

William Shakespeare: What He Was Not

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It has become all but obligatory, when embarking on Shakespearean biography, to preface one's effort with a lament about the lack of material. This, of course, is true if the intent is to portray Shakespeare's life on a day-by-day, or even a week-by-week basis. However, to tackle Shakespeare's, or anybody else's life in this way, we would require at the very least that the subject had kept a diary for his or her whole life and that his or her activities were such as to provoke a string of equally well-documented comments by others to produce a balanced picture of what this person was like. In fact, even in our own time, records for such a reconstruction rarely exist. With the passage of time, and the inevitable decline in the survival rate of documentary evidence – bearing in mind too that fewer records per head of the population were being created in the first place – it is not a reasonable expectation, after 450 years, that sufficient material will have survived to allow for a detailed reconstruction of Shakespeare's life. He may now occupy a position on the international stage but in his own time he did not. We are therefore obliged to rest content with what has survived almost by chance to document incidents in his life. To expect more would imply a serious misunderstanding of the nature of historical evidence. What we now term archives normally began life as documents of relevance to the parties concerned, be they letters, accounts, minutes of meetings or title deeds. Over time, when such material had ceased to be of any current use, much the greater part was thrown away, though not always immediately, the guardians of these accumulations deterred by the thought that at a future date some might still be required for the conduct of business. But even today, much potential archive material is destroyed despite

a general awareness of its importance and the existence of a varied group of professionals whose job it is to determine what might one day be of historic interest. A succession of distinguished antiquarian collectors can be traced back into the seventeenth century but their principal areas of concern (the pre-Reformation church and the descent of noble families and their estates) did not embrace the more general themes of such interest to us today. Moreover, the setting up of institutions to provide a safe home for a wider range of archive material does not reach back much beyond 150 years; and, although we now might reasonably expect that the records of a group which had recently ceased to operate should come to be lodged in a local record office, we are reduced to only a faint hope that the records of a similar group operating a hundred years ago might also by chance have survived. What realistic chance therefore is there that similar records from an even earlier date will have escaped destruction?

The key to the survival of archival material from this early period, that is for the period of concern to Shakespeare biographers, is generally speaking the existence of an institution which would have provided it with a home after it had ceased to be of any current interest. Even here there have been huge losses and nor should we assume that those that have survived did so as the result of deliberate policy. It may simply have been that, hidden away in a store room, nobody had got round to throwing them away. Nevertheless, it is within the realms of civil government, at national, county and parish level, of ecclesiastical governance within the established church (including its probate responsibilities) and the management of great landed estates that we find the highest survival rate for archive material. There is some inter-connection, of course. For many years members of the great landed families also dominated civil government and others entered the church. There are also other institutions, Inns of Court, schools and universities, for example, where their continuity over centuries has provided archive repositories of some permanence. We also find that deeds of title have survived in some quantity for the quite different reason that a bundle of documents proving ownership of property over the previous hundred years or so, which lawyers would lovingly and expensively peruse when properties were to change hands, acquired an almost sacrosanct status amongst the wider community and was therefore carefully and symbolically handed over to the new owners. It follows that by and large docu-

mentation about any one individual, and the more so as we go back in time, tends to be confined to occasions when he or she came into contact with one of those institutions or organisations whose records have survived, or in cases when the family became the owners of property.

Seen in this light, the lack of biographical material for a reconstruction of the life of William Shakespeare is neither mysterious nor unusual. He was educated at a school whose records have not survived, he did not attend University, he never entered into government service or the household of a landed family, he had only the occasional brush with the law, he lived in London as an elusive tenant and worked for most of his professional career for a business (the Chamberlain's, later the King's, Men) whose records are lost. Inevitably, then, there is going to be a dearth of material, limited in the main to the few occasions when he drifted into contact with national or local institutions or because the deeds to his property in Stratford had been handed over to his successors in title. If any more personal papers were not lost with the records of the King's Men, they would most likely have disappeared when his direct line failed after two generations. Even the one 'personal' item we do have (Richard Quiney's letter to him of 1598 asking for his assistance in the raising of a loan of £30) survived firstly, because it may never have been sent (it was later found in Quiney's own papers) and secondly, because the letter itself, with several others between Quiney and other Stratford townspeople (three of which also mention Shakespeare) survived in a bundle left in the Corporation archives when Quiney died whilst serving as bailiff in 1602¹. Similarly, the documents concerning Shakespeare's personal involvement, as a lessee of half the Corporation's tithes, in the attempt to enclose fields at Welcombe, just outside Stratford, were later found in the Corporation archives because the town clerk, Thomas Greene (and Shakespeare's fellow lessee of the tithes) left them behind when he sold up in 1618 and moved to Bristol². Ironically, it now seems, we know more about Shakespeare's father, John, than we do about his son for the simple reason that for many years he played an important role in local gov-

¹ Robert Bearman, *Shakespeare in the Stratford Records*, Stroud, Alan Sutton Publishing, 1994, pp. 73-74.

² Bearman, *Shakespeare in the Stratford Records*, pp. 54-55, 74-75.

ernment, and thus appeared in the town archives at regular intervals. He then ran into financial difficulties which led to his citation in the local and national law courts, a good example of what is all too common at that date, that the survival of biographical data depended not necessarily on the relative status of any individual but on his or her almost chance engagement with record-keeping agencies.

Two issues arise from this, one welcome and one unhelpful. Due to the almost obsessive determination to uncover every single fact relating to Shakespeare's life, surviving archives have been ransacked to a degree unique in the study of a single person's life. Once Shakespeare had begun to assume the status of national poet, a succession of antiquaries, scholars and Shakespeare biographers has tirelessly worked through what material has survived for that period in the hope of unearthing the necessary building blocks for the re-construction of Shakespeare's life. From Edmond Malone's time in particular, he and the likes of R. B. Wheler and Captain James Saunders in Stratford, James O. Halliwell both in Stratford and elsewhere, and Charles Wallace and Leslie Hotson, principally in what in their day was called the Public Record Office in London but is now The National Archives, have put together what has traditionally been regarded as a meagre body of evidence but is in reality an impressive set of data, given the reality of the situation as outlined above³. The welcome outcome of their endeavour is that we now know all, or most, of what will ever be recovered about the immediate circumstances of Shakespeare's life. No major addition to the corpus has been made since Wallace's publication of an article in 1910 announcing his discovery the year before of papers relating to Shakespeare's involvement in the so-called Belott-Mountjoy suit⁴. This is not to say that various bits of the jigsaw, in the shape of documents actually naming Shakespeare, have not since surfaced, nor that other material relating to Shakespeare's friends and family, only in more recent times subject to the same scrutiny, has not come to light: in particular, in 1964 when the act books of Stratford's church court surfaced to reveal that on one occasion his daughter Susanna

³ The discovery of these documents is carefully recorded in the original edition of Samuel Schoenbaum, *William Shakespeare: A Documentary Life*, London, Oxford University Press, 1975, as notes to facsimile reproductions.

