1. To assess whether or not *Hamlet* alludes critically to a newly emerging discourse of state power in the 1590’s involves us in a complex interdisciplinary task.

2. First, in terms of dramatic conventions, the plot of *Hamlet*, like many Shakespearean dramas based on royal history, would require of any playwright frequent use of jurisprudential terms such as sovereign, sovereignty, liege, lord, law, reason, justice, and state. However, Shakespeare’s choices in plot and diction more than simulate “courtly” speech. They imply a critical project carried on in various dramatic and poetic genres regarding the nature and function of governance. Indeed, if convincing simulation or imitation of historical events alone was his major goal as playwright, then his works often conspicuously risked failing in the eyes of contemporary critics, not clearly meeting contemporary criteria of verisimilitude and decorum. By making fools, drunkards, witches, clowns and gravediggers often speak with, advise, or shadow kings, princes or figures of high degree, Shakespeare conspicuously mingles the uncouth, the marginal and the common with what Sir Philip Sidney calls “majestical matters” (135). His apparent “errors in decorum” demand to be “interrogated at the level of his social theory” (Patterson 6). They arguably
reflect a broad social context in which the dramatist is showing how the power and honor of the magistracy must be seen.

3. Placing narrow definitions of both sovereignty and decorum under stress, Shakespeare’s inclusive social boundaries are further set against his concern with nature as a transformative backdrop against which the actions of characters are seen. Hamlet’s visitation by a ghost, Othello’s demonic possession by passion, Lear unaccommodated on the heath, and Macbeth’s conversation with “secret, black, and midnight hags” (4.1.47) all draw attention to natural and more than natural settings in which the civil affairs of mankind are to be perceived [1]. This concern with “man not only in society but also in relation to the universe” comprises a breadth of vision suggestive not only of Shakespeare’s role as a “religious writer” in the best, non-sectarian sense of the word (Wells 173). It also implies a critique of any one party, sect or voice that would claim to speak for all or the many.

4. Accordingly, Shakespeare’s audiences are repeatedly invited to place questions of sovereignty and dominion within a conflicting framework of natural, civil and divine allegiances. His works show that social and cosmic powers, from below and beyond the monarch’s place in the human world, actively constrain the prerogative of princes. Only within a dynamic of social struggle, as Plato, Tacitus, and Machiavelli recognized, does a master derive his power from those who serve. Anyone’s imposed power over others does not so much corrupt as weaken those who claim to wield it. This temporal and social process of toppling those who would be overlord can come at an instant, as with Julius Caesar’s dramatized end, or over the course of centuries, as with Alexander the Great’s reported return to loam by Hamlet, to cite two prime Shakespearean examples that put pressure upon the conventional legal notion of a “lex regia” as an absolute principle of governance. Shakespeare diversely calls into question the “dominus” principle of early modern western society, that is, the assumption – and the acting upon it - that one is entitled through birth and/or merit to have dominion over the lives of people. This principle, along with the will to power and instrumental reason it requires, is subject to natural and social forces of mutability and metamorphosis. These innovative processes are beyond church and state’s control, much less any sovereign’s, with Plutarch, Livy, Ovid, Holinshed and the Bible providing Shakespeare innumerable examples.

5. The Shakespearean careers of Richard II, Henry IV, Henry VI, Richard III, King Hamlet, Claudius, Duncan, Macbeth, Lear, Antonio and Prospero show various ways in which the power to rule, in terms of obtaining, conserving and augmenting control of a society, often comes to a ruinous end of dispossession by violent means. The playwright’s focus on these stunning figures from
English and Continental history of toppled or overreaching rulers appears near the opposite end of the early-modern political ideological spectrum which held that, “God himself gives the right of dominion to the man who has been elected [king],” a view typifying Cambridge churchmen’s royalist ideas from the 1590’s on through the pre-civil-war decades of the seventeenth century (Sommerville 23).

6. Insights from antiquity and history provide yet another frame that Shakespeare brings to his audience’s perception of princes. Virgil’s works contributed to the writing of Hamlet a powerfully resonating instance of a poet’s warning regarding the “dominus” principle. Not just Aeneas, whose “passionate speech” so lives in Hamlet’s memory (2.2.432), but Virgil’s figure of Aristaeus from the Georgics provides Shakespeare with a classical archetype of a natural lord of things who must come to learn the difference between dominion and domination or dominium and imperium. This crucial distinction is specifically threatened by the absolutist discourse and actions of early modern monarchs, with James Stuart’s express sense of his own regal indefeasibility as an “over-Lord of the whole land” providing Europe a prime articulation of the threat (The Trew Law of Free Monarchies in C. H. McIlwain, xxxviii, 63). Reacting against such power, Hamlet signals an indebtedness to Virgil and his lessons in dominion directly and implicitly. An instance of the latter kind, I will argue below, is a crucial passage from Book 4 of the Georgics sounding in Horatio’s warning to Hamlet just prior to his conference in the spirit world where a “horrible form” might “deprive your sovereignty of reason” (1.4.72-3). Why Virgil’s description of Proteus might be echoing in Horatio’s mind is worth sustained examination for how it relates to issues of the limits of sovereignty in Shakespeare.

7. Classical ideals of justice and dominion are active throughout Shakespeare’s works at the level of plot and diction. A striking example of the latter for the bearing it has on how Shakespeare understood the nature and reason of sovereignty and governance is provided by his making a king call a character named the fool “his yoke-fellow of equity,” as Lear does (King Lear 3.6.37). The natural or the fool is thus as much fettered as a king to the greatest law of natural justice, to what Ulpian identified in terms of suum cuique or “to each his own.” This phrasing nominates king and fool as equal servants of natural law. They discover themselves to be equal members of an outcast society living in something like a Hobbesian state of nature on the heath. Implicitly, this binding rule of fairness or equity before the law forms out of fool and king what John Selden said it did of all mankind, “a common societie,” and places Shakespeare in this notable instance on the side of the common lawyers in the argument against King James I (Selden’s “Notes Upon
By portraying the action of princes against an ever-widening and antique framework of natural, social and legal principles, Shakespeare promotes “thoughts beyond the reaches of the human soul,” as Hamlet exclaims to the ghost (1.4.56), and subjects ideas of government based on a clear civil hierarchy of low and high degree to jurisprudential and ethical perspectives of the common man, common reason and poetic, natural and divine justice. These were precisely the perspectives that the European absolutist discourse of reason of state was taking its stand against as the sixteenth century came to a close.

8. Shakespeare holds a mirror up not to nature but to the language and action of kings and rulers, the blood on whose hands he makes so often apparent - along with the orb and sword of their official iconography, representing their ostensibly Christian custody and stewardship over land and subjects. One contemporary writer, praising Shakespeare, observed the difference between the playwright’s plots that so often show figures of the court attempting to resolve matters of state through violence as opposed to the writer’s charitable attitude towards life. In 1603, John Davies wrote of “W.S.” in his *Microcosmos*:

> And though the stage doth stain pure gentle blood,<br>Yet generous ye are in mind and mood.<br>(quoted in Schoenbaum 255)

9. This perception of a contrast between bloody plots and authorial sensibility or values continues today. His plays indicate, as one recent scholar has described them, “persistent interest in matters of government,” with an implied critique of “abuse of rule” a constant feature (Jordan 13, 30). *Hamlet* represents arguably the first mature fruit of Shakespeare’s insight into what his own works as a poet and playwright might contribute to contemporary critical debate on the nature and problems of human governance. As the purpose of *Hamlet*’s own play specifies regarding the royal conscience, Shakespearean drama aims to bring some light of justice to the dubious affairs of human sovereignty. *Hamlet* brings into ironic focus an entrepreneurial kingship wielding the power of a state that has political domination or dominion but has no true sovereignty and honor, a kind of reason of state without reason, a dominion without justice. *Hamlet* makes evident a full-blown tragic politics of state-reason. The play greatly benefits from the results of what Hugh Grady identifies as a sustained “Machiavellian moment” in Shakespeare’s works from 1595-1600 when the playwright took up Machiavelli’s “most famous ideas of a value-free realpolitik” and used them as a “starting point for multidimensional probings and conflicting interpretations of the cultural and political crises these
ideas produce” (Grady 20). It is particularly useful to see Hamlet and the plays that follow in its wake as powerfully catalyzed by Shakespeare’s reaction against a reason-of-state discourse first prominently emerging in the last decade of the sixteenth century. Defense against and critique of this discourse provided prime motives for Shakespeare’s use and probing of political terms as metaphors. Autonomous theories of the state with its own secret or unique reason or, for that matter, theories of “artificial reason” such as those espoused by Edward Coke, are implicitly shown to be founded on no more than metaphors that can be applied and interpreted in multiple, contrary ways (Pocock The Ancient 35). At stake in such dramatic explorations of sovereignty and dominion is no less than a question of the governability or reasonableness of mankind and the nature and purpose of human intelligence.

