

AN UNCERTAIN TEXT: THREE VIEWS  
OF EARLY MODERN PLAYTEXTS

by

Kevin T. Gates, B.S., J.D.

A thesis submitted to the Graduate Council of  
Texas State University in partial fulfillment  
of the requirements for the degree of  
Master of Arts  
with a major in Theatre  
August 2014

Committee Members:

Sandra Mayo, Chair

Joe Falocco

Charles Ney

**COPYRIGHT**

by

Kevin T. Gates

2014

## **FAIR USE AND AUTHOR'S PERMISSION STATEMENT**

### **Fair Use**

This work is protected by the Copyright Laws of the United States (Public Law 94-553, section 107). Consistent with fair use as defined in the Copyright Laws, brief quotations from this material are allowed with proper acknowledgement. Use of this material for financial gain without the author's express written permission is not allowed.

### **Duplication Permission**

As the copyright holder of his work, I, Kevin T. Gates, refuse permission to copy in excess of the "Fair Use" exemption without my written permission.

## **ACKNOWLEDGEMENTS**

I would like to express my gratitude to the members of my Thesis Committee for their guidance. In particular, I wish to thank Dr. Joe Falocco, who gave me many invaluable suggestions for research, and many insightful comments during the revision process. I also wish to thank my wife, Bridget, and my children, Madison, Ty, and Rosalind, for inspiration.

## TABLE OF CONTENTS

	Page
ACKNOWLEDGEMENTS .....	iv
CHAPTER	
I. INTRODUCTION .....	1
II. THE STATIONERS' REGISTER .....	3
A Brief History of the Regulation of Printing in England .....	4
License, Authority, and Entrance.....	12
Copyright, or Right of Copy? .....	17
Author's Rights .....	19
Conclusion .....	24
III. WHICH TEXT? .....	26
And on the sixth day, Shakespeare wrote <i>Hamlet</i> .....	28
Ur-Hamlet, or Not Ur-Hamlet?.....	28
Der bestrafte Brudermord .....	32
Enter the Stationers' Register .....	32
Bad Quartos, Foul Papers, and Bears, Oh My!.....	34
Cuts for Performance .....	40
Conclusion .....	44
IV. CONTEMPORARY RESPECT FOR THE TEXT .....	46
The Relationship Between Hal and Falstaff .....	52
The Second Rebellion .....	60
Other Cuts to Reduce the Size of the Cast.....	63
Additions to the Text .....	67
Conclusion .....	68
V. EPILOGUE .....	71
WORKS CITED .....	74

## CHAPTER I

### Introduction

*“Our conclusions on this, as on all other questions involving Elizabethan stage practice and the conditions under which plays were written and produced, must, at the best, continue to be reasonable inferences from scanty and casual allusions; too often for a pennyworth of fact modern critics give us a pound’s worth of conjecture” (Hart 1).*

Over the past hundred and fifty years or so, a belief has grown that the works of William Shakespeare once existed in an ideal form. While philosophers may never be able to demonstrate what the Platonic form of a table is, scholars and critics have nevertheless engaged in an attempt to reconstruct an imagined “ideal” version of Shakespeare’s plays. They have been undaunted by the fact that much of the available information is unreliable or contradictory.

Much of the information surrounding the publishing of the texts has been viewed through the lens of modern legal concepts, leading scholars to construct elaborate narratives of piracy and memorial reconstruction of texts by actors. The texts themselves passed through multiple hands during their transmission and differing versions are often so interrelated that it is impossible to determine which version (if any) is the original. Additionally, the existing print versions may be significantly different from the versions

of the plays actually performed on the early modern stage because of cutting for performance. Finally, period practice shows a disregard for the sort of textual integrity or fidelity to which many Shakespeare purists subscribe today.

When the evidence regarding the origins and the contemporary treatment of play texts in the early modern period are observed objectively, it becomes clear that it is an exceedingly difficult, if not impossible, proposition to recreate the “ideal” text. Indeed, such a text might never have existed. If practitioners disregard the notion of the ideal text, they will then be forced to make difficult choices about various readings of some of these texts. Nevertheless, the ideas which gave rise to the sort of textual fundamentalism in which the legendary Peter Hall and others have engaged, is premised upon assumptions that are not supported by the evidence. The ideas that the “ideal” text can be determined and that it must be the only one performed are not supportable.

## CHAPTER II

### The Stationers' Register

Only a handful of English plays from the period prior to 1642 survive in manuscript form. The great majority of plays from that period which survived exist because they were printed. Since all printing was performed by the members of the Stationers' Guild, generations of scholars have dedicated years of their lives to scrutinizing the Guild's records, hoping to shed light on how the plays from this period came down to us. Some of the narratives generated during this process have been overly romantic, as the title of Alfred Pollard's book, *Shakespeare's Fight with the Pirates*, suggests. Many of these narratives, however, are "not even self-consistent, let alone plausible" (Blayney 383). That has not prevented such narratives from becoming generally accepted fact, however.

Lovers of early modern drama are likely to be "predisposed to assume that our own attitudes toward highly valued texts were shared by the public for whom those texts were first printed" (384). Peter Blayney argues that this predisposition causes literary scholars to vastly overestimate the demand for playbooks, and consequently, the size of print runs and the profit that could be expected from them. When confronted with this idea (and the evidence supporting Blayney's position), many scholars are likely able to see how they have allowed their impressions to be colored by faulty assumptions. Not all of our modern ideas are so easy to spot, however.

In an essay titled "'Vnder the Handes of...' Zachariah Pasfield and the Licensing of Playbooks," William Proctor Williams explored the records of Zachariah Pasfield, a licenser operating in the early seventeenth century. He began by describing the system of



book authorization. “Copyright – or Copy – was perpetual and was real property; that is, it could be inherited, sold, traded, or subdivided, but it could be held only by a person free of the Stationers’ Company or the unmarried widow of such a person” (65).<sup>1</sup> This is perhaps a minor point in the context of Williams’s essay. Nevertheless, it is more than simply “unwise” to use the terms “copy” and “copyright” interchangeably, as Blayney argues (398). It introduces an unnecessary element of confusion into an already complex analysis. The right of copy, a right originating under the powers granted to the Stationers’ Guild, is quite a different right than copyright. Its origin is different, its purpose is different, and its application is different.

This chapter will trace the history of the publishing trade in England from its inception through the Star Chamber Decree of 1637 to demonstrate how and why the right of copy evolved. I will then discuss some key differences between copyright and the right of copy, including what each of these rights are designed to protect, and who has the right to claim them.

### A Brief History of the Regulation of Printing in England

When William Caxton introduced the printing press to England in 1476, there does not seem to have been a great deal of concern over the potential of this new technology to undermine the established order. On the contrary, the new industry was

---

<sup>1</sup> In addition to the conflation of copy and copyright, the term “real property” is a term of art in the legal field. Real Property, according to Black’s Law Dictionary, means “land and immovable property on land such as buildings.” It is to be distinguished from “Personal Property,” which includes all other types of property. Although Professor Williams almost certainly meant the word “real” in the sense of “not imaginary,” using the term in connection with defining the legal rights a party holds introduces confusion into the analysis.

encouraged. In 1484, the sole parliament under King Richard III passed a statute titled "In what sort Italian merchants may sell merchandises; several restraints of aliens" (Kendall 343). Although there was apparently a perceived need to control competition by Italians, the statute made an exception for printers and booksellers. Kendall calls this act "the first piece of legislation for the protection and fostering of the art of printing and the dissemination of learning by books" (343).

With the change of dynasty came a change in attitude toward print. Less than three years later, Henry VII would issue a proclamation for "suppressing of forged tydings and tales and seditious Rumors and for discovery of the authors thereof" (qtd. in Patterson 23). This proclamation calls to mind Foucault's assertion that "books were assigned real authors, rather than mythical or important religious figures, only when the author became subject to punishment and to the extent that his discourse was considered transgressive (124)."<sup>2</sup> Unlike Richard III, Henry VII saw the dangerous potential of print. It was not only important to suppress seditious material; it also became the policy to discover the authors for punitive purposes.

Censorship would increase under Henry VIII. A proclamation issued in 1529 listed fifteen banned books and ordered that all copies of them be turned over to the bishop of the diocese (Heinze 132). This proclamation was soon followed by another which added several more titles to the list, and made it illegal to buy or possess a Bible in English, French or Dutch. Further, no book concerning "Holy Scripture" was to be

---

2 As neatly as the proclamation seems to fit Foucault's analysis, it is nevertheless outside his timeline by roughly three hundred years. According to Foucault, the creation of the author as a function of the penal system occurred "toward the end of the eighteenth and beginning of the nineteenth century" (125).

printed unless the book was “examined and approved by the ordinary of the diocese” (133).

The famous proclamation of November 16, 1538 marked a turning point in the approach to the regime’s approach. Realizing that books could spread ideas widely and quickly, doing damage before they could be censored, the decision was made to move to prior censorship. “Naughty printed books” had spread “sundry contentious and sinister opinions” which were contrary to the teachings of the Church of England. To keep the realm free from “all wicked errors, erroneous opinions, and *dissension* [emphasis added],” (qtd. in Heinze 270) a two-fold scheme was created. First, it was made illegal to bring into the country any books printed in English. The domestic element of the scheme was the most significant. It provided that no person in the realm could print any book in English unless the book had been examined by a member of the Privy Council or other person so authorized by the crown, and required certain licensing language (272).<sup>3</sup> As Lyman Ray Patterson observes, the proclamations relating to the press were “all directed to heresies,” and are “minor footnotes,” since the press was a minor instrument in Henry’s purposes (24). This seems to underplay their importance. Once Henry established himself as head of the Church of England, any heresy against his doctrine was a direct challenge to the king’s temporal authority as well as his spiritual authority. An uprising in 1536, called the Pilgrimage of Grace, for example, has been called “a massive

---

3 Alfred W. Pollard and Evelyn May Albright had a fairly heated debate over the exact interpretation of the phrase *ad imprimendum solum*. The common interpretation was that the phrase gave sole right of publication to a single printer. Pollard disagreed. The point seems trivial in the context of this discussion. For more on his, see Albright, Evelyn May. *Ad imprimendum solum*. Modern Language Notes. Vol. 34, No. 2 (Feb., 1919), pp. 97-104.

popular indictment of the entire Henrican regime” (Fletcher 39). The Westmorland proclamation, a statement of their grievances, “shows how closely the rebels saw local social and economic grievances as being connected with the welfare of the commonwealth and Church” (41). Any diversion of opinion from official Church of England doctrine also posed a political threat to Henry as king. Since it is much easier to spread ideas quietly through circulation of printed material than it is to do so through actual word of mouth, print allowed sedition to grow in the shadows, and that truth was plainly recognized by the King and his counsel.

Plays, both printed and performed were very quickly brought under the umbrella of censorship. An act from 1543 “for the advancement of true religion, and for the abolishment of the contrary” shows how these different media were already treated together. The opponents of the true faith were not only working through “words, sermons, disputations and arguments, but also by printed books, printed ballads, plays, rhymes, songs, and other fantasies” (Hazlitt 4). It remained lawful to “set forth songs, plays and interludes... for the rebuking and reproaching of vices, and the setting forth of virtue, so always the said songs, plays, or interludes meddle not with interpretations of scripture” (5). Henry’s regime was well aware of the propaganda potential both of printed text and performance. Gordon Crosse notes that Thomas Cromwell even utilized “troupes of strolling actors, denouncing the iniquities of monks” (qtd. in Patterson 24). While performance and print were sometimes treated separately (as in a proclamation by Edward VI dated August 6, 1549 which banned any public or private performance for a time), the two were often lumped together. A 1551 proclamation had as its goal the “reformation of vagabonds, tellers of news sowers of seditious rumors, players, and

printers without license” (Hazlitt 9). While vagabonds are treated separately in a lengthy passage, printers, booksellers, and players of interludes are treated together. “without consideration to the quiet of the realm,” the printers and players “do print, sell, and play whatsoever any light and fantastical head listeth to invent and devise” (13). Books printed and plays performed were both henceforth required to be allowed by his Majesty.

When Queen Mary came to the throne, she too tried to control the ideas that were allowed into the marketplace. A proclamation of 1553 made it a crime “to print any books, matter, ballad, rhyme, interlude, process or treatise, or to play any interlude” without prior license (Patterson 27). Eventually, it must have seemed that it was time to try a different tactic. In 1557, Mary tried just that, giving the responsibility for policing the press to a group outside the government, while giving them a vested interest in the policy. In so doing, she created an organization that could reasonably be trusted to keep a closer eye on these matters than the Privy Council. On May 4, 1557, Mary granted a charter to the Stationers’ Company.

The preamble of the charter sets forth the reasons for its grant. Because “certain seditious and heretical books rhymes and treatises are daily published and printed by divers (sic) scandalous malicious schismatical and heretical persons,” Mary and Philip wished “to provide a suitable remedy” (Arber 1.xxviii). It became illegal for any person to “print a book or any thing for sale or traffic” in the realm unless they were a member of the guild or had letters patent from the crown to do so. The responsibility to control the press was given to the press itself. The incentive to carry out the censorship function was great, though: an industrial monopoly. Surely if the guild wished to retain this benefit, it would be an effective tool of the crown.

Aside from the purpose clause of the preamble, the charter is typical of its kind. It contains a list of members, establishes certain facets of corporate governance (annual meetings, elections, etc.) and gives the newly formed guild the right (but not the obligation) to conduct searches to enforce its monopoly. The charter provides for a Master and two Wardens. The charter also establishes a Court of Assistants (hereinafter, the “Court”) to overhear disputes among members.<sup>4</sup> The Court was the company’s ruling body, and it “promulgated the rules and regulations concerning the ownership of copy and publishing,” and its authority to resolve disputes involving guild members was “generally recognized and asserted” (Patterson 32).

Within four years, the Court managed to wrest control of the election of officers and of members of the Court (33). Since Court membership was for life, the eighteen members of the Court had complete control over the operation of the company. Patterson states that proceedings in the Court seem “to have been more in the nature of an arbitration than a law suit, as the aim of the court always appears to have been to maintain order rather than to exact punishment” (33). The importance of this distinction may seem a technical one, but it actually has far-reaching application. The value of any given disciplinary action by the Guild is of very little value in establishing patterns, while Greg and Pollard seem to have treated them as having the sort of value that a ruling by a court of law would have had.

Imagine a statute relating to a breach of a contract, which provides for the assessment of a punishment in case of a violation. The punitive measure may be in the

---

<sup>4</sup> Patterson observes that by 1557, Courts of Assistants were typical of guilds, but the charter of the Stationers may have been the first to include the court in the charter organizing the entity.

form of a fine or otherwise. When a court of law hears a case which implicates this statute, the plaintiff must first show the existence of a valid, enforceable contract. Then, she must show that the contract was breached. Only then may the court assess the penalty. Under the English common law system, a pattern eventually arises from the rulings of a court, and this pattern may be cited in future cases to guide the court's ruling. A decision by a court that does not comport with prior holdings is typically subject to appeal. Exceptions may be created, but eventually a predictable scheme emerges.