⁴ Charles William Wallace, "New Shakespeare Discoveries: Shakespeare as a Man among Men", *Harper's Monthly Magazine*, 120 (1910), pp. 489-500.

was cited for non-reception of Holy Communion and, more significantly, that Thomas Quiney, his son-in-law, had been found guilty of incontinence with one Margaret Wheeler (who, with her illegitimate child, then died in childbirth) at the very time that Shakespeare re-drafted his will to Quiney's disbenefit⁵. Nevertheless the chances remain slim that a further major cache will come to light which will significantly tip the factual balance.

The advantage here is that those who wish to reconstruct an outline of Shakespeare's life from primary evidence can at least assume that it is unlikely to be supplemented in any major way. He or she, if reared in the school of historical investigation, might even be impressed by the amount that has survived for someone who rarely came to the attention of, or became associated with, officials on whose records we principally depend for our knowledge of the past. For some people, we barely have knowledge of their existence due to the loss of parish registers of baptisms, marriages and burials. For others, we may have in court records the occasional notice of their misdemeanours or, if they were of some means, a listing in taxation returns. By way of contrast, the material for Shakespeare's life, leaving aside for a moment the literary output attributed to him, is still comparatively substantial. Nevertheless the gaps are inevitably disappointing for those wishing to establish Shakespeare's view on a particular issue, his personal relationships and the details of his day-to-day life. We do have his will, from which we can draw legitimate conclusions about his attitudes towards his friends and family; and Thomas Greene's notes on the progress of the Welcombe enclosure, in which both he and Shakespeare had a vested interest, allow us to hazard an opinion on Shakespeare's view of what was going on. But such glimpses are rare and, even in the case of the Belott-Mountjoy suit of 1612, when questions were put to Shakespeare about his recollections of a certain event – the arrangements made on the marriage between Stephen Belott and Mary Mountjoy in 1604 – he gave evidence to the effect that he could not recall quite what had happened.

The downside of this apparent shortage is the temptation, by various means, to fill in the gaps. At one extreme, of course, is forgery: as perpetrated in particular by William Henry Ireland (1777-1835)

⁵ Hugh A. Hanley, "Shakespeare's Family in Stratford Records", *Times Literary Supplement*, 21 May 1964, p. 441.

and John Payne Collier (1789-1883)⁶. Others have lobbied for the authenticity of a succession of various portraits said to have been painted during Shakespeare's lifetime which have turned out to be either forgeries or over-ambitious attributions⁷. At the other extreme are genuine attempts to get to grips with Shakespeare's inner feelings and creative genius by an analysis of what he wrote. This, however, is a hazardous route to tread for the very reason that we know so little about his personal life. It may be the case, when we know the details of a subject's life, that we can detect influences on his or her creative writing. Indeed, it would be verging on the absurd to argue that this would not have happened. The problem, however, is that the response of a creative writer's character to a particular event would not necessarily have been the writer's. Passages from Shakespeare's writings, often seized upon as evidence of his religious views, his attitude to kingship and rebellion and his feelings about social inequality may therefore simply have been responses put into the mouths of his characters because of an empathy with people who had expressed such views. Then, between these extremes, are speculations which evolve into theories liable to take on lives of their own. These can be based on circumstantial evidence which can be moulded into an outwardly plausible case or – a variation of drawing biographical material from the plays – based on the assumption that, to have written on certain subjects, Shakespeare must have been a schoolmaster, a lawyer's clerk, a soldier or a sailor, or at least have travelled abroad.

However, I do not wish here to venture too far along the route of specifically dismissing any of these theories, rather to return to the admittedly and frustratingly modest accumulation of historical facts about Shakespeare and ask ourselves, not what they might tell us about the sort of man Shakespeare was, but rather what sort of man we might reasonably conclude he was not. But before doing so, something more needs to be said about the limitations of documentary evidence. Our current legal system requires, or at least prefers, the testimony of at least two independent witnesses, who can be subjected to interrogation, to

⁶ Samuel Schoenbaum, *Shakespeare's Lives*, Oxford, Oxford University Press, 1991, pp. 141-67, 245-66.

⁷ See, for instance, Tarnya Cooper, ed., *Searching for Shakespeare*, New Haven-London, Yale University Press and National Portrait Gallery, 2006.

establish, though not always successfully, the likely truth of an event. Clearly, when dealing with events which took place several centuries earlier no such option is available. Instead our knowledge of what happened depends largely on accounts which have chanced to come down to us in the written record, with all the problems associated with whether we can trust what we are being told and having to accept that, even if all the protagonists had kept personal diaries, we might still have doubts about the reliability of the evidence. It follows that, in the sphere of what we might term strict historical investigation, we are dealing not with absolute certainty but with a balance of probabilities. At its very basic, the fact of the baptism of a William son of Shakespeare on 26 April 1564 depends not on the oral testimony of those who attended the ceremony but on an entry in the parish register, the whole of which was re-copied in the late 1590s. However, most would argue that the entry can be accepted at its face value, or at least, in our balance of probabilities, that it is 99% certain that it is an accurate record of what actually happened. Whether or not he was the son of a John Shakespeare and Mary his wife, all three of whom were named in a legal action of 1588 concerning lands in Wilmcote, requires another calculation of probabilities which, without going into details, again puts us well into the 90% category. But on such issues as when and where exactly he was born or where he went to school, we can only offer assumptions for the simple reason that there is no surviving written record (if it ever existed) to help us. On the balance of probabilities and by cautious use of circumstantial evidence good cases can be made that he was likely to have been born on 23 April 1564 in the family homestead in Henley Street and that he was educated at the local grammar school. However, without direct documentary evidence, there is no alternative for the purist but to accompany such statements with the inevitable caveat of 'probably'. Many find such caution perfectly acceptable in cases where the balance remains firmly in credit but problems inevitably arise when circumstantial evidence, however exhaustively assembled, is not strong enough to make a claim more rather than less likely. This does not rule out the possibility that further evidence might push this claim further up the pecking order but to build a wider case on it, whilst still in debit, is not helpful.

However, this links to another limitation of the written record which tends to work in the opposite direction, namely that, given the huge gaps already alluded to, especially in the context of interpreting events

which took place 400 or 500 years ago, one cannot afford to claim to have proved a negative based on simple lack of evidence. If, for instance, as will be discussed below, we conclude that there is no material evidence to establish that Shakespeare was a recusant, we still cannot afford to claim that this establishes beyond doubt that he was not.

