes they still helped Shakespeare “get his imagination on the move”(2). Skinner names Cicero, the anonymous author of *Rhetorica ad Herennium* (c. 80 BCE) and Thomas Wilson, author of *Arte of Rhetorique* (1553) as crucial sources for Shakespeare’s approach to rhetoric. The book also has dozens of references to Quintilian’s *Institutio Oratoria*. Skinner is adding significantly to our still inadequate understanding of Shakespeare’s immense literary sources.

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The most recent compilation of these literary sources, Stuart Gillespie's *Shakespeare's Books* (London, Continuum, 2001) fails to include either Wilson or Quintilian.

Despite Skinner's focus on judicial rhetoric, he seems poorly informed about Shakespeare's legal knowledge. He fails to cite George Greenwood's classic studies on this topic (e.g., *Shakespeare's Law*, 1920). So he claims that some scholarship on this topic has tended to "exaggerate the extent of Shakespeare's legal competence" (7). Most Stratfordians must instead underestimate his legal knowledge, or undermine the credibility of their authorship theory. Skinner is aware that he risks incurring the wrath of the Stratfordians if he implies a degree of learning in the author that seems inconsistent with the legendary authorship theory. He tries to "forestall egregious questions about how the classical learning I attribute to [Shakespeare] could possibly have been attained by a mere grammar school boy." His preemptive answer? With Stanley Wells-like tortured syntax, he asserts that "there is nothing in the erudition displayed in any of the plays I discuss that could not readily have been acquired from an education of precisely the kind that Shakespeare would have received" at the Stratford grammar school (10). Again, we respectfully disagree.

Skinner makes the plausible case that Renaissance thinkers "were prepared to treat the rhetorical . . . texts of classical antiquity as if they were contemporary documents . . . [There was] an extraordinarily strong sense of cultural continuity with which the humanists confronted their classical authorities" (26). By asserting that Shakespeare was indeed a Renaissance humanist, Skinner gives the lie to a core Stratfordian misconception. As stated by Stanley Wells, it holds that Shakespeare "was not all that learned" (interview in documentary film *Last Will. and Testament*), so his alleged grammar school education and supposed inborn genius would have sufficed.

Skinner notes that, as early as *Lucrece*, Shakespeare "became deeply interested in exploring . . . problems about guilt and responsibility" (51). It was in *Hamlet* that he showed a "deeper preoccupation with the theory of forensic eloquence" (55). We are accustomed to linking Horatio with Oxford's cousin Horace de Vere. Skinner has a different theory, although it does not contradict ours. He reminds us that Cicero holds that two qualities allow us to speak persuasively: ratio (reason) and oratio (powerful speech). Horatio's name, combining both, is for Skinner one of the reasons Hamlet chooses him to tell his story in the future. Polonius appears so ridiculous partly because he comically manages to botch the rules of rhetoric; he is "a model of technical incompetence" (189). De Vere is especially inventive when it comes to skewering his father-in-law. *All's Well*, as it weaves together three narrative strands of forensic argument, "must count as Shakespeare's most spectacular use of judicial rhetoric for dramatic purposes" (63).

Skinner makes a fascinating observation about Shakespeare's typical endings. Rhetoricians all agreed with Quintilian that the *peroratio*, or ending, is when "we are allowed to open up the full flood of our eloquence" (291). By contrast, Skinner notes that

“some of [Shakespeare’s] most intensely forensic scenes come to an end without any such *peroratio*” (302). Further, when Shakespeare does imitate a more conventional rhetorical ending, he does so in a way that undermines rather than strengthens the points being made. For example, Hamlet, in Act 3, Sc. 2 makes what seems like a “deliberately anti-climactic” *peroratio* (303). Shakespeare always resists resolving complexity with simplistic solutions. As Skinner puts it, “It often seems that Shakespeare has a constitutional antipathy towards the conclusive...” (311). Helen Vendler made a similar observation about Shakespeare’s *Sonnets* – when a given sonnet ends with a couplet that sounds proverbial, it suggests that Shakespeare is giving up on trying to solve the problems posed by that sonnet.³

Colin Burrow’s superb book *Shakespeare and Classical Antiquity* (Oxford University Press, 2013) persuasively expands our awareness of Shakespeare’s crucial Latin sources. Skinner describes his book as a supplement to Burrow on the influence of ancient Roman literature on Shakespeare – especially since Burrow does not discuss works of rhetoric. In fact, Burrow alarmed some Stratfordians with his efforts to document Shakespeare’s intimate familiarity with many Latin classics – not only their content, but even their style, which had an important influence on him. Burrow and I have corresponded about the likelihood that Shakespeare, in choosing his words, was always mindful of their Latin etymology, adding deeper levels of complexity to his language. Burrow agreed (July 21, 2014) that “maturity” in Sonnet 60, line 6, might allude to the Latin meaning of “maturare” as “hasten,” and that “saucy” in Sonnet 80, line 7 might allude to the Latin “saucium” as “wounded.” However, Burrow, like Skinner, makes major concessions to the traditional authorship theory. They both want Shakespeare to have learned most of what he knew about the Latin classics in the Stratford grammar school. Refreshingly, though, in a lecture at Washington and Lee University (April 4, 2016), Skinner admitted that he doubts Quintilian was studied in the Stratford Grammar School.