I

10. To understand the polysemous potential of Shakespeare’s political metaphors, we must locate Shakespeare’s incidental or intentional use of political terms within a range of early-modern views on the nature of government, running from their beginning roughly in Machiavelli to their culmination in Hobbes. The “reason of state” terminology that enters into European political discourse during the 1590’s attempts to solve and conceal massive problems confronting the nation-state coming into being in the decades just ahead. How sovereignty, dominion and the state converge or drift in different legal, moral, cultural and political directions is a long-term complex process continuing to affect all facets of modernity from its seventeenth-century inception (Elliott 79-81; Anderson 49-50; Mattingly 18-9). Since then, a political orthodoxy in the West has emerged regarding the critical issue of how power, land and nationhood relate (Skinner 352-5; Brett 10-48). A standard definition of the state has emerged as dominant in theory and practice. “What makes a state a state,” Joshua Marshall writes, “is its monopoly over the legitimate use of force, which means that citizens don’t have to worry about arming to defend themselves against each other.” Marshall observes accurately that this is “the classic definition of the state” (83) [2].

11. One of the first articulations of this nearly tautological definition in Shakespeare’s day can be found in Giovanni Botero’s treatise Ragione di Stato (Venice, 1589). This popular treatise opens with a definition of its title’s key phrase just beginning to take hold in the courts of state throughout Europe: “A State exists where its dominion over the people is evident, and reason of State (la raison d’Etat) is the knowledge of the proper means to establish, conserve, and augment its dominion and lordship.” [3] However,
despite its confident rhetoric and proven longevity in political discourse, Botero’s definition represents a theory that has come to dominate a field of past and future possibilities but is not a final solution to fundamental jurisprudential aspects of what fair governance requires. Nor has it been unchallenged. For one, Hamlet recognizes a reason of state as distinct from the traditionally intellelutive and moral definition and understanding of reason. This differentiation is also at work throughout many of Shakespeare’s works, repeatedly stressing the dangers of a newly emerging state reason to traditional forms and understandings of human society.

12. The meaning, if not the phrase, of reason of state, first occurs in the works of Machiavelli, probably the most vilified author in Shakespeare’s day. Despite the stereotyping of his philosophy as that of a Marlovian “murderous Machiavel,” Machiavelli recognizes and respects both ancient and modern definitions and uses of traditional human reason rather than force as it applies to or finds expression in the formation and conservation of a state. Liberty results from a sustaining disunion or cultivated dissent among people in whose unforced love a ruler will find his surest means of power. Machiavelli’s Discourses on Livy emphasizes a need for civil government and society to recognize the diverse forms human reason can take, with official or institutional respect for dissent a sure sign of a healthy political order of things. Machiavelli makes this point regarding the importance of dissent in government referring to the formation of the ancient Roman republic by a chance occurrence that favored “what the laws had failed to do.” The three powers of Rome, representing the interests of monarchy, aristocracy and commoners, formed a “perfect constitution attained by the disunion of the Senate and the people” (116-7). While Machiavelli also endorses what would become the Hobbesian view that “all men are bad” and “act right only upon compulsion,” he also qualifies this belief sharply, writing that this assumption about mankind must be made by “whoever desires to found a state and give it laws” in present day Europe (117). However, as his example of the Roman republic indicates, Machiavelli also can entertain the “fortunate circumstances” that “cause good to be done without constraint” and “the law may be dispensed with” (118). On the other hand, his History of Florence documents and laments the great damage done to the republic of Florence by the civil strife of Guelph against Ghibelline in the contest of these factions for political hegemony. These works together indicate that defining and practicing sovereignty through violence rather than consent, though apparently required of contemporary European states to maintain and enlarge their identity and power, as The Prince explicitly argues, does not stand in place of a permanent solution to the myriad problems regarding the civil legitimation of violence in a
society. Even *The Prince* recognizes that the more violence done in the name of establishing, conserving and augmenting sovereignty, the less likely a ruler or state to maintain dominion. “The best fortress is to be found in the love of the people,” Machiavelli in *The Prince* observes, referring to how the castle of Milan built by Francesco Sforza would ironically bring the greatest disorder to his own rule. Even Claudius acknowledges the power of the “great love” of the people that has the ability to “work like the spring that turneth wood to stone,” transforming a prince’s “gyves to graces” (4.7.21). Claudius is referring to how he believes the people perceive Hamlet. The best ruler - and most likely to endure - respected the liberty and nurtured the health of the republic, with *thesalus populi* constituting the *suprema lex*, a republican ideal endorsed even by Machiavelli (Figgis *Studies* 76). This is why “the arbitrary government of a Prince was, apparently, to Machiavelli, the worst of all kinds of government” (Allen 463). A prince’s true or just dominion resides in his ability to maintain and preserve the natural dominion of the people entrusted to him by God, to echo the many sixteenth-century treatises that make this once-upon-a-time standard argument.

13. Interpreting whether or not Shakespeare’s works deride or contribute to cultural processes of civil legitimation based on force as opposed to reason raises problems for inquiry more fundamental than those addressed by new-historicist criticism typically focused on a “concept of spectacular power” promoted and put on display by statist, nationalist cultures (Christopher Pye 279). The history of legalized violence remains part of the inherited burden of our own political time as we strive to develop an internationalist philosophy and praxis effective, at least at the theoretical level, in identifying and preventing violence done in the name of the state (Honneth 158-60). Examining the actual conditions of power as “la verità effettuale,” Machiavelli’s *The Prince* forwaids a critical awareness regarding what violence the contemporary nation state must commit to have its power thrive (Kahn “Virtù” 198). As Grady argues, Machiavelli’s works now advocate, now warn against the use of an instrumental or self-serving form of political reason. Machiavelli shows and advises how this amoral form of reason can bring political success by, “the splitting off of ‘values’ from ‘facts,’ the production of a technical mentality indifferent to ends, focused only on means” (Grady 61). Likewise, Botero’s “reason of state” definition renders the state as a conduit of its own power, a power for the sake of power, not a means of serving a greater end such as the public good. One must know what cultural, religious and legal norms have to be maintained and which ones “secretly” or openly violated. Through these beyond-good-and-evil means, a prince or leader’s sovereignty and dominion over a nation can be cultivated and augmented, as Machiavelli’s guide-book to
sovereignty specifically advises Lorenzo de Medici. New techniques of power, involving strategic cunning, dissimulation, the propagandistic use of religion, and even covert assassination of enemies, as Claudius in his “sovereign process” (4.3.63) attempts to do to Hamlet by sending him to England, have become “practical” options for the obtaining or securing of sovereignty throughout Europe. Given the common Medieval “ethos of service” and “good lordship as the ideal conjunctive and solidarity-promoting influence in the society,” no wonder Machiavelli’s power-based concept of virtue had the force of anathema in The Prince’s sixteenth-century reception (Marvyn James 2). Its concept of leadership violated commonly held “loyalties which had an ancestral, accustomed, and ‘natural’ resonance, sanctioned by time, and unconditional” in which “faithfulness” between subjects and lords was paramount (James 2, 53). But again, Machiavelli, like Botero, who would have disliked Machiavelli’s amoral candor and pessimism, was more reporting on which procedures or techniques work politically and which do not rather than offering his own views of what makes for an ideal government. The difference between what is and what should be was recognized, but like natural law, was a conceptual and ethical boundary that one must put on hold to be politically successful, conserving and maintaining one’s dominion over things in the world. As would-be consultants at large to the Christian princes of the world, Machiavelli and Botero are reacting to a new world of possibilities opening up, with The Prince a kind of cartolan of the new realpolitik world.