Bearing all this in mind, can we nevertheless propose what sort of man Shakespeare was not? The most prolific of surviving records from Shakespeare's lifetime are those of the courts, both civil and criminal, ranging from the highest royal courts in the land (Chancery, King's Bench and Star Chamber, for example), through county quarter sessions, down to the borough courts of record and manorial courts leet and views of frankpledge. Indeed, much of what we know about the Elizabethan/early Jacobean theatre comes from evidence submitted in the course of legal disputes over property and associated rights. Generally speaking, biographical information in these records is derived from instances when an individual appears as a plaintiff or defendant in a civil case or is prosecuted under the law, or is likely to be so, for a misdemeanour or more serious a crime. This, of course, is not always the case. An individual might be summoned to give evidence, as indeed Shakespeare was in the Belott-Mountjoy case. Also – and again this applies to Shakespeare – his name might be cited during the history of a dispute. Alternatively he might be the victim of a crime. However, if we are looking at whether or not a person, for whatever reason, was habitually litigious in civil matters, or became involved in activities likely to incur a penalty, the frequency with which he or she appears in legal records, either as a plaintiff, a defendant or an accused, is the obvious measure.

For Shakespeare, then, what evidence do we have, firstly, that he was not law-abiding? The short answer is none, or very nearly so. The one possible exception is the writ issued by the Court of Queen's Bench in November 1596 and addressed to the sheriff of Surrey, following a petition of one William Wayte, for "sureties of the peace" against William Shakespeare and three others, including Francis Langley, the builder of the Swan Theatre on Bankside⁸. Typically

⁸ Discovered by Leslie Hotson and announced in "A Great Shakespeare Discovery", *Atlantic Monthly*, 148 (1931), pp. 419-36, and further discussed at greater length in his *Shakespeare versus Shallow*, London, Nonesuch Press, 1931.

this would have been the first stage in a process by which anyone thought to pose a risk to life and limb of the petitioner would be bound over before a magistrate to keep the peace, with two of his or her acquaintance standing surety. In addition to this minimum condition, others might be imposed, such as appearance at a future court. In this particular case we do not have the writ itself, only a note that it was issued, nor any bond to which Shakespeare was a party or evidence that the quarrel was ever referred to a court. However, determined burrowing in this court's records, and elsewhere, has revealed that this writ represented but one stage in a longer running quarrel between Francis Langley alone on the one part and William Wayte and local justice, William Gardiner, on the other. It is therefore quite reasonable to argue that Shakespeare (and two women, Dorothy Soer and Anne Lee, also named in the writ but not otherwise known to have been involved) had somehow got dragged into Langley's quarrel. What this was about and what level of public disturbance Wayte thought likely is simply not known. Given Langley's record, some quarrel over property or tenancy rights is possible but also essentially speculative. But to claim, on this single piece of evidence, that Shakespeare was guilty of anything more than an alleged association with someone with whom Wayte was quarrelling would be to go beyond what can reasonably be proposed.

The only other example of behaviour likely to have put Shakespeare at odds with the authorities arose out of his apparent failure to contribute to national subsidies granted by Parliament in the mid 1590s. As a resident in St Helen's, Bishopsgate, he was deemed liable for successive payments of 5 shillings and 13s. 4d. but on both occasions he failed to pay⁹. It is difficult to establish, however, that this was a deliberate act on his part: rather, as is in fact stated on the second occasion, his failure to pay can more likely be attributed to his move from Bishopsgate to Southwark on the other side of the Thames. In any event, there is no evidence that he suffered any penalty for this evasion, if evasion it were, nor that any such backsliding on his part would in any case have been treated as a breach of the law.

⁹ Authoritatively discussed by M. S. Giuseppe, "The Exchequer Documents Relative to Shakespeare's Residence in Southwark", *Transactions of the London and Middlesex Archaeological Society*, ns, 5 (1929), pp. 281-88.

This meagre haul does not necessarily mean that Shakespeare was never prosecuted under the law. Much to be lamented is the loss of virtually all the records of Warwickshire's quarter sessions records prior to 1625. The assize rolls for the county, dealing with serious crimes brought to the attention of royal justices on their regular visitations, have similarly been destroyed. Those wishing to cling to the story of Shakespeare's prosecution for deer-stealing at Charlecote in the 1570s can therefore fall back on such gaps in the evidence to argue that the theory might still have some legs. However, if we prefer to stay true to the principle of the balance of probabilities, we can still argue that because, as far as we know, Shakespeare is never known to have committed an action which led to his prosecution in a court of law, this reflects the fact that he was not a habitual law-breaker. In fact, we can go further as he is similarly not even known to have been fined for any minor misdemeanours. Whereas, for instance, many Stratford people at one time or another were found at fault for illegal brewing, failure to maintain their pavements or to attend church, for forestalling and a host of other minor offences, Shakespeare, either in his home town or elsewhere, is never known to have been presented for such activities. Again, although we cannot be sure that this never happened, it does bring down the balance further against his having been engaged in criminal, or even less serious activities, and in favour of his being generally law-abiding.

Turning to what we might call civil actions, there is a little more to go on. In Stratford's local court of record, set up under the town's 1553 charter of incorporation, with jurisdiction in civil action to the value of £30, Shakespeare, or at least his family or agent, is twice found pursuing outstanding debtors¹⁰. Between March and June 1604 Shakespeare had sold to Philip Rogers of Stratford, a local apothecary and ale-house keeper, twenty bushels of malt. Despite frequent requests, Rogers had failed to pay what was due resulting, it was claimed, in a debt of 45s. 10d. Then, some five years later, in 1609, we find Shakespeare in pursuit, over a period of six months, of a much larger sum, £6, owed to him by John Addenbrooke, a local man

¹⁰ For the documentation, see Edmund K. Chambers, *William Shakespeare: A Study of Facts and Problems*, London, Oxford University Press, 1930, 2 vols, vol. II, pp. 113-118.

of some substance. Early in June, with Addenbrooke still declining to settle – he was buried on 19 June and so perhaps was terminally ill – Shakespeare’s frustrated lawyer sought permission instead to chase Addenbrooke’s surety, Thomas Hornby, for the repayment of the debt. At no point in the surviving records is it explained how the debt was contracted – for example, did it merely represent a straight cash loan or was it a debt incurred through non-payment for goods or materials supplied? What is clear, though, is Shakespeare’s apparent determination to secure payment by transferring his attention to Addenbrooke’s surety, Thomas Hornby, on Addenbrooke’s refusal, or inability, to meet his obligations.

