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Conjuration and *Coniuratio*: Texts and Conspiracies in Shakespeare's *Julius Caesar*

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Let me juxtapose two contemporaneous early modern positions on the question of oath-swearing. The first is that of Ferdinando Pulton (of Lincolnes Inne, Esquire) in his 1609 treatise on criminal law, *De Pace Regis et Regni*:

The Law of the Realme desirous to trie out truth in all causes called in question before her ... hath in all ages prooued it to bee the best meanes to search out this truth by the othes of honest, lawful, and indifferent persons ... And therefore an othe is aptly termed *Sacramentum*, a holy band, or sacred tie, or godly vow: some do call it *firname[n]tum veritatis*, the foundation & ground of truth; and some other, *vinculum pacis*, a meane of the knot or lincke of peace.

Wee know, that the proofoe of most of our acts, deeds, and writings, doe depend upon the othes of others, and whatsoeuer men do for their owne particular account most certaine, is altogether in most cases uncertaine, unlesse it may be iustified by the othes of others.¹

The second voice is that of Shakespeare's Brutus, from *Julius Caesar*, first published in the 1623 Folio, and first performed, we think, as the opening play at the new Globe in 1599. He is addressing his fellow conspirators on the eve of Caesar's assassination:

No, not an oath. If not the face of men,
The sufferance of our souls, the time's abuse;
If these be motives weak, break off betimes,

¹ Ferdinando Pulton, *De Pace Regis et Regni*, viz. *A Treatise declaring which be the great and generall Offences of the Realme....*, London: Companie of Stationers, 1609, 48v. All further references are cited parenthetically within the text. On the subject of legal oaths in the period in general, see George Fisher, “The Jury's Rise as Lie Detector,” *The Yale Law Journal* 107.3 (December 1997): 585-713, esp. 602-24, and Barbara Shapiro, *A Culture of Fact: England, 1550-1720*, Ithaca: Cornell UP, 2000, esp. 1-34.

And every men hence to his idle bed. ...
 What need we any spur but our own cause
 To prick us to redress? What other bond
 Than secret Romans that have spoke the word
 And will not palter? And what other oath,
 Than honesty to honesty engaged,
 That this shall be, or we will fall for it?²

Shakespeare did not invent this episode; North's translation of Plutarch's *Life of Marcus Brutus* mentions how Caesar's murderers had "never taken othes together, nor taken or geven any caution or assuraunce, nor binding them selves one to an other by any religious othes."³ What he does add is Brutus' explicit objection to the idea of swearing: Plutarch reports the fact without explaining *why* the conspirators remained unsworn.

In light of Pulton's panegyric on the oath, which is not, as far as we can tell, a marginal position,⁴ Brutus' attitude must seem strange: if swearing forges the most "holy band" between people, how can there be any question that these Romans, about to defend the republic against its most pernicious internal enemy, should bind "them selves one to an other" that way? Sigurd Burckhardt has called this speech "free of verbal and metaphorical trickery, so simple, and yet so nobly eloquent;" its "purity," to him, is almost unrivalled in Shakespeare.⁵ Perhaps. By its own overt standard, the unambiguous power of "the word," Brutus' discourse should be pure, the non-oratorical oratory of "a plain blunt man" (3.2.211) – but is it? Syntactically, it gets off on the

² William Shakespeare, *The Tragedy of Julius Caesar* (1623), 2.1.113-6; 122-27. All citations from Shakespeare's plays refer to the *Norton Shakespeare*, ed. Stephen Greenblatt et al., New York: Norton, 1998.

³ Plutarch, *Lives*, trans. Sir Thomas North (1579), excerpted in David Daniell, ed., *Julius Caesar. The Arden Shakespeare*, 3rd series, London: Arden, 1998, 337. Subsequent references to this edition will be cited as "Daniell."