14. Indeed, like Columbus, Machiavelli discovers a “new land” or political realm made out of cutting financial deals and the willingness to use brigands and bluster to acquire power in the manner of a Cesare Borgia, the prime example of the modern principate in The Prince. Machiavelli had indeed spotted a new kind of entrepreneurial sovereignty on the horizon. This type of power was new and alarming, and The Prince implores Lorenzo to take careful notice. Botero’s phrase “reason of state” at century’s end epitomizes this new power, involving an inversion of the conventional image used by Hamlet regarding “the pales and forts of reason” (1.4.28), a wording which draws upon the traditional iconography of reason, virtue and other sacred values of the intellective life such as we find in the Medieval romance and theological literary traditions activated by Spenser in his depiction of the Castle of Alma in Book 2, Canto 9 of The Faerie Queene. The force of the novel term “reason of state” in the sixteenth-century can be captured should we understand it as reflecting a new “reason of the fort,” the kind of might-makes-right “realpolitik” so characteristic of sixteenth-century political realities notoriously first dragged into the light of day by Machiavelli.
15. Of course, Machiavelli was far from alone in his observations. One need not read further than Erasmus’s *Praise of Folly*, published in 1513, two years before *The Prince*, to realize how upside-down such views and practices of sovereign leadership were perceived. Folly, speaking like a Socratic Silenus-figure who is trying to avoid, in Hamlet’s antic way, the censure of its ironic wisdom hidden beneath a mad surface of frivolity, articulates what the literate European world must have felt facing the split between the apparent necessities of Machiavellian power and the vulnerable attitude of conventional Christian beliefs that required “turning the other cheek.” Erasmus’s Folly had also spotted the Claudian-like principates who would be interested in perfecting the contemporary sovereign craft that “needs no scruples whatever” regarding “the extension or consolidation of dominion” (Allen 469). “Fashion me now a man,” Folly requests the reader in its inverted, derisive wisdom, “such as princes commonly are, a man ignorant of the laws, almost an enemy of the public welfare, intent upon private gain, addicted to pleasure, a hater of learning, a hater, too, of liberty and truth, thinking about anything except the safety of the state, and measuring all things by his own desire and profit” (Erasmus 95). In view of protecting one’s self against such rulers, Machiavelli was only realistically advising Lorenzo. *The Prince* does not offer a moral theory of what truly public-welfare-minded or republican leadership is, as he does in his *Discourses on Livy*, but “a particular policy or expedient that he was commending for adoption by the practical statesman” (Butterfield 19). Machiavelli and Folly both are exposing the kind of novel, early-modern conditions of sovereignty that reflected and caused a split or fissure within Europe, whose cultural soul was still Medieval, as it were, but whose political or state body had become a blaspheming or hypocritical other. In other words, a still-living but quickly fading-out Medieval culture that believed in the submission of civil law to divine and natural law was facing the reality of a new kind of state politics that claimed one’s ultimate allegiance. In G. R. Elton’s description of both Tudor and Bourbon monarchy, “religion formed the ceremonial dress rather than the passionate essence of post-medieval kings by right divine” (“Introduction” to Figgis *Divine Right* xxi). Such external show covering over lack of substantive belief registers negatively even in the conscience of Claudius which, he confesses to himself, reveals “my most painted word” (3.1.53).

16. Running counter to this new statecraft’s claim to occupy all the positions of power was a growing sense fostered in early-modern humanism of the sameness and difference of past and present forms of sovereignty characterizing the historical nations and empires of the world. History had revealed that sovereign entities were subject to varying rates of growth and
fissiparity, the latter a frightening prospect for one’s own would-be nation state and a sobering lesson that both contrasted with and motivated contemporary absolutist claims of monarchs.

II

17. Hamlet’s irreverent allusions in the graveyard scene to “imperious Caesar dead and turned to clay” (5.1.213-4) and to the classical archetype of the emperor, Alexander, tap into a humanist, folly-promoting cynicism regarding the pretences of imperial power to answer only to its own inscrutable will, claiming to outlast time and nature’s sway. As does Erasmus, Hamlet mixes jocularity and insight, indicating his own views on the philosophy of sovereignty in his graveyard remarks. He holds up for his friend Horatio his own mirror of magistrates, revealing a genealogy of power greater than that of the greatest royalty of classical culture:

Alexander died, Alexander was buried, Alexander returneth to dust, the dust is earth, of earth we make loam, and why of that loam whereto he was converted might they not stop a beer-barrel?
(5.1.208-212).

18. In Richard II, Shakespeare had already entertained a similar natural process of conversion or translation when he had the Bishop of Carlisle prophesize the War of the Roses in terms of “the blood of English [that] shall manure the ground” (4.1.137). This transformation of the imperial or English national body by natural processes of corruption puts stress upon conventional political terminology regarding “the sort of men which do rule.” Queen Elizabeth’s secretary of state Thomas Smith in his De Republica Anglorum speaks of how “the common wealth or policie of Engelande…is governed, administred, and manured by three sortes of persons, the Prince, Monarch, and head governer, which is called the king, or if the crowne fall to a woman, the Queene absolute” (46, my italics). Hamlet and Shakespeare’s recurring scurrility directed against the notion of a translatable imperial sovereignty, a transcendent English identity or purity or, in general, any human absolute or essence, suggests elements of a skeptical political philosophy at the far end, perhaps the uninvited end, of London’s courtly culture that had hailed the reigning monarch as Astraea restoring a classical golden age. In contrast, Hamlet’s sense of imperialistic culture subjects it to processes of ripening and rotting that not only level the political playing field but erase all human identity altogether.
19. Indeed, by the 1590’s, the “golden-age” view of Elizabeth’s rule had become quite dated and tarnished in view of the thorny succession issue and the very high rate of mortality suffered by Elizabeth’s Privy Council. Thomas Wilson near the end of the decade remarked upon dangerous uncertainties regarding the sovereign crown that sound similar to the ones experienced at the close of Hamlet: “This crown is not like to fall to the ground for want of heads that claim it, but upon whose head it will fall is by many doubted” (quoted in Outhwaite 23). Further compounding this climate of sovereign uncertainty was the fact that by 1598, twelve of the fifteen Privy Councillors alive during the Armada year of 1588 were dead (Outhwaite 24). As the last of a royal line himself, Hamlet’s near final words would have had a lasting resonance in such a time. He bids a “wretched queen, adieu,” cries out against “this fell sergeant, Death…strict in his arrest” and does “prophesy th’election lights / On Fortinbras,” a foreign king thus succeeding to Denmark’s throne of state (5.2.333-55). Pointedly, Hamlet would direct these dying remarks and other unspoken ones to those “but mutes or audience to this act,” thereby inviting the drama’s Elizabethan audience to apply the comments to its own political realities (5.2.340). Such invitation was made an act earlier in the play when Claudius assumed the King of England’s willingness to execute what he called “our sovereign process” (4.3.63) and kill Hamlet, no questions asked, a vicious example of reason of state shared between ruling sovereigns. What Claudius in one line of this soliloquy calls “my love” for England, the next identifies in terms of “my great power” of “the Danish sword,” able to enforce his will should England not comply (4.3.58-61).

20. If in early-modern Europe, as in the grim world of Hamlet, “instability was a constant,” a strong motivation for Renaissance culture as a whole comes into view (Clark 18). Assuaging or denying humbling fears of sovereign decay provided early-modern princes and popes ample reason for representing themselves, their nation or their own power as somehow a providential scion of ancient Rome or a true derivative of some other ancient heroic or religious figure or community, as Prince Hamlet’s own stated preference for the tale of Aeneas and Dido indicates. Examples of such fictions abound throughout the Renaissance, occasionally with their blatant exposure. Elizabeth I’s reign was promoted as a return of the virgin Astraea while a Trojan Brutus was supposed the founder of Britain’s nationhood. The Donation of Constantine was alleged to underwrite the Vatican’s claim to dominion (until revealed by Lorenzo Valla as a forgery). A common Protestant thesis held that the Reformation harkened back to “a pure Catholic church which had always existed” (Yates 43). The triple course of Rome’s long development over the centuries, from monarchy and republic to imperial empire and decay in what Petrarch called the “dark
ages,” alternately tantalized and haunted the dynastic ambitions of the crowned kings of Europe who, by the late sixteenth century, styled themselves after Augustus as absolved from law, soluti legibus and thus “absolute.” Against such absolutist language was the indication from the humanist study of Herodotus, Thucydides, Livy, and Tacitus that the fate of nations is altered not just by rulers from above but by identifiable processes and customs of human work over time, a collective enterprise finally beyond any sovereign’s control and sometimes taking non-violent communal or artistic forms of cultural distinction and conservation (Barkan Unearthing 80). Classical and modern poets, for example, formed influential “timeless” traditions, linking readers intellectually across centuries. Cultural sovereigns in their own right, Ovid and Dante, despite official exile from their native home, had made their poetic stand against tyranny and despotism. Such visionary counter-voices against overweening pride in human power persisted in Giordano Bruno’s “religious conception of non-aggressive empire,” a cause that he became a missionary for in France and England (Yates 83).