There are no other similar records affecting Shakespeare’s business dealings. This does not mean, of course, that he never lent anybody any money or that, for one reason or another, people never ended up in his debt. However, given that, for most of his Stratford contemporaries of some social standing, the local court of record is littered with strings of cases arising out of their business activities – arising from either the buying or selling of goods or simply of advancing money – the fact that Shakespeare barely surfaces must surely indicate that he was not customarily engaged in such activity, at least on a local front. Of course, much of Shakespeare’s working life was spent in London and it might therefore have been there that he conducted most of his business. All the same, there is no record at all of any pursuit of debtors, either in local or national courts. This should give pause to anyone proposing that Shakespeare was a money-lender or that he ever engaged in extensive business activities beyond those expected of him as a sharer in a theatre company.

There is a similar lack of evidence for Shakespeare ever facing the predicament of pursuit for debt. Shakespeare would doubtless have borrowed money whenever he needed access to a substantial capital sum, either for buying himself into the Chamberlain’s Men as a sharer and then as a ‘householder’ of the Globe and later the Blackfriars, or for investing in real estate. Indeed, we know, following the purchase of a share in the lease of Stratford’s tithes in July 1605, that six months later he still owed the vendor Ralph Hubaud £20 – no doubt part of the purchase price¹¹. When he bought the

¹¹ E. A. B. Barnard, *New Links with Shakespeare*, Cambridge, Cambridge University Press, 1930, pp. 60-61.

Blackfriars Gatehouse in 1613, he arranged to delay the payment of half the purchase price (£60 out of £120) for six months¹². The famous request made by Richard Quiney in 1598 to William Shakespeare that he would help provide security in negotiating a loan to Quiney of £30 also reveals his familiarity with the process of borrowing money¹³. But the distinctive feature of any such activity on his part is that it never landed him in any recorded trouble. In other words, his ability to repay on time any money that he borrowed made him creditworthy, both able to borrow when he needed to and wise enough not to lend money to those who were not similarly trustworthy.

Quarrelling over sums of money was not, of course, the only sort of dispute to reach the courts. Disputes over property or failed business ventures surface just as often, and frequently more spectacularly, in both Chancery and various other central courts. Money (or loss of it) was often still the fundamental issue but cases were nevertheless more complex. Shakespeare twice went to court in cases of this sort. Around 1611, he and Richard Lane of Stratford-upon-Avon filed a complaint in Chancery concerning their shared interest in parcels of Stratford tithes. There is no need here to enter into the complexities of the issue: suffice to say that Shakespeare had purchased a half-share in a lease of the tithes of Old Stratford, Bishopton and Welcombe, whilst Lane held the tithes of Shottery and Clopton, two other hamlets within the parish. Both men, as the consequence of an agreement made back in 1580, were contributors to an annuity of £27 13s. 4d. to the Barker family, earlier holders of a lease of all the parish tithes. Lane's and Shakespeare's complaint was that, though they, and the Combe family, were paying their fair share of this annuity (£5 a year apiece in the Combes' and Shakespeare's cases), the holders of other parcels of the tithes were not, leading to attempts by the Barkers to extort the balance from Lane and Shakespeare. The exact sum of money is not mentioned and the outcome is unknown although William Combe, who held the other half of the lease of the Old Stratford, Bishopton and

¹² Chambers, *William Shakespeare*, vol. II, pp. 154-59.

¹³ Bearman, *Shakespeare in the Stratford Records*, pp. 33-36. I have developed the role which Shakespeare was being asked to perform in a forthcoming study of Shakespeare's finances and social standing.

Welcombe tithes, already, like Shakespeare, paying £5 did agree to pay an additional 6s. 8d. to account for the tithes of Rhyn Clifford which he also held¹⁴.

This, then, is clearly a case of Shakespeare going to law to protect his interests but, looking into the affair more closely, it's difficult to portray him as enthusiastically litigious. The owner of Shakespeare's share of the tithes was the Stratford Corporation, currently engaged in an effort to buy out the Barkers' interest so that they could get a better return on its asset¹⁵. Frustrated owners of other portions of the tithes, including John Nash, were also urging the Corporation to take action to undermine the Barkers' position¹⁶. These negotiations, however, were not moving along quickly enough, leading on, apparently, to a reluctance by some of the tithe-owners to contribute to the Barkers' annuity but a determination on the Barkers' part to get their money back by focussing on Lane and Shakespeare. The threat to Shakespeare's annual tithe income cannot have been more than £5 and was probably less but his willingness to join Lane in his suit is certainly of significance in its indication of Shakespeare's willingness to protect his income, or at least that of his family in the future. Nevertheless, we might well doubt that he would ever have got involved in these legal manoeuvres had there not been a wider dispute over the rights and wrongs of the central issue.

Much the same can be said for Shakespeare's only other known appearance in the civil courts as a plaintiff, namely the case in which, in 1615, he is named as one of six who brought an action in Chancery against Mathias Bacon, whose mother and grandmother had previously owned not just the so-called Blackfriars Gatehouse, which Shakespeare had bought two years earlier, but also other property belonging to the dissolved Dominican priory, including the former prior's lodging house. The action came about because of Bacon's disinclination to part with the title deeds still in his possession which related to his family's combined holding, thus making it

¹⁴ James O. Halliwell-Phillipps, *Outlines of the Life of Shakespeare*, London, Longmans, 1894 (9th edition), 2 vols, vol. II, pp. 25-31; Chambers, *William Shakespeare*, vol. II, pp. 122-25.

¹⁵ Robert Bearman, ed., *Minutes and Accounts of the Stratford-upon-Avon Corporation, 1599-1609*, Dugdale Society, 44 (2011), pp. 471, 473, 475.

¹⁶ Shakespeare Centre Library and Archive, BRU 15/12/102.

difficult for the purchasers of the individual lots to prove their title¹⁷. In Shakespeare's case, these deeds would have established Bacon's right to the Gatehouse as granted to him in 1590 by his mother Ann and which, in 1604, he had sold to Henry Walker, the man from whom Shakespeare had later bought it¹⁸. This case has traditionally been described as 'friendly litigation' and Bacon did give way immediately, replying to the effect that he was only holding on to them "untill such tyme as hee may be lawfully and orderlie discharged thereof upon his deliverie of the same"¹⁹. However, going to law was an expensive business, and would hardly have been embarked on unless the freeholders thought there was genuine need for clarification. Nevertheless, Shakespeare had only recently acquired his portion, and only after it had passed through the hands of another freeholder, and he is therefore unlikely to have initiated the proceedings. It is again of some significance that, as with the previous action concerning his tithe income, he was prepared to join in legal proceedings to safeguard his interests, but his involvement in this case again does not have the air of a forceful defence of his rights by a man of a litigious turn of mind.

