

DO FEET HAVE MOUTHS? SLANDER, METAPHOR, AND THE BODY POLITIC IN
EARLY MODERN ENGLAND

BY

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Abstract

In sixteenth and seventeenth century England slander was increasingly understood as a distemporing force that had the potential to spread from a subject's body to the body politic, a fear that pervaded legal, religious, and medical discourses. My dissertation—the first sustained study of slander's real and perceived ability to affect both individual and social bodies—examines the internal responses incited by slander and their effects on community bonds. Because slander was conceived as a domestic threat undermining unity at all levels of society in early modern England, writing of the period relies on metaphor to explain this verbal ill's genesis and to illustrate its effects on individual and figurative bodies, including its ability to incite anger, wound, or kill. As my title suggests, slanderous speech could emerge from any social rank; commoners (the “feet” of the social body) and those of gentle status could and did use the language of critique (their “mouths”) to identify and attempt to ameliorate the ills of the body politic, even as the monarch and others in authority countered such charges by labeling them sedition.

Each chapter of my project places literary texts from the period roughly spanning the 1560s to the 1630s alongside little-studied treatises about slander and sins of the tongue, all of which I consider within the developing legal framework of slander law. The fear that slander could spread from an offender's body to the kingdom is newly evident in the sedition statute of 1554, which decreed slander against the monarch a criminal offense punishable by public mutilation, and called for convicted seditionists to be punished at the market of the town where the slander was first voiced. Literary critics have focused on period authors' demonization of slander, its relation to gender, and its depiction in drama. “Do Feet Have Mouths,” in contrast, cuts across a variety of media and several genres, engaging and extending recent scholarship in

literature and the law, the history of slander, and the history of the senses. Furthering Lindsey Kaplan's arguments concerning slander's unstable nature, I argue that this volatility allowed it to be put to many uses, from policing the behavior of others to defining exclusive communities. Combining the approaches of historians such as R.H. Helmholz who have delineated the development of slander law, and cultural historians, particularly Gail Kern Paster, who have illustrated how the early modern body was conceived as a vulnerable, almost porous entity, I demonstrate how conceptions of slander developed from a spiritual sin under the purview of church courts to a dangerous and potentially criminal threat against a person's body, livelihood, and society itself.

Chapter One investigates three Tudor case studies that collectively exhibit slander's dangerous nature and the body of law that emerged to contain threat. This chapter introduces a central claim: in the cultural history of slander, social status plays a determinative and often overlooked role. I examine how legal punishments were influenced by the social status of convicted slanderers as well as numerous, unpredictable factors including the socio-political climate. The first two case studies, John Bale's *King Johan* (circa 1538, revised post 1558) and John Stubbs's *The Discovery of a Gaping Gulf* (1579), concentrate on a particular type of slander, religiously motivated sedition. Commoners used religion to define sedition as anything—including a monarch's marriage—opposed to individual religious belief. The community's sundry responses to Stubbs's text and eventual punishment emphasize the draconian nature of the era's slander laws, partly shaped by social status which resulted in the removal of Stubbs's offending hand. The final case study, the 1590 infanticide rumors alleged against Queen Elizabeth, underscores the importance of the socio-political climate when addressing slander.

Chapter Two turns to the body and focuses on the surprising and often conflicting range of emotions that slander could elicit from commoners and monarchs alike. Shakespeare's *Measure for Measure* (1603-04) depicts a range of corporeal responses to slander, many of them organized through the play's neglected heart and tongue imagery. In his capacity as ruler of Vienna, the Duke's fear of and attempt to eradicate slander portrays the impossibility of exorcising this threat, a fantasy that could only occur if the government routinely employed public mutilation. My examination of "The Five Senses" (1621-23), a widely circulated manuscript libel that brazenly depicted James I's body as dangerously open to outside influences, demonstrates an unexpected reply to slander: mercy. The King chose not to interpret this libel as slander, instead demonstrating his authority by merely quipping that the author "wished good things for him." In contrast, John Rous, the man who preserved this forbidden libel and recorded James's purported reply, showed palpable anxiety because of the risk he ran by recording the poem. I contend that these individuals' contrasting responses exhibit the conflicted feelings that early modern slander provoked.

My scrutiny of *Measure for Measure*'s heart and tongue imagery in Chapter Two introduced the prevalence of metaphor when discussing slander's effects upon individual and social bodies. Chapter Three furthers this analysis by focusing on the popular metaphorical depiction of slander as a poison or plague that distempers the individual and the metaphorical body. The effects of this deadly poison are portrayed in several allegorical episodes of Book II of Edmund Spenser's *The Faerie Queen* (1596). The House of Alma, a house of temperance shaped as a human figure, is assaulted by an assortment of incorporeal forces including slander, an episode that showcases the body's vulnerability to outside influence. This event moreover prepares the way for the appearance of the Blatant Beast, slander made flesh, in the second half

of the work. I argue that Spenser's suggestion that patience is the tempered body's defense against slander resembles the course of action preferred by the court system, which moved notoriously slowly in the hopes of allowing the individuals involved in a slander litigation case time to repair their fractured relationships.

Chapter Four develops the notion of slander as poison by investigating what happens when it is the *monarch* who has become possessed by slander and the resulting harm this causes to familial and social bonds and the nation itself. Focusing on *The Winter's Tale* (1610-11), I use the concept that slander is responsible for a triple homicide, murdering the speaker and hearer of the slander as well as the individual slandered, to generate an innovative reading of the play, one that better explains the seemingly arbitrary deaths of Hermione, Mamillius, and Antigonus. I additionally contend that the play's surprisingly redemptive conclusion shares context with slander suits filed in the ecclesiastical courts. Church courts relied on public penance to repair the damage caused to a slander victim's reputation. My dissertation thus concludes by focusing on how individuals and the larger community can move beyond slander and begin to heal.

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Introduction: “It Started with a Whisper”: The Metaphoricity of Slander

At the pivotal moment in Ben Jonson’s *The Masque of Queens* (1609), a loud sound is heard and the disorderly antimasquers vanish, replaced by the House of Fame and the twelve masquing queens.

In the heat of their Dance, on the sudden, was heard a sound of loud Musick, as if many Instruments had made one blast; with which not only the Hags themselves, but the Hell, into which they ran, quite vanished, and the whole face of the Scene altered, scarce suffering the memory of such a thing.

Among the vanquished foes, the hags sent back to hell include “*Slander*” who is characterized by an “oblique look” and is accompanied on “her subtle Side” by “black-mouth’d *Execration*,” as well as: “Two-faced *Falsehood*,” “*Murmur*, with the Cheeks deep hung,” and “*Malice*, whetting...her forked Tongue.” These assorted women had originally gathered in order to “shew our selves truly Envious, and let rise / Our wonted Rages,” thus ensuring that Justice cannot return to earth to usher in a new golden age.¹ Although the anti-masquers are depicted as witches—they cast several ineffectual charms and spells—none of them are associated with classical witches or sorceresses, such as Hecate or Circe. Instead, they are each given allegorical names linking them with twelve vices, beginning with Ignorance and culminating in Mischief. Strikingly, several of these vices are verbal vices, speech acts that create and exacerbate dissension among a community, a notion mirrored by the anti-masquers’ discordant music and indecorous, disorganized dancing.

In a wish-fulfillment moment typical of early modern masques, these monstrous women and the social ills they represent are easily repelled, allowing the singing and dancing of the

¹ All quotations from Ben Jonson’s *The Masque of Queens* are from “The Holloway Pages: Ben Jonson: Works (1692 Folio): *The Masque of Queens*.” ed. Clark J. Holloway (2003). [<http://www.hollowaypages.com/jonson1692fame.htm>, accessed 13, April 2002].

masque proper, representative of a harmonious body politic, to commence. The anti-masquers are banished through the mere presence of good Fame, who “hoorl’d / All Rumors and Reports, or true, or vain.”² Fame eradicates the allegorized vices as well as their words. “True or vain” “rumors and reports” have the power to spark dissension and encourage disagreements that can fester long after the words themselves have been spoken. For this reason, all reports and the potential influence they hold must also be accounted for if harmony is to be established. Fame explains that she, together with the twelve historical and mythological queens that accompany her, have been drawn to England “to you, most Royal, and most Happy *King*, / Of whom, *Fame*’s house, in every part, doth ring / For every virtue.”³ The personal virtue and splendor of King James I and VI calls these remarkable figures to England. It is ultimately his mere presence that allows for the exorcising of Slander and her companion vices. This metaphorical banishment and purging of the vices’ effects may represent a fantasy, yet there is a public-relations value in its staging. James is presented as a monarch whose resplendent virtue establishes true harmony, a harmony that extends beyond the absence of warfare to include the exiling of all forms of vice and discord. That such peace can only exist once these dissonant forces are banished intimates the severity of the threat that they were seen to pose.

The genealogy that Jonson briefly sketches between the vices, specifically, Slander’s relationship to Ignorance and its connection to envy, suggests some of the ways that calumny was conceived of at the time, including potential motivating factors. Slander is personified twice more in early modern drama, all three times appearing in a Jonson masque, including *Hymenaei* (1606), *The Masque of Queens* (1609), and *The Golden Age Restored* (1616).⁴ Jonson was

² *Ibid.*

³ *Ibid.*

⁴ Berger et al.’s *An Index of Characters* and Darryll Grantley’s *English Dramatic Interludes, 1300-1580: A Reference Guide* (Cambridge: Cambridge University Press, 2004).

famously brought before the Privy Council for his *Sejanus, His Fall* (1603). Such an experience undoubtedly contributed to Jonson's fear of defamation, yet one must wonder why he felt the need to stage the conquering of slander on three separate occasions. This repetition intimates this danger's ubiquitous nature and the need to continually be on the alert against such allegations. Moreover, as the monarch and court had oversight over the content of a masque, this reiteration may suggest an agenda on James's part, a speculation not out of the realm of possibility for a monarch whose fear of slander is explicitly discussed in *Basilikon Doron* (1598).

In the *Direction for the Government of the Tongue* (1597), the Protestant theologian, William Perkins, contends that "tale-bearing is the common table talke in England;"⁵ likewise, one of the motivating factors behind Charles Gibbon's *The Praise of a Good Name: The Reproch of an Ill Name* (1594) was Gibbon's belief in the omnipresence of "whisperers."⁶ While the authors of works that focused on slander or the ills of the tongue⁷ utilized an assortment of similes and metaphors to describe the effects of harmful speech, they all agreed upon one thing, that slander was ubiquitous in early modern England. Despite of or possibly because of this pervasiveness, there was no consensual definition or depiction of slander. The catalogue of near-synonyms used by laymen illustrates the sense of growing menace:⁸ defamation, rumor, scandal,

⁵ William Perkins, *Direction for the Government of the Tongue*. 1597 in *The Unruly Tongue in Early Modern England: Three Treatises*, ed. Nathalie Vienne-Guerrin (Madison: Fairleigh Dickinson University Press, 2011), 39-80, 62.

⁶ Charles Gibbon, *The Praise of a Good Name: The Reproch of an Ill Name* (London: 1594), 27.

⁷ Following the lead of Nathalie Vienne-Guerrin, I have termed these little-studied treatises about slander and the sins of the tongue "slander treatises" and/or "tongue treatises." See *The Unruly Tongue in Early Modern England*. Introduction. Vienne-Guerrin. xvii-xxvii.

⁸ The belief that slander was a growing threat was perceived, as demonstrated by slander and tongue treatises, but also supported by the era's legal records. There was a dramatic increase in slander litigation during the final decade of Elizabeth's reign, a trend that continued into James's reign. J.A. Sharpe writes, "For once, archive evidence can be deployed to lend credence to the common cry of seventeenth-century commentators that they lived in the worst of all possible worlds, beset by new symptoms of social breakdown and the intensification of old ones. The records of both the common law and the ecclesiastical courts provide ample proof that defamation suits were indeed multiplying" (*Defamation and Sexual Slander in Early Modern England: The Church Courts at York* [Heslington, York: University of York, Borthwick Institute of Historical Research, 1980], 3).

murmur, etc.⁹ Furthermore, slander law was a morass, overlapping with legislation on libel, sedition and treason, with slander suits being filed in both the ecclesiastical and civil courts. Among these terms slander became the catch-all, an umbrella term for the era's myriad charges of ill speech.

The purpose of this study is to uncover the nuances of early modern English conceptions about slander by highlighting and embracing these contradictory notions. I will illustrate how slander was used for a variety of purposes, despite the fact that contemporary metaphors demonized it as a destructive social ill. In my investigation of the nature of slander, I explore such questions as: what constitutes slander? What are its defining characteristics? What is its relationship to truth? Who determines what gets labeled as slander? Answering these questions requires briefly charting the rise of slander law and distinguishing its contours from later definitions of slander, which still carry vestiges of its prior, often figurative, characterizations from the early modern period. I then construct a heuristic period definition of slander drawing from law books of the age. Period law books reveal how attempts to define calumny overlapped with coexisting verbal offenses like sedition and *scandalum magnatum*.

Because of these definitional inconsistencies, a more telling assessment of early modern beliefs about slander can be found by tracing the development of scandal in metaphor, which was continually employed to voice the anxieties that ill speech provoked. This literary device proved best able to address and encompass slander's unstable definition, allowing period authors to portray how slander, an intangible phenomenon, caused both literal and figurative effects.¹⁰

⁹ There were even those who considered slander as a subset of news. The first sedition statute of the era, passed in 1554, at one point refers to seditious statements as "Newes"; *Statutes of the Realm* (9 vols., 1810-1825), Vol. 4, part 1, 240. In Ferdinando Pulton's *An Abstract of all the penall Statutes which be generall, in force and use* (London, 1577), slander laws are found under the heading "Newes."

¹⁰ I would add that metaphor continues to be one of the most effective means for discussing slander. As I began this study, I quickly discovered that it is impossible to discuss slander without turning to metaphor to help portray particular aspects of this linguistic phenomenon. Even scholars studying early modern England's slander laws

Kenneth Gross notes that slander was “described variously through metaphors of murder, plague, poisoning, rebellion, rape, abortion, witchcraft, and demonic possession.”¹¹ Many of these notions were themselves inherited from the Bible, specifically King David’s Psalms, a work that, among other considerations, laments the fact that no one is exempt from slander, as well as from King Solomon’s Proverbs. Psalms and Proverbs are doubly attractive since they are biblical authorities written by reigning sovereigns, perfect sources for an era where individuals were trained from birth to obey. Slander’s relation to metaphor extends beyond merely elucidatory purposes. Early modern England’s punishments for sedition, a form of slander, were not only brutal, they were also highly metaphoric, as was the locale chosen for the carrying out of these punishments, as discussed in greater detail below.

Words are but wind?

Today, slander is commonly considered to be a false statement that aims to damage the reputation of another individual. Falsehood and malicious intent are understood as slander’s defining characteristics. For the early modern period, I find this definition to be problematic and misleading, one that overlooks slander’s ambivalent relation to truth, as well as the question of who exactly determines said “truth.” In William Shakespeare’s *Much Ado about Nothing* (1598), Hero decides to “devise some honest slanders / To stain my cousin with. One doth not know /

cannot avoid using metaphors in relation to their subject. Historians and literary scholars are particularly fond of employing the term “flood” when discussing the rise of slander and sedition cases in the sixteenth century. See J.H. Baker, *An Introduction to English Legal History*, 3rd ed. (London: Butterworths, 1990), 500; David Cressy, *Dangerous Talk: Scandalous, Seditious, and Treasonable Speech in Pre-Modern England* (Oxford: Oxford University Press, 2010), 48; S.F.C. Milsom, *Historical Foundations of the Common Law* (Toronto: Butterworths, 1981), 379. J.A. Sharpe employs the equally colorful noun “explosion” in *Defamation and Sexual Slander*, 3.

¹¹ *Shakespeare’s Noise* (Chicago: The University of Chicago Press, 2001), 6.

How much an ill word may empoison liking” (3.1.84-86).¹² Hero’s comment reveals that statements labeled as “slander” are not always false, or maliciously motivated. While her plan works like a charm, helping Beatrice realize and embrace her true feelings for Benedict, Hero’s comments playfully refer to the more typical, darker understanding of calumny.¹³ Her choice of the word “stain” alludes to slander’s ability to blemish heretofore-unsullied reputations, much like the damage caused by poisonous or corrosive substances, a popular metaphorical depiction for slander examined in Chapter 3. *Much Ado about Nothing* demonstrates the ease with which both true and false slanders are internalized and the serious consequences that result from such belief.

The legacy of slander’s fraught relation to the truth remains to this day. As Lindsay Kaplan has demonstrated, a brief glance at slander’s definition in the *Oxford English Dictionary* (*OED*) reveals that definitions one and three are diametrically opposed:

The first sense of the term offered in the *OED* explains slander as “1. The utterance or dissemination of false statements or reports concerning a person, or malicious misrepresentation of his actions, in order to defame or injure him.” This seems straightforward enough: slander imputes false crimes against its underserving target. However, the opposite meaning is also available: “3. Discredit, disgrace, or shame, incurred by or falling upon a person or persons, *esp.* on account of some transgression of the moral law, unworthy action, or misdemeanor; evil name, ill repute, opprobrium.” Here slander is not the result of groundless ill-speaking but a true report of one’s own ill-doing; in the first case one is an innocent victim, while in the other a deservedly exposed offender. The editors go on to note that the latter definition is “in some cases not clearly separable from sense 1.”¹⁴

¹² All references to Shakespeare’s works are to *The Norton Shakespeare: Based on the Oxford Edition*. Stephen Greenblatt et al. (New York: W.W. Norton & Company, Inc., 1997). Hereafter quotations are cited in the text by act, scene, and line numbers.

¹³ Her comments also adumbrate her own slandering by Claudio.

¹⁴ Lindsey Kaplan, *The Culture of Slander in Early Modern England* (Cambridge: Cambridge University Press, 1997), 13.

The link between slander and falsehood is an ancient one. It harkens back to the Greek word for Devil¹⁵, *διάβολος*, meaning “accuser, calumniator, slanderer, traducer.”¹⁶ Despite her emphasis on slander’s unstable depictions, Kaplan states, “in its most general sense, slander is a false accusation which results in the humiliation of its victims.”¹⁷ Ina Habermann likewise finds the notion of “honest slanders” to be “an oxymoron if ever there was one.”¹⁸ Though we often consider slander an underserved, malicious critique (and in many instances this is indeed the case), slander is not interchangeable with falsehood. The contemporary certainty that slander is nothing but lies merely creates the illusion that such linguistic phenomena can be easily labeled and contained. Slander’s potential as an uncontrollable social and political force was a frightening and uncomfortable realization for the early modern era, a state of affairs that has not much changed over the centuries. In order to better understand the way slander works, both during the early modern period and in contemporary times, we need to embrace its contradictory nature. It is a phenomenon that is hard to pin down precisely because of the ease with which accusations of slander can be leveled at individuals and the effortlessness with which these accusations can be reversed, creating a situation of allegations and counter-allegations that is difficult to navigate. Moreover, maliciously motivated slander can nonetheless convey truth, while well meaning advice can ultimately be false and slanderous.

As both the *OED* and *Much Ado about Nothing* demonstrate, slander is a social phenomenon. Habermann defines slander as “a form of communication, a particular type of

¹⁵ The Devil after all is the great deceiver.

¹⁶ “Devil.” *OED*. Oxford English Dictionary, 2012; online edn., 2012.

[<http://www.oed.com.proxy2.library.illinois.edu/view/Entry/51468?rskey=3sHZBm&result=1#eid>, accessed 17 Aug. 2012]. For a brief etymological history of the word “slander,” see Kenneth Gross, *Shakespeare’s Noise*, 209, fn3.

¹⁷ *The Culture of Slander in Early Modern England*, 9.

¹⁸ While I disagree with Habermann concerning slander’s relationship to the truth, *Staging Slander and Gender in Early Modern England* has enriched my own understanding of slander through her meticulous and thoughtful investigation into the gendered, literary, and political implications of slander in the period (Burlington: Ashgate Publishing Company, 2003), 10.

speech act which, once assumed or recognized to be defamatory, becomes a public event with ethical as well as juridical and theological implications.”¹⁹ To qualify as slander, speech must involve three parties, the speaker, the listener, and the person slandered. Moreover, it is usually spread surreptitiously, as allegations are not often voiced before the subject of the slander.²⁰ However, as a social phenomenon, slander has the ability to multiply exponentially and to convert listeners into slanderers. The roles of the parties involved are malleable and complex. Once a slander has been heard, it is internalized, at which point the listener determines whether the information should be believed as truth (or possibly true), or ignored as a falsehood. If the information conveyed is believed, the listener has the potential to take on the additional position of a slanderer, sharing the information with new listeners. Slander is a form of judgment that begins as an illicit ruling²¹ yet has the potential to spread and cement into an authorized verdict. Neither neutral nor objective, it involves a certain amount of moral superiority in those who spread slander over those maligned. Even those who report a slander to the victim do so out of a sense of injured justice, feeling that the victim has been unjustly defamed. As Gross has argued, “The danger of slander is that it mimics the law...slanderers preempt established structures of legal accusation. They both usurp and parody the work of law.”²² Working outside the law, slander creates unofficial courtrooms where slanderers are converted into prosecutors, listeners into juries and judges, and the defense attorney is often missing.

Slander is inseparable from moral or emotional implications. It is a speech act that begs for a reaction, one that can run the gamut from selfish glee to disbelief. More often than not, it is

¹⁹ *Staging Slander and Gender in Early Modern England*, 2.

²⁰ Though it generally spreads surreptitiously, this is not always the case. Slander can occur between two individuals, with one directly slandering the other through such statements as, “Thou art a knave.”

²¹ I term slander an “illicit ruling” only in the moral sense that it is not the place of one individual to judge another. I do not mean to imply a value judgment as to the truth of said “ruling.”

²² *Shakespeare’s Noise*, 54.

met with anger. In his essay, “Of Seditious and Troubles,” Francis Bacon locates the root of sedition (itself a form of slander) in excessive poverty and discontentment, that is, in public envy. In his typical scientific manner, Bacon explains, “as for discontentments, they are in the politic body like to humours in the natural, which are apt to gather preternatural heat and to inflame.”²³ Righteous anger is a common response, either because the allegation is a blatant lie, or simply because the victim is furious at having found themselves the topic of conversation.

For these reasons, I have chosen to define slander as speech acts that meet one of the following criteria: (1) maliciously motivated false speech; (2) speech critical of another’s wrongdoing, whether true or false; (3) fabrications meant to entertain; (4) words that cause offense. This definition is not all-encompassing, but it allows for a variety of practices and perceptions across time periods. My definition attempts to reflect numerous facets of slander’s contradictory nature. “Offense” suggests the emotional reaction that slander elicits, as well as its moral and judicial characteristics. This definition emphasizes both a statement’s intent and veracity, as intent can vary widely and thus be difficult to determine, while the question of veracity can be subjective. My definition also accords me the opportunity to simultaneously explore slander’s opposing definitions, as demonstrated by the early modern period overlapping and inconsistent attempts at defining this verbal crime, a contradiction still visible in the *OED* definition of “slander.” Lastly, although slander generally spreads surreptitiously, this definition does not assume that this is always the case, nor does it differentiate between verbal and written words, though it suggests that slander is predominantly verbal, which is helpful because there was no distinction between slander and libel prior to 1660.²⁴ Below, I take up this question of veracity, as well as the consideration of a speaker’s social status and the notion of intent,

²³ *Francis Bacon: The Major Works*. ed. Brian Vickers (Oxford: Oxford University Press, 2008), 367-68.

²⁴ J.H. Baker, *An Introduction to English Legal History*, 506.

variables that can each affect whether a speech act is labeled as slander.²⁵ The importance of the speaker's social rank is further developed in Chapter 1, in which I additionally investigate how religion can be used to define slander.

Slander Law

Slander law in England stems from the Constitution of the Council of Oxford in 1222, which punished that all those who “maliciously impute a crime to any person who is not of ill fame among good and substantial persons.”²⁶ This doctrine would continue to hold sway through the sixteenth century, when the secular courts began wresting jurisdiction over slander law from the ecclesiastical courts and, consequently, began expanding the sorts of allegations that could constitute slander (until the sixteenth century, the ecclesiastical courts had sole jurisdiction over slander cases, with certain exceptions). The requirement of an imputation of a crime was the closest conception to a governing rule in slander litigation. This “rule” was tested in the late sixteenth century, but it was only in the seventeenth century that words that caused harm (demonstrable damage), yet did not impute a criminal allegation, consistently began to be judged as slander.²⁷

Although there was no established definition of slander in the early modern period, seventeenth century law books attempted to provide a set of criteria for determining if certain

²⁵ As Gross contends, “Human speakers, however malicious, are not likely to call their own speech “slander.” They will rather insist on their own purity and truth”; *Shakespeare's Noise*, 40. This only heightens the difficulty of determining the veracity of a statement. For an example of a true statement that was labeled slander, see my discussion of the case between Mrs. Margaret Knowsley and Mr. Stephen Jerome below.

²⁶ R.H. Helmholz, ed. *Select Cases on Defamation to 1600* (London: Selden Society, 1985), xiv.

²⁷ For a brief survey of the history of slander laws in England, see *Select Cases on Defamation to 1600*, ed. Helmholz. For a brief consideration of those categories of slander that did not require proof of damage, see Baker, *An Introduction to English Legal History*, and *Select Cases on Defamation to 1600*, ed. Helmholz.

words were slanderous and therefore actionable (punishable by law).²⁸ These law books, however, must be approached with caution, for they gloss over the period of experimentation in slander law that occurred in the sixteenth century, as well as the fact that both the ecclesiastical courts and the Star Chamber were closed in the 1640s, preceding the publication of some of the era's more famous law books.²⁹ The first seventeenth century law book to focus on slander was John March's *Action for Slander* (1647), followed shortly by William Sheppard's *Action upon the Case for Slander, or a Methodical Collection under Certain Heads, of Thousands of Cases* (1662). In his book, Sheppard provided a list of conditions that a statement had to meet in order to qualify as slander, which included, among other things, that it must be false, malicious, purposeful, clear, and particular.³⁰ Early modern slander litigation contends that the speech in question must be false in order to be actionable. However, this criterion does not always hold. For example, the truth of a statement was not a viable defense in the Star Chamber.³¹ Moreover, in 1605, Coke's doctrine of sedition further developed the period's slander law, most notably arguing that "it is not material whether the Libel be true" because a true libel was just as likely to

²⁸ In his law book of the era, William Sheppard explains that an action of the case is "a Writ brought against one for an offence done without force," moreover, it is called "an Action of the Case, because the whole Cause or Case, so much as is in the Declaration (save only the time and place) is set down in the Writ"; *Action upon the Case for Slander, or a Methodical Collection under Certain Heads, of Thousands of Cases* (London 1662), 1.

²⁹ As Helmholz has noted, "because the developed law of libel and slander took a somewhat different shape from the earliest remedy, it has been easy to read back later doctrine into the early cases"; *Select Cases* xii. Chapter 1 focuses on some of the more frequently occurring variables that were considered when making determinations about slander.

³⁰ *Action upon the Case for Slander*, 6-7. His criteria for slander apply only to attempts at definition within the civil courts. Slander litigation in the ecclesiastical courts is discussed in Chapter 4. Sheppard provides a more detailed examination of actionable words on 3-14; see also John March, *Actions for Slander* (London 1647), 1-136, and William Vaughan, *The Spirit of Detraction, Conjured and Convicted in Seven Circles* (London 1611), 160-74.

³¹ Habermann, *Staging Slander and Gender in Early Modern England*, 47. Kaplan observes, "When slander is determined by its outcome, the words function in relative rather than absolute terms, since the same speech can have different effects once the context is changed. Thus, emphasizing the effect of defamation allows for contradiction in its definition. When financial damages are the gist of the action, then the words spoken must be false; if the allegation is true, then the subject's actions, and not the speaker's words, bring about monetary loss. However, when breach of peace determines the actionability of the words, the truth is immaterial"; *The Culture of Slander*, 17-18.

incite revenge as a false one. The truth of a statement was no longer a viable defense in the case of sedition or libel.³²

The case between Mrs. Margaret Knowsley and Mr. Stephen Jerome demonstrates how Coke's doctrine of sedition could be used to convict an individual who merely spoke the truth.³³ Knowsley was a Nantwich laboring woman in the employ of the local priest, Jerome. During the latter half of 1625, Jerome began to make unwanted advances, causing Knowsley to relate her experiences to two female confidants who subsequently betrayed her trust. The authorities were forced to investigate when news of the lascivious priest overran the town. Jerome eventually filed a slander suit against Knowsley.³⁴ The "Nantwich judges received 'unimpeachable judicial authority' that corroborated Knowsley's version of events," yet she "was sentenced to public flogging through the streets."³⁵ Although the evidence supported Knowsley's claims, it was she who was publicly shamed because her allegations had instigated critique of a church official, thus reflecting on the Church of England itself.³⁶

The story of Margaret Knowsley exposes the double standard that lay in the very heart of period slander law. The truth of an offensive statement made against a common man or woman guaranteed that the speaker of the statement could not be penalized for slander in a court of law.

³² *The Reports of Edward Coke* (London: printed for H. Twyford et al, 1680), Vol. 5, 125-26, 125. Coke also subtly implies that a true slander against a public person "is a greater Offense; for it concerns not only the Breach of Peace, but also the Scandal of Government; for what greater Scandal of Government can there be than to have corrupt or wicked Magistrates to be appointed and constituted by the King to govern his Subjects under him?" (125). For a brief overview of the development of the doctrine of sedition, see Roger B. Manning, "The Origins of the Doctrine of Sedition." *Albion* 12.2 (1980): 99-121. For the overlap between the crimes of slander and sedition see below.

³³ See Steven Hindle, "The Shaming of Margaret Knowsley: Gossip, Gender and the Experience of Authority in Early Modern England," *Continuity and Change* 9 (1994): 391-419.

³⁴ My use of terms such as "the authorities," "the state," or "the government" does not imply that early modern English government was a centralized bureaucracy with all levels working in tandem. I use these terms for ease of reference only.

³⁵ M.C. Bodden, *Language as the Site of Revolt in Medieval and Early Modern England: Speaking as a Woman* (New York: Palgrave Macmillan, 2011), 59.

³⁶ The information in this paragraph is based on Steven Hindle's "The Shaming of Margaret Knowsley: Gossip, Gender and the Experience of Authority in Early Modern England" and M.C. Bodden, *Language as the Site of Revolt*, 58-62. Bodden interprets Knowsley's experience, and her petitions in particular, as evidence of how women utilized (male) legal discourse, thus "expos(ing) it as a site of contradictions" (59-60).

In contrast, the speaker of a seditious statement was guilty and subject to punishment regardless of the accuracy of the statement. After 1605, the year Coke outlined his doctrine of sedition, the same held true for statements that amounted to *scandalum magnatum* (words spoken against a peer or magistrates); words directed at a commoner that would not normally be actionable were punishable if directed against a public person.³⁷

The rank of the speaker was also an important consideration when determining whether a given statement or work was slanderous. Both Phillip Sidney and John Stubbs spoke out against the marriage negotiations between Queen Elizabeth I and François Hercule, Duke of Alençon and later Duke of Anjou.³⁸ Whereas Sidney avoided official punishment for his outspokenness, Stubbs was not so fortunate.³⁹ While there are many reasons why Sidney may have escaped the punishment that left Stubbs maimed, Sidney's higher rank cannot be overlooked. Moreover, the rank of the person passing judgment was also tantamount, for "truth" could be determined by the highest-ranking individual involved. A subject's truth could easily be a magistrate's slander, as portrayed in such plays as *The Winter's Tale* (1610-11) and *Othello* (1603-04). Further complicating matters is the recognition that a slanderous statement could be factually untrue and reveal some political understanding, as when in *Measure for Measure* (1603-04, published 1623) Lucio's exaggerated slanders against Duke Vincentio accurately gesture to the Duke's Machiavellian maneuverings, or as in the rumors that claimed that Queen Elizabeth I murdered her illegitimate children, which attacked her symbolic role as mother of the country.

³⁷ March, *Actions for Slander*, 98-102. See below for the similarities between the crimes of sedition and *scandalum magnatum*.

³⁸ By the time of the courtship with Elizabeth, François had already inherited the title of Duke of Anjou. In an effort to avoid confusion, I take my cue from scholarly convention and refer to him by his original title, the Duke of Alençon.

³⁹ For Sidney's letter to Elizabeth, see *Miscellaneous Prose of Sir Philip Sidney*, ed. Katherine Duncan-Jones and Jan van Dorsten (Oxford: Clarendon Press, 1973), 46-58. Stubbs's fate is discussed in Chapter 1.

Sheppard's criteria for determining slander also contended that a statement had to be malicious for it to qualify as slander. This seemingly simple criterion is a tricky proposition, for it is ultimately a question of intent. Referencing the 1581 seditious words and rumors statute, Annabel Patterson argues that the addition of the "saving clause 'with malicious intent'" only complicated the burden of proof by requiring interpretation of the accused's intentions.⁴⁰ In the civil courts, the question of intent was foregrounded by the *mitior sensus* rule.⁴¹ According to Helmholz,

That infamous doctrine allowed defendants to escape liability if the words were capable of a non-defamatory construction – "Thou hast stolen my wood" would not be actionable, because the words might refer to growing trees, and for the loss of growing trees no criminal action lay...for the most part, however, in their sentences the courts themselves stuck with the rule that words should be interpreted in their most natural sense, as they would have been understood among hearers.⁴²

As Helmholz demonstrates, this rule had the unfortunate effect of allowing defense lawyers to twist a statement's meaning in unnatural ways.⁴³ While the *mitior sensus* rule offered civil lawyers the opportunity to establish inoffensive meanings for slanderous statements, the rule of *innuendo* presented an alternate path. This rule allowed lawyers to argue that a statement's latent implications had to be taken into consideration, that the "defendant had meant the worst."⁴⁴ In a

⁴⁰ Annabel Patterson. *Censorship and Interpretation: The Conditions of Writing and Reading in Early Modern England* (Madison: University of Wisconsin Press, 1990 (1984)), 34. The seditious words and rumors statutes are discussed in greater detail below. The 1554 statute as well as the statute "An act for the explanation of the statute of seditious words and rumors" passed in the first year of Elizabeth's reign, which extended the application of the former statute to Elizabeth, each assumes malicious intent as motivating any seditious statement.

⁴¹ Baker interprets the *mitior sensus* rule as one of several "attempts to abate the flood of [slander] actions"; *An Introduction to English Legal History*, 500.

⁴² R.H. Helmholz. *The Oxford History of the Laws of England: Volume I, The Canon Law and Ecclesiastical Jurisdiction from 597 to the 1640s*, gen. ed. John Hamilton Baker (Oxford: Oxford University Press, 2004), 577.

⁴³ In such instances, a lawyer's manipulation of offensive words appears no more artificial than Malvolio's "crushing" of the text in Shakespeare's *Twelfth Night* (1601-1602). Early in the play, Malvolio stumbles upon an enigmatic (forged) letter addressed "to the unknown beloved" identified only by the letters "M.O.I.A." (II.5.82, 97). Interpreting the letter's possible meaning, Malvolio states, "M.O.A.I. This simulation is not as the former. And yet, to crush this a little, it would bow to me, for every one of these letters are in my name..." (2.5.113-15).

⁴⁴ Helmholz. *The Oxford History of the Laws of England*, 578. More specifically, *innuendo* was used to interpret ambiguous statements. Helmholz provides the example, "Thou hast the pox," noting that this statement could refer to either small pox or the French pox; the distinction is an important one, as "the former implied no moral turpitude; the latter did" (578).

sense, the rules of *mitior sensus* and *innuendo* could appear like a fork in the road and it was the judge's role to determine which path was correct. The employment of common sense would have been crucial to the act of interpreting questionable words according to their usual sense.

The question of intent was one of the challenges posed to judges hearing slander suits—the question of motive was another. Sheppard explains that if no cause could be determined as to why an individual spoke potentially slanderous words, then the words were considered malicious. He also goes on to relate that if a person merely reported a slander to a friend in order that the friend could clear his name, then it was not actionable; however, if a person reported a slander without naming the author of the slander, then it was actionable.⁴⁵ In such a scenario, it appears that the identity of a slander's author is of greater importance than the question of intent, perhaps because period authorities would attempt to trace slanders back to their original source. If a person could not identify the author of the aspersion reported, then it was conceivable (though not self-evident) that the individual reporting the slander was in fact the author, thus explaining their inability to point the finger elsewhere.⁴⁶ In the absence of an identifiable source for a slander, or a motivating factor for the reporting of a slander, English courts essentially could assign an author or malicious interpretation to statements with unknown motivations. All slanders had to have a provenance. They had to have an author and a reason for their creation and, in the absence of either, a court could appoint one to its case. The reason period authorities insisted on such a forensic investigation, creating a legal fiction that each slander could be traced to its point of origin, is that slander was often spread in secret and “really successful slander by

⁴⁵ Sheppard, *Action upon the Case for Slander*, 8, 26. The 1554 statute of seditious speech explicitly references a statute passed in “the twelvethe yere of the reigne of” King Richard II (12 Rich II, c.11) that stated that if an imprisoned “Offendor” “coulede not finde him of whom he hearde those Newes whiche he spake...then the same speaker shoulde bee punished by the Advice of the Cowncell”; *Statutes of the Realm*, Vol. 4, part 1, 240.

⁴⁶ This line of reasoning can be seen, for instance, in the following royal proclamations issued by Mary Tudor, “A Proclamation Suppressing Seditious Rumors” issued July 28, 1553, and “A Proclamation Ordering Seditious Bills Destroyed” issued April 10, 1554; *Tudor Royal Proclamations: Volume II, The Later Tudors (1553-1587)*, ed. Paul L. Hughes and James F. Larkin (New Haven: Yale University Press, 1969), 4, 41.

definition is not detected.”⁴⁷ The question of intent and the notion that slander was not always traceable appear to have been unacceptable to early modern authorities.

Degrees of Separation: Overlapping Verbal Offenses

Further complicating the fact that slander lacked a consensual definition was its considerable overlap with other terms for harmful speech. Slander’s near synonyms were varied, but this is still only part of the picture. Legally, slander also overlapped with legislation on libel, *scandalum magnatum*, sedition, and treason. In 1534, partly in response to the negative public reaction to Henry VIII’s divorce, remarriage, and the change in religion, the government passed the 1534 Treasons Statute, an unprecedented statute that expanded the definition of treason. According to Rebecca Lemon, the statute “reshaped definitions of the crime for the next hundred years” because of “its innovative claim that treason is based in language.”⁴⁸ Although slander, libel, and *scandalum magnatum* were all viewed as distinct offenses, the various terms often collapsed into each other. The 1534 statute only further muddied the waters by adding treason to the list of verbal offenses. “Slander” and “libel” were used interchangeably and treated as synonymous until the late seventeenth century, when libel came to be defined as a written slander.⁴⁹ Before then, libel was usually defined as a written slander, a picture, or a sign.⁵⁰ In this sense, libel can be viewed as a subset of slander, which is why slander is my overarching term. While slander was words that gave offense, *scandalum magnatum* and the later-created political crime of sedition were words spoken against a peer, public official, prelate, or certain members of the

⁴⁷ Habermann, *Staging Slander and Gender in Early Modern England*, 2.

⁴⁸ *Treason by Words: Literature, Law, and Rebellion in Shakespeare’s England* (Ithaca, NY: Cornell University Press, 2006), 5. Manning notes that there were precedents for the notion of “constructive treason” (treason committed through words), yet the 1534 Treasons Statute was the first act that stated that simply *slandering or libeling* the king was treason; “The Origins of the Doctrine of Sedition,” 105.

⁴⁹ Baker, *An Introduction to English Legal History*, 506.

⁵⁰ Sheppard, *Action upon the Case for Slander*, 115.

royal household. Words spoken against the monarch were seditious or treasonous, depending upon the allegation. The overlapping nature of these various offenses lies in the fact that the root of *scandalum magnatum*, verbal sedition, and verbal treason is slander. In short, they are different degrees of slander. The definitions *scandalum magnatum*, verbal sedition, and verbal treason attest to the fact that these crimes were primarily defined as a particular kind of slander, one directed at a particular type of individual.

Verbal treason was the most heinous of these inter-related crimes. It generally consisted of directly denying a monarch's right to the crown, or claiming that a particular monarch was not the ruler of the realm. In the years following the groundbreaking 1534 statute, additional types of speech acts were identified as treasonous. In 1555, a Parliamentary statute declared traitorous any prayers that wished for Mary's death, or "that God woulde turne her Hart from Idolatrye to the true Faith"; a second statute passed that year also made slanders spoken against either Mary or Philip treasonous, while second offenses were declared high treason.⁵¹ Elizabeth had a similar statute passed in 1571 that declared it treasonous for anyone to say, write, or print that Elizabeth was not the rightful queen, was a heretic or usurper, or to "compasse imagyn invent devyse or intend the Deathe or Destrucçõn or any bodely harme tending to Deathe Destrucçõn Mayme or Wounding of the Royal Pson of the same our Sovaigne Ladye Queene Elizabeth."⁵² In its narrowest sense, verbal treason was a direct refutation of a monarch's crown. Although Parliamentary statutes also made room for offensive words aimed at the monarch, "the public execution of traitors was a relatively rare event, after the Henrician bloodbath, and few Elizabethans were convicted of treason by words." Elizabethan authorities seem to have

⁵¹ *Statutes of the Realm*, Vol. 4, part 1, 254, 255. The statutes referenced are numbered 1 & 2 Phil. and Mary, c. 9 and 1 & 2 Phil. and Mary, c. 10, respectively.

⁵² *Ibid.*, 526-27. The statute is numbered 13 Eliz., c. 1.

preferred to act leniently, and those guilty of verbal sedition sometimes claimed drunkenness as a mitigating factor.⁵³

Although *Scandalum magnatum* and sedition are quite similar, there were key differences in the way these two crimes were punished prior to Coke's redefinition of the doctrine of sedition in 1605. A slander had to be false in order to be punishable as *scandalum magnatum* (truth was a valid defense for this verbal crime) and there was uncertainty as to whether anyone who published a slander could be punished for *scandalum magnatum* if he/she was able to produce the author of the slander.⁵⁴ That said, both crimes were defined as words or actions that threatened to tear the social fabric. *Scandalum magnatum* could create division between the monarch and magistrates, while sedition was feared as setting commoners against themselves as well as setting them against magistrates or elected officials. Both crimes created division within the body politic. Roger Manning explains that "the original, and primary, meaning of the word sedition was factionalism or violent party strife" and that

it was only towards the end of the sixteenth century that the secondary or more modern meaning of the word sedition began to emerge – the notion of inciting by words or writing disaffection towards the state or constituted authority. Thus, sedition came to be interpreted as words that fell short of treason and did not directly involve – although they might lead to – acts of violence.⁵⁵

Sedition's original definition proved impossible to shake, for "it was axiomatic that slander or libel could lead to factionalism and that factionalism in turn could lead to a breach of the peace."⁵⁶

⁵³ David Cressy, *Dangerous Talk*, 66, 66-67.

⁵⁴ Manning, "The Origins of the Doctrine of Sedition," 112. The fact that truth was a valid defense *and* the uncertainty as to whether anyone who could produce the author of the slander was still punishable for *scandalum magnatum*, may partly account for why, during the sixteenth century, many slandered magnates chose to pursue legal recourse through slander litigation, "the ordinary action on the case for words," rather than prosecuting for *scandalum magnatum*; Helmholz, *Select Cases*, lxxii.

⁵⁵ Manning, "The Origins of the Doctrine of Sedition," 100, 101.

⁵⁶ *Ibid.*, 100.

Even though the first sedition statute was not passed until 1554, and the crime “did not acquire precise definition in case law until early in the seventeenth century,” the adjective “seditious” was frequently used in numerous royal proclamations of the first half of the sixteenth century.⁵⁷ The adjective was used to describe a more serious verbal or written critique directed against a public official, such as in the phrases “seditious rumor” or “seditious slander.” During this same period, “sedition” began to be used as a noun, describing a distinct crime, even as its adjectival form was still in use.⁵⁸ The 1554 statute of sedition, passed under King Phillip and Queen Mary’s reign, assumed that all seditious statements or writings were intended “to move and stir sedicious Discorde Disention and Rebellyon within this Realme, to the greate perill and daunger of the same.” It also attempted to emphasize the disloyalty of seditious individuals to their “natural” leader, Queen Mary:

And Forasmuche as dyverse and sundry malicious and evil disposed persons maliciouslye sediciouslye rebellyouslye and unnaturally, contrary to the Dutie of their Fidelytees and Allegiances, have now of late not onely ymagined invented practised spoken and spredd abroade dyvers and sundry false sedicious and sclauderous News Rumours Sayenges and Tales, ageynst our most dreadd Sovereigne Lorde and King, and ageynst our most naturall Sovereygne Ladye and Quene and against either of them, of whom we ar forbidden to thinck evill and muche more to speake evell.⁵⁹

The phrasing of the statute makes it a foregone conclusion that all those who slander the monarch(s) do so out of malice, a belief that was reiterated when this statute was extended to cover the reign of Elizabeth in 1558. Those who slander the monarch do so contrary to the duty they owe their natural sovereign, making their actions not only disloyal, but also unnatural. More surprising is the wishful thinking that authorities could govern a subject’s thoughts, forbidding them to even *think* badly about their ruler(s). This idea is reflected in one of the first Inns of

⁵⁷ *Ibid.*, 99.

⁵⁸ David Cressy likewise notes in *Dangerous Talk* that “seditious” was used more frequently than “sedition” in judicial legislation.

⁵⁹ *Statutes of the Realm*, Vol. 4, part 1, 240. The statute is numbered 1 & 2 Phillip and Mary, c. 3.

Courts plays, Thomas Norton and Thomas Sackville's *Gorboduc* (1561). In lines that were only included in the first, unauthorized printing of the play, the virtuous counselor Eubulus declares,

That no cause serves whereby the subject may
Call to account the doings of his prince,
Much less in blood by sword to work revenge,
No more than may the hand cut off the head;
In act nor speech, no, not in secret thought
The subject may rebel against his lord,
Or judge of him that sits in Caesar's seat,
With grudging mind to damn those he dislikes (5.1.42-49).⁶⁰

Whether a subject takes sword against his/her ruler, or merely critiques the sovereign in word or thought, each of these actions implies passing judgment on one's monarch and is thus a form of rebellion, an action that the wise Eubulus utterly forbids. These lines were expunged from the second, authorized printing, as if Norton and Sackville realized that they had stretched the loyalty due to monarchs too far.⁶¹ Perhaps they realized that by writing a play that sought to counsel Elizabeth concerning the question of her marriage and, more importantly, the succession, they could very well have been accused of slander had their words offended. While they certainly would not condone critique of one's sovereign, the removal of these lines seems to imply a subject's freedom of thought.

During the reign of Elizabeth I, sedition continued to be regulated through the 1554 statute of sedition, which was reinforced during Elizabeth's first year (under statute 1 Eliz., c. 6),⁶² only to be superseded by a second sedition statute passed in 1581. The 1554 statute (1 & 2 Phillip and Mary, c. 3) attempted to draw distinctions between different manners of spreading sedition, each of which carried its own steep penalty. The worst of the punishments was reserved

⁶⁰ Thomas Sackville and Thomas Norton, *Gorboduc, or Ferrex and Porrex. Drama of the English Renaissance, I: The Tudor Period*, ed. Russell A. Fraser and Norman Rabkin (New York: Macmillan Publishing Co., Inc., 1976), 81.

⁶¹ *Ibid.*, 97, fn. 1.

⁶² *Statutes of the Realm*, Vol. 4, part 1, 366-67.

for those who “devise write printe or set forthe any maner of Booke Rime Ballade Letter or Writing, conteining any false Matter Clause or Sentence of Sclander Reproche and Dishonor of the King and Quenes Majesties or of either of them.” Procuring such a text carried the same punishment, the loss of the right hand. Speaking sedition was punished by the pillory and the loss of both ears, or, if the convicted slanderer had the means, a fine of £100 to be paid within one month of conviction, followed by three months imprisonment. Repeating a seditious statement carried a lighter punishment, the pillory and loss of one ear, unless the slanderer chose to pay a fine of 100 marks within one month of conviction and suffer one month’s imprisonment thereafter. Any person convicted of a second offense would face life imprisonment and the loss of all their personal property.⁶³

Despite the severity of the 1554 statute, the punishments for sedition were made even more stringent with the passage of the 1581 statute of sedition (23 Eliz., c. 2), which repealed and replaced the former statute. As Patterson has argued, though, the addition of the phrase “with malicious intent” served “to complicate the business of proof in charges of sedition.”⁶⁴ The 1581

⁶³ *Statutes of the Realm*, Vol. 4, part 1, 240-41. For a brief overview of the procedure for enforcing sedition laws, see Joel Samaha “Gleanings from Local Criminal-Court Records: Sedition amongst the ‘Inarticulate’ in Elizabethan Essex.” *Journal of Social History* 8 (Summer, 1975): 61-79.

⁶⁴ Patterson, *Censorship and Interpretation*, 34. The phrase “with malicious intent” does give the appearance that malice was no longer assumed to have been the motivating factor behind slanderous statements directed at the monarch, yet the 1581 statute remains ambiguous on the matter. The opening sentence reads, “Whereas in and by the Lawes and Statutes of this Realme, alreadye made and ordeyned againste sedicious Wordes and Rumors uttered againste the Queenes moste excellent Ma[jes]tie, there ys not sufficient and condigne Punishment provided for to suppress the Malice of suche as be evell affected towards her Higheness”; *Statutes of the Realm*, Vol. 4, part 1, 659. This sentence appears to agree with the sentiment expressed in earlier sedition statutes, in which malice against the monarch was assumed. However, Patterson is right in noticing that the phrase “with malicious intent” does act as caveat throughout the remainder of the statute. Thus, while the 1581 statute is not clear and consistent on the matter, I must agree with Patterson that the added phrase complicates the burden of proof. I must add, though, that Patterson does not specify whether this burden falls upon the defendant or the prosecutor, the state. She merely goes on to claim that “the state had formally entered the business of textual interpretation, and had been forced to declare a respect for authorial intention” (34). For an example of the importance of the notion of malicious intent, see *Select Statutes and other Constitutional Documents Illustrative of the Reigns of Elizabeth and James I*, ed. G. W. Prothero (Oxford: Clarendon Press, 1965), which excerpts part of the 1590 Croydon Assize proceedings against John Udall for written sedition. The indictment claims that Udall “being stirred up by the instigation and motion of the Devil, did maliciously publish a slanderous and infamous libel against the Queen’s Majesty, her crown and dignity.” Judge

bill was initiated by the House of Lords in response to negative public commentary concerning the proposed marriage of Elizabeth and Alençon.⁶⁵ Those who were found guilty of fabricating or repeating seditious rumors again faced the same penalties as those defined by the 1554 law. Differences lay in the heavier fines and lengthier jail sentences, the lack of benefit of clergy, and the new statute's specification that suspected seditious had to be accused by two witnesses in person at the arraignment. Two witnesses were also required at the indictment. Individuals convicted of fabricating a seditious statement who hoped to avoid mutilation now faced a fine of £200 and six months' imprisonment to be paid within two months of conviction, or 100 marks to be paid within two months of conviction followed by three month's jail time for those convicted of repeating seditious statements. The writing or printing of sedition was now a felony and felonies carried a mandatory punishment of hanging. In addition, a second offense for either repeating a seditious rumor or reporting a seditious rumor without being able to specify the source of the slander equated to a felony. Lastly, it was now considered a felony for anyone, regardless of rank, to try to predict the Queen's death, to merely wish for it, or to seek to know when it would occur, or who would succeed her.⁶⁶

The sentences carried against convicted seditious relocate the damage the crime perpetrated against the body politic upon the physical body of the convict. Investigating the role of torture in sixteenth and seventeenth century France, Michel Foucault states, "Besides its immediate victim, crime attacks the sovereign: it attacks him personally, since the law represents the will of the sovereign; it attacks him physically, since the force of the law is the force of the prince." He goes on to argue that the spectacle of judicial punishment "made it possible to

Clarke additionally claims that Udall could not "excuse [himself] to have done it with a malicious intent against the bishops" (qtd. in Prothero, *Select Statutes* 442).

⁶⁵ Patterson, *Censorship and Interpretation*, 33-34.

⁶⁶ *Statutes of the Realm*, Vol. 4, part 1, 659-61.

reproduce the crime on the visible body of the criminal; in the same horror, the crime had to be manifested and annulled. It also made the body of the condemned man the place where the vengeance of the sovereign was applied.”⁶⁷ Following the publishing of *Discipline & Punish*, Foucault’s arguments have, at times, been incautiously used to analyze the criminal justice systems and modes of governance beyond the scope investigated by Foucault. While I am wary of falling into the same trap, Foucault’s argument is applicable to early modern English seditious law, helping to illustrate the metaphoricity of its punishments as well as the location where these penalties were publicly carried out. Many punishments of the era were not the literal equivalent of the crime committed, yet when it comes to sedition, there is an undeniable connection between the sentences and the crime. For those convicted of written sedition, it was the same erring hand (assumed to be the right hand) that was claimed by the punishment. However, this was not the only crime punishable by the loss of a hand.⁶⁸ Those who invented or repeated a verbal sedition were sentenced to lose one or both ears, as opposed to the offending tongue.⁶⁹ The distinction is an important one. Although it was the tongue that committed the crime, it was

⁶⁷ Michel Foucault. *Discipline & Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage Books, 1995), 47, 55

⁶⁸ For example, on September 26, 1614, James I issued “A Proclamation prohibiting the Exportation of Sheep, Wools, Wool-fells, and Fullers Earth.” This proclamation ordered all “Judges, Justices, Officers, and Ministers whatsoever” to enforce a statute passed under the reign of Elizabeth that likewise prohibited the exportation of rams, sheep or lamb, which statute, among other punishments, called for “the loss of the offenders left hand for the first offence.” See *Stuart Royal Proclamations: Volume I, Royal Proclamations of King James I, 1603-1625*, ed. James F. Larkin and Paul L. Hughes (Oxford: Clarendon Press, 1973), 317-19.

⁶⁹ There were other crimes similarly punished by the loss of one or both ears during this period. Phillip and Mary issued “A Proclamation Expelling Vagabonds from London & Westminster” on September 15, 1554, which detailed punishments for those caught forging or counterfeiting bills or notes that falsely declared the bearer of said bill or note to be a servant of the master named in said bill or note. Punishments for such forgeries included “nailing on the pillory and losing of the ears or otherwise”; *Tudor Royal Proclamations: Volume II*, Hughes and Larkin, 46-48. Elizabeth I likewise issued “A Proclamation Ordering Punishment of Persons with forged credentials” on May 3, 1596. This proclamation focused on those individuals who faked warrants from the Privy Council in order to extort money from unsuspecting victims. The proclamation declares that those who had already been caught, sentenced and condemned were “set the on pillory, lost their ears, and some also marked in the face for their notable abuses”; *Tudor Royal Proclamations: Volume III, The Later Tudors (1558-1603)*, ed. Hughes and Larkin. (New Haven: Yale University Press, 1969), 159-62. On April 23, 1606, James I issued “A Proclamation for prevention of future abuses in Purveyance” listing the punishments for this abuse as fine, imprisonment, pillory, and the loss of both ears; it is uncertain whether the loss of both ears was enforced when sentencing offenders; *Stuart Royal Proclamations*, Larkin and Hughes, 136-42.

through the ear that slanders entered the bodies of listeners—the ear was the sight of infection. Thus, because slanderers infected the ears of individual bodies and, just as important, the body politic, it was the ear that had to pay the price.⁷⁰

Furthermore, the 1554 statute of sedition specified that any individual convicted of sedition shall “in some Market Place within the Shire Citie or Boroughe wher or nere unto the Place where the sayd woordes were or shalbee so spoken, be set openly upon the Pylorye by the Sheryffe or his Ministers.”⁷¹ The statute sought to punish the crime within the same physical locale where the seditious statement was uttered, thus converting the location into a social space where witnesses could read the government’s verdict upon the body of the convicted. The spectacle was intended to add to the seditionist’s shame. The executioner became the government’s pen and the convicted individual the text—a new, authorized text that superseded the text of the seditious statement that the state sought to erase. This was a text that could never be expunged, one that proclaimed the wide-reaching power of the state, yet it was one that depended upon the reaction of the crowd who witnessed the event. The state expected witnesses to accurately read the message, which was that a convicted criminal deserved the sentence for his crimes against the state. On various occasions, the crowd refused to play along, sympathizing with the “criminal” rather than the state, as was the case in 1637 when William Prynne, John Bastwick, and Henry Burton were mutilated for sedition.⁷²

⁷⁰ Some zealous officials found these punishments insufficiently harsh. In 1577, Justice Roger Manwood suggested that seditionists should be punished by “burning in the face with letters, or by gagging his two jaws in painful manner, and so he cannot speak any words...or by burning through his tongue, or perchance cutting off his tongue, in such way as he may eat and drink and take sustenance after” (qtd. in Cressy, *Dangerous Talk*, 42-43). Cressy also relates that in early modern Ireland, seditionists “could be bored through the tongue” (43).

⁷¹ *Statutes of the Realm*, Vol. 4, part 1, 240.

⁷² Susan Dwyer Amussen. “Punishment, Discipline, and Power: The Social Meanings of Violence in Early Modern England. *Journal of British Studies* 34.1 (January 1995): 1-34, 9-10. See also Kaplan, *The Culture of Slander in Early Modern England*, 26-27.