21. On the small scale of individuals and the large one of natural and economic forces, there was much a nation could not control or enforce regarding its own destiny, as was evident with the fiscal bankruptcy of the Spanish empire in the 1590’s or the decades of anxiety and fear in England generated by Elizabeth I’s lack of a husband and offspring, a strangely inverted reflection of her father’s same problems regarding the begetting of a son that resulted in his divorce of England from the Catholic Church. Indeed, the forces of fortune and the relentless processes of nature commonly turned sovereignty into loam, laying irresistible siege to the identity of nations and peoples everywhere. Responding to such early-modern fears as well as to the urgent challenges facing traditional natural rights and duties from newly emerging nationalist sovereign forces, Hugo Grotius would write in Shakespeare’s lifetime the first articulation of international law, frequently drawing upon ancient poets, philosophers, orators and legislators to establish principles of international conduct. Still, it is apparent that the problem of violence done in the name of sovereignty, so often at the core of Shakespeare’s drama and poetry, remained and still remains conspicuously “the uncompleted business of the Renaissance,” to use Richard Wilson’s trenchant phrasing in his study of the contradictory nature of early-modern authority in Shakespeare’s culture and art (15). That this is on-going legacy and leftover project of the Renaissance, specifically of early modern “civic humanism,” is, of course, the specific thesis of Pocock’s The Machiavellian Moment (viii, 74-80).
22. Violence for the sake of sovereignty takes place at the level of both theory and practice, in the discourse and practices of an oxymoronic “civil” warfare. The language used to advocate and sanction such violence Prospero identifies in the absolutist and genocidal terms of “extirpation” for reasons of establishing, conserving or aggrandizing dominion and sovereignty. That this is a process not limited to state enterprise in the public sphere is indicated by the main plot of *The Tempest*. Prospero’s own brother to become sovereign or “absolute Milan,” Prospero explains to Miranda, planned to “extirpate me and mine / Out of the dukedom (*The Tempest* 1.2.109, 125-6). Such phrasing of politically motivated attempts at unrooting or extermination of “me and mine” for the sake of an absolutist state identifies the violation of a natural dominion of life and family. Dominion was a personal domain of status and influence comprised of rights and duties that each and every person was traditionally entitled to in natural law as this was understood in European culture at least since the time of the Roman jurist Ulpian’s influential formulation of social justice in terms of an ideal natural equity where each creature, *suum cuique*, is afforded his or her own (Kelly 45) The historical and political processes bringing about what has been called the legal death of natural man have the widest of interdisciplinary implications (Pagden *The Fall* 8-9).

23. We can perhaps assume that it was increasingly felt as obvious in Shakespeare’s own time that the preservation of a naturally afforded domain was impossible without “the specific fear of the sovereign’s power of the sword,” as Hobbes would eventually theorize the need for an absolute sovereign force at the center of the nation state (Kahn “The Duty” 97). On the other hand, it was precisely this rising power of the nation state gathering round the figure of the absolutist monarch that was overturning what was felt as the natural order of things based on a dominion afforded man by God. Both cure and disease, the early-modern would-be absolutist state aspired to control all positions of political power and influence within the nation of people whom it purported to serve. The social double-bind that results from such political behavior, Hugh Grady has argued, is specifically represented in *Hamlet* by its “devaluing representation of a Machiavellianism in which, however, this play and its hero are forced to participate” (251). As Grady, Laurie Shannon and Constance Jordan have recently inquired, I too ask, in what way does Shakespeare’s work take up the public discourse of sovereignty, the discourse that over the course of time would eventually trickle down to the standard definition of modern sovereignty based on the use of legitimate force?

24. There are evident anachronisms to such an inquiry. For one, our own ability to identify and explain this taking-up or poaching or literary trespassing by Shakespeare upon the domain of a public discourse of sovereignty requires
revision of what we mean today by terms such as “public” and “public discourse.” Our own phrasing of certain evident political features of Shakespeare’s works and culture must not overlook what is not modern about Shakespeare. In other words, we have to regard what became the losing side of history in Shakespeare’s plays and poetry. They partly hark back to a still-living “Medieval” reality where a separation of a nation or society into public and private matters had not yet explicitly formed in European society. Such matters were submerged in the political body of human affairs or the estate of mankind in which the role the individual played and his or her degree in society was far more important than the individual person. The public was the res publica or nation as a whole rather than an aspect of it, and the nation was embodied or “represented” in the divinely anointed or providentially empowered figure of the king. In terms of this Medieval ideology of a nation as a people of God shepherded by both Church and State, the idea of a “civil nation” would have been heard as a legalistic redundancy and that of a “savage nation” as a monstrous contradiction. A natural mankind, as Anthony Pagden reminds us, because “God and nature never create anything that is useless,” was still believed legally alive in Europe, that is, endowed by God with some natural dominion over the course of his or her own life, to sound for a moment like Bartolomé de Las Casas, Falstaff or Caliban in defense of ancient natural law (Pagden 94). Living inside the legal mythologies and closed polysemy of divine, natural and civil worlds cohering in the one universe created by God, the Middle Ages presents to us no discourse on ideology. The closest it comes to that, perhaps, is Marsilius of Padua’s Defensor Pacis, where a defense of tyrannicide is justified as an act to restore civil society to naturally peaceful relations, not to change or revolutionize it. The discourse that Laurie Shannon identifies in Shakespearean culture relating to a “private sovereignty” based on amity and friendship could only fully arise when that of a public sovereignty had already split itself off from any belief in the idea of naturally civil society of mankind (Shannon 7-9).

25. As Janus-headed, prudential readers of Shakespeare, we must not forget to look backward in time reading him so that we can see forward-looking aspects correctly. From this perspective, we must not assume that Shakespeare either anticipated Milton’s libertarian disdain for the idea that a true sovereignty can be established by force or shared Hobbes’ philosophy of sovereign power as its own reason. But a political spectrum of positions opens up in such antagonisms regarding the issue of true sovereignty. John Aubrey, for example, in his collection for the life of Milton observes that the poet’s “interests and tenets were diametrically opposite” to those of “Mr. Hobbes Behemoth.” But with no essay from the left hand of Shakespeare or
historical testimonies to his expressed political beliefs, as we have with Marlowe, how do we tease out of his poetry and drama his views on the theories and practices of sovereignty undergoing such critical transformation in his own lifetime?

26. How would Shakespeare, for example, have read Edmund Spenser’s *A Viewe of the Present State of Ireland’s* “frequent and unashamed” appeal to “necessity” to justify the use of force in matters of English sovereignty, in Richard McCabe’s description of this treatise (111)? How would he have understood the historical and political processes that went into the making of such novel forms of sovereign power as “the paper state,” which is what Ireland was proverbially named in Elizabethan state papers (Maley 58)? My own work hopes both to probe what he may have thought was being lost or won in cultural and political conflicts surrounding sovereignty and to show what critical value for the study of literature a recovery of these jurisprudential perspectives might have.

III

27. Many historians, such as Francis Jennings, Perry Anderson and John F. Danby, have explained how in the early modern period, a Hobbesian view of the state as a necessary constraint upon a self-interested but short-sighted mankind came to win out in European understandings of the rights and reason of sovereignty. Natural man’s life, Hobbes’ *Leviathan* famously theorizes, is “solitary, poor, nasty, brutish, and short,” with “three principle causes of quarrels,” namely, competition, diffidence and self-glory running rampant (106-7). By their very nature, “men have no pleasure, but on the contrary a great deal of grief, in keeping company where there is no power able to overawe them all” (106). Thus, a monarch with absolute power must take coercive control over an otherwise savage society either by mutual consent or by force. It is important to recognize that Hobbes’ positivist view is shaped by European laws and policies in the making for over a century and a half. These laws sanctioned sovereignty and dominion by conquest of nations conveniently considered in an inchoate state of savage nature and thus not recognized as a nation with rights to sovereignty. Reflecting such long-established policies and habits of power, Hobbes’ ideal sovereign is far more dictator than patron or curator. Crystallizing his paragon of sovereignty is the frontispiece of the first edition of his *Leviathan* (London, 1651) depicting a gigantic crowned monarch hovering above a well-fortified city. In his right hand, he raises a sword ever ready to strike down from the skies, its very tip coming between the capitalized words *Super Terram* running as the slogan of Hobbes’ emblem. Unlike Hamlet, who keeps his sword up from a praying Claudius, but like “unequal
matched” Pyrrhus always ready to bloody his, Hobbes’ prince is ever vigilant and swift to execute force in matters of sovereignty.