What about Quintilian? Skinner spends so much of his book showing Shakespeare’s familiarity with Quintilian that I soon found myself reading this ancient Roman author. Oxfordians have a plausible explanation for de Vere’s fascination with Quintilian’s contributions to judicial rhetoric: de Vere was trained in law at the Inns of Court. Everything he read – including law – contributed to his artistic creativity. Although Quintilian mentions poets, plays, and actors in passing, his sustained focus is on the education of the ideal orator, who could use his skills in arguing legal cases. Nevertheless, de Vere discerned that Quintilian’s insights about how to influence judges to accept the orator’s arguments could often be adapted to play-writing, with other characters and the audience in the role of the judges.

Let me now turn to some further observations about passages in Quintilian’s *Institutio Oratoria* (*Institutes of Oratory*, c. CE 95) that I believe may have influenced de Vere’s literary works. Quintilian repeatedly returns to the emotions of the audience

as the primary target of the orator. Modern literary theory tries to sever the close connection between the author's life experiences and her literary works. Quintilian, by contrast, would have expected de Vere to draw on his personal experiences in his creative works: "The prime essential for stirring the emotions of others is . . . first to feel those emotions oneself" (location 35442,⁴ quoted by Skinner). Quintilian links the role of figures of speech with appealing to the emotions of the audience: "there is no more effective method of exciting emotions than an apt use of figures" (loc. 40883).

Although he did not know that the emotional center of our brain, our limbic system, sends more neurons to our neocortex than it receives from it, Quintilian did know that our reason is often ruled by our emotions: "the appeal to the emotions [of the judges] will do more, for it will make them *wish* our case to be the better. *And what they wish, they will also believe*" (loc. 35279, emphasis added). Long before Freud, Quintilian knew about our penchant for wish fulfillment. Stratfordians, of course, are expert in appealing to the widespread wish that a lowly commoner wrote the greatest literary works in English. *Anyone* can win that lottery, as it were.

Music has a mysteriously powerful effect on our emotions. Scholars have noted the importance of music in Shakespeare's works. Every play includes music, or references to musical terminology. So de Vere probably resonated with Quintilian's remarks on music – "poetry is song and poets claim to be singers" (loc. 25177); "the art of letters and that of music were once united" (loc. 25453).

One of the most shocking scenes in Shakespeare is Richard III wooing Lady Anne, just after he has killed her husband. Richard's chutzpah here illustrates Quintilian's assertion that "there are some acts which require to be defended with no less boldness than was required for their commission" (loc. 35095). We think of Richard III's several comments made directly to the audience, when Quintilian writes, "We may confer with our audience, admitting them as it were into our deliberations. . . . a device which is one of the greatest embellishments of oratory and specially adapted to win over the feelings [of the audience], as also frequently to excite them" (loc. 40954).

Puck addresses the audience in the final two lines of *MND*. He says, "Give me your *hands*, if we be *friends*,/ And Robin shall restore amends" (5.1.423-24). The King speaks the epilogue to the audience at the end of *All's Well*, "Your gentle *hands* lend us, and take our hearts" (5.Epilogue.6). Similarly, Quintilian writes, "it is at the close of our drama that we must really stir the theatre, when we have reached the place for the phrase with which the old tragedies and comedies used to end, '*Friends*, give us your *applause*'" (loc. 35221, emphasis added in each quotation).

EEBO shows no instances of "mind's eye" before its two occurrences in *Hamlet*. Quintilian wrote "quae non vidistis oculis, animis cernere potestis," or, in English translation, "you can see it with the mind's eye" (more literally, "which you don't see

with your eyes, but you can see with your mind”) (loc. 41387). One thinks of Hamlet’s advice to the players when Quintilian writes that “the orator . . . must rigorously avoid staginess and all extravagance of facial expression, gesture and gait” (25664).

Mark Antony, in his funeral speech, holds up Caesar’s mantle before the crowd, showing the bloody holes made by the assassins’ daggers: “behold/ Our Caesar’s vesture wounded? Look you here,/ Here is himself” (*Julius Caesar* 3.2.195-97). De Vere may have been inspired by Quintilian’s comment that “The impression produced by such exhibitions is generally enormous, since they seem to bring the spectators face to face with the cruel facts. For example, the sight of the bloodstains on the purple-bordered toga of . . . Caesar . . . aroused the Roman people to fury . . . his garment, still wet with his blood, brought such a vivid image of the crime before their minds, that Caesar seemed . . . to be being murdered before their very eyes” (loc. 35078, cited by Skinner).