Of the various interrelated verbal offenses punishable during this era, libel most overlapped with slander, as the two terms were used interchangeably prior to 1660.⁷³ A statement's truth was a successful defense for individuals accused of slander in a civil or ecclesiastical court. Following Coke's 1605 redefinition of sedition, those accused of libel could no longer rely on a statement's veracity to ensure a "not guilty" verdict. Thus while slander and libel were still used interchangeably, after 1605, there was an important difference in the way slander and libel suits were determined when the slander or libel was directed against a commoner. Though a defendant could no longer establish the truth of a statement to avoid punishment, the plaintiff still had to contend with the burden of proof. For a libel suit to proceed, the plaintiff had to be able to produce a copy of the libel or a recitation of the words verbatim.⁷⁴ William Sheppard dedicated a chapter of his 1662 law book on slander to the matter of libel, outlining several rules for determining a libel. For example, a piece of writing or picture could be termed a libel regardless of whether it was true or false, the person it concerned had a good or bad reputation, it was spread secretly or openly, or if it concerned a deceased individual.⁷⁵ Additionally, one could be prosecuted for contriving a libel, procuring it to be contrived, or for maliciously disseminating or repeating it after one has learned that it was libelous. There were some caveats to this point, though. If a person heard, read, or took a copy of a libel but did not publish it to others, it was not punishable; yet if an individual took a copy and did not present it to a magistrate for examination, it was assumed that he intended to disseminate it, for "it is great

⁷³ Baker, *An Introduction to English Legal History*, 506.

⁷⁴ Adam Fox, "Ballads, Libels and Popular Ridicule in Jacobean England." *Past & Present* 145 (Nov. 1994): 48-83, 57.

⁷⁵ He goes on to admit, though, that there does not seem to be a clear procedure for libels directed against a deceased individual. He states, "it is to be enquired how this should be punished"; *Action upon the Case for Slander*, 117. The influence of Coke's arguments concerning libels and the doctrine of sedition can be seen in Sheppard's rules for determining libels.

evidence, that he doth publish it.”⁷⁶ William Vaughan likewise mentioned in *The Spirit of Detraction* (1611) that the best way to stay out of trouble if one found a libel about a private individual was to either burn it, or present it to a magistrate.⁷⁷ As always, the rank of the individual slandered was of great importance. If the libel concerned a public official or a peer, it had to be presented to a magistrate because such libels were of greater severity than those directed against commoners. The overlap in verbal offenses is evident in Sheppard’s comments concluding the chapter on libel. He noted that if a “great man” was slandered by libel, he could prosecute for *scandalum magnatum*.⁷⁸

As historians such as Manning and Cressy have demonstrated, verbal offenses were often interpreted more harshly during times of crises than they normally would have been during less contentious times. This was especially true during the reign of Henry VIII.⁷⁹ A statement’s interpretation and its punishment as verbal sedition or verbal treason were partly dependent upon the current sociopolitical climate. Drawing on Václav Havel’s experiences in 1970s Czechoslovakia, Patterson notes, “no utterance is autonomous, still less, once it is uttered, [is it] under the author’s interpretive control. ‘Truth’ or meaning ‘lies not only in what is said, but also in who says it, and to whom, why, how and under what circumstances.’”⁸⁰

In summary, attempting to define slander in early modern England was a complicated business – and it remains so to this day. Not only did slander overlap with various verbal

⁷⁶ *Ibid.*, 116.

⁷⁷ Vaughan, *The Spirit of Detraction*, 173.

⁷⁸ Sheppard, *Action upon the Case for Slander*, 117.

⁷⁹ See Manning, “The Origins of the Doctrine of Sedition,” and Cressy who notes, “In no other reign were so many executed for allegedly speaking treason,” before clarifying that “the king’s early years yield few instances of treasonable or seditious talk, but a flood of cases followed in the 1530s,” after Henry’s break with Rome; *Dangerous Talk*, 48. Referencing Henry VIII’s First and Second Acts of Succession, Kaplan likewise argues that “the political climate, and not the truth of the speech, determines whether language is defamatory or not”; *The Culture of Slander*, 29.

⁸⁰ *Censorship and Interpretation*, 10. While Havel’s experience of censorship is located in a particular time and place, his observation concerning the nature of “truth” (and, just as important, the nature of meaning, as foregrounded by Patterson’s crucial interpolation of the word) extends beyond the particularities of the events that prompted this assertion.

offenses, there was no overriding rule governing slander litigation in the secular courts. As legal historians such as Helmholz have demonstrated, any attempt to establish such basic rules was always subject to a number of exceptions. Slander and tongue treatises treated the rise of slander litigation as an overwhelming epidemic, one that threatened the very stability of the country. Under these circumstances, it is understandable that the authors of such treatises would turn to metaphor to describe the effects of this worrisome phenomenon.

In her investigation of slander's "linguistic dimension," Habermann argues that, "the susceptibility of language to slander is due to the metaphorical nature of language which appears in the signifying mechanisms of individual words as well as in types of "translated speech" such as tropes and figures." Drawing on English treatises on rhetoric, she goes on to explain, "figures of speech are no innocent ornaments, according to Puttenham, but also 'abuses or rather trespasses in speech', because they extend normal language to create 'a certain doubleness'. Metaphors and allegories become figures of dissimulation and obscurity."⁸¹ Habermann later clarifies that period conversation about slander "oscillates between the figurative and the literal" and that "there is a clear awareness of the metaphoricity of speech, but it does not appear to create the same feeling of distance – of *Uneigentlichkeit* – in the early modern period as it does today."⁸² Although the act of slandering another is a concrete, identifiable event, one that can have very real effects, slander itself is an intangible phenomenon. It mimics the distance between words and objects in a similar manner to metaphor.⁸³ Metaphors are a natural medium for

⁸¹ Habermann, *Staging Slander and Gender in Early Modern England*, 13, 23. Carla Mazzio also discusses the slipperiness of language, locating its source in the tongue itself, as the organ's additional meaning of language "is made explicit in Renaissance discourses about discourse such as Erasmus's *Lingua*, where the duplicities of language are imagined to emerge from the inherent slipperiness and duality of the organ of speech"; "Sins of the Tongue," *The Body in Parts*, ed. David Hillman and Carla Mazzio (New York: Routledge, 1997), 53-79, 54.

⁸² *Ibid.*, 113.

⁸³ Maria Franziska Fahey demonstrates in *Metaphor and Shakespearean Drama* that metaphors are inherently contradictory in that they combine like with difference, or, proximity with distance; *Metaphor and Shakespearean*

describing slander because they simultaneously gesture to both its figurative and literal effects. Although certain early modernists like Puttenham recognized the potential dissimulation inherent in figures of speech, as Habermann has noted, many of the most commonly used metaphors describing the nature and effects of slander were inherited from the Bible. The authors of slander and tongue treatises employed these inherited metaphors because they had a pedigree that presumably quelled Puttenham's qualms, for the authors of the Bible are believed to have been divinely inspired. It may have been reasonable to distrust an individual's words in an age where slander was seen as running rampant, but to doubt words inspired by God was blasphemy. These were metaphors that could be trusted, but not all metaphors were seen as similarly innocuous. As discussed in Chapter 1, metaphor was occasionally employed to slander others. Furthermore, period authorities ultimately relied on metaphor when punishing sedition. As discussed above, not only were the punishments themselves highly metaphoric, so were the locations in which these punishments were carried out.

Each chapter of the succeeding chapters places literary texts from the period roughly spanning the 1560s to the 1630s alongside little-studied treatises about slander and sins of the tongue, all of which I consider within the developing legal framework of slander law. The fear that slander could spread from an offender's body to the kingdom is newly evident in the sedition statute of 1554, which decreed slander against the monarch a criminal offense punishable by public mutilation, and called for convicted seditionists to be punished at the market of the town where the slander was first voiced. Literary critics have focused on period authors' demonization of slander, its relation to gender, and its depiction in drama. "Do Feet Have Mouths," in contrast, cuts across a variety of media and several genres, engaging and extending recent scholarship in

Drama: Unchaste Signification (New York: Palgrave Macmillan, 2011), 11. This idea is discussed in further detail in Chapter 3.

literature and the law, the history of slander, and the history of the senses. Furthering Lindsey Kaplan's arguments concerning slander's unstable nature, I argue that this volatility allowed it to be put to many uses, from policing the behavior of others to defining exclusive communities. Combining the approaches of historians such as R.H. Helmholz who have delineated the development of slander law, and cultural historians, particularly Gail Kern Paster, who have illustrated how the early modern body was conceived as a vulnerable, almost porous entity, I demonstrate how conceptions of slander developed from a spiritual sin under the purview of church courts to a dangerous and potentially criminal threat against a person's body, livelihood, and society itself.

Chapter One investigates three Tudor case studies that collectively exhibit slander's dangerous nature and the body of law that emerged to contain threat. This chapter introduces a central claim: in the cultural history of slander, social status plays a determinative and often overlooked role. I examine how legal punishments were influenced by the social status of convicted slanderers as well as numerous, unpredictable factors including the sociopolitical climate. The first two case studies, John Bale's *King Johan* (circa 1538, revised post 1558) and John Stubbs's *The Discovery of a Gaping Gulf* (1579), concentrate on a particular type of slander, religiously motivated sedition. Commoners used religion to define sedition as anything—including a monarch's marriage—opposed to individual religious belief. The community's sundry responses to Stubbs's text and eventual punishment emphasize the draconian nature of the era's slander laws, partly shaped by social status which resulted in the removal of Stubbs's offending hand. The final case study, the 1590 infanticide rumors alleged against Queen Elizabeth, underscores the importance of the sociopolitical climate when addressing slander.

Chapter Two turns to the body and focuses on the surprising and often conflicting range of emotions that slander could elicit from commoners and monarchs alike. Shakespeare's *Measure for Measure* (1603-04) depicts a range of corporeal responses to slander, many of them organized through the play's neglected heart and tongue imagery. In his capacity as ruler of Vienna, the Duke's fear of and attempt to eradicate slander portrays the impossibility of exorcising this threat, a fantasy that could only occur if the government routinely employed public mutilation. My examination of "The Five Senses" (1621-23), a widely circulated manuscript libel that brazenly depicted James I's body as dangerously open to outside influences, demonstrates an unexpected reply to slander: mercy. The King chose not to interpret this libel as slander, instead demonstrating his authority by merely quipping that the author "wished good things for him." In contrast, John Rous, the man who preserved this forbidden libel and recorded James's purported reply, showed palpable anxiety because of the risk he ran by recording the poem. I contend that these individuals' contrasting responses exhibit the conflicted feelings that early modern slander provoked.

My scrutiny of *Measure for Measure*'s heart and tongue imagery in Chapter Two introduced the prevalence of metaphor when discussing slander's effects upon individual and social bodies. Chapter Three furthers this analysis by focusing on the popular metaphorical depiction of slander as a poison or plague that distempers the individual and the metaphorical body. The effects of this deadly poison are portrayed in several allegorical episodes of Book II of Edmund Spenser's *The Faerie Queene* (1596). The House of Alma, a house of temperance shaped as a human figure, is assaulted by an assortment of incorporeal forces wielding slander as a weapon, an episode that showcases the body's vulnerability to outside influence. This event moreover prepares the way for the appearance of the Blatant Beast, slander made flesh, in the

second half of the work. I argue that Spenser suggests that patience is the tempered body's defense against slander.

Chapter Four develops the notion of slander as poison by investigating what happens when it is the *monarch* who has become possessed by slander and the resulting harm this causes to familial and social bonds and the nation itself. Focusing on *The Winter's Tale* (1610-11), I use the concept that slander is responsible for a triple homicide, murdering the speaker and hearer of the slander as well as the individual slandered, to generate an innovative reading of the play, one that better explains the seemingly arbitrary deaths of Hermione, Mamillius, and Antigonus. I additionally contend that the play's surprisingly redemptive conclusion shares context with slander suits filed in the ecclesiastical courts. Church courts relied on public penance to repair the damage caused to a slander victim's reputation. My dissertation thus concludes by focusing on how individuals and the larger community can move beyond slander and begin to heal.

Chapter 1 Moving Targets: Unstable Definitions of Slander and the Emergence of Sedition

Slander had no consensual definition in early modern England. Both the status of words and legal precedent were evolving. Slander law was being defined on a case-by-case basis as a result of slander cases being heard in the civil courts on an increasingly regular basis during the sixteenth century. Prior to this time, slander was considered a spiritual sin and thus fell under the jurisdiction of the ecclesiastical courts. The civil courts, unlike the ecclesiastical courts, rewarded financial damages to the victims of slander, which aided the flood of slander cases filed in the later half of the century. Yet while many cases were entered into the records, the majority of them were settled out of court and the resolutions were not recorded.⁸⁴ Concomitant with jurisdictional changes, when a case did proceed to trial, determinations about what constituted slander involved weighing numerous variables, making it impossible to reduce this verbal phenomenon to all-encompassing rules. What was crucial in one case could be of secondary importance in another. In addition to the limits of the legal archive and the difficulties encountered in judging slander, the punishments meted out by the criminal courts to those convicted of political slander often varied, despite the clearly stated punishments noted in the statutes. Slander nonetheless rewards analysis because of the growing, unprecedented attention it garnered in sixteenth and seventeenth century England. This chapter will explore the complexity and instability of slander's definition throughout sixteenth century England, focusing on a particular type of slander, that aimed at reigning monarchs. Throughout the century, the governments of the Tudor monarchs began to view words much more seriously than in the past, a concern that led to the articulation of the political crime of sedition: slander directed at a public person, including, but not limited to: magistrates, crown officials, members of the Privy Council,

⁸⁴ See the introduction for more on the deliberate slow pace of the court system when hearing slander cases.

or the monarch. While slander cases were mostly tried in civil courts, sedition was a criminal offense that could reach as high as the Star Chamber.

I have chosen to focus on examples of slander against the monarch in this chapter because such statements present slander at its highest stakes and its most evident scope. Verbal or written critiques against the monarch could be seen as threatening the peace of the entire country. A slanderous statement directed against the monarch was considered sedition and, with the passage of the 1534 Treasons Statute, possibly even treason.⁸⁵ When Henry VIII became the Supreme Head of the English Church, it meant that religious critique was now also political critique and thus subject to criminal charges in addition to heresy. Sedition was by its nature divisive, such statements always had the potential not only to create dissension between commoners and the monarch, but also to stir rebellion.⁸⁶ In contrast, a slanderous statement spoken by one commoner against another created division between these two individuals and, at most, among their immediate community.

This chapter investigates three case studies, one fictional and two historical, that collectively reveal slander's unstable nature. These case studies focus on certain of slander's more frequently reoccurring and interlocking variables, specifically, how religion and the current political climate affected determinations of slander. John Bale's *King Johan* (completed circa 1538, revised post 1558) was written after Henry's watershed 1534 Treasons Statute, but during the period when the notion of sedition was developing as a serious, yet less harsh alternative to treason by words. The first sedition statute was passed in 1554 and it was under this statute that

⁸⁵ The 1534 Treasons Statute, which held that simply slandering or libeling the monarch was treason, is discussed in greater detail in the introduction.

⁸⁶ The notion of sedition as a divisive force is a metaphor, yet one that in time came to be seen as truth. For example, Edward Coke argued that "It is not material whether the Libel be true" "for although the Libel be made against one, yet it incites all those of the same Family, Kindred, or Society to revenge"; *The Reports of Edward Coke* (London: printed for H. Twyford et al., 1680), vol. 5, 125.

John Stubbs's *The Discovery of a Gaping Gulf* (1579) was punished. Yet Stubbs's pamphlet was merely one effort in the larger English outcry against Elizabeth's potential French marriage (although certainly the most infamous case). This outcry convinced Parliament to create a harsher sedition statute, passed in 1581, which preceded the final case study, the infanticide rumors leveled against Queen Elizabeth I in the 1590s. The first two case studies concentrate on a particular type of slander, religiously motivated sedition, revealing how broadly religion was used to define sedition as anything opposed to the author's belief, even a monarch's actions, while the final case study underscores the importance of the sociopolitical climate when addressing slander. My primary focus is on the interplay between religion and slander, yet my larger analysis will also incorporate such issues as the different stakes for written and verbal political commentary and how the rank of the individual uttering such commentary affected judgments on the matter. While the first two case studies involve texts crafted by highly educated men, the allegations examined in the last case study stem from low-ranking commoners.

I have chosen to begin with Bale's *King Johan* (circa 1538) because its portrayal of Sedition as a speaking character is unique for the era.⁸⁷ By embodying this verbal crime, Bale emphasizes how sedition threatens national unity and the danger it poses to any monarch who seeks to reform the English Church. As with *King Johan*, the underlying belief motivating Stubbs's *A Gaping Gulf* (1579) is the Catholic Church's association with the Antichrist and the

⁸⁷ The only other period works to personify Sedition are the later political pamphlets *Mistress Parliament Brought to Bed* (1648) and *Mistress Parliament Presented in her Bed* (1648), both anonymous dialogues. See Thomas L. Berger, William C. Bradford and Sidney L. Sondergard, *An Index of Characters in Early Modern English Drama Printed Plays, 1500-1660* (Cambridge: Cambridge University Press, 1998). For comparison, "Slander" was represented three times, in Ben Jonson's *Hymenaei* (1606), *The Masque of Queens* (1609), and *The Golden Age Restored* (1616); "Rumor," six times, in R.B. (Richard Bower's?) *Appius and Virginia* (1575), the anonymous *Clyomon and Clamydes* (1599), John Phillip's *Patient and Meek Grissell* (1566), Shakespeare's *2 Henry IV* (1600), R. Amerie and R. Davies's *Chester's Triumph* (1610), and Thomas Campion's *The Masque of Squires* (The Masque at the Earl of Somerset's Marriage) (1614); "Treason," also personified in *King Johan*, is seen in three more plays, Anthony Munday's *Chyrysanaleia* (1616) and *Siderothriambos* (1618), and the anonymous *Charles the First* (after January 29, 1649). This list was compiled using Berger et al.'s *An Index of Characters* and Darryll Grantley's *English Dramatic Interludes, 1300-1580: A Reference Guide* (Cambridge: Cambridge University Press, 2004).

threat to England. Stubbs may not have read Bale's works, yet *A Gaping Gulf* utilizes the apocalyptic language that defines Bale's most influential work, *The Image of Both Churches* (1645).⁸⁸ Stubbs's massively popular Protestant polemic urged Elizabeth against marrying the French prince, the Duke of Alençon. The Stubbs incident painfully evidences the dangers of presenting unflattering portrayals of the monarch; additionally, Elizabeth's response demonstrates the possible conflicts between judicial and monarchic judgments when determining what constituted slander in early modern England and whose verdict mattered most.

The final case study focuses on the 1590 infanticide rumors alleged against Elizabeth. These rumors have not received sustained, critical attention. Though they are often mentioned by scholars discussing the critiques directed against Elizabeth, Carole Levin, in "*We shall never have a merry world while the Queene lyveth*': Gender, Monarchy, and the Power of Seditious Words," is the only scholar to attempt to analyze the motivation behind these appalling allegations.⁸⁹ As with the preceding case studies, these rumors demonstrate how the language of critique is inextricably entangled with metaphor. I argue that the individuals who voiced these accusations utilized Elizabeth's metaphoric depictions as the loving mother of her people and the phoenix in order to publicize her failure to act in accordance with these roles.

The Battle of Two Churches: Sedition and Veracity in John Bale's *King Johan*

Bale's *King Johan* has drawn scholarly attention as the first English history play (though technically a hybrid between a morality and a history play). Bale constructed the play on a set of

⁸⁸ In *Reformers and Babylon: English Apocalyptic Visions from the Reformation to the Eve of the Civil War*, Paul Christianson demonstrates how Bale's vision of apocalyptic history, as worked out in *The Image of Both Churches*, "became the mainstream tradition in England" by the middle of Elizabeth's reign (Toronto: University of Toronto Press, 1978), 46. While differences of opinion still existed among Protestants, the basic tenets voiced by English Protestant reformers of the 1530s had achieved wide acceptance by the 1570s.

⁸⁹ Carole Levin, "*We shall never have a merry world while the Queene lyveth*': Gender, Monarchy, and the Power of Seditious Words" in *Dissing Elizabeth: Negative Representations of Gloriana*, ed. Julia Walker (Durham: Duke University Press, 1998), 77-95.

beliefs that he later fully developed and outlined in *The Image of Both Churches* (1545), a work that gained him fame and notoriety in the sixteenth century.⁹⁰ In *Image*, he provided a line-by-line commentary on the Book of Revelation that presented an apocalyptic version of history focusing on the ongoing battle between the two titular churches, the beleaguered, Protestant church (the church of the elect), and the antagonistic, Catholic Church (the church of the Antichrist).⁹¹ For Bale, understanding Revelation was the key to understanding history. His view of history presented noteworthy events as episodes in the grand war between these two churches. This belief underlies *King Johan*, though it is complicated by Bale's conviction that the metaphor of the war between the churches was not metaphor, but literal truth and undeniable fact. In *King Johan*, Bale attempted to demonstrate that the notion of the two churches is indeed truth, that is, he attempted to deny the metaphoricity of this allegory by naturalizing it. The character of Seditio is central to Bale's intention, for he is representative of the Catholic Church's corruption; through him, Bale defines his vision of King John and the English reformist cause in opposition to the Catholic Church.⁹² Bale's goal was to promote royal supremacy by

⁹⁰ According to John King, *Image* was "the first full-length Protestant commentary on Revelations" and Bale's "historical vision became ingrained in the Renaissance consciousness through assimilation into such major texts as the Geneva Bible, Foxe's *Actes and Monuments*, and Book One of Spenser's *Faerie Queene*"; *English Reformation Literature: The Tudor Origins of the Protestant Tradition* (Princeton: Princeton University Press, 1982), 61, 61-62. King has elsewhere offered greater details concerning Bale's impact on later Elizabethan and Jacobean authors, noting that "the polemical ideas of this renegade friar undergo assimilation into annotations added by the Puritan editors of the Geneva Bible, an unauthorized version favored by Shakespeare, Spenser, Sidney and Marlowe. Directly or indirectly, Bale's *Image* influenced poetry written by these poets in addition to that by Donne, Milton, and others"; John King, ed., *Voices of the English Reformation: A Sourcebook* (Philadelphia: University of Pennsylvania Press, 2004), 6. Focusing on nation-building, Claire McEachern heralds it as "the founding typology of later national imaginings"; *The Poetics of English Nationhood, 1590-1612* (Cambridge: Cambridge University Press, 1996), 2; see also 26-29.

⁹¹ Bale believed the early church was pure, but began to be corrupted during the fourth century and became aligned with the Antichrist in the seventh century. For a summary of Bale's view of history as depicted in the *Image*, see Leslie Fairfield, *John Bale: Mythmaker for the English Reformation* (West Lafayette, Indiana: Purdue University Press, 1976), 75-85.

⁹² Opposing seditio to truth is an ideological position that countless individuals within the sixteenth century onwards, reformers and Catholics alike, have taken up. As I will demonstrate through *King Johan*, such a position is ultimately untenable, for both "seditio" and "truth" are unstable categories, each subject to continual revision as the particular needs of the moment demand.

recasting the embattled 13th century king as a virtuous martyr and tragic prototype for Henry VIII, thus providing the current monarch with a historic precedent for his break with Rome.⁹³

Henry VIII's religious beliefs have sparked much debate among historians. As E.W. Ives succinctly states, one camp argues that Henry believed in "catholicism without the pope" while "others have argued that he followed a middle course, between traditional religion and reform." Ives concludes that "what neither explanation takes proper account of is the king's determination to take charge and direct the church."⁹⁴ Henry did take a personal interest in establishing England's new religion, but progress was inconsistent (in turn, affecting determinations of sedition). The initial burst of reform saw the dissolution of the monasteries, destruction of shrines and preaching against relics, yet these events were later tempered by the Six Articles of 1539, as well as Henry's refusal to allow clerical marriage. After the execution of the reforming Thomas Cromwell, Secretary of State and Viceregent of Religious Affairs, in June 1540, Henry's final years displayed a more conservative mindset. Political expediencies, domestic and especially international, greatly affected religious decisions, yet events such as those of July 30, 1540, when six individuals were all executed "in an act of grotesque symmetry," three

⁹³ Honor McCusker successfully demonstrated that Bale's depiction of John as a righteous king forced to submit to a corrupt papacy is partly derived from William Tyndale's *Obedience of a Christian Man* (1528), from which Bale "borrows several pages" that appear "in a versified form" near the end of the play; *John Bale: Dramatist and Antiquary* (Bryn Mawr, Pennsylvania: 1942), 90-94. Both Leslie Fairfield and Peter Happé have argued that Bale helped to create a Protestant martyrology; see Fairfield, *John Bale: Mythmaker for the English Reformation*, 89; and Happé *John Bale* (New York: Twayne Publishers, 1996), 139. Bale's main contributions to this nascent martyrology were: *A brefe Chronycle concernynge the Examinacyon and death of the blessed martyr of Christ syr Johan Oldecastell* (1544), *The first examinacyon of Anne Askewe* (1546), and *The lattre examinacyon of Anne Askewe* (1547). *King Johan* can be read as contributing to this emerging body of works. See also Rainer Pineas, "The Polemical Drama of John Bale," *Shakespeare and Dramatic Tradition: Essays in Honor of S.F. Johnson*, ed. W.R. Elton and William B. Long (Newark: University of Delaware Press, 1989), 194-210. Pineas argues that "Bale's overriding and constant concern was anti-Catholic polemic" and that he "sacrificed consistency, historical accuracy, dramatic forms and traditions, save those which served him polemically, and interest in biblical dispensations or periodization of prophecy except to use them as polemical weapons" (194). Bale's whitewashing of John's character is evidence of this single-minded pursuit.

⁹⁴ E.W. Ives, 'Henry VIII (1491–1547),' *Oxford Dictionary of National Biography*, Oxford University Press, 2004. [<http://www.oxforddnb.com.proxy2.library.illinois.edu/view/article/12955>, accessed 3 June 2015]. Hereafter cited as *DNB*.

Protestants having been burnt and three Catholics having been hanged, drawn and quartered, made it difficult to tell exactly where Henry stood.⁹⁵ Whether one views Henry as essentially Catholic, or a moderate reformer, Bale was more committed to the reforming cause than his monarch.

Born in 1495, Bale spent his early life as a Carmelite friar. In 1514, he enrolled in Jesus College, Cambridge, eventually earning a Doctorate of Divinity. He converted to Protestantism in 1533 through the influence of Thomas, Lord Wentworth, and, shortly thereafter, married a woman named Dorothy (about whom not much else is known). Following his conversion, Bale became an ardent and often, vitriolic, critic of the Catholic Church. Due to this outspokenness, he periodically found himself in conflict with the more conservative members of his community. He was twice questioned for heresy, in 1534, by Edward Lee, the Archbishop of York, and again in January 1537. Cromwell intervened on his behalf on both occasions. Most Bale scholars agree that Bale went on to participate in Cromwell's propaganda campaign for the Reformation, though when and the extent to which he contributed to the campaign has been a matter of question.⁹⁶ That he earned a certain notoriety among conservatives and Catholics is clear, for his works were twice outlawed; "on 7 May 1546, the Privy Council ordered the Lord Mayor of London to investigate the importation of 'certain heretic books of Bale's making' and his work was condemned again in a proclamation of 8 July."⁹⁷ His works were outlawed by royal

⁹⁵ Dermot Cavanagh, "The Paradox of Sedition in John Bale's *King Johan*" in *English Literary Renaissance* 31.2 (Spring 2001): 171-91, 185, fn 41. Cavanagh draws on John Foxe's account of the event in *Acts and Monuments*, V, 439; Robert Barnes was one of the three reformers burnt at the stake.

⁹⁶ See Seymour Baker House, "Cromwell's Message to the Regulars: The Biblical Trilogy of John Bale, 1537." *Renaissance and Reformation/Renaissance et Reforme* 15.2 (1991): 123-38; see also Paul Whitfield White who directly addresses the question as to how Bale "fit" within Cromwell's propaganda campaign, arguing that while Bale was "still too controversial" in 1534 to be placed "on the Crown's payroll" (15), it is safe to assume that he was directly patronized by Cromwell between early 1537 and early 1540 (16); *Theater and Reformation: Protestantism, Patronage and Playing in Tudor England* (Cambridge: Cambridge University Press, 1993), 12-41, especially 13-18.

⁹⁷ W.T. Davies, *A Bibliography of Bale* (Oxford: Printed for The Society at The Oxford University Press, 1940), 217. Davies quotes from the *Acts of the Privy Council*, 409.

proclamation for a second time in June 1555.⁹⁸ Additionally, he twice fled to the Continent, the first time from 1540 to 1548 following Cromwell's execution. Having returned to England, he was appointed Bishop of Ossory in late 1552 and left for Ireland with Dorothy on January 21, 1553. Once again his outspokenness and inability to compromise did not help endear him to his new community and he was forced to flee for his life following Mary's accession, returning only after Elizabeth gained the throne.⁹⁹ Even near the end of his life, Bale was involved in two slander suits that revolved around his reformist beliefs.¹⁰⁰ Despite his age and that he no longer preached, he continued to lend his efforts to spreading Protestant beliefs until his death in 1563.¹⁰¹

I will briefly summarize *King Johan* before turning to my analysis of the play's depiction of sedition as a danger to the nation and reforming monarchs. It is important to note that although the play is set during John's reign, its context is the struggle to reform religion that was occurring within England in the late 1530s. The play keeps one eye on the past and one on contemporary events, thus bridging the two historic periods and emphasizing Bale's view of history as a war between the two churches, represented here as Sedition and Holy Church (Catholicism) versus Verity and the true Church of England. The play opens with King John declaring his intention "to reforme the lawes" so that "trew justyce" be readily available throughout England (20, 21).¹⁰²

On cue, a personified England enters seeking his assistance. She informs John that her widowed

⁹⁸ See *Tudor Royal Proclamations: Volume I, The Early Tudors (1485-1553)*, ed. Paul L. Hughes and James F. Larkin (New Haven: Yale University Press, 1964), 373-76.

⁹⁹ Once safely on the Continent, he wrote *The Vocacyon of Johan Bale to the Bishoprick of Ossorie in Ireland* (1553) detailing his time in Ireland and his harrowing journey to Germany. Because of the incredible series of events involved in this journey, he quite boldly depicted himself as a present-day St. Paul.

¹⁰⁰ A detailed account of these two slander cases can be found in Leslie Fairfield *John Bale: Mythmaker for the English Reformation*, 145-49. The first slander case seems to have been spurred by Bale's attempt to have a friar's garment made for a play he meant to stage at Mr. May's house. A few months later, he was accused of being a "heretic and an Anabaptist."

¹⁰¹ For the bibliographic details of Bale's life, see Davies, *A Bibliography of Bale*; and Jesse W. Harris, *John Bale: A Study in the Minor Literature of the Reformation* (Urbana: University of Illinois Press, 1940).

¹⁰² All citations are to *The Complete Plays of John Bale*, Peter Happé, ed., vol. I (Cambridge: D.S. Brewer, 1985). Hereafter cited by line number.

state is the result of the clergy who have not only impoverished her, but also exiled her husband, God, by refusing to preach the Scriptures. As England pleads her case, she is continually interrupted by Sedition, the central Vice and a representative of Holy Church. Determined to fulfill his duty, John agrees to help England by reforming the church and he summons the three estates, Nobility, Clergy, and Civil Order, to help him do so. Though each displays some degree of reluctance in curbing the church's liberty, all promise to obey the King and aid England. Clergy quickly proves a traitor, sending word to Rome of John's actions. The scene then unexpectedly switches to Rome, where we are introduced to the other Vices: Dissimulation, Private Wealth, and Usurped Power (shortly revealed as the Pope). At the end of Act I, the Vices plot to defeat John, by excommunicating him, offering absolution to all who will defy him, and encouraging foreign invasion. To carry out their plans, the Vices assume additional roles as historical personages in Act II: Usurped Power as Pope Innocent III; Sedition as Stephen Langton, whose appointment to the Bishopric of Canterbury against John's wishes was (historically) the catalyst for John's disagreements with the church; Private Wealth as Cardinal Pandulphus, the individual who excommunicated John (historically not a Cardinal); and Dissimulation as Raymundus, the individual delegated by Pope Innocent III to rally foreign powers to invade England. Dissimulation later assumes a third role, Simon of Swinsett, a fictional name for the monk who poisoned John.

Act II returns to England where Sedition quickly wins the loyalty of the three estates. John is further isolated when Commonalty, England's blind and impoverished son, abandons him. Faced with overwhelming odds, John submits to the Pope in order to spare his people from slaughter. Not sufficiently satisfied, Dissimulation plots and succeeds in assassinating John by offering him a poisoned drink. Following John's death, the play leaps forward to the late 1530s

when Verity, personified truth, and Imperial Majesty, simultaneously an allegorical depiction of sacred monarchy and an idealized version of King Henry VIII, enter the play.¹⁰³ Working together, Verity and Imperial Majesty make the three estates acknowledge the error of their ways and pledge their assistance in the reformation of religion. The play ends with the hope that Elizabeth I and her future heirs will continue the work of the Reformation.

As a result of being defined in opposition to the true church, the portrayal of Sedition differs from prior iterations of Vices. Sedition is blatantly evil (with the brief exception of his disguise as “Good Perfection”) and openly decries Holy Church’s corruption, presenting the fantasy that evil confesses itself. Such impudence is meant to be symptomatic of Holy Church, a parasitic, foreign body that seeks only power and wealth to the complete disregard of those under its care, as literalized by the impoverished bodies of Widow England and Commonalty. Despite Bale’s heavy didacticism, the weight placed upon his vision of history, the metaphor of the two churches, creates an instability at the center of the play.¹⁰⁴ The portrayal of Sedition (and Holy Church) is inconsistent because sedition is not the opposite of truth; moreover, if truth were self-evident, then sedition would be unnecessary. The play’s final movements display how the lines between truth and sedition (or what gets labeled “truth” or “sedition”) require constant vigilance

¹⁰³ John is linked to Henry VIII through the actor’s doubling as Imperial Majesty. This connection is emphasized early in the play through John’s decision to “put downe” any monastic houses where he finds Sedition (256), Sedition having admitted that he frequently hides within monastic houses (253-54). John’s declaration to destroy such houses is seen as a reference to the dissolution of the monasteries by Henry, a move greatly desired by Protestant reformers who viewed monastic houses as dens of iniquity.

¹⁰⁴ David Scott Kastan makes a similar argument, though he locates the play’s instability in its attempt to deny itself as a play, whereas I find the root of this instability in the metaphor of the two dueling churches. Kastan’s argument is that the play “reveals an instability in its own polemical assertions” in that “*King Johan* enacts Bale’s apocalyptic vision of history in John’s heroic resistance of the papacy, but it always threatens to collapse its fundamental opposition between goodly rule and papal duplicity in the very conditions of its enactment. If papal untruth is presented in terms of its manifest “ipocrysy” (432), its deceptive “serymonys and popetly plays” (415), the singular truth of John’s proto-Protestantism can be maintained only by impossibly asserting it as something plain and immediate, as something unfeigned; that is, it can be maintained only by repressing the fact of the play itself.” ““Holy Wurdes” and “Slypper Wit”: John Bale’s *King Johan* and the Poetics of Propaganda” in *Rethinking the Henrician Era: Essays on Early Tudor Texts and Contexts*, ed. Peter C. Herman (Urbana: University of Illinois Press, 1994), 267-82, 272.

and renegotiation. Thomas Betteridge argues “there is a textual relation between the role of Sedicyon and that of Veritas, if only because Imperyall Majesty appears to depend on one or the other of them to tell him what is happening in the country.”¹⁰⁵ Among their various roles, Sedition and Verity each relate information about the state of the country. This shared duty underscores the relation between sedition and truth, emphasizing how sedition can hamper the truth, yet can also be the truth. Moreover, the role of Verity was doubled with that of Sedition; the actor’s body thereby made physical the overlap between truth and sedition.¹⁰⁶ The story of Sedition within *King Johan*, and, to some degree, throughout early modern England, is not one of stability, but of flux, as such varied factors as the monarch’s temperament, an individual’s beliefs, or the political events of the day all play a role in defining the words and acts that get labeled “sedition.”¹⁰⁷ I argue that Sedition/sedition within *King Johan* is unstable yet informative. I will demonstrate how Bale’s attempt to define Sedition/sedition as unnatural and antithetical to truth is repeatedly undermined through the course of the play and that Sedition proves a necessary evil as both John and Imperial Majesty learn the true workings of Holy Church in England only through conversation with him.

In his article, “The Paradox of Sedition in John Bale’s *King Johan*,” Dermot Cavanagh argues that “Sedition colludes in exposing the church as a sinful and partisan body and such acts of self-disclosure create an unsettling proximity between Bale’s polemical intentions and the

¹⁰⁵ *Tudor Histories of the English Reformations, 1530-83* (Brookfield, Vermont: Ashgate Publishing Company, 1999), 72. Betteridge’s larger point is that the process of reform remains incomplete at the end of the play.

¹⁰⁶ See *The Complete Plays of John Bale*, Happé, Appendix 4, 152-53. Happé’s doubling scheme conflicts with certain of the manuscript’s stage directions, yet his goal is to make sense of what appears to have been Bale’s desire to stage the play with four rather than five actors. Several scholars reference Happé’s doubling scheme indicating that it has achieved acceptance.

¹⁰⁷ Though it is possible to identify certain patterns, particular variables that are generally considered when weighing a statement’s potentially slanderous nature, or how certain monarchs, like Henry VIII, were quicker to punish slander than others, what gets labeled sedition varies greatly from reign to reign.

Vice's effects."¹⁰⁸ Though fiercely loyal to the Pope, Seditio ironically acts as a mouthpiece for the reformers. His disclosures of the church's myriad abuses confirm John's allegations against the institution while also revealing that the contagion runs far deeper than imagined. Throughout the course of the play, each side accuses the other of heresy and sedition. Borrowing from the morality play tradition, the psychomachia further demonstrates the instability and reversibility of such categories as "reformer" or "heretic" and the judgments applied to those positions, "truth" versus "sedition." Although in early modern England the monarch generally was the individual who set the definition for "sedition," John is unable to enforce his will. The historical King John was not a reformer, but the play's idealization of Henry VIII, Imperial Majesty, is. Bale emphasized the struggle to cement reformed religion in England in order to urge political and social leaders to help the monarch establish reform through constant vigilance.

While I agree with Cavanagh's assessment concerning the paradoxical depiction of Seditio, his argument needs to be extended. It is not simply Seditio, but also the personified three estates, Nobility, Clergy, and Civil Order, which together undermine the differences between the two systems of belief (Catholic and proto-Protestant) thereby demonstrating the reversibility of accusations of sedition.¹⁰⁹ Their temptation and eventual conversion derive from the morality play tradition that Bale utilizes, yet their commitment to the Reformation at the end of the play remains uncertain. As Greg Walker contends, "as befits a play which was the product of a continuing and only partially complete reformation, the final mood is not one of complacency in a job well done, but of caution and warning."¹¹⁰ The play ends with the hope that

¹⁰⁸ "The Paradox of Seditio in John Bale's *King Johan*," 175.

¹⁰⁹ Throughout my discussion of *King Johan*, I will refer to John's attempt to reform the church as proto-Protestant. When discussing Bale's beliefs and that of the character of Imperial Majesty, I will use the more accurate "Protestant."

¹¹⁰ *Plays of Persuasion: Drama and Politics at the Court of Henry VIII* (Cambridge: Cambridge University Press, 1991), 177.

Elizabeth will continue the struggle against the Anti-Christ, yet Imperial Majesty's repeated urgings to the three estates to remain faithful to the reforming cause undercuts the victory that has ostensibly just been achieved. Rather than celebrating, Imperial Majesty's evident concern regarding the three estate's fidelity demonstrates the ease with which the advancements made by reformers could be washed away, a fact attested by the conservative mood of Henry VIII's final years and by Mary Tudor's temporary reestablishment of Catholicism.

The vicissitudes of the English Reformation are a well-studied subject, yet Bale's experiences document the era's religious strife on a personal level. The sum of his experiences inevitably left an indelible mark upon his outlook, which must be borne in mind when reading *King Johan*. Written between the later 1530s and revised post-1558, the play's development bookends Bale's two exiles and his many adventures in between.¹¹¹ Such breadth, Cavanagh argues, "allowed [Bale] an insight into shifting government policy, and the changing fortunes of the Reformation, that is often assumed to be solely the prerogative of his successors."¹¹² Bale's panoramic view of the Reformation is felt in the play's restrained ending.

The play's long gestation period witnessed four different rulers and a couple of changes in religion, yet *King Johan*'s focus is on the late 1530s. Walker has shown that the vast majority of the play was written in 1538, with the epilogue having been written after September 1560, but before Bale's death on November 15, 1563.¹¹³ This long development is borne out by the material conditions of the manuscript; its pages are numbered 1 through 63 and it is written in two hands.¹¹⁴ The first part, pages 1-22, 24-25, and 27-38, which were written and later revised by an

¹¹¹ I will discuss the development of *King Johan* in further detail below.

¹¹² "The Paradox of Sedition in John Bale's *King Johan*," 174.

¹¹³ *Plays of Persuasion*, 169-78.

¹¹⁴ In the description of the manuscript that follows, I follow the suggestions made by Barry B. Adams in the introduction to his edition of the play (Princeton: Princeton University Press, 1969), 1-69, with the exception of his dating of the manuscript. This edition includes the fullest description of the material conditions of the manuscript; see especially pages 1-17. See also *The Complete Plays of John Bale*, Happé, vol. I, 9-11. Jeffrey Leininger has

unknown scribe, are referred to as the A-text; pages 23 and 26 had become detached, but were later added by Bale, and are considered part of the A-text. The A-text's attention to stage directions and the doubling scheme suggests that it may have been prepared for performance. The B-text is composed of pages 39-63 and was written by Bale himself.¹¹⁵ The date of the watermark on pages 39-63 demonstrates that he did not transcribe his work until after 1558. Bale began by simply correcting minor mistakes in the A-text, adding some new material as well; found on pages 11, 29, 32, 35 and 37, the new material consists mainly of lengthened speeches. The most significant revisions occur at the end of the A-text. Bale began writing lengthy additions on page 38, which carried over onto pages 39-40. It seems the additions became too unwieldy, for he then cancelled these last two pages and began a clean version of these insertions on page 41. The new material, which incorporated nearly every line of the cancelled A-text material, lengthened the drama by about a third.

There is only one documented performance of *King Johan*, before Archbishop Cranmer in Canterbury on January 2, 1539. Other performance dates have been suggested, including St. Stephens, Canterbury, in September 1538,¹¹⁶ at King Edward's VI's coronation, and before Queen Elizabeth I at Ipswich in August 1561. It has also been hypothesized that the friar's cloak Bale attempted to have made in Canterbury, 1560, may have been in anticipation of a

recently sought to establish the date of the A-text as "probably prepared in 1537, and not 1538-1539 as has been argued"; "The Dating of Bale's *King John*: A Re-Examination." *Medieval English Theater* 24 (2002): 116-37, 116.

¹¹⁵ Davies was the first to note the development of Bale's handwriting while on the Continent during his first exile, as well as its relevance to the dating of *King Johan*; see *A Bibliography of Bale*, 244-46.

¹¹⁶ Spectators for this performance included Henry VIII and most of his court. Seymour Baker House argues that the play performed was probably the lost *On the treasons of Beckett* on the grounds that the performance took place on September 8, 1538, the evening "after England's most famous shrine [Beckett's] had been dismantled there." See Seymour Baker House, "Cromwell's Message to the Regulars," 125. Given Henry's known dislike of Thomas Beckett, this may have been a wiser choice of play than *King Johan*, which urged further religious reform and critiqued aural confession, a sacrament in which Henry believed.

performance of *King Johan*.¹¹⁷ None of these suggestions have been conclusively proved. The play exists in only one manuscript, preserved in the Huntington Library, MS. HM 3; it was not printed until 1838.¹¹⁸ Though the facts suggest that the play languished in obscurity, a letter from Cranmer to Cromwell providing pertinent details for an inquisition sparked by the play's only documented performance leaves one to wonder what might have been had the play been staged more regularly and/or printed during Bale's lifetime.¹¹⁹ Cranmer's letter is unique, for it confers upon *King Johan* the status of being "the only extant play-text of the reign for which a precise date of performance can be determined," while concomitantly detailing audience reaction.¹²⁰

With his letter, Cranmer included the bill of the depositions of three witnesses detailing their discussion of the play. These witnesses included an eighteen-year-old named John Alforde, a fifty-year-old named Thomas Browne of Shawlteclufe, Kent, and, Henry Totehill, a shipman from the parish of St. Katherine's by Tower Hill. After witnessing the play, Alforde told Browne "that it ys petie that the Bisshop of Rome should reigne any lenger, for if he should, the said Bisshop wold do with our King as he did with King John," prompting Totehill to respond "That it was petie and nawghtely don, to put down the Pope and Saincte Thomas; for the Pope was a good man, and Saincte Thomas savid many suche as this deponent was from hangyng." Thomas Browne felt the play was

¹¹⁷ *King Johan* is one of three extant Bale plays for which the friar's cloak would have been required. The others include *Three laws* (written circa 1536, published 1548) and *The Temptation* (written 1538, published 1547); Happé *John Bale*, 24.

¹¹⁸ *John Bale's King Johan*, Adams, 1-69. Happé, notes that revisions to the manuscript suggest that it may have been prepared in anticipation of performance and/or printing; see *John Bale*, 24, 90-91.

¹¹⁹ *Miscellaneous Writings and Letters of Thomas Cranmer*, ed. J.E. Cox (Cambridge: Cambridge University Press, 1846), 387-88.

¹²⁰ Walker, *Plays of Persuasion*, 171. Walker goes on to argue that Henry Totehill, the individual under inquisition, probably did not see the play, contending that Totehill's remark "is more likely to have referred to recent steps taken by the Crown to enforce the repudiation of papal authority and the vilification of Becket rather than to the specific content of *King Johan*" (174-75). Adams has also noted that the responses of these witnesses "fit no other known play of the period"; *John Bale's King John*, 20.

one of the beste matiers that ever he sawe, towching King John; and than sayd that that he had harde divers tymes preistes and clerkes say, that King John did loke like one that hadd run frome brynnyng of a house, butt this deponent knewe now that yt was nothing treu; for, as farr as he perceyved, King John was as noble a prince as ever was in England; and thereby we myght perceyve that he was the begynner of the puttyng down of the Bisshop of Rome, and thereof we myght be all glad. Then answerd the said Totehill, that the Bisshop of Rome was made Pope by the clergie and by the consent of all the Kinges Christen. Than said this deponent, Holde your peace, for this communication ys nawght. Than said Totehill, I am sorye if I have said amyse, for I thought no harme to no man.¹²¹

The play achieved the results that Bale desired, for Browne's response portrays the play as an edifying experience, Browne "knewe now" the truth. Alforde likewise seems to have taken the play to heart, associating King Henry VIII with King John, while viewing the Pope as a treacherous enemy. Yet truth, like sedition, can be relative. Totehill's reaction underscores this point. His attempted apology, "I thought no harme to no man," suggests that commoners were all too aware of the potential hazards of "casual" conversation, that is, that any conversation was subject to policing, for one individual's truth was another's sedition and that it was all too easy to offend or cause "harm." This conversation demonstrates that just as the monarch did, commoners likewise monitored their speech.

"Serche and ye shall fynd": Sedition in *King Johan*

Near the end of Act I, during the brief interval in Rome, Bale concocts three versions of the Vices' genealogy and allegorical relationship, depicting Sedition as a foreign body. In the first version, Sedition and Dissimulation are revealed to be cousins who "cum of two bretherne" (673), Dissimulation of Falsehood and Sedition of Petty Treason; their grandfather was Infidelity and they all descend from the Antichrist, "The great Pope of Rome or fyrst veyne popysh prist" (673-78). In the second version of the Vices' allegorical relationship, Sedition explains "False

¹²¹ *Miscellaneous Writings and Letters of Thomas Cranmer*, Cox, 388.

Dyssymulacyon doth bryng in Privat Welth; / And Usurpyd Powre, which is more ferce than a Turcke, / Cummeth in by hym to decayve all spyrytuall helth; / Than I by them bothe, as clere experyence telth” (771-74).¹²² Dissimulation is then revealed to have originally entered through the work of the devil (779-80). This redefinition of the Vices’ relationship is itself subject to almost immediate revision when Sedition asks Usurped Power to exit and reenter carrying him. Usurped Power hesitates, afraid Sedition will prove too heavy, prompting Dissimulation to state, “we shall bare hym all thre, /.../ For ther is non of us but in hym hath a stroke” (799, 801). In the first version, Sedition’s connection to the Antichrist reinforces the character’s birthplace as Rome. This connection, together with the link to the devil in the other versions, also emphasizes Holy Church’s nature as the Church of the Antichrist, antagonist to the church of the elect. The second and third versions further underscore sedition as an imported, invasive force. Usurped Power’s prodigious fierceness, greater than a Turk’s, stresses the foreign nature of the Vices.

The various genealogies also present a couple of discrepancies or paradoxes in regard to sedition. While previously associated with Dissimulation, emphasizing sedition’s often-secretive nature, Sedition’s request to be carried in on the Pope’s back is impudent, demonstrating how sedition can be both clandestine and audacious. Furthermore, in the first version, sedition appears to be a lesser evil. While it is nonetheless an example of the devil’s power on earth, it is depicted as less serious than petty treason, parallel to or on equal grounds with dissimulation. In contrast, the second and third versions depict it as the culmination of the other evils, the other Vices. Lastly, the link to falsehood again attempts to present Sedition as antithetical to Veracity, an opposition that the play simply cannot maintain.

¹²² This explanation is preceded by Sedition’s direct address to the audience, “Sures, marke well this gere” (770), ensuring that the audience both pay close attention and understand how these Vices work.

In order to promote royal supremacy, the play depicts any loyalty to Holy Church as unnatural. It does so through an escalating accretion of associations that argue that devotion to Holy Church, as opposed to the king, is seditious, unpatriotic, and, ultimately, unnatural. At the start of the play, England vehemently rejects the English clergy as her children, claiming “Nay, bastards they are, unnaturall by the rood!” (69). She later threatens her poor, blind son, Commonalty, that “Yf thow leve thy kyng take me never for thy mother” (1610). Seditio similarly denies any relation to England, furiously stating “I am not her chyld: I defye hyr, by the messe!” (179). Finally, Verity echoes this notion declaring the three estates betrayal of John as an “unnaturall doynge” (2266). By arguing that any display of loyalty to Holy Church is a revocation of one’s English identity, the play reduces the struggle to reform the church to the following equation: devotion to Holy Church/Catholicism as unnatural, devotion to the king/reformed religion as natural. It creates the illusion that any seditious behavior stems from foreign influence. In seeking to set these beliefs in diametrical opposition, the play denies the possibility of any middle ground and, in the process, disregards the permeability and instability of the definition of “sedition.”

This oversimplified concept of sedition is continually undermined by the action of the play. By deeming devotion to the Holy Church as unnatural, the play concomitantly elevates any actions that go against its interests, such as critique or exposure of its corruption, to the status of patriotism, the expected actions of a natural-born Englishman. Yet this simply does not hold for Seditio, who is happy to spill church secrets. He does so not out of loyalty to England, or a sense of right, but because of his and Holy Church’s overweening pride, their misguided belief in the church’s unassailable power. Seditio’s actions begin to blur the lines between unnatural and patriotic actions. When the three estates eventually turn against Holy Church, echoing some of

Sedition's earlier allegations, they are seen as finally fulfilling their divinely ordained roles. Yet, as discussed below, when Imperial Majesty questions the sincerity of their recommitment, it further undercuts the concept of Catholicism as unnatural by suggesting the ease with which one can backslide, thereby demonstrating that the categories of Catholicism and Protestantism are more fluid than the equation reveals. The actions of these characters show that there is middle ground between these two poles and that the beliefs that are defined "sedition" or "patriotic" are constantly being renegotiated.

While the concept is strained by the actions of Sedition and the three estates, it is demolished by John's submission in Act II. Knowing he has no choice but to surrender, John asks England to "shewe now thyselfe a mother" by compassing his submission (1717), actions that theoretically reverse the equation. Bale's later additions emphasize that John submits solely out of a desire to save his people from slaughter. Inspired by love of country, his action is thus both thoroughly patriotic *and* seditious, as he acknowledges Holy Church's supremacy—"Here I submyt me to Pope Innocent the Thred" (1725). Bale was aware of this tension, for his additions reveal his efforts to absolve John of any possible critique; lines 1534-44, 1640-49, and 1666-1704 emphasize John's isolation and his desire to protect his people. Yet England's lament following the submission clearly critiques the king and is nearly seditious, "ye have done sore amys; / Of a fre woman ye have now mad a bonde mayd. / Yowre selfe and heyres ye have for ever decayd" (1766-68). Moreover, immediately following his surrender, John is tested by the appearance of a treasonous priest, aptly named Treason. His order to execute the priest displays his desire to continue reforming the church, a desire that is again quashed by Cardinal Pandulphus/Private Wealth. John's instincts to continue to curb the church's liberties clearly demonstrate the instability surrounding religious reform and, thus, sedition. Perhaps this is why

the notion of Catholicism as unnatural, which is repeatedly voiced near the beginning of the play, is only referenced once in the B-text and not at all in the A-text revisions.¹²³ The equation is too simplistic to work in an environment where beliefs are being constantly questioned, adapted, and redefined, in turn, redefining what constitutes “sedition” and “truth.”

Within *King Johan*, Bale is at pains to depict papal supremacy as a seditious belief, contending that it divides one’s loyalty by establishing a competitor to the monarchy and, worse, imposes the belief that loyalty to Holy Church supersedes loyalty to one’s prince. Nobility corroborates this fear when, dismayed at John’s uncompromising stance against the church, he states, “I toke a great othe whan I was dubbyd a knyght / Ever to defend the Holy Churches ryght” (362-63). Torn between his duty to the prince versus the church, Nobility is easily won to the church’s fold once Sedition dangles the carrot of remission of sins. In contrast to Nobility, Sedition holds no love for domestic rulers. Having been born in “the holy cyte of Rome,” he holds “pynces in scorne, hate and dysdayne” (183, 188). His actions portray the definition of “sedition” as slandering the king. Sedition’s words and actions ultimately stem from belief in the church’s supremacy. The allegations spoken by the Vices (and the characters they trick) are therefore political critiques that emerge from the power struggle between King John and Holy Church. These allegations result from John’s attempt to curtail church abuses, which the Vices’ interpret as an attack on Holy Church’s many liberties. The play also upholds another definition of sedition, that as a divisive force. For this reason, Sedition, who proudly claims to be the Pope’s man, displays no compunctions when revealing church secrets, or when he gleefully mocks his fellow Vices (845-54, 865-66, 892-93). Near the end of the play, he even acts as an informer against Holy Church in order to avoid execution, thereby exposing the church to further

¹²³ The one mention in the B-text is Verity’s pronouncement on the three estates cited above (2266).

critique. Seditious is thus as prone to act divisively within Holy Church as without it. Though he prefers to undermine princes' power, he is just as prone to poke fun of the Vices.

Bale literalizes the contemporary understanding of sedition as a divisive force through John's critique of the clergy for its abandonment of Scripture. He links this appalling neglect to Holy Church's subsequent creation of myriad monastic orders, claiming

Yt was never well syns the clergy wrowght by practyse
And left the scriptur for menns ymagynacyons,
Divydyng them selvys in so many congrygacyons
Of monkes, chanons and fryers of dyvers colors and facyons. (334-37)

According to John, Holy Church is seditious on two accounts, internally and externally.

Internally, its monastic orders are varied, each following its own discipline and code. Sir Richard Morison, who like Bale formed a part of Cromwell's Protestant propaganda campaign, voiced a similar opinion in his political treatise, *A Remedy for Sedition* (1536). Urging the need for obedience to the King and for religious unity, he contends, "Christen men are to soore divided. The fryers of Saint Fraunces skare love the domynycans, the Jacobites love not the Brigetines, or if they doo love, they wolde love moche better, if they were al of one sort."¹²⁴ This division is further emphasized, John argues, through the differing colors of the many sects. Though color distinguishes the many orders, according to *Dissimulation*, they share a common goal of undermining domestic princes.¹²⁵ Externally, these colors serve "to blynd the peple" (725), aiding the promotion of seditious practices within foreign countries.

¹²⁴ Richard Morison, *A Remedy for Sedition* (London: 1536), E. The treatise was addressed to the participants of the Pilgrimage of Grace and was a sequel to his earlier *Lamentation in whiche is Shewed what Ruynes and Destruction Cometh of Seditious Rebellyon* (1536), written to the Lincolnshire rebels; Jonathan Woolfson, 'Morison, Sir Richard (c.1510–1556),' *DNB* (Oxford University Press, 2004; online edn, Jan 2015). [http://www.oxforddnb.com.proxy2.library.illinois.edu/view/article/19274, accessed 12 March 2015].

¹²⁵ Nay, dowst thou not se how I in my colours jette?" *Dissimulation* asks (724), only to reveal "We have many rewlls, but never one we kepe /.../ We resemble sayntes in gray, whyte, blacke and blewe, / Yet unto prynces not one of owre nombre trewe" (730, 732-33).

Taking offense at John's insinuations, Clergy tries to argue for the beauty of diversity. He claims, "A quene, sayth Davyd, on thy ryght hond, lord, I se, / Apparrellyd with golde and compassyd with dyversyte," which he interprets to signify "This quene ys the Chyrch which thorow all Cristen regions / Ys beawtyfull, [deckyd] with many holy relygyons" (436-37, 439-40). He proceeds to list a plethora of monastic sects, believing that each of these orders functions as a jewel, decking and beautifying Holy Church.¹²⁶ Given John's faith in the Bible, this attempt to convince him by citing Scripture is not ill conceived, yet Clergy's misinterpretation of the passage undercuts his position. Civil Order correctly states these orders did not exist in David's time and John argues that David simply meant a diversity of virtues (462, 463-65). Clergy's vision of these orders also comes dangerously close to idolatry. Delighted by their sundry colors, he fails to recognize their lack of substance. Clergy falls into the trap that Protestants preached against, for he too is "blynd[ed]" (725). This minor debate emphasizes Bale's critique; though short-lived, Holy Church's seditious view of monastic orders engenders disagreement among the individuals whose duty it is to work as a cohesive unit for the good of the country.