⁴ Pulton bases his work on the treatises and reports of Fitzherbert, Dyer, Coke and others; his book was published for the Stationers' Company in a beautiful, and expensive, folio edition. On the other hand, Pulton was a Catholic who was not allowed to join the bar. He seems to have devoted his life to the study of legal history; his study and collection of legal statutes, first published in 1579, remains one of the most important sources for legal historians of the period.

wrong foot: “if not the face of men, / The sufferance of our souls, the time’s abuse; / If these be motives weak” – the switch from the negative to the positive conditional clause comes as a surprise. It is a break that is mirrored on the level of the argument. Brutus begins by stressing that their “motives” are strong, that they “bear fire enough / To kindle cowards” (2.1.119-20); that is, he focuses on the strength of their *cause*. Then, however, he switches tack: since they are Romans, he says, they need no oath – not the force of their motives, then, but the power of their inherent sense of honor is now his theme. What is truly curious, though, is the claim on which that argument centers: “secret Romans” “will not palter” because, or once, they “have spoke the word” – but have they? Their undertaking, the purpose of their meeting, has not yet been mentioned, Casca’s pointing his sword in the general direction of the Capitol being the most overt indication of what they are up to. These Romans are so secret that they *won’t* speak the word. Brutus’ speech continues in the same register, noble, to be sure, but vague, too, and certainly not free of “trickery:” “what other oath / Than honesty to honesty engaged, / That this shall be, or we will fall for it” (125-7). The referent of their engagement remains obscure – what exactly is “this”? – and so does their bond: without a clear statement of what their aims are, honesty is untethered. There is no standard, at this point, against which to measure it.

Pulton ascribes a quasi-occult force to oaths: “a holy band, or sacred tie, or godly vow ... the foundation & ground of truth ... the knot or lincke of peace” (48v). He derives these last two phrases not from legal, but from theological texts: “*firmamentum veritatis*” is from the Bible (1 Tim 3, 15 – “the church of the liuing God, the pillar and ground of trueth” in the 1560 Geneva Bible); “*vinculum pacis*” is probably from the Latin version of the 1559 *Book of Common Prayer*, from the quinquagesimal collect: “da nobis spiritum tuu[m] sanctum, qui diffundat in cordibus nostris

⁵ Sigurd Burckhardt, “How Not to Murder Caesar,” *Shakespeare’s Early Tragedies: A Collection of Critical*

excellens donum caritatis, uerum uinculum pacis et omnium uirtutum”⁶ (“... the very bond of peace...” in the English original).⁷ It is a frequent phrase in theological discourse; most intriguing, perhaps, for our purposes, is its appearance in Pseudo-Augustine’s 68th sermon (“quomodo per virtutes obviandum sit vitiis; et de miseria infernali”): “contra discordiam veram concordiam et vinculum pacis firmum,”⁸ where it is flanked by statements on false testimony and perjury: “contra falsum testimonium veritatem cordis et oris ... contra perjurium timorem Domini.”⁹ “*Vinculum pacis*” is thus firmly bound up with reliance on God’s word, and on the foremost Christian (or at least Protestant) virtue: *caritas*, charity. The oath, in Pulton’s argument, develops a similar force to that of the sacred text on which it is commonly sworn.¹⁰ Like the Bible, the swearing of oaths is a divine institution: “others doe hold it a ceremonie instituted by God, wherein himselfe is a partie” (48v).

Essays, ed. Mark Rose, Englewood Cliffs: Prentice Hall, 1995, 217.

⁶ *Liber Precum Publicarum seu Ministerii Ecclesiasticae Administrationis Sacramentorum, Aliorumque Rituum et Caeremoniarum in Ecclesia Anglicana*, London: Reginald Wolf, 1560, iiv v

⁷ John E. Booty, ed. *The Book of Common Prayer 1599: The Elizabethan Prayer Book*, Charlottesville: UP of Virginia, 1976, 106.

⁸ *Patrologia Cursus Completus, Series Latina*, ed. J. P. Minge, Paris, 1844-65, vol. 40, 1354-55.