In an arbitration, however, there is no such precedential value. It simply does not matter what fines have been assessed in previous cases with similar facts. Every arbitration is *sui generis*. To put it another way, a disciplinary record which says that a particular printer was fined a certain amount for printing without license is of very little use to establish what fine another printer could be expected to be charged with for his offense or even that the same action would be punishable. The Stationers' Court ruled by an action dated April 10, 1597, that Edward Aldee's press should be destroyed for printing "disorderlie wthout auctoritie lycence entraunce (sic)" (59). W. W. Greg, approaching these records with a modern view of the operation of law, seems to have given them too much value in terms of establishing what was the customary practice for the Guild. If, in fact, this were the ruling of a court, one might reasonably assume that the entry means that a printer is guilty of disorderly printing, and subject to the destruction of his press, any time he is found to have printed without securing all three levels of permission: (a) authority; (b) license; and (c) entrance. Because of the broad discretion of an arbitration, however, no such inference may reasonably be drawn. This means that another printer might print disorderly without authority, license and entrance and receive

a fine, or no disciplinary action whatsoever. An individual disciplinary record is of very little value to establish any sort of pattern.

The degree of difficulty in analyzing entries in the Stationers' register is further exacerbated by the fact that their internal policies during the relevant period are unknown. Much speculation has gone into reconstructing the steps necessary for a member of the guild to print a book, but it must be seen as merely that. Edward Arden, who transcribed the records of the Guild, wrote that the earliest known version of the ordinances of the company date from 1678, since "[a]ll the earlier manuscript Ordinances appear to have perished" (3), presumably in the Great Fire of London, in which the original Charter was also destroyed (1.xxvii). Arden argues that the Regulations of 1678 are "doubtless substantially the same as those now lost," but the time elapsed strains this argument somewhat. While the Regulations of 1678 are in all likelihood very similar to the Regulations whereby the company governed itself in the decade or two prior, it is a much different matter to argue that the practices of the company did not change over the course of more than a century of great social, economic, and political change. Indeed, during this period, the relative power of various groups within the company had certainly changed, with power shifting from the printers to the booksellers. The relative power of the bookbinders declined, and the bookseller became "the most powerful element within the book trade," reducing "the position of the printer to that of a mere journeyman" (Patterson 44). It may be that the governance and practices of the company did not change much during its first century of existence, but Arden's assertion that they were "doubtless" the same in 1678 as in 1557 seems somewhat overreaching. At any rate, the 1678 Ordinance goes into great detail about the governance of the company with respect



to elections and duties of officers, etc., but it does not contain any description of the procedures by which one member obtains rights with respect to a particular text.

### License, Authority, and Entrance

A theory which came into prominence in the early Twentieth Century built upon the work of Greg and Pollard. To explain the differences between quarto versions and the folio version of some of Shakespeare's plays, Pollard looked to the preface to the First Folio text, written by two of Shakespeare's comrades, John Heminge and Henry Condell. Since they referred to previous stolen and surreptitious copies of the plays, Pollard reasoned, the shorter versions of the plays must have been stolen somehow. Such versions were termed "bad" quartos, a phrase which is still often used today. Ironically, it was not the bad quartos that received the brunt of Pollard's disapproval, but the people who published them (Erne 221). Once the binary distinction of "good" and "bad" quartos was established, Greg began to link the "bad" quartos to irregularities in the Stationers' Register.

*Romeo and Juliet* and *Henry V* were not entered in the Stationers' Register at all; *Hamlet* and *Pericles* were published by stationers other than those who had the entrance; *The Merry Wives of Windsor* was entered to one stationer and transferred to another the same day. (Greg, *Editorial* 10).

Greg spent countless hours poring through the Stationers' Register, and drew the conclusion that there were three requirements that had to be fulfilled in order for a book to be printed legally: authority, license, and entrance. If any printer failed to meet these requirements, there was obviously something dishonest going on, and the resulting text consequently lacked authority. The variations contained in such texts were corruptions.

The failure, in this instance, of Greg's analysis seems to be the assumption that such important documentation as the Stationers' Register must be accurate and consistent. Blayney argues that the usage of the three words changed over time, and that during the majority of the period relevant to this paper,<sup>5</sup> there were only two requirements (396).

All books were required to be "allowed" or "authorized." Article 51 of Elizabeth's Injunctions of 1559 prohibited any person from printing "any manner of booke or paper" unless it had first been licensed by the queen, by six members of the privy council, or by the archbishops of Canterbury and York, the Bishop of London, or by the chancellors of the university where it was to be printed (Arden 1.xxxviii). The 1637 Star Chamber Decree provided that any book or pamphlet, including "all and every the Titles, Epistles, Prefaces, Proems, Preambles, Introductions, Tables, Dedications, and other matters and things whatsoever thereunto annexed, or therewith imprinted" must be first lawfully licensed and authorized. Note that even here, in what seems to have been the preliminary step, there is a lack of clarity in the language. In 1559, what Blayney calls "allowance" is called "license," while in 1637, the permission from the same set of authorities is "license and authorization."

Despite the plain and absolute language of the Injunction, books continued to be published without allowance. "Books that could offend nobody – books of mathematics, gardening, or cookery; funeral services in praise of uncontroversial dignitaries – were often published without authority, and no stationer is known to have been punished for failing to have an inoffensive text perused and allowed" (Blayney 397). Allowance, then,

---

<sup>5</sup> I am concerned here with the period prior to the closing of the theatres in 1642.

was in practice, little more than a form of insurance.<sup>6</sup>

It is perhaps worth bearing in mind that article 51 of the 1559 Injunction was simply the latest enactment in the string of attempts to control the press. And although the Stationers had been chartered ostensibly to control the tide of heretical works in the marketplace, article 51 was enacted to quell the “great abuse in the printers of bokes, which for couetousness chiefly regard not what they print, so thei may haue gaine, whereby ariseth great disorder by publication of vnfrutefull, vayne and infamous bokes and papers” (Arber 1.xxxviii). This does not seem to have been a climate of order.

Greg’s supposed requirement of license, Blayney argues, generally meant the Company’s permission to print a work, as required by the 1557 Charter (398). License was sometimes given conditionally, until “further,” “better,” or “lawful” authority was obtained, or in some cases, on the condition that if any trouble arose, the publisher alone would be responsible. Works were sometimes licensed without authority. In other cases, license was refused because a work was not authorized (398). License was the source of the so-called right of copy.

The most troublesome of Greg’s three requirements is entrance. Greg “interpreted ‘entrance’ as securing the right to a copy by entrance ‘in the register book of copies,’ and took the wording as proof that the ordinances required registration” (Greg, *Folio* 400). Based on this entry and two entries of fines for printing without entrance, Greg assumed that entrance was compulsory. As Blayney points out, however, “in a later study he

---

<sup>6</sup> Not a very satisfactory one at that. A prior grant of approval by a governmental authority was of little practical use in the absence of modern concepts of due process. Thomas Middleton’s play *A Game at Chess* was licensed for the stage, but that did not prevent Middleton from being called before the Privy Council, and probably tortured, when the play offended a Spanish official.

showed that roughly one-third of the books published during the period were not registered... and he never squarely confronted the difficulty of reconciling that fact with the idea of compulsory entrance” (400). Entrance seems to have been an optional step until the Star Chamber Decree of 1637, which explicitly required every book published to be licensed, authorized, and to “be first also entered into the Registers Booke of the Company of Stationers” (Arber 4:530). Entrance was a step that provided additional security for a title. It was therefore a business decision whether or not to register a title. A number of factors could go into the decision whether to take the step and pay the fee for registration, including the demand for the title, the speed with which he thought the print run would sell, and the likelihood someone else would enter the market with a similar title. There is little reason to assume that a lack of entrance equates to some dishonesty.

As Patterson observes, entries for offenses were imprecise to say the least, with offenses as diverse as printing a book “before the wardens handes were to yt,” “without license and against the commandment of the wardens,” or “disorderly,” or “for that he hath transgressed the[e] ordynaunces in printing books Contrary to the same” (58).<sup>7</sup> The key factor seems to be permission of the wardens, or license, rather than entrance. It would seem, then, that license was the only mandatory requirement. Authority was technically required, but in many cases, the requirement was ignored if the work was deemed inoffensive. Entrance, on the other hand, seems to have been optional.

The link between the register and publishing presents another issue. It does not appear that every title that was registered was published within a reasonable time, or at all. This drastically undercuts the value of the records. Lukas Erne points to at least one instance in which it seems that a payment was made to delay publication. Entry for

---

<sup>7</sup> Citing II Arber 822, 824, 826, 827, 828, 836, 853, 854, 857, 860, 862.

properties in Henslowe's Diary suggests that *Patient Grissel* was performed in January of 1600. In March, Erne notes, Henslowe entered a payment of 20 shillings to one of the Lord Admiral's men "to geue vnto the printer to staye the printing of patient grissel" (Erne 91). Cuthbert Burby "entered the play in the Stationers' Register ten days later without proceeding to prepare an edition." The play did appear in print in 1603, published by Henry Rocket, a former apprentice of Burby's. How Rocket came to have the rights to publish the play (or if he even did) is unclear. Although the play ultimately was printed, the registration shows an obvious intention *not* to publish, at least in the short term. This, in turn, shows how the Register could be used as part of a strategy to control the timing of printing of plays.

It was apparently possible for James Roberts to register titles without the financial means to print them himself (Marino 80). Because the Guild was a small organization, and its members all based in London, it is unlikely that a business practice like Roberts's would have escaped notice for long if any other member desired to contest it. Roberts, it seems, openly registered titles on a purely speculative basis. This means that there was no requirement, or even pressure, to print the title, beyond the cost of the registration.

Pollard and Greg's narrative of pirates stealing and printing manuscripts without the consent of the companies that owned the texts seems a little less likely when one considers that a mechanism was available to prevent publication of valued texts. A simple "speculative" registration, like Roberts's, made by a cooperative member of the Guild, would have allowed a Company to effectively block publication of a text indefinitely, although this was clearly a step beyond Henslowe's practice, at least with respect to *Patient Grissel*.

### Copyright, or Right of Copy?

In a fundamental way, copyright and the Stationers' right of copy are opposite. They do not protect the same thing. Copyright protects not an idea, but an expression of that idea. The right of copy was something completely different, protecting a business interest. The closest thing to intellectual property protection that it provided was the protection of the subject matter or title of a work. Instead of comparing the right of copy to copyright, a more apt comparison would be to a trademark. In effect, titles seem to have been treated to a certain extent as brands.

The distinction between an idea and the expression of the idea was illustrated by *Rosenthal v. Kalpakian*, 446 F.2d 738 (1971) a seminal case in American copyright law. In this case, the plaintiff manufactured pins in the shape of a bee. The pins were made of gold and were encrusted with jewels. The defendants manufactured a jeweled bee pin which plaintiffs alleged to be similar to the registered design. Although the two pins were very similar in appearance, the court held that the defendants' pin did not violate plaintiff's copyright. The court held that the idea of the bee pin was so specific that it became impossible to separate the idea from the expression of the idea. "Absent copying," Judge Browning wrote, "there can be no infringement of copyright" (741).<sup>8</sup> In order to copy something, one must have access to the original. Otherwise, the later work is an independent creation.

The right of copy, on the other hand, served a completely different purpose and functioned in a very different way. The right of copy existed "to provide order within the company," and it "functioned in accordance with their self-interest" (Patterson 5). It has been suggested that the Stationers sought to regulate their trade in such a way that a

---

<sup>8</sup> Quoting the United States Supreme Court's opinion in *Mazer v. Stein*, 347 U.S. 201, at 218.

member would have “a fair chance to recover his costs” (Blayney 399). Under this theory, the right of copy would do more than simply protect a version of, say, Shakespeare’s *King John* that came dangerously close to the same expression of language – a similarity so close as to suggest that the author of the infringing work had *access* to the text and *copied* it in some way. Rather, similar titles or works on the same subject in the marketplace at the same time could endanger the return of investment. As an example of this principle, Blayney cites the license given in 1581 to Thomas Chare for Richard Mulcaster’s work *Positions Whereupon the Trayning up of Children and so Consequentlie the Whole Course of Learnyng ys Grounded*. Chare’s license to print the work was given provisionally: “Provyded alwaies That yf this booke conteine any thinge prejudiciall or hurtful to the booke of maister Askham that was printed by master Daie Called the Scolemayster That then this Lycense shalbe voyd” (Arden 2.390).

“Anything prejudicial or hurtful” is very broad language. Unfortunately, the Stationers’ Register provides very little detail. A court in the common law tradition, such as the *Rosenthal* court, will often give reasons for its decision, which provide guidance in future actions. The Stationers had no reason to do this. What is reasonably clear is that in this single instance, someone (presumably master Daie) sought a condition upon the license of a competing work and received the remedy for which he asked. Whether it was common for one member to have the right to block a competing work or not is unclear.

Of course, it must be admitted that the evidence to support this theory of the right of copy as a broad protection of titles is also thin. Blayney cites other examples of Stationers acting to protect their work: Thomas Adams twice *claimed* infringement; George Thomason *tried to block* publication (399). These examples cover the years 1581

through 1658. The evidence supporting each of these claims and the standard of proof that had to be met in order to prevail are not clear. Indeed, in the cited cases, the language suggests that Adams and Thomason both failed to prevent their competitor from entering the marketplace. While implying that title protection was an available remedy, the cited instances do not establish the existence of such a remedy. All that can be said with certainty is that on these occasions, these two Stationers felt that their likelihood of succeeding with such a claim was worth the labor to proceed with the claim. One could reasonably argue that Blayney's interpretation of the record is as tenuous as Greg's or Pollard's.

Given the circumstances, however, of a closed industrial group, Blayney's position seems the more reasonable of the two interpretations of these records. Greg, perhaps in keeping with the worldview of his times, looked at the record and saw an organization that was reliable, thorough, fair, and consistent. While the record may become more reliable after the Star Chamber Decree of 1637, prior to that, the only consistent thing it shows is self-interest.

#### Author's Rights

Another danger in confusing modern copyright with the Stationers' right of copy is that copyright is an author's right. Any discussion of a copyright in a play text suggests that playwrights during the period had some rights in and to their compositions. This view does not seem to bear out. On the contrary, there seems to have been very little an author could do to control or protect his work.

A fundamental concept of copyright is that it is a right that adheres *in an author* from the moment that a work is fixed in a medium. Because we value the labor of the



creator, an exclusive right held by an author as a moral or natural right inherent as part of creation makes sense to us. As a result, copyright law in the United States provides that copyright is a right that adheres in the author (17 USC Sec. 201(a)), from the moment of creation (*See*, 17 USC, Chapter 3). Indeed, the United States Constitution grants Congress the right “To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.” The very purpose of the right is to protect the authors. Copyright is actually often thought of as a bundle of rights: it includes the exclusive right to copy, publish, alter, perform, or display a work (such exclusive rights implicitly including the right to prevent others from doing so).

In his 1955 book, *The Shakespeare First Folio*, Greg devoted an entire chapter to a discussion of copyright. Before addressing some of the work of Alfred Pollard, Greg noted that Pollard disagreed with the assertion by Sidney Lee that, as a general proposition, publishers “freely enjoyed the right of publishing any MS., whatever might be the channel through which it reached their hands, provided that they purchased a license for its publication of the Stationers’ Company” (Greg, *Folio* 42). Greg came down on Lee’s side in this debate. To phrase the issue another way, one might ask whether an author had any right to prevent the publication of his work.