While John appears to get the better of Clergy in this argument, the debate ultimately undermines John (and Bale's) position. Throughout, John attempts to bolster his claims by insistently turning to Scripture, presenting the Bible as offering self-evident truths. His response to Clergy's misinterpretation is that his own reading "in the sayd psalme...is evydent to see" (464). Holy Church's main tactic in the ongoing war with the church of the elect is thus "to suppress the Gospell," "for if that were knowne than woulde the people regarde / No heade but their prynce" (1014, 2512-13). Interestingly, however, both Clergy and the Vices quote from Scripture numerous times. The above-cited discussion is representative of Bale's views of Holy

¹²⁶ In the B-text, Bale inserted an additional twelve lines to the list of monastic orders, more than doubling its initial length. For more on the list of orders, some of which are fictitious, see *The Complete Plays of John Bale*, Happé, 109-11; and *John Bale's King Johan*, Adams, 156-57.

Church's interpretations of Scripture. It demonstrates how the two sides use the Bible as a tool to support their positions. More importantly, it leads to a discussion of Scripture in which each side's representatives argue for a particular interpretation of the verse in question. That a discussion of the verse's meaning is necessary underscores the fact that Scripture is not self-evident. As David Scott Kastan has argued, "John's interpretation is no more "evydent" than Clergy's, no more plainly present in the text."¹²⁷ This has crucial implications for the depiction of sedition, for John's Scriptural interpretations are depicted as truth, while Holy Church characters' views are held as seditious (in that their incorrect interpretations uphold papal supremacy). Despite his polemical intentions, Bale's text demonstrates that determining "truth" and "sedition" is inherently an interpretative, and, therefore, unstable act.

At the beginning of the play, one of the distinguishing factors between King John and the Vices is seemingly the use of language. Befitting a virtuous and noble king, John's plain speech is rarely ornamented. When he cites precedent, it is nearly always Scripture to which he turns, emphasizing that he only speaks the truth. However, he is also capable of the sort of anti-Catholic invective typical of Bale's style, prompting Nobility to comment "Sur, yowre sprytes are movyd I persayve by yowre langage (476). The Vices, in turn, are quick to utilize ambiguous language. They lie, utter oaths, make bawdy or scatological jokes, and deliberately misconstrue language. However, the distinction between the characters' respective linguistic tendencies quickly collapses. Within their first encounter, the neat binary between John's honesty and Sediton's eagerness to "tell tales" is undermined (43). When asked who he is, Sediton responds "I am Sedycyon, that with the Pope wyll hold / So long as I have a hole with in my breche" (90-91). Part of what makes Sediton such a tricky character is his penchant for telling the truth when the mood strikes him, even if that truth is conveyed in a coarse manner. Although Bale sought to

¹²⁷ "Holy Wurdes" and "Slypper Wit," Herman, 277.

demonize Seditio, the character has more depth than a one-dimensional villain. Betteridge is not alone in arguing that “the language of the vices is marked as inherently untruthful and incoherent,” “comic,” and “carnavalesque”.¹²⁸ Unlike England and Verity who speak the truth out of a fervent desire for reformation, Seditio’s revelations ultimately reveal Holy Church’s proud belief in its own invulnerability. Despite his motivation, Seditio paradoxically becomes a messenger of truth, for his admissions open John and Imperial Majesty’s eyes to the severity of church corruption and the ongoing need for reform, thereby prompting both figures into continued action. Both characters use Seditio to gain valuable information about the state of their respective churches. Seditio thus becomes an inadvertent agent for the Reformation, blurring the lines between the established church and the proto-reformers. I will first focus on Bale’s demonization of Seditio and his language before demonstrating his unintended yet crucial contributions to reform and truth.

Seditio’s irreverent language takes on a darker hue in his many attacks on Widow England. When he critiques her, his allegations combine religious attack with sexual slander. He hurls a litany of abusive terms at England, including: “Wylly Wat” (cunning person (60)), “whore” (88), “wedred wytche” (95), “harlot” (1757), “queane” (1907), and callet (1940). He turns her “heavyness” over the current situation into an offensive pregnancy joke (136), and tries to degrade her further by ordering her on her knees (1715). The calumnies spoken against England, the only female character in the play, demonstrate women’s susceptibility to sexual critique. Seditio’s use of sexual slander seeks to discredit England and, through her, the reformed church as well. In *The Image*, the two churches are each aligned with a female figure; the church of the elect is represented by the chaste Woman clothed with the Sun, and the church of the Antichrist (presently Holy Church) with the Whore of Babylon. By seeking to undermine

¹²⁸ *Tudor Histories of the English Reformations*, 1530-83, 76.

England's chastity, Seditio applies the same language of invective that reformers utilized to critique Holy Church as the Whore of Babylon. Moreover, Seditio insults England only after she has critiqued the church. Seditio's invective therefore becomes another example of the reflectivity of the language of abuse, which in turn demonstrates that Holy Church and the nascent reformed church are not as distinct as Bale would care to admit.¹²⁹

Agents of the Reformation?

As a set, the Vices are astonishingly candid about church corruption, corroborating John's view of Holy Church as "cormerantes" who have "impoveryshyd / And mad a begger" of England (483, 478-79). They freely admit that relics, indulgences, and masses for the dead are all ploys to enrich the church. Even Latin is employed for this purpose; "Ther ys no Englyche that can soche profygthes compasse" as the church's use of Latin (717). In order to gain Englishmen's money, the Vices must first earn their dupes' trust. This is accomplished through their abuse of auricular confession, a practice Bale rejected because he believed that an individual did not need an intercessor when confessing to God.¹³⁰ The Vices use the notion of absolution to lure a subject's loyalty away from the king to the church, while availing themselves of the confessional's secrecy to promote disloyalty.¹³¹ Seditio admits that the notion of indulgences and clean remission of sin

¹²⁹ McEachern briefly discusses how language and its uses undermine the differences between the two churches; *The Poetics of English Nationhood*, 26-29.

¹³⁰ For more on the presentation of auricular confession in *King Johan*, see Edwin Shepard Miler, "The Roman Rite in Bale's *King Johan*." *PMLA* 64.4 (September 1949): 802-22; and Walker, *Plays of Persuasion*, 211-14. Walker notes that Bale followed Tyndale's lead and refashioned the debate concerning auricular confession into a political rather than a religious one within *King Johan*. He was nonetheless "advancing the views of more progressive reformers, and going further than royal proclamations and directives would permit" (213). White argues that had it not been for Cromwell's protection, Bale would have been imprisoned, if not executed, "on grounds of heresy"; *Theater and Reformation*, 18. Both White and Walker point to Henry's views on auricular confession as demonstrated by the "Ten Articles" (1536).

¹³¹ Following his conversion, Clergy declares the church's abuse of confession as passing "all other traytery" (2659). Examples include: Seditio's winning over the three estates through remission of sins and absolution; the priest Treason claiming "Twenty thousande traytour I have made in my tyme / Undre *Benedicite* between high masee and pryyme" (1817-18); and Dissimulation revealing his plan to assassinate John under cover of the confessional's

is worthless (971), yet he and the other Vices portray the absolution they offer as if it were a “get out of purgatory free” card. Preying on characters’ fear of damnation, it proves an incredibly effective strategy for undermining patriotic allegiance.

In their first encounter, John prompts Sedition to say more about confession, “that I may understand the” (265). Happily complying, Sedition divulges that Holy Church uses its sacrament of Reconciliation to spy on foreign powers, “For by confession the Holy Father knoweth / Throw owt all Christendom what to his holyness growyth” (272-73). Through this practice, priests display loyalty to the Pope rather than to king and country. Obligated to keep parishioners’ sins, they gladly convey to Rome any information that may be prejudicial to the Pope. This point is further emphasized near the end of the play in the following exchange:

Sedicyon: I wyll tell to yow suche treason as ensewthe;
Yet a ghostly father ought not to bewraye confessyon.
Imperyal Majesty: No confessyon is but ought to discover treason.
Sedicyon: I thynke it maye kepe all thynge save heresy.
Imperyal Majesty: It maye holde no treason, I tell the verelye,
And theffor tell the whole matter by and bye. (2498-2503)

According to Sedition, any knowledge of heresy dictates immediate action; it is the only condition under which a priest can betray the secrecy of confession. In contrast, Imperial Majesty states that treason must be revealed, because its concealment would only cause harm. Like John, he urges Sedition to share Holy Church’s secrets. Their conversation stresses Holy Church’s disinterest in the welfare of a country’s subjects. Whereas a divinely ordained monarch’s prime responsibility is to care for those individuals, Holy Church cares only for its survival. Holy

secrecy, obtaining pardon *before* committing treason (2014-49). Bale parodies the Catholic sacrament through a few significant changes to the required formula: in each of the staged confessions, the role of confessor is played by Sedition, absolution is granted through the *Pope’s* authority (1186, 1786-1805), and granted from penalty *and* guilt without the requirement of penance. For more on Bale’s parody of confession, see Miler, “The Roman Rite in Bale’s *King Johan*,” 807.

Church thus plays fast and loose with its rules for confession, allowing its required secrecy to be broken when it is beneficial to itself and mandating secrecy on all other occasions.

Sedition implies that John is ignorant of the way things really work. Early in the play, Sedition asks John if he is “well content that bysshoppes contynew styl?” (235). John’s reply, “We are so in dede, yf they ther dewte fullfyll,” leads Sedition to jubilantly exclaim, “Nay than, good inowgh! Yowre awtoryte and power / Shall passe as they wyll; they have sawce bothe swet and sowre” (236, 237-38). His statement underlines two important points. John overestimates the clergy’s loyalty to the monarch, expecting them to obey without hesitation, and bishops play a crucial role in any attempted reformation of the church. While bishops themselves do not receive sustained attention throughout *King Johan*, Bale includes a few pointed comments about their actions that display his disillusionment with their reluctance to aid the Reformation and his belief that the reformist cause can succeed only with their help.

Two of the Vices are bishops. Sedition emphasizes his relationship with monks and bishops (253-54, 296-99), later assuming the additional role of Stephen Langton, Bishop of Canterbury. Private Wealth is also a bishop and “lyke to be a cardynall” (745-46). Unlike some of his fellow reformers, Bale did not believe that the position of bishops had to be eliminated. He later held a bishopric for a short time. His experiences *did* impose on him an awareness of bishops’ ability to aid or hamper the English Reformation. Perhaps for this reason, English bishops’ refusal to support the reformation is referenced several times in the B-text. Alluding to Henry VIII’s 1536 Injunctions, Sedition gloats how bishops declined to enforce them, necessitating the 1538 Injunctions (2508-10). He tells Imperial Majesty that regardless of the latter’s commands, “Some of the byshoppes at your injunctyons slepe, / Some laugh and go bye and some can playe boo pepe; / Some of them do nought but searche for heretykes” (2524-26). In

fact, the bishops purposefully “vex” Verity in order to promote Sedition (2518-20), a fact Verity corroborates (2339-40). Sedition goes on detail how conservative bishops actively work against reformers, providing false witnesses to accuse faithful subjects of heresy (2534-37). The bishops simply play along, biding their time until they can reestablish papal supremacy. Lastly, Sedition proclaims that “in some byshoppes howse ye shall not fynde a testament, / But yche man readye to devoure the innocent” for the bishops ultimately “lyngar a tyme and loke but for a daye / To sett upp the Pope if the Gospell woulde decaye” (2548-51). By linking the actions of conservative bishops with Sedition, Bale proposes another definition for sedition: the refusal to teach reformed religion. Conservative bishops promote sedition through their actions against the faithful, and/or by hesitating to enforce Henry’s legislation.¹³²

The notion of interpretation is further underscored following John’s death, when Verity enters the play to praise the fallen monarch. Verity’s speech critiques Polydore Vergil and other chroniclers for their ill reporting of John (2193-96), and he musters his own list of historians who attest to the late king’s quality (2200-06). As many scholars have noted, Verity’s speech is itself a fabrication, for the authorities he cites offer little in the way of support for John.¹³³ Verity is only onstage for a short time. His duty is to make the three estates recommit to the task of reforming religion and to report the outcome of his efforts to Imperial Majesty. Because of the doubling scheme (Sedition and Verity played by the same actor), the three estates are convinced to uphold first papal and then royal supremacy by the same person. Imperial Majesty similarly

¹³² Bale’s disillusionment with conservative bishops would only strengthen as time wore on. He critiqued English bishops, taking particular aim at Edmund Bonner and Stephen Gardiner, in *A Man of Sin* (1543) and *The Epistle Exhortatory* (1544). During his second exile, Bale translated *De vera Obedientia* (1553), Gardiner’s 1535 tract in support of royal supremacy, for which Bonner had written an introduction for the 1536 reprinting. The translator (1553) is listed as “Michael Wood,” though several scholars believe the work to be Bale’s. The printer was Hugh Singleton, who years later printed Stubbs’s *The Discovery of the Gaping Gulf*. Bale’s 1553 translation included his own introduction and comments throughout. His intention was to humiliate Gardiner (and Bonner), thereby exposing the treachery of Mary I’s Lord Chancellor. See Harris, *John Bale*, 50; Happé *John Bale*, 40-41.

¹³³ For example, see *John Bale’s King Johan*, Adams, 30-31; and *The Complete Plays of John Bale*, Happé, 135.

gets his news from the same person, as he learns about the state of England first from Verity and then from Seditio.

The three estates enter in the midst of Verity's speech and weakly attempt to reiterate their criticisms of John. Verity easily dominates the encounter, lecturing the three estates on the issues of royal supremacy and their ill treatment of King John for over 80 lines of dialogue with only minor interruptions (2222-2305). Beaten into submission, the three estates relent:

Nobylyte: For Gods love, nomore! Alas, ye have sayde ynough.
Clergye: All the worlde doth knowe that we have done sore amys.
Cyvyle Order: Forgyve it us so that we never heare more of thys.
Veritas: But are ye sorye for thys ungodly wurke?
Nobylyte: I praye to God, els I be dampned lyke a Turke.¹³⁴
Veritas: And make true promyse ye wyll never more do so?
Clergye: Sir, never more shall I from true obedyence goo.
Veritas: What saye yow, brother? I must have also your sentence.
Cyvyle Order: I wyll ever gyve to my prynce due reverence.
Veritas: Well, than, I doubt not but the Lorde wyll condescende
To forgyve yow all, so that ye mynde to amende.
Adewe to ye all, for now I must be gone. (2306-17)

Though the three estates acknowledge their wrongdoing, one cannot help but suspect that their initial reason for capitulating was not guilt, but a fervent desire to stymie Verity's harangue and save their reputations. Verity himself appears doubtful. Rather than simply accept their responses at face value, he questions their sincerity, making sure to hear from all three. His questions aim to determine if there is true repentance and the hope of reform. Moreover, his assessment of the matter is conditional. He states that they will be forgiven only *if* they "mynde to amende." The three estates, it seems, have been offered parole, pending good behavior.

Bale's growing disillusionment with Henrician political leadership is already present in the conclusion to *King Johan*. In *Reformers and Babylon*, Paul Christianson argues that by the time Bale wrote *The Image* (1545), he "placed very little reliance in the apocalyptic leadership of

¹³⁴ This wish equates disloyalty to the monarch to the eternal damnation awaiting heretics, in this case, the formidable Turks, again linking religious difference with foreignness.

established social or political forces.” He further contends that while “Bale portrayed king and nation in a much more favorable light in his popular plays,” *The Image* “reflects the great disappointment for English protestants of the intervening period.”¹³⁵ Because Bale did not believe in critiquing the monarch, he whitewashes John’s character, displacing his criticisms unto the three estates. Likewise, *Sedition* attacks conservative bishops for their refusal to act. An idealized version of Henry, *Imperial Majesty* is a fervent reformer eager to exile the Pope from his lands. Gone is the historical king’s hesitancy to commit to reformed religion; instead, Henry’s balancing of political exigencies is projected unto the three estates. Yet this idealized representation only highlights Bale’s disappointment at Henry’s lack of commitment to reform.

Acknowledging *Imperial Majesty*’s royal supremacy, and at his request, Clergy agrees to ban the Pope. Instead of stemming from a sincere desire to promote truth, Clergy quickly demonstrates that his actions are merely to please his king (2387-90). Chastised for doing the right thing but for the wrong reason (2391-99), he replies “Both Daniel and Paule calleth [the Pope] Gods adversarye / And therfor ye ought as a devyll hym to expell” (2400-01). At first glance, Clergy’s use of Scripture for guidance seems encouraging. However, the bible passages to which he refers, Daniel 7:23-26 and Thessalonians 2: 2-12 name God’s adversary as the Antichrist, *not* the Pope. Clergy’s statement is thus another act of interpretation, one which sparked considerable controversy. Thora Balslev Blatt argues that the notion was referenced “so often that it lost force, and [Protestant reformers] incurred the risk of being identified with Antichrist themselves by their Catholic opponents.”¹³⁶ Additionally, Clergy’s previous knowledge of this verse implies that the clergy are willing to pay lip service to the current

¹³⁵ Christianson, *Reformers and Babylon*, 19, 20. By the time he wrote *The Image*, Bale believed that ordinary reformers would play a larger role in bringing forth the millennial than the monarch. Christianson’s argument has recently been echoed by Peter Happé, “A Reassessment of John Bale’s Rhetoric: Drama, Bibliography, and Biography.” *SEL* 53.2 (Spring 2013): 259-75, see page 271.

¹³⁶ *The Plays of John Bale: A Study of Ideas, Technique and Style* (Copenhagen: G.E.C. Gad Publishers, 1968), 168.

monarch, appeasing him or her to avoid punishment, until they can reveal their true loyalties, a tactic also used by the English bishops (2540-51). This overlap raises the question of the sincerity of Clergy's reformation. Like Imperial Majesty, the reader must ask, "Knewe ye thys afore and woulde it never tell?" (2402).

Clergy's misguided attempts to please his king prompt Imperial Majesty to question the other two estates. Nobility's response, which reiterates John and England's allegations against the Pope, satisfies Imperial Majesty. He states, "It is a clere sygne of a true nobilyte / to the wurde of God whan your consyence doth agree" (2415-16). This moment is a clear echo of John's earlier statement, "A clere tokyn that is of trew nobelyte," which utterance had followed Nobility's complete rejection of Sedition and those of his "condycyon" (332, 330). Yet between these two moments, Nobility not only failed to recognize Sedition, but also fell in league with him after obtaining confession from this chief Vice, causing John to chastise his erstwhile follower, "Oh, this is no tokyn of trew nobelyte / To flee from yowre kyng in his extremyte" (1452-53). In the morality play tradition, the recommitment of the tempted, but ultimately redeemed protagonist brings hope and closes the play on a victorious note. Here, the estates' flip-flopping inspires doubt, not trust. The play ends casting a hopeful eye toward the future, yet one must wonder whether Imperial Majesty will have cause to issue a similar lament.

Civil Order, unlike Clergy, gives a satisfactory answer to Imperial Majesty's request to ban the Pope; yet Imperial Majesty requests further assurance, again questioning if the three estates "are all of one mynde" (2431), before ordering them all to swear "to take me for your heade" (2435). Moments later, after having heard Sedition's revelations, Imperial Majesty reiterates the critiques against the three estates and orders them to "shewe your selves hereafter more sober and wyse" (2593-2601). His final words of the play, "And above all thynges

remembre our injunction” (2648), recalls Sedition’s earlier comment concerning the bishops’ sluggishness in implementing Henry VIII’s Injunctions. Similarly, Verity’s final speech begins with the heartfelt plea, “For Gods sake obeye lyke as doth you befall” (2346), concluding with the charge, “To gyve to your kynge hys due supremacyte” (2359). The entrance of Verity and Imperial Majesty is meant to establish good order by re-imposing monarchic control. Their exits should mark the completion of their task. Neither character exits convinced of success; each hesitantly entrusts matters to the three estates. Taken as a whole, Imperial Majesty’s questions and repeated urgings, together with Verity’s repeated lecturing, displays great doubt, thereby undercutting the play’s “happy” ending.

Imperial Majesty’s treatment of Sedition further sours the mood. The three estates urge their king to exile the Vices. Instead, Sedition manages to strike a bargain with Imperial Majesty, revealing church duplicity in exchange for a pardon. Imperial Majesty, who moments earlier had threatened Sedition with torture (2478), fails to uphold his end of the deal when he orders the latter to be executed, callously decreeing that “For doynge more harme thou shalt sone pardoned be” (2582). Scholars often comment that Imperial Majesty’s behavior toward Sedition is reminiscent of Henry VIII’s with regards to the Pilgrimage of Grace. Having invited Robert Aske, the leader of the movement, to London, Henry appeared receptive to Aske’s cause. However, he was merely playing for time, for once Aske ordered the participants of the Pilgrimage of Grace to disband, Henry had Aske arrested and eventually executed as a traitor.¹³⁷ In this scenario, Sedition assumes Aske’s position. The duplicitous bargain he receives is troubling because it is behavior associated with the Vices. Imperial Majesty’s equivocal definition of “pardon” is the

¹³⁷ See Harris *John Bale*, 95-98. Additionally, Cavanagh draws attention to the directions Henry gave to the Duke of Norfolk, ordering the Duke to make concessions he never intended to honor; “The Paradox of Sedition in John Bale’s *King Johan*,” 189, fn. 46.

sort of wordplay expected of Seditio.¹³⁸ Though callous, the decision is politically expedient. Seditio is a corrupt influence that must be dealt with, but rather than simply executing him, Imperial Majesty first makes use of the Vice. Seditio has proven the best-informed character of the play—the source of religious subversion in England, he nonetheless understands the English clergy and their tactics better than either of the monarchs—Imperial Majesty thus first gathers Seditio’s knowledge before ridding himself of this dangerous agitator. Bale seems to champion such decisiveness, but it does not mitigate its distasteful nature to modern readers and the incident adds to the play’s growing list of broken promises.

As the play ends before Seditio’s execution is carried out, I venture that he escapes punishment, like he did early in the play when John was unable to restrain him (300-13), because of the doubts surrounding the three estates’ conversion.¹³⁹ Following their conversion, the three estates echo many of John’s critiques against Holy Church, critiques that they previously labeled heresy, yet these criticisms are corroborated by Seditio and the Vices’ admissions. This situation, in which the same comments are alternately labeled “sedition” or “truth,” demonstrates the instability of these categories, as they are constantly being reinterpreted and redefined according to the ebb and flow of the English Reformation. The concluding paean to Elizabeth coupled with the mention of sectarians and Anabaptists (2626-31, 2680-81) is a call to action that underscores the struggle surrounding reform.¹⁴⁰ The doubt surrounding the three estates’ conversion demonstrates that so long as uncertainty remains, so will sedition. Because no

¹³⁸ Cavanagh argues, “Intriguer and sovereign appear to have changed places as one now becomes the victim of the other’s manipulation of language and expectations in a way associated elsewhere in the play with tyranny”; “Reforming Sovereignty: John Bale and Tragic Drama,” in *Interludes and Early Modern Society: Studies in Gender, Power and Theatricality*, ed. Peter Happé and Wim Hüsken (Amsterdam: Rodopi B.V., 2007), 191-209, 205.

¹³⁹ Happé sees Seditio’s preposterous dreams of becoming a saint as a “comic apotheosis” that “anticipates the conventional *motif* whereby the Vice lives to fight another day,” *The Complete Plays of John Bale*, 140.

¹⁴⁰ Cavanagh likewise interprets the Elizabethan epilogue as an acknowledgment “that Seditio may well return and that Anabaptism is a continuing threat. Its final prayer is a testament to the unpredictability of history and to the uncertain fate of reform”; “Reforming Sovereignty,” 207.

success is final and because Sedition still retains use value by revealing necessary information, Sedition/sedition will always escape to once again threaten good order.

“A Trump of Sedition Secretly Sounding in every Subject’s Ear”: John Stubbs’s *The Discovery of a Gaping Gulf*

Like Bale, John Stubbs sought to underscore the fragility of Protestantism in England. He attempted to demonstrate the threat a Catholic marriage posed to reformed religion and, for his efforts, his work was labeled seditious. This next case study investigates what happens when a subject attempts to directly counsel his monarch. The response surrounding *The Discovery of a Gaping Gulf* (1579) emphasized the various coexisting levels of judgment that existed in early modern England, evidencing that when there is a conflict of opinion, the “truth” gets determined by the highest-ranking member involved in the incident. It further showed how written sedition was taken more seriously than verbal sedition, for the act of setting a critique down on paper made that statement public, extending its range and longevity by sparking further conversation, discussions that the government was eager to quell. By analyzing Stubbs’s polemic and the royal proclamation issued in response to it, I will demonstrate how these two documents engaged in a heated, public exchange concerning whose actions threatened to tear the realm apart.¹⁴¹

In 1579, François Hercule, Duke of Alençon, nicknamed “Monsieur” by Queen Elizabeth I, was engaged for the second time in ongoing marriage negotiations for Elizabeth’s hand with her government. He was the younger brother of the French king, Charles IX, and the heir to the throne. He was the fourth son of detested Catherine de’ Medici, who had solidified English

¹⁴¹ Daniel Ellis likewise focuses on the public nature of this exchange his article “Arguing the Courtship of Elizabeth and Alençon: An Early Modern Marriage Debate and the Problem of the Historical Public Sphere.” *Rhetoric Society Quarterly* 42.1 (Jan. 2012): 26-43, though his argument focuses on the argumentative strategies adopted by Stubbs in his polemic and Elizabeth in the royal proclamation and the relation of these strategies to the emergence of a public sphere.

enmity for her role in the slaughter of French Huguenots, better known as the St. Bartholomew's Day massacre, in 1572. Stubbs's tract was printed shortly after the supposedly secret arrival in London of Alençon, who came with the hope that his visit would lead to the successful conclusion to the negotiations. The work, as suggested by its title, "was a carefully planned political act, calculated to blow wide open the 'secret' of Monsieur's visit." Furthermore, "the sensational, highly symbolic title implies that the country is about to be swallowed or split asunder to satisfy someone's voracious appetite."¹⁴² The title was clearly meant to stir the nation's xenophobic fears. The metaphoric gulf menacing England paradoxically threatened to swallow the country whole and to rip it asunder in the process. Sadly for Stubbs, the title proved ironic. The Elizabethan government, at the Queen's insistence, convicted him of sedition, a crime that was thought to tear the social fabric, the very fate he believed would befall England were the French marriage to occur. The government's response portrayed the country as a united community and Stubbs as a dangerous instigator threatening national harmony.

When Stubbs wrote *The Discovery of a Gaping Gulf*, the crime of sedition was still regulated by the 1554 statute of sedition. The statute was reinforced during Elizabeth's first year.¹⁴³ In 1581, a new and more severe sedition bill was initiated by the House of Lords in response to negative public commentary concerning the proposed marriage of Elizabeth and Alençon.¹⁴⁴ Stubbs's polemic was one of the most vocal arguments against the marriage, which lacked popular support. Though Stubbs was not alone in the sentiments he conveyed, he made the mistake of committing his ideas to paper and publishing them. He produced a well reasoned, intelligent tract, one that rehearsed many of the arguments against the French marriage

¹⁴² Ilona Bell, "'Sovereign Lord of lordly Lady of this land': Elizabeth, Stubbs, and the *Gaping Gulf*," Walker. 99-117, 99 and 109, respectively.

¹⁴³ 1 Eliz., c. 6, *Statutes of the Realm* (9 vols., 1810-1825).

¹⁴⁴ Annabel Patterson, *Censorship and Interpretation: The Conditions of Writing and Reading in Early Modern England* (Madison: University of Wisconsin Press, 1990) (1984), 34, 33-34.

mentioned in the Privy Council, a fact that led Elizabeth to suspect that one of her councilors may have had a hand in the creation of Stubbs's polemic.¹⁴⁵ The pamphlet additionally raised a number of legitimate concerns about the Queen's potential fiancé, such as the fact that Alençon's past relations with the French Huguenots casted doubt upon his loyalty and reliability.

Stubbs's rhetoric, though impassioned and motivated by love of country, did nonetheless leave him vulnerable to the charge of sedition. The opening sentence draws an unfavorable comparison between Elizabeth's councilors and heathens, claiming,

In all deliberations of most private actions, the very heathen are wont first to consider honesty and then profit... Oh, the strange Christianity of some men in our age, who in their state consultations have not so much respect to piety as those first men had to honesty, nor so much regard to honesty as they had to profit, and are therefore justly given up of the Lord our God to seek profit where indeed it is not, and deceived by their lusts to embrace a showing and false good instead of that which is the good end of a wise man.¹⁴⁶

Whereas the first men had the integrity to measure honesty before profit, contemporary councilors ignore their duties to realm and queen and seek only the false god, profit. Addressing Elizabeth directly, Stubbs warns her to "stop your Majesty's ears against these sorcerers and their enchanting counsels," for such advice will only bring ruin to the realm (30). These false

¹⁴⁵ Wallace T. MacCaffrey, *Queen Elizabeth and the Making of Policy, 1572-1588* (Princeton: Princeton University Press, 1981), 256. Cyndia Susan Clegg has cautiously noted that "Stubbs's highly specialized knowledge about arguments advanced in the Privy Council and events at Court points to backing from, or at least access to, high levels of government"; *Press Censorship in Elizabethan England* (Cambridge: Cambridge University Press, 1997), 131. Kenneth Barnes argues that Stubbs's polemic was "part of a general propaganda exercise with high-level backing," an assessment with which many scholars have agreed; "John Stubbe, 1579: the French Ambassador's Account." *Historical Research* 64 (1991): 421-26, 423. See also Susan Doran, "Why Did Elizabeth Not Marry?", Walker, 30-59. Natalie Mears notes that Elizabeth's "suspicion" is one that "Stubbs himself appeared to substantiate by alleging that an unidentified councilor had foreknowledge of the tract but failed to limit the political fall-out from its publication"; "Counsel, Public Debate, and Queenship: John Stubbs's *The Discoverie of a Gaping Gulf*, 1579." *The Historical Journal* 44.3 (September 2001): 629-50, 631-32. However, Mears's main argument counters the notion that Stubbs's polemic was part of a propaganda campaign against the French marriage, contending that Stubbs's tract instead issued from his own, genuine concern over the state of England. In an additional article on the French marriage negotiations, Mears argues that Elizabeth ultimately chose not to marry the Duke of Alençon because she was unable to resolve her own doubts concerning the personal and political issues stemming from this matrimonial alliance; "Love-making and Diplomacy: Elizabeth I and the Anjou Marriage Negotiations, c. 1578-1582." *History* 86.284 (October 2001): 442-66.

¹⁴⁶ All references to Stubbs's polemic are to Lloyd E. Berry's edition, *John Stubbs's Gaping Gulf with Letters and Other Relevant Documents* (Charlottesville: University Press of Virginia for the Folger Shakespeare Library, 1968), 1-93, 3. Hereafter cited by page number.

councilors are eventually converted from heathens to sorcerers, a highly offensive and unflattering comparison given that magic was seen as allied with the Devil. Somewhat appropriately, Stubbs's first reference to Alençon depicts the French heir as "the old serpent in shape of a man" who intends "to seduce our Eve, that she and we may lose this English paradise" (3-4). Because France is "a kingdom of darkness" and a proud member of the idolatrous Catholic Church, the church of the Antichrist, to ally oneself with France is to align with the Devil (7). Stubbs thus suggests that any counselor who supports the French match works for the interests of France and, ultimately, the Devil. Such individuals are not true Christian Englishmen.

Jacqueline Vanhoutte has demonstrated how Stubbs "establishes a 'natural and brotherlike' standard of behavior for Englishmen against which the queen's pro-French counselors, and the queen herself, may be measured; again and again, he accuses these counselors of lacking in 'natural sense' and duty to England."¹⁴⁷ Stubbs's use of the trope of the motherland suggests that were Elizabeth to marry Alençon, she would prove an unnatural mother, contrary to her role as mother of the country, while those who support the match would reveal themselves as unnatural sons.¹⁴⁸ The royal proclamation dated September 27, 1570, which was issued in response to *The Discovery of a Gaping Gulf*, attacked this very logic, stressing Stubbs's portrayal of the "undutiful offices and unnatural intentions of her councilors, both against God, Queen, realm, and people."¹⁴⁹

Stubbs again leaves himself open to the allegation of sedition when he announces to his fellow countrymen,

¹⁴⁷ "Queen and Country? Female Monarchs and Feminized Nations in Elizabethan Political Pamphlets" in *Elizabeth I: Always Her Own Free Woman*, ed. Carole Levin, Jo Eldridge Carney and Debra Barrett-Graves (Burlington: Ashgate Publishing Company, 2003), 7-19, 8.

¹⁴⁸ For further discussion concerning how the trope of the motherland could be used to either bolster or critique the reigning monarch, see Vanhoutte *Strange Communion: Motherland and Masculinity in Tudor Plays, Pamphlets, and Politics* (Newark: University of Delaware Press, 2003).

¹⁴⁹ *Tudor Royal Proclamations: Volume II, The Later Tudors (1553-1587)*, ed. Paul L. Hughes and James F. Larkin (New Haven: Yale University Press, 1969), 449.

Therefore, albeit I wot well you understand already in general what is that great calamity thus imminent over our heads whereof I speak...in regard of the great danger thereby coming to her royal person, *yet to the end our minds may be the more earnestly stirred up by more particularly weighing the evils of this matter*, we will enter into the parts of this practice and gauge the very belly of this great horse of hidden mischiefs and falsehood meant to us. (4-5, emphasis added)

Because of the multiple dangers this proposed alliance would entail, not least of which include the hazards to Elizabeth's own person, Stubbs means to stir up the minds of his fellow countrymen against the marriage. His choice of verbs is unfortunate, for "stir" calls to mind the "stirring up" of sedition and possibly rebellion, a notion that the royal proclamation took pains to emphasize. Although at the end of his tract, Stubbs instructs "the meaner sort" and "all private ones" to know their place and only "with [their] prayers to solicit the Lord for his church, for this commonweal, and for the Queen," his previous image of he and his fellow countrymen together inspecting and determining the merits of the alliance implies a more active role for his fellow Englishmen (92). His pronoun use of "we" in the phrase "we will enter into the parts of this practice" conceives an ambiguous role for his fellow countrymen who are both led by Stubbs through his analysis of the French match yet simultaneously accompany him on this exploration of "the very belly of this great horse of hidden mischiefs." Such an equivocal role gave cause for concern.

Stubbs additionally contends that no good has ever come from a matrimonial alliance with France, England's traditional enemy. To support his argument, he turns to historical precedent, recalling the marriages of Henry II to Eleanor of Aquitaine and the unfortunate Edward II to Isabel, among others. He also employs metaphor. In addition to his depiction of Alençon as the serpent, he intimates that the French marriage is nothing more than a Trojan horse. This infamous "gift," whose interior hid the Greek warriors that burned Troy, becomes a metonymy for the gaping gulf into which England will be plunged if it goes through with this

marriage, a maw that can only be sated by devouring England itself. He suggests that England, a self-professed second Troy, must learn from history if it hopes to survive.

In addition to the country's depiction as a new Troy, Protestant authors believed that the English were God's chosen people and that England was a new Israel. Because of the difference in religion between Elizabeth and Alençon, Stubbs contends that the sin of marrying "one of Israel's daughters to any of Hamor's sons" would bring God's vengeance upon England and result in Elizabeth being led "as a poor lamb to the slaughter" (6, 4). He boldly declares, "We do not love her, whatsoever we say, when flattering her, perhaps, in other vanities, we do not fall down before her with tears, bewailing the wrath of God kindled against her, if by her advised permission, and by means of her marriage, God should be so highly dishonored in this kingdom wherewith he hath honored her" (16-17). Stubbs again critiques Elizabeth's councilors for employing flattery rather than the truth, yet he reserves his harshest criticisms for the monarch. Whereas Christ selflessly died to save mankind from sin, Stubbs implies that Elizabeth's decision to marry Alençon would express astonishing ingratitude for the honors that God has bestowed on her. This decision would cause England to bleed and would reduce Elizabeth to a creature with no agency or control, for Alençon would "as owner possess our Queen" and either "for fear or love he will rule her and the whole land for her sake" (37, 38). His misogynist attitude preemptively reduces a married Elizabeth to a figurehead.

Not only is Stubbs incapable of conceiving a scenario where a married Elizabeth would maintain sovereignty, he further insults her through the contention that, as a woman, she is incapable of making a proper choice of husband and must therefore be advised by men.¹⁵⁰ He explains that as every daughter must be suitably counseled about marriage before entering into

¹⁵⁰ Bell argues that it was Stubbs's "overt paternalism and barely concealed antifeminism," which sought to deny Elizabeth the right to choose her husband (which she had fought for since her accession) that most offended her; "Sovereign Lord of lordly Lady of this land." Walker. 101.

the state, so “it is a faithless, careless part to leave [Elizabeth] helpless in her choice of the person and personal conditions of her husband to her own only consideration, which, howsoever sufficient it be, so much the more hath she need of help as the matter is more weighty in her than in common matches” (70). Depicting the Queen’s acumen as “sufficient” is hardly commensurate to a monarch who had received the best humanist education available, spoke and wrote several languages, and had successfully ruled a country for over twenty years. Moreover, Stubbs’s lip service to her intelligence is immediately undercut by the following clause, which argues that it is insufficient in this weighty matter, suggesting that while she’s capable of handling common matters, Elizabeth falls short when confronted with matters of state. This perceived need for male guidance is underscored in the work’s full title, *The Discovery of a Gaping Gulf Whereinto England is Like to be Swallowed by Another French Marriage if the Lord Forbid Not the Banns by Letting Her Majesty See the Sin and Punishment Thereof*, which highlights Elizabeth’s faulty vision and her lack of comprehension of the danger at hand. Presumably, the Lord was attempting to correct her narrow-sightedness through Stubbs’s effort.

Elizabeth understood that the multiple allegations leveled against her, her councilors, and Alençon reflected upon her political judgment.¹⁵¹ If her choice of husband were truly as inappropriate as Stubbs declared him to be, then her desire to marry such a disreputable figure would only prove Stubbs’s argument concerning Elizabeth’s inadequacy with regard to judging matters of state.¹⁵² The Queen made it clear that her subject had overstepped his bounds, utterly rejecting his attempt to style himself her councilor. Infuriated by the assault upon her royal

¹⁵¹ Debra-Barrett-Graves considers the importance of the concept of honor in relation to the ongoing marriage negotiations with France, finding in this concept a partial explanation for Elizabeth’s “furious reaction” to “the slanders and reproaches’ heaped on the Duke of Anjou” which “by association, transfer to Elizabeth, whose reputation likewise suffers”; “‘Highly touched in honour’: Elizabeth I and the Alençon Controversy.” Levin et al. 43-60, 50, 51.

¹⁵² For examples of Stubbs’s many allegations against Alençon, see pages: 23-25, 28, 71-72, 75-78, 80, 88.

prerogative and the insult to the house of Valois, Stubbs's polemic drew a lengthy response in the form of a royal proclamation.¹⁵³ Entitled, "Denouncing Stubbs' Book, The Discoverie of a Gaping Gulf," the proclamation called in all copies of the work. Its first sentence strikes a defensive tone, reminding the English people of the various successes of Elizabeth's rule as well as her commitment to "the true Christian religion." The document betrays Elizabeth's anger and anxiety, offering a variety of reasons that appear self-justifying. It explains that the Queen "would have been loath to have on her own behalf made any mention" yet she fears that "the malice of some lewd disordered persons" may cause "evil effect," such as "seditiously and rebelliously stirring up all estates of her majesty's subjects to fear their own utter ruin and change of government," imprinting "a present fear in the zealous sort" concerning a change in religion, and causing "a general murmuring and misliking in her loving people concerning her actions in this behalf."¹⁵⁴ The proclamation's rhetoric transfers the necessity of this response unto the people. Elizabeth was "loath" to address the issue, but had to because of the fear Stubbs's work had engendered. Additionally, Stubbs is scapegoated and blamed for the public's negative reaction to the marriage negotiations. It is he who has created a breach between the monarch and "her loving people." The underlying sentiment is that he has committed sedition.

As Susan Doran has noted, Elizabeth's various marriage negotiations often generated disputes concerning the adequacy of the proposed candidate and "in 1579 preachers and polemicists brought a wider public into the debate on the Alençon marriage."¹⁵⁵ This was simply unacceptable for Elizabeth; having once forbid Parliament from discussing such a sensitive topic as the succession, the Queen was not going to allow her potential marriage to become common

¹⁵³ For a brief consideration of the degree to which Elizabeth may have been behind the rhetoric of this proclamation see Ellis, "Arguing the Courtship of Elizabeth and Alençon," 36 fn.9.

¹⁵⁴ *Tudor Royal Proclamations: Volume II*, ed. Hughes and Larkin, 445-49.

¹⁵⁵ "Why Did Elizabeth Not Marry?" Walker. 51.

talk. Though I believe the royal proclamation's tone is defensive, I nonetheless agree with Cyndia Susan Clegg's argument that it also "laid the groundwork for a government legal case against the author, printer and disseminator of the 'libel.'"¹⁵⁶ The proclamation claims this "libel" sought only "to diminish her majesty's credit with her good people," "to set all at liberty for some monstrous, secret innovation," and "to prepare their minds to sedition, offering to every most meanest person of judgment, by these kind of popular libels, authority to argue and determine in every blind corner at their several wills of the affairs of the public estate."¹⁵⁷ The rhetoric implies the threat of revolution through the pejorative term "innovation," calling to mind the notion of a monstrous body politic. The image of a multi-headed body politic was meant to remind subjects of their proper place. Untrained in statecraft, it would be presumptuous to discuss the Queen's marital status, a matter that entailed delicately balancing the intricacies of domestic concerns and foreign policy.

Although the quality of Stubbs's tract reveals that it was aimed at a learned audience, the proclamation reduces its readers to "zealots" and "the meanest person[s] of judgment," declaring Stubbs's rhetoric to be nothing more than slander. Ellis argues that "Elizabeth's proclamation exposed his text's basis on the same linguistic framework to which she herself was appealing by pointing out that Stubbs's pamphlet did not operate in a realm of absolute logical certainty but through persuasive appeal to popular feeling."¹⁵⁸ Thus both sides appealed to the English's sense of loyalty, Stubbs to their allegiance to mother England, and the royal proclamation to their duties to the Queen. The proclamation additionally critiques Stubbs for his depiction of Elizabeth, which lacked "so much as a supposal touched of any motherly or princely care to be in

¹⁵⁶ *Press Censorship in Elizabethan England*, 123.

¹⁵⁷ *Tudor Royal Proclamations: Volume II*, ed. Hughes and Larkin, 449.

¹⁵⁸ "Arguing the Courtship of Elizabeth and Alençon," 36.

her majesty.”¹⁵⁹ Although the royal proclamation attempted to recast Stubbs as a seditionist, its tone suggests that Stubbs’s polemic found a warm reception among the public. Perhaps because of this worrisome realization, the proclamation went so far as to reference Elizabeth’s metaphoric role as the mother of the country, a role she had abandoned in the early 1560s because of the ease with which it could be manipulated against her.¹⁶⁰

Elizabeth’s anger at Stubbs for his candid and public discussion of her affairs is expected, but the proclamation’s tone hints that she may also have been left feeling vulnerable as a result of his scrutiny and the conversations it sparked. Clegg notes that “at home the French marriage was widely regarded as grounds for popular rebellion. Stubbs’s book not only fanned this fire, but its international dissemination threatened an international incident.”¹⁶¹ The combination of an unstable domestic environment together with the tract’s international dissemination and offensive depictions of all involved in the marriage negotiations necessitated a quick response. Elizabeth did not hesitate to act. Lloyd Berry explains that

Besides the actual publication and distribution of the proclamation, Elizabeth and the Privy Council attempted to “cut short the sensation caused by the book” in three ways: by directing the Lord Mayor of London to command the various guilds to confiscate all copies of the book owned by any of the members; by ordering the Archbishop of Canterbury and the bishops of the Church to use their influence to command the loyalty of the clergy and the people; and by the prompt arrest and trial of Stubbs, Chamberlain, Singleton, and Page. (xxvii)¹⁶²

¹⁵⁹ *Tudor Royal Proclamations: Volume II*, ed. Hughes and Larkin, 449.

¹⁶⁰ Elizabeth’s use and later abandonment of her role as mother of the country is discussed below.

¹⁶¹ *Press Censorship in Elizabethan England*, 125.

¹⁶² Hugh Singleton printed *The Discovery of the Gaping Gulf*. It is believed that he was pardoned because, at nearly eighty years of age, it was feared that he might not survive the punishment. William Page has often been mistaken as the tract’s publisher, yet Barnes has demonstrated that he should be seen as the work’s distributor, having sent fifty copies to Sir Richard Grenville. Barnes also reveals that Page was a gentleman secretary to the Earl of Bedford, who probably had foreknowledge of Page’s actions concerning Stubbs’s tract; “John Stubbe, 1579: the French Ambassador’s Account.” 421-24. Francis Chamberlain, a gentleman living in London, ordered Hugh Singleton to print 1,000 copies of Stubbs’s tract. Shortly thereafter, he “disappears from the story, evidently making his escape before the write for his arrest was executed”; Introduction. Berry. xxvi.

The Queen not only demanded harsh punishment against Stubbs and his fellow perpetrators, she sought to root out Stubbs's work in its entirety. According to the French ambassador, Castel de Mauvissière, she tried to have all three perpetrators put to death even though the 1554 statute of sedition under which the perpetrators were convicted did not allow for the death penalty.¹⁶³ It was only with the 1581 sedition statute that written sedition became a felony punishable by death.

Unfortunately for Elizabeth, the attempt to "cut short the sensation caused by the book" did not have the intended results. Bernadino de Mendoza, the Spanish ambassador, writing to King Phillip II on October 16, 1579, relates, "The proclamation I sent on the 29th, instead of mitigating the public indignation against the French, has irritated it and fanned the flame."¹⁶⁴ The irony of the situation is that while Elizabeth and Stubbs argued over whose actions threatened the social fabric, Stubbs's tract succeeded in further uniting and rousing public opinion against the marriage, whereas Elizabeth further distanced herself from the people in her desire to punish Stubbs. Stubbs's tract did not simply imagine an English community united against the marriage, it spoke for this community. Nonetheless, on the morning of Tuesday, November 3, 1579, Stubbs and Page were taken to the market place in Westminster where they each had their right hands removed by a cleaver. Elizabeth had commanded that they be punished in front of her palace in London.¹⁶⁵ The 1554 sedition statute stated that punishment be carried out in the marketplace of the locale where the offence occurred. Her request that it take place before her palace emphasized the political importance she placed on the punishment and further reinscribed her authority on the offending bodies. Her "victory" was short-lived. Bell writes that

¹⁶³ Barnes, "John Stubbe, 1579: the French Ambassardor's Account." 425. Elizabeth sought to "hang them by royal prerogative but agreed to their trial for felony"; Natalie Mears, 'Stubbe [Stubbs], John (c.1541–1590),' *DNB*, Oxford University Press, 2004; online edn, Sept 2010. [<http://www.oxforddnb.com.proxy2.library.illinois.edu/view/article/26736>, accessed 2 July 2015].

¹⁶⁴ Qtd. in Berry, Introduction. Berry. xxxiii.

¹⁶⁵ Barnes, "John Stubbe, 1579: the French Ambassardor's Account." 425. Mauvissière incorrectly states that the execution occurred on the morning of November 4; it took place the day before, on the 3rd.

“Elizabeth’s advisors disapproved. Her lawyers resisted. Two judges who declared the verdict illegal were imprisoned. But most important of all, her subjects were appalled.”¹⁶⁶ William Camden, who witnessed the event, relates that the gathered crowd “was deeply silent” suggesting that it was “either out of an Horror at this new and unwonted kind of Punishment; or else out of Commiseration towards the man, as being of most honest and unblameable Repute; or else out of Hatred of the Marriage, which most men presaged would be the Overthrow of Religion.”¹⁶⁷ According to Mendoza, even Alençon “was very sorry they had cut off the hands of the men concerned with the book, and he would indeed be glad if he could remedy it, even at the cost of two fingers of his own hand.” Alençon attempted to secure pardon and recompense for Stubbs and Page, perhaps hoping to engender some much needed goodwill towards himself and his matrimonial suit.¹⁶⁸ The response to Stubbs and Page’s punishment portrays the varying levels of judgment in early modern England. The public supported Stubbs, Elizabeth’s lawyers and at least two judges denied Stubbs’s guilt, and Alençon, as much a subject of the tract as Elizabeth, apparently regretted the turn of events. Only Elizabeth, in her role as the country’s highest-ranking judge, deemed Stubbs guilty of sedition. While it appears that everyone else disagreed with her course of actions, her opinion was ultimately the only one that counted.

Elizabeth claimed her pound of flesh, allowing her to save face with the French and serving “her interest in achieving a French alliance whether or not the marriage proceeded,” yet it came at a high cost.¹⁶⁹ She used her position to secure Stubbs and Page’s conviction, demonstrating that the highest-ranking individual determines what constitutes slander (or in this

¹⁶⁶ ““Sovereign Lord of lordly Lady of this land.”” Walker. 112.

¹⁶⁷ *The History of the Most Renowned and Victorious Princess Elizabeth, Late Queen of England*, ed. Wallace MacCaffrey (Chicago: University of Chicago Press, 1970), 138-39. Writing nearly thirty years after the fact, Camden mistakenly records the events as having taken place in 1581 rather than 1579.

¹⁶⁸ Qtd. in Berry, Introduction. Berry. xxxviii-xxxix.

¹⁶⁹ Clegg, *Press Censorship in Elizabethan England*, 135.

case, sedition). Yet it was Stubbs who won the hearts and sympathy of his fellow countrymen, a task that had always been of prime importance to Elizabeth, when, mere moments after his right hand had been removed by the third blow of the cleaver, he “put off his Hat with his Left [hand], and said with a loud voice, ‘God save the Queen.’”¹⁷⁰ Christopher Haigh said it best when he described the incident as “a public relations disaster for Elizabeth.”¹⁷¹

“Mommie Dearest”: Elizabeth I and the Infanticide Rumors of the 1590s

Between the years 1590 and 1600, at least three allegations of infanticide were hurled against Elizabeth by three separate individuals. My analysis of these rumors¹⁷² will reveal how slander, in the hands of common folk, could be wielded as a tool for political commentary. Through a detailed exploration of these allegations, I will demonstrate how they critiqued her iconography, manipulating her metaphorical motherhood in an attempt to replace this powerful image with one of their own, that of Elizabeth as a murderous mother. These subjects’ slander reimaged the country as a family, one that had been directly harmed by the actions of an uncaring mother. While few early modern subjects dared openly critique the sovereign, those who did showed that a ruler’s metaphorical depiction could be turned against him or her, thereby exposing how far a ruler fell short of that glorified depiction.

Throughout her life, Elizabeth was continually plagued by slanderous statements that focused upon her allegedly illicit sexual behavior. These rumors began when she was a young princess living in the household of her stepmother, Katherine Parr, and continued until her death. Although the undercurrent of critique was fairly consistent, the calumnies about the Queen did

¹⁷⁰ Camden, *The History of the Most Renowned and Victorious Princess Elizabeth*, MacCaffrey, 138.

¹⁷¹ Haigh, *Elizabeth I*. 2nd ed., (Harlow: Pearson Education Limited, 1998), 80.

¹⁷² In this section, I consciously use the terms “slander” and “rumor” interchangeably as the charge of infanticide was alleged by more than one individual and, during this period, rumors always had the potential to be slanderous and seditious (depending on the subject).

periodically escalate in intensity. I believe it is possible to identify three waves of slander. The first wave circulated from the late 1540s through the end of the 1570s. These aspersions primarily focused upon Elizabeth's supposed promiscuity. There were, however, a couple of exceptions asserting that Elizabeth had borne an illegitimate child, an allegation that would form the hallmark of the next wave of critiques. In the 1580s, a second series of slanders emerged claiming that Elizabeth had given birth to numerous illegitimate children.¹⁷³ Robert Dudley, Earl of Leicester, was most often identified as the father. The third wave of slanders emerged in 1590 and was characterized by the horrific claim that Elizabeth and Dudley had murdered their children in order to keep their relationship secret. These slanders culminated in a tale that asserted that Elizabeth and Dudley not only disposed of their child, but also assassinated a subject to ensure her silence.

These rumors sought to turn the image of the Virgin Queen, the loving mother of the realm, into "a counter-image of authority" by arguing that Elizabeth had directly attacked her family, murdering her own children and completely annihilating any trace of their existence through fire.¹⁷⁴ While these accusations are undoubtedly false, they should not be dismissed as merely the idle products of malicious minds. Alastair Bellany, Tim Harris, and Andrew McRae have demonstrated how the spreading of rumors and the penning of libels were political acts.¹⁷⁵ The infanticide rumors were an expression of popular critique, one that took aim at several of

¹⁷³ For a brief overview of these rumors see David Cressy, *Dangerous Talk: Scandalous, Seditious, and Treasonable Speech in Pre-Modern England* (Oxford: Oxford University Press, 2010), 70-75; and Carole Levin, "Heart and Stomach of a King": Elizabeth I and the Politics of Sex and Power (Philadelphia: University of Pennsylvania Press, 1994), 65-90.

¹⁷⁴ Dermot Cavanagh, "'Possessed with Rumours': Popular Speech and *King John*," in *Shakespeare and History*, ed. Holger Klein and Rowland Wymmer (Lewiston, New York: Edwin Mellen Press, 1996), 171-94, 183.

¹⁷⁵ See Alastair Bellany, *The Politics of Court Scandal in Early Modern England: News Culture and the Overbury Affair, 1603-1660* (Cambridge: Cambridge University Press, 2002); Alastair Bellany, "'Rayling Rymes and Vaunting Verse': Libellous Politics in Early Stuart England" in *Culture and Politics in Early Stuart England*, ed. Kevin Sharpe and Peter Lake (Stanford: Stanford University Press, 1993), 285-310; *The Politics of the Excluded, c. 1500-1850*, ed. Tim Harris (New York, Palgrave, 2001); Andrew McRae, *Literature, Satire and the Early Stuart State* (Cambridge: Cambridge University Press, 2004).

Elizabeth's official personas. Monarchs' symbolic roles are dependent upon metaphor and, as those who appropriated a sovereign's image in order to critique it prove, a ruler's metaphorical depiction is not the exclusive property of that ruler. These slanders distorted the Queen's image to show that Elizabeth failed to meet these lofty standards. Through her research on early modern slander litigation, Laura Gowing has demonstrated how some individuals used slander "to define and enforce the moral character of their neighborhood."¹⁷⁶ Kenneth Gross similarly contends, "One danger implicit in rumors is that they let people think they can know and judge the acts of those in authority."¹⁷⁷ Those who fabricated rumors or slanders about the Queen used slander as a policing technique, extending it to its furthest reach, in an attempt to hold Elizabeth responsible for her actions by publicizing her moral failings. In so doing, they claimed the right to appraise their social superiors. Their actions radically propose and ultimately testify that the passing of judgment was a two-way street, generated by government officials and commoners alike.

Both early modern men and women used rumor and slander as a vehicle for political commentary.¹⁷⁸ Drawing on the work of A.N. McLaren, Vanhoutte argues that the reigns of the Tudor queens proved "watershed periods in the transformation of English subjects into citizens." Furthermore, "gynocracy encouraged the development of a gendered political discourse, in which the role of the godly counselor was to compensate for his monarch's feminine

¹⁷⁶ "Language, power and the law: women's slander litigation in early modern London" in *Women, Crime and the Courts in Early Modern England*, ed. Garthine Walker and Jenny Kermode (Chapel Hill: The University of North Carolina Press, 1994), 26-47, 30. Gowing notes, however, that this practice was risky, as the speakers could easily be accused of spreading slander. Her analysis is based upon her study of London consistory and archdeaconry courts records between 1566 and 1640.

¹⁷⁷ *Shakespeare's Noise* (Chicago: The University of Chicago Press, 2001), 52.

¹⁷⁸ The issue of whether slander was predominantly associated with women and viewed as a feminine activity during the era is one that has drawn considerable scholarly interest. See Gowing "Language, power and the law," Ina Habermann, *Staging Slander and Gender in Early Modern England* (Burlington: Ashgate Publishing Company, 2003); see also Nathalie Vienne-Guerrin, who argues that the case for slander's gendering has been overstated by recent scholarship and claims that it is time to "reassess" its role "in the representation of the tongue" and slander; *The Unruly Tongue in Early Modern England: Three Treatises*, ed. Nathalie Vienne-Guerrin (Madison: Fairleigh Dickinson University Press, 2011), xvii-xxvii, xxi-xxii.

weakness.”¹⁷⁹ However, as Stubbs and others learned, offering the ruler unsolicited advice was a risky proposition, for the counsel presented could be interpreted as slander. The individuals who fabricated rumors about Elizabeth did not fancy themselves counselors, for they offer no advice. Yet their slanderous statements reveal a belief that they could talk about, and thus assess, their superiors, a conviction that identifies them as closer to citizens than mere subjects. While Vanhoutte and McLaren argue that the reigns of the Tudor queens were watershed periods for English *men*, critiquing powerful figures through slander was an action available to all individuals.