⁹ *Ibid.*

¹⁰ The occult link between God’s word and the power of the oath is literalized in an anecdote from the Earl of Essex’s treason trial: when Walter Raleigh was sworn as a witness against him, the earl strongly objected to the use of a small decimo-sexto Bible for the purpose, so that the procedure was repeated with a folio edition (Lisa Jardine and Alan Stewart, *Hostage to Fortune: The Troubled Life of Francis Bacon, 1561-1626*, London: Victor Gollancz, 1998, 242). On a less spectacular level, this link is also established by the original form of the conventional “So help you God” formula that concludes virtually all early modern oaths: “So help you God and by the contents of this book” (see *The Book of Oaths and the Several Forms thereof, both Ancient and Modern*, London: H. Twyford et al., 1689, 111 and *passim*). Poulton’s formulation, however, goes beyond that customary formula, which situates the power of the oath in the fear that it raises in the swearer: the oath is effective because the taker risks his or her salvation if it is broken (see William Kerrigan, *Shakespeare’s Promises*, Baltimore: Johns Hopkins UP, 1999, 1-49, for an account of this position). Pulton’s belief in the word had lost much of its appeal by the mid-17th century; Thomas Hobbes, in 1651, did not consider “the force of words” strong enough to bind men, and concluded that oaths in themselves “ad[d] nothing to the obligation” (*Leviathan*, ed. by Richard Tuck, Cambridge: CUP, 1996, 99-100). On the development of views about oaths and perjury in the period, see also Keith Thomas, *Religion and the Decline of Magic*, Oxford: OUP, 1971, 44 and 67-68.

In view of this one might suggest that Brutus equivocates – he utters eloquent mumbles (according to the *OED*, the original meaning of “palter”) – because he understands the quasi-occult force, the almost literally religious nature of oaths.¹¹ It would not be proper for the conspirators to swear together, because in doing so they would besmirch the office of the oath, their “course” *is* “too bloody” (161) to be founded on the very “knot or lincke of peace.” But that isn’t quite it: on the contrary, it would be a “stain” on the “even virtue of our enterprise” to suggest that it “did need an oath” (131-5) – the oath itself is odious. Brutus’ line runs precisely counter to Pulton’s: the *absence* of an oath, and therefore, by implication, the absence of God, guarantees the unblemished virtue of the “enterprise.” The entire argument turns on this absence. The rejection of swearing is performed here as a repeated deferral, a gesture toward other, allegedly more honorable, safeguards: the strength of the cause, the unwavering reliability of “honest” Romans, their mutually assured (and insured) honesty, their Roman blood, and, finally, the immutability of their promise (139). What this deferring move obscures is that no promise is ever made, no word ever spoken. Brutus’ replacement of the actual swearing of an oath with oath-like moments or motivations requires that the alternative gestures do not occur either, because in their concrete manifestation, they would reveal either their inadequacy or, more dangerously, their actual similarity to oaths – the distinction between engagement and pledge, or, crucially, word and oath is one that can only be maintained discursively. In their performance, these quasi-ritual acts are too alike, which, given their shared membership of the class of performatives is not all that surprising.¹²

¹¹ North maintained the distinction he found in Plutarch: “never taken othes together ... nor binding them selves one to an other by any religious othes” (Daniell 337). Shakespeare, I would argue, followed the tendency we have observed in Pulton and elsewhere to conflate secular and religious swearing.

¹² See J. L. Austin, *How to Do Things With Words*, ed. J. O. Urmson and Marina Sbisa, Cambridge, MA: Harvard UP, 1975. Austin, rather curiously, does not explicitly discuss the function of oaths.

The fundamental structure of Brutus' rhetorical maneuver here mirrors, as I will argue throughout the rest of this paper, the basic logic of oaths (and, for that matter, of theatrical performance). His statements work by triangulation: the speech depends on an absent referent – Caesar's assassination – for its oratorical power, but it also depends on the continued absence of that referent. As we will see, oaths function the same way. They also defer to a third, unvoiced and unspeakable.

What would it mean for the conspirators to swear, openly, an oath? Quite literally, it would turn them into conjurers. The word still carried its full range of meanings in the 16th century: derived from the Latin *coniurare*, literally, to swear an oath together, it could refer to conspiracy as well as to a bond with spirits. "Conjuring" was also, obviously, the most common word used for the activity of necromancers and exorcists: it was what one did to the devil. There is a close link between Pulton's *sacramentum*, the "foundation & ground of truth" and the activities of wizards, a link that appears particularly intriguing in light of the theological associations that I sketched out above. Furthermore, in the Latin root, *iurare* derives from *ius*, the law. Etymologically, the conjurer, the juror, and the justice are all of one family.