We are faced with a similar dearth of evidence in a search to establish Shakespeare's involvement in civic actions as a defendant. In fact, although actions brought against some of his fellow householders do much to clarify Shakespeare's interests in both the Globe and Blackfriars theatres, he is never named as defendant. A case of sorts can be made out that he was a nominal defendant in an action of 1610 brought by Robert Keysar in the Court of Requests. Keysar was claiming that, as a major sharer in the interests of the Children of the Queen's Revels, the company which had previously occupied the Blackfriars Theatre, he had suffered when two years earlier the lease had been surrendered to Richard Burbage, who with his brother Cuthbert, John Heming, Henry Condell and "others"

¹⁷ The three documents relating to the case are most conveniently transcribed in Chambers, *William Shakespeare*, vol. II, pp. 159-64.

¹⁸ The earlier history of the Blackfriars site, until 1590, when it was broken up and the Gatehouse settled on Mathias Bacon, is recorded in an abstract of title, together with details of the 1604 conveyance to Walker, in Folger Shakespeare Library MS W.b.123. See also Roland B. Lewis, *The Shakespeare Documents*, Stanford, Stanford University Press, 2 vols, vol. II, pp. 436-37.

¹⁹ Chambers, *William Shakespeare*, vol. II, pp. 62-65.

had then entered the premises to use them for their own purposes despite a previous undertaking that they would not do so without giving Keysar some form of compensation. Whether Shakespeare was amongst the “others” against whom, with those specifically named, the action was technically brought, is not certain. Though other legal proceedings establish that Shakespeare was an original shareholder/housekeeper in the Blackfriars, he had almost certainly disposed of his interest by the time he died in 1616, and perhaps earlier²⁰. However, even if, as seems more than likely, Shakespeare can be counted amongst Keysar’s “others” in 1610, the fact that he did not name him says much about Shakespeare’s involvement. Keysar’s principal target in any case was Richard Burbage, who, as the owner of the premises, was the man who in 1600 had granted Keysar the lease of the building which he had later called in.

With the usual caveat that this very limited evidence of legal activity on Shakespeare’s part, either as a plaintiff or defendant, may not reflect the full extent of his involvement in such matters, the indications are still very strong that he was not by instinct or necessity litigious. Legal records have survived in significant quantities for this period and have also been ransacked for Shakespearean references. Such evidence as has come to light may be crucial to our understanding of how the theatres operated in Shakespeare’s time and his involvement in their affairs but he is never named as an active party in any of the disputes which spawned these records. Disputes certainly raged around him, setting the Burbages, for instance, against others involved in theatre management, and bringing Francis Langley to the point of bankruptcy. Thomas Dekker, Philip Massinger and Henry Chettle, amongst others, found themselves frequently pursued for debt to the point of imprisonment, and Christopher Marlowe died as the result of a brawl, possibly associated with espionage activity. Ben Jonson only evaded criminal prosecution following his killing of actor Gabriel Spencer by pleading benefit of clergy, whilst George Wilkins was in and out of the courts from 1602 until his death in 1618, charged with a string of misdemeanours. Thomas Kyd suffered torture for heresy and Ben Jonson, again, was on two occasions imprisoned for the writing and staging of controversial plays (on the second occasion with George

²⁰ Chambers, *William Shakespeare*, vol. II, p. 162.

Chapman and John Marston) as was Thomas Middleton for a similar offence. By way of contrast, William Shakespeare's career indicates a man neither by nature litigious – say in the pursuit of debtors or quarrelling over his rights – nor one who came to the notice of the law as the result of his activities, either through a failure to meet his financial obligations, involvement in criminal behaviour or the publication of subversive views. As we have seen, he is not entirely absent from legal records – pursuing two minor debtors, joining with others on a couple of occasions to defend property rights and, again with others, named as a man likely to commit a breach of the peace. But, compared with many of his contemporaries engaged in making a living in the theatre, and bearing in mind the abundant survival of legal records and the thoroughness with which they have been investigated, we can still safely say that Shakespeare was neither a habitual trouble-maker nor a man inclined or easily persuaded to resort to the civil courts.

Turning from attempts to interpret Shakespeare's life through surviving court records, I consider now whether his career is characterised by a search for patronage or public office as a means of boosting his income. Here the most well-known indicator of such an ambition was his decision in 1593 to dedicate his poem, *Venus and Adonis*, to the nineteen-year-old Henry Wriothesley, earl of Southampton, followed by a similar dedication a year later for his poem, *The Rape of Lucrece*. The second dedication is in a warmer tone than the first, suggesting that there had been personal contact between the two men during the 1593-94 period. In return for these dedications Shakespeare might well have received some token gift and also harboured thoughts that Southampton might be a source of future patronage. Southampton was on the verge of coming into his inheritance and may already have shown an interest in poetry and the theatre²¹. Thomas Nashe was clearly of the same view that Southampton might be looked to for financial support when in the same year he dedicated his *The Unfortunate Traveller* to the young earl whom he hailed flatteringly, and perhaps hopefully, as "a dear lover and cherisher [...] as well of the lovers of poetry, as of poets

²¹ For evidence from 1600 that he enjoyed visiting the theatre, see G. P. V. Akrigg, *Shakespeare and the Earl of Southampton*, London, Hamish Hamilton, 1968, p. 96.

themselves"²². Barnabas Barnes and Gervase Markham also looked to flatter the young man with dedicatory poems from these early years²³. However, we need more than this to support the proposal that Shakespeare enjoyed Southampton's extended patronage. Over a hundred years later there was talk of Southampton having given Shakespeare the preposterously large sum of £1,000 to set him up in his career but it is not difficult to see how, over the years, such a story could have evolved simply through an imaginative misinterpretation of the dedications²⁴. Taking a less imaginative line, the years 1593-94 saw the closure of the theatres due to plague and the dispersal and, indeed, break-up of several theatre companies. In this context it would hardly be surprising to find Shakespeare looking for alternative sources of income, not merely by selling his poems to printers but also by approaching likely patrons. However, even if this approach did lead to some encouragement, there is no reason to believe that this developed into a long-term relationship. Southampton's prospects were not quite what they might at first have appeared. His father's recusancy had a distinctly adverse effect on any sums of money he may have had to hand and he was also burdened early on with a considerable fine imposed by his guardian, Lord Burghley, on his refusal, it was said, to marry a bride of Burghley's choosing, namely his own granddaughter. Southampton's preferred choice, Elizabeth Vernon, one of the Queen Elizabeth's maids of honour, proved equally contentious for he married her without the queen's consent, thus incurring her grave displeasure. His later association with the earl of Essex's rebellion and his subsequent imprisonment would in any case have rendered him a liability as a patron rather than an asset. It can certainly be argued that John Florio enjoyed the earl's direct patronage: in his dedication to *A Worlde of Wordes*, an Italian-English dictionary eventually published in 1598, he paid tribute to the earl "in whose paie and patronage I have lived some years"²⁵. But in Shakespeare's case, the lack of any such evidence is

²² STC 18380.