The public slandering of a ruling monarch was not the crucial step that metamorphosed subjects into citizens, nor did critiquing the sovereign lead inevitably to the civil wars. Yet the willingness to criticize a reigning monarch *was* an action that entailed considerable risk to life and limb. It was an important *step* in transforming subjects into citizens, helping develop new forms of public speech. Subjects’ insistence on using their voices—an act that was theoretically prohibited and effectively discouraged—deserves serious consideration. While some subjects used their voices to offer the ruler advice, others merely voiced their displeasure at the sovereign’s actions.

The three infanticide rumors I examine are not merely false statements, but narratives that systematically critique several of Elizabeth’s figurative roles. In each case, the slanderer has invented a secret history focusing upon Elizabeth’s illegitimate children (potential brothers and sisters within the framework of the metaphoric family), or those unfortunate souls caught up in these state secrets. Before turning to the slanders themselves, I will first explore the main target of these attacks, Elizabeth’s image as the virgin mother of the realm.

¹⁷⁹ Vanhoutte, “Elizabeth I,” 315.

During the first five years of her reign, as she was continually urged to marry and provide an heir, Elizabeth sought to deflect these pressures by depicting herself as the mother of her people. In the Cambridge manuscript version of her first speech to Parliament, the Queen declares that in the matter of her marriage she would never “conclude anything that shall be prejudicial to the realm, for the weal and safety whereof, as a good mother to my country, will never shun to spend my life.”¹⁸⁰ Elizabeth consciously evokes symbolic motherhood in order to underscore the power dynamic in this relationship. This figurative familial bond could be mutually beneficial, but only if each party properly fulfilled its role. Elizabeth reiterated these sentiments a few years later in a speech delivered to Parliament on January 28, 1563. Responding to the House of Commons’ request that she marry, she “determined in this so great and weighty a matter to defer mine answer till some other time because I will not in so deep a matter wade with so shallow a wit,” yet concluded by stating “yet shall you never have any a more mother than I mean to be unto you all.”¹⁸¹ Paradoxically, Elizabeth styled herself as the perfect mother by her refusal to immediately bear children.

Although figurative motherhood had its advantages, Christine Coch contends that Elizabeth abandoned the “metaphor sometime after 1563” because it “provided a subject for male manipulation.” Coch points to the 1563 Parliamentary session in which the House of Commons, “By defining a mother’s duty as the protection of her children/subjects” tried to force Elizabeth to address its concerns by settling the succession.¹⁸² The House of Lords went a step further, for their petition to Elizabeth threatened that “the Spirit of God promiseth by the mouth

¹⁸⁰ Delivered February 10, 1559, two other versions of this speech survive; “Queen Elizabeth’s First Speech before Parliament,” *Elizabeth I: Collected Works*, ed. Leah S. Marcus, Janel Mueller, and Mary Beth Rose (Chicago: University of Chicago Press, 2000), 56-60, 58 fn. 9.

¹⁸¹ “Queen Elizabeth’s Answer to the Commons’ Petition that she Marry.” Marcus et al. 70-72, 71-72.

¹⁸² “‘Mother of my Contreye’: Elizabeth I and Tudor Constructions of Motherhood” in *The Mysteries of Elizabeth I: Selections from English Literary Renaissance*, ed. Kirby Farrell and Kathleen Swaim (Amherst: University of Massachusetts Press, 2003), 134-61, 136, 159.

of Saint Paul to Timothy that whosoever maketh not due provision for his family is in danger to Godward.”¹⁸³ Both Houses imply that Elizabeth will fail in her duty as the mother of the realm if she remains single. Moreover, in the Lords’ Petition, her marriage becomes not only a political necessity, but a religious one as well. She must marry, or risk incurring God’s displeasure; there is no middle ground. Both Houses employ religious rhetoric in an attempt to regulate the Queen’s behavior, much like commoners who used slander hoping to achieve these same ends. As *King Johan* and countless other polemics have shown, religious rhetoric and slander could easily overlap. Yet while individuals like Stubbs insulted the queen’s honor, Parliament maintained a civil tone, however disagreeable the underlying suggestions may have been. Moreover, their positions as members of Parliament gave them the right to discuss such matters, even if it occasionally upset Elizabeth.

Despite the lack of success, Parliament continued to apply pressure upon Elizabeth and her figurative motherhood. Helen Hackett points to a petition that was composed, but never delivered, by the 1566 members of Parliament who attempted to affirm their privilege of freedom of speech while in session by presenting themselves as her “children.”¹⁸⁴ Hackett refers to a second speech “probably at the same Parliament” that attempted to blackmail Elizabeth into naming an heir. The speech declared that if she fulfilled this duty, “then doth she declare herself to be a deare mother,” while failure to do so “will (without the assistance of God’s grace) coole the heate of love in any, how fervent so ever it be.”¹⁸⁵ It appears that Parliament’s love for its “mother” was conditional. On November 29, 1566, Parliament took its most audacious step yet in its attempt to force Elizabeth to settle the succession. The members sent Elizabeth a subsidy

¹⁸³ “The Lords’ Petition to the Queen.” Marcus et al. 81-86. 85.

¹⁸⁴ *Virgin Mother, Maiden Queen: Elizabeth I and the Cult of the Virgin Mary* (New York: St. Martin’s Press, Inc., 1995), 77. Elizabeth did not act as they desired, for she forbid Parliament to debate the succession on November 9, 1566, though she later relented; see Marcus et al. *Elizabeth I*, 100-102.

¹⁸⁵ Qtd. in Hackett, *Virgin Mother, Maiden Queen*, 78.

bill instructing her to name a successor *in writing*. This was the condition upon which Parliament would grant the Queen the subsidy that she required to run her government. Elizabeth was not amused. Her written response stated, “I know no reason why any my private answers to the realm should be made for prologue to a subsidies... Shall my princely consent be turned to strengthen my words that be not of themselves substantives?”¹⁸⁶ The members of Parliament had grown bold in the years between 1563 and 1566. For a brief moment, they attempted to hold the government hostage in order to get its way.

Although Elizabeth refrained from depicting herself as the mother of the country after the first few years of her rule, her symbolic motherhood nonetheless “became a commonplace” during the 1560s and 70s.¹⁸⁷ Like Hackett, I believe that the emphasis upon Elizabeth as a “chaste and loving matron” was partially in response to the rumors concerning the Queen’s supposed licentious affairs.¹⁸⁸ As Elizabeth’s personal mythology grew and became more elaborate, particularly in the 1570s and beyond, the calumnies against her intensified. The more she was hailed as a ruler of near mythic proportions, the more her critics attempted to tear her down by besmearing her reputation. This clash helped lead to the vitriolic allegations of infanticide.

In 1590, an Essex widow by the name of Dionisia Deryck asserted that Elizabeth and Dudley’s relationship was anything but innocent, contending that the Queen “hath already had as many children as I, and that two of them were yet alive, one a man child and the other a maiden child, and the others were burned.” She claimed that Dudley “wrapped them up in the embers which was in the chamber where they were born.” Carole Levin notes that we do not know how

¹⁸⁶ “Part of a Subsidy Bill Sent by Parliament to Queen Elizabeth, with her angry Annotations.” Marcus et al. 102-103.

¹⁸⁷ For example, see John Aylmer, *A Harborowe for Faithful Subjects* (London 1558); Thomas Bentley, *The Monument of Matrones* (London 1582); Richard Day, *A Booke of Christian Prayers* (London 1578); and Anthony Munday, *A Watch-woord to Englande* (London 1584).

¹⁸⁸ *Virgin Mother, Maiden Queen*, 77.

many children Deryck bore, making it impossible to determine how many illegitimate children Elizabeth is accused of having killed.¹⁸⁹ However, given that Deryck uses the plural “others,” it can be deduced that Elizabeth has allegedly birthed at least four illegitimate children, only two of whom have survived. Also in 1590, an Essex husbandman named Robert Gardner stated that of Elizabeth and Dudley’s children, “three were daughters alive, and the fourth a son was burnt.”¹⁹⁰

The final story is from 1600, when the slanders circulating about the Queen reach their crescendo with Hugh Broughton’s tale of murder and intrigue. While travelling in Germany, Broughton related the following narrative to a fellow Englishman, William Knight, who in turn reported the tale to the Privy Council.¹⁹¹ According to Broughton, a midwife was taken into a secret room where she was ordered to save an unnamed woman giving birth. Though unnamed, the woman was clearly Elizabeth. The midwife managed to save both the mother and child, at which point, the newborn daughter was burnt, while the midwife was given gold and a poisoned drink. She died six days later after sharing her story.¹⁹²

As punishment, Deryck and Gardner were each made to stand in the pillory for two hours wearing paper caps acknowledging their transgressions.¹⁹³ They uttered much worse allegations than Stubbs, yet suffered a significantly lighter punishment. Unlike Stubbs, they would have been tried under the harsher 1581 statute of sedition. According to this statute, those found guilty

¹⁸⁹ Deryck’s tale is quoted in Levin, ““We shall never have a merry world while the Queene lyveth,”” Walker. 90.

¹⁹⁰ *Ibid.*, 90.

¹⁹¹ Cressy, *Dangerous Talk*, 74. Nothing else is known about Broughton, not even if he returned to England. A search on the *DNB* reveals a Hugh Broughton who lived from 1549–1612. He was a divine that spent time on the continent, including Germany. He was an incredibly learned Hebraist and was highly invested in convincing English authorities to approve of a new vernacular translation of the Bible. He was in contact with both William Cecil and James I concerning the matter. Given his interests and his continued communication with English authorities, it is highly improbable that this Hugh Broughton is the same as the one who invented this rumor. Jones, G. Lloyd. ‘Broughton, Hugh (1549–1612)’, *DNB*, Oxford University Press, 2004. [<http://www.oxforddnb.com.proxy2.library.illinois.edu/view/article/3585>, accessed 18 Feb 2013].

¹⁹² Cressy, *Dangerous Talk*, 74.

¹⁹³ Joel Samaha, “Gleanings from Local Criminal-Court Records: Sedition amongst the ‘Inarticulate’ in Elizabethan Essex.” *Journal of Social History* 8 (Summer, 1975): 61-79, 69. Very little is known about these two individuals. They disappear from the records after serving their punishments. A search on the *DNB* reveals no matches.

of fabricating a slander would have faced the pillory and loss of both ears, unless they could pay a fine of £200 within two months of conviction, followed by six months imprisonment.¹⁹⁴ Given their occupations, it is unlikely that either Deryck or Gardner could have paid the fine, yet both avoided mutilation. Their lesser punishment for the more damning aspersion highlights the importance of certain criteria when judging slander. Stubbs earned a harsher punishment for two main reasons; first, he wrote and printed his ideas, while the infanticide rumors were verbal and reached far less people. Second was the sociopolitical climate. When Stubbs wrote his polemic, the political climate was rather tense and, given his insulting treatment of the French royal family, Elizabeth seems to have been concerned that the tract could have affect international relations between the two countries. Perhaps the reason Deryck and Gardner avoided mutilation was that the government simply was not that concerned by their stories. Perhaps it viewed them as too wild for belief.

What exactly prompted these commoners to invent such vituperative stories about their Queen is hard to say. Without further details concerning the context in which these slanders were voiced, we may never know. My argument concerning the nature of these stories is therefore speculative, yet I believe these tales allow their listeners to tease out a certain logic behind them. Given the manner in which these individuals distorted Elizabeth's iconography, especially her symbolic motherhood, it appears that they felt betrayed by the unsettled succession. With regard to her role as the phoenix, these attacks seem to be religiously motivated.¹⁹⁵ It is possible that these individuals also felt moral indignation at the allegedly brazen woman who flaunted herself as a virgin, as suggested by Elizabeth's apparent lack of self-control within Deryck and

¹⁹⁴ *Statutes of the Realm* (9 vols., 1810-1825).

¹⁹⁵ Elizabeth's symbol of the phoenix is discussed in greater detail below.

Garnder's tales.¹⁹⁶ Theodora A. Jankowski contends that virginity in early modern England "represented a queer space" that allowed women the possibility of escaping the patriarchal constructions and sexual economy of women, a place in which a woman could construct her own identity. Yet she cautions that, "in considering Elizabeth as a virgin, one must consider her as *unlike* any other mortal virgin; she was the exception that proved the rule that earthly marriage was the lot of every other Englishwoman. For Elizabeth, being a virgin meant, in part, being a totally anomalous figure, a human without peer."¹⁹⁷ The infanticide rumors sought to shift the ground under Elizabeth's feet, forcing her back in line with the patriarchally constructed roles for women. As a Queen, it was her duty to marry and bear children, yet her status allowed her to govern men. As a woman, though, she was subject to the same misogynist rhetoric of the era that held it a universal truth that all women were weak creatures governed by passions, unable to resist any man's advances.

While these slanders may have stemmed from the period's contemporary misogynistic culture, they are more than simply unfocused misogynistic statements; these tales exhibit a certain focus, intimating the thought that went into their fashioning. These slanders do more than claim that Elizabeth engaged in illicit sexual activity. They present scenarios that are calculated to demolish her glorified, semi-mythological roles, making it impossible to hide behind the

"façade" of the Virgin Queen. Discussing the work of Samaha, Gross states that Samaha

argues that in reading the "slanders" recorded in...trial reports, we should listen for the otherwise silenced voice of social protest. In the words of a man like Smithe—or of others accused of spreading news of royal crime and scandal—we might hear not private malice or voyeurism, but a desire for truth, a way of calling

¹⁹⁶ While this close relationship incited much commentary, Dudley was dead by the time of these rumors were spread. However, as Curtis Perry has demonstrated, Leicester's ghosts had a long afterlife; *Literature and Favoritism in Early Modern England* (Cambridge: Cambridge University Press, 2006), 22-54. Another possible reason is the dire economic situation of the 1590s, although I do not wish to urge this possibility too strongly, as the temporal connection is tenuous.

¹⁹⁷ Jankowski, *Pure Resistance: Queer Virginity in Early Modern English Drama* (Philadelphia: University of Pennsylvania Press, 2000), 5-8, 13.

those in authority to task, asking that rulers themselves be responsible to the laws they impose on their subjects.¹⁹⁸

These slanders portray Elizabeth as an anomalous figure, but not in the way she desired. By referencing several of her personas and disclosing her inability to behave in a manner fitting these figurative roles, these slanders display the authors' desire to hold her responsible for her actions. These tales seek to reveal a hidden "truth," that Elizabeth has failed to follow contemporary morality laws and to protect her family—the country—by providing an heir. Their "truth" was in turn exposed as government slander.

By presenting Elizabeth as an aberrant and unfeeling mother, these three stories negate one of the central concerns of the monarchy, the ruler's capacity to act as caretaker of the people. Not only was Elizabeth the mother of the realm, she was also viewed as her people's nurse; the two roles were mutually reinforcing. According to Thomas Bentley's *The Monument of Matrones* (1582), God chose Elizabeth "and anointed [her] with holie oile, to be thy Queene, the Mother, and the Nursse of my people in Israel."¹⁹⁹ Peter McClure and Robin Headlam Wells point to Isaiah 49.23, noting that the notion of queens as nurses was not a novel idea, though Elizabeth's virginity certainly changed the dynamics of this long-standing association.²⁰⁰ Beyond the biblical connection is the more immediate biological context that mothers nurse their children and care for their wellbeing.²⁰¹ As political commentary, the infanticide rumors depict Elizabeth focusing on the carnal desires of her body natural to the neglect of the necessities of the body politic, namely the succession. In Broughton's tale, she is also an accessory to the murder of one of her subjects. The midwife is killed to safeguard her secret, as if it were a political

¹⁹⁸ *Shakespeare's Noise*, 53.

¹⁹⁹ Thomas Bentley, *The Monument of Matrones* (1582), 307; see also Munday, *A Watch-woord to Englande*.

²⁰⁰ "Elizabeth I as a second Virgin Mary." *Renaissance Studies* 4.1 (March 1990): 38-70, 41-44, especially 42.

²⁰¹ Early modern aristocratic women, however, did not nurse their children themselves. The children were given to wet nurses.

assassination. These rumors imply that Elizabeth does not fulfill her divinely ordained roles, exemplified by her failure to value human life.

While these allegations differ concerning the number of illegitimate children that Elizabeth has borne and murdered, they are all in accordance as to the method of disposal—fire, a particularly gruesome fate. Though grisly, fire is a smart choice in that it consumes the evidence. Yet why both Gardner and Deryck state that some of Elizabeth’s children, the evidence of her guilt, have survived is puzzling. These rumors grant Elizabeth and Dudley some awareness of their sins, hence the infanticide, so why they allow some of the children to live is inexplicable. Did they honestly believe someone could come forth claiming to be the child of this illicit union?²⁰² Or did they simply fail to think this important detail through? It is another piece of the puzzle that will probably never be solved.

The fact that three separate individuals chose fire illustrates that it was not an arbitrary choice. Fire recalled the Marian religious executions, suggesting that the flames perhaps should be redirected at more appropriate targets, the children of Protestantism and, more importantly, its Supreme Governor. While most English Catholics remained loyal to their queen, continental Catholics were eager to disparage Elizabeth’s reputation, yet rumors about her supposed indiscretions likewise circulated among Protestants. Without further information concerning Deryck, Gardner, and Broughton as well as the conditions that prompted their statements, it is impossible to say if they were recusants.²⁰³ What I believe *can* be safely surmised is that these

²⁰² In 1587, an Englishman arrested in Spain claimed to be Arthur Dudley. Phillip II had him questioned and he was never heard from again. See Levin, *The Heart and Stomach of a King*, 81-82. Throughout the early modern period, various individuals claimed to be a deceased member of the royal family. Perhaps most famously, Perkin Warbeck claimed to be Richard, Duke of York, one of the missing princes in the tower. Not only did rumors persist of the survival of Edward VI during both Mary and Elizabeth’s reigns, but a couple of individuals also claimed to be Edward VI. See Anthony Fletcher and Diarmaid MacCulloch, *Tudor Rebellions*, 5th edition (Harlow, England: Pearson Longman, 2008), 124-25; Levin, *The Heart and Stomach of a King*, 91-120.

²⁰³ It is worth noting that both Deryck and Gardner were from Essex, a county with a history of religious dissent heralding back to the Lollards. The county was home to both radical Protestants and famous Catholic families

individuals put thought into crafting these tales, for these narratives weave together various well-known elements of Elizabeth's mythology. A possible reason these rumors focused on burning is that the phoenix was an important part of Elizabeth's iconography. It is featured in her Phoenix portrait and the Phoenix medal, both from the 1570s, as well as in the Drake Jewel; alongside the pelican, it also appears in two popular prints from the 1590s.²⁰⁴ McClure and Wells note, "the Phoenix was another emblem of the Virgin."²⁰⁵ Drawing on their work, Hackett adds that the phoenix "had been associated with Christ's resurrection, and with the chastity and uniqueness of the Virgin."²⁰⁶ This mythological creature is unique because only one of its kind exists at a time. A chaste hermaphrodite, it reproduces parthenogenically, bursting to life from its own ashes. It is possible that Elizabeth chose this emblem as a symbol of her fortitude and endurance. Haigh has argued that its use "may have signified her recovery from the disaster of Anne's execution."²⁰⁷ According to the rumors, Elizabeth's actions were motivated by the fear of scandal, one possibly worse than that which destroyed her mother. Even a phoenix would not be allowed to rise from its ashes in this scenario; consequently, its children (though not all of them) were sacrificed so

during Elizabeth's reign; Samaha, "Gleanings from Local Criminal-Court Records," 66. Equally important is the fact that many individuals who expressed religious dissent in Elizabethan Essex were found "not guilty" when tried and even some of those convicted were released, leading Samaha to argue that there was some "tolerance of religious dissent"—tolerance which was not extended to those who directed political critique against Elizabeth's right to rule (71, 77). Thus, if Deryck and Gardner's seditious statements were motivated by religious dissent, they were interpreted first and foremost as political critique and only secondly (if at all) as religious dissent.

²⁰⁴ Roy Strong, *Gloriana: The Portraits of Queen Elizabeth I* (London: Pimlico, 2003. (1987)). 83. The symbol is not confined solely to pictorial images. Depictions of Elizabeth as a phoenix can be found in such varied works as: Thomas Churchyard, *A handeful of gladsome verses, giuen to the Queenes Maiesty at Woodstocke this prograce. 1592. By Thomas Churchyarde* (Oxford 1592); Richard Harrington depicts the Queen as "A Phenix of moste noble minde" in *A famous dittie of the ioyful receauing of the Queens moste excellent maiestie... 1584* (London 1584); Lodowick Lloyd declares Elizabeth "the Phoenix of the world" in *An Epitach upon the death of the honorable, syr Edward Saunders, Knight... 1576* (London 1576); and "A Phenix fine" in *A Dittie to the tune of Welshe Sydanen* (London 1579); George Peele proclaims "Live longe the noble Phoenix of our age" (1235) in *The Araygnement of Paris* (London 1584); and George Whetstone refers to Elizabeth simply "as Phenix of the worlde" (C3) in *The Censure of a Loyall Subiect* (London 1587).

²⁰⁵ "Elizabeth I as a second Virgin Mary," 44.

²⁰⁶ *Virgin Mother, Maiden Queen*, 81. Hackett, though, is careful note that emblems usually associated with Mary, like the phoenix, "were not solely Marian, having wider associations with pagan goddesses, courtly mistresses, and other idealizations of femininity" (27). The point remains, though, that the image of the phoenix was traditionally associated with uniqueness.

²⁰⁷ *Elizabeth I*, 3-4.

that it might live. These slanders beg the question, how can Elizabeth care for her metaphorical children when she burns her biological ones?

Like the phoenix, the closely related symbol of the pelican is another of Elizabeth's images that appears to come under fire in these rumors. The pelican was said to pierce its heart, feeding its children with its own blood. It signified charity and redemption.²⁰⁸ Moreover, "as an image of self-sacrifice, it was therefore primarily associated with Christ, while as an image of self-denying maternal care it could also be associated with the Virgin."²⁰⁹ The pelican imagery portrayed Elizabeth as a selfless mother, sacrificing her life's blood to ensure her people's survival. Given the connection to Christ and that the heart is the seat of love, this emblem may also recall Christ's message to love thy neighbor, a message best exemplified in his sacrifice. If there is no greater love than to sacrifice one's life for a friend, then perhaps there is no greater betrayal than to destroy one's own progeny, thereby also endangering an entire country.

The authors of these slanders were not the first to manipulate Elizabeth's symbolic motherhood. Parliament did so on various occasions. Perhaps Deryck, Gardner, and Broughton simply availed themselves of (and exaggerated) an existing strand of political commentary. Vanhoutte claims that contemporaries challenged Elizabeth's assumption of symbolic motherhood "by playing a variation on her theme," complicating "Elizabeth's familial analogies through reference to reconstituted families." They depicted her not as a mother, but a stepmother, an unflattering term associated "with usurpation and tyranny."²¹⁰ Elizabeth's symbolic motherhood seems to have been as much a liability as it was a strength. The infanticide rumors,

²⁰⁸ Strong, *Gloriana*, 83.

²⁰⁹ *Virgin Mother, Maiden Queen*, 80-81.

²¹⁰ "Elizabeth P" 317, 325. She also argues that Shakespeare obliquely characterizes Elizabeth as a "stepdame" in *A Midsummer Night's Dream* (1590-1596) through Theseus's critique of the "old moon" that delays his desire. In contrast, John Lyly's *Endymion* (1588) displays that "Cynthia is no stepmother," but only because Cynthia grants male desire "through the suppression of feminine desire" (318). Thus, according to Vanhoutte, Elizabeth could only play the mother so long as her actions accorded with the desires of her male subjects. Aylmer and Stubbs's political tracts are more equivocal, implying that Elizabeth's symbolic status as a mother is dependent on her behavior.

though tactless and extreme, were a part of the social commentary upon Elizabeth's persona of "good ol' mum." Yet these tales were quite personal in their attacks, critiquing and distorting four of Elizabeth's famed roles: the mother of the country, the Virgin Queen, the phoenix, and the pelican. The authors of these rumors attempted to hold Elizabeth responsible for her shortcomings, arguing that she was unfit to govern because she failed the foremost responsibilities of the sovereign, to act as a caretaker for her people and provide an heir. If "the reputation of the house itself rested on women" as Gowing contends, then, by extension, the reputation of the country rests with the queen.²¹¹ Deryck, Gardner, and Broughton would have us believe that England's reputation was not as sterling as the image of Elizabeth enthroned at Whitehall palace; rather, it was as polluted as the fireplaces that housed the ashy remainders of Elizabeth's children.

Conclusion

The language of slander is ultimately that of truth *and* falsehood, but it is also indelibly marked by the numerous, additional, and often competing variables that are taken into account when passing judgment on a potentially slanderous statement. Motivation, the current climate, and the status and reputation of the speaker all remain important considerations. Written slander continues to be judged more harshly today than verbal slander, as evidenced by the countless "tweets" that result in public-relations dilemmas for individuals in the public eye. As *King Johan* and Stubbs's *The Discovery of a Gaping Gulf* have shown, the truth/slander binary is insufficient in itself to define slander. Determining "truth" is an interpretative act, particularly in regard to religion. One person's truth is not that of another's and the "truth" can change over time. While the authors of the infanticide rumors offered no proof for their claims, their slanders aimed to

²¹¹ "Language, power and the law," 30.

disclose a hidden truth. These slanders point to an antithesis at the heart of slander's definition, one that remains today. As Lindsey Kaplan has noted, the *OED* provides opposing definitions for the term "slander." The first sense of the term offered in the *OED* describes slander as a "false statement." The third definition states that slander is "discredit, disgrace, or shame, incurred by or falling upon a person or persons, *esp.* on account of some transgression of the moral law, unworthy action, or misdemeanor."²¹² These opposed definitions can be seen at play in all three case studies, with one side claiming the statement to be false and malicious, and the other asserting that it is the rightfully deserved ignominy for wrongdoing.

To return to the deposition sparked by *King Johan's* sole documented performance, in addition to monarchs, commoners were sensitive to potentially offensive language, monitoring their own and others' speech. The development of sedition as a political crime raised the stakes of slander even for commoners by creating the obligation to report upon seditious (or potentially seditious) allegations, or risk being seen as the author of said allegations.²¹³ The following chapter will consider Elizabeth's successor, King James VI and I's varying reactions to slander, as well as the different tactics that commoners, fictional and historical, used in the hopes of avoiding punishment for slanderous words or writings.

²¹² Qtd. in Kaplan, *The Culture of Slander in Early Modern England* (Cambridge: Cambridge University Press, 1997). 13.

²¹³ See the introduction for more on how authorities attempted to trace the authorship of seditious allegations.

Chapter 2 ““Stop Their Mouthes’: Mediating Responses to Slander”

The previous chapter explored three case studies of sedition from the reign of Queen Elizabeth I. Chapter 2 focuses on case studies of slander against a reigning monarch, King James I and IV, investigating the real and imagined physical and social effects of slander as well as the range of responses that slander could elicit.²¹⁴ By way of introduction, I will briefly examine James’s published views on slander in *Basilikon Doron* (1598), his book of advice to his son, Prince Henry, instructing his heir how to rule wisely. James’s work is among the most explicit considerations of slander by a ruling monarch. It reveals his personal discomfort with slander as well as his recommended public response to such criticism. Its ideas were put to test by my two case studies, the anonymous libel, “The Five Senses” (1621-1623), and William Shakespeare’s *Measure for Measure* (1603-04), which were published roughly at the end and start of James’s tenure as English king, respectively. Notwithstanding his published views on slander, James did not always respond to criticism with force, thus exhibiting an unexpected difference between theory and practice. While Elizabeth’s gender and family history made her position more susceptible to critique, James’s temperament suggests that personal inclination is just as crucial in determining a ruler’s response to criticism.

In 1603, various English editions of *Basilikon Doron* were published in anticipation of the new king’s arrival. James’s opinion about slander (and governance in general) was thus well known in England and undoubtedly influenced the depiction of Duke Vincentio in *Measure*.²¹⁵ It

²¹⁴ Throughout this chapter, I will predominantly use the term “slander” rather than “sedition” because James chose to let the sedition statutes enacted under Elizabeth expire with her death. He did not enact any new sedition statutes during his reign as an English king.

²¹⁵ In the additional material to the Bedford edition of the play, Ivo Kamps and Karen Raber state that “at least as far back as 1766, critics have argued that *Measure for Measure* has a special connection to King James I, and that James’s *Basilikon Doron*, in particular, may have been a source for Shakespeare’s play” (Boston: Bedford St. Martins, 2004), 125. For more information concerning the English editions of *Basilikon Doron*, see Jenny Wormald, “James VI and I, *Basilikon Doron* and *The Trew Law of Free Monarchies*: the Scottish context and English

has long been a critical commonplace to acknowledge the similarities between the King and the Duke. J.W. Lever succinctly summarized the matter in his introduction to the Arden edition of the play:

to see the Duke in *Measure for Measure* as an exact replica of James I would be to misunderstand both Shakespeare's dramatic methods and the practice of the contemporary stage. But to suppose that no parallel was to be drawn between the two characters, or that, according to the familiar formula, 'any resemblance to any living person was purely accidental', would seem to be just as untenable.²¹⁶

Despite the shadow of *Basilikon Doron*, the Duke (like James himself) exhibits a surprising variety of responses to slander throughout the play, including fear, annoyance, and even restraint. In addition to its focus on a ruler's sundry responses to slander, *Measure* introduces the metaphor of the tongue as the heart's messenger, a metaphor that was continually employed by period authors of slander and tongue treatises to emphasize how slander created dissension within a community or nation. This dissension was mirrored in the body of the slanderer through a disconnect between the heart and tongue, organs that were expected to work cooperatively to promote truth and health.

My first case study, the anonymous "The Five Senses," presents none of the anticipated reactions to slander, instead offering a potentially imagined response that allows a glimpse of a regular subject's view on written slander. While the case studies from Elizabeth's reign examined in Chapter 1 centered on religiously motivated sedition, revealing how the current sociopolitical culture affected the punishments meted out for verbal crimes and the lengths to which a monarch could go to try to silence critique, this chapter portrays a wider range of responses elicited by slander, from pained lamentations to vengeful monarchic sentencing and

translation" in *The Mental World of the Jacobean Court*, ed. Linda Levy Peck (Cambridge: Cambridge University Press, 1991), 36-54, especially page 51.

²¹⁶ Introduction to *Measure for Measure*. The Arden Shakespeare Second Series, ed. J.W. Lever (London: Methuen, 2006 (1966)), I. Of course, not all literary scholars have agreed with Lever's assessment, as the topic continues to attract critical attention.

even flippant disregard. These case studies illustrate that the stakes for uttering slander against a reigning monarch remained high and were internalized by individuals such as the clergyman, John Rous, who preserved a copy of the libelous poem “The Five Senses.”²¹⁷ Yet, as I will show, these same individuals imagined narratives that placed a positive spin on their actions, which they hoped would allow them to avoid punishment for having broken the same slander laws they feared.

The King’s Speech: James I’s *Basilikon Doron*

The critical reevaluation of King James I and VI that has taken place in the last half century has emphasized James’s various successes, including that he *really was* a good Scottish king. When he left for England, Scotland was significantly more stable than it had been when he inherited the throne from his mother, the deposed Mary Queen of Scots. For example, James not only curbed the powerful Scottish aristocracy, but also affirmed monarchic authority over the church.²¹⁸

James VI wrote *Basilikon Doron* in Middle Scots in 1598 about his experience as king of Scotland, commenting on both his successes and his missteps. Only seven copies were initially printed.²¹⁹ After the death of Queen Elizabeth I, the English were naturally curious about their

new king. Multiple editions of an English translation of *Basilikon Doron* were reprinted in

²¹⁷ For example, according to the Edward Coke’s case “De Libellis Famosis,” which came to define the crime of libel (written slander), an individual found guilty of libel would be punished “according to the Quality of the Offence,” including “Fine or Imprisonment, and if the Case be exorbitant, by Pillory and Loss of his Ears”; *The Reports of Edward Coke* (London: printed for H. Twyford et al, 1680), Vol. 5, 125-26. These punishments were nearly identical to the punishments meted out under Elizabeth’s draconian sedition statutes.

²¹⁸ For more on James’s success as king of Scotland, see Maurice Lee, Jr., *Great Britain’s Solomon: James VI and I in His Three Kingdoms* (University of Illinois Press: Urbana and Chicago, 1990), esp. Ch. 3, “Kingship and Kingcraft,” 63-92.

²¹⁹ While James had seven (Anglicized) copies of the text secretly printed in 1599, each of which was intended for a particular individual, knowledge of the text nonetheless seeped out from the narrow constrictions James had placed upon his work. Johann P. Sommerville writes that “even before the book was printed it had come to the notice of the Presbyterian minister Andrew Melville, who had seen a copy of the manuscript”; *King James VI and I: Political Writing*, ed. Sommerville (Cambridge: Cambridge University Press, 1994), xviii.

In the classic 1966 study *Measure for Measure as Royal Entertainment*, Josephine Waters Bennett describes *Basilikon Doron* as a “highly idealized, official portrait” of James’s style of governance. She notes that although James treated his work “as if it were an official statement of his policies,” time would eventually demonstrate that “it was not a blueprint of the new reign” as “his practice fell short of his avowed principles.”²²⁰ This discrepancy is partly explained by James’s ability to distinguish between “principles” and “practice,” especially with regards to his deeply held beliefs concerning absolutist political theory, a difference that his English subjects did not fully appreciate.²²¹ More importantly, *Basilikon Doron* was not intended for a general audience. While as a ruler he did not always follow the advice offered within his work, it did reveal James’s sensitivity to slander, sensitivity that he continued to display as king of England. In *Basilikon Doron*, this concern focused upon a particular type of critique, religiously motivated criticism from individuals he characterized as “proud Puritans.”

According to James, Puritans were unruly, hypocritical individuals who sought to impose their opinions upon the whole land, including the king.²²² He perhaps gave freer vent to his frustrations with Puritans because of the text’s initial, tightly controlled publication, yet James did not mitigate his annoyance in later editions. His irritation with those who would try to dictate religious policy is clear from the start of the work, in his address “To the Reader” included in both the 1603 and 1616 editions. James explained that the purpose of his address was to respond to criticism he received following the work’s initial publication, including the

²²⁰ Bennett, *Measure for Measure as Royal Entertainment* (New York: Columbia University Press, 1966), 85. Chapter VI, “The Duke,” focuses on exploring the connections between *Basilikon Doron* and the character of the Duke from *Measure for Measure*.

²²¹ See Glenn Burgess, *The Politics of the Ancient Constitution: An Introduction to English Political Thought, 1603-1642* (University Park: Pennsylvania State University Press, 1993).

²²² For example, James writes, “And what is betwixt the pride of a glorious *Nebuchadnezzar*, and the preposterous humilities of one of the proud Puritanes, claiming to their Paritie, and crying, Wee are all but vile wormes, and yet will judge and give Law to their King, but will be judged nor controlled by none?” All references to *Basilikon Doron King James VI and I*, ed. Sommerville, 1-61, 44.

calumnies put forth by Puritans that he wavered in his devotion to Protestantism. He later tried to claim that by “Puritans” he meant only “that vile sect amongst Anabaptists, called the Family of love,” but as Maurice Lee, Jr. has stated, “This was obvious nonsense, but the English Puritans knew what James meant by it: he did not mean to repress them.”²²³

James further clarified that by “Puritan” he meant the “kinde of men” who “refuse to obey the Law, and will not cease to sturre up a rebellion,” men who prompted James to write against them “the more bitterly, in respect of diverse famous libels, and injurious speaches spread by some of them” that dishonored “all Christian Princes” and was “even reprochfull to our profession and Religion.”²²⁴ The troublesome Puritan, therefore, was defined not by his beliefs, but by his actions. James, who loved to engage in debate on numerous subjects, including religion, was not bothered by a difference in opinion with fellow Protestants. Rather, he took offense when individuals *publicly* spoke or wrote against him, or the established practices of the Scottish church. He believed such actions threatened the country’s peace by encouraging division among its members.²²⁵ James went so far as to state that Puritans were entitled to their contrary opinions, so long as they “content themselves soberly and quietly,” never “resisting” authority nor “sturring any rebellion or schism.” Or, if those opinions were shared, they should be founded upon “well grounded reasons” and that if “they see better grounds on the other part, not to bee ashamed peaceably to incline thereunto, laying aside all preoccupied opinions.”²²⁶ James’s comments were rather lenient for the era, perhaps stemming from his enjoyment of religious debate, or the knowledge that he had already asserted his authority over the church.

²²³ *Basilikon Doron*, 6; *Great Britain’s Solomon*, 87.

²²⁴ *Basilikon Doron*, 7.

²²⁵ James’s differing reactions to the voicing versus printing of contrasting opinions correlates with the harsher legal consequences for printing slanderous comments as opposed to merely speaking them. While the government often utilized print to reach a wider audience, such as with royal proclamations, it was keenly aware that its critics often used print for the same purpose.

²²⁶ *Ibid.*, 7.

Years later, as head of the English church, James would demonstrate that he could employ bishops whose religious beliefs differed not only from each other, but even, at times, from his own (provided those bishops were politic enough to keep quiet about such). The view of James that emerges from his letter “To the Reader” is of a ruler who merely required outward conformity. Much like his predecessor, he had no desire to judge men’s souls.

In the second book of his treatise, “Of a King’s Dutie in his Office,” James warns his son that to “one fault is all the common people of this Kingdome subject...to judge and speake rashly of their Prince.”²²⁷ He offered the uninspired advice that

(besides the execution of Lawes that are to be used against unreverent speakers) I know no better meane, then so to rule, as may justly stop their mouthes from all such idle and unreverent speeches; and so to prop the weale of your people, with provident care for their good government, that justly *Momus* himself may have no ground to grudge at.²²⁸

To rule in a manner that would stop all ungracious mouths would, presumably, be achieved by following James’s advice. He immediately added the caveat, “yet so to temper and mixe your severitie with mildness, that as the unjust railers may be restrained with reverent awe” and faithful subjects may be inspired to “open their mouthes in just praise of your so well moderated regiment.”²²⁹ While a monarch must not hesitate to enforce the country’s slander laws, James emphasized that the best restraint for loose tongues can be found in the ruler’s behavior. This advice centers on the image of the subjects’ mouths, mouths that should be shut from critiquing, but opened for praising the ruler. James draws upon a classic, idealized notion of kingship, the idea of a just ruler above critique, to offer his son the practical advice, “do not give them anything to complain about.” His advice to temper “severity” with “mildness” similarly underscored the notion that magnanimity can produce more positive, profound effects than

²²⁷ *Ibid.*, 30.

²²⁸ *Ibid.*, 30-31. Momus is the Greek god of mockery and ridicule.

²²⁹ *Ibid.*, 31.

punishment. James, however, did not provide specific examples of when it would be appropriate to show mercy, which is why we must turn to case studies.

James's list of unpardonable crimes is well known and frequently cited.²³⁰ Less often quoted is the following paragraph, where James expresses a desire to add another crime to the list, "if I should not be thought partiall: but the fatherly love I beare you, will make mee breake the bounds of shame in opening it unto you. It is then, the false and unreverent writing or speaking of malicious men against your Parents and Predecessors."²³¹ Of course, his reasons for adding this crime were "partial," as it would theoretically protect his own reputation. James followed his own advice in this matter. Once he began ruling in his own person, he guarded his predecessors' reputations, especially that of his mother. In 1585, the Scottish Parliament declared slander of the monarch treasonous; a subsequent act in 1596, two years before he wrote *Basilikon Doron*, "extended the offence to cover remarks made about the king's parents and ancestors."²³² He continued to protect his predecessors' reputations as king of England, guarding Elizabeth's name against detractors, despite her role in Mary's execution.

James's belief concerning the reputations of his forerunners thus qualifies his earlier advice, "to temper and mixe your severitie with mildness." Seditious who critiqued the royal lineage were not worthy of mercy.²³³ This belief also explains why he spoke so strongly against the owners of works deemed libelous. Emphasizing the need to be familiar with "authentick histories," James nearly allowed his passion to run away with him, arguing vociferously against

such infamous invectives, as *Buchanans* or *Knoxes* Chronicles: and if any of these infamous libels remaine untill your dayes, use the Law upon the keepers thereof: For in that point I would have you a Pythagorist, to thinke that the very spirits of

²³⁰ These crimes include witchcraft, willful (premeditated) murder, incest, sodomy, poisoning, and counterfeiting money; *Ibid.*, 23.

²³¹ *Ibid.*, 23.

²³² William Shakespeare, *Measure for Measure*, ed. N.W. Bawcutt (Oxford: Oxford University Press, 1998), 4-5.

²³³ *Basilikon Doron*, 31.

these archibellouses of rebellion, have made transition in them that hoardes their books, or maintaines their opinions; punishing them, even as it were their authors risen again.²³⁴

His ire partly stemmed from personal experience with these two individuals. While the views expressed above demonstrate James's lifelong distrust of unofficial or unlicensed histories, they should not be read as his general viewpoint upon libel. James selected Buchanan and Knox as representative of "infamous invective" because neither kept secret their pejorative view of Mary Queen of Scots and, worse, each sought to place limitations on royal authority, an idea that was anathema to a divine right ruler like James. Buchanan's *De Juris Regni apud Scotus* tried to prove that the Scottish constitution allowed for the deposition of a monarch if "the majority of the Scottish people found him unsatisfactory," while Knox's *History of the Reformation in Scotland* argued that a monarch could be deposed on religious grounds.²³⁵ Although his rhetoric implies that libelous works house the spirits of rebel rousers, as if such texts lay dormant waiting for someone to unleash their spirit, in practice, James was more tolerant of libel (and the owners of libel) so long as the work did not inveigh against his predecessors, seek to limit royal authority, or attempt to dictate policy. Censorship under James, as with Elizabeth, occurred on a case-by-case basis rather than as a matter of policy.²³⁶

Despite his pronouncements on slander, James did not always reply punitively. He often displayed a degree of patience absent in *Basilikon Doron's* musings on Puritans, as when he penned a poem in 1622-23 in response to public critique, or, as we will see below, in his alleged dismissal of "The Five Senses." Of course, he was capable of anger; *Causabon Regia* (1615), an anonymous play written in Latin, incensed this peace-loving king and resulted in his interference

²³⁴ *Ibid.*, 46

²³⁵ For more on James's views concerning these two works and his tutelage with Buchanan, see Lee, Jr., *Great Britain's Solomon*, 31-36.

²³⁶ For more on censorship in Jacobean England, see Cyndia Susan Clegg, *Press Censorship in Jacobean England* (Cambridge: Cambridge University Press, 2001).

in the Spanish Netherlands.²³⁷ The fictional Duke of Shakespeare's *Measure* reflects James's complicated views on slander. The play demonizes slander, yet simultaneously acknowledges that this verbal phenomenon is inevitable, a tension that remains unresolved and is met with the gathered characters' palpable silence at the end of the play.

God Save the King: James I and "The Five Senses"

The libelous poem "The Five Senses," considers the gap between James I's printed position on slander and his practice. A historical ruler with a known dislike of slander, his alleged reply to this slanderous poem is surprisingly tolerant. Yet, as I will show, this tolerant response nonetheless attempts to silence discussion of this libel. By analyzing the extent of the poem's critique of James, as well as his purported response to it, I will show the range of possible responses to slander, including how James's alleged reply reveals the conflicting feelings that libel could elicit in those who ran the risk of keeping these forbidden texts. As discussed in greater detail below, unlike *Measure*'s Lucio, those who skirted early modern slander laws did not all derive such glee from their actions. To avoid confusion, I define libel as a written or visual text that meets one of the following criteria: (1) maliciously motivated writing or visual text; (2) writing or visual text critical of another's wrongdoing, whether true or false; (3) written or visual fabrications meant to entertain; (4) written or visual texts that cause offense.²³⁸ My definition for libel is remarkably similar to my definition for slander (a potentially offensive

²³⁷ Styled as a mock-panegyric, the text's excessive, personal assault led James to demand the author's punishment; he even sent an envoy to the Continent to achieve this goal. The author ultimately escaped punishment and his identity remains a topic of scholarly debate. J.P. Sommerville briefly discusses the matter in "James I and the Divine Right of Kings," Levy Peck, 55-70, especially 61. Dana F. Sutton comments on the matter in the short introduction to the hypertext edition of the play *Causabon Regia*, The Philological Museum, posted June 27, 2011; online edn. [<http://www.philological.bham.ac.uk/corona/intro.html>, accessed 29 Jan. 2015].

²³⁸ Libel was often described as a written slander, a picture, or a sign; Sheppard, *Action upon the Case for Slander*, 115. The term "libel," however, had not yet been distinguished from "slander." It was not until the late seventeenth century that libel began to be defined separately, as written, as opposed to verbal slander.

verbal statement); the choice is deliberate, as I want to acknowledge the interchangeability of the two terms during the period while simultaneously providing a fine distinction between the two for ease of reference.

Early modern English libel was seen as mean-spirited, vituperative in tone, and prone to attacking identifiable individuals. But it was also a vehicle for popular political commentary. It was often anonymous and circulated through manuscript publication. As demonstrated by recent research on early modern libel, these two conditions provided authors a greater openness for dialogue. Pauline Croft argues that period libels prove “the existence of a lively and informed body of public opinion which relished political gossip and subjected famous figures to a far-from-deferential scrutiny.”²³⁹ Marcy L. North similarly contends that placing defamatory libels alongside poems that praise public figures presents “voices in a dialogue rather than... voices in rebellion.”²⁴⁰ And as Andrew McRae asserts, “the libel should therefore be situated in a peculiarly licensed discursive space,” a space from which we can glimpse and appreciate anonymous citizens’ attempts to speak their minds about topics of political concern in a manner not determined solely by the era’s conceptions of deference and paternalism.²⁴¹ Libel, like satire, could display a biting tone, but it could also exhibit an interest in improvement, using critique to promote change, to voice behavioral ideals.

²³⁹ “The Reputation of Robert Cecil: Libels, Political Opinion and Popular Awareness in the Early Seventeenth Century.” *Transactions of the Royal Historical Society* Sixth Series 1 (1991): 43-69, 44.

²⁴⁰ North’s focus is on the compilation process itself and the compiler’s accountability for the manuscript collection. She investigates how private manuscripts can provide a degree of safety, yet the variety of works collected and their organization can change the meaning of a work, or frame a reader’s response to a particular piece. See “Queen Elizabeth Compiled: Henry Stanford’s Private Anthology and the Question of Accountability,” in *Dissing Elizabeth: Negative Representations of Gloriana*, ed. Julia Walker (Durham: Duke University Press, 1998), 185-204, 203-04.

²⁴¹ *Literature, Satire and the Early Stuart State* (Cambridge: Cambridge University Press, 2004), 34.

An anonymous manuscript libel, “The Five Senses” survives in over 40 manuscripts, an astounding number that attests to its popularity.²⁴² “The Five Senses” belongs to an ongoing conversation critiquing James’s private behavior and official policies. The Suffolk clergyman John Rous records (alongside his copy of the poem) that when James read a copy of it, he allegedly replied in a sarcastic manner, dismissing the libel’s critique. While scholars occasionally note this purported reply, to my knowledge, it has not been critically examined. The most extended treatment it has received is from Alistair Bellany, who writes that “John Rous, always anxious to explain away libels, heard that when a copy was shown to James, ‘he made light’ of the verse and said that ‘this fellow wished good things for him.’”²⁴³ I argue that this response is worthy of consideration because it provides insight into how common subjects tried to justify actions they knew were prohibited by slander law. Regardless of whether James’s reaction was accurately reported or merely a figment of Rous’s imagination, the reply reveals that powerful individuals could respond to libel and slander in a surprising number of ways, beyond the usual manner of detection and public punishment.

Under the flimsy guise of a prayer for the king’s well being, “The Five Senses” boldly attacks King James’s policies and behavior. McRae has argued that the libel was “most likely written by William Drummond in 1623,” but this assessment has not achieved scholarly consensus.²⁴⁴ The poem critiques James’s relationship with his favorite, the reviled George Villiers, Duke of Buckingham, depicting these powerful men as two of the greatest dangers facing the nation. Moreover, it portrays England’s vulnerability to internal and external threats, which directly result from the susceptibility of James’s own body to these hazards. The poem’s

²⁴² See Joshua Eckhardt, *Manuscript Verse Collectors and the Politics of Anti-Courtly Love Poetry* (Oxford: Oxford University Press, 2009), 188-89, fn.27 for a list of the manuscripts in which the libel survives.

²⁴³ *The Politics of Court Scandal*, 258.

²⁴⁴ *Literature, Satire and the Early Stuart State*, 75.

slandorous nature lies in the argument that James allowed these threats to take root in England by his unwillingness or inability to recognize these dangers for what they are. Furthermore, by depicting the King's body as the gateway through which these hazardous substances first entered into and continue to flourish within the realm, "The Five Senses" directly negates the metaphor of the king's two bodies: these two bodies include the king's "body natural," that is his physical body, as well as the metaphoric "body politic," in which the nation is depicted as a single entity, one body, with the monarch as the head. The king's two bodies emphasized the indissolubility of the monarchy. In his work, *Commentaries or Reports* (printed 1816), the early modern lawyer and law reporter, Edmund Plowden contended that the body politic "is utterly void of Infancy, and old Age, and other natural Defects or Imbecilities, which the Body natural is subject to, and for this Cause, what the King does in his Body politic, cannot be invalidated or frustrated by any Disability in his natural Body."²⁴⁵ Though the body politic was believed to counteract and repair the frailties of the ruler's body, "The Five Senses" offers a darker assessment by reversing the formula and contending that the ruler's defects are the very thing that endanger and pollute the body politic. In the process, the libel also vehemently gestures to the need for monarchs to practice self-government.

Joshua Eckhardt characterizes "The Five Senses" as an "answer-poem, a parody of a song from Ben Jonson's 1621 court masque *The Gypsies Metamorphosed*."²⁴⁶ Jonson's song had blessed James's senses, praying that he be spared such minor annoyances as "a lawyer three parts noise" or "bad venison and worse wine."²⁴⁷ Jonson's masque was presented by Buckingham and

²⁴⁵ Quoted in Ernst Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Theology* (Princeton: Princeton University Press, 1957), 7.

²⁴⁶ *Manuscript Verse Collectors*, 121.

²⁴⁷ Ben Jonson, *The Gypsies Metamorphosed*, in *English Drama, 1580-1642*, ed. C.F. Tucker Brooke and Nathaniel Burton Paradise (Lexington, Massachusetts: D.C. Heath and Company, 1993), 625-44. The lines quoted are III.51, 78.

his wife in honor of James in the summer of 1621. Rous obtained a copy of “The Five Senses” in the summer of 1623, which narrows the date of composition to this two-year period.²⁴⁸ The court masque was a dramatic genre typically employed to praise to the monarch, or a member of the aristocracy. The author of “The Five Senses” brilliantly subverts “a discourse(s) of hierarchy and praise” by taking a song from a masque sponsored by Buckingham and refashioning it into a libel that censures both the King and the masque’s sponsor.²⁴⁹ Given the libel’s level of engagement with Jonson’s song, it is possible that the unknown author witnessed the masque, or may simply have acquired a copy of this song.²⁵⁰ The sophistication of the libel demonstrates that its author was well educated and well informed about court life, while the length suggests that the poem was not meant for wide, oral distribution.²⁵¹

I quote the text of “The Five Senses” in full as each line develops the metaphors treated in this chapter:

I. Seeing
 From such a face whose Excellence
 May captivate my Soveraignes sence
 And make him Phoebus like his throne
 Resigne to him younge Phaëton
 Whose skillesse and unsteaddie hand 5
 May prove the ruine of a land
 Unless great Jove downe from the skye

²⁴⁸ Bellany, *The Politics of Court Scandal*, 258; McRae, *Literature, Satire and the Early Stuart State*, 76. “Early Stuart Libels: an edition of poetry from manuscript sources,” ed. Alastair Bellany and Andrew McRae. Early Modern Literary Studies Text Series I (2005). <http://purl.oclc.org/emls/texts/libels/>. Eckhardt specifies that the masque was originally presented on August 3, 1621 and then “twice more: two days later at the earl of Rultand’s house, Belvoir, and ‘probably in early in September’ at Windsor Castle.” It was during the final performance that Jonson’s song was first performed. Eckhardt also suggests that the reference to the “Spanish treaties” in stanza two “would seem to corroborate the date of 1623 given the libel in three manuscripts”; *Manuscript Verse Collectors*, 121, 125.

²⁴⁹ Andrew McRae, “The Literary Culture of Early Stuart Libeling.” *Modern Philology: A Journal Devoted to Research in Medieval and Modern Literature* 97.3 (2000): 364-92, 388.

²⁵⁰ Jonson’s song seems to have been popular in its own right, for it “was excerpted from the dramatic text and disseminated on its own in manuscript.” The song is “preserved in at least 17 copies,” often alongside a copy of “The Five Senses”; Eckhardt, *Manuscript Verse Collectors*, 122.

²⁵¹ Bellany argues that “as a rule, the shorter the verse, the better the chance for oral circulation” and “the longer the poem, the more difficult oral transmission became”; *The Politics of Court Scandal*, 103. Although rhyme aided memorization and thus oral transmission, the poem is simply too long to be memorized easily.

Beholding Earthes Calamitie
Strike with his hand that cannot err
The proud Usurping Charioter 10
And cure though Phoebus grieve our woe
From such a face that cann worke soe
Wheresoere thou hast a beeing
Blesse my Sovereaigne, and his seeing.

2. Heareinge

From Jeasts prophane, from flattering tongues 15
From bawdy tales from beastly sounes
From after supper suites that feare
A Parliament or Councells eare
From Spanish treaties that may wound
Our Countries peace the gospell sound 20
From Jobs false friends that would entice
My Sovereaigne from Heavens paradise
From Prophetts such as Ahabs weere
Whose flatteringes sooth my soveraignes eare
His frownes more then his makers fearing 25
Blesse my soveraigne and his heareinge.

3. Tastinge

From all fruite that is forbidden
Such for which old Eve was chidden
From bread of Laborers sweat, and toyle
From the widdowes meale, and oyle 30
From the [candied] poyson'd baites
Of Jesuites and their deceipts
Italian Salletts, Romish druggs
The milke of Babells proud whore duggs
From wyne that can destroye the braine 35
And from the daingerous figg of Spaine
Att all banquetts, and all feasting
Blesse my Sovarigne, and his tasting.

4. Feelinge

From prick of Conscience such a sting
As staines the Soule, heavens blesse my King 40
From such a bribe as may with drawe
His thoughts from equitie, and lawe
From such a smooth, and beardlesse chinn
As may provoke, or tempt to sinn
From such a hand whose moyst palme may 45
My soveraigne lead out of the way
From things polluted, and uncleane

From all thats beastly, and obscene
From what may sett his Soule a reeling
Blesse my Sovereaigne, and his feeling. 50

5. Smellinge

Where Mirrhe, and Frankinsence is throwne
The altars built to Gods unknown
Oh let my Sovereaigne never smell
Such damn'd perfumes are fitt for hell
Let noe such scent his nostrills staine 55
From smells that poyson may the braine
Heavens still preserve him, Next I crave
Thou wilt be pleas'd great God to save
My Soveriegne from a Ganimede
Whose whoreish breath hath power to lead 60
His excellence which way it list
O lett such lipps be never kist
From a breath soe farr excelling
Blesse my Sovereaigne and his smelling.

on all the Sences

And just God I humblie pray 65
That thou wilt take the Filme away
That keeps my Sovereaignes eyes from vieweing
The things that will be our undoeing
Then lett him *Heare* good God the sounds
Aswell of Men, as of his hounds 70
Give him a *Taste* and tymely too
Of what his Subjects undergoe
Give a *Feelinge* of there woes
And noe doubt his royall nose
Will quickly *Smell* those rascals forth 75
Whose blacke deeds have ecclips't his worth.
These found, and scourg'd for their offences
Heavens blesse my Sovereaigne and his sences.²⁵²

“The Five Senses” opens with a stanza on seeing, narrating the near apocalyptic dangers posed to England by the pretty face of Buckingham. The unknown author immediately reduces the favorite to “a face” (1, 12), later attempting to emasculate Buckingham through references to his “smooth, and beardlesse chin” and “whoreish breath” (41, 60). C.E. McGee argues that

²⁵² Qtd. from McRae, *Literature, Satire and the Early Stuart State*, 77-79. I have followed McRae’s editorial choices throughout the poem. Hereafter cited in the text by line number.

“ocular malice was a regular feature” of libel.²⁵³ As Buckingham was known for his good looks, the author chose to argue that this too handsome, effeminate young man was all looks and no substance, demonstrated by his “skillesse and unsteaddie hand” (5). Drawing on the myth of Phaeton, the first stanza suggests that if James continues to grant Buckingham such wide powers, then the woeful nation’s only hope will be divine intervention. The underlying fear is that the “proud Usurping Charioter” has displaced the King’s love for his people, causing James to set their shared pleasures above the needs of the country (10).²⁵⁴ These pleasures, which are more explicitly addressed in later stanzas, include a predilection for “things polluted, and uncleane,” “bestly, and obscene” (47, 48), as well as “forbidden” desires that “may provoke, or tempt to sinn” (27, 44). The speaker’s use of the conditional “may” is a nicety, for James’s fondness for attractive young men was no secret and rumors of a sodomitical relationship between James and Buckingham had run rampant for years.²⁵⁵ Courts of the era were metaphorically conceived of as fountains. The ruler’s ethics and behavior would set the tone for the court, and the morals (or lack thereof) of the court would in turn trickle down into the country, influencing the morality of the nation as a whole.²⁵⁶ Because of the era’s persistent linking of sodomy to transgressive morality and pollution, the poem portrays the King’s sexual proclivities as threatening both the state of his soul and the state of the nation. In *Basilikon Doron*, James declared that sodomy was one of those “horrible crimes that yee are bound in conscience never to forgive,” yet for his

²⁵³ “Pocky Queans and Hornèd Knaves: Gender Stereotypes in Libelous Poems” in *Oral Traditions and Gender in Early Modern Literary Texts*, ed. Mary Ellen Lamb and Karen Bamford (Aldershot, England: Ashgate, 2008), 139-51.