Can we find some common theme, a motivating ground for this family resemblance? There is a sense in which all these terms, more or less overtly, point to an implied or stated third, a necessary referent: one conjures *by*, or *in the name of*, or *with*; one also swears *by* or *in the name of*. The very gesture of the oath points to a shared system of beliefs that goes beyond, and is not contained within, the oath itself.¹³ As William Worthen writes,

¹³ Cf. Andrew Parker and Eve Kosofsky Sedgwick, "Introduction," *Performativity and Performance*, ed. Andrew Parker and Eve Kosofsky Sedgwick, London: Routledge, 1995, 11.

[the] illocutionary ‘I do’ ... gains its force not because it is an utterance of a text, not because the words themselves accomplish an action, but because the ‘I do’ cites and so reproduces an entire genre of performance. ... It is not the text that prescribes the meanings of the performance: it is the construction of the text within the specific apparatus of the ceremony that creates performative force.¹⁴

However analytically acute an insight this might be, we should not lose sight of the fact that it rules out the charismatic power of “the words themselves” that Pulton and at least some of his contemporaries clearly believed in.

This triangular structure – triangular because the effect of any such speech act depends on the citation of or the gesturing toward a third – can be found in law as well. Jurisprudence is centrally concerned with the letter and the spirit of the law, the latter a metaphor that neatly reverses the relationship between the two terms in demonological conjuring: there, the letter gives rise to the spirit; in the law, the spirit generates the letter as its own imperfect embodiment.¹⁵

The act of (con)juring, then, is an act gesturing beyond itself, pointing, or signaling – as in the title of Robert Turner’s *Ars Notoria: The Notory Art of Solomon*. “Notory” literally means “dealing with marks or signs,” as the *OED* informs us. Solomon’s art is both the craft of reading and using signs, if not necessarily that of *understanding* them, and the art of signaling, of invoking, and consequently, of conjuring (and let us not forget that Solomon was a judge as well as a magician). The book promises to explain “the great Power and Efficacy of Words in the Works

¹⁴ William Worthen, “Drama, Performativity, and Performance,” *PMLA* 113 (1998), 1097.

¹⁵ Although there is a further twist, of course, especially in the common law tradition – however ostentatiously the law there is said to derive, at least partly, from non-written sources, the *lex non scripta*, the distinction between non-written law (passed down from “time immemorial”) and the written statutes appears impossible to maintain in practice. See Matthew Hale’s *History of the Common Laws of England*, London: E. Nutt, 1716, for an example of the collapse of this opposition; and Richard Helgerson, *Forms of Nationhood: The Elizabethan Writing of England*, Chicago: U of Chicago P, 1992, 63-105, for a lucid analysis of the problem of writing the law in 17th-century England. Cf. also Richard Ross, “The Commoning of the Common Law: The Renaissance Debate over Printing English Law, 1520-1640.” *University of Pennsylvania Law Review* 146 (January 1998), 323-461.

of Nature.”¹⁶ Words, in Turner’s occult account, are objects of study: the “operation of these orations” depends on the students “pronounc[ing] them as it is written” (6); they are also essentially incomprehensible tools: “we acknowledge, That these Orations cannot be expounded nor understood by humane sense” (11). The power of the text here does expressly not reside in its meaning, which can “be comprehended in a very few words” (6-7); the “Vertue” of the words “doth happen and proceed from their pronounciation” (7). Turner makes it explicit that the Hebrew words he lists merely stand for that which cannot be grasped, but which also can only be attained through the ritual pronounciation of the magic words. This comes close to Worthen’s account of the citational character of performatives, but it retains a firm belief in a force inherent in the word itself.

Looking back at Pulton now, we might perceive a similar movement in his account of the oath: “Wee know, that the prooffe of most of our acts, deeds, and writings, doe depend upon the othes of others, and whatsoeuer men do for their owne particular account most certaine, is altogether in most cases uncertaine, unlesse it may be iustified by the othes of others” (48v). If every individual’s actions are “altogether ... uncertaine,” the witness’ statement in itself is just as unreliable as the action to which s/he testifies – the fact that two people say the same thing emphatically is not where Pulton locates the source of truth. Certainty, in his account, springs from the “othes of others” – not from whatever a witness deposes, but from the fact that it is spoken under oath. The words of the oath, then, function analogous to the cabalist’s sacred signs: their “Vertue” depends on where and when (and by whom)¹⁷ they are spoken; they require exact

¹⁶ Robert Turner, *Ars Notoria: The Notory Art of Solomon*, London: J. Cottrel, 1657, C3r. All subsequent references are cited parenthetically within the text.