Skinner observes that Iago, more than any other Shakespeare character, shows that an evil person can misuse rhetorical skills to persuade someone that a malicious falsehood is the truth. Iago manipulates Othello by pretending to want to protect him from his worst suspicions of Desdemona. Iago feigns unwillingness to answer Othello’s growingly insistent questions about Iago’s ostensible suspicions that Desdemona is unfaithful. Quintilian explains this strategy – “The facts themselves must be allowed to excite the suspicions of the judge . . . words broken by silences [are] most effective. For thus the judge will be led to seek out the secret which he would not perhaps believe if he heard it openly stated, and to believe in that which he thinks he has found out for himself” (loc. 41636).

As I mentioned earlier, one of the many reasons that I find Skinner’s book so fascinating is that it dovetails with the likelihood that de Vere wrote the 1589 *Arte of English Poesie*. As Skinner points out, its third part deals extensively with rhetoric, especially figures of speech. By the way, Angel Day’s *The English Secretorie* (1586), dedicated to de Vere, included marginal glosses highlighting rhetorical figures.⁵ It is noteworthy that Day uses the word “coined” in the sense that de Vere seems to have coined it in 1570:⁶ “Such odd coyned tearmes,” referring to an example of a “preposterous and confused kind of writing”(39). Further, in 1592 Day seems to have been the second author, after de Vere in the *Arte*, to use the term “hendiadys” in English. In his 1592 edition, Day included a new section on rhetorical figures.

The hypothesis that de Vere wrote *The Arte of English Poesie* gains support from the connections between Quintilian and the Shakespeare canon, because the *Arte* twice mentions Quintilian by name. Recall that the *Arte* is only the sixth book in EEBO to cite Quintilian. In the second chapter of Book 3, de Vere recommends the use of figures of speech. In that context, he says, “I have come to the Lord Keeper Sir Nicholas Bacon, & found him sitting in his gallery alone with the works of Quintilian before him, in deede he was a most eloquent man, and of rare learning and

wisdom, as ever I knew England to breed” (224).⁷ And, in chapter 9 of Book 3, the author says that “the learned orators and good grammarians among the Romans, as Cicero, Varro, Quintilian, and others, strained themselves to give the Greek words [for figures of speech] Latin names” (241). Further, according to editors Whigham and Rebhorn, the *Arte* uses some seventy of Quintilian’s terms for figures of speech.

Yet another example of Quintilian’s likely influence on the *Arte* was the latter’s focus on dissembling and dissimulation. Chapter 18 of Book 3 repeatedly connects figures of speech with dissembling, dissimulation, and duplicity. The title of chapter 23 of Book 3 begins, “That the good poet or maker ought to dissemble his art” (378). De Vere adds that the role of the courtier “is, in plain terms, cunningly to be able to dissemble” (379). Quintilian may have shaped de Vere’s emphasis here by his statement that “There is also available the device of dissimulation, when we say one thing and mean another, *the most effective of all means of stealing into the minds of men* and a most attractive device” (loc. 40946, emphasis added).

Skinner helps us better understand just how Shakespeare steals into our minds so effectively. I am delighted by Skinner’s book, and I recommend it highly. Skinner accomplished what he set out to do – and so much more.

Notes

- 1 Only 19 books published before the 1616 death of Shakspere cite Quintilian. In sharp contrast, more than 600 books before 1589 referred to Cicero.
- 2 See “The Arte of English Poesie: The Case for Edward de Vere’s Authorship.” *Brief Chronicles: The Interdisciplinary Journal of the Shakespeare Fellowship* 2:121-141 (2010) and also see “The Arte of Overturning Tradition: Did E.K. – a.k.a. E.O. – Write The Arte of English Poesie?” *Brief Chronicles: The Interdisciplinary Journal of the Shakespeare Fellowship* 2:260-266 (2010).
- 3 *The Art of Shakespeare’s Sonnets*. Cambridge, MA, The Belknap Press, 1997.
- 4 My citations from Quintilian are to the Kindle version of his *Complete [surviving] Works*. Delphi Classics, 2015.
- 5 See Robert Sean Brazil. *Angel Day: The English Secretary and Edward de Vere, Seventeenth Earl of Oxford*. Seattle, Cortical Output, 2013.
- 6 In his English translation of Johann Sturm’s *A Ritcb Storehouse*.
- 7 Edited by Frank Whigham and Wayne A. Rebhorn. Ithaca: Cornell University Press, 2007.