This question came before the House of Lords in *Donaldson v. Beckett*. The case was heard in 1774, long after the period relevant to the discussion here, and was a seminal case in the construction of the Statute of Queen Anne, a forerunner to the modern copyright law. In this case, the court first recognized two rights. The first was the

author's right of first publication of his work.<sup>9</sup> The second was an author's right to his manuscript. That is to say, that an author had the right to possession of his own copy in physical form. The ideas contained therein, and their expression, however, do not seem to have been accepted by any court prior to the Statute of Queen Anne. As Baron Perrott put it, "if a friend to whom [a manuscript] was lent, or a person who found it, multiplied copies, having surrendered the original manuscript," an author had surrendered all that he had "any common law right to claim" (982). Thus, during Shakespeare's career, an author had no legal rights in his work which were recognized by any court.

Prior to *Donaldson v. Beckett*, the court had granted certain injunctions against printing, and the court considered whether those injunctions implied that the right had existed under prior law. Baron Eyre "reviewed the cases which, by the respondents' counsel, had been adduced to prove the sentiments of the Court of Chancery in favour of a common-law right," but ruled that although the Court had granted injunctions, "[a]n antecedent common law right was never hinted at."<sup>10</sup> Rather, the injunctions were based

---

9 The court's decision seems to have been motivated in part by resentment of the perceived abuses of Stationers' Guild practices, which effectively created eternal monopolies in texts. Lord Camden's opinion in the case reveals this attitude very clearly. Phrases like "grossest tyranny and usurpation" and "heterogeneous heap of rubbish" pepper his opinion. He waxes poetic about the period during the English Civil War when, as he put it, "all the bye laws of the Stationers' Company were at an end; every restraint fell off from the press, *and the whole common law of England walked at large* [emphasis added]" (Patterson 994).

10 Lord Chief Justice de Grey observed that seventeen cases involving publication had come before the Court of Chancery since the enactment of the Statute of Queen Anne. Of those, eight were to enforce rights granted by the statute, and so, not relevant to the issue before the court. Another "two or three" involved an issue of fair abridgement, also not relevant. He distinguished the remaining cases on the

on the “appearance of something fraudulent upon the face of the transaction” (973). As Baron Perrott put it, “it had not been found, although every law book had been ransacked for the purpose, that a trial was ever had at common law” (983). Lord Chief Justice De Grey stated that the existence of an author’s common law right could “be fairly treated as a new question; and indeed it has been argued as such upon general principles” (990). Although the majority of the court ultimately ruled that an author’s right existed under common law, it held that the Statute of Anne preempted that right.

In a common law system, courts occasionally recognize in writing a custom or belief that already exists. The recognition of an author’s right in *Donaldson v. Beckett*, therefore, must be viewed in the context of earlier practice. Evidence from the early modern period reveals that authors did not have control over their own work.

When Thomas Heywood published his *Pleasant Dialogues and Dramas* in 1637, he felt it necessary to apologize for a prior version of *If You Know Not Me, You Know Nobody*, calling that version a corrupted copy, published without his consent. The play, Heywood wrote, was liked

So much, that some by Stenography drew  
The plot, put it in print (scarce one word true)  
And in that lameness it hath limp’d so long,  
The Author now, to vindicate that wrong,  
Hath took the pains upright upon its feet  
To teach it walk: so please you, sit and see’t.  
(qtd. in Ribner 220)

---

grounds that they were *ex parte* motions for injunction, in which the defendant is not even present to reply. The precedential value of such a case is extremely low. As he says, it is difficult to imagine that “so many illustrious men, who presided in the Court of Chancery, would, without a single argument, have determined so great and copious question...” while “none of them wished to have it said he had formed any opinion on the matter.” (989-990).

Heywood's only recourse, apparently, was to print a corrected version. If any legal remedy existed, it was presumably either unknown to Heywood or the cost of pursuing it was prohibitive.

Among the best evidence that any sort of author's right might have existed is in the dedication of Sir Francis Bacon's *Essays*. Bacon, a lawyer and sometimes member of Parliament, says that he decided to publish the works himself since they were already going to print. "To labour the staie of them had bin troublesome, and subject to interpretation" (46). Interpretation suggests that Bacon did not have a clear right to do anything to prevent the publication of the *Essays*. Rather, the strong implication of this is that he would need to make some unusual, probably weak argument and persuade the court in order to prevail. It's not clear what steps Bacon would have needed to take to prevent the publication of the *Essays*, but it does seem clear from his statement that he felt he did not have a clear right to do just that.

It seems that Shakespeare's works were not offered any more protection than those of his contemporaries. The King's Men do not seem to have had any power to prevent "stolen and surreptitious copies, maimed and deformed by frauds and stealths of injurious imposters" from entering the marketplace. Heminge and Condell decry the existence of such versions in their introduction to the First Folio. It seems all they could do was to point out the flaws of these prior versions and implore readers to buy *their* versions, which were "cured, and perfect of all their limbs."<sup>11</sup>

---

<sup>11</sup> It now seems likely that the versions Heming and Condell were most concerned with were the so-called Pavier Quartos published in 1619 (Bate 18). Despite the assertion that the Folio versions are superior, many modern editors rely heavily on quarto versions of certain texts.

If the author did not have some moral right to their labor, what is the source of the rights that became copyright? Ironically, it was the mixture of censorship and monopolies, two forces that by their nature opposed the rights of authors, which developed into copyright.

### Conclusion

When discussing a text, many scholars' first step is to try to establish the authority of that text. Frequently, this discussion involves an attempt to date the text. That discussion, in turn, often begins with the entry of the play in the Stationers' Register.

This chapter is not intended to suggest that such an endeavor is in some way invalid, or that a determination of the date of a text (either of composition or publication) is not useful. But to understand the entry, one must understand the Register. And to understand the Register, one must have a sense of the Guild's history and purpose. Because the origin of the Company and its function are so removed from modern ideas of intellectual property, it is important that those ideas not influence any reading of the records of the Guild. The Guild was created, at least in part, as an instrument of censorship. Its primary function, however, was to regulate the business that all of its members practiced. The Guild was not attempting to preserve for posterity a historical record of books that were published. It was not required to function according to modern notions of due process, and its disciplinary proceedings did not carry the weight of precedent. Each entry is therefore to some extent *sui generis*, and extrapolating patterns from the records is an exceedingly risky proposition. Until 1637, there is little reason to assume that the records are complete or consistent, and even from 1637 forward, caution should still be exercised. Since the records were not public, it cannot be assumed that

they were subject to regular scrutiny by any outside party, so there was no mechanism in place to ensure the accuracy of the records. Registration was not necessarily linked to publication. Many plays existed long before their registration, and it is highly likely that in some cases titles were registered before the plays were completed, or at a minimum, certainly long before publication. This raises questions of chain of possession, and whether the text published was the same as the text that existed upon registration. Finally, authors were irrelevant to the process beyond the production of texts, having no apparent rights with respect to publication of their works. This makes the concept of copyright (a right adhering in the author upon creation of a work) a particularly dangerous concept to import into the records of the Guild.

The Stationers' Register is a very valuable source of information with respect to the publishing of early modern play texts, but if the records are not viewed with the appropriate level of care, false conclusions may result.

### CHAPTER III

#### Which Text?

*“There is enormous pressure on me from my colleagues not to do it as I want to, full length. We simply can’t afford it, they say... So what am I to do? I don’t want to interpret the play by cutting it.”* (Hall 176-77).

Writing about Peter Hall for *The Routledge Companion to Director’s Shakespeare*, Peter Holland chose, as a point of entry, a short animated film called *Next*. In the film, a theatre director with an obvious resemblance to Hall watches while an apparently auditioning William Shakespeare performs highlights from “his entire corpus of plays” (140). By the end of the film, Holland observes, Hall becomes “St. Peter to the divine Shakespeare.” Hall’s fifty years of work on and for Shakespeare, Holland says, “fully earned the priestly and saintly accolade... jokingly but sympathetically conferred on him in *Next*” (141). Hall’s tireless work on the text both reveals and reflects certain assumptions about early modern play texts that pervade the way those texts are perceived, and consequently, the way the texts are approached for performance.

Peter-Hall-as-saint is emblematic of the perception of the text-as-holy-relic. “The Folio is a record of *what was said* [emphasis added],” Hall writes, even though he admits that the text contains “mis-spellings, misprints and inaccuracies” (Hall, *Advice* 21). Implicit in Hall’s perception of the Folio as a historical document, as a document that should not be cut, is the idea that there is a “true” text – a text which embodies the intent of the author, and the further idea that such a text is inherently superior to any other version of that text. What are these misprints and inaccuracies, and how do we distinguish them from the rest of the text? As Alfred Harbage argued fifty years ago,

editors “blamed every defect in the texts upon the interpolation of actors, the incompetence of scribes and printers, and the villainy of former editors,” (2), and they worked to recover that true text through systematically “correcting” whatever did not fit their idea of what the text should be. Harbage wrote then that this was a stale subject. Yet the attitude persists.

Indeed, an entire school of Folio work exists now. This school views all quarto texts as “integral versions” and denies any sort of connection between them. As Anthony B. Dawson puts it, “[t]extual miscegenation, in this rhetoric, breeds contamination” (Dawson, 143). Dawson argues that the Folio technique fetishizes that text, including signs introduced into it by the means of production of the text. There is an “undue reliance on its accidental features,” such as punctuation, capitalization, and lineation, “as signs for the actor (152). To put it another way, they see “no difference between Shakespeare’s intentions and what appears in the Folio” (153).

Contrary to the idea of a single true text, there is evidence to suggest that the Folio does not represent the one perfect version of the works of William Shakespeare, but rather, the then-current phase in the text’s evolution, despite what Heminge and Condell would have us believe.<sup>12</sup> Given the uncertainties about the texts that have survived, any declaration that one text is more authoritative than another involves speculation and guesswork. Additionally, in light of recent scholarship suggesting that play texts were probably cut for performance, whether on the professional stages of the Globe and

---

<sup>12</sup> Their preface to the Folio claims that the plays contained in that volume are “cur’d, and perfect of their limbes; and all the rest, absolute in their numbers, as he conceiued them.” Reprinted in the General Introduction to the Riverside Shakespeare, 2d. ed.



Blackfriars, or for the guildhalls and other touring venues, it is a very shaky proposition to assert that any given version of the text is *what was done*. The interpretation and emendation by editors over the past four hundred years, then, is, in all likelihood, an attempt to restore something that never existed.

And on the sixth day, Shakespeare wrote *Hamlet*.

Hall's concern over interpreting *Hamlet* raises an important question. Which version of the play is the "correct" one? Is it the Folio version, which presumably gives us a "record of what was said?" Or is it one of the two quarto versions? Harold Jenkins, the editor of the second edition Arden version of *Hamlet*, believed that Q2 (the 1604-5 Quarto) stood "closest to the author" (74). His edition, "like most others since Dover Wilson established Q2 as the authoritative text" was based primarily on the Q2 text. Q2 weighs in at around 3,800 lines – considerably longer than Q1's 2,200 or so. (Wells, *Introduction* 653). But Wells points out that although Q2 is longer than the Folio text by around 230 lines, the Folio contains 70 lines not present in Q2. Ann Thompson writes that as of the publication of the two-volume non-conflated Arden *Hamlet*, the prevailing scholarly opinion was that although the three versions appeared in print in the order of Q1, Q2, F, it was actually Q2 which was written first, followed by the Folio version, and then the Q1. (1603 9). Of course, there are references to *Hamlet* which pre-date any of these published texts.

Ur-Hamlet, or Not Ur-Hamlet?

Before *Hamlet*, it is argued, there was the *Ur-Hamlet*. Because of some references to *Hamlet* prior to the date Shakespeare's *Hamlet* is known to have existed, it is assumed that there was another play by the same title, written by another author. First, Thomas

Nashe wrote an introduction to Robert Green's *Menaphon*, published in 1589. In it, Nashe writes of certain "shifting companions," that read "English Seneca by candle-light" may "afford you whole Hamlets, I should say handfulls of Tragical speeches" (Arber, *Introduction* xiv).<sup>13</sup> Second, Henslowe's Diary contains a reference to a 1594 performance of *Hamlet* (Thompson, *Hamlet* 44). Third, Thomas Lodge, in *Wit's Miserie* (1596) compares a devil to "a ghost which cried so miserably at the theatre, like an oyster wife, 'Hamlet, revenge!'" Finally, Frances Meres did not mention *Hamlet* in his discussion of Shakespeare in *Palladis Tamia* (1598). Meres, it is thought, could not possibly have omitted *Hamlet* from his list of the works by Shakespeare if the play was in existence by 1598.

From this evidence, a narrative has been constructed that posits the existence of another play, though no other record of it exists. What does seem to be clear from the evidence is that in 1589, a character called Hamlet existed,<sup>14</sup> whether in literature or on stage, who bore a comparison to Seneca; and that by 1594, there was a play by that same name. This seems very slim evidence upon which to base the existence of another play. While it is true that no version of *Hamlet* by William Shakespeare contains the line "Hamlet, revenge," Paul Menzer points out that "*Casablanca* does not actually include the line, 'Play it again, Sam,'" (137). Nevertheless, the phrase has entered the common

---

13 The Oxford English Dictionary indicates that the word "hamlet" meant "a group of houses or small village" as early as 1330. Nashe's reference is obscure. It is perhaps worth entertaining the idea that his use of the word is a mere coincidence.

14 The story of Hamlet dates back at least to Saxo-Grammaticus in the 12<sup>th</sup> Century, although the character was called Amleth. François de Belleforest's version, possibly Shakespeare's source, called him Hamblett.

vernacular. This is an excellent cautionary example. Human memory, recounting a single phrase hours or even days after hearing it, might not be completely accurate. But since Lodge's quote supports the desired narrative, the possibility that it might be paraphrased is ignored.

One piece of evidence which suggests that the *Hamlet* referred to by Nash, Lodge, and Henslowe was not Shakespeare's is the play's omission from Frances Meres' list of his plays in *Palladis Tamia*:

As Plautus and Seneca are accounted the best for Comedy and Tragedy among the Latins: so Shakespeare among the English is the most excellent in both kinds for the stage. For Comedy, witness his *Gentlemen of Verona*, his *Errors*, his *Love Labors Lost*, his *Love Labours Wonne*, his *Midsummers Night Dreame*, and his *Merchant of Venice* ; For Tragedy, his *Richard the 2*, *Richard the 3*, *Henry the 4*, *King John*, *Titus Andronicus*, and his *Romeo and Juliet*. (Meres 317-18)

*Hamlet*'s absence from the list is conspicuous, if one assumes the list is intended to be complete, or that it is a list of the best of Shakespeare's works compiled by someone who knew them all. But there is no compelling reason to believe that either is true. An omission is perhaps unlikely, but certainly not impossible.