28. Hobbes’ view is anticipated by ideas of sovereignty circulating from above as it were in Shakespeare’s own culture. In some ways, Hobbes is merely continuing the “absolutist” ideas of conservative thinkers such as King James I. However, James still recognized the inner check of conscience upon his own actions as a monarch. To James, a sovereign indeed has a “divine right” to rule, but he himself must not take any actions that would “betray the sovereignty of reason in my soul,” as he writes in *Eikon Basilike*. (quoted in Jenkins 453). Claudius too acknowledges the pain caused by his conscience in the prayer scene, making him feel “like a man to double business bound” (3.3.41). Like Machiavelli, Hobbes observes what sovereignty has become in the world rather than what it should be. He recognizes, as Botero does, what force sovereignty requires to be established, what techniques of power for it to be conserved and enlarged. This view drops out the religious claim of James and ignores the double bind of Claudius. At least to their conscience, the idea of a sovereignty established by sheer force is repugnant. Their versions of sovereignty still reflect the official English legal dogma of the king’s two bodies, one divine and one natural. Hobbes’ sovereign answers to mankind’s self-interested call for order that only the monarch can bring, unifying the two frameworks of divine and natural law into a coercive civil law subsuming them. In contrast to their Hobbesian unification by a supreme civil power, it is easy to show how often these three bodies of law came into conflict and were recognized as doing so in the sixteenth century as well as in Shakespeare’s characterizations of kingship. This legally positivist philosophy of Hobbes, in Heinrich Rommen’s “civil-law” understanding of positivism, proved effective in describing as well as heralding new formations of sovereignty established by force but, as in most victories, something very important was lost (Rommen 75-7). A cultural centrality of beliefs in the sovereignty of reason was in the process of being replaced by an ideology of a reason of state. These beliefs involved a whole philosophy of and belief in man as a lover of wisdom delighting in free conversation with others, a figure of sociability that Shakespeare’s contemporaries Richard Hooker and Hugo Grotius described man to be by his very nature.

29. It is not difficult to locate some of the signatures of this political discourse running its early-modern gambit from Machiavelli to Hobbes in Shakespeare’s plots and locutions. There is something like a proto-Hobbesian move to describe man in a state of nature in Shakespeare’s plays and especially his tragedies. The dramatic function and structure of *Othello*, for example, can be
described the way Danby has described *King Lear* in his seminal study of the discourse of nature in Shakespeare. *Othello* also symbolically portrays man in a state of nature and offers contrasting views of this conjectural figure. Most of the play takes place on an island caught in the middle of an international crisis in the making. While the threat of war between the Venetians and Turks drops away early in the play, the last four acts center on a private domestic drama of love and jealousy on Cyprus. As the birthplace of Venus in Hesiod’s *Theogony*, Cyprus is a culturally foundational island in western civilization. In Hesiod’s poem, as understood in Renaissance mythography, the myth of the birth of Venus recapitulated in little how the universe sustains itself through a lucky harmony of opposed elements (Wind 132-3, 220 ff.). Just as a concord of discordant elements makes up physical nature, so too does it make up man’s little world. Just as Venus and Mars frame the planet earth in the sky, so too love and war on earth create the force of “Cupid” or desire in human nature as in the universe. So too, Venus and Mars shadow the functions and fates of Desdemona and Othello in the play. As in the myth, so too the play seems to probe how the opposites of love and war relate in human nature or desire. How do their forces drive and perhaps balance out in the course of human events?

30. In *Othello*, the outer threat of the Turks and the inner threat of betrayal and jealousy are not presented as alternative spheres of human concern. Rather, they merge in the play as Othello falls under the motiveless spell of the seductive Iago and turns his own bridal bed into a battlefield. The play ranges from Europe to Africa to Asia in its plot and characters indicating Shakespeare’s concern with how the time-honed theme of love and war influences the affairs of the different continents that share the Mediterranean Sea, the realm of Venus.

31. The functions that love and war play in the histories of different nations and cultures are a concern that *Othello* shares with many other plays and their international implications and settings. *King Lear* too offers a perspective on man in a state of nature, clearing away the trappings of power and the symbolisms of majesty and sovereignty to place a monarch firmly on the heath. Through such plot movements and structures, Shakespearean drama reflects an implicit deconsecrating function, exposing a sovereign king or duke for what he is in his natural body (Moretti 28, 45; Heinemann 76). In doing so, Shakespeare appears to afford us a view of, “the thing itself, unaccommodated man” (*King Lear* 3.4.105).

32. One could argue in view of these persistent patterns in his drama that Shakespeare anticipated Hugo Grotius’ inquiry into international law,
investigating through drama what Grotius did through his study of legal history: “what moral rules underpin the confrontation of two societies anywhere in the world” (Tuck 504). That Shakespeare’s plays do not give us clear moral answers about such common-ground issues regarding the family of man’s ability to govern itself just may be their intended point and ambiguous finding. Let us examine further Shakespearean intersections with the political discourse of his time.

33. Shakespearean phrasings and explorations of what constitutes a true versus an actual supremacy among men run through a gamut of social and political expressions, playing different philosophies against one another. Hotspur’s chivalric view that sovereignty rests upon force of arms in battle is captured by his denouncing of the courtier-like “popingay” who appears after battle’s done looking to take Hotspur’s hostages for the King’s ransom. Another kind of leviathan, a natural-body one, looms rebelliously in Hotspur’s chafing words against this court fop, “telling me the sovereigntest thing on earth / Was parmacety for an inward bruise” (Henry IV Part 1, 1.3.49, 57). Another natural-law perspective upon sovereignty appears when Falstaff takes up a bit of Medieval chivalric romance mythology regarding the person of the true knight in order to cover up his own cowardice, telling Hal, “The lion will not touch the true prince” (Henry IV Part One, 2.4.275). Falstaff’s dissembling allusion to natural-body kingship reflects and alters the meaning of the standard royal iconography of Elizabeth’s sovereignty as represented, for example, by Spenser in Book One of The Faerie Queene where princess Una has a lion to protect her and explicitly by Henry Howard in his 1576 poem Regina Fortunata. Howard represents the Queen seated on a state throne whose canopy simulates the dome of the sky while at her feet, two lions rest on guard. Shakespearean phrasings from the 1590’s invoke and abuse, as Falstaff and Hotspur do, these mythological concepts of sovereignty as well as anticipate other late Shakespearean uses of the concept. Gonzalo’s utopian charter for a commonwealth calls for rule by “contraries” and “no sovereignty” promoting “all abundance, to feed my innocent people” (The Tempest 2.1.148-157). As the corrupt Sebastian and the irredeemable Antonio point out, seeing only contradiction, the good councilor would be a king but without sovereignty, belying a pattern we can detect elsewhere in the plays. As a sovereign-less king, Gonzalo somewhat daftly offers a happier, more utopian version of a Lear or Prospero dispossessed of legal sovereignty but made all the wiser for it. Kent too recognizes in soliloquy a higher perspective upon claims to dominion and certainty: “Nothing almost sees miracles but misery” (King Lear 2.2.165-6). Hamlet also comes to learn through his own suffering a basic spiritual lesson about any human claim to sovereignty on earth. As he specifies
34. Two passages in *Hamlet* that couple sovereignty and reason are linked to how others perceive a danger to or change in Hamlet’s identity. One could trace back to classical sources the origin of Ophelia’s phrase “noble and most sovereign reason” said as part of her lament for Hamlet’s apparent madness (3.1.157). This ancient idea of wisdom as sovereign comprises what Aristotle called in *The Politics* the highest intellectual abilities of man making him fit for the good life, the quality of mind he termed *synderesis* and Cicero *ratio recta*. This was the very quality of mind legally denied those whom Europe would decree savage, as Juan Ginés de Sepúlveda made clear in his winning “natural slave” argument against Las Casas before the Spanish court at Valladolid. Ophelia’s phrase and its context lamenting the loss of a prince’s sovereign reason have other rich early-modern connections. Her speech echoes Marcella’s bemoaning Porrex’s death in *Gorboduc* that begins, “Ah, noble prince, how oft have I beheld / Thee mounted on thy fierce and trampling steed” (4.2.248-9). *Gorboduc* was notably one of the very few plays of civil discord featured on the London stage prior to the defeat of the Armada (Wilson 26). But the loss at stake in Ophelia’s Venus-like lament for her beloved Hamlet called “th’expectation and rose of the fair state” (3.1.152) surely bodes a far greater civil discord on the horizon than anything in Marcella’s grief over her dashing courtier-prince. Hamlet’s madness to Ophelia implies the loss of the best any state could hope for. A cultural and political ideal of the leader as the very best of men, the bedrock concept of natural law, is in grave peril.

35. The other phrasing of this ancient idea in *Hamlet* comes in Act 1, Scene 4, when Horatio warns Hamlet of a loss of his reason or “your sovereignty of reason.” As does Ophelia’s speech, this passage too asks us to consider the ancient idea of man’s sovereignty based on his reason in the context of a loss and threat to it. With both speakers crying out against this demise, these two passages suggest that Shakespeare is taking up an ancient function of poetry to warn and cry out against princely aspirations to sovereignty and dominion that inevitably come to naught – or worse - in the face of mortality, loss of reason, and death. The play in these and other ways is a mirror for sovereigns, the reason why allusions to Hercules, Aeneas, Caesar and Alexander, for example, are numerous especially in how prince Hamlet thinks of himself.