²⁵⁴ Paul Hammond, *Figuring Sex between Men from Shakespeare to Rochester* (Oxford: Clarendon Press, 2002), 143.

²⁵⁵ See Bellany, *The Politics of Court Scandal*, 254-261; Jonathan Goldberg, *James I and the Politics of Literature: Jonson, Shakespeare, Donne, and Their Contemporaries* (Stanford: Stanford University Press, 1989), 143-46. See also Roger Lockyer, *Buckingham: The Life and Political Career of George Villiers, First Duke of Buckingham, 1592-1628* (London: Longman Group Limited, 1981), 22.

²⁵⁶ Bellany, *The Politics of Court Scandal*, 1-2. In *Measure*, the Duke notes that “Hence hath offense his quick celerity; / When it is borne in high authority” (4.2.93-43).

critics, James's actions display a reluctance to follow his own advice, if not flagrant disregard for the era's moral code.²⁵⁷ Like his response to slander, theory and practice are two different beings.

The King's unlawful inclinations are thus encapsulated in the figure of "a Ganimede" (59). McRae explains that "in the renaissance, the name of Ganymede, cupbearer to Zeus, became a popular euphemism for a 'catamite': the passive partner in a homosexual coupling."²⁵⁸ The fact that one of the Duke's first positions in the court was as the King's cupbearer proved too apt a coincidence for Buckingham's detractors. Same-sex relationships were critiqued predominantly when they were viewed as transgressing cultural norms, when the individuals involved belonged to different social classes. These accusations were thus ultimately less concerned with sexuality than with a mixture of political, social and moral concerns that culminated in this most extreme form of critique.²⁵⁹ Curtis Perry argues that "the significance of erotic favoritism as a trope has to do...with its remarkable prevalence as an unofficial language of corruption."²⁶⁰ A politically charged accusation, the threat of sodomy emphasizes the unnaturalness of the power-dynamic between James and the socially inferior and thus "usurping" Buckingham, for the older King is reduced to a love-struck fool being led about by the manipulative Buckingham. In the fifth stanza on smelling, the feminized favorite's "whoreish breath" is depicted as possessing the unnatural "power to lead / His excellence which way it list" (60, 60-61). James, unable to govern his passions or to see the dangers that this pretty face poses, submits to the allure of a highly feminized favorite, thereby allowing himself to become corrupted, emasculated, and transformed into another Ganymede, the dreaded passive partner.

²⁵⁷ See *King James VI and I*, Sommerville, 23.

²⁵⁸ McRae, *Literature, Satire and the Early Stuart State*, 79; Lockyer, *Buckingham*, 17.

²⁵⁹ For more on the period's response to sodomy, see Alan Bray, "Homosexuality and the Signs of Male Friendship in Elizabethan England" in *Queering the Renaissance*, ed. Jonathan Goldberg (Durham and London: Duke University Press, 1994), 40-61.

²⁶⁰ See *Literature and Favoritism in Early Modern England* (Cambridge: Cambridge University Press, 2006), 135.

Though Buckingham poses a hazardous menace to the establishment, he is hardly the only domestic danger threatening England. In the stanza on hearing, “flattering tongues” and “after supper suits that feare / A Parliament or Councells eare” also abound (15, 17-18). Good kings rule by counsel, sharing the burden of governing with a select circle of trusted advisors and, on a larger scale, by working in tandem with Parliament.²⁶¹ Though the speaker does not emphasize this line of reasoning, the reference to Parliament and the Privy Council suggests a necessary restraint to royal prerogative and perhaps also glances at James’s prodigality and lavish gifts. The speaker seems to believe that if James would allow these bodies to fulfill their role, then Parliament and James’s councilors would act as the safeguards of the nation by counteracting James’s will and those of his self-interested flatterers, creatures pejoratively referenced as the King’s “hounds” (70).²⁶² This oversimplified view of the relationship between James and Parliament emphasizes James’s desire to promote his friends at the cost of the country. Because proximity to the King’s ears greatly increased the likelihood of success of a suit that might be rejected if brought before Parliament, “The Five Senses” suggests that the “flattering tongues” that surround James are just as corrupting as the “Jeasts prophane,” “bawdy tales,” and “beastly soundings” that proliferate at his court (15, 16).

The protections offered by sober counsel are especially needed against the other great danger to the King’s senses, the Spanish match. The speaker fears that this proposed marriage of Prince Charles to the Spanish Infanta will place the country on a slippery slope culminating in a return to Catholicism. This invasive, pernicious menace thus joins the assault upon James’s other

²⁶¹ According to Francis Bacon, “The wisest princes need not think it any diminution to their greatness, or derogation to their sufficiency, to rely upon counsel. God himself is not without, but hath made it one of the great names of his blessed Son; *The Counsellor*”; “Of Counsel” in *Francis Bacon: The Major Works*, ed. Brian Vickers (Oxford: Oxford University Press, 2008), 379-82, 379.

²⁶² Though “hounds” was meant derogatively, it was oddly appropriate for Buckingham who, on more than once occasion, depicted himself as James’s “dog” in the letters written to his master. For examples, see Lockyer, *Buckingham*, 22; Goldberg, *James I and the Politics of Literature*, 144, 145.

senses, prompting Bellany to declare that “the libeller gives greatest attention to the corruption of popery.”²⁶³ The third stanza of “The Five Senses,” that on tasting, provides a cornucopia of forbidden fruits and spiritual threats. Each of these fruits is prohibited on specifically moral grounds, as the first line of this stanza associates them with “old Eve” (28). Eve’s characterization as “old” appears to imply that individuals living in this more “modern” age should know better, that they in fact should have learned from her mistake. Originating in Catholic countries, many of the delicacies listed are depicted as numbing substances, ranging from Jesuit’s “poyson’d baites,” to “Romish drugs,” and “wyne that can destroye the braine” (31, 33, 35). James, however, seems oblivious to these dangers, registering only the candy coating that surrounds the “poyson’d baites” of the Jesuits. Styling himself Rex Pacificus, James’s natural inclinations always steered towards establishing peaceful, diplomatic relations with Spain, England’s greatest enemy at the time. The Catholic powers’ use of sedating substances therefore seems oddly appropriate, as it preys upon James’s love of peace. The libel exaggerates James’s aversion to war, transforming diplomacy into listlessness. By lulling the King into a near stupor, these substances could be used to secure advantageous terms for Spain in connection with the proposed match. Perhaps these baits could even lure James away from Protestantism. The libel’s injunction against the “bread of Laborers sweat, and toyle” and “the widdowes meale” implies not only an indolent, but also a parasitic ruler (29, 30). The inclusion of these two lines within the stanza on tasting perhaps gestures to the idea that James is happy to feast upon others’ hard work, whether in the form of the fruits of his subjects’ labor, or the Spanish gold that would serve as the Infanta’s dowry. Though not directly referenced in the stanza on tasting, these various forbidden fruits also include Buckingham himself, who for a time supported the Spanish

²⁶³ *The Politics of Court Scandal*, 259. Bellany also connects the libel’s critique of Ganymede to Catholicism through “the widespread perception that court sodomy could carry a popish tinge” (258).

match. Through the association to “Jobs false friends” (21), individuals who tempted Job to curse God in response to the many hardships he suffered, all who endorse the match are depicted as blasphemers. James’s insistence on pursuing this alliance is therefore portrayed as an affront to God, one that directly jeopardizes England’s standing as God’s chosen nation.

The circulation of “The Five Senses” in 1623 may have been prompted by Buckingham and Prince Charles’s six-month stay in Spain that year in an attempt to conclude the marriage negotiations between the Prince and the Infanta. The proposed alliance ultimately came to naught, yet at the time, both James and Charles were willing to make wide concessions for English Catholics to ensure the marriage occurred.²⁶⁴ According to the poem, the match threatens James on both a political and personal level. Politically, the match was viewed as a menace to true religion and was enormously unpopular in England. Personally, it was dangerous because of the Catholics’ false promises and baits. To English Protestants, the marriage flew in the face of the King’s responsibility to ensure the growth of true religion. To the author, it left James vulnerable to the “prick of Conscience,” “a sting” that “staines the Soule” (39, 40).

Having established that James’s choices endanger the “Countries peace the gospell sound” as well as its “equitie, and lawe” (20, 42), the speaker concludes his prayer in a conservative manner, voicing the traditional hope that if the monarch could only see and feel his people’s woe, then he would instantly rid himself of “those rascals...whose blacke deeds have eclips’t his worth” (75-76). The poem draws upon a customary technique of voicing critique, where subjects direct their complaints against a ruler’s “evil counselors” as opposed to the ruler himself. Such a technique, of course, does not exclude the monarch from criticism. I find it difficult to believe in the sincerity of this conformist ending given the “harshly instructive

²⁶⁴ For an in-depth discussion of this ill-advised trip, see Lockyer, *Buckingham*, 134-65.

exposure” the speaker prescribes the King.²⁶⁵ The speaker’s request that God “take the Filme away” that blinds James to “The things that will be our undoeing” directly negates James’s role as his people’s judge (66, 68). To be a good judge, a monarch must possess wisdom. If James cannot see the multiple menaces that threaten his kingdom, then he is not a good king. In the first stanza, the speaker posed divine intervention as a solution to the country’s sufferings, yet by the poem’s end, his disillusionment with James is so complete that it appears the speaker now believes that even God cannot save him. The King’s inability to control his passions and resist temptation has allowed the corruption to spread too deep.

Despite the libel’s relentless critique, Rous reports that James, having read the libel, sarcastically replied, “This fellow wished good things for him.”²⁶⁶ This alleged response provides us with a few possibilities. The first is that James truly replied as reported and Rous accurately preserved his monarch’s comment. If so, then James surely recognized the critique against him and chose to ignore it. Overlooking potentially subversive commentary should thus be recognized as a valid tactic for eliminating libel’s possible effects, the questions and anxieties that it could excite. Perry has demonstrated that “Manuscript circulation disseminated courtly concerns with favoritism and access to a much broader and more heterogeneous audience,” as exhibited by Rous, a Suffolk clergyman’s, possession of the libel.²⁶⁷ In this case, to acknowledge the poem’s condemnation would have been to perpetuate its subversive attitude and breathe new life into it, an adverse result for a king who did not want his subjects questioning his actions.

²⁶⁵ *Literature, Satire and the Early Stuart State*, 81.

²⁶⁶ Bellany, *The Politics of Court Scandal*, 258.

²⁶⁷ The rest of the sentence reads “further popularizing in the process an array of lurid and scandalous attacks of favorites and favoritism including the figure of the sodomite king,” a form of attack that plays a prominent role in “The Five Senses” (1074); “The Politics of Access and Representations of the Sodomite King in Early Modern England.” *Renaissance Quarterly* 53.4 (Winter 2000): 1054-83.

Jenny Wormald has noted, “James was a man of wit and humor.”²⁶⁸ His reply exhibits his sense of humor. His flippancy neutralized the threat, denying it a wider celebrity. Simply because he wielded the sword of state did not mean he always had to employ it.

James’s purported response demonstrates the range of methods available for handling slander. Celebrity cases like those of William Prynne and John Stubbs demand attention because of the brutality of their sentences, yet these cases are exceptions rather than the norm. Even when legal action was initiated against a suspected seditious, it does not appear that those convicted were always punished to the full extent of the law. Additionally, the crowds did not always act as expected, and, similarly, law abiding subjects did not always behave as required when it came to slander.

The second possibility is that Rous fabricated having heard of James’s response, or, a third possibility, that the second-hand story he heard was itself a fabrication. If Rous (or an unknown individual) invented this story, it reveals that Rous (or that unknown individual) recognized the subversive nature of the libel and was understandably anxious about having it in his possession. As discussed above, possession of a libel concerning a public person was interpreted as spreading sedition. In his diary, Rous frequently expressed his distaste for libelous critiques, going so far as to exclaim “I hate these following railing rimes, / Yet keepe them for president of the times.”²⁶⁹ The second part of his rhyme should be taken at face value. Rous viewed the libels he collected as cultural artifacts worth preserving—presumably James’s reply was too. Rous’s professed distaste for libels and his anxiety about owning them did not outweigh the risk he took in keeping them. He obviously thought them worth the peril. Perhaps Rous

²⁶⁸ “James VI and I, *Basilikon Doron* and *The Trew Law of Free Monarchies*: the Scottish context and English translation” in *The Mental World of the Jacobean Court*. Levy Peck, 36-54, 54.

²⁶⁹ This diary corresponds to a different set of years than that in which he preserved the libel. *Diary of John Rous: Incumbent of Santon Downham, Suffolk, From 1625 to 1642*, ed. Mary Everett Green (New York: AMS Press, 1968), 109. For further examples of Rous’ attitude towards the libels he collected, see 22, 26, and 30.

imagined James's response in order to dispel this anxiety. By having the ultimate authority on the subject, the ruler himself, interpret the work in an innocuous manner, it forecloses additional discussion on the poem and legitimizes Rous's possession of the libel (at least in Rous's mind). In such a scenario, to insist on the work's subversiveness would be to directly question the ruler's decree, ironically, the very thing the libel does. This possible scenario presents a fantasy of denial, Rous's attempt to trick himself to ignore the evidence of his own eyes in order to dispel and defuse the libel's subversive potential. What is clear is that Rous was not alone in his belief that the poem was worth preserving, as attested by the additional 40 manuscripts in which the libel remains extant. While I cannot speak to the mindset or thought process of all those who kept "The Five Senses," I can conclude that the poem spoke to its Jacobean audience, finding a welcome reception among them. In addition to the fear and anxiety it provoked in Rous, "The Five Senses" and its fellow libels presumably also elicited enjoyment, perhaps even laughter, emotional responses that may alone have been worth the risk of owning such works.

James was too intelligent to miss the critique inherent in "The Five Senses"; he simply chose to ignore it, refusing to engage its anonymous author in conversation. His comment may have stymied public discussion (and a possible scandal), yet the libel continued to speak to those who persistently copied it into various manuscripts, to the various other works housed within those manuscripts, and to the countless others who have read the poem in the past 400 years or so. While Elizabeth's sedition statutes, James's *Basilikon Doron*, and both monarchs' royal proclamations argued for severe sentences against seditiousists, corporal punishment was simply not a practical response. It had to be used sparingly, for the government could not mutilate everyone who spoke against it. Whether a fictional ruler like the Duke from *Measure* or a historic ruler like James, monarchs occasionally tempered the draconian reprisals the law

decreed, displaying an often-surprising range of responses to slander. Similarly, subjects imagined narratives that would allow them to skirt the law and avoid punishment (or so they hoped). Some may have struggled with the matter as Rous did, but ultimately imagined libels as cultural artifacts worthy of preservation, presenting themselves as antiquarians. My next case study, Shakespeare's *Measure*, moves from the senses to the body itself, considering slander's effects within and between physical bodies.

“Running in the Shadows”: Slander’s Role in *Measure for Measure*

At the beginning of the fourth act of William Shakespeare's *Measure for Measure* (1603-04), Vienna's ruler, Duke Vincentio, laments,

O place and greatness, millions of false eyes
Are stuck upon thee; volumes of report
Run with their false and most contrarious quest
Upon thy doings; thousand escapes of wit
Make thee the father of their idle dream,
And rack thee in their fancies. (4.1.56-61)²⁷⁰

What begins as a fulmination against the inescapability of slander becomes an incisive critique about slander's ability to produce false images. The Duke's speech argues that slander, like sex, has generative powers; it can produce illegitimate beings that bear a resemblance to their progenitor, the subject or “father” of the slander. Slander, illicit sex, and illegitimate children are of primary concern to the Duke from the play's opening moments. The play's grim depiction of human sexuality has dominated recent critical attention, and when slander has been noted as a theme, it has been treated primarily as a byproduct of illicit sex. With the exception of a chapter in M. Lindsey Kaplan's *The Culture of Slander* and Mariangela Tempera's book article, “Slander

²⁷⁰ All references to Shakespeare's works are from Stephen Greenblatt et al, *The Norton Shakespeare: Based on the Oxford Edition* (New York: W.W. Norton & Company, Inc., 1997). Hereafter quotations are cited in the text by act, scene, and line numbers.

and Slanderers in *Measure for Measure*,” scholarship on the play has not taken slander as a primary theme.²⁷¹ I will argue, however, that since the fear of slander permeates the play's action and is integral to its plot, any discussion of sex in this play necessitates discussion of slander and vice versa. We cannot fully understand *Measure* until we not only recognize illicit sex and slander as deeply entangled forces, but also their disruptive effects upon the Viennese community and body politic.

Measure examines slander's physical and social repercussions, its unsettling effects upon individual bodies, and the communal bonds of the body politic, on two fronts: monarchic defamation and slander between citizens, the latter predominantly sexual innuendo.²⁷² This dual focus is achieved by foregrounding the relationship between the heart and tongue, bodily images that despite their frequency in the play have been under-studied.²⁷³ In various tongue and slander treatises of the era, authors postulated that slander disturbs the natural harmony between these two organs, concurrently destroying a fantasy of bodily integrity and transparency. It is my contention that *Measure* deploys these images in order to articulate the implications of this metaphoric, internal breakdown through Angelo's inability to govern his desires, his threatened or actual use of sexual defamation, and the subsequent broken bonds between himself and Isabella and himself and Mariana.

²⁷¹ See Kaplan, *The Culture of Slander in Early Modern England* (Cambridge: Cambridge University Press, 1997); and Tempera, “Slander and Slanderers in *Measure for Measure*,” *Shakespeare and the Law*, ed. Daniela Carpi (Ravenna, Italy: Longo, 2003): 127-38.

²⁷² Slander between citizens was a concern of English contemporaries given the explosion of slander litigation in the 1590s, a trend that continued during James's reign. Shakespeare's family was not exempt from this phenomenon, as both his daughters later experienced their own brushes with slander litigation. In 1613, roughly ten years after *Measure*, Susanna Shakespeare was involved in a defamation suit. She sued John Lane in a church court for his allegation that she had committed adultery; she won the case when Lane did not attend the trial. In February 1616, Judith Shakespeare's husband, Richard Quiney, was accused of impregnating another woman; though she and her child passed away, he admitted his guilt at the trial. Prior to his daughters' experiences, Shakespeare was involved in a number of legal suits throughout his life. For more on the Shakespeares' experiences with slander, see Daniel J. Kornstein, *Kill All the Lawyers?: Shakespeare's Legal Appeal* (Lincoln: University of Nebraska Press, 1994), 15-21.

²⁷³ An important exception is John L. Harrison's “The Convention of “Heart and Tongue” and the Meaning of *Measure for Measure*,” *Shakespeare Quarterly* 5.1 (Jan. 1954): 1-10. Harrison argues that “the image of the heart-tongue...reflects the justice-mercy, appearance-reality theme of the play” (7).

In addition to the consequences of Angelo's internal disconnect, the various interactions between the Duke and Lucio, the fantastical who is the play's mouthpiece for rumor and anti-monarchic slander, present the legal implications of speaking one's mind about the ruler.²⁷⁴ The conversations between these characters offer a confrontation between the slanderer and the slandered, while also presenting the fantasy of being able to trace slander to its roots. I contend that the Duke begins the play believing that the crimes of illicit sex and slander are not only separable, but also that the city's illicit sexuality can be contained through routine public punishment, while slander can be avoided. The Duke also believes that individuals can be reformed. Lucio and Angelo's stubbornly sinful behavior corrects the Duke in that some individuals cannot be redeemed and must instead be punished, and, furthermore, that the crimes of illicit sex and slander must *each* be punished precisely because either can engender the other. The Duke's return to power is publicized through a self-directed pageant that concludes by portraying the punishments awaiting repeat offenders, with particular emphasis placed upon slanderers. This resolution acknowledges the inevitability of slander while demonstrating the public relations value to a forceful stance against this disruptive force.

The Heart and Tongue: An Image of Bodily Integrity

Early modern treatises focusing on topics such as the tongue, speech, slander, and related forms of ill speech considered the tongue to be an equivocal organ. This equivocacy was due to its ability to both praise God and blaspheme, to tell the truth and lie. The tongue's double nature was a favorite theme, and many treatises draw upon Biblical images of the tongue, Erasmus's

²⁷⁴ I define the term "fantastical" as a carnivalesque figure who has little respect for authority.

Lingua (1525), or both.²⁷⁵ According to Jonathan Gil Harris, St. James's depiction of the tongue (James, 3:6, 9-10) as the member through which man both blesses God and curses each other was "one of the most popular passages from the New Testament in early modern England."²⁷⁶ Fra. Giacomo Affinati d' Acuto's (Jacopo Affinati d' Acuto) *The Dumb Divine Speaker or Dumbe Speaker of Divinity* was devoted to praising silence as a means of counteracting the double nature of the tongue.²⁷⁷ As an extension of its equivocal nature, period tongue and slander treatises emphasize the tongue's power over life and death. For example, in *The Praise of a Good Name The Reproch of an Ill Name* (1594), Charles Gibbon described the tongue as the door of life and death and Affinati d' Acuto argued that mouths that were not kept by God were like open sepulchers.²⁷⁸ Tongue and slander treatises like Jean de Marconville's *A Treatise of the Good and Evell Tongue* (1592), William Perkins's *A Direction for the Government of the Tongue according to Gods worde* (1595), and Gibbon's *The Praise of a Good Name* urged constant self-government, lest one offend with one's tongue.²⁷⁹ The most frequently rehearsed method of

²⁷⁵ For more on the early modern period's interest in the ambivalence of the tongue, see Carla Mazzio, "Sins of the Tongue," in *The Body in Parts*, ed. David Hillman and Carla Mazzio (New York: Routledge, 1997), 53-79, and *The Unruly Tongue in Early Modern England: Three Treatises*, ed. Nathalie Vienne-Guerrin (Madison: Fairleigh Dickinson University Press, 2011), xvii-l. Vienne-Guerrin notes that Erasmus's *Lingua* was itself "much indebted to Plutarch's "De Garrulitate"" (xxiv). See also Ina Haberman, *Staging Slander and Gender in Early Modern England* (Burlington: Ashgate Publishing Company, 2003).

²⁷⁶ *Foreign Bodies and the Body Politic: Discourses of Social Pathology in Early Modern England* (New York: Cambridge University Press, 1998), 107.

²⁷⁷ *The Dumb Divine Speaker or Dumbe Speaker of Divinity*, translated by A.M. (London: Printed by R. Bradock for William Leake, dwelling in Paules churchyard, at the signe of the Holy-ghost, 1605).

²⁷⁸ *The Praise of a Good Name* (London: 1594), 30. Affinati d' Acuto, *The Dumb Divine Speaker*, 241.

²⁷⁹ Marconville says the tongue is "enclosed and hedged in with teeth and lips, as it were within a defensible bulwarke, that it might not be ranging unadvisedly" (12); his text is a revised and abridged translation of Erasmus's *Lingua*, which was itself translated into English by an unknown translator circa 1592. Perkins, whose work appeared in various editions and translations between 1593 and 1602, describes the tongue as "compassed in with lippes...and teeth as with a double trench" (46); both Marconville and Perkins's texts are reproduced in *The Unruly Tongue in Early Modern England*, Vienne-Guerrin, 1-80. Gibbon describes the tongue as hemmed in by a "double fence" (30). The notion of teeth as the tongue's guard can also be seen in Thomas Tomkis's *Lingua: or The combat of the tongue, and the five senses for superiority: A pleasant comædie* (London: Printed by G. Eld, for Simon Waterson, 1607) and Thomas Adams's *The Taming of the Tongue* (London: Printed by Thomas Purfoot, for Clement Knight, and are to be sold at his shop in Paules Church-yard, at the Signe of the Holy Lambe, 1616). David's depiction of the lips as the door of the mouth is repeatedly referenced throughout Affinati d' Acuto's *The Dumb Divine Speaker*.

control echoes David's desire that God set a watch upon his mouth.²⁸⁰ Individuals were instructed to rely upon the body's natural line of defense against a loose or slanderous tongue, the teeth and lips, to help stymie offensive language. In short, while the tongue is necessary for human communication, the general belief was that the tongue was ultimately untamable.²⁸¹

Because the tongue was often depicted as the messenger of the heart, lies and slander were interpreted as disruptions of the tongue's ordained role. The need for the heart and tongue to work in tandem was continually reiterated in the era's tongue and slander treatises as a matter of self-government and morality. Drawing heavily from Psalms and Proverbs,²⁸² these treatises argued that the tongue should accurately report an individual's thoughts and feelings, presenting a fantasy of perfect bodily integrity. This fantasy implies that the body should be transparent, that there should be no space for secrets or lies; of course, this transparency applies only to the common man, for the positions of monarch and government officials necessitate the regular withholding of information. *Measure* demonstrates that slander flourishes in the spaces where there is no transparency—bodily and social spaces that prove to be ungovernable.

Slander is a focal issue in one Elizabethan and several Jacobean Shakespeare plays, including *Much Ado About Nothing* (1598), *Othello* (1603-4), written about the same time as *Measure*, as well as *The Winter's Tale* (1609-11), and *Cymbeline* (1609-10). The power of slander is felt from the very start of this play, when the Duke decides to reinstate the city's strict morality laws after years of neglect. Rather than enforcing these nearly forgotten edicts himself, he chooses a proxy instead for fear that his subjects will slander him. From these opening

²⁸⁰ *Psalm* 141 is a representative example of this biblical precedent.

²⁸¹ For instance, see Adams, *The Taming of the Tongue*, 27.

²⁸² For example, see *A Plaine Description of the Ancient Pedigree of Dame Slander* (Imprinted at London by John Harrington, 1573) and Affinati d' Acuto, *The Dumb Divine Speaker*.

moments, it is suggested that the Duke's primary concern is his public perception.²⁸³ This anxiety is further demonstrated by the Duke's choice to move among his subjects in disguise. He claims the reason for his actions is a desire to observe whether his replacement, Angelo, will be corrupted by his new powers, to test "what our seemers be" (1.3.54). The Duke does not visit his royal court or the court of justice, the locations where he could best witness Angelo's actions. Rather, he haunts the city's jail where he interacts with those affected by Angelo's strict enforcement of the morality laws. The Duke seeks out the very individuals most likely to critique the new regime; moreover, disguised as Friar Lodowick, he lulls individuals into speaking freely.

The Duke's imagery envisions a society run by a just ruler whose bodily integrity is symbolized by the perfect cooperation between the heart and tongue. For example, consider his metaphorical abdication of his rule. Justifying his choice to leave Angelo in his stead, he explains, "There is a kind of character in thy life / That to th' observer doth thy history / Fairly unfold" (1.1.27-29). Disclosing his belief in his powers of observation, the Duke claims to know Angelo, finding the latter worthy to act as Duke during his absence. He instructs Angelo that "Mortality and mercy in Vienna / Live in thy tongue *and* heart" (1.1.44-45, emphasis added). The line's structure balances mortality and mercy with the tongue and heart, aligning mortality with the tongue and gesturing to the potentially lethal power held by this small organ. According to the Duke, good stewardship necessitates that mercy and justice work cooperatively. This cooperation of tongue and heart should radiate outward and be mirrored by a perfectly harmonious community where mortality and mercy work in a similarly symbiotic relationship. This vision holds Angelo up to an impossible standard, expecting him to remain utterly transparent, at least to the Duke. Because Vienna struggles with the crime of slander as much as

²⁸³ Kaplan likewise argues that "the Duke is clearly much more concerned about enforcing laws against criticism of the ruler than laws against fornication that he let slip, by his own admission, for fourteen years (I.iii.21)"; *The Culture of Slander*, 93.

with crimes of sexual excess, the connection between the tongue and heart is repeatedly emphasized as Angelo violates both these strictures.

Not only is the Duke's vision of governance impossible, it also quickly proves hypocritical. Prior to his hasty departure, he made a point of giving Angelo the "scope" "to enforce or qualify the laws" as Angelo sees fit (1.1.64, 65). Having read Angelo's character, the Duke anticipates that Angelo will not qualify but *enforce* the law's severity; after all, he self-servingly advised his stand-in concerning the need for mercy. We quickly learn that Angelo's rigorous exactness starkly contrasts the Duke's non-existent enforcement of Viennese law. For example, the Duke bluntly admits to Friar Thomas his ulterior motive in promoting Angelo; it was not Angelo's virtue, but his own fear of slander that dictated a temporary absence from office. He explains, "Sith 'twas my fault to give the people scope, / 'Twould be my tyranny to strike and gall them / For what I bid them do" (1.3.35-37). This rationalization reveals that his previous mercy effectively amounted to not only allowing his subjects to engage in illicit sexual activity, but also essentially commanding them to do so. His belief that insufficient policing bids noncompliance discloses an underlying assumption that routine public punishment is necessary to enforce obedience. Angelo fulfills this expectation by immediately having Claudio publicly arrested.

The Duke's hypocrisy is further displayed by his Machiavellian choice of Angelo as a fall guy.²⁸⁴ He explains to Father Thomas,

²⁸⁴ While stage Machiavels are often villains and schemers, Shakespeare follows some of Machiavelli's advice, adapting it to fit a comic trajectory. Throughout the play, the Duke uses fraud and deception in an attempt to achieve political ends. His use of Angelo with regard to Vienna's morality laws is reminiscent of how Cesare Borgia brought peace to the territory of the Romagna, as related in Chapter 7 of *The Prince*. Having conquered the territory, Borgia "gave a cruel and unscrupulous man, Messer Remirro de Orco, the fullest authority there." De Orco brought peace but was despised. After de Orco achieved his mission, Borgia "wanted to show that, if any form of cruelty had occurred, it did not originate from him but from the violent nature of his minister." To that end, Borgia had de Orco executed and his body publicly displayed. All references to *The Prince* are to the Oxford World's Classics version, edited by Peter Bondanella (Oxford: Oxford University Press, 2008), 27. While the Duke does not purposely appoint

I have on Angelo imposed the office,
Who may in th' ambush of my name strike home,
And yet my nature never in the fight
T' allow in slander. (1.3.40-43)

The Duke's martial language presents an imagined surprise attack where Angelo scores an unexpected victory by enforcing the royal agenda, the routine public punishment needed to contain the city's illicit sexuality, while simultaneously shielding the Duke from the anticipated critique. His rhetoric draws upon the notion of the king's two bodies; his name, an extension of the royal lineage (the immortal, political body), metaphorically arms Angelo, while Angelo concomitantly protects the Duke's reputation and personal body by carrying out the dirty work. The lines' tortured syntax seeks to distance the Duke's name from his person, allowing Angelo to act on his behalf without those actions reflecting back upon him.

The Duke's primary concern that he not be slandered implies his fear that his previous legal laxity may be interpreted as self-interested. His inclination to mercy suggests that this past reluctance is a byproduct of his fear of slander and may additionally intimate a belief that mercy can inspire redemption. As he has already revealed, this fear of slander supersedes his responsibility to enforce the law. During his rushed leave-taking, the Duke admitted "I love the people, / But do not like to stage me to their eyes. / Though it do well" (1.1.67-69). Recognizing the necessity and benefit of periodically displaying himself before his people, he divulges that he does not enjoy performing the role of Duke. He claims not to seek "loud applause" or "Aves

a "cruel and unscrupulous man," he does manipulate the action from behind the scenes, achieving his desired end while distancing himself from Angelo's actions.

The issue of whether the Duke can be considered a Machiavel, or whether he simply employs certain of Machiavelli's recommended techniques, is one that has stirred much scholarly debate. For example, in the additional material to the Bedford edition of the play, Ivo Kamps and Karen Raber include a section on Machiavelli with excerpts from *The Prince* (including the above excerpt). Briefly comparing Richard III to the Duke, they raise the following inquiry, "Audiences and readers of *Richard III* know that the Duke of Gloucester's piety is just a cynical charade, but we may well ask ourselves if Shakespeare's Duke of Vienna could be not a caricature of the Prince but an authentic Machiavel, a calculating politician whose deceptions and manipulations do not reach the level of excess that makes Richard III ultimately so despicable"; *Measure for Measure*, ed. Ivo Kamps and Karen Raber (Boston: Bedford/St. Martins, 2004), 134.

vehement” and distrusts those who “affect it” (1.1.70, 71). His refusal to act the part through self-presentation coincides with his fear of slander and confirms it as an inherent fear of judgment, which he allows to limit his role as Duke. Angelo’s later refusal to honor his arrangement with Isabella not only shocks the Duke, who did not anticipate his deputy’s spectacular abuse of power, but also obliges him to “stage” himself to his people.

The Duke’s justification for his promotion of Angelo—the protection Angelo offers from the inevitable critique that will follow the reinstatement of the morality laws—is the first time illicit sex is linked to slander, an association to which the play consistently returns. In her essay on slander in *Measure for Measure*, Tempera likewise emphasizes this connection, arguing that:

The playwright could not say outright that almost everybody enjoys a juicy bit of gossip and that the line between objectionable and actionable language is very hard to draw. He therefore chose to displace this piece of common sense onto the field of the sexual crimes and misdemeanors which trigger all the major plot lines in *Measure for Measure* ... By the end of the play, all the protagonists appear to have engaged at some point in their lives in either illicit sex or slander (or both). Instances of both kinds of reprehensible behavior are staged or related very much in the same terms.²⁸⁵

It is not enough to note that one leads to another; my essay shows why discussion of illicit sex nearly always leads to mentions of slander and vice versa. Many of the play’s slanderous allegations are of a sexual nature: several of Lucio’s aspersions about the Duke, Angelo’s calumny of Mariana and his threats against Isabella, even the garbled slanders concerning Mrs. Elbow. In the Duke’s Vienna, slander is as prevalent as illicit sex. As discussed below, the Duke attempts to regulate these activities because both crimes create illicit beings, eventually learning that neither can be truly controlled.

Slander and illicit sex are linked in ways other than plotting, as several characters violate the idealized natural harmony between tongue and heart. During their first encounter, Lucio

²⁸⁵ “Slander and Slanderers in *Measure for Measure*,” Carpi. 130.

admits to the novice Isabella that “’tis my familiar sin / With maids to seem the lapwing, and to jest / Tongue far from heart” (1.4.30-32). Although he presents his behavior as merely jesting, Lucio’s admitted lack of bodily integrity establishes him as a slanderer. George Webbe, a Wiltshire preacher, argues that an evil tongue proves “a subtill Orator, a // fraudulent Ambassador, and a false Interpretour” to the heart and “therefore doth deserve to be punished.”²⁸⁶ Lucio’s humorous, yet honest assessment of his character anticipates his slanderous interactions with the Duke and his eventual punishment. Additionally, the connection between the heart and tongue proves crucial in Angelo and Isabella’s negotiations, providing further opportunities for slander. Pleading for Claudio’s life, Isabella orders Angelo to “ask your heart what it doth know / That’s like my brother’s fault” (2.2.140-41). She argues that if Angelo admits a “natural guiltiness” similar to Claudio’s, then he must “not sound a thought upon (his) tongue” against her brother (2.2.142-43). Like the Duke, Isabella believes that the tongue should act as an honest messenger of the heart. She also subversively implies that despite his role as interim Duke, Angelo should not judge unless he is willing to be judged by his same lofty standards.²⁸⁷

The cruxes of Vienna’s woes, slander and illicit sex, are symbolically underscored by Angelo’s inability to regulate his tongue and penis. Hoping to awaken Angelo’s mercy through the “sense” of her argument, Isabella’s rhetoric instead stirs only his “sense” (2.2.144,145). Failing in his attempt at prayer, Angelo reveals that his attraction to Isabella has caused an internal breakdown of communication, for as he tries to pray, his “invention, hearing not my tongue, / Anchors on Isabel” (2.4.3-4). In addition, he admits that “God (is) in my mouth” while

²⁸⁶ *The Araignment of an unruly Tongue* (1619) in *The Unruly Tongue in Early Modern England*, Vienne-Guerrin, 83-134, 99. William Vaughan voices similar sentiments in his massive tome on slander, *The Spirit of Detraction, Conjured and Convicted in Seven Circles* (London: 1611).

²⁸⁷ Kornstein describes the issue more forcefully in his chapter “A Scarecrow of the Law: *Measure for Measure*” in *Kill all the Lawyers?* (35-64) declaring that “Shakespeare asks the final, fundamental, subversive question: is any man or woman fit to sit in judgment on a fellow human being?” (61).

“in my heart the strong and swelling evil / Of my conception” (2.4.4, 6-7). Angelo’s unsuccessful prayer portrays the dissonance between his religious words and his lustful desires, the “strong and swelling evil” implying his tumescence. His admitted lack of bodily integrity, his inability to govern his desires, anticipates his threatened calumny of Isabella and the subsequent revelation of his previous use of slander. In early modern England, the tongue, because of its paradoxical nature, and the penis were considered the most difficult body parts to control. Many treatise authors echoed James 3:8, which proclaimed “the tongue can no man tame; it is an unruly evil, full of deadly poison.”²⁸⁸ Shakespeare seems to have had some familiarity with the era’s tongue treatises and he certainly knew the biblical passages that many of the treatise authors drew upon.²⁸⁹ Once Angelo makes the decision to yield to his desire, his lack of internal harmony begins to extend outward.

Angelo’s internal dissonance is reflected in the damage he causes to the social bonds between ruler and subject, between himself and Isabella. Following his attempted sexual blackmail, he threatens Isabella that were she to make public his ultimatum, his reputation and position would protect him. The result of her actions being that she “shall stifle in [her] own report, / And smell of calumny” (2.4.158-59). Angelo reiterates this sentiment following the bed-trick when he convinces himself that he is safe from accusation because his position ensures “that no particular scandal once can touch / But it confounds the breather” (4.4.26-27). Angelo’s behavior reveals that the fear of slander allows for sexual abuse to go unreported. Whereas the

²⁸⁸ *King James Bible*, <http://www.kingjamesbibleonline.org/James-Chapter-3/#8>. Originated: March 21, 2016. For example, see Adams’s *The Taming of the Tongue*. Richard Brathwaite refers to detraction as “This poison of the world” in *Essaies upon the Five Senses: Revived by a New Supplement; with a Pithy One upon Detraction* (London: Printed by Anne Griffin, and are to be sold by Henry Shephard in Chancery lane, at the signed of the Bible, 1635), 161.

²⁸⁹ For example, William Averell’s *A Mervailous Combat of Contrarieties* (London: Printed by I. Charlewood for Thomas Hacket, and are to be solde at hys shop in Lomberd streete, vnder the signe of the Popes heade, 1588), a fable detailing an imagined revolt of the body led partly by the tongue against the stomach and back, was a source for *Coriolanus* (1608).

Duke's fear of slander led to Angelo's appointment (1.3.40-43), Angelo harnesses the power of slander to protect himself, to shield him against complaints concerning the abuse of power.²⁹⁰

Angelo treats calumny as almost tactile, a pestilential cloud that sticks to an individual undercutting his or her credibility, as demonstrated by the initial response to Isabella's denouncing of him in Act V.²⁹¹ Surprised that someone as highly respected as Angelo can demonstrate the dual nature of the tongue, Isabella can only lament, "O perilous mouths, / That bear in them one and the selfsame tongue / Either of condemnation or approval" (2.4.172-74).

In her study of early modern slander litigation at the London consistory and archdeaconry courts, Laura Gowing notes that "women's testimonies were rarely accorded the same measure of credit as men's."²⁹² Not only do Angelo's reputation and position protect him against Isabella's testimony, but her gender also disadvantages her. Gowing explains that despite the church's attempts to "stress the culpability of both men and women for illicit sex, the idiom of slander holds women entirely responsible for it ... judg[ing] men and women by two sets of incommensurable values." With regards to rape, "the early modern legal system offered most women little recourse," for not only were men's versions of events more likely to be believed, but also men usually sued the women who initiated cases of rape against them.²⁹³ Without the Duke's help, Isabella's plea for justice would have fallen on deaf ears, for she would not have

²⁹⁰ See my reading of 1.3.40-43 above.

²⁹¹ Angelo's actions demonstrate that those with sterling reputations are just as likely to utilize ill speech when it suits their needs and that "well-seeming" slanderers are often believed precisely because of their reputations (3.1.218).

²⁹² For more on women's complex relationship with slander litigation, see Gowing, "Language, power and the law: women's slander litigation in early modern London," in *Women, Crime and the Courts in Early Modern England*, ed. Garthine Walker and Jenny Kermode (Chapel Hill: The University of North Carolina Press, 1994), 26-47, 27.

²⁹³ *Ibid.*, 28, 37.

been able to produce any witnesses to bear testimony to her plight; her inevitable arrest for slander would have added insult to injury.²⁹⁴

Angelo's treatment of women in the play portrays how allegations of sexual impropriety can devastate a woman's credibility. The Duke later reveals that Angelo broke his previous engagement to the loyal Marianna by "pretending in her discoveries of dishonor" (3.1.221-22). Angelo's use of slander prompts the Duke to compel him to marry Mariana at the end of the play, for only through marriage can Angelo repair the damage he caused to her reputation, as well as the social rupture caused by his refusal to honor their betrothal. Whereas Isabella speedily finds an ally in the Duke, and even the bumbling Elbow immediately attempts to protect his pregnant wife's reputation, Mariana had no such assistance when Angelo betrayed her, leading her to retreat from public life by cloistering herself in the moated grange.²⁹⁵ It is only through the Duke's machinations that Mariana can rejoin society, again demonstrating women's susceptibility to slander and the difficulties they faced in obtaining justice. Beatrice said it best when considering the damage done to Hero's reputation in *Much Ado About Nothing*, declaring "she is wronged, she is slandered, she is / undone" (4.1.308-9).²⁹⁶

Measure portrays how an internal disconnect between the heart and tongue can radiate outward, injuring the body politic and placing women in a particularly vulnerable position. The Duke's espousal of an idealized transparency holds Angelo and himself to an impossible

²⁹⁴ Peter Lake briefly discusses the social import of female chastity as well as "the vulnerability of women's reputations when they were devoid of or abandoned by male protection or sponsorship" in *The Antichrist's Lewd Hat: Protestants, Papists and Players in Post-Reformation England* (New Haven: Yale University Press, 2002), 635; see Chapter 15, "Measure for Measure, Anti-Puritanism and 'Order' in Early Stuart England," 621-700.

²⁹⁵ In his analysis of *Much Ado About Nothing*, Kornstein briefly considers slander as social death; *Kill all the Lawyers?*, 170-1.

²⁹⁶ *Much Ado About Nothing*. Greenblatt, et al. Beatrice's comment has a real-life counterpart in Elizabeth Baxter, "a spinster of a fairly lowly background from Long Cliffe in Yorkshire," who in 1696, "hearing gossip that another woman was pregnant, upbraided the scandalmongers, and declared roundly that 'they might as well take her life as her good name from her.'" Quoted in J.A. Sharpe, *Defamation and Sexual Slander in Early Modern England: The Church Courts at York* (Heslington, York: University of York, Borthwick Institute of Historical Research, 1980), 3.

standard that reveals both characters' hypocrisy, yet ultimately proves instructive for the Duke. Angelo's lack of bodily integrity and repeated betrayals teach the Duke that not all individuals can be reformed. Together with Lucio, Angelo additionally teaches the Duke the danger of allowing slander to spread unchecked, that both illicit sex and slander require surveillance and exemplary punishment. It is through Lucio's persistent monarchic defamation that the Duke recognizes his own heretofore-unseen vulnerability to slander's generative potential. His fear of slander is thus converted from a potential character flaw into a powerful motivator for proactive governance.

“Geld all the Youths”: Lucio and the Duke

By focusing on the Duke and Lucio's relationship, I will reveal how their interaction walks a fine line between slander law and policy. The concern with slander develops throughout the play, remaining integral to the end. In the classic 1966 study *Measure for Measure as Royal Entertainment*, Josephine Waters Bennett notes “that it has been suggested” that Lucio sees through the Duke's disguise, an idea she immediately dismisses as a “mistake.”²⁹⁷ In his 1965 article, “Lucio and the Friar's Hood,” Christopher Spencer took stock of the suggestion, noting the various scholars who had argued the position, before concluding “that there is no warrant in the text for assuming that Lucio does see through the Duke's disguise” and argued that Lucio merely has a “habit of releasing bits of ‘knowledge’ obscurely and in such a way as to suggest that he knows much more than he tells.”²⁹⁸ Yet for Lucio to recognize the Duke and consciously proceed to slander him would be blatantly unforgivable and would raise questions about the Duke's later decision to spare Lucio's life.

²⁹⁷ *Measure for Measure as Royal Entertainment* (New York: Columbia University Press, 1966), 92.

²⁹⁸ “Lucio and the Friar's Hood,” *English Language Notes* 3 (1965): 17-21, 18, 20. The scholars whose work he references include Nevill Coghill, W.W. Lawrence, J.A. Bryant, Jr., and Eileen Mackay.

Lucio is the play's mouthpiece for the city's rumors. Like Angelo, he appears to be socially elite,²⁹⁹ demonstrating that slanderous accusations can emerge from any rank in society. Several authors of period slander treatises contended that slander was associated predominantly with the lower classes, but this was simply not the case.³⁰⁰ Lucio amuses himself by inventing tales about other characters. Some are patent fabrications, while others hint at character traits that the subject of the tale would prefer to keep secret. Kaplan notes, Lucio's "very name suggests his ability to reflect what surrounds him; *luce* means 'light,' as well as 'looking glass.'"³⁰¹ As discussed below, Lucio is a master at crafting plausible slanders; his aim is entertainment, yet he sometimes inadvertently reveals a hidden truth. For example, he declares to the disguised Duke that "The Duke yet would have dark deeds darkly answered; he would never bring them to light" (3.1.409-10). The Duke does bring much to light, exposing Angelo's past and current duplicity; however, Lucio is correct in noting the Duke's secretive nature. The Duke engineers the bed-trick upon Angelo and uses deception to save Claudio; both actions suggest that Lucio's impertinent depiction of the Duke as an "old fantastical Duke of dark corners" merits consideration (4.3.147). Lucio's stories are naturally met with displeasure as they impinge upon the Duke's royal prerogative to disclose hidden offenses, a role the Duke claims solely for himself in Act V.

²⁹⁹ This assumption is based on Lucio's linguistic ability and the level of comfort he displays when interacting with social superiors in Act V.

³⁰⁰ For example, Webbe argued that God punishes evil tongues with disgrace, *poverty* and misery; *The Araignment of an unruly Tongue*, 107. In *A Murmurer*, murmuring (a form of ill speech synonymous with slander) is described as stemming from "private persons." The author does not specify, though, whether these individuals are citizens or subjects; attributed to Nicholas Breton (London: Printed by Robert Ravvorth, and are to be sold by John Wright, at his shop neere Christ-Church gate, 1607), 40. Sharpe has also demonstrated how all but the very poor were involved in slander litigation in the period; see *Defamation and Sexual Slander*.

³⁰¹ Kaplan's observation is part of a larger argument concerning Lucio's identification as a "fantastical," which she contends "represents the figure of the poet. Furthermore, contemporary thought connects the fantastic with both a revealing function and with state policy"; *The Culture of Slander*, 93-99.

Lucio is shown to have his finger on the pulse of the city's gossip, much of it often correct, which makes him a threat to governmental control. Notwithstanding the Duke's attempts to misinform his subjects concerning his status, it is Lucio who early on informs Isabella that

...we do learn,
By those that know the very nerves of state,
His giving out were of an infinite distance
From his true-meant design. (1.4.51-54)

The accuracy of Lucio's information suggests the ease and speed with which information seeped from an early modern court to the general population, or at least to the social elite. These lines' point of view—the first person plural “we”—also demonstrates that Lucio is not the only Viennese citizen who enjoys gossip. Moreover, when the Duke later asks Lucio for news, Lucio informs him of the circulating rumors that the Duke is “with the Emperor of Russia” or “in Rome” (3.1.337, 338), emphasizing how one's superiors (especially those who abruptly vanish—into dark corners) are a hot topic of conversation. Lucio quickly adds his ironically apropos statement that “It was a mad, fantastical trick of him to steal from the state, and usurp the beggary he was never born to” (3.1.340-41). Ignorant that he is speaking with the Duke, Lucio somehow infers that his ruler has assumed the guise of a lowly traveler, inappropriate cover for someone of his rank. Not all the rumors about the Duke's whereabouts that Lucio relates are correct, yet he nonetheless arrives at some knowledge of the Duke's “design” (1.4.54). Furthermore, as the play speedily moves to its conclusion, no sooner has the still disguised Duke revealed that the absent Duke will be returning the next day than Lucio (who was not present earlier) echoes this breaking news a mere thirty lines later, declaring “they say the Duke will be here tomorrow” (4.3.145-46). Lucio's pronouncements demonstrate the difficulty of controlling sensitive information and the ability of rumors to overlap with news, suggesting that it is possible to locate a seed of truth within statements labeled rumor or slander.

In the context of Elizabethan and Jacobean law, it seems a dangerous proposition to stage a scene allowing a seditionist to escape punishment. Lucio speaks indecorously of the Duke to Friar Lodowick, a foreigner, because he does not believe that the latter will accuse him of slander. According to the 1581 law of sedition, suspected seditionists had to be accused in person by two witnesses at both the arraignment and indictment.³⁰² There were no other characters on stage for either of the conversations between Lucio and Friar Lodowick in which Lucio slanders the Duke.³⁰³ Thus, under normal circumstances, Lucio would not have been found guilty of slander, even if the friar had initiated proceedings against him. The requirement for two witnesses is ultimately not an issue, as Lucio uttered his slanders directly and repeatedly to the Duke himself.

Slandering one's ruler was to risk charges of sedition or verbal treason, depending upon the specific allegation and the current political climate. King James did not renew the 1581 sedition statute created under Queen Elizabeth, yet his sensitivity to slander was well documented in *Basilikon Doron*.³⁰⁴ The brutality of this elapsed statute would presumably have deterred most from committing such actions. The punishments for convicted seditionists ranged from heavy fines and imprisonment to public maiming; those convicted of a second offense were hanged.³⁰⁵ This statute differentiated between merely repeating and inventing a seditious slander, yet in his law book, *Action upon the Case for Slander* (1662), William Sheppard explains that if

³⁰² 23 Eliz., c. 2, *Statutes of the Realm* (9 vols., 1810-1825). Similarly, plaintiffs in a libel suit had to be able to produce a copy of the libel, or recite the words verbatim; Adam Fox, "Ballads, Libels and Popular Ridicule in Jacobean England," *Past & Present* 145 (Nov. 1994): 48-83. Libel and slander were still interchangeable at the time.

³⁰³ Elbow, Pompey and the Officers exit immediately preceding Lucio and Friar Lodowick's conversation in 3.1; likewise, Isabella exits after line 148 in 4.3.

³⁰⁴ As king of England, he would later pass a few royal proclamations concerning rumor and licentious speech. These include: "A Proclamation touching a seditious rumor suddenly raised" issued March 22, 1606; "A Proclamation against excess of Lavish and Licentious Speech of matters of State" issued on December 24, 1620, and essentially reissued under the same title on July 26, 1621. See *Stuart Royal Proclamations: Volume I, Royal Proclamations of King James I (1603-1625)*, ed. James F. Larkin and Paul L. Hughes (Oxford: Clarendon Press, 1973), 134-35, 495-96, 519-21. It has long been a critical commonplace to acknowledge the similarities between James and the Duke.

³⁰⁵ 23 Eliz., c. 2, *Statutes of the Realm*.

an individual who reported a slander was unable to name its author, then that person was held liable as its inventor.³⁰⁶ Period authorities followed legal precedent by attempting to track slanders to their source. This mode of action, in effect, created the fantasy that slander could be traced to its origin,³⁰⁷ a fantasy brought to life in the interactions between Lucio and the Duke.

I contend that the Duke's treatment of Lucio is in remarkable accordance with the elapsed 1581 sedition statute. When the Duke sentences Lucio at the end, he initially orders Lucio to be whipped and hanged for his slanders—the sentence for a second seditious offense—technically correct as Lucio twice slanders the Duke. Even Lucio admits the justness of this punishment, “If you will hang me for it, you may,” though he still attempts to get his sentence reduced to a mere whipping (5.1.498-99). The Duke claims to forgive the offense, lessening the sentence to marriage to the woman whom Lucio impregnated, Mistress Kate Keepdown, but Lucio responds by arguing that this marriage is equivalent to “pressing to death, whipping, and hanging” (5.1.515-16).³⁰⁸ The Duke's retort that “Slandering a prince deserves it” (5.1.517) makes clear that he has no intention of being merciful, despite his previous assertion. The sentence collapses the crimes of slander and illicit sex and is a suitable punishment for Lucio's refusal to care for either Kate or his child. I argue the Duke chooses this particular punishment because Lucio will view it as a slight upon his honor, fitting penance for his calumnies and his stubborn refusal to

³⁰⁶ *Action upon the Case for Slander, or a Methodical Collection under Certain Heads, of Thousands of Cases* (London: Printed for Ch. Adams, J. Starkey, & T. Basset and are to be sold at their shops, at the Talbot in Fleetstreet, the Mitre near Temple-Bar, and in St. Dunstons Churchyard, in Fleetstreet, 1662), 26.

³⁰⁷ Kaplan points to a statute of 1389 that “held that disseminators of defamatory stories would be punished if the author could not be found”, a concept that informed the period's slander and sedition laws; *The Culture of Slander*, 21. This line of reasoning can be seen, for instance, in the following royal proclamations issued by Mary Tudor, “A Proclamation Suppressing Seditious Rumors” issued July 28, 1553, and “A Proclamation Ordering Seditious Bills Destroyed” issued April 10, 1554. See *Tudor Royal Proclamations: Volume II, The Later Tudors (1553-1587)*, ed. Paul L. Hughes and James F. Larkin (New Haven: Yale University Press, 1969), 4, 41. Vaughan notes that if an individual slanders the monarch but “is not punished within the time limited by statute .23 Eliz.cap.2. of West.1.viz. he shall be imprisoned until he finds the first Author that spake them”; *The Spirit of Detraction*, 158.

³⁰⁸ Lucio's comment refers to the legal procedure used on individuals accused of a crime who refused to enter a plea. Weights were placed upon the individual's body until that person either expired or relented and entered a plea of “guilty” or “not guilty.” His reference is deeply ironic given that his crime is illicit speech, not silence.

cease slandering the Duke, as discussed below.³⁰⁹ As Lucio had previously insisted that the Duke “had some feeling of the sport” of illicit sex, Lucio’s tales are now answered by the command that he legitimate the daughter he refused to acknowledge (3.1.362). Moreover, as slander was a form of illicit judgment, this punishment correlates with the play’s emphasis on the moral “Judge not, that ye be not judged. For with what judgment ye judge, ye shall be judged: and with what measure ye mete, it shall be measured to you again.”³¹⁰

Lucio’s sentence directly connects the crimes of illegitimate sex with slander, as does his unsuccessful attempt to excuse his actions, that he “spoke it but according to the trick” (5.1.498). As Kenneth Gross points out, “trick” is “the play’s word for both moral posturing and illegitimate sex.”³¹¹ This equivocal word assumes unsavory associations through its link to Lucio, the Duke’s “mad, fantastical trick” (3.1.340), and Angelo’s proposition to Isabella, which is described by Claudio as a “momentary trick” (3.1.113). The punishment additionally allows the Duke to address the consequences of Lucio’s illicit sex, again connecting the crimes of illegitimate sex with slander by underscoring the generative possibilities of both actions.

Slander and illicit sex each possess the ability to create illegitimate beings. Slander creates a dark image of the slandered, a deception the Duke finds as troubling as the play’s metaphors for counterfeit coins, or the illegitimate children that threaten to populate the city.³¹² Slander is a slippery verbal phenomenon because the dark images it creates are generally not

³⁰⁹ In “Getting Oneself Unmasked: The Duke, the “Friar,” and Lucio,” in *Critical Essays on Shakespeare’s Measure for Measure*, ed. Richard P. Wheeler (New York: G. K. Hall & Co., 1999), 217-29, Harry Berger Jr. argues that the Duke’s response to Lucio “is enriched and blurred by overtones of the wish to execute Lucio, cast off the burr who sticks to him, and get rid of the ducal complicity the burr brazenly represents. This makes the gesture of remission ring a little hollow, especially since the wish fuses with the Duke’s desire to seek revenge for the affronts to his princely dignity and personal probity” (225).

³¹⁰ Matthew 7.1-2, *King James Bible*. <http://www.kingjamesbibleonline.org/Matthew-7-2/>. Originated: July 20, 2014.

³¹¹ *Shakespeare’s Noise* (Chicago: The University of Chicago Press, 2001), 76.

³¹² I must thank Carol Neely for emphasizing the connection between the Duke’s fear of slanderous false images with the play’s depiction of illegitimate children as counterfeited coins.

entirely false.³¹³ It is precisely this ambiguity that troubles the Duke. According to the era's slander laws, if Lucio's tales were true, that only made them worse; Edward Coke's 1605 doctrine of sedition implied that a true slander against a public person "is a greater Offense; for it concerns not only the Breach of Peace, but also the Scandal of Government."³¹⁴ Lucio's slanders are laced with just enough truth, just enough perceptive commentary about the Duke, that readers, or as the Duke fears, potential listeners, cannot dismiss them as pure fabrication.³¹⁵

It is a critical commonplace to question Lucio's allegations against the Duke, yet literary scholars have predominantly accepted Lucio's characterization of Kate Keepdown as a "punk" (5.1.520). No other character describes her as a prostitute and the Duke only refers to her as a "woman wrong'd" (5.1.507). Victoria Hayne has questioned this scholarly tendency by examining Kate's connection to Mistress Overdone, arguing that the association "does not necessarily imply she is a prostitute." Drawing on Houlbrooke's *Courts*, she explains, "at the time bawdy houses served as 'underground maternity home[s]...that pregnant girls were often packed off to,' so that the man involved could avoid the sanctions the church courts would impose."³¹⁶ While Kate's name suggests a certain degree of sexual freedom, Mistress Overdone claims that Lucio wooed Kate by "promis(ing) her marriage" (3.1.429), a fact Lucio corroborates. His handling of this situation is similar to the tales he spreads about the Duke.