A good case can be made that the complete texts of the *Hamlets* printed in 1604 and 1623 are unlikely to have been written prior to 1590. Yet Ann Thompson acknowledges that "it is not logically impossible that the play referred to by Nashe was an earlier version by Shakespeare... [n]or is it logically impossible that the play referred to by Lodge was an earlier version by Shakespeare" (*Hamlet* 46). For example, the "little

eyases,” of which Rosencrantz speaks in Act 2 is generally thought to refer to boy players that were able to play in Blackfriars. James Burbage had acquired the space and transformed it into a theatre in 1596, but the local residents prevented adult players from utilizing the space (Stern, *Making* 17).<sup>15</sup>

The non-Shakespearean origin of the alleged *Ur-Hamlet* is certainly favored by what Ron Rosenbaum calls the “Shakespeare studies publishing-industrial complex” (157). It allows a *Hamlet*, written by William Shakespeare, to place what Jonathan Bate calls “the most prestigious of the plays” (18) at the peak of Shakespeare’s career, and conveniently close in time to the death of his father, allowing for biographical readings. Perhaps the most interesting take on the *Ur-Hamlet* theory is that “it saves Shakespeare from the embarrassment of having written a work which some of his literary contemporaries despised” (Marino 77). It is easy to imagine that a single favorable mention of the title during the time period at issue here would have led to the completely opposite conclusion: an earlier version of the play by William Shakespeare. Since, however, the obscure references to the title seem disparaging, they are explained away

---

<sup>15</sup> Rosencrantz says that they carry it away, “Hercules and his load, too,” a reference perhaps to the image on the banner flown at The Globe on performance days (Stern, *Making* 17). The popularity of the boy players was very high around 1601, but they were not a new phenomenon. The boys were playing in St. Paul’s as early as 1575 (Keenan 12). They seem to have ceased operating by 1590, but were performing again not later than 1599 (12). Of course, it is not impossible that this exchange might have been added to the play at some point after its initial composition. In editing *Richard III*, John Jowett recognized that differences between versions of that text “no doubt reflect alterations made by Shakespeare, but... cannot be separated from larger processes of alteration for the stage that would have centrally involved other members of the theatre company as well” (Jowett, 2).

through the existence of an entirely different play by another author.

### Der bestrafte Brudermord

A German text of uncertain origin has puzzled scholars for generations and further complicated the determination of the provenance of *Hamlet*. While some believe the play to be a corrupted version of Q1, other scholars find this conclusion less certain. Considering *Brudermord* together with Q1, Q2, and F, “a clear lineage of authority and derivation” cannot be determined (Marino 80). The Eighteenth Century puppet play of *Brudermord* which Tiffany Stern recently discovered shares this indeterminacy, containing features of both Q1 and Q2. The strange mix of similarities between *Brudermord* and each of the two quartos have led to diverse scholarly opinions: that it derived from Q1, Q2, or the *Ur-Hamlet*. Harold Jenkins felt it was impossible that *Brudermord* (or by logical extension, the *Ur-Hamlet*) could have been a source for Shakespeare’s *Hamlet*, because that idea required committing oneself “to the belief that Shakespeare, while no doubt heightening effects with powerful diction and writing in some brilliant soliloquies, was for large parts of *Hamlet* content to follow a source-play step by step, not only incident by incident, but speech by speech” (116). Nevertheless, the similarities between *Brudermord* and the other versions of *Hamlet* make it impossible to determine which came first.

### Enter the Stationers’ Register

On July 26, 1602, James Roberts registered a “booke called *the Revenge of Hamlette Prince of Denmarke*, as yt was latelie Acted by the Lo. Chamberlain his servants” with the Stationers (Wells and Taylor 396). Roberts was apparently not a publisher, but a speculator who would register titles and then seek investors to hire him as

printer (Marino 80). It was not Roberts who published the first version of the play, however, and there does not seem to be any evidence of any sort of disciplinary action, sought from, or rendered by, the Stationers' Guild, in connection with this apparent violation of Roberts's right of copy. The title of the play printed in Q1 is different from the registered title, but this variation is unlikely to have allowed another work to circumvent the right of copy. *The Tragicall Historie of Hamlet, Prince of Denmarke*, attributed to William Shakespeare (now known as Q1), purports to have been performed by "his Highnesse servants," suggesting that it was published after May 19, 1603, when Shakespeare's company became The King's Men (Thompson, *Hamlet* 76). This version was published by Nicholas Ling and John Trundle, and printed by Valentine Simmes, not James Roberts. In 1604, Ling hired Roberts to print Q2, a much longer version of the play, under the same title. Thus, Ling invested in the printing of two different versions of the same play, which could have been in competition with one another in the marketplace.

Blayney's analysis of the marketplace for printed play texts indicates that introducing a second edition before most or all of the copies of the first edition were still unsold was unusual. Few plays warranted a second pressing, and the profit margins made it "difficult to understand why a stationer would bother to take the risk" on publishing even a first edition (412). He suggests that ten years to sell a print run of 800 copies was not unusual. Going to a second printing within a year was not out of the question, but was certainly not typical. The only reasonable explanation for the existence of Q2, then, seems to be that Q1 – the "bad" quarto – was unusually popular. Unless the publisher has been able to sell a significant part of the initial print run, placing a new version of the text

into the market would endanger the return on both print runs. It has been argued that Q2 was published as a “corrective” version published in response to the “defective” Q1. This is, of course, logically possible, if somewhat difficult to resolve with the idea that Shakespeare’s company generally sought to prevent the publication of their texts (which is an assumption underlying the theory that Q1 is somehow defective in the first place). A hypothetical Elizabethan playgoer might just as possibly have been more interested to see a newly-amended version of a play (or at least a version with previously unpublished content). Given that the audiences who attended plays and the group of people who purchased play texts probably had a fairly small overlap, the “corrective” theory seems predominantly a literary one, not really one that supports any urgency for the business of the playhouse. It may simply be that the popularity of the initial run led to further negotiations between publisher and company to acquire a fuller and more current version of the text for the second print run.

#### Bad Quartos, Foul Papers, and Bears, Oh My!

What is the source for the designation “bad?” In his 1909 work, *Shakespeare Folios and Quartos: A Study in Bibliography of Shakespeare’s Plays 1594-1685*, A. W. Pollard divided all of the quartos into two classes, “good” and “bad.” Paul Werstine argues that the scholars who followed Pollard not only perpetuated this oversimplification, but drove the two classes even further apart, “making the ‘good’ better, and the ‘bad’ worse” (Werstine, *Narratives* 65). One of those scholars was Greg, who posited that the reason for the wide variations between certain quarto versions of plays and their Folio counterparts was “memorial reconstruction.” Under this theory a small number of actors, possibly with the assistance of someone in the audience who took

notes, would recreate the text for publication. Werstine argues that this theory “transcends any considerations of evidence and passes into the realm of pure speculation” (Werstine, *Century* 317). Werstine examined the accuracy of the text and found that the hypothesis of memorial reconstruction failed “because the connection between the quality of correspondence and the putative role(s) of the reporter(s) breaks down” (320). In other words, it was not possible to show a correlation between inaccuracies in the text and who was present during the scene. As Jonathan Bate recently wrote, while memorial reconstruction “remains the most plausible hypothesis for the textual origins of a small number of early modern printed plays,” the conclusion that a large number of Shakespearean quartos came into being this way “is beginning to look very shaky” (18). This is not to say that these texts might not have derived from performance texts. In fact, the title page of Q1 trumpets the text’s performances, while Q2’s title page does not mention performance at all.

If some sort of espionage was responsible for the so-called “bad” quartos, where do “good” quartos come from? Pollard posited the idea that Shakespeare would deliver to the company an original draft of the play, in his own hand, rather than a scribal copy. This holographic version of the play was referred to as the author’s “foul papers.” The handwritten version would then be annotated, presumably by adding in stage directions and the like, resulting in the “booke of the play,” or the prompt-book. An entire industry rose up around determining which plays were printed from foul papers and which from prompt-books. None of this, Werstine argues, can withstand much scrutiny (Werstine, *Narratives* 68). Pollard, Werstine argues, based the narrative on three specific instances, drawing a universal pattern out of them. The three instances, however, each seem to be an



unusual circumstance. Actually, Werstine says, "... there are now thought to be considerably more scribal transcripts than holographs among the surviving manuscripts that Greg and others have nominated 'prompt-books'" (69). In other words, the manuscripts offered as evidence that an author's hand-written and then annotated text was used in the playhouse are more often than not copies of the author's text made by another hand. This undermines the entire narrative of foul papers and promptbooks. It also obviously introduces the possibility for scribal errors to creep into the texts. The actors themselves may have also contributed their own "improvements" to the text. Giles Block believes that the Folio text of *Hamlet* contains interpolations by Richard Burbage (Rylance xi).<sup>16</sup> The text seems to have passed through so many hands between the inception of the words in the author's mind and the final impression of the text on the pages of the Folio that the possibility for numerous changes throughout the process is very high. It becomes increasingly difficult to assert that any variation has more "authority" than any other.

The idea of a promptbook (as promptbook) may also be a projection. Andrew Gurr writes, on the basis of his experience or working at Shakespeare's Globe, a recreation of an Elizabethan venue, that prompting actors under those conditions is quite

---

<sup>16</sup> It is not entirely clear how these changes to the text would have made it into the official copy of the play. It's possible that the prompter added them to the text upon realizing they had become a part of it through usage. Alternatively, the King's Men may have recovered Burbage's parts after his death and compared them with the text. There is some evidence that Edward Alleyn made revisions to his own part in *Orlando Furioso* (Marino 89). It seems quite possible that changes might be made to a show after the initial performance, and these might have been given to the actors individually. There would need to be a mechanism to incorporate any such changes back into the full text.

impractical. The volume necessary to be heard through the *frons scenae*, the size and shape of the stage, and the proximity of the audience to the actors means that prompting was unlikely. Further, he argues, a key distinguishing feature of playbooks known to have been marked by book-keepers (and thus, prompt-books) is the notation of “duties undertaken inside the tiring-house,” such as required offstage noises and anticipations of entrances (71).<sup>17</sup>

There are a few underlying assumption in the idea of foul papers / promptbooks that do not bear out. One is that the plays were treated with the same sort of reverence by Shakespeare’s business partners that we give them today. While the plays were doubtless considered a vital asset, it seems unlikely that textual fidelity was as important. The play itself was highly valuable. However, much less value was probably placed on the exact wording by the playwright, or on his handwritten copy. No one who has spent time around actors is likely to believe that Richard Burbage thought his opinions about the text were of less value than Shakespeare’s. Once the text was transmitted to the company, in all likelihood, it was modified during rehearsal, and differed during every performance. It probably continued to change throughout its life on stage. “Every play in the Early English theatre,” Eric Ramussen suggests, “must have been revised to some extent during

---

17 Tiffany Stern takes the position that a prompter did in fact prompt the actors. Among other sources, she cites Othello’s mention of a prompter in 1.2. It is possible that this was simply a commonly-known theatrical convention by this point, even if no longer in use. Stern’s work on parts has revealed that medieval parts frequently did not contain cues, making prompting a necessity (Stern, *Parts* 16). If an onstage prompter had been a convention for many years, it is possible that audiences would continue to understand the reference even if the new playhouses prevented them from effectively performing that function any longer.

rehearsal, as companies met with difficulties that could not have been foreseen in the written text” (441). Entries in Philip Henslowe’s diary suggest that new scenes plays were often added to plays. (441). Wells and Taylor write, “[a]lmost all literary texts evolve, and these evolutions are incarnated in a procession of separate scripts: rough notes, draft fragments, a sustained first draft, subsequent copies containing a greater or lesser degree of authorial reshaping,” (3). Beyond the variations in the text prior to delivery at the playhouse, Professor Bate notes that plays change “as they go from writing to rehearsal to performance to revival” (21). In the case of *Hamlet*, a play in existence for at least twenty years prior to the publication of the Folio, numerous “revivals” were possible. It may be that the text was changed many times. As surviving prologues and epilogues suggest, pleasing the audience was of paramount importance, as one would expect in a commercial venture. Any change to the text which pleased the audience could have been seen as an improvement, and could have worked its way into the then-current version of the play, whether originated by actors, by the original author, or by any other party who might have the ability to contribute to the process.<sup>18</sup> The surviving versions of play texts that were performed and that were successful enough to have a significant lifespan on the stage may be simply snapshots – moments captured in a continuing evolution.

Applying the “good” and “bad” quarto and “foul papers / prompt-book” analysis to the multiple texts of *Hamlet*, the traditional view has been that Q1 was a “bad” quarto, stolen and surreptitious, possibly the work of “a pair of rogue actors reciting the text, and

---

18 For example, Hamlet’s groans after “the rest is silence” in the Folio may be interpolations by Burbage that played well.

in so doing, garbling it, for a piratical publisher” (Bate 18). Q2 was believed to be “good, the play as Shakespeare wrote it,” while the Folio derived from the prompt-book, since it displays “signs of cutting and an element of playhouse revision” (18). The “magic” correlation of these theories to the three versions of *Hamlet*, Bate suggests, “sounds a little too convenient.” Some support for the categorization can be seen on the title pages of the quartos. In the Introduction to the Q2-based *Hamlet*, Ann Thompson points out that Q1’s title page purports the text to have “beene deurse times acted,” while the title page of Q2 contains no suggestion of performance, stating instead, that this version of the text was printed “according to the true and perfect Coppie” (*Hamlet* 81). This implies that Q1 was a performance text, and Q2, a literary text.<sup>19</sup> The Folio text may have, as Harold Jenkins believed, been derived from Q2, although corrupted with actors’ interpolations. But the theories do not exactly fit the evidence. Rather, as Thompson notes, the Folio’s “repeated agreement with Q1 against Q2 in matters of verbal and theatrical substance indicates that *they both derive* from a theatrical manuscript that *pre-dates* the printing of Q2 in 1604 but post-dates the foul papers behind Q2 [emphasis added]” (83). If this is the case, the so-called authoritative text is, barring a miracle like the finding of the Dead Sea Scrolls in Qumran, beyond recovery. Bate suggests that it is time to “abandon the idea that any one text represents the ‘definitive’ version of a Shakespeare play” (21). Along with the bathwater of a definitive version of the text, we must necessarily throw out the baby of valuing one version of a text over another, and by logical extension, what Harbage called the Myth of Perfection.

---

<sup>19</sup> Paul Menzer takes the opposite position, arguing that the Q1 text is the more literary text, since it seems to have been prepared for readers.

### Cuts for Performance

Further complicating the quest to recover “what was said” is the increasing weight of scholarship suggesting that plays were cut, sometimes heavily, for performance by Shakespeare’s own company. Stephen Orgel stated the principle simply. Given the repeated references to two hours’ traffic on the stage, compared with the length of the texts, the “obvious conclusion” is that the plays performed by Shakespeare’s company were not the full Folio versions. In other words, “[t]he text, then, was not the play, and *all plays would have been cut* for performance [emphasis added]” (21). This has led at least one scholar to suggest that although seriously debased, Q1 *Hamlet* is “based on an authorially-revised version for the public stage” (qtd. in Erne 240). If true, Shakespeare had a hand, or at least a main finger, in this revision.

Andrew Gurr approached the issue in an interesting way. Under Gurr’s theory, there is an “ideal” version of the text, but the “authority” of this ideal text does not derive from the intentions of the author, as authority was previously conceived. Rather, it is what Gurr calls the “maximal” text: it has a “highly specific identity, and an absolutely authorizing function. It was the players’ manuscript that the Master of Revels had read and allowed for playing, and to which his signature was appended. Today, we might call it the ‘playscript’” (70). Performance, Gurr argues, “almost always meant a text trimmed and modified.” One compelling reason for these cuts, Gurr argues, was the flexibility required for touring. Touring was an integral part of life for the early modern playing company, as it “increased their audiences and the stature and popularity of their art” (Kinney 52). It was therefore necessary to be prepared for very plastic playing conditions. Trapdoors and stage balconies were not likely to be available at inns or guildhalls,

although inns converted to playhouses in Bristol and York early in the reign of King James may have been retrofitted with these features (78).