²³ STC 118785; 17385.

²⁴ The story is first recorded by Nicholas Rowe in 1709, having been handed down, he was assured, by William Davenant; Chambers, *William Shakespeare*, vol. II, pp. 266-67.

²⁵ Publication had been mooted as early as March 1596, with Southampton named as the sole patron, though when published three others were included: STC 11098; Akrigg, p. 53.

a strong indication that following the re-opening of the theatres and his success in buying himself into the profitable Chamberlain's (later the King's) Men, he never again felt the need to look for financial support from a chosen patron.

Something depends, of course, on how patronage is defined. It might be argued, for example, that Shakespeare's membership of a theatrical company under noble, and later royal, protection represented a form of patronage. However, there is little evidence that this led to the development of personal relationships. Henry Carey, the Lord Chamberlain and patron of the company which Shakespeare joined in 1594, may have had long-standing theatre connections but he was also required, as Lord Chamberlain, to guarantee a source of good quality court entertainments, especially over the Christmas period. Carey's decision to put this new company under his protection might therefore be a simple reflection of his need to fulfil his courtly duties rather than of any particular favour towards the company. There were, of course, benefits. Carey's patronage, and that of his son George who succeeded as Lord Chamberlain in 1597, was doubtless a welcome shield in the ongoing struggle between the City of London, always on the look out for reasons to suppress the theatres, and the Privy Council, mindful of the need to nurture theatrical companies if it were to meet its obligation to provide the court with entertainment. Such entertainment was also highly profitable to the company. But it is stretching the point to interpret such protection and nurturing as patronage in the sense that Shakespeare and his fellow sharers derived from it any personal or immediate financial gain. The endorsement of the company by successive Lord Chamberlains, for practical reasons of their own, while useful, did not absolve the company from the need to make its own way. Such considerations would continue to have applied when the patronage of the company was transferred to James I, soon after his accession in 1603.

There is another instance of possible patronage to consider, and that is the first dedicatory page to the edition of Shakespeare's plays published in 1623, known to us as the First Folio. Here John Heming and Henry Condell of the King's Men address William Herbert, earl of Pembroke, and his brother Philip, earl of Montgomery, as two lords who have thought "these trifles [Shakespeare's plays] something, heeretofore; and have prosequed both them and their Authour

living, with so much favour" that "you will use the like indulgence toward them [the plays] [as] you have done unto their parent [...] For so much were your L.L [Lordships] likings of the severall parts when they were acted, as before they were published, the volume ask'd to be yours". Pembroke was the foremost literary patron of his day with more works dedicated to him than to any other during the early years of the seventeenth century. As Lord Chamberlain since December 1615 he was responsible for the provision and supervision of court entertainment, so important to the King's Men's finances. Amongst those to whom he provided direct financial assistance was Ben Jonson who received an annuity of £20 to buy books, and he is also known to have actively patronised George Chapman, Edward Alleyn and, important in this discussion, Richard Burbage whose death, in March 1619, prevented Pembroke from attending a play at court "so soone after the loss of my old acquaintance Burbadg"²⁶. But this does not establish that Pembroke had similarly treated Shakespeare with any marked favour, the dedication more likely simply reflecting, in exaggerated terms, the fact that many of Shakespeare's plays had been performed at court whilst Pembroke was Lord Chamberlain and acting at the same time as a tactful reminder that the company would be grateful for further invitations to perform at court. Nor is there anything exceptional about the inclusion of the other dedicatee, Pembroke's younger brother, Philip Herbert, another of James I's leading courtiers and earl of Montgomery since 1605. He, like his brother, was a noted literary patron, with a total of forty works dedicated to him – ten in conjunction with Pembroke, whom he was to succeed as Lord Chamberlain in 1626. In summary, it is impossible to demonstrate that Shakespeare actively sought the personal endorsement of either man as a patron or received any direct rewards: rather, the dedication can be read simply as a means of keeping these powerful men well disposed towards the company, Heming and Condell using the well-known popularity of Shakespeare's plays at court as a means of oiling the wheels. Doubtless combined with what might seem a somewhat worldly concern was the two men's genuine feelings of affection and gratitude towards their former colleague but

²⁶ Mary Edmond, "Richard Burbage", in *Oxford Dictionary of National Biography* (online at <http://www.oxforddnb.com>) citing British Library, Egerton MS 2592, fol. 81. See also Victor Stater, "William Herbert 3rd Earl of Pembroke", *ODNB*.

this did not mean they were unaware of the wisdom of keeping on the right side of two of the most influential personages at the heart of government.

It may well have been that during Shakespeare's lifetime printed playbooks were rarely thought prestigious enough to be dedicated to a patron, and in Shakespeare's case, given the state of those of his plays which made it into print before he died, there is nothing to suggest that he took any interest in their publication²⁷. The one publication which, consistent with contemporary practice, Shakespeare could have dedicated to a patron was his *Sonnets* published in 1609. This does, of course, carry the notorious dedication signed off by the printer Thomas Thorp to a "Mr W. H.", described as the "begetter" of the sonnets. This has given rise to endless speculation but, whatever its meaning, it hardly establishes that Shakespeare took a direct interest in the publication of the work (which in any case contains several defects which would not have escaped a conscientious author's attention) or that he wished to advertise the names of those who looked favourably on his work. Again, with all the necessary caveats applied to the problems of arguing from absence of evidence, all we know is that on two occasions only, early in his career and at a financially difficult time, did Shakespeare look for direct patronage, that he is never on record as the recipient of gifts, and that he is never found in possession of a sinecure or indeed of any office out of which he would have derived an 'unofficial' income. Surely this means that we can say with some confidence that such ambitions were never part of his plan. Though his income may have depended to some extent on his membership of a company under royal patronage, and though some other work may have come his way as a result of his contacts at court – but of which writing a motto for the earl of Rutland's *impresa* is the only known example²⁸ – this would not represent patronage in a form that offered more generous or favourable treatment than for the performance of a specific task. What we might call net-working was one thing: tying oneself to the fortunes of a particular, and wealthier, member of society another.

²⁷ From 1602 an increasing number of printed editions of plays (helpfully tabulated in David M. Bergeron, *Textual Patronage in English Drama, 1570-1640*, Aldershot, Ashgate, 2006, pp. 216-20) contained prefatory matter under the author's name but Shakespeare's published texts carried no such material.

²⁸ Chambers, *William Shakespeare*, vol. II, p. 153.