¹⁷ Pulton is adamant about this: not everyone is fit to swear. “So shee [that is, the law] retaineth a vigilant and carefull eye, that those othes be taken by men of sinceritie of life, and maturitie of iudgement, persons not stained with Periurie, or other greeuous or foule offences” (49r).

repetition, and their power is not inherent in the meaning of those words. That analogy is almost palpable in an anecdote from Edward Coke's *Third Part of the Institutes of the Laws of England* (1644):

A man was taken in Southwark with a head and a face of a dead man, and with a book of Sorcery in his Male, and was brought into the Kings Bench before Sir *John Knevett* then Chief Justice: but seeing no indictment was against him, the Clerks did swear him [marginal note: *Some think this should be the Oath of Allegiance*], that from henceforth he should not be a Sorcerer, and was delivered out of prison, and the head of the dead man and the book of Sorcery were burnt at *Tutthill* at the costs of the prisoner. So as the head and his book of Sorcery had the same punishment, that the Sorcerer should had by the ancient law, if he had by his sorcery praied in aid of the Devill.¹⁸

One set of words exorcises another, “fire drives out fire” (*JC* 3.1.171). The oath, in Coke's time, obviously ought to be the oath of allegiance, a formula that openly yoked state and religion together, and bound the swearer both to his or her temporal and spiritual lord. More importantly, the oath is *not* a solemn promise to abstain from sorcery; it is a seal placed on that promise, but not identical with it – note the punctuation: “swear him, that from henceforth.” The oath guarantees the permanence of the character reformation, but it does not describe or include it. This is also true of the function of the oath of supremacy in the Elizabethan “Act against Jesuits, seminary priests and such other like disobedient persons” (27 Eliz. I, c. 2) of 1585, which provided the opportunity for dissenters to exculpate themselves by taking the oath before a bishop or Justice of Peace and “by writing under his hand confess and acknowledge and from thenceforth continue his due obedience unto her Highness' laws.”¹⁹ The oath drives out the former, illicit confession of faith; but note the circular movement of the ritual: from a written text that is voiced (the oath) back to a written confession and acknowledgment of the very same attitude that the oath supposedly confirmed in the first place. The state seems to require a written record of the effect of the oath: although the document records an outcome enabled by swearing

¹⁸ Edward Coke, *The Third Part of the Institutes of the Laws of England*, London: M. Flesher, 1644, 44-45.

¹⁹ G. R. Elton, ed., *The Tudor Constitution*, Cambridge: CUP, 1960, 426-7.

(the subject can now freely confess, even in writing, because s/he has been exculpated, the consequences of confession have been neutralized by the oath), the procedure as a whole seems to require the confession as a necessary supplement. Even as it affirms the occult, nation-healing power of the oath, the Act betrays a sense of discomfort with relying entirely on that force. The document whose production the formula the confessor swears made possible (the confession) serves mainly to reinforce it – the two texts, in a sense, appear to conjure each other.

Oath-swearing, then, like conjuring up spirits, and, in a sense, like the law, posits an occult relationship between a text and its pronunciation. With this, we return to *Julius Caesar*:

‘Brutus’ and ‘Caesar’: what should be in that ‘Caesar’?
 Why should that name be sounded more than yours?
 Write them together: yours is as fair a name:
 Sound them, it doth become the mouth as well.
 Weigh them, it is as heavy: conjure with ’em,
 ‘Brutus’ will start a spirit as soon as ‘Caesar’. (1.2.141-6)

Cassius here raises the idea of conjuring with a name only to dismiss it, ironically – Caesar’s name is no more worthy than Brutus’ precisely because *neither* “will start a spirit.”²⁰ Within the parameters of early modern necromancy, his argument is flawed. As Turner writes, “there are certain Notes of the Notory Art, which are manifest to us; the Vertue whereof Humane Reason cannot comprehend” (6). The power of a magic word cannot be detected by means of rational inquiry. When Cassius suggests his various methods of comparing the two names – visual, aural, quantitative – he attempts to locate the greatness of Caesar’s name exclusively in the features of the word itself. As we have seen, the word is a necessary, and

²⁰ This is also Daniell’s reading of the line; see *Julius Caesar*, 173n.146.

crucial, part of the act of conjuring, but it is impossible to comprehend precisely *how* occult power inheres in it. To an extent, the “virtue” of the name almost seems to depend on the absence of any sign of that force in the word – which does not mean that the formula is accidental, merely that its functional principle is essentially inaccessible. Cassius unwittingly proves the case, except that he gets the final conclusion wrong: “Caesar” might be *materially* equivalent to “Brutus,” but equivalence is not identity – the two names are dramatically different words to conjure with.