Time was also a consideration. Gregory Doran, artistic director of the Royal Shakespeare Company, believes that Shakespeare “goes at about 900 lines per hour” (Doran 2). With this in mind, the full Q2 text of *Hamlet* would run “at least 4.5 hours before you’ve done the fights and without an interval” (2). Despite the arguments that Elizabethan actors spoke faster than we do today, the human tongue is only capable of going so fast. It seems unlikely that an hour and a half could be cut from that time simply by speaking more quickly. Alfred Hart observed that 2,400 lines of text was the absolute maximum that could be performed in two hours, the time allotted for presentation of a play (Hart 1). Plays of 3,000 lines or more, while not unusual for Shakespeare or Jonson, were “the exception and not the rule” during the period, with most plays consisting of 2,400 lines or fewer (1). In fact, he argues, even plays of 2,300 lines would need to be abridged in order to accommodate the time allotted for their performance (2). This, of course, leaves open the possibility that shorter plays, such as *The Comedy of Errors* and *The Tempest* could have been performed in their entirety.<sup>20</sup> This is not an untenable position, but there is no reason to assume that the decision would have been based on reverence for the author’s intention rather than providing enough entertainment so that the paying customers would be satisfied.

---

<sup>20</sup> *Macbeth* also comes in under 2,400 lines. It is generally thought to have been an adaptation by Thomas Middleton. It could be that in the case of *Macbeth*, the performance text, prepared by Middleton from Shakespeare’s original, was printed in the Folio, rather than the “maximal” text.

The practice of performing edited versions of plays, is explicitly addressed in the introductory epistle to the Beaumont and Fletcher Folio printed in 1647. Orgel points to the language that scenes and passages were omitted “as occasion led them” (21), suggesting that the edits would change as befit the occasion, whether because of the venue, the audience, the prevailing attitudes toward the subject matter, or otherwise. While determining exactly what was cut for performance may be impossible, there are a few surviving manuscripts that offer suggestions as to how cuts may have been approached. The Padua promptbook contains cuts to *Macbeth* which seem to have been made with an eye to performance, but their provenance is disputed.

Eric Rasmussen is not ready to give up the fight just yet, though. While it may not be possible to nail any particular cuts down with specificity, he believes we can get into the ballpark by examining a manuscript of *The Second Maiden's Tragedy*. According to Rasmussen, this text is the only surviving playbook of a play performed by the King's Men while Shakespeare was active (444). The cuts in that text, he argues, are similar in quality and quantity to the cuts shown in the Folio version of *Hamlet* (he assumes for this purpose that Q2 was the source, and that F represents an edited version). The majority of the cut lines in each play are from the final three acts, speeding up the resolution of the action of the play. The *Hamlet* cuts are generally from the middle of long speeches. Cuts from *The Second Maiden's Tragedy* are also typically from the middle of long speeches. Both leave several metrically-defective verse lines as a result of the cuts. Internal cuts of this sort, Rasmussen notes, are the sort frequently used today by directors who wish to shorten a text without “interpreting” it; and indeed, these are the sort of cuts that Hall himself ended up making to the text for his production of *Hamlet* (444).

As if any further complication were needed, still another theory must be addressed. Ongoing revision of the plays is also a possibility. Rather than a wholesale rewrite of any given play, it is possible that a single actor's lines could be changed. Since each player would be given a prompt script which contained only a one or two word cue before each of their lines, it would have been a simple matter to change the parts by changing the parts of one, or a few, actors at a time, as long as the last few words of their speeches remained unchanged. Since both the King and Queen speak Polonius' alternate name, Corambis, in *Brudermord*, Marino hypothesizes that it represents the middle step in transmission of the play between those two names. In Q1, the name is Corambis, and is only spoken by the Queen. In Q2, the King is the only character who says Polonius. A key piece of evidence supporting the theory that work could have been done in this manner is Edward Alleyn's part in *Orlando Furioso*. The part shows revisions which appear to be written with different quills and in different inks. Greg, it seems, argues that "as Alleyn worked on his part he had on his standish several quills and more than one ink" (qtd. in Marino 89). This conclusion seems rather unlikely. The more plausible conclusion would be more than one hand at work, or work at more than one time: either one suggesting ongoing revisions to the play. Tiffany Stern's work has revealed cuts consistent with this theory, from cuts in the middle of lines (leaving the next cue unchanged), or cuts that include a response and pick up in the middle of the next speech by the same character (Stern, *Rehearsal* 108). Such revisions, she argues, "may have originated in the separate parts and then have been transferred onto the full text – rather than vice versa" (109). Stern argues that part-based revision "is particularly apparent with the text of *Hamlet*" (Stern, *Making* 135). The advantage of this sort of revision, she



offers, is that it only requires a single actor to learn the changes. In all, she counts eight characters whose roles underwent revisions consistent with this theory: Claudius, Gertrude, Hamlet, Horatio, Laertes, Rosencrantz, Guildenstern, and Osric (136). Presumably, if changes were made to the actors' parts in this manner, they were official and became part of the play text as performed from that point on (until further changes were made). If this is true, such changes might have been made in the promptbook by substituting pages, rather than recopying the entire text. Changes to the plot of the play might also have been required.

### Conclusion

The problems with the text of *Hamlet* seem to be beyond resolution, so long as one clings to the idea of an "ideal" text. With the evidence available to us today, it is difficult, if not impossible, to determine that any particular version of the text is the authoritative one (using that term in the traditional manner – the text that the author intended). Beyond simply selecting a version of the text (Q1, Q2 or Folio), the idea of any given passage being authoritative is seriously undermined by the likelihood that the texts were heavily cut in performance. Further, given the surviving documentation, it is not even possible to generalize about the nature of the practice of cutting employed by the company. Finally, the possibility that changes to the text happened organically over time on a piecemeal basis lend further weight to the view of the plays as works in progress throughout their lives, or at least until they were fixed in their Folio form. Even then, the plays continued to be reworked. As Dawson puts it, *Hamlet* "is nothing but the sum total of all the *Hamlet* texts that have been produced and all the performances that have been mounted since it first burst upon the world" (144). One should be very

cautious in the choice to travel down the road toward determining the authoritative text. That way, madness lies.

Given the lack of certainty with respect to the text of a play like *Hamlet*, a strong argument can be made that ANY given choice is an interpretation. One is necessarily making an aesthetic choice. Interpretation, however, is an essential part of every single thing that is done in the theatre. In fact, before Peter Hall's audience ever set foot in the theatre, the play had already been interpreted for them to some extent by whatever publicity materials they had seen. The venue itself informs the performance. The set, costumes, and lights, or the lack thereof – all are matters of interpretation. Every reading of every single line, down to the brief pause at the end of every verse line upon which Hall so vehemently insists, is a matter of interpretation. Avoiding interpretation in a theatrical performance, then, is impossible. The only way to refrain from interpretation is to leave the text unstaged.

## CHAPTER IV

### Contemporary Respect for the Text

The great majority of scholarly attention on the early modern theatre has focused on the professional stages of London and the plays that were produced there. This is, after all, the stage of Shakespeare, Jonson, Middleton, Webster, and the other greats whose plays survive from the era. But the performances at The Globe, Blackfriars, and other professional venues represent only a part of the dramatic enterprise occurring in England during the period. There is evidence that some private performances during the period were far from amateurish. Instead, these performances treated the texts in a sophisticated manner, adapting them to more limited staging. An exploration of one surviving manuscript from the period – not a printed play text, but a handwritten manuscript – shows just how skilled the so-called amateur stage might have been.

One of the most interesting things about the text is the way it manhandles its source material, ruthlessly cutting and even inserting original text where necessary to make the two plays flow into a single, coherent unit. In the modern era, Shakespeare has been elevated to a canonical position. The text is often treated as something sanctified, as Peter Hall's reticence to alter it suggests. In its own period, however, the texts were not treated with such reverence. There was no need to, since they were not yet the product of the greatest writer in the English language. A document called the Longleat Manuscript illustrates this principle. Most famous for the so-called Peacham Drawing of a scene from *Titus Andronicus*, the Manuscript also contains an excerpt from the text of that play. Interestingly, however, the excerpt is cobbled together from two separate sections of the

text. In between Tamora's speech pleading for her sons from lines 104-120, and Aaron's speech from Act 5, boasting of his villainies, there are a few transitional lines by Titus (Levin 323). Two of these lines do not occur in the text of the play. Out of around 40 lines, then, 2 appear to have been written by Henricus Peacham, simply to bridge the gap between the two and make the text flow together. Peacham seems to have seen nothing wrong with altering the text to suit his purposes. While he seems to have felt the two speeches were admirable and worth recording, there was nothing inviolate about the integrity of the complete text. A few changes to make the two excerpts flow was acceptable, which seems to reflect the attitude toward play texts in general during the era.<sup>21</sup> The Manuscript has been very influential in recreating Elizabethan costuming practices, but the treatment of the text in the Manuscript has received little attention. This may be because it is not easily reconciled with the generally reverential treatment of Shakespeare's text.

The earliest known extant manuscript of a Shakespeare play is a small volume of fifty-five pages (Yeandle 224).<sup>22</sup> Titled "*The History of King Henry the Fourth*," the manuscript, commonly referred to as *The Dering Manuscript*, is a conflation of the two parts of *King Henry IV* into a single play (hereinafter *King Henry IV*, or *H4*). The script was prepared by two hands, one of which is "almost certainly the hand of the first Sir

---

21 Shakespeare's text was not handled with kid gloves throughout much of its history. David Garrick became famous in part for restoring some of Shakespeare's original text over a hundred years after the theatres were closed, but even Garrick retained many of Nahum Tate's major changes to the script.

22 The controversial *Sir Thomas More* may be an exception to this, since it is thought by some to include 147 lines of text in Shakespeare's hand. Whether or not that play contains text in Shakespeare's own hand, he was at best a minor contributor to the work, unlike the two parts of *King Henry IV*.

Edward” (Williams vii). The second hand appears to have been that of a scribe named Carington paid to transcribe the manuscript containing Dering’s cuts (Yeandle 224). The source material for the manuscript seems to have been the 1613 quarto of *King Henry IV, Part I* and the second issue of the 1600 quarto of *King Henry IV, Part II* (Kastan, *Appendix* 349).

Scholars disagree on whether Sir Edward’s version of the play was ever staged. According to Williams, Dering “never completed his correction of the manuscript or prepared it finally for use in dramatic performance” (viii). James Leohlin, on the other hand, wrote that the cut script was “given in a private performance in 1622-3” (Loehlin 149). Evidence for the performance is predictably limited, but there is an entry in Dering’s record of expenses on February 18 showing a payment of 17/6d “ffor heads of haire and beardes” (Yeandle 226). This purchase is in very close proximity to the February 27 payment to Carington for completing the text, suggesting that production of the play had gone further than preparation of the script. Allison Findlay has speculated that the adaptation may have been prepared to be performed before Prince Charles and the Duke of Buckingham or in commemoration of their exploits (94). Charles and Buckingham made a journey in disguise to Spain in February 1623, whereupon Charles “blossomed into royal splendour on his arrival in Madrid” (95), just as Prince Hal imitated the sun,

Who doth permit the base contagious clouds  
To smother up his beauty from the world,  
That, when he please again to be himself,  
Being wanted, he may be more wondered at  
By breaking through the foul and ugly mists  
Of vapors that did seem to strangle him.  
(*IH4* 1.2.205-10)

Whether or not Dering's *Henry IV* ever saw the stage, it seems likely that at least one other private performance did take place. Tucked away within the pages of the manuscript was a scrap of paper that listed eight characters from John Fletcher's *The Spanish Curate* with what appears to be a cast list: "the names of relatives, friends, and neighbors of Sir Edward's who likely performed the play at his home in Surrenden, Kent" (Williams viii).

It is difficult to approach Dering's work in connection with *Henry IV* without discussing a question that has followed the two subject plays for hundreds of years: is it one play or two? John Upton apparently first raised the question in his 1746 work, *Critical Observations on Shakespeare*, determining conclusively (for Upton) that the plays were "quite independent" (Jenkins 100). Samuel Johnson felt just as strongly to the contrary, that they were two plays for no reason other than that "they are too long to be one" (101).<sup>23</sup> Paul Yachnin argued that this so-called "structural problem" did not derive from the plays themselves, "but rather in the 'structural' approach" – the investment in a notion of organic form – which both created the problem and then went on to "produce a range of correspondingly problematic solutions" (Yachnin 114-115). While Yachnin argues that the problem isn't truly a problem at all, he concedes that the "solution" Harold Jenkins proposed "still comes closest to being entirely satisfactory" (117). Jenkins argued that it was both: two actions begin in *IH4*, each with Hal as the hero. One of these actions "ends with the death of Hotspur at the end of *Part I*, the other with the banishment of Falstaff at the end of *Part 2*" (Jenkins 107-8).

---

23 E. M. W. Tillyard and Dover Wilson agreed with Johnson's view of a single ten-act play. R. A. Law and George Lyman Kittredge believed there were two separate and contrasting plays (Loehlin 5).

Analysis of Dering's treatment of the texts may benefit from a review of the history of the reputation of the two plays. One measure of the popularity of a play is the number of times publishers saw fit to risk their capital on a print run. *Part I* was printed in 9 quartos prior to 1642: two in 1598, and one each in 1599, 1604, 1608, 1613, 1622, 1632, 1639 (Kastan, *Introduction* 111). *Part II* was printed only once outside the Folio during the period, in a quarto dated 1600 (Humphreys xii).<sup>24</sup> Although both plays have remained popular on the English stage, "*Part I* has been performed much more often than *Part II*" (Loehlin 149). In *Reinventing Shakespeare*, Gary Taylor observed that during the Restoration, Shakespeare was most admired for a group of plays which included the first part of *King Henry IV* and *The Merry Wives of Windsor*. Absent from the list is the second part of *King Henry IV*. According to Taylor, the "list of favorites agrees remarkably well with the common judgment of later periods" (29). The second part, Taylor writes, is "a play seldom revived" (59). In Britain, during the second half of the twentieth century, "large-scale paired productions of the two parts became significant theatrical events, often key performances in the history of a particular company" (Loehlin 150). Thus, the two parts have become a sort of national epic through which the state of the nation may be evaluated. Loehlin argues that these productions have "bought into the notion of *Henry IV* as a unified artistic work" (150). In so doing, they have arguably asserted that same notion.

---

24 The 1600 quarto is thought to have been printed in two issues, designated Q(a) and Q(b). Q(b) contains an entire scene not present in Q(a), a scene designated as 3.1 in the Folio edition. The material in the scene seems to have been derived largely from Samuel Daniel's *First Fowre Bookes of the Civile Wars Between the two Houses of Lancaster and York* (Jowett and Taylor 35).

In general, Dering's adaptation of the two plays is in keeping with their popularity. The bulk of the manuscript comes from *Part I*, from which Dering cut only 347 out of 2,968 lines of text, amounting to around 11 percent (Williams ix). Dering retained only about a quarter of *Part II*, cutting 2,374 of 3,180 lines. Aside from one scene involving Falstaff, the majority of the retained text from *Part II* is material which concludes the matter from *Part I*: the conclusion of the rebellion, the decline and death of the king, the crowning of Hal, and the rejection of Falstaff.