36. The first phrasing of the relations of reason and sovereignty occurs in *Hamlet* when Horatio, out of loving concern for Hamlet, calls out to him on the verge of the prince’s interview with the “thing immortal”:

to Horatio, “There is special providence in the fall of a sparrow” (5.2.220, my italics).
What if it tempt you toward the flood, my lord,  
Or to the dreadful summit of the cliff  
That beetles o’er his base into the sea,  
And there assume some other horrible form,  
Which might deprive your sovereignty of reason  
And draw you into madness?” (1.4.69-74)

The diction here is odd, as Harold Jenkins notes, quoting Milton’s more usual personification of reason as “sovran Reason.” Shakespeare has Horatio make the noun “sovereignty” the direct object of “deprive” where a “more familiar construction” would have specified “the person dispossessed,” in this case Hamlet, the one deprived of reason’s sovereignty (Jenkins 453). In other words, a traditional phrasing would attribute sovereignty to reason and not reason to sovereignty, but Shakespeare’s wording for a brief moment envisions a sovereignty without reason.

37. I would like to venture here that “your sovereignty of reason” would have a special resonance in late Elizabethan culture. The term that Botero used as his book’s title Ragione di Stato first gained prominence in the political discourse of the courts of Europe at the end of the century (Burke 479). The fact that the dramatic context of the phrase “your sovereignty of reason” in Hamlet in Act I and in Ophelia’s more traditional phrasing “most sovereign reason” in Act 3 is one of threat, lamentation and grief suggests that the play is sounding a threnodic note for a form of reason or conception of human governance losing out in contemporary European elite or “princely” culture.

38. As for the specific term “reason of state,” the closest phrasing by Shakespeare is in All’s Well That Ends Well when a lord of France cannot explain to the Duke of Florence the actions of his French king. He tells the Duke who complains that the king has “shut his bosom against our borrowing prayers”

   Good my lord,  
The reasons of our state I cannot yield  
But like a common and an outward man  
That the great figure of a council frames  
By self-unable motion, therefore dare not  
Say what I think of it, since I have found  
Myself in my incertain grounds to fail  
As often as I have guess’d. (3.1.9-15)

Such observations would have struck a chord in Shakespeare’s London. A similar inability to explain a sovereign’s reasons in terms understandable by
common reason was recognized as a general danger to society by Richard Knolles in his dedicatory letter to his 1605 English translation of Jean Bodin’s *Six Booke of a Commonweale*. There, Knolles, whose influential *Generall Historie of the Turks* (1601) Shakespeare may have consulted in reference to *Othello* (Barkan “What Did Shakespeare Read?”43), observes that his translation of Bodin works against “the policies of latter times, as to keepe secret the reasons and certaine knowledge of the doings of great estates,” a tendency depriving posterity’s right to learn from the past. “If some of the most wise, mightie, and Honorable, sitting at the helmes of Commonweales, doe not show the way, posteritie will be defrauded of the most excellent things that many ages have before brought forth: and yet succeeding times shall bring to light so much as God in his good time seeth best for the good of the Christian Commonwealth” (Bodin fol. iii). Such dark reasons of state, trumped by God’s providence eventually according to Knolles, must be brought into the light of common reason, a project Shakespeare’s *Hamlet* undertakes in obvious ways.

39. Hamlet’s play within the play and, by analogy with it, Shakespeare’s tragedy enact an ancient jurisprudential function of poetry and drama as a mirror for magistrates. Both dramas, Hamlet’s and Shakespeare’s, aim to expose, in Claudius’s own self-description posed secretly to himself through aside and soliloquy, a sovereign’s foul “deed” beneath his “most painted word” (3.1.52), or his hidden “visage of offense” and “words without thoughts” (3.3.47, 98). Claudius’s “words without thoughts” offer a telling analogue for a sovereignty without reason. His awareness of himself as “a man to double business bound” with a “bosom black as death” (3.3.41, 67) furthermore suggests the true state of the state as seen from the perspective of “the sweet heavens” (3.3.45).

40. Further illustrating a vacuous or senseless use of man’s sovereign reason is Hamlet’s allusion to the illegible handwriting of “statists” who “hold it…a baseness to write fair” (5.2.33–4). Such a state-reasoning deliberately obscure in its material workings would certainly have been recognized by Knolles as a contemporary problem facing those who advocated conducting matters of government according to the clear light of reason “whereof proceedeth the mutuall exchange of all kind and friendly offices” (Bodin fol. iv). Of course, it is precisely to counteract breaches of “friendly offices” that Hamlet, marking a change in his own philosophy, has decided to write in a “fair” script, sending his treacherous friends Rosencrantz and Guildenstern to their execution in England. An honest intimacy among them “in the beaten way of friendship,” as Hamlet ironically phrases it to them (2.2269–70), has been made impossible
by their “secrecy to the King and Queen” (2.2.294). The inclusion of Hamlet’s own mother in the conspiratorial mix further underscores how Hamlet’s sense of kin and kind, or Knolles’ “all kind and friendly offices,” count for little when it comes to the conservation and maintenance of sovereign power by the state.

41. Let us return to Horatio’s warning to Hamlet in Act 1, Scene 4. We recall that, in contrast to Rosencrantz and Guildenstern’s secret betrayal of Hamlet mandated by the state later in the play, the ever-loyal Horatio shares with his friend and liege Hamlet in this scene a fearful vision of a sovereignty deprived of reason (1.4.73). Horatio’s address to Hamlet has an important classical subtext that suggests indirectly what perspective Shakespeare might have had on this new state-reason coming into court discourse and public policy, so threatening to the traditional ideals of friendship, trust, and the integrity of man’s honest use of his own intellect before God. From the humanist Horatio’s phrasing of the horrors awaiting Hamlet, we can see that perhaps he is thinking of another princely figure from ancient poetry who too came to hear a harrowing tale of grief delivered by a shape-shifting form in the sea. Of course, the figure from Virgil is Aristaeus in The Georgics who learns from the sea-god and vatic prophet Proteus what he must do to propitiate the irate ghosts of Orpheus and Eurydice. Just the way Horatio’s “horrible form” might tempt Hamlet to do, so Proteus as described by Virgil is able to “plunge at a bound into the deep sea where the water whirls into foam beneath the flood” (Georgics 4.528-9). But there is a still deeper resonance to Shakespeare’s recollection of Virgil in the words given to Horatio by way of urgent exclamation. We recall that Orpheus and Eurydice lost each other just on the brink of their honeymoon night due to Aristaeus’ pursuit of the bride into a meadow where a snake bites her. While not a direct figure for Caesar, Aristaeus’ own name indicates that he represents “a form of aristeia” (Putnam 12). Representative of what is best in nature, Aristaeus is also called pastor (Georgics 4.317) and cultor nemorum (1.14). These curatorial roles are violated by his lustful pursuit of Eurydice. Eurydice was allegorically understood throughout the Middle Ages as “sound judgment” on the basis of Fulgentius’ interpretation of her name (96). Hence, Virgil’s fable, at least in the reception of the text, has evident political import warning against the abuse of dominion and nature by a lord of the realm caused by his desire for what is not his. Such classical precedent partly accounts for what would evolve into the “mirror-for-magistrates” tradition of literature in Tudor drama. Virgil’s poem covertly advises his Roman lords on the need to cultivate the honey of justice on earth by respecting the wisdom of time-honored poetry sanctioned by the gods and their vatic representatives on earth. This poetic program explains
why Aristaeus’s beehives, ancient symbol of the commonwealth, have gone without honey, motivating his trip to Proteus and expressing a kind of cosmic decree against his dominion of things due to the curse upon him of archetypal bard Orpheus. The just cause of Orpheus against Aristaeus influences the course of things from beyond the grave. Like Hamlet Senior and Hamlet, the ghost or spirit of Orpheus calls out for justice for a crime committed against the marriage-bed by a mighty lord who would claim or has been appointed to the divine right of ruler or custodian of a state or land.

42. These oblique echoes of Book Four of the *Georgics* in *Hamlet* through elements of plot and diction arguably signal a shared jurisprudential theme of these works. A violation of the natural laws of family, of the rights and duties of kin and kind, caused by a lust for dominion by a powerful lord for what does not belong to him is at the base of both the Orpheus episode in *The Georgics* and the plot of *Hamlet*. Hamlet, a distant echo of Virgil’s avenging bard Orpheus, will also be an instrument of heaven’s justice against an abuse of sovereign lordship and the violation of a marriage-bed. The ghost of Hamlet senior, returning as a knight in gleaming armor, will like Proteus cry out against injustice done to a marriage bed, revealing to the prince just how great and cosmic this violation by a lordly power of the world has been. Claudius, in his private life of crime and seduction, acts like an emperor *solutus legibus* or like an Aristaeus-figure feeling prompted by his royal origin and own willfulness “to hope for heaven” (*caelum sperare*, *Georgics* 4.325).