If we follow Peter Thompson’s intriguing suggestion that the actor who played Cassius would have doubled as Cinna the poet,²¹ this provides an illuminating connection between Cassius’ belittling of the power of names and Cinna’s fate. The poet is deplorably ignorant of the force of words – deplorably, but not, perhaps, surprisingly so: he is, after all, a writer of “bad verses” (3.3.30). He admits that “truly, my name is Cinna” (27), an admission that “directly”(19, 23) leads to his death: he might not be “Cinna the conspirator” (32) but that is not enough to reduce the potential of his name to conjure up the presence of the other Cinna, a presence that drowns out his own: “It is no matter, his name’s Cinna ... Tear him, tear him!” (33-5).

The conspirators’ ignorance (in Cassius’ case) or fear (in Brutus’) of the charismatic power of proper names proves fatal, of course. Brutus’ underestimation of the relative power of “Rome” and “Caesar” lies at the core of his rhetorical defeat at Antony’s hands. Arguably, his disingenuousness doesn’t help. We have traced above the strategy by which he replaces the swearing of an oath with a gesture toward a word that is never spoken. I also suggested that this

²¹ Peter Thompson, “Rogues and Rhetoricians: Acting Styles in Early English Drama,” *A New History of Early English Drama*, ed. by John D. Cox and David Scott Kastan, New York: Columbia UP, 1997, 330.

strategy follows the same principle as oaths and spells. Brutus' speech does not simply share the logic of conjuration, though: it is an incantation itself. His magic term is "Rome," and the effect of his speech depends entirely on the power of that word to raise the spirit of the ideal, heroic Roman – of whom *every* Roman then becomes an incarnation. The trouble is that Rome is not simply a term, far less a proper name: unlike Caesar, at least after the morning of the Ides of March, Rome has a voice of its own that will assert itself; the material, base stuff of the city will not allow the ideal to survive.²² This is apparent the moment Brutus finishes his address to the plebeians: Rome is an efficient name to conjure with, to be sure; faced with its spirit, no one will assent to being "so base, that he would be a bondman" (3.2.29). But Rome, the city, is moved by Brutus's spell to turn against its own idealization. "Let him be Caesar," the third plebeian shouts; "Caesar's better parts / Shall be crowned in Brutus" (51-2). The speech has only one effect: it turns Romans into willing bondmen.

Brutus, we might say, doesn't quite know what he's doing. Like Goethe's hapless sorcerer's apprentice, he finds that the spirits he has raised ignore his words. Mark Antony, on the other hand, is a consummate wizard: on his own, in soliloquy, he begins his incantation (entirely appropriately, it seems – Turner instructs *his* apprentices to speak the magic orations "secretly; and let him that speaks it be alone, and pronounce it with a low voyce, so that he scarcely hear himself" [13-4]):

Over thy [Caesar's] wounds now I do prophesy ...
 A curse shall light upon the limbs of men: ...
 And Caesar's spirit, ranging for revenge,
 With Ate by his side come hot from hell,
 Shall in these confines, with a monarch's voice,

²² Rome, we might say, is a little like the actual manifestation of texts in "poorly printed" quartos, obscuring and blocking access to the author's ideal script that editors have, for generations, striven to reclaim (or reconstruct).