The most obvious criticism of the Dering adaption is the reduction of the character of Falstaff, one of Shakespeare's most popular. Court records appear to refer to *Part II* as "Sir John Falstaff" (Loehlin 149).<sup>25</sup> As Leslie Katz notes, although *The Merry Wives of Windsor* was probably commissioned by George Carey to be performed on St. George's Day in 1597, the prevailing belief in the eighteenth century seems to have been that Queen Elizabeth was so enamored of "that admirable character of Falstaff," that she ordered Shakespeare "to continue it for one play more, and to shew him in love" (77). The great wit Shakespeare imbued Falstaff with even allowed the character to resist, to some extent, the neoclassical backlash against him. Loehlin argues that Dryden and Elizabeth Montagu were willing to make exceptions for him (196). In fact, Falstaff arguably dominated the discussion on the plays until John Dover Wilson's 1944 work, *The Fortunes of Falstaff*, which "marks the point in the critical tradition at which the centre of attention in the two plays went from Falstaff to the political education of the future Henry V" (202). Dering's treatment of Falstaff does not seem to have been

---

<sup>25</sup> Both parts were performed at Court during the 1612-13 season, as part of the celebration of Princess Elizabeth's marriage. *Part I* was called "The Hotspur."



motivated entirely by a desire to produce a more erudite work, although that may have been a factor in the edits. If that had been the primary goal, however, another play might have better served the purpose. Rather, much of the Falstaff material in *Part II* is irrelevant to or redundant with the main action of *Part I*. The primary goal seems to have been to focus the text on wrapping up the matters commenced in the first half.

A key to the perceived structural problem with *Henry IV* is Hal's reformation in *Part I*. As Jenkins wrote, the two plays require "not two princely reformations but two versions of a single reformation. And they are mutually exclusive. Though *Part II* recalls and sometimes depends on what has happened in *Part I*, it also denies that *Part I* exists" (113). *Part II*, the argument goes, requires a prince who is unredeemed. Yet if Hal is not redeemed at the end of *Part I*, it destroys the dramatic effect of that play. Dering's drastic cuts to *Part II* greatly minimize the effect of this problem.

#### The Relationship Between Hal and Falstaff

An argument can be made that, if both plays are viewed together, Falstaff is essential while Hotspur lives. Falstaff and the King are parallel father figures to Hal, with Hotspur establishing the other corner of a four-fold foil, each of which reflects on, and affects, the others. Once Hotspur is gone, Hal absorbs from him those qualities which made the King jealous of Percy in *Part I*. When Hal, over the body of Hotspur, tells the fallen Percy to "take thy praise with thee to Heaven. / Thy ignominy sleep with thee in the grave / But not remembered in thy epitaph" (*IH4* 5.4.98-100), we can see the Hotspur is correct to mourn the loss not only of his life, but also "those proud titles thou hast won of me" (*IH4* 5.4.78). The imagined night-tripping fairy exchange of the two Harries of which the King speaks is reversed, and the King has the Harry for which he longed, "A

son who is the theme of honour's tongue, / Amongst a grove the very straightest plant, /  
Who is sweet fortune's minion and her pride" (*IH4* 1.1.80-2).

In *Part II*, Hal's role is very limited until Act IV, when he sits watch by the King. This Hal is decidedly different from the triumphant Hal at the end of *Part I*. His tone is darker, with a "sense of ennui," his language "is daringly coarse, and his attitude to Poins... distastefully cynical" (Loehlin 80). Even if played in a light-hearted manner, the scene retains a dark undercurrent (80). This darkness in Hal is a sharp contrast to Hal at the end of *Part I*. It is perhaps necessary if *Part II* is a stand-alone play, because Hal needs a second redemption. When the two plays are treated as a single work, however, with much of *Part II* removed, it becomes unnecessary.

Scene II.iv of each Part is a tavern scene, with "similar function and placement" (Loehlin 83). In *Part I*, Falstaff plays the part of the braggart soldier, as he lies about the ever-increasing number of men he fought. The audience is in on the joke, as they know it was Hal and Poins alone who robbed Falstaff in the incident he describes. We laugh with Hal at the grotesque Falstaff, whose lackeys reveal that hacked his own sword with his dagger so that it would appear he had been in a fight. He even encouraged Peto and Bardolph to prick their own noses with speargrass "to make them bleed, and then to beslobber our garments with it and swear it was the blood of true men (*IH4* 2.4.300-2). In *Part II*, however, Falstaff behaves much differently, and it is his ensign, Pistol, who plays the role of villain. He swears oaths worthy of Falstaff from *Part I*.

I'll see her damned first! To Pluto's damnéd lake,  
by this hand, to th'infernal deep, with Erebus and  
tortures vile also! Hold hook and line, say I! Down,  
down, dogs! Down faitors! Have we not Hiren  
here? (2*H4* 2.4.153-7)

He even threatens to tear the clothes off of the prostitute, Doll Tearsheet. “God let me not live, but I will murder your ruff for this,” (*IH4* 2.4.131-2), in a manner that suggests more possible violence to follow. Falstaff is the voice of reason in this tavern scene. “Pistol,” he says, “I would be quiet” (*IH4* 2.4.181). Pistol will not be calmed, and Falstaff calls for his rapier and draws to defend Doll.

Aside from his new-found honor, this Falstaff is aware of his own mortality, and actually seems genuine and tender in his dealings with Doll.

Doll. By my troth, I kiss thee with a most constant heart.  
Fal. I am old, I am old.  
Doll. I love thee better than I love a e’er a scurvy young  
boy of them all.  
Fal. What stuff wilt have a kirtle of? I shall receive  
money a-Thursday, shalt have a cap tomorrow. A  
merry song! Come, it grows late, we’ll to bed.  
Thou’t forget me when I am gone.  
Doll. By my troth, thou’t se m weeping and thou sayest  
so.

(*2H4* 2.4.267-76)

The darker prince of *Part II* enters the scene mocking a Falstaff who is given much more pathos than the Falstaff of *Part I*. Loehlin, asking with which character the audience identifies, suggests that Falstaff has the edge over the juvenile and distasteful Hal (86).

This change in tone and in the characters of Hal and Falstaff functions perfectly well when the plays are considered separately, but if the two plays are performed together as a single work, the shift creates a strange dissonance in these two characters. Hal’s concern about seeming a hypocrite is well-founded, since the darker prince of *Part II* makes the reformation of *Part I* seem insincere. Dering addressed this by cutting both of Hal’s early scenes in *Part II* entirely. The young Prince’s dark, ennui-filled nature is therefore not part of Dering’s play.

Hal, then, does not appear after his victory over Hotspur until he attends the ailing King. This is very late in the action of *Part II*: Act IV, scene v. In a full-length production of *Part II*, a great deal of time has passed since Hal has heard of his father's illness, and the dark, cynical scene in which he discussed it will be recalled upon his entrance. The audience is aware that the King is near death. Hal's brother Clarence, recalls that

The river hath thrice flow'd, no ebb between,  
And the old folk, times doting chronicles,  
Say it did so a little time before  
That our great grand-sire Edward sick'd and died.  
(2H4 4.4.125-8)

Gloucester, another of the King's sons, says that the "apoplexy will certainly be his end" (2H4 4.4.130). Into this scene of funerary grimness strides Hal, who attempts to joke with his brothers. He comments on Clarence's heaviness of mood with a metaphor that recalls his own unwillingness to weep. "How now, rain within doors, and none abroad?" (2H4 4.5.9). The prince tries again, joking that if the king "be sick with joy, he'll recover without physic" (2H4 4.5.14). The others retire, and Hal sits watch by the King. The tone of the scene then becomes serious. As Loehlin points out, Hal's entrance in that scene may read as inappropriately indifferent, but may simply show a lack of understanding of the seriousness of the situation (105). The Weary Prince scene with Poins in which Hal discusses the King's illness informs how this scene reads considerably. Even if played lightly, the earlier scene would seem to inevitably lead to Hal reading unsympathetically in this moment. In Dering's version, however, this sequence is not colored by that earlier exchange, and may read much lighter.

The sequence that follows portrays Hal in a more favorable way than Shakespeare's version. Thinking the King dead, Hal takes the crown, puts it on his own

head, and exits. This action was a well-known part of the legend of Henry V, recounted by Holinshed and others. In Shakespeare's version, however, Hal is found "washing with kindly tears his gentle cheeks" (2H4 4.5.83). After being berated by the King, Hal again mentions his tears. He says that he thought the King dead before he took the crown. "If I do feign," he says, "O, let me in my present wildness die / And never live to show th'incredulous world / The noble change that I have purposed" (2H4 4.5.151-4). This scene alludes to the tears Hal would not shed in 2.2, and to the change promised at the beginning of *Part I*. With almost an entire play between Hal's conversion and this moment, it reads quite differently than in Dering's version. In the context of Dering's adaptation, this is a moment of doubt by the King which is not supported by great weight of evidence in the minds of the audience. With so much of the action of *Part II* gone, the need for the second redemption of Hal is greatly diminished, and the final exchange between the King and Hal is quite different.

Of the Falstaff material in *Part II*, Dering retains little. Shakespeare introduces the fat knight in the second scene of the play. In this scene, which Dering cut, the audience learns of the King's illness and of Falstaff's declining fortune. The Lord Chief Justice is also established as Falstaff's opposite. Since the symmetry of the four-fold foil was severed in *Part I* with the death of Hotspur and the severing of Falstaff from Hal, a new relationship is introduced. Dering's version of the play provides a Falstaff scene in the same position, but instead of introducing the Lord Chief Justice and establishing the King's illness, the scene serves not only to show Falstaff's debt problems, but also to reveal more of his character. In the absence of Pistol, who is cut entirely, Falstaff remains the villain. Dering's Falstaff, in this scene, is neither a coward nor a peace-keeper. In

Shakespeare's text, the Hostess has brought two officers to arrest Falstaff for debt to her. On the way to meet the knave, one of them says that the arrest "may chance cost some of us our lives, for he will stab" (2*H4* 2.1.11-2). The Hostess replies, in double entendre,

Alas the day, take heed of him – he stabbed me in  
mine own house, most beastly in good faith. A cares  
not what mischief he does, if his weapon be out; he  
will foin like any devil, he will spare neither man,  
woman, nor child.

(2*H4* 2.1.13-7).

As Dering has it, however, this warning has a decidedly different tone. The officers have already encountered Falstaff. Bardolph says (in one of Dering's original additions to the text), "Fie Sir John : doe not draw upon a woman" (*H4* 4.10.17). Only then, presumably when Falstaff has a blade in his hand, does the Hostess say he will spare neither man, woman, nor child. This reads much less as a sexual pun than as a statement of violence, and seems to fill the space left by the cutting of Pistol's violence in the uncut *Part II*.

A key scene for Falstaff which Dering cut was 3.2. In this scene, Falstaff recruits new soldiers. Shallow and Silence are introduced in the scene, "two new characters, markedly different from any met so far in the play, and they lead the audience into a different world" (Loehlin 90). For Dering, a digression into a new world this far into a single play would be unwise, particularly for a redundant scene like this one. In *Part I*, Falstaff admits to having abused the power to impress soldiers. He received "in exchange of a hundred and fifty soldiers, three hundred and odd pounds," (*IH4* 4.2.13-4) because he

pressed me none but such toasts-  
and-butter, with hearts in their bellies no bigger than  
pins' heads, and they have bought out their services;  
and now my whole charge consists of ensigns,  
corporals, lieutenants, gentlemen of companies – slaves

as ragged as Lazarus in painted cloth where the  
glutton's dogs licked his sores – and such as indeed  
were never soldiers...

(*IH4* 4.2.20-7).

He is so ashamed of his soldiers, he confides, that he'll "not march through Coventry with them, that's flat" (*IH4* 4.2.38). Dering retained Falstaff's confession of his malfeasance, but he cut the sequence wherein Hal questions Falstaff about this. "I did never see such pitiful rascals," the prince says, to which Falstaff replies, "Tut, tut, good enough to toss; food for powder, food for powder. They'll fill a pit as well as better" (*IH4* 4.2.63-66). Hal becomes complicit to some extent in this fraud, merely by proximity and by his relationship to Falstaff. Dering absolves the young prince from this by cutting the latter sequence.

In Shakespeare's "different world" of *Part II*, Falstaff is up to the same old tricks. Again given the authority to impress soldiers, in 3.2, the audience sees him operate his scam. Authorized to recruit four soldiers, he interviews five "sufficient" men, although the impression is that they far from sufficient. Mouldy, Shadow, Wart, Feeble, and Bullcalf are each "pricked," or have their names set down on the roll as soldiers. Out of hearing of Falstaff and Shallow, Bullcalf offers Bardolph money to be released from service. Mouldy follows suit. Bardolph relates the bribe to Falstaff, who releases the two men from service.<sup>26</sup> Shallow replies that those two were "the likeliest men" (*2H4*

---

<sup>26</sup> Humphreys notes that some scholars have suggested that the total value of the coin offered to Bardolph is £4, although he tells Falstaff he has "three pound to free Mouldy and Bullcalf" (*2H4* 3.2.238-9), implying that Bardolph pockets £1. Falstaff is left with Wart and Shadow. Shadow, Humphreys says, was a phrase commonly used to describe a name placed on rolls so that an officer could collect pay for a non-existent soldier.

3.2.250). In the context of Dering's adaptation, the scene would have been superfluous, merely showing the audience something that has already been described to them. In fact, the humor of Bardolph's bribe and the release of the worthiest men would be undercut if Falstaff's tactics had already been revealed.

One of the most discussed aspects of *Part II* is Hal's dismissal of Falstaff. Humphreys notes that Nicholas Rowe felt Hal treated the fat knight "scurvily," while Professor Danby accused Hal of pseudo-morality (lviii). Regardless of whether Hal's public rebuke of his former companion was justified, it is difficult to deny that a rejection was necessary. All that is left is to quibble over the manner in which it was done. It was perhaps "heartless," as Humphreys describes it, but even Humphreys goes on to admit that "only the most careless reading could take the rejection as a melodrama prepared by a calculating prince against a hoodwinked crony" (lix). When the Falstaff cries out to the newly-crowned King Henry V, Hal denies him. "I know thee not, old man" (2*H4* 5.5.47). He banishes Falstaff from his presence, not to come within ten miles. In Shakespeare's version, Falstaff has a short exchange with Shallow over money owed, and Falstaff is then approached by the Chief Justice, who has been ordered to bear Falstaff and his company to the Fleet, a prison. Humphreys attempts to soften this blow with the claim that the prison wasn't as bad then as it would be from 1641 on, and that this punishment wouldn't have seemed harsh to an Elizabethan audience (2*H4* 5.5.n. 91). Be that as it may, Henry V was crowned in 1413. The Fleet was a medieval prison. It was doubtless an inhospitable place for a fat old man. Dering spares Falstaff from this final indignity. He is banned from the King's presence, but instead of the King turning to the Chief Justice to carry out the tenor of his wishes, the new King's speech is given a new ending.



And as we heare you do reforme your selues,  
We will according to your strengths and qualities,  
Giue you aduauncement. as you shall deserve itt:  
Now change our thoughtes for honour and renouwne.  
And since the royalty and crowne of Fraunce,  
Is due to us wee'll bring it to our awe,  
Or breake itt all to peeeces. Vanities farewell  
Wee'll now act deedes for Chronicles to tell.  
(H4 5.9.74-81)

Shakespeare's short exchange about debt between Falstaff and Shallow after the King's rebuke allows the audience to perceive the impact of the King's decision on Falstaff. And while that is still palpable, the second blow, that of imprisonment, lands. The rebuke is consequently much more of a palpable hit in Shakespeare's play. In Dering's version, most of the sting of the rebuke is removed, as the focus is turned almost immediately to what is to come for Henry.