Finally, I consider the contention that William Shakespeare may have had strong religious views or, more particularly, that he inclined towards the old Catholic religion. It should be made clear at the start that there is no material evidence that he did, the most obvious manifestation of which would have been a listing at some point of his refusal to attend church. Lists do survive of those in Stratford who committed such an offence supplemented by nationwide recusant rolls which record the same. We also have the records, albeit patchy, of Stratford's local church court for the period 1590 to 1608, with a single entry from 1616²⁹. None of these, however, contains any reference to Shakespeare having adopted a position which would have got him into trouble. The nearest we get is the citation of his daughter Susanna in the local church court in May 1606, one of twenty-one local people presented for not receiving communion the previous Easter³⁰. However, bearing in mind that in any case such an offence would not necessarily reflect Shakespeare's own views on religious practice, there are other things to consider. The Gunpowder Plot of November 1605 had inevitably provoked a certain nervousness, not least in Stratford as one of the conspirators, Ambrose Rookwood, had taken a lease of a house a mile or so out of town. There are two lists of Stratford recusants dating from 1606 (with fourteen and thirty names) and another dating from August 1605, before news of the Plot broke, also listing thirty names. There is even a listing of thirteen names for c. 1607³¹. Susanna's name occurs in none of these, nor do seventeen others presented alongside her in Stratford's church court in May 1606. In other words only three of her 'co-defendants' were elsewhere cited for recusancy. By way of contrast, eight notable known Catholics who occur consistently in the four lists cited above do not feature alongside Susanna, and three of those who feature in three lists are similarly absent. Moreover, in the overwhelming number of cases brought against Susanna's co-

²⁹ Calendared in E. R. C. Brinkworth, *Shakespeare and the Bawdy Court of Stratford*, Chichester, Phillimore, 1972, pp. 120-46.

³⁰ Brinkworth, p. 132.

³¹ London, The National Archives, E377/6, mm. 15v, 20v; E377/15, m. 15v; Ronald Halstead and others, "Return of Recusants in Kineton and Barlichway Hundreds, County Warwick, 1605-6", *Worcester Recusant*, 18 (December 1971), pp. 19, 31; Bearman, ed., *Minutes and Accounts of the Stratford-upon-Avon Corporation, 1599-1609*, pp. 350-352.

defendants, the clerk simply noted that the charge was dismissed, usually on the understanding that they would receive communion in the future. In Susanna's case the abbreviated notes are difficult to interpret with confidence but it would seem that not only was she one of those who chose not to put in an appearance but also that, whereas three similar defaulters appeared at the next court, Susanna did not even do this, yet the charge was still dismissed. In short, her citation, and indeed that of most of her 'co-defendants', seems to have been based on a different set of criteria: an effort perhaps to round up those not diligent in their attendance through indifference or carelessness, and at a politically sensitive time, rather than because of any obstinate recusancy. If we need further persuasion that this was the case we need only recall that the following year Susanna married John Hall, in nobody's book anything but a committed Protestant, if not of Puritan tendencies, given his support of the radical minister, Thomas Wilson³².

A similar proposition, but similarly a dead-end as far as concerns Shakespeare's personal beliefs, is that his father John remained a committed Catholic³³. This, it is argued, would inevitably have had an effect on his son. There are only two pieces of evidence which can be adduced to back up this idea. The more persuasive, at least at first sight, is his inclusion in two lists covering the county of Warwickshire, compiled in a 1591-92 nation-wide drive against suspected Catholic sympathisers³⁴. All, however, is not quite what it seems. The second list – in effect the 'official' one of which the first is an initial draft – is divided into five sections. The first three and the fifth sections deal with various levels of recusancy or religious nonconformity: firstly those who "yet wilfullye persiste in thear Recusancye" (including three Stratford names), secondly those who were thought to be "daungerous and seditious Papistes [...] As have bene presented

³² See, for instance, Ann Hughes, "Religion and Society in Stratford-upon-Avon, 1619-1638", *Midland History*, 19 (1994), p. 69.

³³ For my full treatment of this issue, see Robert Bearman, "John Shakespeare: A Papist or Just Penniless?", *Shakespeare Quarterly*, 56 (Winter 2005), pp. 411-433.

³⁴ John Tobias, "New Light on Recusancy in Warwickshire", *Worcester Recusant*, 36 (December 1980), pp. 8-27; Michael Hodgetts, "A Certificate of Warwickshire Recusants, 1592", *Worcester Recusant*, 5 (May 1965), pp. 20-31; 6 (December 1965), pp. 7-20. The relevant sections are also to be found in Richard Savage and Edgar Fripp, eds, *Minutes and Accounts of the Stratford-upon-Avon Corporation, 1586-1592*, Dugdale Society, 10 (1929), pp. 148-49, 159-62.

to us [...] And now either beyonde the Seas or vagrante within this Realme" (including one Stratford name), thirdly "Recusantes As have been hearetofore preasented within this Countye of Warwicke And are now either Dwelling in other Counties or gone oute of this Countye" (including two from Stratford), and fifthly those who may have been named in the first survey but had since conformed or were thought likely to do so, including sixteen from Stratford. John Shakespeare, however, is not listed in any of these categories but in the fourth one, made up of those not attending church monthly, "yet are thoughte to forbear the Church for debtte and for feare of processe, Or for soom other worse faultes, Or for Age, sicknes or impotencye of bodie". In Stratford fifteen people were grouped under this head, further divided into nine (including John Shakespeare) who feared "processe for Debtte", and six whose presenters said that "all or the most of theese cannot coom to the Church for age and other infirmities". Without going into unnecessary detail here, such reasons or excuses can generally be substantiated, including, in John Shakespeare's case, financial difficulties which can be tracked convincingly from around 1580. It can hardly be claimed, then, that this establishes that John Shakespeare was an obdurate recusant if he had in fact been included in the one category out of the five which was designed to cover those who were not. Whilst some may still insist that this does not *prove* John Shakespeare was not a Catholic sympathiser, surely the balance of probability is firmly in favour of accepting John's categorisation as valid. Otherwise, one must ask why, if the town authorities were prepared to cite some twenty-five of their fellow townsmen for recusancy of varying degrees of seriousness, they should collude to protect fifteen others. The local men compiling the lists would have been aware that they would be looked over not only by government officials in London but also by zealous local commissioners and justices of the peace who would already be familiar with the situation and who would not look kindly on any deliberate attempt to mislead³⁵.

