

PENELOPE GENG. *Communal Justice in Shakespeare's England: Drama, Law, and Emotion*. Toronto: University of Toronto Press, 2021. Pp. 280. \$75.00 (cloth). doi: 10.1017/jbr.2022.200

Participating in the rich conversation about early modern theater's relationship to English law's forms and practices, in *Communal Justice in Shakespeare's England* Penelope Geng explores lay justice's prevalence in plays, popular publications, and sermons to insist that Calvinist conscience literature empowered individuals in the community "to carry out the work of the magistrate: to witness, accuse, and judge" (7). Reaching "a public battered by the professionalization" of the common law in Tudor-Stuart England, the theater invited "playgoers to imagine the transformative power of lay legalism and communal legal action" (4–5).

In chapter 1, Geng explains the nature of lay magistracy, which originated in Anglo-Saxon and medieval law. By Shakespeare's time the common law's ascendancy overwhelmed the layman's role in "shaping the narrative of justice" (37), but popular feeling resisted this. Emphasizing the individual conscience's juridical efficacy, Calvinist assize sermons criticized the formal judiciary and advocated lay magistracy. Geng examines three assize sermons: Robert Abbot's "The Assize at Home" (printed 1623), George Crosse's "A looking Glasse for lawyers, & lawiers" (MS c. 1608–1613), and John Lightfoot's "Sermon. The Text Psalm I.5, 'Therefore Shall Not the Wicked Rise up in Judgment'" (MS after 1642). All agree that "Legal administration . . . was not the exclusive work of office holders; it was every person's duty" (41). From this, Geng defines "Lay magistrate" as applying "only to those who operate without an official appointment" (36). She excludes justices of the peace (commonly called lay magistrates) because even though they participated in their local communities, they were commissioned, and their education at university or an inn of court established their elite status (36).

In chapter 2, Geng considers Shakespeare's *Henry IV, part 2*, from the perspective of the dichotomy, laid out in the previous chapter, between lay magistracy's local, historical, and moral merit and the legal system's rational, professional encroachment on communal justice. Shakespeare's play dramatizes this in the Lord Chief Justice. It also exposes judicial failure in the remote and legally ineffective justices of the peace, Swallow and Swift. Geng's criterion for effective judges—that they exercise "feeling justice" (Christian, equitable, accessible, "loving")—comes from popular legal treatises. At the play's beginning, when the Lord Chief Justice meets Falstaff and his cohorts in their East Cheap neighborhood, his approach to justice "seems equitable, intimate, personal, and perhaps emotionally satisfying" (63), but at the play's end this changes. Newly appointed as Henry V's chief justice, he necessarily "executes his duties as an arm of royal justice" and consigns Falstaff and his company to prison (62). Geng concludes from this that "the ascension of law comes at the expense of justice" (71).

In chapter 3, Geng dramatizes lay magistracy as an instrumental feature of justice in Robert Yarrington's *Two Lamentable Tragedies* (c. 1594–95, printed 1601) and *A Warning of Fair Women* (anonymous, c. 1593–1599, printed 1599). Both plays dramatize familiar published accounts of criminal events, but add "loving" justice with neighborly communities discovering evidence and bringing perpetrators to justice. Communal justice's theatrical performance by "townsmen, merchants, yeomen, labourers, and servants . . . affirms citizen's participation in the legal order" (94).

In chapter 4, Geng considers witness and testimony in Shakespeare's *King Lear*. Edmund's letter accusing Edgar of planned parricide, and Goneril and Regan's attestations of their love to Lear reflect testimony. Testimony "plays a role in destroying familial and social relations" (103). In this play, Shakespeare also stages scenes that witness in the spiritual sense, as martyrs do in John Foxe's *Acts and Monuments*. Empathetic witnessing—of Gloucester to Lear's misery, of household servants to Gloucester's cruel blinding, of Edgar to common

labor's saving nature at the Dover "verge"—creates human fellowship and incorporates the audience in "the play's landscape of witnessing and community" (121).

At sentencing in criminal trials, early modern judges exhorted the condemned to feel remorse and penitence, the subject of chapter 5. By sympathetically staging public penance in *Henry VI, 2* (Eleanor Cobham, Duchess of Gloucester) and *Edward IV, 2* (Jane Shore), Shakespeare and John Heywood respectively create "theatrical pleasure" for audiences that puts them at odds with law's "disciplinary logic" (136). Lady Macbeth's sleepwalking scene enacts staged remorse. Her actions bewilder the Doctor and the Gentlewoman who observe her. Unlike these on-stage spectators, the audience knows Lady Macbeth's role in Duncan's murder. This double experience of "watching remorse, highlights the problem of interpreting this elusive emotion" (139), which, in turn, casts doubt on law's efficacy. "Lady Macbeth's unconscious confession" both "reveals the powerlessness of legal or religious authorities to draw out and facilitate confessions" and "suggests that remorse is a fiction" created by the spectator's imagination (140–41). A summary epilogue in which Geng suggests parallels between the sixteenth-century legal system's dysfunction and that of our own time follows chapter 5.

Not only is *Communal Justice in Shakespeare's England* an ambitious undertaking, with intersections of theater, English Protestantism, early modern England's complicated legal system, professional and popular legal treatises, and literary affect theory, but in her argument, Geng integrates the extensive primary and secondary resources to establish the existence of popular interest in communal justice. However, Geng proceeds, in part, by constructing multiple binaries—professional/amateur, common law/communal justice, elite/common, urban/local, law/justice, individual/communal—that, while rhetorically useful, can constitute false dilemmas. Such is the case when the volunteer "lay magistrate" confronts the professional legal establishment. The professionals sought to "limit lay legal activity" (21) and denigrate "humble" practitioners who "played essential roles in their communities" (17). Alternatively, in "the collective action of conscientious individuals" "ordinary people carried much of the burden of the law" (145). These are not mutually exclusive. In *The Common Peace: Participation and the Criminal Law in Seventeenth-Century England* (1987), Cynthia Herrup establishes that in prosecuting crime at the assizes (presided over by justices of common law) and quarter sessions (presided over by justices of the peace), common law was local, and the courts of assize and quarter sessions both "depended on amateurs for enforcement" (Herrup, 6). Reconciling the "common ground" Herrup finds among legal elite, gentry, and "local men of middling status" (Herrup, 6) with Geng's binary is problematic. Early modern English cultural identity embraced the "common" (communal, commonality, common law, commonwealth). We should not need to read around Geng's confusion of commons to appreciate the original insights into theater and law she provides in *Communal Justice in Shakespeare's England*.

Cyndia Susan Clegg 
Pepperdine University
Cyndia.Clegg@pepperdine.edu

ERIC J. GOLDBERG. *In the Manner of the Franks: Hunting, Kingship, and Masculinity in Early Medieval Europe*. Philadelphia: University of Pennsylvania Press, 2020. Pp. 384. \$89.95 (cloth).

doi: 10.1017/jbr.2022.185

Eric Goldberg's *In the Manner of the Franks* is an insightful and thorough assessment of early medieval European hunting that begins in the late Roman empire and moves through the Merovingian and Carolingian periods, concluding with the death of Louis V "in a