43. The dangers of a reckless assumption of one’s dominion over others pertain not only to Aristaeus’s attempted rape of Eurydice, for which he must propitiate, through the ritual of the *bougonia*, the spirits of both Eurydice and Orpheus. Caesar too is politely warned in the opening lines of *The Georgics* against “a monstrous lust of empire” (*regnandi dira cupidio*, Book 1.37), a desire that might tempt Caesar to think he could rule in Tartarus. The fate of Hamlet Senior underscores that even kings are made to serve in the world beyond. Furthermore, Claudius’s own conscience is shown to be his own nemesis or inner hell, nature’s way of expressing divine vengeance against those acting as if whatever pleased them was the law, to echo the Roman formula assigning the status of law to imperial decrees and discretion. This is the same imperialistic “pleasure-principle” that Aristaeus directly and Octavian Caesar, much more indirectly, are cautioned against. The closing lines of *The Georgics* describe Caesar “thundering in war by the deep Euphrates” and “giving a victor’s laws unto willing nations.” These *populi volentes*, one would assume, are necessary if Caesar
would be a source of justice and not violence in the world. The need for a people’s consent was at least in legal theory recognized in the ancient world as part of the traditional rights and duties established by a people’s dominion over their own land, a dominion at the core of the “law of nations” (jus gentium). Virgil’s phrasing, with volentis ending the line for further emphasis (Georgics 4.561), is again a polite way of reminding Caesar of what he cannot control but must seek.

44. But what of a wicked lord who hides his monstrous desire for rule and seduces a nation - as well as its queen – into electing him to the highest office in the land? That such a “smiling, damned villain” can exist, as Hamlet says (1.5.106), indicates a novel moral lesson for Hamlet worthy to be put in his “tables” (107). That such a one can become the crowned and elected king of Denmark indicates that a whole nation or body politic can be charmed or deceived, that is, victimized by its own faith in natural signs such as a smile or fair words twisted to evil ends or by its own lust or appetite for power, faults that blind a nation to its own evil and that are produced by its own fawning complicity to gain courtly favors. The ghost indicates how Claudius has come to legitimate his diabolical sovereignty through hidden violence and believed deceits, telling Hamlet,

A serpent stung me - so the whole ear of Denmark
Is by a forged process of my death
Rankly abus’d.  (1.5.36-8)

Claudius himself observes similar processes of how power over state can be obtained:

In the corrupted currents of this world
Offense’s gilded hand may shove by justice
And oft ‘tis seen the wicked prize itself
Buys out the law, but ‘tis not so above. (3.3.57-60)

As with Henry IV’s acknowledgement that “bypaths and indirect crooked ways” led to his crown, so sovereignty too in Claudius’ Denmark has its own secretive, double-bound reasons. Secret causes and hidden actions have created Claudius a sovereign over an entire nation, but the lesson he comes to learn – as will Hamlet - about the greater implications of dominion in its relation to nature, the cosmos or providential fate will involve exposing his crime to public view, as does the play within the play and the play itself. As with Aristaeus, who also must learn about the meaning of true lordship or dominion, hidden crime caused by lust for rule or power will come to be atoned for in the
mysterious sacrosanct order of things spoken for by the sacred poets of the gods.

45. Such Claudian inner corruption, with its hidden crimes at the heart of a king’s sovereignty and dominion, may have struck a note with Elizabethan readers not only of Virgil but of Tacitus whose works were being avidly translated and published throughout Europe as the sixteenth century come to a close. Tiberius, as Tacitus makes clear, also had his murderous secrets of state, his *arcana imperii* proving a source of great terror and anxiety to Rome as well as to Tacitus, lover of the ancient Roman republic as he was. Tacitus’s meticulous portrait of the murderous Tiberius was thought to have a disturbing applicability to contemporary rulers. Anthony Grafton observes, in a description reminiscent of the end of *Hamlet*, that Tacitus’s “mordant dissections of character and conflict revealed a world startlingly like that of the late sixteenth century, a chiaroscuro panorama of phosphorescent corruption in high places, its foreground crowded by the bodies of honorable dissenters foully murdered, its center dominated by scowling tyrants” (204).

46. Gone or blasted in such ancient and modern imperial behavior – as in Hobbes’ philosophy - are the three checks upon kingship often posited in the traditional political thought of important sixteenth-century writers such as Claude de Seyssel or Jean Bodin. Both writers describe natural, divine and civil checks upon the power of the sovereign who must respect the natural dominion of his subjects, a collective dominion that is greater than the king’s individual sovereignty. This is why English kings from the time of Edward II pledged upon their coronation not to pass any act that would dispossess the nation of its own native lands, but sixteenth-century realities revealed substantive problems with such sovereign vows. Historians consider the 1590’s as a general time of crisis in Europe. During this decade, the big social problems in and around London were so-called “masterless” men wandering about; riots of the clothiers in the Southwark section; high rates of bastardry; dearth caused by hoarding to raise prices; deforestation; and the massive problems represented by land enclosures privatizing what had for centuries been open commons. The old feudal manorial support system of village family life was rapidly breaking down, as the work of Alan MacFarland, Keith Thomas and Keith Wrightson have argued from different perspectives. That Shakespeare lived these realities is strongly suggested by stories of his teenage poaching days and then his own adult fence-sitting regarding the town’s pressure upon him to enclose his own private holdings in Stratford. These social realities indicate that jurisprudential claims to sovereignty and dominion by the rising absolutist Tudor state often
flew in the face of the common man’s experiences of poverty and dispossession.

47. What was happening at home was also happening abroad. Elizabeth I’s policies towards Ireland and America alike constitute a secret black English legend of its own, involving as their equivalent did in Spain, a conscious disenfranchisement of traditional rights and duties of fealty and dominion shared by sovereign and subject as these extended to all the created nations of God, the point stressed to no avail by Las Casas against the Spanish belief that sovereignty can be achieved by conquest.

48. No, to sound for a moment like Hermia in *A Midsummer Night’s Dream*, true sovereignty must be based in a consent of the soul. In fact, Las Casas, Thomas More and Jean Bodin would agree with Hermia’s implicit legal “sententia” – that only a soul can consent to give sovereignty (*MSND*, 1.1.82). This consensual or voluntary approach to sovereignty places freely given love and trust at the core of society. As does Hermia, so too Hamlet identifies what is in danger when force enters into the naturally loving relations of kin and kind. This is why he tells Rosencrantz and Guildenstern that he has given up faith in an ideal of man in the context of their betrayed friendship. “What a piece of work is a man, how noble in reason,” he tells them (2.2.311-2), but this humanist faith he has, with its echo of Pico della Mirandola’s *On the Dignity of Man*, is breaking down under pressure in view of his friends’ betrayal of trust prompted by the scheming sovereign Claudius whose command overrides their loyalties.

49. Such betrayal of friendship as motivated by a king or over an issue related to supremacy or question of sovereignty had been warned against by Cicero early on in his *De Officiis*, a moral treatise written for his son on what to do and how to live. Cicero reflects on the lines of the poet Ennius: “There’s nothing sacred, neither fellowship or faith, when kingship’s at stake” (*Nulla sancta societas / Nec fides regni est*). Cicero points out the wisdom of these lines to his son, a wisdom clearly pertinent to Hamlet’s situation and his once-upon-a-time friends. Remarking on “the uncommonly wide application” of the poet’s words, Cicero continues, “Whenever a situation is of such a nature that not more than one can hold preeminence in it, competition for it usually becomes so keen that it is an extremely difficult matter to maintain a ‘fellowship inviolate’” (26-7). The idea of a holy society among people, *sancta societas*, or what Montaigne spoke of in terms of “sovereign amity,” clearly has no place in the political realities of Denmark under Claudius’s rule. It also eludes the ken of the likes of Hermia’s tyrannical father Egeus as well as Richard III, Iago in *Othello*, Edmund in *King Lear* and
Antonio in *The Tempest*. For all these characters, the idea of a natural fellowship or freely given trust as forming the basis of a society would appear ludicrous.