The second piece of evidence used in attempts to establish John Shakespeare's recusancy is his so-called 'spiritual testament', revealing that the man who attested it was clearly a Catholic. This hand-

³⁵ Glynn Parry, "The Context of John Shakespeare's 'Recusancy' Re-examined", *Shakespeare Yearbook*, ns, 18 (2007), pp. 8-27.

written document no longer survives, leaving us with no option but to rely on copies made in the late eighteenth century when it first came to light, hidden, so it was claimed, in the roof of the Shakespeare's family home. However, there are real problems over the authenticity of this evidence, linked as it is with other suspicious Shakespearean tales circulating in Stratford at the end of the eighteenth century when the 'spiritual testament' first came to public attention, nor is there any further document to substantiate recusancy on John Shakespeare's part³⁶. There would have been nothing surprising, of course, if John Shakespeare, reared in the old faith, had cherished some memories of traditional church worship. But to argue, on the basis of no reliable evidence, that he pushed such loyalty to the point of threatening his livelihood, remains essentially unconvincing, given that until the mid 1570s John's conduct was typical of an ambitious man actively pursuing a business career. It is not impossible, of course, that John Shakespeare's quarrels had originated in high words over religious views, or that religious difference could have manifested itself in quarrels of a more general nature. But, in fact, the cause of most litigation, whether actions remained civil or degenerated into direct action and criminal offences, lay in the problems of enforcing payment for goods supplied or the repayment of debts. Stratford's court of record, meeting fortnightly and specifically charged with sorting out disputes of this nature, and serving a population of perhaps less than 2,000 could, at each session, in the mid 1580s, typically hear thirty cases, five or six of which would be new claims. All the indications are that John's troubles derived from business transactions of this sort, involving, in his case, loss of credit and the need to realise assets to meet his obligations. An alternative scenario, that John Shakespeare, for ideological reasons, was prepared to jeopardise his hard-won position in the local business elite by adhering obstinately to the old religion remains essentially unconvincing. Advocates of the authenticity of his 'spiritual testament' were given ammunition of a sort when, in the 1960s, a printed version of a very similar document was discov-

³⁶ I have discussed this in detail in "John Shakespeare's 'Spiritual Testament': A Reappraisal", *Shakespeare Survey*, 56 (2003), pp. 184-202. See also Thomas M. McCoog and Peter Davidson, "Edmund Campion and William Shakespeare 'Much Ado about Nothing'?", in *The Reckoned Expense: Edmund Campion and the Early English Jesuits*, ed. Thomas M. McCoog, Rome, Institutum Historicum Societatis Iesu, 2007, pp. 165-185.

ered. Several others, virtually identical, have since been unearthed. These were translations of a work said to have been composed by Cardinal Charles Borromeo when Milan was visited by plague in the 1580s. Superficially this might seem to support the idea that the version allegedly subscribed to by John Shakespeare was authentic. But there are serious obstacles to overcome. Firstly, all the printed versions so far discovered date from the 1630s, suggesting that it was not translated into English until that date. Secondly, if we are to assume instead that printed English versions *were* circulating in the 1580s, why was John Shakespeare presented with a manuscript version to subscribe to? Thirdly, although the bulk of the manuscript version is almost identical with the printed text, its first three clauses are not only completely different but also clearly concocted with forgery in mind. It can therefore be just as persuasively argued that, a damaged version of the printed version having come to light, it was copied out, John Shakespeare's name inserted and the damaged part made good by substituting some preliminary wording in a mischievous attempt, characteristic of the late eighteenth century, to mislead. Finally, the sceptical are bound to point out the amazing coincidence that not only has no other manuscript copy of the 'spiritual testament' ever come to light but also that the one that has surfaced happened to have been subscribed to by the father of one of the most illustrious figures in the country's history.

To some extent, of course, such a discussion is in any case irrelevant when we come to consider Shakespeare's own beliefs. If there were any evidence that Shakespeare veered from the official line then it might be profitable to link this with childhood experiences. However, not only is there no evidence to attach even the mildest form of recusancy to Shakespeare's career, it is also difficult to argue convincingly that his father had difficulty in adapting to the requirements of the Elizabethan settlement either; and even if he had, that is no reason to assume that his son would have felt the same.

The risks of arguing from absence of evidence have been flagged up more than once. Much of the contemporary documentation of Shakespeare's life has been lost and, if more had survived, we would inevitably know much more about his dealings with his fellow citizens and his beliefs on a variety of issues. Although I have argued above that there is very little evidence to establish that he frequently

went to law or was ever prosecuted for misdemeanours, that he ever deliberately set about seeking patronage and sinecures to bolster his income or that he adhered obstinately to the Catholic faith, this is inevitably not the full picture. Even though further fragmentary evidence might turn up to flesh out one or two details, we are still faced with the unavoidable fact that much of the evidence for reconstructing Shakespeare's life has disappeared without trace. To move on to unequivocal statements that Shakespeare was not litigious, that he was not a habitual law-breaker, that he did not seek patronage and was not a recusant would therefore be to take liberties. But, to return to the issue of balance of probabilities, it is surely more reasonable, given the examination of what evidence we do have, to propose that such conclusions will not be far from the truth; or at least more consistent with what we know than to argue that, despite this lack of material evidence, we are still going to argue the opposite simply on the basis that it cannot be disproved. In any case, because it can be established, from the number of times they appear in the record, that some people *were* litigious, of criminal persuasion, dependent on patronage or of controversial religious views, then it surely follows that Shakespeare, if not necessarily entirely free of such tendencies, was much less influenced or compromised by them.

Having reached the point of establishing, as far as we know, what sort of man Shakespeare was not, the next step should be to ask, on the basis of surviving evidence, what sort of man we think he was. It is hardly surprising that, in addressing this, most biographers are drawn into discussing his involvement in the London theatre, both as a sharer in the profits of the Chamberlain's (later the King's) Men and as what we might call his particular role as its 'resident playwright'. Although in general terms we lack specific detail on Shakespeare's personal involvement in these operations, much of course can then be said about theatrical life generally and of the unique contribution which Shakespeare made to this outburst of creative activity. But this is not underpinned by surviving archival documentation. A few sources provide specific details of his day-to-day life in the theatre but the majority of archival references which have come down to us relate to other, sometimes mundane, issues. To many, this is a disappointment, and almost an embarrassment, suggesting as they do a man not totally immersed in the theatrical world but one clearly concerned with day-to-day matters unrelated to his literary output.

However, this is a poor excuse for sidelining such evidence as it offers useful pointers in the assessment of the sort of man Shakespeare was. But that is another (and longer and more complicated) story, which I hope to tell at another time and in another place, and is therefore a subject which I do not wish to pursue here³⁷. Suffice to say that I base my interpretation on the title by which Shakespeare was known in his own day and which, if he did not write it, he at least went along with: 'William Shakespeare of Stratford-upon-Avon, gentleman'. To contemporaries such a style, especially those who remembered his father's misfortunes, had overtones which are not immediately obvious to us today, and when combined with this other 'non-theatrical' evidence, go some way towards building up a more helpful picture of Shakespeare's personality: in my view, what he was, rather than what he was not.

³⁷ This is the subject of a forthcoming monograph in which I examine Shakespeare's business career and social standing.