



TWELFTH NIGHT,  
OR WHAT YOU WILL

BY WILLIAM SHAKESPEARE

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THE GLOBE THEATRE COMPANY  
MIDDLE TEMPLE HALL

## SHAKESPEARE AND LAWYERS DAVID CRYSTAL

Shakespeare seems to have been a bit suspicious of lawyers. Not that you'd tell from watching *Twelfth Night*, where there seems to be a healthy respect for the law. Fabian, at least, is most concerned that Sir Andrew does not overstep the mark when he challenges Cesario (aka Viola). 'A good note, that keeps you from the blow of the law'. And Andrew himself immediately calls upon the law when he is beaten up by Sebastian. 'I'll have an action of battery against him', he complains, 'if there be any law in Illyria'.

But in some of the other plays, things are very different. The word *lawyer* is used less than a dozen times in Shakespeare's plays, and always in a jaundiced sort of way. 'The first thing we do', suggests one of Jack Cade's rebels in *Henry VI Part 2*: 'let's kill all the lawyers'. And Cade agrees, giving a reason: 'Is not this a lamentable thing, that of the skin of an innocent lamb should be made parchment? That parchment, being scribbled o'er, should undo a man?' You might wonder just how lawyers had time to do this, after reading *As You Like It*, where, according to Ganymede (aka Rosalind), they are hardly ever awake. 'Who does Time stay still withal?' asks love-struck Orlando. And Ganymede replies: 'With lawyers in the vacation; for they sleep between term and term, and then they perceive not how time moves.'

Lawyers don't get let off the hook even when they are asleep. Along comes Queen Mab, the fairies' midwife, according to Mercutio in *Romeo and Juliet*, and gallops 'O'er lawyers' fingers, who straight dream on fees'. Nor do they escape when they are dead. When another skull gets dug up by the gravedigger, Hamlet homes in straight away. 'Why might not that be the skull of a lawyer? Where be his quiddities now, his quillets, his cases, his tenures, and his tricks?'



A judge on horseback, riding to assizes.  
Courtesy of the Bodleian Library

But, as these few quotations show, for someone who pokes so much fun at lawyers, Shakespeare has a remarkable range of legal vocabulary. Words like *accusation, sentence, verdict, statute, suit, surety, title, bond, indenture, conveyance*, and over 200 others show a grasp of criminal, civil and commercial law. Several plots turn on legal issues, as in *The Merchant of Venice, Measure for Measure*, and *Henry V*. And legal language is not only used literally. It is the source of an enormous amount of figurative expression. 'Our throats are sentenced and stay upon execution', says Menenius, worried about the threat from vengeful Coriolanus. And Pandarus observes Troilus and Cressida's first kiss, 'How now?', he says, 'a kiss in fee-farm'. Fee-farm is a state of tenure granted in perpetuity. The kiss, it seems, is never-ending. And so, it seems, are the resonances of Shakespeare's legal language which, in innocent-looking words like *process, cause, and answer*, never seems to be far away.

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## GLOSSARY

Glossary entries have been provided by David and Ben Crystal, adapted from Shakespeare's Words, to be published by Penguin in June 2002

When?	Who?	When?	What's the issue?
I.I	Valentine says to Orsino, about Olivia	<i>The element itself, till seven years' heat, Shall not behold her face at ample view</i>	<b>element</b> air, sky
I.II	Viola says to the Captain, about Olivia	<i>O, that I served that lady, And might not be delivered to the world - Till I had made mine own occasion mellow - What my estate is.</i>	<b>deliver</b> present, show <b>estate</b> situation, state
I.III	Sir Toby says to Sir Andrew, about revelling	<i>Art thou good at these kickshawses, knight?</i>	<b>kickshaw</b> trivial distraction trifle
I.IV	Cesario says to Valentine, about Orsino	<i>You either fear his humour or my negligence, that you call in question the continuance of his love.</i>	<b>humour</b> whim, mood <b>continuance</b> permanence
I.V	Feste says to Olivia	<i>Misprision in the highest degree!</i>	<b>misprision</b> mistake misconception
II.I	Sebastian says to Antonio	<i>The malignancy of my fate might perhaps distemper yours</i>	<b>malignancy</b> inauspicious character <b>distemper</b> derange, disturb
II.II	Viola says to herself, about her situation	<i>How will this fadge?</i>	<b>fadge</b> turn out, end up
II.III	Sir Toby says to Sir Andrew and Feste	<i>But shall we make the welkin dance indeed?</i>	<b>welkin</b> sky, heavens
II.IV	Orsino says to Cesario, about Olivia	<i>But 'tis that miracle and queen of gems That nature pranks her in, attracts my soul.</i>	<b>prank in</b> dress up, deck out
II.V	Malvolio, beginning to read the letter	<i>If this fall into thy hand, revolve.</i>	<b>revolve</b> consider, reflect
III.I	Feste says to Cesario	<i>A sentence is but a cheveril glove to a good wit</i>	<b>cheveril</b> flexible, pliant
III.II	Sir Toby says to Sir Andrew, about his letter	<i>Be curst and brief.</i>	<b>curst</b> quarrelsome, cross
III.III	Antonio says to Sebastian	<i>I will bespeak our diet</i>	<b>bespeak</b> order, ask for <b>diet</b> board, daily needs
III.IV	Olivia says to Maria, about Malvolio	<i>He is sad and civil, And suits well for a servant with my fortunes</i>	<b>sad</b> serious, grave <b>civil</b> seemly, well-behaved
IV.I	Feste says to Sebastian	<i>I am afraid this great lubber the world will prove a cockney.</i>	<b>lubber</b> clumsy dolt <b>cockney</b> milksop, softy
IV.II	Feste says to himself, about Sir Toby and Maria	<i>The competitors enter</i>	<b>competitor</b> partner, associate
V.I	Orsino says to Cesario	<i>What wilt thou be When time hath sowed a grizzle on thy case?</i>	<b>grizzle</b> sprinkling of grey hairs <b>case</b> surface, face
Final song	Feste, singing	<i>By swaggering could I never thrive</i>	<b>swaggering</b> blustering quarrelling