Cry havoc (3.1.259; 262; 270-3)

Significantly, he casts himself as Caesar's ventriloquists' dummy: the corpses's wounds "like dumb mouths do ope their ruby lips / To beg the voice and utterance of my tongue" (260-1) – unlike Rome's, however, these are *dumb* mouths. They cannot disagree with Antony's "voice". Caesar now really is a name, a name with a body attached to it perhaps, but not controlled by it anymore, disembodied, and easily assimilated into the mechanism of the orator's conjuration. In other words (Plato's), Caesar has become a text "which [is] incapable of speaking in [its] own support, and incapable of adequately teaching what is true."²³

The observation that Caesar becomes a text harks back to our earlier discussion of oaths, charms and the law; but it also highlights a point that hits a little closer to *Julius Caesar's* theatrical home. Every sorcerer needs his books – Caliban knows it well:

Remember
First to possess his books; for without them
He's but a sot ...
Burn but his books. (*The Tempest*, 3.2.89-94)²⁴

But it's not just wizards of Prospero's or Dr Faustus' kind who depend on their texts. In 1612, The Lady Elizabeth's Men filed a complaint against their financier, Philip Henslowe. Not only had he sold some of their costumes; more seriously, "wee have paid him for plaie bookes £200 or thereabouts and yet he denies to give us the Coppies of any one of them."²⁵ The Palsgrave's Men never recovered from the loss they suffered when the Fortune theatre went up in

²³ Plato, *Phaedrus*, trans. C. J. Rowe, Wiltshire: Aris and Phillips, 1986, 126-7 (276c). If we believe Jacques Derrida, this applies to speech as well as writing, of course (see *La Dissémination*, Paris: Editions du Seuil, 1972).

²⁴ See also Thomas, *Religion*: "for some kinds of popular magic books were essential ... The most obvious was the conjuring of spirits" (229). The book found in the culprit's bag in the anecdote from Coke quoted above is obviously relevant here, as is the punishment *of the book* in the sorcerer's place.

²⁵ Quoted in Andrew Gurr, *The Shakespearean Stage 1574-1642*, Cambridge: CUP, 1980, 57-8.

flames in 1621, and went bankrupt four years later: their books had been burnt.²⁶ Players like necromancers (and judges) need texts to conjure with. It is stating the obvious to say that in this, the theatre shares the performative nature of oath and incantation.²⁷ On stage, names mark a very obvious absence (Caesar never entered the Globe), yet they conjure up their referent, even if they never give it a fully embodied form. The man strutting the boards isn't Caesar, he's Burbage or Philips, or another of the Lord Chamberlain's Men, and everybody knows that. But by speaking in Caesar's voice (which isn't Caesar's either, of course, but that of Plutarch, and North, and Shakespeare – “et tu Brute” [3.1.77] is the most obvious illustration of that fact), and by addressing him as Caesar, he and his fellow actors bring the character to a kind of life. Performance scholars have theorized that process as taking place in a collusion between actors and audience – the actor does not literally become the character; rather the character is formed in a third space, between, as it were, spectator and player. In other words, viewers and performers conspire to conjure up a spirit that we know by the name of “character” – all of which makes the theatre seem a less than distant relation of Turner's “notory” art.²⁸

Where Brutus is neither comfortable with theatricality nor good at picking the right script (he's a bit like Ben Jonson in the 1620s), Antony is a master of the art. He turns Caesar himself into his text, performing a maneuver analogous to Shakespeare's own conjuring act – the playwright, after all, takes North's Plutarch as *his* text, and plucks from it the titular name that he is going to conjure with. What is more, when Antony addresses the plebeians, he has his performance literally center on a written document: Caesar's will. He first whips the people into a

²⁶ Ibid. 54 and 233n.41.

²⁷ Austin might seem to argue against this in *How to Do Things With Words*, 22; but see Worthen, “Drama, Performativity, and Performance,” 1093-97.

²⁸ On the theatre as collusion, see Klaus Lazarowicz, *Gespielte Welt*, Frankfurt: Peter Lang, 1997, 97-111; cf. also Martin Esslin, *The Field of Drama: How the Signs of Drama Create Meaning on Stage and Screen*.

frenzy – “The will, the testament!” (3.2.155). Then he descends, and has the people gather round him, a host of groundlings crowding in on the stage. And finally, in the most theatrical moment of his act, he reveals the mutilated corpse of Caesar, cloaked at this point as much in Antony’s narrative of the killing as in his mantle. The famous, utterly hypocritical rhetorical flourish that follows (“I am no orator as Brutus is” etc. [210]) culminates in the most ironic moment of the speech:

For I have neither writ, nor words, nor worth,²⁹
 Action, nor utterance, nor the power of speech
 To stir men’s blood. I only speak right on:
 I tell you that which you yourselves do know,
 Show you sweet Caesar’s wounds, poor poor dumb mouths,
 And bid them speak for me. (214-9)

As we have seen, nothing could be further from the truth: Antony is using the best “writ” around; more importantly, he now, in public, reverses the relationship between Caesar’s wounds and his mouth. Where earlier, the corpse implored *him* to speak for it, so that the moment figuratively encapsulated the silencing of Caesar, the wounds are now imaged as Antony’s mouth. It is an ingenious move. He not only relocates the significance of his discourse within its text – Caesar and his wounds are coextensive with the meaning of Antony’s speech, they are clearly and openly legible – he also figures the wounds as the actual source of his words. Even as he conjures Caesar’s spirit with his name, then, he places the agency that raises that spirit in the dead man’s body. This is a charm so powerful that it needs not be spoken, Antony seems to claim; its very existence alone is enough for it to work.

London: Methuen, 1987, esp. 58, and Marvin Carlson, *Performance: A Critical Introduction*, London: Routledge, 1996, 144-64.

²⁹ This is the *F1* reading. *F2* has “wit”.

No wonder the plebeians forget the other text that has enabled this performance. Antony insists on reading the will, though, and again, he seems to toy with his power: “Why, friends, you go to do you know not what. / Wherein hath Caesar thus deserved your loves? / Alas, you know not” (228-30). He reveals the spirit he has called up as what it is – a figment of his and the plebeians’ historical imagination – only to give it shape and form by enclosing it in the scroll of Caesar’s will.

The will is the second in a series of conjuring texts that Antony uses. It is also the most striking illustration in the play of the connection between the theatre, conjuration, and the law. Speaking of royal proclamations, Harold Love writes,

The king’s word might be law but his warrant was required before action could be undertaken by his servants. These documents were written not printed, and were validated by signatures and seals. On occasion ... they needed to be read aloud in order to have legal force. Here the written document possessed *a latent authority awaiting release by utterance*, rather than one initiated by utterance.³⁰

If this reads like an analysis of Caesar’s will, it equally applies to Shakespeare’s play. Precisely what the relationship between text, voicing, and effect is, and why it is both necessary and compelling, remains as elusive here as in Turner’s notory art or in the awkwardly repetitive procedure prescribed by the anti-Jesuit Act. Again, as with Turner’s magic words, the authority is there, in the text, but it is impossible to actualize until the text is given voice, is being listened to. The parallel with the theatre is obvious: just as the character, latent in the playscript, is an effect of the collusion between player and spectator, between speaker and listener, the legal force of Love’s documents is an effect of the clerk’s voice and the populace’s or the parliamentarians’ presence (they do not, admittedly, have to understand or consent to what they hear – but they

³⁰ *The Culture and Commerce of Texts: Scribal Publication in Seventeenth-Century England*, Amherst: U of Massachusetts Press, 1998, 159. My italics.

must physically attend the reading). In that, they are not unlike Brutus' co-conspirators, not saying the word, but implying its utterance by their presence in the set place at the set time. Every legislative act, from this perspective, appears to partake of the logic of conspiracy.

Antony's reading of Caesar's will seems to perform a similar maneuver. But, as we have seen, it is couched in another script, Antony's own text: the version of "Caesar" that he authors only to remove from it every trace of his authorship. The authority of his text, and in this it differs clearly from royal proclamations, depends on the erasure of his hand. Since Antony, unlike, say, Prospero, has effectively written his own magic book, his Caesar can only be an authentic name to conjure with if Antony won't become visible as its (or his) inventor.³¹ This is precisely the work of the will: it is one conjuring act covering another, more powerful, and ultimately more pernicious one. Once he has performed that, the wizard can lean back and watch the spectacle: "Now let it work. Mischief thou art afoot" (3.2.251).

³¹ Arguably, this is also true of the authors of royal proclamations: these documents rely on the fiction that they were penned by the monarch, not by committees of councilors and secretaries. See Kevin Sharpe, *Remapping Early Modern England: The Culture of Seventeenth-Century Politics*, Cambridge: CUP, 2000, 127-151.