Lucio's treatment of Kate is determined by self-interest, to avoid an unwanted marriage, while

³¹³ Dermot Cavanagh describes this as rumor's potential to create "a counter-image of authority" in "Possessed with Rumours": Popular Speech and *King John*," in *Shakespeare and History*, ed. Holger Klein and Rowland Wymer (Lewiston, New York: Edwin Mellen Press, 1996), 171-94, 183.

³¹⁴ *The Reports of Edward Coke*, Vol. 5, 125-26, 125. The rest of the sentence reads, "for what greater Scandal of Government can there be than to have corrupt or wicked Magistrates to be appointed and constituted by the King to govern his Subjects under him?" The scandal is further magnified if the King himself were the corrupt party, as argued by Lucio.

³¹⁵ Gross takes this idea one step further, arguing that Lucio is the Duke's "ironic mirror who at once defends and deforms the ruler's reputation, stealing from him his sovereign right of self-description"; *Shakespeare's Noise*, 68-101. His larger argument focuses upon how the Duke's problematic hearing informs readers' responses to the play.

³¹⁶ Hayne, "Performing Social Practice: The Example of *Measure for Measure*," *Shakespeare Quarterly* 44.1 (Spring 1993): 1-29, 8.

his tales about the Duke are created for fun; yet both use slivers of truth to lace their lies, making each tale more easily believable. Kate's connection to Mistress Overdone does not prove she is a "punk," but it certainly makes one think she *could* be. In the same vein, Lucio's slanders about the Duke's lasciviousness, coupled with the Duke's non-enforcement of the city's morality laws and his subsequent concern over it, could be interpreted as evidence of the Duke's moral laxity. This is the barest of circumstantial evidence, yet as Shakespeare has previously illustrated in *Much Ado about Nothing*, and as he would later explore to tragic effect in *Othello*, when it comes to slander, circumstantial evidence is too often accepted as sufficient proof.

To dismiss Lucio's comments as pure falsehood is to miss the point and to disregard the anxiety that continually preys on the Duke's mind. These shadowy images conjured by slander can present a greater threat than illegitimate children whose very existence flaunts the state's inability to enforce its morality laws; illegitimate children can be legitimized with greater ease than the effort required to exorcise those given form through slander. The Duke proves up to the challenge at the end of Act V, yet removing the stain of slander is significantly more difficult for ordinary people, again as demonstrated by the fact that it is only through the Duke's intervention that Mariana's reputation is restored and Isabella's spared, though Kate's is left open-ended.

Slander often proves difficult to dispel because it is fun. As illustrated by Lucio's choice of the word "trick," such enjoyment only adds to the arduous task of policing these speech acts. Lucio tries to depict himself as a gossip and his slanderous speeches as no more than idle and harmless entertainment, "pretty tales of the Duke" is what he calls them (4.3.154-55). Lucio's attempt to present himself as an entertainer, to imaginatively create a space that would allow him to skirt slander laws, falls short because he cannot stop talking—he fails to respond to his listeners' cues. When the Duke admonishes him for his ill speech, Lucio simply replies that he

“was an inward” of the Duke (3.1.372) and claims to know the reason the Duke left Vienna, a reason he refuses to share, stating “‘tis a secret must be locked within the teeth and the lips” (3.1.375-76). Lucio’s reference to the body’s natural line of defense against the tongue reveals both his knowledge of the need to control a loose tongue and his refusal to practice self-government. Had Lucio taken his cue from the Duke and employed these natural guards by refraining from gossiping, he might have escaped punishment. His refusal to stay silent was a poor performance choice and his behavior demonstrates the dangers of partaking in gossip, how gossip can lead to imputations of slander. It is all fun and games until someone takes offense.

The Duke again displays a surprising awareness of slander law in his initial response to Lucio’s stories. These tales imagine sexual abuse through their depiction of a lecherous Duke (3.1.362-70), who is also “a very superficial, ignorant, unweighing fellow” (3.1.379). The Duke’s immediate response is unexpectedly measured, telling Lucio that “Either this is envy in you, folly, or mistaking” (3.1.380). He behaves much as a judge hearing a slander case might, for he cites the various ways Lucio’s speech could be interpreted. The speaker’s intent in uttering words that caused offense was often an important consideration in the numerous slander suits heard in early modern England’s civil and ecclesiastical courts. This question of intent was foregrounded by the *mitior sensus* rule, which translated literally means “milder sense.” According to R.H. Helmholz, “That infamous doctrine allowed defendants to escape liability if the words were capable of a non-defamatory construction.”³¹⁷ While the *mitior sensus* rule offered civil lawyers of the era the opportunity to establish inoffensive meanings for slanderous statements, the rule of *innuendo* presented an alternative. This rule allowed lawyers to argue that a statement’s latent implications had to be taken into consideration, that the “defendant had

³¹⁷ For more on the *mitior sensus* rule, see Helmholz, *The Oxford History of the Laws of England: Volume I, The Canon Law and Ecclesiastical Jurisdiction from 597 to the 1640s*, gen. ed. John Hamilton Baker (Oxford: Oxford University Press, 2004), 577.

meant the worst.” Judges usually opted to interpret words in their “most natural sense.”³¹⁸ The Duke’s choice to give Lucio the benefit of the doubt is unexpectedly merciful, as the *mitior sensus* rule was generally applied to slander suits involving ordinary subjects, as opposed to criminal cases involving a subject slandering his ruler. It is only when Lucio refuses to act properly by ceasing his aspersions that the Duke realizes that Lucio is irredeemable. He consequently applies the rule of *innuendo*, viewing these comments as slights upon his character and ability to rule, and decides to punish Lucio. Ironically, Lucio believes that a lecherous, bastard-supporting Duke is a good thing, a kindred spirit, perhaps explaining his stubborn attraction to his tales and refusal to recognize that these tales can be socially disruptive.

Through his interactions with Lucio, the Duke begrudgingly accepts slander’s ubiquity. Lucio tells the Duke that lechery “is impossible to extirp...till eating and drinking be put down” (3.1.348-49). This line of reasoning indirectly echoes the clown Pompey’s equally astute, yet insolent question, “Does your worship mean to geld and spay all the youth of the city?” (2.1.205-06). The immediate context concerns Vienna’s morality laws, yet both statements are equally applicable to slander, especially the slander of one’s superiors. Furthermore, the Duke appears to echo Lucio’s sentiment when he declares (immediately following Lucio’s exit) that

No might nor greatness in mortality
Can censure scape; back-wounding calumny
The whitest virtue strikes. What king so strong
Can tie the gall up in the slanderous tongue? (3.1.416-19)

Numerous slander and tongue treatises emphasize that not only is slander unavoidable, but that slander always attaches itself to the good and virtuous.³¹⁹ The Duke’s lament underscores how

³¹⁸ The rule of *innuendo* was used to interpret ambiguous statements. Helmholz provides the example, “Thou hast the pox,” noting that this statement could refer to either small pox or the French pox; the distinction is an important one, as “the former implied no moral turpitude; the latter did”; *The Oxford History*, 578, 577.

³¹⁹ For example, see *A Plaine Description*, Vaughan, *The Spirit of Detraction*, and Gibbon, *The Praise of a Good Name*.

slander respects no degree; a great equalizer, it can stick to anyone. Like the tongue, it cannot be “tied up” or contained. The Duke now has a greater understanding of slander than he did at the start, when he sought to escape critique. His depiction of calumny as “back-wounding” accurately portrays how slander spreads; early modern authorities feared slander precisely because of its ability to roam undetected, making the task of tracing it to its roots quite arduous. Given that he is in the (privileged?) position to witness the moments when the slanders against him are initially voiced, his description of calumny as surreptitious in nature, insinuates his belief that Lucio is not the only individual to slander him. He may very well be correct, for Lucio later argues that he “spoke it but according to the trick” (5.1.498) and as David McCandless notes, an additional meaning of the word “trick” is “custom.”³²⁰

Lucio’s tales force the Duke to recognize slander’s pervasiveness as well as monarchic defamation’s popularity as a form of slander. As noted above, the Duke admits,

O place and greatness, millions of false eyes
Are stuck upon thee; volumes of report
Run with their false and most contrarious quest
Upon thy doings; (4.1.56-59)

While Lucio is certainly persistent in his aspersions, he falls well short of the millions of false eyes envisioned by these lines.³²¹ This complaint evokes the classical figure of *Fama*, whose myriad eyes, ears, mouths and tongues see, hear, and eagerly repeat all.³²² The Duke previously noted that “stag[ing]” himself before his people does “well” (1.1.67, 69); he now concedes that

³²⁰ *Gender and Performance in Shakespeare’s Problem Comedies* (Bloomington: Indiana University Press, 1997), 115. This is part of McCandless’s larger point that Lucio works as “the Duke’s discredited double” (115).

³²¹ Various scholars have noted the similarity between the Duke’s soliloquy and his previous speech about slander at 3.1.416-19. William Warburton was the first to speculate that these later lines had been shifted from the earlier speech. For example, see J.W. Lever’s introduction to the Arden Edition, xx-xxii. N.W. Bawcutt, drawing on Warburton, suggests that *Measure* may have been revised by “someone other than Shakespeare”; *Measure for Measure*, ed. N.W. Bawcutt (Oxford: Oxford University Press, 1998), 68. For a competing view, see Gross who contends that the Duke’s soliloquy “really is in the right place”; *Shakespeare’s Noise*, 71-73.

³²² Kaplan also notes the connection to the figure of *Fama* in her reading of these lines; *The Culture of Slander*, 103.

exposure can also lead to critique, as can sudden absence. A standard complaint of rulers,³²³ the Duke's hyperbolic claim imagines a panopticon-like reality where the king rather than the subject is under constant surveillance, emphasizing his belief that he is the cynosure of all eyes and the topic of all conversation. His lines additionally imagine a community where slander is a commonplace activity (or perhaps a more accurate assessment of his city).

The Duke further develops his slander-induced nightmare by imagining a "thousand escapes of wit" that "Make [him] the father of their idle dream, / And rack [him] in their fancies" (4.1.59, 60-61). He anxiously posits that as the subject of slander, he is simultaneously the progenitor of these tales. Their hypothetical father, rather than wielding power over those slanders, the Duke fears these "escapes of wit" have power over him. He believes slander racks his image, twisting it into unnatural shapes that are *still* recognizable as himself. The Duke's imagining of slanders as his illegitimate children illustrates his vision of slander as a dark, false reflection; these calumnies are his dark image as they are fashioned in his image. He consequently links the crime of illicit sex to slander, attempting to nullify both their generative powers in one fell swoop. At the start of the play, the Duke thought to control the city's illicit sexual drive while avoiding slander; having now been the subject of slander, the Duke has learned that he cannot punish one crime and ignore the other. He additionally learns that to effect change, he cannot rely on a deputy; he must take matters into his own hands.

The New World Order

³²³ For example, Queen Elizabeth declared in an address to Parliament that princes "stand upon stages"; "Queen Elizabeth's First Reply to the Parliamentary Petitions Urging the Execution of Mary, Queen of Scots, November 12, 1586," *Elizabeth I: Collected Works*, ed. Leah S. Marcus, Janel Mueller and Mary Beth Rose (Chicago: University of Chicago Press, 2000), 186-90. James I similarly attests that Kings "are as it were set (as it was said of old) upon a publike stage, in the sight of all people"; *Basilikon Doron. King James VI and I*, Sommerville, 4.

The Duke displays his new style of governance during the final scene at the city gates, thereby using the dreaded millions of eyes to his advantage. He hints at his plans in an address to the audience explaining that “I am bound / To enter publicly” (4.3.87-88). He then sets the stage by directing Friar Peter to “bring trumpets to the gate” (4.5.9), to inform various individuals where they can meet the Duke prior to his arrival at the gates, and instructs Angelo, via letter, to “proclaim it in an hour before his entering, that if any crave redress of injustice, they should exhibit their petitions in the street” (4.4.7-9). In contrast to his covert departure, the Duke intends to reclaim his authority through public spectacle. He means to awe his subjects by demonstrating his ability to measure their worth, setting right the wrongs that have occurred under Angelo’s despotic rule. His choice of location for this scene is reminiscent of a new ruler’s coronation entry into the city of London. Rather than being greeted and extolled through pageants presented by eager subjects, the Duke attempts to engineer his own spectacle.

The underlying theme of the Duke’s pageant is that all of Vienna’s sins are transparent to the Duke. The decision to stage this scene publicly demonstrates the Duke’s desire to begin his “new” rule in a different vein. By ousting the corrupt elements in the government, he hopes to present himself, and perhaps his previous negligence, in a better light.³²⁴ Angelo alone voices the response the Duke hoped to have elicited, describing the Duke “like power divine,” able to see and bring to light his hidden “passes” (5.1.361, 362). By presenting the Duke as all-knowing, Angelo’s lines provide a sound bite that perfectly encapsulates the public relations value of the Duke’s pageant. He will no longer ignore his subjects’ disobedience; he will now publicly punish repeat offenders. This spectacle seeks to impress upon his subjects the Duke’s vision of bodily integrity and a moral and social order where slander and illicit sex have been banished.

³²⁴ This fantasy of a fresh start is appropriately mirrored by the play’s composition date, 1603/4, shortly following the ascension of King James I.

The Duke's vision of a newly purified Vienna is an unattainable ideal. As his hyperbolic lines about slander subversively acknowledged, rulers are naturally subject to critique. That, however, is not the point. The public sentencing of Lucio and Angelo for slander and illicit sex illustrate that the Duke's days of legal non-enforcement are over. Every named character that committed illicit sex is either threatened with death, or sentenced to an unwanted marriage (or both).³²⁵ The implication is that the countless others who visited Mistress Overdone's infamous brothel and who have thus far escaped chastisement will likewise face punishment in time. Barnardine is perhaps representative of the Duke's new resolve. Though pardoned, if his reported previous behavior is any indication (5.1.474-79), it is simply a matter of time until he again faces sentencing.

I argue that the Duke's elaborate spectacle drives slander underground, inculcating a new respect for silence and circumspection.³²⁶ No one dares openly critique the newly emboldened Duke. Instead, Mariana and Isabella beg mercy for Angelo, and Lucio pleads for a lessened sentence, emphasizing the Duke's power. Most notably, the gathered characters are silent in response to the disclosure that Claudio is still alive. The only noted reaction is the Duke's claim that he sees a "quick'ning in" Angelo's "eye," which he interprets as a sign that Angelo "perceives he's safe" (5.1.489, 488). There are no lines or stage directions depicting the other

³²⁵ Jonathan Dollimore argues in "Transgression and Surveillance in *Measure for Measure*," that the play's transgressors, who represent "the spectre of unregulated flesh... are exploited to legitimate an exercise in authoritarian repression." He adds that such desire "is never unregulated, perhaps least of all in Jacobean London"; Wheeler. 41-55, 52. Dollimore briefly considers Lucio's aspersions about the Duke, noting that they "strike at the heart of the ideological legitimation of power" thereby explaining why "slander was a cause of obsessive concern to Elizabethan and Jacobean rulers, just as it is here with the Duke" (51).

³²⁶ Kaplan contends, "The result of his dramatic and defamatory epiphanies is to batter the majority of his subjects into submission and silence"; *The Culture of Slander*, 104. While I am in agreement about the subjects' silence, I question whether they are truly submissive.

witnesses' reactions; theirs is a pregnant silence.³²⁷ The play's final fifty lines focus on the Duke's unanswered proposals and his punishment of Lucio; only they speak from this point on.

The importance of silence as the safest alternative to the Duke's new governance is best exemplified by Isabella's argument, "Thoughts are no subjects, / Intent but merely thoughts" (5.1.445-46). The context is her argument that Angelo should be spared, given that his intention to dishonor her was not accomplished, yet this line of reasoning can be extended to excuse any potentially criminal thoughts, including slanderous ones. This is Isabella's last line; the final thought of this most eloquent of characters seeks to limit the Duke's authority. I believe the urge to slander has not been eliminated, but Vienna's subjects have learned that their previous open flouting of authority will no longer be tolerated; the *mitior sensus* rule will not always be applied. The play suggests that keeping their thoughts to themselves is now the only safe route, for as Isabella indicated, thoughts are not subjects and thus not subject to the law. Her lack of an answer to the Duke's proposal can be seen as an early form of civil disobedience that may represent the new status quo in Vienna.³²⁸ The Duke's second proposal, after having asked Isabella to "Give me your hand, and say you will be mine," underscores her refusal to perform either gesture (5.1.486). In contrast to Lucio, who pays the price for his wagging tongue, Isabella wisely chooses to hold her tongue.

³²⁷ Such silences place the onus on the actors performing the play. Phillip C. McGuire terms such moments "open silences" in *Speechless Dialect: Shakespeare's Open Silences* (Berkeley: University of California Press, 1985). He defines this term as "silences that Shakespeare's words impose upon characters who remain alive" clarifying that "an open silence is one whose precise meanings and effects, because they cannot be determined by analysis of the words of the playtext, must be established by nonverbal, extratextual features of the play that emerge only in performance" (xiv, xv). In the chapter, "The Final Silences of *Measure for Measure*," McGuire considers five performances of the play, emphasizing various interpretations of six characters' final silences: Angelo, Barnardine, Claudio, Juliet, Mariana, and Isabella, 63-96.

³²⁸ Keith M. Botelho describes her silence as an "assert[ion] of her own authority" and an "insurgent silence" in *Renaissance Earwitnesses: Rumor and Early Modern Masculinity* (New York: Palgrave Macmillan, 2009), 85. Isabella's silence has attracted a great deal of scholarly debate. For a brief overview of selected critical commentary on this matter, see McCandless *Gender and Performance in Shakespeare's Problem Comedies*, 190, fn. 77.

Measure's resolution does not cement the community. The Duke willfully ignores how he and those acting on his orders repeatedly used slander to engineer a "happy ending" for the various characters at risk: Isabella, Mariana and Father Peter are deemed slanderers (5.1.120-22, 254-56, 283-85). Friar Lodowick (the disguised Duke) is accused of suborning them and later launches a damning account of the corruption in Vienna, an action condemned by Escalus as "Slander to th' state!" (5.1.317). More importantly, the majority of the couplings do not promise happy marriages. Angelo made clear that he prefers death to marriage (5.1.470), indicating that the breach between himself and Mariana has not been repaired. Lucio thinks his marriage akin to death (5.1.515-16), suggesting that he will not form a familial unit with Kate and his daughter. And Isabella's lack of an answer reveals that she does not want to be the Duke's wife but cannot refuse. Moreover, these marriages do not foster any new alliances or connections between families. These tenuous and strained relationships mirror slander's effects upon a population. A corrosive force, it divides people, and three of these couples have been touched by slander (the lone exception being Claudio and Juliet); even Isabella is slandered as part of the Duke's staged pageant, though he ultimately upholds her reputation. *Measure* ultimately makes it clear that although slander is inevitable, subjects should nonetheless behave properly so as to avoid a fate such as Lucio's. Punishment can diminish slander, but it cannot eradicate it. If as the Duke lamented, "place and greatness" will always attract critics (4.1.56), and if as Pompey argues illicit sex will reign until "all the youth" are "geld[ed] and spay[ed]" (2.1. 205-06), then slander will likewise thrive until everyone is made mute.

My reading of *Measure* emphasized a fictional ruler's reactions to verbal slander, demonstrating how fear of slander prompted the Duke to first attempt to escape and then to silence critique. James likewise tries to silence the critique of "The Five Senses" by using a

clever and non-confrontational strategy, sarcasm and dismissal. Taking the fear and anxiety that slander could produce a step further, the following chapter will continue to focus on slander's imagined effects on the body, through a metaphorical examination of its ability to behave like a poison or plague, spreading internally and consequently producing visible reactions.

Chapter 3 “Tempring the Passion with Advise ment Slow”: Slander, Anger, and the Body in Book II of *The Faerie Queene*

There as they entred at the Scriene, they saw
Some one, whose tongue was for his trespasse vyle
Nayld to a post, adjudged so by law:
For that therewith he falsely did revyle,
And foule blaspheme that Queene for forged guyle,
But with bold speaches, which he blazed had,
And with lewd poems, which he did complye;
For the bold title of a Poet bad
He on himself had ta'en, and rayling rymes had sprad.

Thus there he stood, whylest high over his head,
There written was the purport of his sin,
In cyphers strange, that few could rightly read,
BON FONT: but *bon* that once had written bin,
Was raced out, and *Mal* was now put in.
So now *Malfont* was plainely to be red;
Eyther for th'evill, which he did therein,
Or that he likened was to a welhed
Of evill words, and wicked sclauders by him shed. (V.ix.25-6)³²⁹

During their tour of Mercilla's castle, Arthur and Artegall, the knight of Justice, Arthur's half brother, and the protagonist of Book V of Edmund Spenser's *The Faerie Queene* (1596), pass by this grisly sight.³³⁰ Of the several reasons proffered for this punishment, the narrator's final explanation is that Malfont was punished for acting as “a welhed” of evil, slanderous words. In his text devoted to praising silence and revealing the double nature of the tongue, Fra. Giacomo Affinati d' Acuto (Jacopo Affinati d' Acuto) contends that one's speech should be like a clear fountain, without spot.³³¹ Authors of religiously motivated treatises on such subjects as silence

³²⁹ All references to *The Faerie Queene* are to *Edmund Spenser: The Faerie Queene*, ed. A.C. Hamilton, text ed. Hiroshi Yamashita and Toshiyuki Suzuki. 2nd edition (London: Pearson Education, 2001). Hereafter quotations are cited in the text by canto, stanza, and line numbers.

³³⁰ Individuals convicted of sedition, slander against the ruler, peer, or government official, were subject to corporal punishment, however, English slander law makes no mention of the slanderer's tongue. David Cressy relates that in early modern Ireland, in contrast, seditious “could be bored through the tongue” in *Dangerous Talk: Scandalous, Seditious, and Treasonable Speech in Pre-Modern England* (Oxford: Oxford University Press, 2010), 43.

³³¹ *The Dumb Divine Speaker or Dumbe Speaker of Divinity*, translated by A.M. (London: Printed by R. Bradock for William Leake, dwelling in Paules churchyard, at the signe of the Holy-ghost, 1605), 79.

and the tongue, men like Affinati d' Acuto and Thomas Adams, believed that the tongue is not evil by nature, for it was made by God as the organ through which mankind can praise their creator. Yet in his fallen state, man has subverted the tongue's original purpose, poisoning it by making it a vessel for ill speech.³³² This well's contamination makes it a danger not only to its owner, but to all those who drink from it, those who listen or read the slanderer's words. Malfont is guilty of such an offense, using his tongue to spew slanderous speech, words directed against God's magistrate on earth, his sovereign ruler, Gloriana.

Both Books II and V portray examples of defamation, yet the two books' interests in particular virtues dictates differing responses to slander. The Malfont episode from Book V, with its emphasis on the political virtue of justice, necessitates public punishment, given that his actions represent a criminal form of slander, specifically, sedition.³³³ Book II, in contrast, focuses on the private virtue of temperance and the body's reaction to external threats, including calumny. Several episodes from Book II present examples of slander between commoners, the sort of case that would be heard in a civil court. Nevertheless, each of these episodes directly and indirectly rely on metaphorical depictions of calumny to portray the threats it poses. Book V figuratively depicts the tongue as a well, while Book II's concentration on temperance, on bodily control, recalls the metaphor of the body politic. Although Books V and VI's depictions of slander have drawn the most scholarly attention, in large part due to the appearance of the Blatant Beast – slander made flesh – a critical examination of Book II's portrayal of slander's effects on the body is long overdue.³³⁴

³³² Thomas Adams, *The Taming of the Tongue* (London: Printed by Thomas Purfoot, for Clement Knight, and are to be sold at his shop in Paules Church-yard, at the Signe of the Holy Lambe, 1616).

³³³ The differences between slander and sedition are discussed in further detail in the introduction.

³³⁴ For more on the Blatant Beast, see Kenneth Gross, "Reflections on the Blatant Beast." *Spenser Studies* 13 (1999): 101-23; Merritt Y. Hughes, "Spenser's 'Blatant Beast.'" *The Modern Language Review* 13.3 (July 1918): 267-75; and Victor Houlston, "Baffling the Blatant Beast: Robert Persons' Anti-Appellant Rhetoric, 1601-1602." *The Catholic Historical Review* 90.3 (July 2004): 439-55. See also Chapter 2, "Allegories of Defamation in *The Faerie*

In canto iv, the fairy knight Guyon battles the allegorical figures, Furor and Occasion, an episode that illustrates how slander incites irascibility, thus causing intemperance within an individual and, in turn, compromising the body politic by damaging individual relationships. Although Occasion is not immediately recognizable as a figure aligned with slander, I reveal that canto iv's narrative repeatedly returns to the notion of calumny, its various episodes collectively exhibiting slander's effects upon social bonds and the body itself. Even Guyon's defeat of Occasion portrays the impossibility of conquering defamation. Figures such as Occasion and Furor can be temporarily bound or contained, but they cannot be destroyed. Such victories are thereby always pyrrhic, for the emotions that these allegorical figures unleash always return, albeit in different forms, such as the Blatant Beast or the hag Slander. Accordingly, Guyon is continually maligned by a variety of opponents. Each encounter tests the knight's temperance. It is only when he retains his composure that he prevails, evidencing that patience is the tempered body's defense against defamation.

Slander's effects on the body and the body politic are further developed in cantos ix and xi, through the assault on the House of Alma, the anthropomorphic house of temperance shaped like a human figure. The goal of temperance is the body's wholeness, a perfect balance where all the members work cooperatively. The house's unity is threatened by the villainous Malegar and his incorporeal rebel rout, who together besiege this dwelling. Attacking the house's five senses, the assailants specifically use slander and other forms of ill speech to undermine the sense of hearing. Reading these episodes through the lens of slander's traditional metaphoric conceptions, I will illustrate how these incidents collectively reveal slander's ability to disrupt the body, emphasizing the need for patience. Patience, however, does not equate to inaction. Guyon

Queene, Books IV-VI," of M. Lindsay Kaplan's *The Culture of Slander in Early Modern England* (Cambridge: Cambridge University Press, 1997).

demonstrates how to act while retaining control over oneself, acting not out of anger but necessity.³³⁵

An intangible phenomenon, slander can be examined through the tangible, material results it produces, such as the rupturing of relationships and its damaging effects on the body. Book II, canto iv of *The Faerie Queene* illustrates slander's effects on interpersonal relationships, through the narrative of Phedon and Claribell, and the individual body. The allegorical figure of Occasion portrays slander's ability to incite anger, while the villainous squire Atin's use of poisoned arrows introduces the metaphor of slander as an arrow in its ability to wound another's reputation from afar. Calumny is additionally a poison in its ability to spread and distemper a body, a notion that takes shape in assault upon the House of Alma.

³³⁵ Erik Gray suggests that Book II's narrative "threatens to be one of inaction" immediately thereafter arguing "yet Book Two is not dull or static" in large part because "for all his admirable self-control, Guyon does not have complete command of his own body"; Eric Gray, ed. Introduction to *The Faerie Queen: Book Two* (Indianapolis: Hackett Publishing Company, Inc., 2006), xi, xii. For more on Guyon as the symbol of temperance, his struggle to maintain this virtue, and the influences upon Spenser's notions of temperance, see Madelon S. Gohlke "Embattled Allegory: Book II of *The Faerie Queene*." *English Literary Renaissance* 8.2 (March 1978): 123-40. Gohlke argues that Guyon is unable to accept man's fallen state, thereby leading to an unsolvable conflict between "a fallen reality and a morality based on a conception of unfallen nature," a conflict that ultimately "undermines the superficial moral allegory of Temperance" forcing "a reconsideration of the allegory" in Book II (124). Peter D. Stambler argues that Guyon supplants an "Aristotelian or 'classical' ethical model" with "a radical Christian standard" that he unconsciously develops over the course of Book II in "The Development of Guyon's Christian Temperance." *English Literary Renaissance* 7.1 (Dec. 1977): 51-89, 52. Lauren Silberman contends that Book II reveals the limitations and ultimate failure of temperance as guiding principle in a fallen world. She argues that temperance, with its emphasis on a golden mean, is a virtue ill equipped to acknowledge the nuances of a sensual, fallen world in "'The Faerie Queene,' Book II and the Limitations of Temperance." *Modern Language Studies* 17.4 (Autumn 1987): 9-22. Similarly, Paul Suttie focuses on the moral ambivalence of Guyon's choices in "Moral Ambivalence in the Legend of Temperance." *Spenser Studies* 19 (2004): 125-33. Elizabeth Heale concludes that "it seems best, then, to understand Spenser's vision of temperance as the product of an amalgam of traditions and sources, classical and 'living', and to avoid trying to explain its details in terms of a single system" in *The Faerie Queen: A Reader's Guide*, 2nd ed. (Cambridge: Cambridge University Press, 1999), 47. Michael Schoenfeldt considers the difference between temperance, "literally a static virtue" and continence, "a perpetually active virtue" in *Bodies and Selves in Early Modern England: Physiology and Inwardness in Spenser, Shakespeare, Herbert, and Milton* (Cambridge: Cambridge University Press, 1999), 40-73, 43. For a contrasting view of Book II's allegory, see Gerald Morgan, "The Idea of Temperance in the Second Book of *The Faerie Queene*." *Review of English Studies* 37.145 (Feb. 1986): 11-39. Morgan argues that modern readers have misinterpreted Spenser's notion of temperance, especially regarding Guyon's destruction of the Bower of Bliss. See also Catherine Bates who focuses on the importance of the word "govern" and its relation to Guyon's voyage in "Images of Government in *The Faerie Queene*, Book II." *Notes and Queries* 234 (Sept. 1989): 213-14. On the character of the Palmer, see Helen Cooney, "Guyon and His Palmer: Spenser's Emblem of Temperance." *The Review of English Studies*, New Series 51.202 (May 2000): 169-92.

Metaphor shares important similarities with slander, making it uniquely qualified to depict this verbal and written phenomenon. As Maria Franziska Fahey demonstrates in *Metaphor and Shakespearean Drama*, metaphors are inherently contradictory in that they combine like with difference, or, proximity with distance. Drawing on Aristotle's notions of "standard" and "exotic" words discussed in his *Poetics*, Fahey argues that metaphors occur "in the same geographical place," yet they can transport us "instead from one semantic domain to another. Metaphor is alien in its use, yet it is familiar nonetheless."³³⁶ Like metaphor, slander transports individuals into another semantic domain, that of the body, both within individuals and between them. Calumny incites passions within the body, which, in turn, affect any number of relationships: from friendships to romantic partnerings, neighborly bonds to relations between communities. Focusing on two particularly problematic emotions, Book II of the *Faerie Queene* portrays how irascibility and concupiscence can lead to a lack of self-control, the absence of which can damage both the self and others. Slander provides a byline through both focal points, as it continually provokes anger through personal attacks and, sometimes, envy and jealousy, through allegations of sexual impropriety. This chapter reveals the early modern body's vulnerability to slander and the continuing effort entailed in governing one's response to this provocation.

Enter the Allegory: Round One, Furor and Occasion

Early in Book II, Guyon encounters Occasion and her son Furor, the former an old woman who recalls the classic allegorical figure of Fortune, and the latter, a pugnacious individual who is

³³⁶ Fahey's focus on the link between metaphors and reproduction, especially metaphor's fecund potential for unofficial meanings, differs from my own, yet her discussion of the nature of metaphor is incredibly useful to my work on slander. Maria Franziska Fahey, *Metaphor and Shakespearean Drama: Unchaste Signification* (New York: Palgrave Macmillan, 2011), 11.

stirred to further mischief through his mother's constant critiques.³³⁷ Occasion is initially described as "a wicked Hag" whose

lockes, that loathly were and hoarie gray,
Grew all afore, and loosly hong unroll,
But all behind was bald, and worne away,
That none thereof could ever taken hold (iv.4.1, 5-8).

Like Fortune, Occasion must be seized by the forelock. Holding her is impossible once she has passed. Unlike her classical predecessor, Occasion's only goal is to incite Furor to further violence using any means at her disposal. Though she is not above throwing stones, or using her walking staff to beat Furor, Occasion's preferred impetus is her words; "And ever as she went, here tounge did walke / In fowle reproch, and termes of vile despight...Ne any evill meanes she did forbear, / That might him move to wrath, and indignation reare" (iv.5.1-2, 8-9). Her physical appearance may recall Fortune's, yet her actions align Occasion more closely with offensive speech, with "reprochfull blame, / And evill meanes," with "bitter rayling and foule revilement" (iv.11.3-4; iv.12.5). Elizabeth Heale contends that "Spenser seems to have combined a detail from the iconography of Occasion with details from an almost equally familiar figure, Envy, whom Whitney, following Ovid, describes as an 'hideous hagge' whose tongue is a forked viper as befits her poisonous speech and whose 'feeble limmes' are supported by a staff which serves both as support and weapon."³³⁸ Envy, of course, provides an occasion for anger. In the early modern period, it was often considered one of the chief motivators for uttering slander.³³⁹

³³⁷ Morgan argues that Furor has three defining characteristics, which he links to Thomas Aquinas's classifications of the differing types of anger. "The Idea of Temperance in the Second Book of *The Faerie Queene*," 31. Paul J. Alpers compares this episode with the concurring episode from Spenser's source, Lodovico Ariosto's *Orlando Furioso*, in *The Poetry of The Faerie Queene* (Princeton: Princeton University Press, 1967), 54-69.

³³⁸ *The Faerie Queene: A Reader's Guide*, 49.

³³⁹ Envy is listed as a main cause of slander in the Anonymous *A Plaine Description of the Ancient Pedigree of Dame Slander* (Imprinted at London by John Harrington, 1573), C2. Nicholas Breton, who is usually credited as the author of *A Murmurer*, reverses the causal link by claiming that murmuring (a period synonym for slander) arises out of impatience and leads to ignorance and envy (London: Printed by Robert Ravvorth, and are to be sold by John Wright, at his shop neere Christ-Church gate, 1607). Thomas Wright links envy and slander in his contention that

Moreover, various forms of ill speech, such as murmuring and slander, were periodically linked to serpents, because of the shared ability to harm.³⁴⁰ Together, these traits make Occasion the producer of ill speech par excellence. Like Malfont, she is “a welhed / Of evill words,” yet her words are kerosene to her son’s furor (V.ix.26.8-9). Though the reader is never told exactly what Occasion says to Furor to incense him, the message is clear: calumny breeds anger.

In their footnotes to the Longman edition of *The Faerie Queene*, Hiroshi Yamashita and Toshiyuki Suzuki note that Occasion’s provision of a “flaming fyer brond, / Which she in *Stygian* lake... / Had kindled” enacts Saint James’s depiction of the harm caused by the tongue (v.22.6-8). James 3.6 states, “And the tongue is fyre, yea a worlde of wickendes: so is the tongue set among our members, that it defileth the whole bodie, and settetch on fyre the course of nature, and it is set on fyre of hel.”³⁴¹ According to Jonathan Gil Harris, this verse from St. James was “one of the most popular passages from the New Testament in early modern England.”³⁴² Occasion obtains the firebrand in order to further enrage Furor. In addition to symbolizing Furor, the firebrand is a metaphor of Occasion’s relationship to her son, as she uses her words to continually enflame him. Though it may border on overkill, she spares no opportunity to ensure that Furor’s volcanic temper erupts.

women are naturally more envious than men and thus more likely to slander others in *The Passions of the Mind in General*, ed. William Webster Newbold (New York: Garland Publishing, Inc., 1986), 119.

³⁴⁰ For example, Breton compares murmurers to poisonous serpents in *A Murmurer*, 17; in the dedication to his work, Charles Gibbon states that lewd individuals have serpent’s tongues and no ears in *The Praise of a Good Name: The Reproach of an Ill Name* (London: 1594); quoting Psalm 140, William Vaughan states that the tongue, like a serpent, is poisonous in *The Spirit of Detraction, Conjured and Convicted in Seven Circles* (London: 1611), 136; and Affinati d’ Acuto believes that defamers’ tongues are like serpents in that they are forked and they can harm the defamer or both the defamer and the defamed; *The Dumb Divine Speaker* 136, 163, 173. See below for more on slander’s connection to poison.

³⁴¹ *Edmund Spenser*, Hamilton, 199.

³⁴² *Foreign Bodies and the Body Politic: Discourses of Social Pathology in Early Modern England* (New York: Cambridge University Press, 1998), 107. In his essay on detraction, Richard Brathwaite portrayed “spreaders of tales as firebrands;” *Essaies upon the Five Senses: Revived by a New Supplement; with a Pithy One upon Detraction* (London: Printed by Anne Griffin, and are to be sold by Henry Shephard in Chancery lane, at the signed of the Bible, 1635), 165.

In his brief article, “Calumny in *The Faerie Queene*, II.iv,” Michael Bull suggests that the iconographic detail of stanza three and the depictions of Occasion and Furor were influenced by Lucian’s *Calumniæ*. This work described a painting by Apelles featuring Calumny dragging a man by the hair. Bull explains that Lucian depicted Calumny as exhibiting furor and rage, associations that are transposed unto Furor in the character’s introductory line, “A mad man, or that feigned mad to bee.” Taking on more than her emotional response, Furor also acts as Calumny does by drawing “by the heare along upon the grownd, / A handsome stripling with great crueltee” (iv.3.4, 5-6).³⁴³ While Furor embodies the wrath previously associated with Calumny, Occasion is not completely bereft of this link. It is Guyon’s guide, the black Palmer, who eventually names this figure, “*Occasion*, the roote of all wrath and despight” (iv.10.9). Her allegorical link to anger is reshaped in their familial relationship, and, just as importantly, it is fostered through Occasion’s words. It is her words that define her, while the effect of these same words define her son.

Occasion’s defeat by Guyon provides yet another connection with slander. Having overcome her, Guyon fits Occasion with a scold’s bridle, a demeaning punishment meant to enforce silence on a woman who could not control her tongue.³⁴⁴ Following the Palmer’s advice, Guyon catches “hold of her ungratious tonge, / Thereon an yron lock, did fasten firme and stronge” (iv.12.8-9). Binding her hands for good measure, Occasion is left unable to communicate, at which point, Furor’s valor evaporates and he runs away. The scold’s bridle, like

³⁴³ Michael Bull, “Calumny in *The Faerie Queene*, II.iv.” *Notes and Queries* 242 (Dec. 1997): 473-77. Bull also references two sixteenth century examples, a woodcut frontispiece to a 1516 German translation of Lucian’s *Calumniæ*, and Federico Zuccaro’s painting of *The Calumny of Apelles*, arguing that while “it is not inconceivable that Spenser knew one or another of these images...the more obvious conclusion is that Spenser, like the two artists, arrived independently at the representation of Furor as a central protagonist” (473).

³⁴⁴ For more on the devices and shaming rituals used to punish outspoken women, see Lynda E. Boose, “Scolding Brides and Bridling Scolds: Taming the Woman’s Unruly Member.” *Shakespeare Quarterly* 42.2 (1991): 179-213; and David Underdown, “The Taming of the Scold: the Enforcement of Patriarchal Authority in Early Modern England” in *Order and Disorder in Early Modern England*, ed. Anthony Fletcher and John Stevenson (Cambridge: Cambridge University Press, 1985), 116-36.

the cucking stool, was a device meant to reinforce patriarchal control on a woman who had been interpreted as behaving in an unnatural way. These demeaning public punishments and the carnivalesque rituals surrounding them—scolds could be preceded by discordant music, were likely to be urinated upon, and were subjected to taunts and ridicule as they stood in the pillory—were meant to reverse the breach of gender politics that had occurred as a consequence of the woman’s uncontrolled tongue. The shaming history behind the scold’s bridle tacitly points to slander’s ability to overthrow natural order. Though the text does not draw attention to this facet as it does when Radegund emasculates Artegall in Book V, the use of the scold’s bridle upon Occasion insinuates the inherent shame in Furor’s ill treatment at the hands of a woman, even if she is his mother.³⁴⁵ More importantly, Furor’s responsiveness to Occasion, both her provocation and her silencing, underscores calumny’s ability to conquer reason and the necessity of stemming the flow of ill speech before reason and temperance can be restored. Furor is nearly invincible so long as Occasion continues to prompt his anger. The moment she is silenced, Furor’s might is lost.

The handsome, young knight whom Furor relentlessly beats, Phedon, provides the final link between Occasion and slander. Though literary scholars often note the allegorical meaning of Phedon’s subjection to Furor, they frequently elide slander’s role as the catalyst for his anger.³⁴⁶ Phedon’s narrative illustrates the impact that calumny can have on a listener. The

³⁴⁵ The word “bridle” is used repeatedly throughout Book II as a metaphor for controlling one’s emotions. For example, see Canto iv, stanza 34, for the Palmer’s advice to Phedon.

³⁴⁶ For example, Morgan states that “the subjection of Phedon to Furor (as we shall later see) expresses the state of one who is overwhelmed by sorrow and an unappeasable desire for vengeance, and this combination of passions is evident in Phedon’s slaying of Claribell and is indeed a man in an agony of ‘griefe and furie’ (II.iv.33)”; “The Idea of Temperance in the Second Book of *The Faerie Queene*,” 14, also see 32. While the goal of Silberman’s analysis of the Furor and Occasion episode is to show “the limitations of Temperance in mediating between the individual and experience,” she merely gestures to the connection between Philemon’s slander and Phedon’s anger, arguing instead that “the occasion of Phedon’s murderous furor is his failure to establish the appropriate connections, either to the object of his passions, Claribell, or to his doppelgänger, Philemon”; “*The Faerie Queene*,” Book II and the

figurative meaning of this episode is not understood until Guyon has defeated Furor and Occasion, allowing Phedon to share his story. Guyon overcomes the representative of Phedon's anger for him, allowing Phedon to regain sufficient control of his emotions to narrate the troubles that resulted in his falling victim to Furor. He relates how he fell in love with a socially superior woman named Claribell, who returned his love and with whom he became engaged. His squire and dearest friend, ironically named Philemon, Greek for "affectionate," defamed Claribell shortly before their wedding day, claiming that she "Had both distaind her honorable blood, / And eke the faith, which she to me did bynd" (iv.22.7-8). Phedon hypothesizes that Philemon betrayed their friendship due to envy (iv.22.2). Philemon's aspersion eventually destroys the couple's bond and the long treasured friendship, the "sacred band," between knight and squire (iv.23.6).

The anguish into which Phedon is plunged following the maligning of Claribell exhibits the common early modern conception of slander as poisonous and infectious, like the plague. Nicolas Breton, to whom *A Murmurer* is attributed, argued that murmuring (synonymous with slander) leads to dis-temperature, later adding that murmuring is poisonous and murmurers have poisoned tongues. The unknown author of *A Plaine Description of the Ancient Pedigree of Dame Slander* argues that those who listen to slander spread infection.³⁴⁷ Richard Brathwaite affixed a supplement on detraction to his popular work, *The Five Senses*. In this addition, he compared detraction to poison, calling it "this poison of the world." And in *The Dumb Divine*, Affinati d' Acuto contended that the tongue of the slanderer or depraver is the most insupportable of all, that

Limitations of Temperance," 13. Exceptions to this critical oversight are Bull, "Calumny in *The Faerie Queene*, II.iv," and Gohlke, "Embattled Allegory," 127, 134.

³⁴⁷ Nicolas Breton, *A Murmurer*, 22-33. *Description of the Ancient Pedigree of Dame Slander*, F.i. The author also states that slander is akin to the plague and murder by poison in that they both work in secret (F.ii). He or she repeatedly returns to the notions that slander, backbiting, and flattery are poisonous and like the plague throughout the text.

murmurers and detractors are an infectious disease given to the world as a plague, and that only God could heal this plague.³⁴⁸ Phedon's response to the allegation additionally depicts calumny's ability to incite numerous negative emotional responses, including anger, envy, and jealousy.³⁴⁹ His reaction is immediate, as he describes "The gnawing anguish and sharp gelyosy, / Which his sad speech infixed in my breast, / Ranckled so sore, and festered inwardly, / That my engreaved mind could find no rest, / Till that truth thereof I did out wrest" (iv.23.1-5). Phedon interprets the aspersion as having an infectious effect. The agony and jealousy that result from the charge are depicted as if they were foreign objects that had pierced his heart, remaining affixed in this organ. Festering, Phedon's jealousy takes hold of his mind, torturing him. Moreover, in the early modern period, the ears were thought to provide a direct path to the imagination. Brathwaite specifically links the ears with the imagination when he states that the ears are "one of the activest and laborioust faculties of the soul" and that they convey "the fruit of either moral or divine discourse to the imagination."³⁵⁰ Helkiah Croke believed that "those things which be

³⁴⁸ Richard Brathwaite, *Essaies upon the Five Senses*, 159, 161. Affinati d' Acuto, *The Dumb Divine Speaker*, 147-60. Brathwaite and Affinati d' Acuto are far from the only individuals to figuratively link forms of ill speech, especially slander, to poison or infection. Jean de Marconville argues that poisonous and wicked tongues are more deadly than weapons for they destroy both bone and reputations; *A Treatise of the Good and Evell Tongue* (1592), 17. Referencing Psalm 140, William Perkins states that "the man of an evil tongue, is a beast in the form of a man; for his tongue is the tongue of a serpent, under which lyeth nothing but venime and poison: nay, he is worse than a serpent" because a snake can only strike one who is near, unlike a slanderer who can strike from afar. Moreover, the slanderer's "throate is like a grave that hath a vent in some part and therefore sendeth foorth nothing but stinke and corruption." *A Direction for the Government of the Tongue according to Gods worde* (1595), 67. George Webbe, in turn, drew upon St. James and the Psalms, to argue that the evil tongue is poisonous (90, 101, 102), that the evil tongue is a sword, razor, bow and arrow, and a box of poison (95), before offering a series of remedies and antidotes to the poison of a slanderous tongue, which included: patience, experience, meditation, and providence (118-22). *The Araignment of an Unruly Tongue* (1619). Marconville, Perkins, and Webbe's texts are each reproduced in *The Unruly Tongue in Early Modern England*, ed. Vienne-Guerrin. 1-134. Vaughan explains that if the spirit of detraction enters a household and is "by negligence permitted to infect some of the household, [it] will at length not onely envenome the head of the Family himselfe, but also empoison the whole neighbourhood, except at the first his fiery force be extinguished with the milke of *Taciturnity* and *Patience*." *The Spirit of Detraction*, 306. Vaughan returns to the notion of detraction as poison several times throughout his work.

³⁴⁹ The anonymous author of *A Plaine Description* argues that slander induces anger, thus honest men put anger away and listen with open minds. However, individuals with bad dispositions in turn hide anger their hearts (Ciii). Affinati d' Acuto likewise views anger as a cause of hypocrites' double tongue, tongues that speak both good and ill, or that speak ill making seem good; *The Dumb Divine Speaker*, 168.

³⁵⁰ Brathwaite, *Essaies upon the Five Senses*, 8, 14.

heard, take a deeper impression in our minds” than by things that are seen.³⁵¹ Having entered his ears, the slander “festered inwardly” leading Phedon’s “engreeved mind” to “find no rest” (iv.23.3-4).

In *The Poetry of the Faerie Queene*, Paul J. Alpers argues that “Spenser, throughout, the episode, has turned the external events that victimize Phedon into active projections of his own mind.”³⁵² From the moment Philemon defames Claribell, Phedon takes a potential external threat and filters everything through his imagination—that is, what he *thinks* he hears and sees are not what he actually hears and sees. He explains that Philemon “wisht me stay, till I more truth should fynd” (iv.22.9). Though he takes no action, Phedon begins to unconsciously reinterpret all the information that he obtains. Phedon’s pronoun use in this description of Philemon’s advice is telling. This line should read as Philemon asking Phedon to wait until “he,” Philemon, could secure evidence of Claribell’s trespass. Yet this is not what Phedon hears, nor what he relates to Guyon. Until “I” the truth find signals that Phedon has already internalized Philemon’s words, determining the accusation as worthy of further investigation. George Webbe, a Wiltshire preacher, argued that the ears could act as accomplices to slanderous tongues, in that they eagerly accept slander’s poison, a notion brought to life by Phedon’s doubt.³⁵³ Rather than trusting his betrothed, he gives in to doubt, thereby becoming an active agent in his own demise and complicit in Philemon’s lie.

³⁵¹ Helkiah Croke, *Microsmographia* qtd. in Bruce Smith, *Acoustic World of Early Modern England: Attending to the O-Factor* (Chicago: University of Chicago Press, 1999), 283. Wright discusses the connection between the imagination and the written and spoken word extensively in *The Passions of the Mind in General*, Newbold.

³⁵² *The Poetry of The Faerie Queene*, 63, 62-69. Examining stanza 27, Alpers goes on to say “Especially after the inwardness of ‘in a secret corner layd,’ we see the ‘tragedy’ as part of a complex psychological phenomenon—the mind feeling that it is about to do something dreadful and being helpless to stop itself. But Phedon himself—if indeed we feel his presence as the dramatized narrator—is not aware of the meanings that make this so resonant a line. To him ‘my Tragedie’ refers to an external event, and can only mean ‘the (staged) actions that was catastrophic to me’” (63-64).

³⁵³ *The Araigement of an Unruly Tongue* in *The Unruly Tongue in Early Modern England*, Vienne-Guerrin, 115.

The ease with which Phedon falls prey to Philemon's falsehood illustrates that slander thrives on a willing audience, gullible listeners who interpret calumnious statements as truth, reframing future data to support this premise. Slander is a stealthy form of ill speech in that it is always presented as truth. It relies upon its audience's belief and cannot spread without implicating those listeners who deem such allegations truthful and choose to share the accusations with others. The spread of slander is a perversion of the modern idea of paying it forward. Drawing on the work of both Aristotle and Frederich Nietzsche, Fahey shows how metaphors are also stealthy forms of speech. She explicates that for Aristotle, metaphors are most successful when they appear natural, when individuals do not notice the effort behind their crafting. Similarly, Nietzsche explains in "On Truth and Falsehood in the Extramoral Sense" that metaphors can be forgotten as metaphors and instead be understood as truths.³⁵⁴ Fahey goes on to demonstrate how an auditor can be complicit in metaphor, complicating the notion of agency.³⁵⁵ Analogously, the connection between slander and agency is not a simple matter. Once an individual hears incriminating words, whether he or she shares the information, or keeps it hidden, he or she too becomes implicated in the verbal crime.³⁵⁶ This notion is borne out by the sedition statutes of the 16th century, which punished those who merely repeated slanders against the monarch, peer, or government official. Phedon is thus implicated by Philemon's slander the moment he hears it and gives in to doubt, rather than reputing the allegation, or at the very least questioning Claribell herself.³⁵⁷

³⁵⁴ Fahey, *Metaphor and Shakespearean Drama*, 1-21.

³⁵⁵ Fahey, *Metaphor and Shakespearean Drama*, 15-16.

³⁵⁶ For example, see Phillip and Mary's 1554 sedition statute, or Elizabeth's 1581 statute in *Statutes of the Realm*.

³⁵⁷ Silberman finds Phedon culpable for a different reason, for his inability to accept responsibility for his actions and his use of "language both to justify and to sustain his furor"; "'*The Faerie Queene*,' Book II and the Limitations of Temperance," 13, 13-14.

Phedon is further incriminated by Philemon's slander when he is confronted with deceptive ocular proof of Claribell's supposed infidelity, an incident that demonstrates the body's vulnerability to outside influence. Although Phedon is beset by doubt, he does not act on his fears until Philemon "proves" them true. To substantiate his accusation against Claribell, Philemon has Claribell's handmaiden, Pryene, dress as her mistress while a hidden Phedon watches them. Philemon's ruse and Phedon's misinterpretation of what he sees demonstrates Brathwaite's claim that "there is no passage more easie for the entry of vice than by the cranie of the eye."³⁵⁸ This misinterpretation additionally illustrates the epic's distrust of visuals, seen through the constant use of the word "seems." Phedon admits "her proper face / I not descerned in that darksome shade, / But weend it was my love, with whom he playd" (iv.28.3-5). Darkness forbids him from clearly observing Philemon's interaction with "Claribell," yet he never considers the possibility that what he thinks he witnessed might not be what actually occurred. The fact that Phedon immediately acts upon his admittedly incomplete knowledge suggests that he consciously chooses to believe Claribell is guilty. The forces that assault Phedon's sight and hearing are spurious, yet they overcome his defenses. The sight of his now "loathed love" leads Phedon to kill the innocent Claribell "with wrathfull hand" and without warning (iv.29.3-4). Having learnt the truth too late, Phedon "with horrible affright / And hellish fury all enraged" contemplates suicide, before deciding "To wreake my wrath on him, that first it wrought" (iv.30.1-2, 5). He poisons his treacherous friend, and attempts to murder Pryene, who escapes his wrath by fleeing. As he chases her, Phedon find himself chased by Furor, the embodiment of the anger that consumes him, and Occasion, an allegorical figure who continually employs the very weapon that undoes Phedon, slander (iv.32). By allowing himself to be overcome by his anger, Phedon unintentionally summons the allegorical figures that represent his undoing.

³⁵⁸ *Essaies upon the Five Senses*, 3.

The language of disease returns with the conclusion of Phedon's tale. He explains to Guyon that though the latter has freed him from Furor and Occasion's grasp, "yet stickes the morall sting, / That during life will never be appeas'd" (iv.33.5-6). Phedon does not offer further comment on the precise nature of this sting, yet Guyon and the Palmer's counsel implies that the sting refers to the lasting ill effects of Philemon's slander. Guyon counsels "sore have ye beene diseas'd; / But all your hurts may soone through temperance be eas'd" (iv.33.8-9). According to Guyon, ungoverned emotions are akin to illness in that both threaten bodily integrity. The Palmer adds that Phedon, rather than give the "bridle" "to affections" that "cruell batty bend / Gainst fort of Reason" and have "this Squyre...laide thus low" (iv.34.2, 7-9), must achieve temperance, which will allow him to conquer the emotions "Wrath, gelosy, griefe, love" that have proven so troublesome (iv.34.9).³⁵⁹ Though Guyon and the Palmer mean well, their advice is laughable. A man who has murdered his wife and best friend in cold blood and has been denied a third murder merely by the virtue of another's superior speed is not capable of such self control—the disease has taken too strong a hold. Moreover, the Palmer's suggestion that Phedon eradicate the passions within him is simply not possible, for such emotions are part of the human experience. Thomas Wright wrote "Passions are not only not wholly to be extinguished (as the Stoics seemed to affirm), but sometimes to be moved and stirred up for the service of virtue."³⁶⁰ Guyon himself relies upon righteous anger to destroy the Bower of Bliss.

Moreover, immediately following this exchange, Guyon's self-control is put to the test by the appearance of Atin and Pyrochles, revealing that the passions cannot be exterminated; they

³⁵⁹ Stambler describes the Palmer's counsel as "quintessentially practical" and sees in Guyon's differing response an allusion to Scripture, which he interprets as evidence of Guyon's unconscious inculcation into Christianity; "The Development of Guyon's Christian Temperance," 62. Madelon S. Gohlke notes that the Palmer's suggestion is "extreme," essentially telling Phedon to avoid all human emotion; "Embattled Allegory," 135.

³⁶⁰ *Passions of the Minde in General*, 101. Chapter 4 of Wright's work is entitled "How the Passions may be well directed and made profitable," 100-02.

instead must be continually wrestled into submission. The bellicose knight, Pyrochles, and his ill-mannered squire, Atin, mirror the allegorical figures of Furor and Occasion. Though further developed and individualized, Pyrochles and Atin are each symbolized by a particular emotion. Like Furor, Pyrochles is symbolized by fire, his shield bearing the motto "*Burnt I doe burne,*" an axiom demonstrating the disturbing effect of Pyrochles's unappeasable anger (iv.38.5). Moreover, Pyrochles who "breathes out wrath and hainous crueltee" sends Atin to seek Occasion, for Pyrochles "is all disposed to bloody fight" (iv.43.8, 7). As implied by his motto, name, and lineage (iv.41), Pyrochles hardly needs the added motivation to fight, yet he proves true to his choleric nature by seeking that which will only further aggravate him. Atin's name, in turn, is derived from Ate, the Greek goddess of strife or discord. Like Occasion, Atin's defining characteristics are linked to slander. His name implies the effects that his mischief has upon others, as he incites discord wherever he goes. He achieves this end through his ungracious attitude and the poisoned arrows he carries with him. Approaching Guyon for the first time, Atin addresses the knight of temperance as "Sir knight, if knight thou bee," using the imperative voice to command Guyon to "Abandon this forestalled place at erst, / For feare of further harme, I counsel thee" (iv.39.3-4). Claiming the middle space for Pyrochles, Atin ignores the rules of chivalry by first doubting Guyon's knighthood and then denying Guyon's right to the middle space, the ground that he had won by besting Furor in combat. Learning that Guyon has already conquered Occasion, Atin claims that Guyon "knights and knighthood doest with shame upbray" for using his "childishe might" against a "silly weake old woman" (iv.45.3, 4, 5). Atin attempts to wound Guyon first through his words, which fail to bite due to Guyon's temperance, and then through a physical attack.