50. The pirate episode in *Hamlet*, marking a turning point in the course of Hamlet’s action and resolve, offers us an example of a natural bonding of man that is particularly telling if we read it in the context of early-modern political theory. Bodin disallows bands of pirates from being called “societies and amities or partnerships,” using them as a negative limit for what kind of social group can be considered a commonwealth or sovereign state. Bodin, however, does admit that history provides examples of pirates “better deserved to be called a king than many of them which have carried the regal scepters and diadems.” He cites the story of the pirate Demetrius who retorted to Alexander the Great that “whereas he which blamed him of piracie, roamed about nevertheless, and with two great armies robbed the world without controlment, albeit he had left him by his father the great and flourishing kingdom of Macedon” (2). Impressed with this reply, Alexander made Demetrius general of one of his legions. Likewise, Hamlet’s “thieves of mercy” (4.6.21) prove to have true mettle. They help the fugitive Hamlet return home, acting like the good sailor Acoetes to the kidnapped Bacchus in Ovid’s *Metamorphoses*. Such honorable brigands, ultimately reminiscent of the good thief on Golgotha, cast a critical view on a king such as Claudius, murderer of his own brother for a sovereign crown, and subjects such as Rosencrantz and Guildenstern who betray their own friend and prince for influence at court. Hamlet’s lucky rescue by pirates opens up moral and legal perspectives beyond sovereignty and civil society. As Grotius would argue in his defiantly entitled treatise *De Jure Praedae*, the freedom of the ocean seas from any one sovereign state calls for an international code of liberty and justice in which every man stands equal. Similarly, in *Hamlet*, the pirate episode reveals that men are capable of fairness and equity even when the controlling law of a nation-state does not apply. Hamlet’s compact with pirates underscores what Grotius would see as a general principle of international conduct sanctioned by divine justice, namely, “that one people should supply the needs of another,” a universal right that no sovereign can overturn (Grotius quoted in Knight 93).

51. The need to trust or the lack of trust that operates in any society is a recurring issue throughout Shakespeare’s dramatic and poetic career. Such trust was also a major focus of the Renaissance humanist culture that Shakespeare inherited and wanted his own work to contribute to, as we can see just on the basis of the literary forms he used for his poetry. A sacred trust between people, or what Ennius calls “fides” in Cicero’s quotation of the poet, requires that human relations be seen against a divine, transcendent backdrop, the reason why oaths
and pledges, promises and vows are taken before God or the gods. Such human alliances and pacts that one endorses or assumes in daily life form the very fabric of social relations, and their violation leads to setting kin and kind or whole nations against one another. This social trust was staggered by the wars of religion throughout the sixteenth century and by the rise of the absolutist state, especially through what Shakespeare’s contemporaries would have identified in terms of Machiavellianism. The latter was a threat to trusting one’s fellow man because it designated, in Katharine Eisaman Maus’s insightful reading of English Renaissance drama, a person’s often unexpressed cynicism and hatred for any belief in the natural goodness of man. “In late sixteenth- and early seventeenth-century England,” Maus writes, “the sense of discrepancy between ‘inward disposition’ and ‘outward appearance’ seems unusually urgent and consequential for a very large number of people, who occupy virtually every position on the ideological spectrum” (13). Acquiring and keeping power by any means was what was important for Machiavelli’s prince who had to cultivate a shrewd political “virtus” rather than a wisdom in things human and divine, to echo the traditional definition of sapientia found in the works of Renaissance humanists such as Coluccio Salutati, Leonardo Bruni, Thomas Elyot, Erasmus, Pierre Cardanus and Bodin (Rice 93).

52. Bodin specifies that natural, unadulterated relations of kin and kind must be at the basis of true sovereignty in his Six Books of the Republic, a work according to Gabriel Harvey very much being read in Cambridge by 1579 along with other “French or Italian Politic Discourses” (Harvey quoted in Sommerville 39). According to Bodin, sovereignty receives legitimation or what Bodin would call endowment only in so far as it respects and insures the natural God-bestowed dominion of a nation’s people. Bodin’s opening definition of sovereignty in his first book alerts us to what was in the process of being lost by the absolutist rise of the early modern state: “A Commonweale is a lawfull government of many families, and of that which unto them in common belongeth, with a puissant soveraigntie.” The family, Bodin goes on to specify, is a microcosm of sovereignty: “A familie well and wisely ordered is the true image of a Citie, and the domesticall government, in sort like unto the soveraignitie in a Commonweal” (8). Without this natural-law or familial legitimation of the sovereign power in a native or natural dominion, the king has no sovereign power, no right to use what Bodin calls the monarch’s “soveraignitie of power, which uniteth in one body all the members,” serving as the keel of a ship (9). In other words, the king has no true sovereignty outside of the myriad natural endowments of kin and kind, to echo Hamlet’s first words in the play, “A little more than kin, and less than kind,” implying the unnaturalness of Claudius’s relation to him as uncle and now step-father as well
as his own less than kindly attitude towards him as sovereign of the state. In terms similar to Hamlet’s opening line, the Bishop of Carlisle in *Richard II* describes to the usurping Bullingbrook the civil broil his treasonous act will engender in “future ages” when “tumultuous wars / shall kin with kin and kind with kind confound” (4.1.140-1). In contrast to such violations of the unwritten natural laws of kin and kind and to what Hamlet also identifies in terms of the “incestuous sheets” (1.2.157) of a royal bed, Bodin’s traditional analogy of family and state means that kings must act as a lawful parent of their country by observing the natural rights and duties of their subjects. Shakespeare’s King of France comes to learn the necessity of such natural observances: “Both sovereign power and father’s voice / I have to use” (*All’s Well That Ends Well* 2.3.55-6). Physician to this same sovereign of France, Helen early in the play makes an observation regarding a natural course of things more powerful than fortune itself, implicitly calling into question theories of human domination:

The mightiest space in fortune nature brings
To join like likes, and kiss like native things. (1.1.222-3)

This intimacy that belongs to nature leads each to each, like to like, and was recognized by Lucretius, Ulpian, and Thomas Aquinas, among many others, as foundational to justice.

53. Rather than these families of resemblances, however, in Hobbes, as in Iago or Edmund’s philosophy in *King Lear*, people in a state of nature appear as individual monads who, when left to their own resources, will simply destroy one another. No principle in which like joins to like is at all evident as an innate condition of humankind. In a state of nature, brother kills brother as in Genesis and in *Hamlet*, where King Claudius confesses to be his brother’s murderer, a crime that “hath the eldest primal curse upon’t” (3.3.37). Botero, anticipating Hobbes, accordingly nominates Cain as “the first author of cities” although he does recognize how the ancient poets tell a far different story of how the first cities formed through the naturally civilizing powers of Orpheus. In the foundation of sovereignty by force as described by Machiavelli, practiced by Claudius, and sanctioned by Hobbes, we should hear the death-knell of ancient natural law and of the Stoic idea of a common equality and dominion of mankind as understood and endorsed in the sixteenth century by Bodin as well as Claude de Seyssel, Thomas More, Richard Hooker, Francesco de Vittoria and Bartolomé de Las Casas. As the historians Olive Dickason, Robert Williams, and Perry Anderson have argued among many others, a sixteen-hundred year jurisprudential tradition in the West dedicated to expounding natural law and protecting it from encroachments on it by
emperors, sovereigns and civil lawyers was pushed aside in the Hobbesian theory and outcome of the state. Natural law at least as an active theoretical framework important to the making of laws that govern a nation had practically disappeared. It was as if, for Hobbes, mankind had never experienced, the way Hesiod, Ovid and Genesis say it did, the sweet concord of justice once upon a time; as if mankind’s “noble and most sovereign reason” itself were only “like sweet bells jangled, out of time and harsh,” as Ophelia says of Hamlet (3.1.158) in view of his very convincing antic disposition assumed before her to protect himself from the surveillance of his sovereign king. In this scene, of course, Claudius, like an evil Solomon, in his own words, “bestows” himself “seeing unseen” (3.1.32) to scrutinize the private encounter of these two subjects of his sovereignty, a lover and beloved who have professed their love for each other. Shakespeare’s Measure for Measure would spell out the implications of such encroachments of the state upon private or common affairs of kin and kind.

54. To recapitulate then, Hamlet, rather than a tragedy of the early-modern self as Harold Bloom, Catherine Belsey and many others have recently argued, is a tragedy on the losing side of things, lamenting the demise of a political belief in man’s ability to govern himself more by reason than by force. The play mourns Europe’s tragic loss of faith in the family of man and urges its elite to recognize that reason and force are altogether different. In short, the play is a tragic mirror for what kind of commonwealth results when they are treated as if the same.

Notes

1. All quotations of Shakespeare, unless otherwise noted, are from the Riverside edition.

2. On versions of this “classic” definition, see also James Marshall, 5-13. The literature on classic and other forms and concepts of sovereignty is vast. Most useful to me for what legal conventions regarding sovereignty early-modern Europe inherited from the later Middle Ages, are Francis Oakley and Ernst Kantorowicz. For how various conventions were applied and transformed in the early-modern period in matters regarding nationhood and the rights and duties of dominion, see Keller, Lissitzyn, and Mann; Dickason and Green; Williams. For further bibliography, see DiMatteo.

3. My translation is of the 1599 French translation by Gabriel Chappuys, fol.1.
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