### The Second Rebellion

Falstaff's capture of the knight Coleville at Gaultree, depicted in scene 4.3 is cut from Dering's version. This is a consequence of a much larger choice. All of the second stage of rebellion against the King is cut from Dering's version, and this includes material from *Part I*, including the Archbishop, who is cut entirely. The second rebellion, which makes up a great deal of *Part II*, is complicated and ultimately anticlimactic. Rather than concluding with a battle, as *Part I* does, the second rebellion slowly loses momentum as conspirators fall away. Those that remain are captured after an act of treachery by Hal's brother, John of Lancaster. He convinces the rebels to disband their troops under promise of granting their demands. Instead, they are arrested and taken "to the block of death" (2H4 4.2.123). Loehlin writes that whether or not this action could be ethically justified "was a matter of debate from the moment it occurred" and that Dr.

Johnson condemned the action as a “horrible violation of faith” (98). If the two plays are combined into a single tale to be seen in a single sitting, as Dering probably intended his version to be seen, this is a reasonable subject for significant cuts. The action is actually streamlined by the cuts, and the removal of Lancaster’s act of betrayal removes what many view as a significant problem with *Part II*. In short, much more is gained by these cuts than is lost.

Dering retained a few remnants of the second rebellion in his version of the story, but only those that were essential to resolve the loose ends that remain from *Part I*. Northumberland was yet to learn of his son’s death, and so that scene is retained, although truncated. *Part II* begins with a prologue, in the form of Rumour, an allegorical remnant of *Everyman* and other Morality plays. In the stand-alone version of *Part II*, certain expository material is necessary, and much of it is conveyed by Rumour, who tells us the two versions of the story that are circulating. Dering combines pieces of Rumour’s speech with lines from Northumberland and others to construct a concise bridge between the action of the two plays, reducing over 100 lines of text to a much shorter passage of 17 lines. The speech, given to Northumberland, is set forth here. The underlined text was written by Dering. Characters who originally spoke the text are indicated parenthetically on the left, and the source for the lines from Shakespeare are noted at the end of each component passage. The stage directions are original to Dering’s version as well. Dering added several stage directions which were only implied in the quarto version of the text, showing a sophisticated understanding of stagecraft.

Enter Northumberland; alone in his garden and Night-Cap  
 (Rumour) ~~To~~ Tis noysed abroad, that Harry Monmouth fell  
 Vnder the wrath of noble Hot-spurs sword,  
 And that the King before the Douglas rage,

Stoopt his annoited head as low as death. (Ind. 29-32)  
 (North.) But yet my heart is dull : and slow belief  
Takes but faint houldinge : euery minute now  
 Should be the father of some Stratagem,  
 The times are wild, contention like a horse,  
 Full of high feeding, madly hath broke loose,  
 And beares downe all before him. Oh, I feare : (1.1.7-11)

Enter Mourton

(Travers) My sad hart saies, rebellion had ~~bad~~-ill lucke,  
 And that ~~yong my~~ Harrie Percies spur ~~was is~~ cold: (1.1.41-2)  
 (North.) O thie sad brow, like to a ~~ttle~~-little leafe,  
 Foretells the nature of a tragicke volume,  
 So lookes the ~~strond~~ Maine, whereon the imperious ~~flood~~ storme,  
 Hath left a witnest vsurpation.  
 Say Mourton, didst thou come from Shrewsbury? (1.1.60-4)

In Shakespeare's version, Rumour introduces himself and then explains the two stories of the outcome of the battle which are spreading through the land. Northumberland then receives each version; first, that his son won the battle, and then, that his son was killed and his allies defeated. Here, all of that action is condensed to two competing premonitions in Northumberland's mind. Mourton, whom he addresses, has just arrived from the battle and can report truth. The scene contains more minor cuts, but generally follows Shakespeare. Notably, however, in Dering's version, there are two characters: Northumberland and Mourton. Shakespeare's two scenes include an additional four actors, who play Rumour, Lord Bardolph, a Porter, and Travers. As the scrap of paper with the cast for *The Spanish Curate* suggests, Dering was probably working with a small company of actors. Several of his cuts are completely sensible when considered in that context.<sup>27</sup>

---

<sup>27</sup> Dering's cast of eight probably reflected different considerations than a professional company would make when touring, since traveling was not necessary. The size of touring companies seems to have varied, but by the seventeenth century, "most touring companies numbered between ten and fifteen" actors (qtd. in Greenfield 300).

Dering concludes the action of the first rebellion by retaining the second Northumberland scene, in which Hotspur's widow, Kate, convinces him not to go to war. She counsels Northumberland to fly to Scotland, and he acquiesces. Again, Dering has reduced the cast. In Shakespeare's version, Northumberland's wife is also present. Dering combines and trims the two characters' lines. The 2014 production by the Royal Shakespeare Company also cut Northumberland's wife from the scene. Even on a much larger scale production of both plays, this cut is followed.

#### Other Cuts to Reduce the Size of the Cast

Alterations to the text in order to reduce the size of a cast for touring companies might have been a common practice during the period. Gary Taylor argues, for instance, that the 1600 quarto of *Henry V* is "a severely abridged and adapted text, such as might have been used by a troupe of actors touring the provinces" (*Intro* 22).<sup>28</sup>

Dering made several other cuts to reduce the number of actors required to perform these pieces. Some of these are quite intricate and handled very well. Poins has the idea to play a prank on Falstaff. They will arrange for Falstaff and three of their fellows to meet them at a designated location, where the six of them will rob some pilgrims. Instead, Poins and Hal show up after the robbery and those two take the spoils from the other four. The sport of this is the sequence of ever-expanding lies Falstaff tells when confronted. Although only two of the travelers speak, the text calls suggests a larger number. Gadshill says they number "eight or ten" (*IH4* 2.2.62). The scene which follows

---

<sup>28</sup> Taylor further surmises that a cast of nine was probably required to play this text, very close to the size of the cast Dering apparently had to work with. Taylor's concludes that this quarto owes its existence to a memorial reconstruction by the actors playing Gower and Exeter.

begins with a long monologue by Hotspur, which could allow for quick costume changes. But even if only two travelers are used, this sequence still requires nine actors. Dering chose to handle this by moving the robbery offstage. Only four actors are involved in the robbery and counter-robbery: those who play Hal, Falstaff, Bardolph, and Poins. Williams felt that placing the counter-robbery offstage “can hardly be termed judicious,” since “this event is the dramatic climax of this scene and an essential background for 2.3” (*H4* n.C, 40).<sup>29</sup> While it does provide background, it may be overstating matters to call the sequence essential. Poins explains the entire plan, and it is clear even in Dering’s offstage version what happens. An argument can be made that Professor Williams, lamenting what is lost, does not fully appreciate the potential of what replaces it. Loehlin describes the scene as “one of the play’s best opportunities for broad knockabout farce” (31). Interestingly, Dering alters the scene to a sequence of quick entrances and exits; practically the definition of farce. In sixteen lines of text, Bardolph exits, Falstaff exits, Poins exits, Poins re-enters, Poins and Hal exit, Falstaff runs across the stage, and Hal and Poins re-enter. When played at a quick pace, the sequence could work quite well. It is not Shakespeare, of course, and the onstage counter-robbery may be better, but given the scope of Dering’s project, some things simply have to go.

Dering’s skill can also be seen in the combination and reassignment of lines in the tavern scene that follows, in which Falstaff recounts his heroic struggle during the robbery. Gadshill and Rossil are cut from the play entirely. Peto is mentioned by the

---

<sup>29</sup> Williams refers to the Tavern scene, which is designated 2.3 in Dering’s version of the text. It is commonly designated 2.4 in modern editions.

others but did not appear onstage. The following excerpt shows Dering's sophisticated handling of the text.

*GadPrin.* Speake sir~~ras~~, how was it?  
*RossBar.* *Fower of us.* ~~We foure~~ set vpon some douzen.  
*Falst.* Sixteene at least my Lord and bound them.  
*Ross.* ~~And bound them.~~  
*PetoBard.* No, no, they were not bound.  
*Falst.* You rogue they were bounde euerie man of them, or  
I am a Iew else: an Ebrew Iew.  
*RossBard.* As we were sharing, some sixe or seuen fresh men set  
vpon vs.  
(H4 2.3.65-73).

The entire sequence is performed by four actors instead of six. The final hundred lines of the sequence, from line 176, until the Hostess enters at line 275, are all between three characters (Prince Hal, Poins, and Falstaff) in Shakespeare's version. While there is certainly comic potential in the chaos of the arguments over who was bound, and how many, etc., that is not an element that Shakespeare fully explored in the scene. To return to Professor Williams's terminology, what is truly "essential" about the entire robbery and counter-robbery is the sequence in which Falstaff himself recounts the tale. As Poins says, "[t]he virtue of this jest will be the incomprehensible lies that this same fat rogue will tell us when we meet at supper" (IH4 1.2.176-8). It is a jest that requires two scenes to set up. And the payoff is in that sequence of a hundred lines of text between three characters. Anything beyond that is inessential. It may be beautiful in its own right, and it may enhance the humor to some extent, but it is not essential.

Dering cut several scenes entirely, many of which have been frequently cut throughout the performance history of the plays. These are often sequences that involve characters that appear only once in the play and do not provide much (or any) important information. For example, Dering cut the "Carrier scene," (IH4 2.1). It has been

suggested that one of the strengths of both Henry IV plays is their “alteration of scenes involving different characters and different orders of life – scenes that nonetheless bear some thematic or structural relation to each other” (Loehlin 29). This idea may be advanced to show the virtue of the Carrier scene. A scene involving lords planning a rebellion is followed immediately by a scene of poor low-lives plotting a robbery. The simultaneous contrast and similarity between the two scenes is interesting, of course, but it requires two carriers, an ostler, Gadsill, and a chamberlain – five actors, with five costumes, and ten costume changes (in and out) – and does advance the action of the play at all. In its absence, the scene which follows the plotting lords is a tavern scene, and the one in which Poins and Hal plot the trick on Falstaff, who is already a confessed cutpurse.

Dering also cut the Welsh lady. Mordake’s Welsh wife appears for a short sequence in *Part I*. She speaks no English, and Mordake no Welsh. She does, however, sing a song. This sequence is superfluous to the plot, but does provide an opportunity for a bit of comic relief and music, and the opportunity to show off a boy actor that has the ability to speak Welsh and to sing.<sup>30</sup> This could be important if the play is being performed before a crowd containing multiple socio-political levels (which Dering’s probably was not). This cut and several of Dering’s others remove material often cut in subsequent productions (Loehlin 149). Following Tiffany Stern’s reasoning regarding changes to Viola’s role in *Twelfth Night*, it seems likely that the version of the text which

---

30 Stanley Wells discusses the progress of some of the boys from the Children of the Cathedral’s Choir of Saint Paul’s and other boy companies into adult companies in *Shakespeare and Co.* (53-57).

included the Welsh Lady's song would probably have had a short stage life, being revised as soon as the boy actor's voice changed (*Making* 70).

#### Additions to the Text

Although Dering mostly followed the text of the quartos, he did add some material of his own. Often this was to bridge material that was cut, as the few lines in the counter-robbery scene discussed above. But Dering made a few very interesting changes to the King's opening speech that are worth noting. Henry, announcing that the civil wars that had been raging in the country are over, proposes to turn attention to the Holy Land. Shakespeare put it thus:

Therefore, friends,  
As far as to the sepulchre of Christ,  
Whose soldier now, under whose blessed cross  
We are impressed and engaged to fight,  
Forthwith a power of English shall we levy;  
Whose arms were moulded in their mothers' womb  
To chase these pagans in those holy fields  
Over whose acres walk'd those blessed feet  
Which fourteen hundred years ago were nail'd  
For our advantage on the bitter cross.  
(*IH4* 1.1.18-27)

Dering makes Henry's case much stronger, and in so doing, makes his ending arguably that much more tragic. It is not enough for Dering's Henry to chase pagans "in" the holy fields. He will chase them "from" the fields. He will not simply go to the sepulcher, he will drive the Muslims from the Holy Land altogether. He will conquer, in England's name. Dering trims the sequence, and then adds nine lines of his own devising.

therefore friends,  
~~As far as to the sepulcher of Christ,~~  
~~Whose soldiour now, vnder whose blessed crosse~~  
~~We are impressed and ingag'd to fight,~~  
Forthwith a power of English shall we leauy,  
~~Whose armes were moulded in their mothers wombe,~~



To chase these pagans ~~in from~~ those holy fields,  
~~Ouer whose acres walkt those blessed feet,~~  
~~Which 1400. yeares ago were naild,~~  
~~For our aduantage on the bitter crosse.~~  
And force proude Mahomett from Palestine.  
The high aspiring Cresant of the turke,  
Wee'll plucke into a lower orbe, and then  
Humbling her borrowed Pride to th'English lyon,  
With labour and with honour wee'le fetch there  
A sweating laurell from the glorius East  
And plant new jemms on royall Englands crowne.  
Wee'le pitch our honores att the sonnes uprise  
And sell ourselves or winn a glorious prize.  
(H4 1.1.17-28)

### Conclusion

Sir Edward Dering's adaptation of the *Henry IV* saga has generally been regarded as little more than a curiosity, occasionally mentioned in connection with a discussion of either *Part I* or *Part II*. The reasons for this are significant. There is no record of an actual performance. Yet the absence of compelling documentary evidence has not prevented many narratives about the early modern era. This is, of course, not a call for wild speculation, presented as fact. Some things can be stated with certainty based on the existing documentary evidence, however. Edward Dering was a man who paid attention to his expenses, as his surviving account book demonstrates. The book appears to document expenses in connection with the preparation of, and probably the performance of, this piece. Additionally, this was not the only production Dering set his mind to, as the cast list for *The Spanish Curate* shows. Above and beyond that, the piece shows sophisticated understanding of staging practices, with cuts to reduce the cast, and in some cases, additional language necessary to fill the gaps or even to strengthen certain themes. It is not without mistakes. For example, a line for Lord Bardolph remains in a scene from which he was cut (H4 4.9.59). Williams drew the conclusion that much of the text of the

manuscript was transcribed by another hand from Dering's own cuts. It is no great stretch to think that Dering could have simply overlooked one line, or crossed it out in a manner that was unclear. The mistakes in the text are inconsequential given the size of the task. The amount of thought and labor that went into the text, along with the apparent expense, makes it likely that the text was performed. The complexity of the endeavor makes it seem likely that the two plays for which there is evidence were not the only two plays performed.

The existence of the Dering manuscript suggests an entire culture of private performance. For a long time, these performances were unexamined by scholars, but the REED project is making the surviving evidence of such performances much more accessible. Analysis of the Dering manuscript of *Henry IV* shows a sophisticated understanding of the text and staging practices. It reveals an understanding of character development and relationships. It also shows significant investment of time and money, which tends to suggest a pattern rather than a single event. The project seems too ambitious and too well-treated to have been an isolated event. This, in turn, suggests a thriving and sophisticated "amateur" theatre in early modern England. The records we have relating to the London performances may represent only a small fraction of the total theatrical performance in England during the early modern period. In any event, it seems clear that the professional stage does not reveal the entire picture.