Atin is armed with two poisoned arrows, which were a popular metaphor for slander, appearing frequently in period treatises on slander and ills of the tongue. Drawing on biblical precedence,³⁶¹ this verbal ill was often portrayed as an arrow because it has the ability to wound an individual from a distance.³⁶² Atin carries with him “two dartes exceeding flit, /...whose heads were dight / In poison and in blood, of malice and despight” (iv.38.7-9). Not only are his arrows dipped in poison and blood, two infectious fluids, but they are also laced with malice and spite, two harmful emotions possibly meant to magnify each arrow’s deadly effectiveness. Period treatises often emphasized that slander was motivated by malice and that a statement was slanderous even if it was truthful but uttered out of malice.³⁶³ The belief that slander and sedition are inspired by malice can also be glimpsed in Phillip and Mary’s 1554 sedition statute, which law first defined sedition as a criminal act. This act assumed that sedition stemmed from “sundry malicious and evil disposed persons.”³⁶⁴ The effects of Atin’s arrows are displayed in the following canto when he pricks the lascivious knight, Cymochles, brother of Pyrochles, who instantly becomes “inflamd with fell despight” and springs into action (v.37.8). The depiction of becoming inflamed with spite stresses the onset of Cymochles’s anger, yet it also causally links

³⁶¹ For example, see Proverbs 25.

³⁶² William Averell depicts words as piercing worse than arrows in *A Mervailous Combat of Contrarieties* (London: Printed by I. Charlewood for Thomas Hacket, and are to be solde at hys shop in Lomberd streete, vnder the signe of the Popes heade, 1588), C2. Gibbon contends that slander is like an arrow because of its speed with which ill words travel in *The Praise of a Good Name*, 30. Marconville, states that slanderous words are “swift and sharpe arrows, which are sent from a strong and poysant bowe” (17) in *A Treatise of the Good and Evell Tongue*, and Webbe uses the metaphor repeatedly throughout his work, *The Araignment of an Unruly Tongue*; both Marconville and Webbe’s texts are reproduced in *The Unruly Tongue in Early Modern England*, Vienne-Guerrin. 1-38 and 83-134, respectively. Affinati d’ Acuto describes ill words as both arrows and poisoned arrows in *The Dumb Divine Speaker*, 163, 164.

³⁶³ In the dedication to his work on the ills of slander, Gibbon links malice and poison arguing that malice is poisonous and likely to kill the malicious. He also contends that the malice of women is worse than that of men, “for what will not a wicked woman in her malice imagine”; *The Praise of a Good Name*, 27. According to the printer’s epistle to the reader preceding the anonymous *A Plaine Description*, the goal of the text is to demonstrate to all readers “the malice of a wicked and slanderous tongue.” The author additionally claims that even if an individual reports the truth, if he or she acts out of malice, then he/she is a slanderer (Di). Breton likewise agrees that if a speech is true but is uttered out of malice, then the speaker is guilty of murmuring; *A Murmurer*.

³⁶⁴ *Statutes of the Realm*, Vol. 4, part 1, 240. The statute is numbered 1 & 2 Phillip and Mary, c. 3.

the metaphors of slander as an arrow and as a plague by bringing to mind the painful swelling that can accompany infection. Although Cymochles later gives into temptation, setting aside his quest for revenge for the time being, Atin's arrows nonetheless cause the naturally self-indulgent and lazy Cymochles to be overtaken by anger.

The final stanza of canto iv provides another significant detail concerning Atin's arrows, that they are double-pronged. Growing angry with Guyon, Atin brings an abrupt end to the canto when "one of his thrillant darts he threw, / Headed with yre and vengeable despight," having taken aim at Guyon's "brest" (iv.46.1-2, 4). Quickly perceiving Atin's intent, Guyon "was wary" and "advaunst his shield atweene" the arrow and himself (iv.46.5, 6), which results in the arrow "backe rebownding" and leaving "the forckhead keene" stuck in the shield (iv.46.8). The arrows' forked head may be another instance of Atin's dissentious nature, yet it once again recalls period discussions on the tongue. This organ was thought to have a double nature because of its ability to both praise and curse. Slanderers, in particular, were often depicted as having double-tongues.³⁶⁵ The Longman edition's footnote references George Whitney's emblem for calumny, which "shows that slander's arrows cannot hurt virtue." Michael Bull likewise mentions Whitney's emblem and additionally links Atin's use of arrows to Lucian's depiction of slander.³⁶⁶

Atin's allegations against Guyon's honor are only the first of many slanders that are continually spoken against the knight throughout Book II. Upon his first encounter with

³⁶⁵ The notion of the double nature of the tongue consistently appears in various period treatises on this organ. These treatises often reference biblical images of the tongue and Erasmus's *Lingua* (1525). For period discussion of the tongue's double nature, see: the anonymous *A Plaine Description*, Affinati d' Acuto, *The Dumb Divine Speaker*, a work specifically written to elucidate this notion, Thomas Adams's *The Taming of the Tongue*, and Marconville's *A Treatise of the Good and Evell Tongue*, the last of which is reproduced in *The Unruly Tongue in Early Modern England*, Vienne-Guerrin, 17. For more on the early modern period's interest in the ambivalence of the tongue, see Carla Mazzio, "Sins of the Tongue," in *The Body in Parts*, ed. David Hillman and Carla Mazzio (New York: Routledge, 1997), 53-79, and *The Unruly Tongue in Early Modern England*, Vienne-Guerrin, xvii-l. Vienne-Guerrin notes that Erasmus's *Lingua* was itself "much indebted to Plutarch's "De Garrulitate"" (xxiv). See also Ina Haberman, *Staging Slander and Gender in Early Modern England* (Burlington: Ashgate Publishing Company, 2003). See note 5 above.

³⁶⁶ *Edmund Spenser*, Hamilton, 195. Bull, "Calumny in *The Faerie Queene*, II.iv," 475-76.

Pyrochles, Guyon accidentally kills the latter's horse, causing Pyrochles to label him a "Disleall knight, whose coward corage chose / To wreake it selfe on beast all innocent" and to claim that Guyon "oft with guile thine honor blent" (v.5.3-4, 7). Pyrochles's complaint is the height of hypocrisy given his unprovoked attack of an on foot Guyon. Though he fails to honor the code of chivalry, Pyrochles's charge still sticks, for the headless horse "did him fowly dight" (v.4.9). It is unclear whether the pronoun "him" refers to Pyrochles or Guyon, intimating that Guyon may feel some sense of shame at his accidental horse slaughter, a feeling exacerbated by Pyrochles's critique. Guyon eventually defeats Pyrochles because "Tempring the passion with advisement slow," he fights wisely, parrying his opponent's attacks (v.13.1). Exercising temperance and patience, he waits for Pyrochles to spend himself and wins the day.³⁶⁷

Guyon's newfound strength, his patience, is immediately tested by an old foe, an episode underscoring that Guyon has learned his lesson. Having bested Pyrochles, Guyon grants him mercy and even allows him to free Occasion. True to form, no sooner has she been freed, than she begins to slander them both. Unlike their previous encounter where her "reproch and odious menace" "emboyling in his haughtie hart" nearly led Guyon to spill blood (iv.9.5, 6), Guyon is now "wise, / Ne would with vanie occasions be inflam'd" (v.21.6-7). He exercises patience, a virtue that the preachers Webbe and Vaughan each proffer as a remedy to slander, and does not allow her aspersions to upset him.³⁶⁸ His display of temperance illustrates that this virtue is not the same as inaction. Guyon *chooses* not to get upset; he controls the natural reaction to being the victim of calumny. He does, however, feel pity for Pyrochles who is viciously attacked by a

³⁶⁷ In canto viii, Arthur defends Guyon after the latter faints as a result of his three days' journey into hell in canto vii. Arthur employs a similar tactic when battling Pyrochles, "with pacience and sufferance sly" he lets Pyrochles tire himself out before going on the offensive (viii.47.7).

³⁶⁸ Webbe's remedies for slander also include experience, meditation and providence (118-22); *The Araignment of an Unruly Tongue* in *The Unruly Tongue in Early Modern England*, Vienne-Guerrin, 83-134. Vaughan explains that if the spirit of detraction can only be defeated if "...at the first his fiery force be extinguished with the milke of *Taciturnity and Patience*" in *The Spirit of Detraction, Conjured and Convicted in Seven Circles*, 306.

reenergized Furor. Moving to intervene, Guyon is stopped by the Palmer. Advising him against “causeless ruth” and “pitty vayne” (v.24.5, 6), the Palmer rightly notes that Pyrochles “his sorrow sought through wilfulnesse, / And his foe fettred would release agayne, / Deserves to taste his follies fruit, repented payne” (v.24.7-9). The Palmer’s counsel teaches Guyon an important lesson concerning pity, that one must distinguish between earned pity, such as that due to virtuous victims like Amavia, and causeless or wasted pity, as in this situation. Throughout Book II, Guyon is prone to pitying others. This encounter demonstrates that compassion, like any other emotion, must also be held in check. This advice similarly applies to the virtue of patience. Though patience generally refers to the ability to accept suffering without resorting to anger, the Palmer suggests that one must also accept another’s suffering when that person has brought such suffering on him or herself. Having stubbornly pursued his own injury, even after Guyon warns him against freeing Occasion (v.18.1-4), Guyon now recognizes that Pyrochles must reap what he sowed and leaves the latter to his fate. Guyon will display the same judgment at the end of Book II when faced with Gryll, one of Acrasia’s victims who was turned into a boar and restored to his original shape by Guyon, but who complains of this second transformation (xii.86-87). In that encounter, as with Pyrochles, Guyon “let[s] *Gryll* be *Gryll*” (xii.87.8).

Guyon’s later encounter with Cymochles, however, portrays that temperance is a continual struggle, a commitment that must be renewed time and again. Like his brother, Pyrochles, Cymochles slanders and attacks Guyon upon their first encounter. Guyon “grudging not so much his might, / As those unknightly raylinges, which he spoke, / With wrathfull fire his corage kindled bright” (vi.30.5-7). Guyon’s ability to master his emotions is again tested. Without his trusty guide, the Palmer, Guyon cannot help but feel angry at Cymochles’s allegations. He wins the battle and spares his antagonist’s life, but it is only because Phaedria

intervenes, rather than through self-control (vi.32-35). Guyon is the only of *The Faerie Queene's* knights who never kills an opponent, yet one is left to wonder if he could still claim this distinction had it not been for Phaedria's plea for mercy. Despite the victory, Guyon's troubles are not yet over. Ten stanzas later, in what feels like a short, follow-up quiz, Guyon again encounters Atin. This time, a "sober Guyon, hearing him so rayle, / Though somewhat moved in his mightie hart, / Yet with strong reason maistred passion friale" (vi.40.2-4). The slandering of Guyon by a variety of opponents is a running theme of Book II.³⁶⁹ This repetition, however, is necessary. Each of these episodes allows Guyon the opportunity to use restraint and demonstrate self-control. These encounters show that temperance is not the same as doing nothing, for Guyon feels each of the allegations against him. He gets angry, but ultimately masters his emotions. He learns when to pity others and when to withhold mercy. Collectively, these episodes teach Guyon the value of patience and self-control. Temperance may not be glamorous, but it is needed. As the Palmer later advises Pyrochles and Cymochles, "May bee, that better reason will aswage, / The rash revengers heat. Words well dispost / Have secrete power, t'appease inflamed rage" (viii.26.6-8). While ill disposed words can cause a host of negative emotions, as demonstrated above, reasonable words can ease anger and potentially restore temperance.

The Battle for Control of the House: Besieging the House of Alma

Canto ix begins with the claim that "Of all Gods works, which doe this world adorne, / There is no one more faire and excellent, / Then is mans body both for power and forme," a claim that is subject to the caveat "Whiles it is kept in sober government" (ix.1.1-4). Failure to maintain self-control leads to the opposite effect, "But none then it, more fowle and indecent, / Distempred

³⁶⁹ The brothers Pyrochles and Cymochles continue to slander Guyon in canto viii when they believe the fairy knight to be dead.

through misrule and passions bace: / It grows a Monster, and incontinent / Doth loose his dignity and native grace” (ix.1.5-8). To lose control is to become worse than a beast, a fear that is brought to life in Acrasia’s Bower of Bliss at the end of Book II. Before he meets Gryll and the other inhabitants of the Bower, though, Guyon first encounters a symbolic representation of God’s “faire and excellent” work.

The House of Alma represents a well-ordered body, one in control of its passions in which each member contributes to the organism’s overall health, yet one whose inner workings appear oblivious to the siege occurring outside its parameters.³⁷⁰ Shortly after their arrival, Guyon and Arthur are given a tour of the anthropomorphized castle by its ruler, Alma, who represents the rational soul. One of the locations they visit is the mouth. Stanza 25 is dedicated to describing the tongue, emphasizing the need for the proper control of this slippery organ. An unnamed “Porter,” who represents the tongue, sits “Day and night duely keeping watch and ward, / Nor wight, nor word mote passe out of the gate, / But in good order, and with dew regard” (ix.25.1, 2-4). This is a fulltime job, requiring the porter to weigh the value of every single word so as to ensure that no idle or potentially harmful speech is allowed exit. To maintain

³⁷⁰ For more on the House of Alma see James W. Broadus, “Renaissance Psychology and the Defense of Alma’s Castle.” *Spenser Studies* 21 (2004): 135-57. Broadus investigates why Guyon (and the Palmer) do not partake in the defense of Alma’s castle, contending that their emotional vulnerability makes them ill equipped for the task. In *The Poem’s Two Bodies: The Poetics of the 1590 Faerie Queene*, David Miller focuses on the Castle’s missing genitals, seeing this lacuna as evidence of Spenser’s discomfort with sexuality (Princeton: Princeton University Press, 1988). Jerry Leath Mills focuses on the infamous stanza 22 in “Spenser’s Castle of Alma and the Number 22: A Note on Symbolic Stanza Placement.” *Notes and Queries* 212 (Dec. 1967): 456-57. Robert L. Reid claims that literary scholars have overemphasized the importance of Aristotelian psychology in the description of Alma’s castle, to the neglect of Platonic psychology. He argues that the dwelling “is a remarkable synthesis of Platonic and Aristotelian systems” in “Alma’s Castle and the Symbolization of Reason in *The Faerie Queene*.” *The Journal of English and Germanic Philology* 80.4 (Oct. 1981): 512-27, 512. Michael Schoenfeldt argues the importance of Spenser’s attentiveness to the stomach and digestive system in the Castle of Alma in “The Construction of Inwardness in *The Faerie Queene*, Book 2” in *Worldmaking Spenser: Explorations in the Early Modern Age*, ed. Patrick Cheney and Lauren Silberman (Lexington: The University Press of Kentucky, 2000), 234-43; expanded in *Bodies and Selves in Early Modern England*, 40-73. For more on the metaphorical depiction of the body as a house see, Leonard Barkan, *Nature’s Work of Art: The Human Body as Image of the World* (New Haven: Yale University Press, 1975), 116-74, and 201-76. Louise Vinge examines medieval and early modern representations of the senses, including the allegory of the senses as a besieged city; she also briefly examines the siege on the House of Alma in *The Five Senses: Studies in a Literary Tradition* (Lund, Sweden: Liber Lärmedal, 1975), 47-103, especially 91-93.

this control, “Utterers of secrets he from thence debarde, / Bablers of folly, and blazers of cryme” (ix.25.5-6).³⁷¹ He completely denies entry to ill speech by barring all those with loose lips, individuals who take pleasure in engaging in foolish talk, or in revealing secrets and crimes. His mastery over those with loose tongues is further underscored by the fact that he only uses his “larumbell... / When cause requyrd, but never out of time” (ix.25.7-8). The stanza concludes by noting that the careful porter speaks, through the use of his alarm bell, only when needed. The specific causes that require speech remain unnamed. As a whole, the stanza appears dedicated to delineating the forms of speech that should be suppressed, rather than emphasizing fit subjects for discussion, subtly intimating the value of silence.

In the following stanza, Guyon and Arthur walk past the anthropomorphized teeth, who no longer guard the mouth but instead protect one of the castle’s entryways. They are depicted as “rownd about the porch on every side / Twise sixteen warders satt, all armed bright, / In glistering steele, and strongly fortifyde” (ix.26.1-3). These “yeomen” “of great might” are said to be “enranged ready, still for fight” (ix.26.4, 5). Focusing on the castle’s entryways, Michael Schoenfeldt states, “Spenser here emphasizes the tense blend of porousness and fortification that marks the physiological self the castle represents.”³⁷² Drawing on biblical precedent, particularly Pslam 141 when David asked God to set a watch upon his mouth, period treatises on the tongue often described the teeth as the guardians of the mouth.³⁷³ Spenser tweaks the allegorical depiction of the teeth, presenting them not as sentries against ill speech, but as thirty-two men

³⁷¹ The Longman edition glosses these lines as “a witty personal reference to [Spenser’s] career as a keeper of state secrets; *Edmund Spenser*, Hamilton, 239.

³⁷² “The Construction of Inwardness in *The Faerie Queene*, Book 2.” Cheney and Silberman. 235.

³⁷³ Affinati d’ Acuto repeatedly reiterates David’s depiction of the lips as the door of the mouth in *The Dumb Divine Speaker*. Additional works of the era that describe the teeth as the mouth’s watchers include Gibbon, *The Praise of a Good Name*, Maconville, *A Treatise of the Good and Evell Tongue*, and Perkins, *A Direction for the Government of the Tongue*. Both Maconville and Perkins’s texts are reproduced in *The Unruly Tongue in Early Modern England*, Vienne-Guerrin, 1-80. See also Thomas Tomkis’s *Lingua: or The combat of the tongue, and the five senses for superiority: A pleasant comædie* (London: Printed by G. Eld, for Simon Waterson, 1607) and Thomas Adams’s *The Taming of the Tongue*.

guarding against physical threats. Presumably this is due to the House of Alma's perfect temperance. Alma's tour of her castle has already portrayed the tongue's mastery over itself, a feat often depicted as impossible for man.³⁷⁴ The tongue's self control thereby relieves the teeth of their traditional duty, allowing them to instead patrol the entryway to the castle.

Although Guyon and Arthur's tour of the anthropomorphized castle does not include a discussion of the ears, the sense of hearing does play a role in the castle's workings. As they make their way to the brain, they walk up a strong turret that includes references to the eyes, eyelids, and hair, but no ears. Within the brain reside three wise sages whose duty it is to counsel Alma. These sages represent two of the inner senses and are linked to different time periods. Phantastes, the imagination, looks to the future; the unnamed second sage watches over the present; and Eumnestes, memory, studies the past. Each of the sages has his own room, which reflects his respective interests. My interest lies with Phantastes, whose room is "filled...with flyes, / Which buzzed all about, and made such sound, / That they encombred all mens eares and eyes" (ix.51.1-3). The sounds these flies make are revealed to be "idle thoughtes and fantasies, / Devices, dreames, opinions unsound, / Shewes, visions, sooth-sayes, and prophesies; / And all that fained is, as leasings, tales, and lies" (ix.51.6-9). From his room in the brain tower, Phantastes engages with all forms of speech from a remove. The speech acts to which he lends an ear focus on any number of potential subjects and are presumably not about himself.

Robert L. Reid argues that Phantastes "...expends himself so dynamically and wastefully in the first chamber of the brain, as he looks downward to the sense impressions of the natural order." He adds that "Such a downward perspective makes him, in Spenser's view, the most uncontrolled and unreliable of the three powers, a mere initiator of *ratio*, who indeed misuses his

³⁷⁴ For example, in *The Araignment of an Unruly Tongue*, Webbe contends that man can only hope to master the tongue through God's assistance. Drawing on Proverbs 16, Affinati d' Acuto states that only God can control the tongue; *The Dumb Divine Speaker* (221).

considerable powers on ‘leasings, tales, and lies.’”³⁷⁵ I argue that there is value in such murmurs. Unlike Phedon and Guyon who have shown themselves susceptible to the emotions stirred by slander and other forms of illicit speech, Phantastes considers all speech from an intellectual perspective—that is—he views such speech acts as potential vehicles of information and knowledge. He proves himself a good counselor by presumably sifting for the truth within all speech acts, including lies and misinformation, because such words are not immediately recognized or labeled as lies. Moreover, he attends to the same forms of speech that the besieging rout uses to attack the sense of hearing. Given his interest in the future, his attention to ill speech underscores its ability to impact an audience and the body itself. Ill speech has to be attended to because words can, and often do, incite a reaction in listeners. He listens to these different speech acts without ever compromising his self control, providing a positive example of the patience needed when encountering slander and other forms of offensive speech.

Emphasizing the body’s susceptibility to outside influence, the rout attacking the House of Alma directs its efforts against the five senses, a strategy that presents the senses as vulnerable openings into the body. The rabble rout is lead by Malegar, a figure whose name is a combination of evil and sickness, a combination that implies the future that awaits this anthropomorphized house should it be defeated.³⁷⁶ Like disease itself, Malegar and his gathered forces are oddly incorporeal. At first, they appear to be flesh and blood, but when challenged, their bodies seem to fade (ix.15, xi.20, 44.3). These forces are divided into twelve camps, representing the seven deadly sins and the five vices. The vices each attack one of the senses, which are listed in their traditional order, sight being the most important, followed by hearing,

³⁷⁵ Reid, “Alma’s Castle and the Symbolization of Reason in *The Faerie Queene*,” 519.

³⁷⁶ Malegar has been the focus of much scholarly discussion. For instance, in “Nature and Grace in *The Faerie Queene*,” A.S.P. Woodhouse argued that Malegar represents original sin, an interpretation that continues to spark debate (*Journal of English Literary History* 16.3 [Sept. 1949]: 194-228).

smell, taste, and touch. Although this is the order in which the senses were most often presented, there was not complete agreement as to their ranking.³⁷⁷ Only one stanza is dedicated to the attack on each sense, with the exception of sight, which gets two. Against the sense of hearing are numerous arrayed “Deformed creatures, in straunge difference, / Some having heads like Harts, some like to Snakes, / Some like wilde Bores late rouzd out of the brakes” (xi.10.3-5). Spenser here draws upon traditional associations between the senses and animals.³⁷⁸ The boar was frequently aligned with hearing and, while the snake is not traditionally associated with this sense, it does recall Eve’s temptation by the serpent, a notion underscored in the connection between slander and snakes. Indeed, these creatures hurl “Slanderous reproches, and fowle infamies, / Leasinges, backbytinges, and vaigneglorious crakes, / Bad counsels, prayses, and false flatteries” against the sense of hearing (xi.10.6-8). This choice of weapons recalls Phantastes in his tower, further demonstrating that the virtue of temperance does not demand that individuals ignore offensive speech, instead requiring individuals to learn how to confront such speech acts without giving in to anger, frustration, jealousy, etc. To maintain temperance, one must exercise patience.

Malegar and the forces at his command bear certain similarities to Furor, Occasion, and Atin, echoing earlier encounters from Book II, collectively suggesting a heretofore-unnoticed connection between the besieging forces and slander in this episode. In the conclusion to his brief *Notes and Queries* piece, Bull states that

³⁷⁷ See Constance Classen, *Worlds of Sense: Exploring the Senses in History and Across Cultures* (New York: Routledge, 1993), 3-4; and Vinge *The Five Senses: Studies in a Literary Tradition*, 47-103, especially 91-93. Smith argues that the sense of hearing was more highly valued than the sense of sight in early modern England in *The Acoustic World of Early Modern England*. For a recent review of scholarship dedicated to the early modern literature and the senses, see Patricia A. Cahill, “Take Five: Renaissance Literature and the Study of the Senses.” *Literature Compass* 6.5 (2009): 1014-30.

³⁷⁸ Carl Nordenfalk provides an overview of late medieval and early modern European pictorial representations of the senses in “The Five Senses in Late Medieval and Renaissance Art.” *Journal of the Warburg and Courtauld Institutes* 48 (1985): 1-22.

Identifying Spenser's sources not only reveals the freedom with which he reworked both classical and contemporary texts, it also suggests that the idea of calumny is of rather more significance in this canto [iv] than is usually acknowledged. Indeed, it may be argued that Spenser's general theme of temperance in the face of provocation is derived from Lucian's narrower concern with the appropriate response to hearing slander."³⁷⁹

My goal is not to argue that the book of temperance revolves around slander; rather, I suggest that Book II repeatedly returns to the notion of slander and offensive speech to emphasize its quotidian nature, thereby arguing for the continual need to exercise patience. Even after the defeat of Occasion, Pyrochles, Cymochles, and Atin, all of whom malign their enemies, calumny continues to be wielded as a weapon against temperance. The heroes of Book II, Guyon and later, Arthur, continually encounter slanderous foes because slander is an everyday reality.

In his choice of companions, Malegar resembles the allegorical figures Furor and Occasion. While Furor was accompanied by his mother, the hag Occasion, Malegar is accompanied by two hags, Impotence and Impatience. Like Occasion, Impotence is said to have a lame leg and to use a staff for support (xi.23.6-8) and Impatience carries "burning fier brands" (xi.47.5). Occasion had previously provided Furor with a firebrand, an image associated with the harm caused by the tongue. Impatience is aligned with fire and anger, the emotion that Guyon continually had to master in order to express patience and maintain self-control.

Malegar's choice of weaponry additionally associates him with Atin. While each of the vices uses different immaterial weapons to attack the five senses, the forces sieging sight and touch use physical weapons, the former using bows and arrows (xi.8.7) and the latter using "dartes of sensuall delight" (xi.13.6). Malegar himself uses poisoned arrows, which he shoots after pursuing Arthur. The Longman edition notes, "the arrow is a common emblem of sin

³⁷⁹ "Calumny in *The Faerie Queene*, II.iv," 477.

which assaults the body,” referencing Psalms 11.2 and Ephesians 6.16.³⁸⁰ One of the types of sin that biblical images of arrows often illustrate is ill speech, verbal sin. Psalm 11, referenced above by the editors of the Longman edition, is a psalm petitioning God’s protection against false friends. The second verse reads “For, lo, the wicked bend their bow, they make ready their arrow upon the string, that they may privily shoot at the upright in heart.” The following psalm, Psalm 12 is a prayer against verbal treachery, categorizing the wicked as having “flattering lips” and speaking “with a double heart.”³⁸¹ Together, these psalms imply a fear of verbal deceit, of individuals who offer friendship, but secretly speak ill of others, trying to wound through speech. The group of psalms in which Psalm 11 appears are particularly interested in such lies, as Psalm 5 asks for protection from slander, Psalm 15 specifically notes that those “that backbiteth...with his tongue” are not allowed entry into God’s tabernacle, and Psalm 17 protests false accusations.³⁸² Arrows are more explicitly linked to verbal sin in Proverbs 25.18, which states that “a man who beareth false witness against his neighbor is like a maul, and a sword, and a sharp arrow.”³⁸³

Malegar’s arrows, moreover, are said to produce incurable wounds: “Ne was their salve ne was their medicine, / That mote recure their wounds: so inly they did tine” (xi.21.8-9). Like the wounds Phedon received from Furor and Occasion, which “Ranckled so sore, and festered inwardly” (iv.23.3), these injuries cannot be cured by medicine. They seem to take root in a person’s very core, intimating that they require a different approach. Such wounds cannot be healed, they can only be guarded against. For instance, in a near-echo of one of Guyon’s

³⁸⁰ *Edmund Spenser*, Hamilton, 264.

³⁸¹ *The English Bible: King James Version. Volume One: The Old Testament*, ed. Herbert Marks (New York: W.W. Norton & Company, Inc., 2012), 967, 968.

³⁸² *Ibid.*, 962-71.

³⁸³ *Ibid.*, 1146. Additionally, several psalms, such as Psalms 7, 18 and 21, depict God as punishing the wicked by unleashing his own arrows, presumably paying sinners in kind.

interactions with Atin, Arthur protects himself against Malegar’s arrows by being “warie” (xi.24.6). The arrow “warded well / Upon his shield, that it no further went, / But to the ground the idle quarrel fell” (xi.24.6-8).³⁸⁴ Arthur, like Guyon, is temperate and wary, ready to defend himself against poisoned arrows that threaten his bodily control. According to *The Oxford English Dictionary*, a “quarrel” is “a short, heavy arrow or bolt with a four-sided (typically square) head for shooting from a crossbow or arbalest.”³⁸⁵ The name for this arrow also provides a semantic link to slander, hinting at the possible repercussions of calumny.

When Malegar’s arrows fail to hit their mark, Impotence “gathered them againe, / And to him brought fresh batteill to renew,” a detail that depicts the impossibility of truly defeating slander (xi.28.2-3). Arthur can defeat these particular allegorical figures, but calumny itself does not die, it continues to regenerate itself. After various tries, Arthur ultimately kills Malegar by crushing him to death and throwing the latter’s body into “a standing lake” (xi.46.6). When the hags realize that their leader has been killed, Impatience “quencht her burning fier brands” and drowns herself in the same lake (xi.47.5-6). In her death, Impatience recalls Furor’s codependent relationship to Occasion. Just as Furor needs Occasion to fuel his might, Impatience needs Malegar to provide her with a reason for being. Without him, she quenches both her flame and her life. Her death reasserts the need for patience. Her defeat is a necessary component for the House of Alma’s safety, for the continued preservation of temperance. In turn, Impotence “one of Malegers cursed darts did take, / So ryv’d her trembling hart, and wicked end did make” (xi.47.8-9). Impotence’s death underscores defamation’s lethal potential, showing that no one is invulnerable to its effects, for its poison works even on allegorical figures.

³⁸⁴ When Atin attacks Guyon by shooting an arrow at him, Guyon “was wary, and ere it emight / In the meant marke, advaunst his shield atweene, / On which it seizing, no way enter might, / But backe rebownding, left the forekhead keene” (iv.46.5-8).

³⁸⁵ *The Oxford English Dictionary*, Oxford University Press 2016; online edn., 2016.

Although Arthur bests Malegar and his rabble rout, this victory does not represent a total conquest over slander. Slander, simply put, refuses to remain silent. The body will always be threatened by outside influence, by the energies and emotions unleashed by defamation, anger, concupiscence, etc. Part II of *The Faerie Queene* features the entry of the Blatant Beast, who is accompanied by another two hags, including Slander. The Blatant Beast likewise will not be contained, breaking the chains that seek to hold it near the end of Book VI. Additionally, there is the infamous reference to Malfont in Book V with which we began. While individual slanderers like Malfont can be punished, the urge to slander is a constant.

Focusing on *The Winter's Tale* (1610-11), the final chapter develops the notion of slander as poison by investigating what happens when it is the *monarch* who has become possessed by slander and the resulting harm this causes to familial and social bonds and the nation itself. Reading this as a sort of analogue to Phedon's tale of calumny and murder, I investigate what happens when the worst occurs and slander claims the lives of one's beloveds. *The Winter's Tale*, however, does not end in death, but goes on to illustrate how individuals and the larger community can move beyond slander and begin to heal—an internal and external mending that Guyon and the Palmer can only suggest to Phedon (iv.34), but which is never enacted within *The Faerie Queene*.

Chapter 4 “Is Whispering Nothing?”: Slander in *The Winter’s Tale*

King Leontes’s jealousy of his wife, Hermione, in William Shakespeare’s *The Winter’s Tale* (1610-11) is infamous, not only for the suddenness with which this jealousy takes hold of the king, but also for the grip that it has held on scholarly attention within the past fifty years or so. Wilbur Sanders neatly summarizes the matter, declaring, “I would have thought there is rather a profusion of explanations, than a scarcity of them. And they could very easily be multiplied.”³⁸⁶ My interest is not why Leontes slanders Hermione but what happens after he has done so.³⁸⁷ To borrow Sanders’s phrasing, following his initial misinterpretation of Hermione’s gracious behavior, Leontes insists on multiplying his mistake, publicly and repeatedly defaming the Queen. He exclaims that “to have nor eyes, nor ears, nor thought” is the only possible reason to deny Hermione’s guilt (1.2.277).³⁸⁸ Despite the negation, Leontes’s hyperbolic claim neatly charts the progress of his suspicions. What begins in the eyes with a simple misreading quickly

³⁸⁶ He suggests that Leontes might be tired of his hosting duties, but cannot admit it thereby leading him to overdo this duty; Sanders, *The Winter’s Tale: Twayne’s Critical Introductions to Shakespeare* (Boston: Twayne Publishers, 1987), 21, 8-9. For psychoanalytic readings, see Janet Adelman, “Masculine Authority and the Maternal Body: The Return to Origins in the Romances,” in *Suffocating Mothers: Fantasies of Maternal Origin in Shakespeare’s Plays, Hamlet to The Tempest* (New York: Routledge, 1992), 193-238; Peter Erickson, “Patriarchal Structures in *The Winter’s Tale*,” *PMLA* 97.5 (1982): 819-29; Murray M. Schwartz, “Leontes’ Jealousy in *The Winter’s Tale*,” *American Imago* 30.3 (1973): 250-73, expanded in “*The Winter’s Tale: Loss and Transformation*,” *American Imago* 32.2 (1975): 145-99; and David Houston Wood, “‘He Something Seems Unsettled’: Melancholy, Jealousy, and Subjective Temporality in *The Winter’s Tale*,” *Renaissance Drama* ns 31 (2002): 185-213. Carol Thomas Neely and Charles Frey, among others, have argued that Leontes distrusts human sexuality. See Neely, “Women and Issue in *The Winter’s Tale*,” in *The Winter’s Tale: Modern Critical Interpretations*, ed. Harold Bloom (New York: Chelsea House, 1987), 75-88, expanded in *Broken Nuptials in Shakespeare’s Plays* (Urbana: University of Illinois Press, 1993 (1985)); Frey, “Tragic Structure in *The Winter’s Tale*,” Bloom, 89-99. Stanley Cavell suggests Leontes’s jealousy is a manifestation of skepticism in “Recounting Gains, Showing Loses: Reading *The Winter’s Tale*” in *Disowning Knowledge in Seven Plays of Shakespeare* (Cambridge: Cambridge University Press, 2003 (1987)). For a wider range of interpretations for the king’s jealousy, see the varied essays in Bloom’s edited volume, *The Winter’s Tale: Modern Critical Interpretations*, as well as *The Winter’s Tale: Critical Essays*, ed. Maurice Hunt (New York: Garland Publishing, Inc., 1995). For an overview of the varying ways Leontes’s jealousy has been handled in performance, see Dennis Bartholomeusz *The Winter’s Tale in performance in England and America, 1611-1976* (Cambridge: Cambridge University Press, 1982).

³⁸⁷ In this decision, I take my cue from Leontes’s most trusted advisor, Camillo, who contends “‘tis safer to / Avoid what’s grown than question how ‘tis born” (1.2.432-33).

³⁸⁸ All references to *The Winter’s Tale* are from *The Norton Shakespeare: Based on the Oxford Edition*, ed. Stephen Greenblatt, et al. (New York: W.W. Norton & Company, Inc., 1997). Hereafter quotations are cited in the text by act, scene, and line numbers.

escalates as Leontes begins to hear words that are never spoken, socially coproducing events that never occur; these overheard whispers and invented encounters in turn provoke Leontes to voice additional, more grievous calumnies against Hermione. When the “evidence” of Leontes’s eyes moves to others’ ears and their imaginations, the effects prove fatal. Once voiced and made public, Leontes’s slanders take on a life of their own before actually claiming lives.

By recognizing that in early modern thought, hearing is even more vulnerable than sight, I reframe *The Winter’s Tale* as a play preoccupied with slander’s social effects, which echo beyond the initial speech acts into the ears of many others. I add this analysis of hearing to previous critical work on vision in the play, for it is through hearing that calumny affects even those not physically present during the slanders’ initial voicing.³⁸⁹ My work on hearing is also indebted to fascinating and crucial work on women’s speech and silence in the play, but I contend that slander’s damages extend beyond sexual relationships to the entire social body. While I remain in debt to such scholars as Carol Neely and Lynn Enterline, I contend that slander extends beyond gender.³⁹⁰ Akin to an earworm, slander strikes anyone, anywhere, and the harm

³⁸⁹ For a sampling of criticism on the play’s attention to visuals, see James A. Knapp, “Visual and Ethical Truth in *The Winter’s Tale*.” *Shakespeare Quarterly* 55.3 (2004): 253-78. Howard Felprin notes that *The Winter’s Tale* presents readers and audience alike with the “problem of what to make of unrepresented” or partly represented “events.” He links this issue to language’s indeterminacy, the fact that language is always mediated and thus always interpretive. He contends “this is why it is impossible to ascertain just what basis there is for Leontes’ jealousy, the degree to which what he describes is a distortion of an enacted reality, or the relative proportions of perception and imagination in his account of what goes on. We see enough to know it has some basis, but not enough to say how much. We are from the outset in a world of interpretation...where nothing can be dismissed or wholly believed, and nothing can be known for certain.” Felprin, “‘Tongue-tied our queen?’: The deconstruction of presence in *The Winter’s Tale*,” in *Shakespeare and the Question of Theory*, ed. Patricia Parker and Geoffrey Hartman (New York: Methuen, Inc., 1985), 3-18, 4, 8. A notable exception to scholarly interest in the play’s presentation of sight is Evelyn Tribble’s “‘O, she’s warm’: Touch in *The Winter’s Tale*” in *Knowing Shakespeare: Senses, Embodiment and Cognition*, ed. Lowell Gallagher and Shankar Raman (New York: Palgrave Macmillan, 2010), 65-81. See also Patricia Parker’s “Sound Government, Polymorphic Bears: *The Winter’s Tale* and Other Metamorphoses of Eye and Ear” in *The Wordsworthian Enlightenment: Romantic Poetry and the Ecology of Reading*, ed. Helen Regueiro Elam and Frances Ferguson (Baltimore: The Johns Hopkins University Press, 2005), 172-90.

³⁹⁰ For examinations of the play’s depiction of female speech, see: Lynn Enterline, “‘You Speak a Language that I Understand Not’: The Rhetoric of Animation in *The Winter’s Tale*.” *Shakespeare Quarterly* 48.1 (1997): 17-44; Carol Neely, “*The Winter’s Tale*: The Triumph of Speech” in *The Winter’s Tale: Critical Essays*, Hunt, 243-57, as well as her “Women and Issue” and *Broken Nuptials*; and Martine Van Elk, “‘Our praises are our wages’: Courtly Exchange, Social Mobility, and Female Speech in *The Winter’s Tale*.” *Philological Quarterly* 79.4 (2000): 429-57.

it inflicts is communal. Leontes's inexplicable defaming of Hermione damages his communal bonds: his familial relationships, those with his counselors, and the international relationship between Sicilia and Bohemia, initiating a chain of events that culminates in three unexpected deaths, those of Mamillius, Hermione, and Antigonus.³⁹¹ In this chapter, I will use the early modern notion that slander is responsible for a triple homicide in order to generate a new reading of *The Winter's Tale*, one that better explains the play's deaths, which feel arbitrary, and, more importantly, the harm these deaths wreak upon Sicilia. This lesser-known concept contends that slander murders three people: the speaker, the hearer, and the individual slandered. Revising his main source, Robert Greene's *Pandosto: The Triumph of Time* (1588), Shakespeare plays with the romance's deaths. Most notably, he spares the guilty king who "fell into a melancholy fit and...slew himself" as a result of his "calling to mind" his many sins.³⁹² Shakespeare allows Leontes to survive, substituting another husband, the loyal Antigonus, thereby completing the triad of slander victims.³⁹³ Following the deaths of his family members, Leontes begins demonstrating penance for his actions, showing how slanderers can reclaim a positive role within the community they previously harmed. I contend that Leontes's self-imposed penance shares context with the sentences decreed by early modern ecclesiastical courts. Rather than awarding damages, church courts sought to repair a slandered individual's reputation by ordering convicted slanderers to perform public penance. This emphasis on penance, on the repairing of damaged reputations, allows for the play's happy ending, yet one that is qualified by the remembrance of losses that can never be restored.

³⁹¹ Although Camillo is the first individual with whom Leontes shares his suspicions, Camillo is not among the list of slander's victims discussed below because he leaves Sicilia nearly immediately after learning of Leontes's belief.

³⁹² The full text of *Pandosto* is reprinted in *The Winter's Tale*, The Arden Shakespeare Third Series, ed. John Pitcher (London: Methuen, 2010), 405-45, 445.

³⁹³ Numerous scholars have noted that Antigonus dies in Leontes's place; for example, John Pitcher states, "Antigonus doesn't die because he is evil but because he is Leontes' surrogate: *someone* has to die for the crime against Perdita, and it can't be the king." Introduction to *The Winter's Tale*. Pitcher, 30.

Deadly Earworms: Slander's Effects on the Body

Several early modern treatises focusing on the ills of the tongue depicted slander as responsible for a triple homicide, killing the slanderer, the victim of the slander, and the listener of the allegation.³⁹⁴ Certain period authors drew upon Proverbs 25.18, which provides a more detailed portrayal of the particular end met by each of the three individuals involved in this “slander triangle.”³⁹⁵ In *The Araignment of an Unruly Tongue* (1619), for instance, George Webbe directly addressed the slanderous tongue, arguing that:

Solomon the wise calleth thee [Pro.25.18], *an Arrow, a maule, & a Sword*. *An Arrow*, in respect of him that is absent, whom thou woundest afar off in his good name, in his goods, in his friends: and sometimes in his life. *A Maule or Hammer* to knock him, who receiveth thy slander, in the head...whiles thou dost infect his eare, thou dost destroy his soule, casting therein into seedes of suspicion, hatred and contempt. Lastly, to thy selfe thou art a *Sword*, in destroying thine own soule, by committing that sinne which is most odious to God.³⁹⁶

Slander's metaphoric depiction as an arrow, a sword, and a maul or hammer emphasized its ability to harm individuals both nearby and far off. While this capacity for harm was widely acknowledged, the notion that slander was responsible for three *deaths* underscored the importance of reputation and the fact that being a victim of calumny could lead to social death. The motive behind this particular metaphoric depiction of slander seems to have been an attempt to stem the act of voicing and listening to slanderous accusations. The unspoken belief is that there is a level of shared guilt between the speaker and the listener. As Cyndia Clegg reminds us, “the problem of slander, both in society and in a court of law, is not the lie alone, but the

³⁹⁴ Anonymous, *A Plaine Description of the Ancient Pedigree of Dame Slander* (Imprinted at London by John Harrington, 1573), 95, 113; and William Vaughan, *The Spirit of Detraction, Conjured and Convicted in Seven Circles* (London: 1611), 104.

³⁹⁵ I borrow Ina Habermann's term for the three subject positions involved in the voicing of slanderous accusations. See *Staging Slander and Gender in Early Modern England* (Burlington: Ashgate Publishing Company, 2003).

³⁹⁶ Webbe, *The Araignment of an Unruly Tongue*, in *The Unruly Tongue in Early Modern England: Three Treatises*, ed. Nathalie Vienne-Guerrin (Madison: Fairleigh Dickinson University Press, 2011), 83-134, 111. See also page 90.

readiness with which hearers, based on their cultural and social perspectives, embrace lies.”³⁹⁷

The ears are greedy listeners who do not discriminate between truth and lies.

In early modern England, the ears, like the tongue, were considered an ambivalent organ. The “organ of understanding,” the ears were capable of having “an edifying” effect on an individual, as the sense of sound conveys “the fruit of either moral or divine discourse to the imagination.”³⁹⁸ Bryan Crockett has shown how “Renaissance Protestants are in general agreement that in matters of religious devotion, the ear is to be trusted more than the eye.”³⁹⁹ In contrast, Jennifer Rae McDermott emphasizes that the ears’ openness was a source of concern for anatomists of the era.⁴⁰⁰ For instance, the ears could allow for the entry of actual or figurative poisons, as in *Hamlet* (1600-1) and *Othello* (1603-4). They could also act as passageways for vice to enter the body.⁴⁰¹ Lacking the natural defenses of the body’s other orifices, such as eyelids and lips, the ears are particularly vulnerable to the dangers of ill speech, including lying, flattery, or slander.

³⁹⁷ “Truth, Lies, and the Law of Slander in *Much Ado About Nothing*” in *The Law in Shakespeare*, ed. Constance Jordan and Karen Cunningham (New York: Palgrave Macmillan, 2007), 167-88, 176.

³⁹⁸ Richard Brathwaite, *Essaies upon the Five Senses: Revived by a New Supplement; with a Pithy One upon Detraction* (London: Printed by Anne Griffin, and are to be sold by Henry Shephard in Chancery lane, at the signed of the Bible, 1635), 6, 8. The text seems to have enjoyed some popularity, as it was printed with a new a supplement in 1625 and 1635.

³⁹⁹ “‘Holy Cozenage’ and the Renaissance Cult of the Ear,” *The Sixteenth Century Journal* 24.1 (Spring 1993): 47-65, 49. See also Crockett’s *The Play of Paradox: Stage and Sermon in Renaissance England* (Philadelphia: University of Pennsylvania Press, 1995).

⁴⁰⁰ Jennifer Rae McDermott, “‘The Melodie of Heaven’: Sermonizing the Open Ear in Early Modern England,” *Religion and the Senses in Early Modern Europe*, ed. Wietse de Boer and Christine Göttler (Leiden: Brill, 2013), 179-97.

⁴⁰¹ Writing on the sense of sight, Brathwaite explains that “as the eye of all other Senses is most needfull, so of all others it is most hurtfull” and that “there is no passage more easie for the entry of vice than by the cranie of the eye”. *Essaies upon the Five Senses*, 3. In his antitheatrical tract, Anthony Munday likewise sees both the ears and the eyes as potential vehicles for sin, arguing that “there commeth much evil in at the ears, but more at the eies, by these two open windows death breaketh into the soule” in *A Second and Third Blast of Retrait from Plaies and Theaters* (Imprinted at London: By Henrie Denham, dwelling in Pater noster Row, at the signe of the Starre, being the assigne of William Seres. Allowed by authoritie, 1580), 64.

While “Protestant preachers most desired” the “openness” of the ear, they and the authors of period slander treatises recognized that individuals could exhibit “figurative deafness.”⁴⁰² For example, *A Plaine Description of the Ancient Pedigree of Dame Slander* (1573) argued that slander stopped the ears of listeners, creating a barrier to the truth.⁴⁰³ Individuals who mistakenly credited ill speech as fact would in effect make themselves deaf to the truth. If a listener did not actively guard against slander, then slander metaphorically produced the ear’s missing barrier, an “earlid,” so to speak.⁴⁰⁴ Echoing Cato’s critique of lewd individuals, Charles Gibbon went so far as to contend that lewd individuals have tongues “like the poyson of aspes” and ears “as deafe as the adders.”⁴⁰⁵ William Perkins in *A Direction for the Government of the Tongue* (1595) emphasizes that the only way to protect oneself against a slanderer is to manually close off one’s ears, that is, to create one’s own barrier before slander produced an artificial one, whereas Gibbon argued for responding to individuals who speak ill of others with an “angry countenance.”⁴⁰⁶ Fearing that ears can often act as accomplices to slanderous tongues, by eagerly accepting slander’s poison, Webbe calls for a three-pronged defense, which includes turning a deaf ear, casting a frowning look, and giving a sharp reproof.⁴⁰⁷ Such works urged listeners to cover one ear as they listened to others, so as to stymie, or at least minimize the effects of slander

⁴⁰² McDermott, “The Melodie of Heaven,” 183.

⁴⁰³ Anonymous (Imprinted at London by John Harrington, 1573). The ears were considered susceptible to any number of potential assaults in this period; for example, Eleanor Decamp discusses the ear’s vulnerability to overzealous ear pickers in her essay “‘Thou art like a punie-Barber (new come to the trade) thou pick’st our ears too deepe’: barberie, earwax and snip-snaps” in *The Senses in Early Modern England, 1558-1660*, ed. Simon Smith, Jackie Watson and Amy Kenny (Manchester: Manchester University Press, 2015), 74-90.

⁴⁰⁴ I must thank Darryl Chalk for emphasizing slander’s ability to produce this missing barrier, which he termed the “earlid” (and which I have borrowed), during our discussion at the 2016 SAA panel, “Early Modern Sensory Interactions.”

⁴⁰⁵ *The Praise of a Good Name: The Reproch of an Ill Name* (London: 1594).

⁴⁰⁶ Perkins’ *A Direction for the Government of the Tongue according to Gods worde* is reproduced in *The Unruly Tongue in Early Modern England*, Vienne-Guerrin, 30-80. Gibbon, *The Praise of a Good Name*, 33.

⁴⁰⁷ *The Araignment of an Unruly Tongue* in *The Unruly Tongue in Early Modern England*. Vienne-Guerrin, 115, 116-17. In *The Dumb Divine Speaker or Dumbe Speaker of Divinity*, Fra. Giacomo Affinati d’ Acuto (Jacopo Affinati d’ Acuto) repeatedly contends that ears greedily capture slander, translated by A.M. (London: Printed by R. Bradock for William Leake, dwelling in Paules churchyard, at the signe of the Holy-ghost, 1605), 150-55.

and other forms of dangerous speech. An angry countenance was likewise meant to curb the flow of ill speech. The era's slander treatises urged the need to actively protect one's ears.

I suggest that Leontes's continual aspersions against Hermione stop his own ears to the truth; the more calumnies he voices against the queen, the more he believes the slanders that he produces. Leontes's trusted advisor, Camillo, corroborates these allegations' hold upon the king when he explains to Polixenes that shaking "the fabric of [Leontes's] folly" would be impossible for its "foundation / Is piled upon his faith, and will continue / The standing of his body" (1.2.429-31). Camillo's summation is repeatedly proven true through the first three acts of the play. Having stopped his own ears with his folly—his slanders—Leontes refuses to hear the truth despite the lack of evidence for his conviction and the united front of queen, counselors, and even Apollo's oracle, who each attest to Hermione's chastity.

Focusing on the notion of the oracle, Virginia Lee Strain's article "*The Winter's Tale* and the Oracle of the Law" intriguingly argues for a critically overlooked

oracular tradition that functioned in the legal-political world and literary contexts contemporaneous with Shakespeare's romance. The epithet "oracle" also distinguished a legal-political type, the legal expert and wise counselor whose authority was established through deliberative and self-fashioning practices that suggested the rhetorical mode and performance style of the oracles of antiquity.⁴⁰⁸

Strain thus sees Leontes's rejection of the oracle as another rejection of judicial advice. Because he truly believes his diseased imagination, he anticipates that others will respond to Hermione's behavior in the same manner. He does not need anyone to agree with him, yet he expects others to likewise interpret her "self-evident" guilt. For example, as Strain notes, "the exchange

⁴⁰⁸ "*The Winter's Tale* and the Oracle of the Law," *ELH* 78.3 (Fall 2011): 557-84, 557. Strain's larger argument is that "this alternate tradition" allows for "a reimagining of *The Winter's Tale*, in which Apollo's supernatural oracle evokes human judicial figures," which thus "resonates with the explosive tensions between the judiciary and the sovereign in early seventeenth-century England" (557-58). Stuart M. Kurland similarly investigates the play's depiction of counsel in "'We Need No More of Your Advice': Political Realism in *The Winter's Tale*." *Studies in English Literature* 31.2 (1991): 365-86. See also Christopher Pye, "Against Schmitt: Law, Aesthetics, and Absolutism in Shakespeare's *Winter's Tale*." *South Atlantic Quarterly* 108.1 (2009): 197-217.

between Camillo and Leontes in 1.2 prefigures the King's assumption of the oracle's support and [Leontes's] subsequent refutation of its authority once its contrary opinion is revealed in court.⁴⁰⁹ Shocked at learning that his counselors disagree with him, Leontes proceeds to discredit all alternative judicial officials. He tells Camillo "we have been / Deceived in thy integrity" (1.2.240-41) and proceeds to heap abuse upon his loyal servant (1.2.244-51, 301-06). He proclaims his counselors "liars all" (2.3.146) and blasphemously declares "there is no truth at all i'th' oracle / ...This is mere falsehood" (3.1.138-39). His tyrannical behavior damages his reputation and shares certain similarities with another producer of ill speech, the murmurer, who is said to refuse counsel.⁴¹⁰ Leontes's comportment evidences the dangers of uttering potentially slanderous allegations and why slanderers were included within the triad of slander victims. A good reputation could lead listeners to more readily believe a speaker's accusations. Alternatively, if an individual was found guilty of slander, or if the allegations were simply not believed, then the speaker's reputation was damaged, as is the case with Leontes.

Leontes's jealousy causes him to question Hermione's behavior towards Polixenes, yet the act of voicing his qualms only strengthens these fears about her fidelity. Leontes asks his son, Mamillius, "Art thou my boy?" (1.2.122), a question he reiterates a few moments later, "How now, you wanton calf — / Art thou my calf?" (1.2.128-29). In between these two questions, Leontes inspects his son's appearance, specifically Mamillius's nose, stating, "They say it is a copy out of mine" (1.2.124). Leontes's suspicions seem to immediately trigger a concern with court chatter. In its initial appearance, this nebulous talk is mustered in defense of Mamillius's parentage. He notes that the physical likeness between father and son is voiced by women, who

⁴⁰⁹ "The Winter's Tale and the Oracle of the Law," 568.

⁴¹⁰ Attributed to Nicholas Breton, *A Murmurer* (London: Printed by Robert Ravvorth, and are to be sold by John Wright, at his shop neere Christ-Church gate, 1607). Murmuring was a synonym for detraction in the era. *A Murmurer* does not provide a specific definition for the term, though it is depicted as false or maliciously motivated speech. Though clearly false, Leontes believes his accusations to be truth and he does not utter them out of malice.

“will say anything” (1.2.133). However, even he must admit “yet were it true / To say this boy were like me” (1.2.136-37). This is the only moment where Leontes briefly struggles with his response to such talk, perhaps because of its liminality; this speech is both something voiced by other characters (though not included in the actual playtext) and a speech act recalled by his feverish mind. The speech act thus stems from without and within Leontes, explaining why he cannot immediately dismiss it. The physical resemblance proves that Mamillius is a legitimate heir, but Leontes determines that it does not constitute proof of Hermione’s continued chastity. His misogynistic critique implies a distrust of women as well as a more general distrust of the opinions of others. This quick deliberation subtly intimates what follows, Leontes’s rejection of his counselors’ advice. In turn, the court’s amorphous voice becomes tied to his suspicion. As his anxiety grows, a paranoid Leontes begins tormenting himself by imagining the court’s whispers about his cuckoldry.

Although Leontes accepts that Mamillius is his son, this acknowledgement does not stop him from voicing pointed insinuations to the young prince. Attempting to dismiss Mamillius, he states, “Go play, boy, play. Thy mother plays, and I / Play too; but so disgraced a part, whose issue / Will hiss me to my grave” (1.2.188-90). Intuitively, Mamillius detects his father’s distress and the innuendo against his mother. Appealing to their physical similarities and echoing his father’s language (“they say”), he tells his father, “I am like you, they say” (1.2.209).⁴¹¹ The promising, precocious young prince recognizes his father’s repeated implications, leading him to respond with concern, rather than certainty (concern over the implied aspersion against

⁴¹¹ Nathalie Vienne-Guerrin likewise notes Mamillius’s echoing of Leontes’s language in “‘Sicilia is a so forth’: la rumeur dans *The Winter’s Tale*,” in “*A sad tale’s best for winter*”: *Approches critiques du Conte d’hiver de Shakespeare*, ed. Yan Brailowsky, Anny Crunelle and Jean-Michel Déprats (Paris: Presses Universitaires de Paris Ouest, 2011), 149-63. Susan Snyder contends that in response to Leontes’s questions Mamillius’s “last attempt to give the desired answer resorts to the same dubious third-person authority that troubled Leontes’ own perceptions of filial likeness: ‘I am like you, they say’” in “Mamillius and Gender Polarization in *The Winter’s Tale*” in *Shakespeare: A Wayward Journey* (Newark: University of Delaware Press, 2002), 210-20, 206.

Hermione, not his parentage). Internalizing the allegation, he mulls it over, and comments on his similarity to his father. Like his father, he is cognizant of court chatter, yet the court's indeterminate voice cannot dispel the spectre of infidelity. Reading the play through a Christian lens, G. Wilson Knight contends, "Mamillius stands before Leontes as Truth confronting Error."⁴¹² Near the end of Act II, Leontes is again offered ocular proof of Hermione's faithfulness when Paulina brings him his newborn daughter, urging him to see how,

Although the print be little, the whole matter
And copy of the father: eye, nose, lip,
The trick of's frown, his forehead, nay, the valley,
The pretty dimples of his chin and cheek, his smiles,
The very mould and frame of hand, nail, finger. (2.3.99-103)

Despite Paulina's facial forensics' list of similarities,⁴¹³ Leontes again rejects the self-evident truth, choosing to believe in his own infected imagination rather than his family, friends, and trusted counselors.

Sicilia's royal family demonstrates that slander's power is intimately bound with the power of the imagination. While Leontes represents the slanderer within the slander triangle, his feverish mind conceives another triangle in which he is also the subject and victim of the slander. Following Mamillius's exit, Camillo remarks how Polixenes would not change his travel plans at Leontes's request, implying that the Bohemian king proved amenable only when Hermione did the asking. Leontes immediately responds, "Didst perceive it?" adding in an aside, "They're here with me already, whisp'ring, rounding, / 'Sicilia is a so-forth'" (1.2.216, 217-18). While he cannot bring himself to utter the word "cuckold," his belief in Hermione and Polixenes's guilt

⁴¹² "Great Creating Nature": An Essay on *The Winter's Tale*." Bloom. 7-45, 11.