More importantly for the current purpose, however, Dering's treatment of Shakespeare's two plays is evidence of how play texts were viewed in that period. There does not seem to have been any concern over cutting the text to make it suit the performance needs of the group working on it. More particularly, there was no need to

worry about “interpreting” the text by cuts. Peter Hall’s concern about the sanctity of Shakespeare’s text does not seem to have become a consideration until much later, sometime after Shakespeare was declared the greatest writer in the English language.

## **CHAPTER V**

### **Epilogue**

During the twentieth century, the New Bibliography school of Pollard, Greg, and others produced some invaluable analysis of the records of early modern English drama. However, it now seems that some of the narratives they generated were affected by their own perceptions of the value of the texts. These ideas, of a consistent Register of publishing records, with its requirements of authority, entrance, and license, of good and bad quartos and foul papers, seem to have sprung from a belief that it was possible to recreate, or at least get very close to, the actual text written by the hand of William Shakespeare himself. This would perhaps be an admirable goal, if it were possible.

Analysis of the factors leading up to the creation of the Stationers' Guild and the limited evidence of how it operated suggest that the records are much murkier than they may appear. The records are, by their nature, resistant to patterns. There seems to have been uneven application of rules and shifting terminology for the same rights. Modern ideas of intellectual property and due process may easily taint our view of these records, showing us what we expect to find, rather than what is actually there. Any given record has little application beyond its own information, and even then, great care must be taken, because the records often do not show the whole picture.

When variant texts exist, as is often the case, it is typically exceedingly difficult or impossible to establish one as authoritative. Despite earlier ideas about all variant texts being corruptions of one pre-existing master text, recent scholarship suggests that

variations in a text may suggest ongoing revision of the text, a practice not inconsistent with modern theatrical practice. Additionally, despite the idea that the received text embodied in the Folio or the so-called “good” quartos presents a record of “what was said,” it is likely that existing texts were cut for performance both on the professional stages of London and for touring productions. As a result, the printed word is rendered much less authoritative. These factors make it virtually impossible to say with any certainty that one text has any more authority than another, leaving the choices between variant texts to be one of interpretation. This provides practitioner an opportunity for a deeper exploration of the texts. Variant readings will often provide vastly different effects, some of which may better serve a modern production with a goal of being relevant to a modern audience.

Finally, the Dering manuscript shows the possibility of a mostly unknown and little evaluated theatrical culture, which reflects back upon the more well-known professional stage. More specifically, it shows that Shakespeare’s contemporaries (and very near-contemporaries) did not view his works as inviolable or untouchable. They were, first and foremost, performance texts, to be used as necessary to achieve a desired effect in performance.

It is virtually impossible with the evidence we currently have to fix with any precision when a particular text from the Early Modern period was written. The evidence rather suggests that texts may have evolved over time. Evidence of cuts to the texts for performance make it difficult, if not impossible, to say with any sort of precision what was actually done on the stage. Treatment of play texts by contemporaries shows that there was no fear of changing the texts, an attitude which increases, rather than decreases, the

likelihood of non-authorial changes making their way into texts. When considered together, these factors strongly undermine the notion of a single ideal version of any given text from the period. Play texts were mutable things. Attempts during the past century to see through the veil of time and print to reconstruct “Shakespeare’s original,” while admirable, rest on the assumption that a single ideal text ever existed. This assumption seems increasingly unsupportable. Rather than slavishly sticking to a particular version of the text because of some notion of authority, practitioners should view multiple texts as a range of options. Finally, once the idea of some ideal authorial text is done away with, practitioners will be free to explore the text without fear of “interpreting” the text by cutting it. There is no pure authorial version that can be determined with any certainty, and cutting a text is merely one of countless interpretive choices necessary to convert a text into a theatrical performance.

## WORKS CITED

- Arber, Edward. "Introduction." *Menaphon*, by Robert Greene, M.A., Edward Arber, ed. Birmingham: The English Scholar's Library, 1880. xi-xvi. Print.
- \_\_\_\_\_, ed. *A Transcript of the Registers of the Company of Stationers of London, 1554-1640 A.D.* 5 vols. London and Birmingham: Privately Printed, 1875-94. Print.
- Bate, Jonathan. *The Case for the Folio*. <[www.rscshakespeare.co.uk/pdfs](http://www.rscshakespeare.co.uk/pdfs)> 2007. Web. Accessed 6/8/2014.
- Black's Law Dictionary*. Bryan A. Garner and Henry Campbell Black, eds. St. Paul: West Group, 1999. Print.
- Blayney, Peter M. W. "The Publication of Playbooks." *A New History of Early Modern English Drama*. John D. Cox and David Scott Kastan, eds. New York: Columbia UP (1997). Print.
- Dawson, Anthony B. "The Imaginary Text, or the Curse of the Folio." *A Companion to Shakespeare and Performance*. Barbara Hodgdon and W. B. Worthen, eds. Chichester: Wiley-Blackwell, 2005. 141-61. Print.
- Donaldson v. Beckett*. Primary Sources on Copyright (1450-1900), L. Bently & M. Kretschmer, eds. <[www.copyrighthistory.org](http://www.copyrighthistory.org)> Web. Accessed 2/6/2014.
- Doran, Greg. Interview by Paul Allen. <<http://5enc3.edublogs.org/files/2012/12/2008-RSC-Greg-Doran-director-interview-23433sf.pdf>> Web. Accessed 7/2/2014.
- Erne, Lukas. *Shakespeare as Literary Dramatist*. Cambridge: Cambridge UP, 2003. Print.
- Findlay, Alison. "The Madcap and Politic Prince of Wales." *I Henry IV: A Critical Guide*. Stephen Longstaffe, ed. India: Continuum International (2011), 86-98. Print.

- Fletcher, Anthony and Diarmaid MacCulloch. *Tudor Rebellions*. Malaysia: Pearson Education, 2008. Print.
- Foucault, Michel. "What is an Author?" *Language, Counter-Memory, Practice. Selected Essays and Interviews by Michel Foucault*. Donald Bouchard, ed. Ithaca: Cornell University Press (1980), 113-138. Print.
- Greg, W. W. *The Editorial Problem in Shakespeare*. Oxford: Clarendon Press, 1942. Print.
- Greg, W. W. *The Shakespeare First Folio, Its Bibliography and Textual History*. Oxford: Clarendon Press, 1955. Print.
- Greenfield, Peter. "Touring." *The Oxford Handbook of Early Modern Theatre*. Richard Dutton, ed. Oxford: Oxford UP (2009). 292-306. Print.
- Gurr, Andrew. "Maximal and Minimal Texts: Shakespeare v. The Globe." *Shakespeare Survey* 52. Stanley Wells, Ed. Cambridge: Cambridge UP (1999), 68-87. Print.
- Hall, Peter. *Peter Hall's Diaries*. Edited by John Goodwin. London: Hamish Hamilton, 1984. Print.
- \_\_\_\_\_. *Shakespeare's Advice to the Players*. New York: Theatre Communications Group, 2003. Print.
- Harbage, Alfred. "Shakespeare and the myth of Perfection." *Shakespeare Quarterly*. 15 (1964). 1-10. Print.
- Hart, Alfred. "Acting Versions of Shakespeare's Plays." *The Review of English Studies*. 10 (1934). 1-28. Print.



- Hazlitt, W. C., ed. *The English Drama and Stage under the Tudor and Stuart Princes 1543-1664*. New York: Burt Franklin, 1964. Print.
- Heinze, R.W. *The Proclamations of the Tudor Kings*. Cambridge: Cambridge UP, 1976. Print.
- Heminge, John and Henrie Condell. "To the great Variety of Readers." *The Riverside Shakespeare*. 2d ed. G. Blakemore Evans, ed. Boston: Houghton Mifflin Co., 1997. 95. Print.
- Holland, Peter. "Peter Hall." *The Routledge Companion to Directors' Shakespeare*. John Russell Brown, ed. New York and Canada: Routledge, 2008. 140-159. Print.
- Humphreys, A. R. "Introduction." *King Henry IV, Part 2*. Croatia: Thomson Learning (1960). xi-xci. Print.
- Jenkins, Harold. "Introduction." *Hamlet*. By William Shakespeare. Croatia: Methuen & Co. Ltd: 1982. 1-159. Print.
- \_\_\_\_\_. "The Structural Problem in Shakespeare's *Henry IV*." *I Henry IV, a Norton Critical Edition*. Gordon McMullan, ed. New York: W. W. McMillan: 2003. 100-114. Print.
- Jowett, John. "Introduction." *Richard III*. By William Shakespeare. Oxford: Oxford UP (2000). 1-141.
- Jowett, John and Gary Taylor. "The Three Texts of 2 *Henry IV*." *Studies in Bibliography*, 40 (1987). 31-50. Print.
- Kastan, David Scott. "Appendix 3: The Play in Manuscript." *King Henry IV Part 1*. Croatia: Thomson Learning (2002). 349-353. Print.

- \_\_\_\_\_. "Introduction." *King Henry IV Part I*. Croatia: Thomson Learning (2002). 349-353. Print.
- Katz, Leslie S. "The Merry Wives of Windsor: Sharing the Queen's Holiday." *Representations* 51 (Summer, 1995). 77-93. Print.
- Keenan, Siobhan. *Acting Companies and their Plays in Shakespeare's London*. Norfolk: Bloomsbury Arden Shakespeare (2014). Print.
- Kendall, Paul Murray. *Richard the Third*. New York, W.W. Norton (1955). Print.
- Kinney, Alfred. *Shakespeare by Stages*. Malden and Oxford: Blackwell Publishing, 2003. Print.
- Levin, Richard. "The Longleat Manuscript and *Titus Andronicus*." *Shakespeare Quarterly* 53 (Autumn, 2002). 323-340. Print.
- Loehlin, James. *Henry IV: Parts I and II. A Guide to the Texts and Their Theatrical Lives*. China: Palgrave MacMillan, 2008. Print.
- Marino, James J. *Owning William Shakespeare*. Philadelphia: U of Pennsylvania Press, 2011. Print.
- Menzer, Paul. *The Hamlets: cues, Qs, and Remembered Texts*. Newark: U of Delaware Press, 2008. Print.
- Meres, Frances. "Palladis Tamia." *Elizabethan Critical Essays*. G. Gregory Smith, ed. London: Oxford UP, 1937. 308-324. Print.
- Orgel, Stephen. *The Authentic Shakespeare*. New York and London: Routledge, 2002. Print.
- Patterson, Lyman Ray. *Copyright in Historical Perspective*. Nashville: Vanderbilt UP, 1968. Print.

- Pollard, Alfred W. *Shakespeare Folios and Quartos: A Study in Bibliography of Shakespeare's Plays 1594-1685*. London: Methuen, 1909. Print.
- \_\_\_\_\_. *Shakespeare's Fight with the Pirates and the Problems of the Transmission of his Text*. Cambridge: Cambridge UP, 1967. Print.
- Rasmussen, Eric. "The Revision of Scripts." *A New History of Early Modern English Drama*. John D. Cox and David Scott Kastan, eds. New York: Columbia UP (1997). Print.
- Ribner, Irving. *The English History Play in the Age of Shakespeare*. Oxon: Routledge, 1965. Print.
- Rosenbaum, Ron. *The Shakespeare Wars*. New York: Random House, 2006. Print.
- Rosenthal v. Kalpakian*, 446 F.2d 738 (1971). Print.
- Rylance, Mark. "Foreword." *Speaking the Speech*. By Giles Block. London: Nick Hern Books (2013). ix-xi. Print.
- Shakespeare, William. *The History of King Henry IV, as revised by Sir Edward Dering, Bart*. George Walton Williams and Gwynne Blakemore Evans, ed. Charlottesville: The Folger Library 1974. Print.
- \_\_\_\_\_. *King Henry IV Part 1*. David Scott Kastan, ed. Croatia: Thomson Learning (2002). Print.
- \_\_\_\_\_. *King Henry IV Part 2*. A. R. Humphreys, ed. Croatia: Thomson Learning (1960). Print.
- Stern, Tiffany. *Making Shakespeare*. Florence, KY: Routledge, 2004. Print.

- \_\_\_\_\_. *Rehearsal from Shakespeare to Sheridan*. Oxford: Oxford UP, 2007. Print.
- Stern, Tiffany and Simon Palfrey. *Shakespeare in Parts*. Oxford: Oxford UP, 2007. Print.
- Taylor, Gary. "Introduction." *Henry V*. By William Shakespeare. Oxford: Clarendon Press, 1982. 1-74. Print.
- \_\_\_\_\_. *Reinventing Shakespeare*. New York: Weidenfeld & Nicolson, 1989. Print.
- Thompson, Ann. "Introduction." *Hamlet*. By William Shakespeare. Ann Thompson and Neil Taylor, eds. China: Cengage Learning, 2006. 1-137. Print.
- \_\_\_\_\_. "Introduction." *Hamlet: The Texts of 1603 and 1623*. By William Shakespeare. Ann Thompson and Neil Taylor, eds. Croatia: Thomson Learning, 2006. 1-39. Print.
- 17 USC Sec.106. <<http://uscode.house.gov/>> Web. Accessed 6/6/2014.
- 17 USC Sec. 201(a). <<http://uscode.house.gov/>> Web. Accessed 6/6/2014.
- 17 USC Chapter 3. <<http://uscode.house.gov/>> Web. Accessed 6/6/2014.
- US Constitution. art. I, sec. 8, cl. 8. <<http://www.law.cornell.edu/constitution/articlei#section8>> Web. Accessed 6/6/2014.
- Wells, Stanley. "Introduction." *William Shakespeare The Complete Works*. Oxford: Clarendon Press, 1988. 653. Print.
- \_\_\_\_\_. *Shakespeare and Co*. New York: Pantheon Books (2006). Print.
- Wells, Stanley and Gary Taylor. *William Shakespeare: A Textual Companion*. New York and London: W.W. Norton and Company, 1997. Print.
- Werstine, Paul. "A Century of 'Bad' Quartos." *Shakespeare Quarterly*. 50 (1999). 310-333. Print.

- \_\_\_\_\_. "Narratives about Printed Shakespeare Texts: 'Foul Papers' and 'Bad' Quartos." *Shakespeare Quarterly*. 41 (1990). 65-86. Print.
- Williams, George Walton and Gwynne Blakemore Evans. "Introduction." *The History of King Henry the Fourth as Revised by Sir Edward Dering, Bart.* Charlottesville: The Folger Library 1974. vii-xii. Print.
- Williams, William Proctor. "'Vnder the Handes of...' Zachariah Pasfield and the Licensing of Playbooks." *Shakespeare's Stationers: Studies in Cultural Bibliography*. Marta Straznicky, ed. Philadelphia, U of Pennsylvania Press, 2013. 63-94. Print.
- Yachnin, Paul. "History, Theatricality, and the 'Structural Problem' in the *Henry IV* plays." *I Henry IV, a Norton Critical Edition*. Gordon McMullan, ed. New York: W. W. McMillan 2003. 114-128. Print.
- Yeandle, Laetitia. "The Dating of Sir Edward Dering's Copy of 'The History of King Henry the Fourth'." *Shakespeare Quarterly*. 37.2 (1986) 224-226. Print.