⁴¹³ Interestingly, neither the ears nor tongue are included in the list of facial organs resembling Leontes's. Paulina goes on to add that if Nature "hast / The ordering of the mind too, 'mongst all colours / No yellow in't, lest she suspect, as he does, / Her children not her husband's" (2.3.105-08). Perhaps the ears and tongue are ignored for this same reason; if Perdita is indeed a copy of her father, then were she to have her father's ears and tongues, she would also be liable to hear the same imagined whispers and speak his calumnies.

leads Leontes to assume that everyone else is aware and commenting upon the adulterous relationship, “For, to a vision so apparent, rumour / Cannot be mute—or thought—for cogitation” (1.2.272-73).⁴¹⁴ He fancies his court as a hotbed of gossip and rumor, a depiction that accords with many courts of the era, but not the cold, decorous Sicilian court. Gail Kern Paster has argued that Leontes’s subsequent spider speech is “the clearest instance of an emotion being coproduced environmentally.” She clarifies that “by constituting the spider as a thoroughly subjectified object (inside and outside the mind of the perceiver), by thoroughly dissolving the borders between the social and the biological, this trope affords a perfect instance of the ecology of the passions.”⁴¹⁵ Leontes’s imagined court chatter is similarly coproduced socially. These conversations are composed inside his feverish mind, yet projected outside of it as if they have been accidentally overheard by the king. By imagining others as remarking upon the Queen’s behavior, Leontes removes from himself the responsibility for slandering Hermione and places it upon the gossipy court. In this version of the slander triangle, he is the object of talk, not its progenitor. His fear of court speech again arises when he asks a disbelieving Camillo, “is whispering nothing?” in a speech that imagines a series of escalating illicit touches and encounters between Hermione and Polixenes (1.2.286). Even Mamillius is rendered suspect when Leontes sees him whispering his winter’s tale in Hermione’s ear at the beginning of Act II,

⁴¹⁴ On the importance of whispering in this play, see Vienne-Guerrin, “‘Sicilia is a so forth.’” Brailowsky, Crunelle, and Déprats. 149-63.

⁴¹⁵ Paster, “Seeing the Spider: Cognitive Ecologies in *The Winter’s Tale*,” in *Embodied Cognition and Shakespeare’s Theatre: The Early Modern Body-Mind*, ed. Laurie Johnson, John Sutton and Evelyn Tribble (New York: Routledge, 2014), 149-53, 149. Paster discusses the environmental coproduction of emotions in much greater detail in her seminal *Humoring the Body Emotions and the Shakespearean Stage* (Chicago: University of Chicago Press, 2004). See also Susan James, *Passion and Action: The Emotions in Seventeenth-Century Philosophy* (Oxford: Clarendon Press, 1997). Anne Barton argues that Leontes’s spider speech “functions in ways of which the speaker is himself unaware, tells a truth he consciously rejects...Leontes’ mind, as his words involuntarily but quite explicitly inform us, has poisoned itself, breeding madness from an illusory evil, even as the minds of people doomed by voodoo or black magic are supposed to do.” “Leontes and the Spider: Language and Speaker in Shakespeare’s Last Plays.” Bloom. 101-21, 103-04. David Ward provides a remarkable reading of another of Leontes’s emotionally charged speeches, the notoriously difficult affection speech, in “Affection, Intention and Dreams in *The Winter’s Tale*.” *Modern Language Review* 82.3 (1987): 545-54.

prompting him to separate mother and son.⁴¹⁶ His imagining of Hermione, Polixenes, and Mamillius's participation in "whispering" is a further example of Leontes's attempt to clear himself of any culpability for his own injurious speech.

In addition to absolving Leontes of any responsibility for defaming Hermione, his "is whispering nothing?" speech addresses the critical problem behind his allegation, namely the lack of evidence of Hermione's guilt. Responding to an incredulous Camillo, Leontes declares,

Is whispering nothing?
Is leaning cheek to cheek? Is meeting noses?
Kissing with inside lip? Stopping the career
Of laughter with a sigh? —a note infallible
Of breaking honesty. Horsing foot on foot?
Skulking in corners? Wishing clocks more swift,
Hours minutes, noon midnight? And all eyes
Blind with the pin and web but theirs, theirs only,
That would unseen be wicked? Is this nothing?
Why then the world and all that's in't is nothing,
The covering sky is nothing, Bohemia nothing,
My wife is nothing, nor nothing have these nothings
If this be nothing. (1.2.286-98)

Like Othello, Leontes is a jealous husband who becomes convinced that his wife is unfaithful. In both cases, the innocent women are condemned due to flimsy, circumstantial evidence. While Othello's initial disbelief is overcome by Iago's narrative skills, his ability to interpret innocent events as proof of guilt, Leontes both provides the accusation and invents the circumstantial evidence needed to prove his case. In a book chapter analyzing *Othello's* various scenes of narration, specifically those scenes' presentation of the interplay between the rhetorical and the judicial, Patricia Parker notes that the words:

⁴¹⁶ Marion Wells similarly contends that "this whispered exchange of an old wives' tale is evidence enough of a contamination of the boy by female influence" in "Mistress Taleporter and the Triumph of Time: Slander and Old Wives' Tales in *The Winter's Tale*." *Shakespeare Survey: An Annual Survey of Shakespeare Studies and Production* 58 (2005): 247-59, 252. Wells's larger concern is with "the play's complex treatment of the relationship between...gendered discourses and the genre of romance" (248-49). Whispers are also associated with secretive, potentially treasonous knowledge when Camillo tells Polixenes that "Your followers I will whisper to the business, / And will by twos and threes at several posterns / Clear them o'th' city" before Leontes is any the wiser (1.2.437-39).

‘dilation’ and ‘delation’ can summon up the sense both of accusation and of the provision of a narrative in response to interrogation. But what is even more important for the crossing of judicial and rhetorical in *Othello* is the fact that both depend on the provision of what were known as ‘circumstances’—a tradition which still survives in what we refer to as ‘circumstantial evidence’ as well as in the basic principles of composition—and that Shakespeare himself founded a number of scenes on precisely this overlapping, or identity.

She adds, “circumstances’ dilate, then; but they may also indict...The provision of such circumstances serves not only to amplify a narrative but to prove a case before a judge, including that judge who is the jealous husband of a woman ‘dilaitit of adultery.’”⁴¹⁷ Leontes’s “whispering” speech is such an amplified narrative, an attempt to overcome disbelief by fashioning circumstantial evidence. According to Leontes, Hermione is guilty because she acts suspiciously. He likewise treats the whispers concerning Hermione and Polixenes that he claims to have overheard as proof of her guilt; these whispers develop his narrative, strengthening his conviction for the simple reason that if other people are commenting on the queen’s behavior, then it must be true. Of course, Leontes dismisses the fact that he invented this evidence, similarly ignoring the contradiction that “all eyes / Blind with the pin and web but theirs, theirs only” (1.2.292-93). If all eyes are blind to Hermione and Polixenes’s illicit actions, then these actions could not have sparked commentary; the subsequent whispers he claims to have heard are pure fabrication. This speech’s inherent contradiction reiterates that the case Leontes is building is no more than a prejudicially interpreted mix of invented and circumstantial evidence.⁴¹⁸

Leontes’s case against Hermione may not be sound, yet the results of his allegations prove lethal. Following his separation from Hermione, Mamillius becomes slander’s first

⁴¹⁷ Parker, “Shakespeare and rhetoric: ‘dilation’ and ‘delation’ in *Othello*.” Parker and Hartman. 54-74, 56, 57.

⁴¹⁸ Investigating “the question of evidence,” Stephen Orgel declares, “truth has been made independent of evidence” in his Introduction to *The Winter’s Tale*, ed. Stephen Orgel (New York: Oxford University Press, 1996), 20, 21.

victim.⁴¹⁹ Prior to his death, we are told that Mamillius is unwell (2.3.10-11). In his introduction to the Arden edition of *The Winter's Tale*, J.H.P. Pafford argues that Mamillius's death is not all that unexpected, given that the audience is informed he is ill and "it is not until the next act, 300 lines on, that his death is announced, so that the shock comes as a perfectly credible event, a death from physical illness accentuated by grief."⁴²⁰ Yet in his final appearance, when he sought to entertain Hermione and her ladies with a sad, winter's tale (2.1.27), Mamillius appears to be in perfect health. Moreover, the derivation of his name from the Latin "*mamilla*" or breast intimates the closeness of his relationship with Hermione and adumbrates the danger that awaits should the two be forcibly separated.⁴²¹ Indeed, it is not until he has been removed from Hermione that we are told he is sick. Commenting on his son's health, Leontes stresses that it is not a prior illness, but Mamillius's shock at hearing the public allegation ("tis Polixenes / Has made thee swell thus") against his mother that affects him (2.1.63-64). According to Leontes,

He straight declined, drooped, took it deeply,
Fastened and fixed the shame on't in himself;
Threw off his spirit, his appetite, his sleep,
And downright languished. (2.3.14-17)

Although Leontes had previously hinted at his suspicions about Hermione to Mamillius, it is not until these allegations are made public that Mamillius's health is negatively impacted, illustrating Lisa Jardine's argument that "reputations are damaged by harmful accusations made under

⁴¹⁹ Wells intimates as much when she claims, "in the court scene, Shakespeare indicates a direct—almost magical—connection between sexual slander and the destruction of lineage. Mamillius seemingly dies as a direct result of Leontes's obtuse refusal to believe in his wife's innocence even after the oracle is pronounced." "Mistress Taleporter and the Triumph of Time," 254.

⁴²⁰ Introduction to *The Winter's Tale*, The Arden Shakespeare Second Series, ed. J.H.P. Pafford (London: Methuen, 1963), lxv.

⁴²¹ Gail Kern Paster, *The Body Embarrassed: Drama and the Disciplines of Shame* (Ithaca, NY: Cornell University Press, 1993), 265. Focusing on Shakespeare's portrayal of the narrative act in several of his plays, Mary Ellen Lamb contends that with his winter's tale Mamillius "is composing not only a story but a self defined in terms of an intimate and very physical bond with his visibly pregnant mother as well as with her surrounding ladies, who care for him" in "Engendering the Narrative Act: Old Wives' Tales in *The Winter's Tale*, *Macbeth*, and *The Tempest*." *Criticism* 40.4 (1998): 529-53, 533.

socially significant circumstances.”⁴²² It is Leontes’s insistence on broadcasting these allegations, first to his advisors and then to the country at large, which causes irreparable harm.

Mamillius’s death again emphasizes the link between the ears and the imagination, exhibiting that this connection can be fatal under the right circumstances. Darryl Chalk, in his book chapter, ““Make Me Not Sighted like the Basilisk”: Vision and Contagion in *The Winter’s Tale*,” contends that Mamillius’s death is “described unequivocally in terms of a conception in his mind.” That is, his death is a result of the effect the calumny against Hermione takes upon his impressionable young mind. Chalk argues that Leontes’s sudden onset of jealousy is a “disease of the imagination” resulting from “an offensive image that infects his mind” and that such a disease is communicable and is indeed spread to the young prince.⁴²³ I agree with Chalk’s assessment that Leontes’s sharing of his suspicions with Mamillius ultimately leads to the latter’s death; where we differ is that Chalk is concerned with visual contagion (Leontes’s infection stemming from the king’s faulty sight), while I argue that the disease is spread through the slanders against Hermione, thus affecting listeners through the vulnerable ear canal. The ears were not only thought of as “one of the activest and laborioust faculties of the soul,” they were also seen as the passageway of discourse to the imagination.⁴²⁴ Their link to the imagination

⁴²² See Chapter 1, ““Why Should he Call Her Whore?’ Defamation and Desdemona’s Case,” in *Reading Shakespeare Historically* (London: Routledge, 1996), 19-34. Antigonus underlines the same point when he tells Leontes “I wish, my liege, / You had only in your silent judgement tried it, / Without more overture” (2.1.170-72).

⁴²³ In *Embodied Cognition and Shakespeare’s Theatre: The Early Modern Body-Mind*, ed. Lawrence Johnson, et al. (New York: Routledge, 2014), 111-32, 113, 127.

⁴²⁴ Brathwaite, *Essaies upon the Five Senses*, 14, 8. Helkiah Crooke corroborates the effect of things heard on one’s imagination when he argues that “those things which be heard, take a deeper impression in our minds” than by things seen; from *Microsmographia* qtd. in Bruce Smith, *The Acoustic World of Early Modern England: Attending to the O-Factor* (Chicago: University of Chicago Press, 1999), 283. Thomas Wright discusses the connection between the imagination and the written and spoken word extensively in *The Passions of the Mind in General*, ed. William Webster Newbold (New York: Garland Publishing, Inc., 1986). Katharine A. Craik’s book chapter, “The Word and the Flesh in Early Modern England,” focuses on “Wright’s theory of the passions which deal with the feelings men experienced in their minds and bodies when they encountered words and texts” in *Reading Sensations in Early Modern England* (New York: Palgrave Macmillan, 2007), 11-34.

illustrates the organ's ambivalence, one greater than that of the eyes. Knowledge conveyed through the ears is as likely to instruct as it is to harm.

Having heard the allegations against Hermione, Mamillius internalizes them with disastrous results. Chalk contends that locking Mamillius away was the worst possible decision in this situation given that he was sequestered immediately after having heard his father defame his mother, thereby ensuring that he would think of nothing but this slander, fixing it in his imagination.⁴²⁵ In his article, "Rhetoric, Grief, and the Imagination in Early Modern England," Stephen Pender explains that grief was considered potentially fatal in the period. Contemporary physicians recommended treatments that "focused on the imagination as [a] potentially harmful faculty that prolonged or intensified suffering," yet "precisely in the same period, the imagination was enlisted more and more as fertile ground for emotional therapy."⁴²⁶ The imagination was paradoxically both a potential cure and a further spur to grief. With nothing else to entertain him, the slander against Hermione is allowed to take root in Mamillius's mind, continually fueling his grief and wasting his spirit. Paulina echoes Leontes's version of Mamillius's death in her hyperbolic retelling of Leontes's faults, proclaiming that the accusation and the prince's "honorable thoughts—...cleft the heart / That could conceive a gross and foolish sire / Blemished his gracious dam" (3.2.193, 194-96). Paulina's word choice also seems to recall slander's common, metaphoric depictions as various weapons, as the image of Mamillius's cleft heart emulates the violence caused by swords and arrows. Like Leontes, she believes that the slandering of Hermione and Mamillius's subsequent fixation on it caused the young prince's death. Yet while Leontes portrays Mamillius as withering away, Paulina's account is of a darker hue, preparing us for Hermione's death and, perhaps, that of her husband, Antigonus.

⁴²⁵ Conversation with the author.

⁴²⁶ Pender, "Rhetoric, Grief, and the Imagination in Early Modern England," *Philosophy & Rhetoric*, 43.1 (2010): 54-85, 54, 55, 58.

With Mamillius's death, Leontes begins to realize the damage he has wrought upon his family. He acknowledges that "Apollo's angry, and the heavens themselves / Do strike at my injustice" (3.2.144-45). In contrast, Hermione silently falls to the ground, in response to which Paulina announces that "this news is mortal to the Queen" directing spectators on and off stage to "look down / And see what death is doing" (3.2.146-47). As with Mamillius, Hermione internalizes distressing news and her body instantly responds. Leontes is right to note that Hermione's "heart is but o'ercharged" but his hopes that she "will recover" are shortly dashed, as Paulina announces her death within the next 50 lines (3.2.148). Hermione's overcharged heart again emphasizes the toll that one's emotions can have upon the body, allowing slander to claim its second victim. The conclusion of the play reveals that Hermione's "death" is not a physical, but a social death.⁴²⁷ Unlike Mamillius, she heard the oracle's prophecy, knowledge that helped keep her hope (and herself) alive during her period of seclusion.

The triad of slander victims is concluded in the following scene when Antigonus meets his grisly end in what is possibly Shakespeare's most infamous stage direction, "*Exit, pursued by a bear*" (3.3.57). Commenting on twentieth-century scholarly interest in the bear, Susan Snyder and Deborah T. Curren-Aquino declare that "Shakespeare's notorious stage direction occasioned little or no editorial/critical treatment before the twentieth century, as attested by the contrasting coverage in variorum editions of Furness (1898) and Turner (2005)." The footnote adds that "Furness has nothing on the bear; Turner, on the other hand, devotes four pages to it, with only

⁴²⁷ David Bergeron argues that the version of the play that has come down to us includes a revised ending, that Hermione truly died in the lost original version; see "The Restoration of Hermione in *The Winter's Tale*" in *Shakespeare's Romances Reconsidered*, ed. Carol McGinnis Kay and Henry E. Jacobs (Lincoln: University of Nebraska Press, 1978), 125-33. Snyder contends in "*The Winter's Tale Before and After*" that in 1612-13, two masques included scenes where statues came to life, suggesting "it was most likely this taste of the Jacobean court for wonders that underlay Shakespeare's revision, rather than a need to cancel the death of Hermione"; *Shakespeare: A Wayward Journey*, 221-33, 228.

one nineteenth-century comment.⁴²⁸ At the risk of talking the bear to death, I suggest another meaning for this infamous creature. Antigonus is ripped apart by a bear, “his shoulder-bone” “tore out” (3.3.89), because it makes physical the damage caused by slander. A divisive force, slander strains and can break the bonds between individuals and communities, as demonstrated by the various fractured relationships in the play. Within the logic of the metaphoric depiction of slander as responsible for a triple homicide, the bear thus represents a form of divine justice. I agree with Pitcher and others that Antigonus dies in place of the slanderer, Leontes. Shakespeare substituted one husband for another in order to allow for a “happy” ending. In addition to their shared role as husbands, Antigonus narrates a dream he had of Hermione shortly before his death. Misinterpreting it, he states,

I do believe

⁴²⁸ Introduction to *The Winter's Tale*, ed. Susan Snyder and Deborah T. Curren-Aquino (Cambridge: Cambridge University Press, 2007), 30, 30n80. Snyder and Curren-Aquino also briefly review the debates surrounding the staging and meaning of the bear (30-33). For a review of Stratford productions' staging of the bear from 1945-1999, see Patricia E. Tatspaugh's introduction to *The Arden Shakespeare, Shakespeare at Stratford Series' The Winter's Tale* (London: Thomson Learning, 2002), 123-31. Chapters 1 and 2 additionally note the various productions' bear props, which adumbrate Antigonus's mauling. For representative examples of the debate concerning whether a real bear was used, see Neville Coghill, “Six Points of Stage-Craft in *The Winter's Tale*.” *Shakespeare Survey* 11 (1958): 31-42; and Barbara Ravelhofer, “‘Beasts of Recreation’: Henslowe's White Bears.” *English Literary Renaissance* 32.2 (2002): 287-323. Regarding the meaning of the bear, Michael D. Bristol contends that the bear is associated with winter, specifically “the carnivalesque bear-man is connected with a range of practices and observances that mark the end of Christmastide leisure and the beginning of the agricultural work year”; “In Search of the Bear: Spatiotemporal Form and the Heterogeneity of Economics in *The Winter's Tale*.” *Shakespeare Quarterly* 42.2 (1991): 145-67, 159. John Pitcher tentatively suggests that “in 1600 in the popular theater the bear was an animal which could be associated with revenge for a crime against the family” in “Fronted with the Sight of a Bear’: *Cox of Collumpton and The Winter's Tale*.” *Notes and Queries* 239, 1 (n.s., 41, 1) (March 1994): 47-53, 51. Daryl W. Palmer remarks that “Shakespeare surely understood that the bear carries symbolic and cultural associations; ideas of winter and tyranny mingled with his audience's taste for bearbaitings” in “Jacobean Muscovites: Winter, Tyranny, and Knowledge in *The Winter's Tale*.” *Shakespeare Quarterly* 46.3 (1995): 323-39. Kevin Crawford, in turn, argues that the play achieves “aesthetic unity” through “a patterned employment of the elements of the grotesque through both ‘halves’ of the play,” one of which is the infamous bear” in “‘He was torn to pieces with a bear’: Grotesque Unity in *The Winter's Tale*.” *Journal of the Fantastic in the Arts* 10.3 (1999): 206-30, 206, 207. See also Dennis Biggins, “‘Exit Pursued by a Bear’: A Problem in *The Winter's Tale*.” *Shakespeare Quarterly* 13.1 (1962): 3-13; Louise G. Clubb, “The Tragicomic Bear.” *Comparative Literature Studies* 9.1 (1972): 17-30; Teresa Grant, “White Bears in *Mucedorus*, *The Winter's Tale*, and *Oberon, the Fairy Prince*.” *Notes and Queries* 246, 3 (n.s., 48, 3) (Sept. 2011): 311-13; Andrew Gurr, “The Bear, the Statue, and Hysteria in *The Winter's Tale*.” *Shakespeare Quarterly* 34.4 (1983): 420-25; Maurice Hunt, “‘Bearing Hence’: Shakespeare's *The Winter's Tale*.” *Studies in English Literature* 44.2 (2004): 333-46, which like Parker in “Sound Government, Polymorphic Bears,” focuses on the text's wordplay on “bear”; and Dale B.J. Randall, “‘This is the Chase’: or, The Further Pursuit of Shakespeare's Bear.” *Shakespeare's Jahrbuch* 121 (1985): 89-95.

Hermione hath suffered death, and that
Apollo would—this being indeed the issue
Of King Polixenes—it should here be laid,
Either for life or death, upon the earth
Of its right father. (3.3.40-45)

Antigonus comes to believe that Hermione is guilty of adultery and consequently has been put to death. He thus becomes the only individual besides Leontes to believe in Hermione's guilt.

Furthermore, by vocalizing this belief, he changes location within the slander triangle, moving from being a listener of slander to another slanderer, strengthening the case for his substitution within the trio of slander victims. Pafford contends that the deaths of Antigonus and the mariners "are more remote and more obviously to be ascribed to natural causes outside the protagonists in the struggle."⁴²⁹ I disagree. Antigonus, through his association with Leontes, is placed in the heart of the struggle, as is his wife, Paulina. In Act V, Paulina and Leontes recall that which has been lost through Leontes's follies and this includes Antigonus. It is the King's instructions that place Antigonus in the bear's path. Leontes's jealousy rips apart Paulina's family as well as his own.⁴³⁰

Sex, Lies, and Penance: Slander Suits in Early Modern England

Before turning to Leontes's self-imposed penance for the deaths of his family members, I will briefly discuss the legal options available to victims of slander. In medieval England, slander cases were heard exclusively in the ecclesiastical courts and were restricted to instances where an individual had "maliciously imputed a crime to another." By the early modern period, this constraint had been all but disregarded, giving slander victims a choice to file their suits in either

⁴²⁹ Introduction to *The Winter's Tale*, Pafford, lviii.

⁴³⁰ Not only does Paulina lose her beloved husband, but also the three daughters to whom Antigonus refers in 2.1.144-50, who disappear from the play with their father's departure from court. There is no mention of their daughters when Leontes threatens Antigonus and Paulina with a painful death if Antigonus fails to abandon Perdita in "some remote and desert place" (2.3.170-73, 176).

the ecclesiastical or the secular courts.⁴³¹ Though the church courts could now hear a wider variety of slander cases, theoretically, they were still limited to hearing cases that concerned only spiritual matters. In turn, in the late sixteenth century, the secular courts began hearing cases concerning words that caused demonstrable damage, but did not impute a crime; by the seventeenth century, cases involving potentially harmful language were being regularly heard.⁴³² The benefit of the secular courts was that they could award financial compensation to a slandered individual. The remuneration was meant to offset any economic damage caused by the slander; yet, these courts could not do anything to repair victims' reputation. Conversely, the ecclesiastical courts focused upon the harm caused to the victim's reputation, aiming to mend this hurt.⁴³³ The inherent differences in these court systems' response to slander litigation meant that victims had to decide what mattered most to them, their reputation, or economic reparation.

The Constitution of the Council of Oxford (1222), the origin of all slander law in England, defined excommunication as the punishment for convicted slanderers. Additionally, "there was canonical authority" for "imposing silence on the defamer."⁴³⁴ Rather than excommunicating all convicted offenders, the ecclesiastical courts regularly chose to impose a punishment that both shamed the offender and repaired the victim's reputation. They required offenders to perform "'spiritual' penalties" that "normally contained two elements: public

⁴³¹ R.H. Helmholz, ed., *Select Cases on Defamation to 1600* (London: Selden Society, 1985), xiv. Helmholz states that "by the sixteenth century the necessity that an actual crime have been named seems to have disappeared." He further adds that there is evidence that "this natural expansion" to hearing cases that included "general words...occurred around 1500"; xxix. For more on the development of slander law in England, see the introduction.

⁴³² For a brief survey of the history of slander laws in England, see *Select Cases on Defamation to 1600*, ed. Helmholz. They were a few exceptions where an individual did not need to prove that he or she had suffered demonstrable damages as a result of the alleged slander, for instance, if the allegation touched upon an individual's professional reputation. For a brief consideration of these special categories, see Baker, *An Introduction to English Legal History, and Select Cases*, ed. Helmholz.

⁴³³ Helmholz notes, however, that "even in the law of defamation, payment of expenses was a regular part of ecclesiastical jurisdiction." *The Oxford History of the Laws of England: Volume I, The Canon Law and Ecclesiastical Jurisdiction from 597 to the 1640s*, ed. John Hamilton Baker (Oxford: Oxford University Press, 2004), 587.

⁴³⁴ Helmholz, ed., *Select Cases*, xiv, xxxviii-xxxix.

penance and public apology to the party defamed.”⁴³⁵ Martin Ingram has described the experience as “a ritual of repentance and reconciliation” that was “a deeply humiliating experience designed to deter others and give satisfaction to the congregation for the affront of public sin.”⁴³⁶ Those required to perform such penance “generally had to confess their fault openly in church and to ask God for forgiveness.”⁴³⁷ R.H. Helmholz explains that although “sentences formally imposing ‘silence’ on defamers and requiring them to perform a public penance, or at least make a public acknowledgement of fault, became the rule,” the logistics of the penalty often varied. The reason for this was “judicial discretion under the canon law” and because:

The civilians said the remedy should fit the defamation. Thus, for defamation in the market, a public retraction; for defamation at another’s house, a private confession of error. The status of the parties and the circumstances surrounding the quarrel between them also mattered. So did the heinousness of the words. The constant factor was the admission of wrongdoing coupled with a public apology.⁴³⁸

Given Leontes’s status, he would not have been required to undergo a humiliating punishment. As discussed in further detail below, he nonetheless chooses to publicly admit his faults in the location where his slanders were heard by the greatest amount of individuals, at Hermione’s trial.

Victims of slander had the opportunity to clear their names through “the procedure of compurgation—whereby neighbors of the defamed person appeared in court to swear to their belief in his or her innocence—sometimes supplemented or replaced by certificates of good fame

⁴³⁵ *Ibid.*, xl.

⁴³⁶ *Church Courts, Sex, and Marriage in England, 1570-1640* (Cambridge: Cambridge University Press, 1987), 3.

⁴³⁷ *Ibid.*, 53-54.

⁴³⁸ *The Oxford History of the Laws of England*, 586-87, 588. Ingram states that the procedure was always a formal one, often including the wearing of “a white sheet,” the carrying of “a white rod” and confession before the congregation “during service timer on a Sunday or major holiday” (*Church Courts*, 54).

and credit signed by ‘honest neighbors.’”⁴³⁹ I suggest that Leontes’s counselors and Paulina consciously take on a similar task, providing the sense of a community actively combating slander. At the cost of royal displeasure, they collectively plead Hermione’s innocence. The counselors’ responses additionally portray that slander does not exist in a vacuum. This domestic matter ripples beyond the familial unit to affect the country at large. The counselors thus risk their positions to defend Hermione because they understand that the allegations endanger them all. For example, when Camillo finally understands Leontes’s insinuations, he immediately replies “I would not be a stander-by to hear / My sovereign mistress clouded so without / My present vengeance taken” (1.2.281-83). Camillo stresses his loyalty and his desire to protect Hermione’s reputation by seeking retribution had the calumny been uttered by anyone but the King. He further states, “You never spoke what did become you less” going so far as to respectfully censure Leontes for his indecorous fears (1.2.284). Later, an unnamed lord offers to “lay down” his life “that the Queen is spotless” (2.1.132, 133) and Antigonus hyperbolically states that if Hermione is false, then all women must be likewise (2.1.139-41). Leontes’s royal counselors use their positions of trust to attempt to reach Leontes, in a sense, relying on their own reputations of honesty and integrity to re-establish Hermione’s. The point is further underscored when a frustrated Leontes asks if he lacks credit and an unnamed lord responds “I had rather you did lack than I, my lord, / Upon this ground” (2.1.160-61). The lord’s response is a tacit admission that Leontes cannot be reasoned with. Despite the united front of Queen and counselors, their truth (“the” truth) is being interpreted as the ruler’s lies and Leontes, as the highest-ranking official, is insistent on proclaiming his version of the “truth.”

⁴³⁹Ingram adds that this procedure was “not cheap” and could potentially backfire if the victim’s innocence was not established. Further, “even a successful performance was normally followed by an admonition to avoid cause for suspicion in the future – in other words, the shadow of discredit was not entirely lifted” (*Church Courts*, 293).

Hero, the young heroine of *Much Ado About Nothing* (1598), finds herself in a similar situation when her future husband slanders her on their wedding day. Cyndia Clegg notes that the secular courts would not have been much help, for “Even if Hero’s cause could come within slander’s legal definition, because Hero did not suffer measurable financial loss, resorting to the secular law courts would not have been an option for a young woman of her class.”⁴⁴⁰ The situation is even worse for Hermione, given that “Technically, married women could not sue cases at the common law: their desires and their legal authority, were ‘subject to their husband.’” In contrast, within the church courts, “married, single and widowed women sued cases in their own names.”⁴⁴¹ Hermione’s position as queen and the impossibility of quantifying her losses forecloses the secular courts as a suitable location to argue her case. She, however, does not seek any form of reparation, only to clear her name. Yet she knows that the entire legal system is undermined through Leontes’s overseeing of her sham trial. As she succinctly states following her indictment, “it shall scare boot me / To say, ‘Not guilty’” (3.2.23-24). Given this knowledge, Hermione displays unimpeachable integrity and considerable patience throughout her ordeal.

Analyzing the Sicilian court’s reaction to Leontes’s aspersions, Lindsey Kaplan and Katherine Eggert claim, “it would be difficult to imagine that a king’s accusations, regardless of their veracity or his motivations, could ever have been construed as constituting defamation.”⁴⁴²

The truth and a speaker’s motivation were important considerations in determining whether a

⁴⁴⁰ “Truth, Lies, and the Law of Slander.” Jordan and Cunningham, 181.

⁴⁴¹ Laura Gowing, “Language, power and the law: women’s slander litigation in early modern London,” *Women, Crime and the Courts in Early Modern England*, ed. Garthine Walker and Jenny Kermode (Chapel Hill: The University of North Carolina Press, 1994), 26-47, 26.

⁴⁴² “‘Good queen, my lord good queen’: Sexual Slander and the Trials of Female Authority in *The Winter’s Tale*.” *Renaissance Drama* 25 (1994): 89-118, 105. Kaplan and Eggert read *The Winter’s Tale* as a representative example of the “gendered legal history of early modern England” specifically with regard to “the problem of slander” (90).

speech act constituted slander.⁴⁴³ Leontes truly believes that Hermione has been unchaste. His contrasting responses to Polixenes and Hermione demonstrate that he does not act against her out of malice. Whereas he orders Camillo to poison Polixenes, Leontes seeks legal redress against Hermione for adultery and high treason. His actions exhibit a misguided desire to protect the reputation of the Sicilian royal family and lineage.

As Kaplan and Eggert also observe, Leontes's position as king complicates the situation, or, rather, should complicate matters. Despite the fervor of his allegations, Leontes fails to convince anyone but himself. Instead, his accusations are noted for what they are, dangerous slanders. Although Camillo never uses the word "slander," he tells Leontes that he will poison Polixenes on the condition that Leontes take Hermione back as if nothing had occurred, "for sealing / The injury of tongues in courts and kingdoms / Known and allied to yours" (1.2.339-41). Paulina later boldly declares that "he / The sacred honour of himself, his queen's, / His hopeful son's, his babe's, betrays to slander, / Whose sting is shaper than the sword's" (2.3.84-87),⁴⁴⁴ warning him that his treatment of Hermione will make Leontes "ignoble" and "scandalous to the world" (2.3.120, 121). Even Leontes recognizes the inherent danger of the charge, exclaiming to Camillo that he would not "Give scandal to the blood o'th' prince, my son" without sufficient cause (1.2.332). While Leontes mistakenly believes that he is ensuring the sanctity of the Sicilian royal family's bloodline,⁴⁴⁵ Camillo and Paulina both fear the international repercussions of the king's actions. Paradoxically, Leontes's status does not awe or convince

⁴⁴³ As Helmholz explains, "Defendants had to establish their own lack of malice by doing more than showing the truth of what they had said," that is, that the "truth was a mitigating factor, but in itself no more." *The Oxford History*, 582, 583.

⁴⁴⁴ The reference to slander's harmful potential is the only use of the word "slander" within the text. Perhaps for metrical purposes, Shakespeare more often employs slander's near synonyms, including "scandal," "scandalous," and "calumny." "Scandal" appears in 1.2.332, "scandalous" in 2.3.121, and "calumny" in consecutive lines at 2.1.74, 75. The words "rumor," "whisper(s)," and "whispering" are also frequented used in the play.

⁴⁴⁵ Mario DiGangi notes that "by calling attention to the queen's supposed sexual transgression and labeling his daughter a bastard, Leontes sullies the symbolic display of sovereign power that usually attended a royal birth" in the Introduction to *The Winter's Tale*, ed. Mario DiGangi (Boston: Bedford/St. Martins, 2008), 9.

anyone to think as he does. What it does is ensure that the knowledge of his follies will spread beyond the country's borders. In short, Camillo and Paulina both anticipate that Leontes will generate the very gossip that he imagines is rampant in his court, conversations in which he is the subject of slander.

Throughout the course of Hermione's trial, Leontes undergoes a change of heart that leads him to change his role as essentially a prosecutor in a criminal treason case to a defendant in an ecclesiastical slander case. The trial begins with Leontes abusing his position as king to initiate prosecution against Hermione, believing that such a proceeding will restore the royal family's honor that Hermione's supposed infidelity damaged. The tables start to turn following the series of announcements concerning the state of the royal family that begin with the oracle's prophecy and end with the news of Hermione's death. In his seminal study of early modern church courts, Ingram explained that most cases brought before these courts:

were dealt with as suits between parties – rather like civil actions in the secular courts. Many, including most matters involving a strong moral element, were handled as 'office' or disciplinary cases: the courts themselves initiated prosecutions in a fashion roughly analogous to criminal proceedings. But such prosecutions were not, at least in theory, primarily designed to exact retribution for offenses. They were intended to *reform* the culprit, and were ostensibly undertaken 'for the soul's health' (*pro salute animae*), to restore offenders to a healthy relationship with God and their neighbors.⁴⁴⁶

The cumulative effect of these announcements force Leontes to admit his mistakes.

Consequently, he begins to behave as if he were a defendant in an ecclesiastical defamation case; he recognizes that it is he who is in need of rehabilitation, that it is he who has injured his spiritual and physical health, the family's honor, and the community at large.⁴⁴⁷

Individuals found guilty of slander in ecclesiastical cases were made to do public penance and to ask forgiveness of the slandered individual. Similarly, Leontes begins the long process of

⁴⁴⁶ Ingram, *Church Courts*, 3.

⁴⁴⁷ We are told in 2.3 that Leontes is not sleeping well. His slanders thus affect both Mamillius's and his own health.

atonement immediately following the news of Mamillius's death and Hermione's loss of consciousness by publicly acknowledging his multiple mistakes. Before the lords and officers present at Hermione's trial, Leontes declares, "I have too much believed in mine own suspicion," and asks Apollo's forgiveness for his "profaneness" (3.2.149, 152). He unequivocally announces that the fault lay entirely in him and his imagination. Keenly aware of the damage that he has caused several members of his community, he also hatches a plan to make amends with Polixenes, Hermione, and Camillo. The brevity of his lines, "I'll reconcile me to Polixenes, / New woo my queen, recall the good Camillo" belies the amount of time it will take to reunite these severed friends (3.2.153-54). The simplicity of these phrases only underscores the obvious, that his plan is wishful thinking. Leontes additionally reveals his previous treachery, which led Polixenes and Camillo to flee (3.2.155-70). Like a penitent making his confession, Leontes essentially attempts to restore his wounded relationships, to fix his neighborly bonds, by first taking responsibility for his actions. Yet there is one glaring omission. He is silent concerning Antigonus and Perdita, perhaps assuming that they can simply be recalled before any harm befalls them. It is left to Paulina to count them among the dead in her litany of Leontes's faults.

Having publicly recited his faults, Leontes spends the next sixteen years of his life performing his self-imposed penance. He makes good on his promise that "Once a day I'll visit / The chapel where they lie, and tears shed there / Shall be my recreation" (3.2.236-38). Visiting daily the tomb of his deceased wife and son, he comes to be defined by his contrition, earning the epithet, "the penitent King" (4.2.5). Unable to ask for forgiveness from those he hurt, he instead spends sixteen years attempting to gain some solace from his routine of mourning. Part of his penance also seems to include a licensing of critique. Not only does Leontes allow Paulina to rehearse his mistakes a second time, he also declares that he deserves "all tongues to talk their

bitt' rest" concerning his tyrannical actions (3.2.214).⁴⁴⁸ In Greene's *Pandosto*, the titular king commissions an inscription to his late queen and son's monument commanding all passersby to voice another form of ill speech and "curse him that caused this queen to die."⁴⁴⁹ Pandosto's request authorizes critique of his inappropriate behavior. It demonstrates one of Laura Gowing's conclusions from her research on early modern slander litigation, that slander could be used "to define and enforce the moral character of their neighborhood."⁴⁵⁰ Pandosto's inscription as well as Leontes's statement implies that they are each deserving of righteous critique.⁴⁵¹ Leontes's comment, which at first glance appears to be an over-the-top *mea culpa*, recalls Pandosto's shocking decision. Though it may partly be a self-indulgent wallowing in his guilt, it is another public acknowledgement of culpability. Leontes's remark is an acceptance of the type of court chatter that he formerly feared. Whereas he previously attempted to displace responsibility for inventing the slander against Hermione and Polixenes, he now embraces it.

In his long work devoted to praising silence, *The Dumb Divine Speaker or Dumb Speaker of Divinity* (1605), Fra. Giacomo Affinati d' Acuto briefly offers advice on how to correct the faults of great men, including kings, contending that it must be done "sweetly."⁴⁵² Paulina, unsurprisingly, ignores such advice, proclaiming her adherence to the truth through a rejection of sweet words, stating, "If I prove honey-mouthed, let my tongue blister" (2.2.36). She announces Hermione's death by way of a diatribe against Leontes, leading the male counselors to critique her for the dangerous harangue. In turn, Leontes, who had previously referred to her

⁴⁴⁸ From this point on, only Paulina directly critiques Leontes. Even then, the king's reputation is carefully guarded by his male counselors, who quickly reprimand Paulina whenever she goes too far. For example, see 3.2.214-30.

⁴⁴⁹ *Pandosto* in *The Winter's Tale*. Pitcher, 420.

⁴⁵⁰ "Language, power and the law." Walker and Kermode. 30. Gowing's observation that this practice was not without risk, as accusations of slander can often rebound on those voicing them, does not apply in this case, as the fictional Pandosto, ruler of his country, specifically welcomed such criticisms.

⁴⁵¹ Pandosto's request for criticism, however, does not eliminate his tyrannical tendencies. He later threatens to rape his daughter (whom he does not recognize) and then commits suicide over the shame of this action once he learns the truth of her parentage.

⁴⁵² Affinati d' Acuto *The Dumb Divine Speaker*, 268.

as “a callat / Of boundless tongue,” a “gross hag” whose husband could not “stay her tongue,” and a “lewd-tongued wife” (2.3.91-92, 108, 110, 172), authorizes her to go on by stating “Thou didst speak but well / When most the truth” (3.2.230-31). It is only after Leontes admits his faults and permits Paulina’s speech that she softens her approach, voicing a gendered critique, “I have showed too much / The rashness of a woman,” and acknowledging Leontes’s grief, “He is touched / To th’ noble heart” (3.2.218-20). By licensing her speech, Leontes elevates Paulina to the role of his main advisor and confessor, the role previously held by Camillo (1.2.237-41). Taking on this priestly role, she teaches Leontes to trust women and to value female speech as he completes his penitence in the intervening sixteen years between the conclusion of the trial and Perdita’s return to Sicilia. His trust in Paulina’s judgment helps to re-carve a space for women in his court.⁴⁵³

Although ecclesiastical courts sought to repair the victim’s wounded reputation, in *The Winter’s Tale*, it is the slanderer’s reputation that needs reparation. In addition to the public recrimination and his daily visitations to his family’s monuments, Leontes, under Paulina’s tutelage, chooses to remain single, rejecting his counselors’ advice that he remarry for the good of the realm. What most concerns the male counselors, the length of time that the country remains without an heir, is the very thing that ultimately allows for reconciliation. Leontes’s progress, between the accusing of Hermione and her resurrection, is a time-consuming process shared by most slander cases. Whether filed in the secular or ecclesiastical courts, most slander

⁴⁵³ In his discussion of the play’s final scene, Orgel states, “it is...difficult to believe that the emphasis in the play’s resolution on the evidence of things not seen, the primacy of the spirit over the letter, salvation through faith—on the tenets, in short, of Pauline Christianity—does not account for Paulina’s name” in his Introduction to *The Winter’s Tale*, 59-60. For more on Paulina and the Pauline tradition, see Roy Battenhouse, “Theme and Structure in *The Winter’s Tale*,” *Shakespeare Survey* 33 (1980): 123-38; and Huston Diehl, “Does not the stone rebuke me? The Pauline rebuke and Paulina’s lawful magic in *The Winter’s Tale*” in *Shakespeare and the Cultures of Performance*, ed. Paul Yachnin and Patricia Badir (Burlington: Ashgate, 2008), 69-82. Paul D. Stegner has recently compared Paulina and Camillo’s “gendered” and “competing models of penitence” in “Masculine and Feminine Penitence in *The Winter’s Tale*.” *Renascence* 66.3 (2014): 189-201, 191.

suits never reached the settlement stage because the court systems deliberately moved slowly, the ecclesiastical courts even more so. This pace was intended to give the parties involved every opportunity to resolve the issue out of court, thus allowing for reconciliation and a repairing of the social bonds that the slander had harmed. Ingram explains that within the church courts this was partly due to “the canon law principle that, unless the suit raised issues which could not be compromised...the litigants should be positively encouraged to reach an out of court settlement to restore harmony between them as soon as possible.”⁴⁵⁴ For this reason, coupled with the costly expense of litigation, the majority of cases did not reach the sentencing phase.⁴⁵⁵ Similarly, Hermione’s treason trial, though a foregone conclusion, is interrupted before a sentence is declared. This is partly because it is Leontes, and not Hermione, who is ultimately on trial.

It has become a scholarly commonplace that Leontes spends these sixteen years in a prolonged stasis, what T.G. Bishop has labeled Paulina’s “gelid theater of remorse...[which] refuses all impulse of development.” Susan Snyder argues “the sense...of Leontes’ sixteen years is not slow transformation but rather endless repetition of the same rituals of rebuke and penitence before the fixed image of the dead Hermione.”⁴⁵⁶ This ostensible stagnation, however, is precisely the point. Penance is neither sexy nor glamorous, but it is necessary. As he earlier imprisoned Hermione for her supposed crime, Leontes must now serve his sentence. It is only through this repeated ritual that he can grow. It is not an empty ritual, for Leontes must accept

⁴⁵⁴ Most historians who have worked on early modern slander agree that the courts did move rather slowly, although Ingram has contended that the slowness of these proceedings has been exaggerated and that “defamation causes” in particular “were often straightforward and therefore speedy.” As noted above, he nonetheless acknowledges that participants were encouraged to settle cases out of court (*Church Courts*, 50).

⁴⁵⁵ Slander litigation was expensive. J.A. Sharpe notes that “it has been estimated, fighting a defamation suit to its conclusion might take from two to four years and cost an average of £8.” *Defamation and Sexual Slander in Early Modern England: The Church Courts at York* (Heslington, York: University of York, Borthwick Institute of Historical Research, 1980), 24. Ingram likewise explains that slander litigation in the church courts was expensive and that it was cheaper to litigate in the common law courts, especially as time progressed (*Church Courts*, 57). Sadly, the records do not indicate the nature of out of court settlements.

⁴⁵⁶ T.G. Bishop, *Shakespeare and the Theater of Wonder* (Cambridge: Cambridge University Press, 1996), 148; Susan Snyder, “Memorial Art in *The Winter’s Tale* and Elsewhere: ‘I will kill thee / And love thee after’” in *Shakespeare: A Wayward Journey*. 197-209, 204.

his private guilt (and public shame). When Cleomenes tells Leontes that he has done enough and should forgive himself, the king replies that he “cannot forget/...The wrong I did myself, which was so much / That heirless it hath made my kingdom, and / Destroyed the sweet’st companion that e’er man / Bred his hopes out of” (5.1.7, 9-12). Leontes’s inability forgive himself, his acknowledgement that penance cannot bring back those he destroyed, and his “new apprehension of Hermione” are the visible signs of his growth.⁴⁵⁷ Commenting on Leontes’s exchange with Cleomenes, Sarah Beckwith contends, “to forgive himself would entail absolving himself, and this would imply that he could, by an act of his will, reclaim his acts and their effects on others back from the lives of those others and order them by dint of that will.” She further argues, “forgiving, then, like promising, requires the presence of others.”⁴⁵⁸ For Leontes to move past his sins, he must be forgiven by the person he hurt most, Hermione, and others must witness it.

In the meantime, the sojourn in Bohemia again vividly portrays slander’s destruction of communal harmony as well as the verbal violence to which any woman perceived as threatening could be subjected.⁴⁵⁹ The societal accord that marks the beginning of the sheep-shearing festival, an inclusive harmony that ranges from the lowest to the highest ranks of society, from the itinerant peddler Autolycus to members of the royal family, is brought to an abrupt end through a king’s explosive anger. Rejecting his son, Florizel’s, choice of fiancée, Polixenes interrupts their betrothal and calumniates Perdita in the same gendered terms that Leontes previously leveled at both Hermione and Paulina. Though he cannot help but notice her beauty (4.4.156-59), Polixenes declares Perdita a “fresh piece / Of excellent witchcraft,” a “knack,” and an “enchantment”

⁴⁵⁷ Carol Neely, *Broken Nuptials*, 204. Though as his greeting to Florizel demonstrates, “Your mother was most true to wedlock, Prince, / For she did print your royal father off,” Leontes’s concern over legitimate succession remains (5.1.123-24).

⁴⁵⁸ Sarah Beckwith, *Shakespeare and the Grammar of Forgiveness* (Ithaca, NY: Cornell University Press, 2011), 133.

⁴⁵⁹ For more on the women’s speech in *The Winter’s Tale* and the fear that such speech can elicit, see David Schalkwyk, “‘A Lady’s ‘Verily’ Is as Potent as a Lord’s’: Women, Word and Witchcraft in *The Winter’s Tale*.” *English Literary Renaissance* 22.2 (1992): 242-72; also see note 390.

(4.4.410-11, 416, 422), threatening that same beauty if she ever again admits Florizel's presence (4.4.413-14, 428-29). These aspersions additionally damage familial unity, as Florizel prefers marriage to Perdita to his birthright, and the old shepherd turns on Perdita for her pretensions in loving the prince. Like her mother before her, Perdita is reduced to a cheap possession, a plaything to be passed around; like Paulina, her effect on those around her is associated with the demonic. Though Perdita rejects the King's slander through the radically democratic sentiment, "I was about to speak, and tell him plainly / The selfsame sun that shines upon his court / Hides not his visage from our cottage, but / Looks on alike" (4.4.431-34) following Polixenes's exit, she, like Hermione, is effectively silenced by the slanderous attack upon her. Hermione offers a passionate defense at her trial, yet after her "death and resurrection," she takes on the statute's muteness and speaks only once when she acknowledges Perdita as "mine own" (5.3.124). Perdita similarly has very few lines after the sudden conclusion of the festival.

Carol Neely has noted that many women in Shakespeare's plays are unjustly accused of infidelity. She contends that although these women are vindicated, it comes at a cost; "women's power is enhanced and confirmed by the men's slander, but only at the price of confinement in the most restrictive of stereotypes—only if they remain chaste, loving, obedient, and long-suffering, only if they are willing to die for love (or to pretend to die for love), to return after marriage to something resembling the chaste immobility of the Petrarchan beloved." She goes on to argue, however, that the women in *The Winter's Tale* are ultimately "'freed and enfranchised' (II.ii.60)" from these restrictions, an assessment I disagree with and discuss below.⁴⁶⁰ Leontes and Polixenes's critiques indicate that sexual slander was part of a standard lexicon used to keep women in their assigned place. With the exception of Paulina, whose speech is specifically licensed by a reigning monarch, the ensuing silence of the female characters attests to the

⁴⁶⁰ Carol Neely, *Broken Nuptials*, 7, 209.

enduring effects of slanderous attacks. However, as discussed below, I read this silence as defensive rather than indicative of their having been contained.

There Must be Some Kind of Way out of Here

As literary critics have often noted, Perdita's return to Sicilia also brings a return to spring. The restoration of the lost heir allows for the additional restoration of the lost wife. Having gathered the principal characters to view her newly finished "statue" of Hermione, Paulina offers to make the statute move.⁴⁶¹ Leontes responds, "What you can make her do / I am content to look on; what to speak, / I am content to hear" (5.3.91-93). His response demonstrates his progress over the past sixteen years. No longer guided by his fancies, Leontes has come to value Paulina's advice, allowing himself to be counseled by a woman. His willingness to listen to another's words illustrates his growth, a clear difference from his previous tyranny. This is further underscored by his response to the touch of Hermione's hand, "O, she's warm!" (5.3.109). Gone is the alleged lascivious "hotness," replaced by natural warmth. Moreover, noting Hermione's reluctance to meet Polixenes's eyes, Leontes tells her to "look upon my brother," asking both for forgiveness "That e'er I put between your holy looks / My ill suspicion" (5.3.148-50). His attention and sensitivity to their discomfort indicates that he can now see beyond his own

⁴⁶¹ For selected readings on the final scene, see Leonard Barkan, "Living Sculptures": Ovid, Michelangelo, and *The Winter's Tale*." *English Literary History* 48 (1981): 639-67; Sarah Beckwith, "Shakespeare's Resurrections: *The Winter's Tale*," in *Shakespeare and the Grammar of Forgiveness*, 127-46; Bishop, *Shakespeare and the Theater of Wonder*, 125-75; Robert Appelbaum, "Lawful As Eating": Art, Life, and Magic in *The Winter's Tale*." *Shakespeare Studies* 42 (2014): 32-41. Hardin L. Aasand writes of the scene, "given the iconoclastic nature of the Protestant church, the appearance of a venerated statute of a 'deceased' queen evokes the outlawed Catholic belief in the intercession of saints" in the Introduction to *The Winter's Tale*, ed. Aasand (Peterborough, Ontario: Broadview Press, 2015), 15. For more on the scene's potential iconoclasm, see Aaron Landau, "'No Settled Senses of the World Can Match the Pleasure of That Madness': The Politics of Unreason in *The Winter's Tale*." *Cahiers Elisabethains: Late Medieval and Renaissance Studies* 64.1 (2003): 29-42; and on iconoclasm in general, see Huston Diehl, *Staging Reform, Reforming the Stage* (Ithaca, NY: Cornell University Press, 1997). Gail Kern Paster sees Hermione's "unveiling" as "symboliz[ing] its function as a reminder of the churching ceremony that Leontes' trial prevented" in *The Body Embarrassed*, 271-78, 278. For a reading of the many references to statutes throughout the Shakespearean corpus, see Bruce Smith, "Sermons in Stone: Shakespeare and Renaissance Sculpture." *Shakespeare Studies* 17 (1985): 1-23.

viewpoint and consider not only others' words, but also their feelings.

Although Leontes is no longer blinded by jealousy, the references to Mamillius and Antigonus within this final scene remind all of the consequences of his actions, that some losses are beyond repair. Furthermore, Paulina's warning to Leontes, "Do not shun her / Until you see her die again, for then / You kill her double" (5.3.105-107) can be interpreted as the play's final injunction: forgive, but never forget. Leontes must carry the memory of his mistakes with him, for failure to do so could result in another fall into error and, perhaps next time, Hermione's death could be literal rather than social, as with the other two deaths in slander's triple homicide. Whether Leontes deserves Hermione is certainly open to debate, but it is important to recognize that Paulina—Hermione's greatest advocate—finds his atonement to be sufficient. In the intervening sixteen years, Paulina played the roles of Leontes's judge and jury, roles that the king encouraged. Leontes repents immediately following the deaths of his loved ones, yet merely acknowledging these faults is insufficient recompense for the harm he caused. Perhaps that is why Paulina must gently scold Leontes to accept Hermione's hand, stating, "Nay, present your hand. / When she was young, you wooed her. Now, in age, / Is she become the suitor?" (5.3.107-09). While it is certainly possible to perform this scene with Hermione rejecting Leontes, I believe we must take Paulina and the text at its word. Leontes may need to be prompted because he simply cannot believe that the woman he has so horribly wronged could be capable of forgiveness. Perhaps he is overcome with emotion at being offered a second chance. Whatever the reason, Hermione's open hand, presumably clasped by the penitent king moments later, is a symbol of acceptance and forgiveness. This powerful non-verbal communication brings us full circle. As with Paulina's warning, the moment echoes Hermione's gracious gesture to Polixenes,

reminding both Leontes and the audience how easily one can mistake a simple gesture and the awful consequences that can result when one closes oneself off from others' counsel.

As noted above, Hermione's silence illustrates the costs of having been accused of slander. While I agree with Neely's assessment of women's vital role in allowing for the play's resolution, I do not see the female characters as "freed and enfranchised" (II.ii.60) from the rigid conceptions and imprisoning roles projected onto them by foolish men."⁴⁶² However, I neither agree with readings such as David Schalkwyk's who argues for "the suppression of women" through the male character's "reappropriation and repression" of the female character's verbal power, or Peter Erickson's appraisal that the revaluation of the women comes at the cost of "the imposition of restrictive definitions of gender."⁴⁶³ I contend that there is a middle ground between these positions, that the imposition of chastity, silence, and obedience is not as complete as it appears. Hermione and Perdita's verbal prowess incited male anxiety resulting in their subjection to verbal violence. In response, these women speak less frequently than in their prior appearances, an action that I read as defensive. If women's speech was previously feared by insecure male characters, then female silence offers a measure of protection.⁴⁶⁴ These characters may be silent and chaste, yet the silence is a choice and not containment as the result of a re-imposition of patriarchy. As with Isabella's silence at the end of *Measure for Measure* (1603-04), silence allows these women to maintain a level of control over the way they are interpreted by men, a degree of agency over their lives. Furthermore, the final scene itself provides a positive interpretation of silence when Hermione's statue is first revealed, prompting Paulina's

⁴⁶² *Broken Nuptials*, 209.

⁴⁶³ David Schalkwyk, "'A Lady's 'Verily' Is as Potent as a Lord's,'" 266, 264; Peter Erickson, "Patriarchal Structures in *The Winter's Tale*," 828.

⁴⁶⁴ Enterline argues that Hermione does not speak to Leontes because of Leontes's penchant for "mediating" others through the "screen of his own form." Her silence is thus an avoidance of "conform[ing] utterly to his language and his desire" ("You Speak a Language that I Understand Not," 42). See also Van Elk's "'Our praises are our wages'" who argues for a "reformation of female courtliness" throughout the course of the play (431).

comment, “I like your silence; it the more shows off / Your wonder” (5.3.21-22). Here silence is a symptom of overwhelming emotion.⁴⁶⁵

Hermione’s lack of verbal communication with Leontes can be read as a sign of lingering anger or resentment; however, I argue that she remains silent because her gesture and her silence, paradoxically, speak louder than words. I also suggest that Leontes does not offer a direct apology to Hermione because words are insufficient and, more importantly, because any attempt at an apology would rehearse the deadly slanders. To again speak these allegations, even if only to apologize, could reawaken their power. In a scene that is deeply retrospective, with gestures and speeches meant to recall and reverse Leontes’s fatal misinterpretation, the calumnies themselves can only be gestured to, but not spoken, through Leontes’s dual apology to Hermione and Polixenes (5.3.148-50). Paulina’s prompt, “Nay, present your hand. /.../ Is she become the suitor?” (5.3.107-09), though often read as alluding to the marriage ceremony may additionally refer to Hermione’s trial. The words “present” and “suitor” may be read in a legal sense, gesturing to the fact that she indeed had a case against Leontes for slander and that he willingly performed public penance as if he had been found guilty. The possible reference to her trial only underscores the magnanimity of Hermione’s reaching for her former and future husband.

Leontes ultimately learns that only slow time, the favored strategy of the ecclesiastical courts, can redeem him and begin to repair the wounds he caused. In the end, the individuals killed by slander cannot be replaced, yet the return of Perdita and Leontes’s suggestion that Paulina marry Camillo, allow the play to end with a hopeful glance toward the future.⁴⁶⁶ Perdita

⁴⁶⁵ Even Leontes’s final speech, which begins with the comment, “O peace, Paulina!” is more a comic request for silence than an angry injunction to cease speaking. The fact that the following line, in which Leontes suggests that Paulina “shouldst a husband take” is a conditional—should—rather than a command, and that his speech concludes with the imperative “lead away,” a command directed at Paulina, demonstrate that Paulina remains a valued member of Leontes court (5.3.136-56). In short, Paulina retains Leontes’s respect; she is not silenced.

⁴⁶⁶ As Camillo and Paulina fulfill complimentary roles, their suggested pairing at the end of the play feels appropriate.

and Camillo allow the protagonists to create new bonds, the same familial bonds that slander previously destroyed: Leontes and Hermione can once again become parents and Paulina can enjoy a new matrimony, should she choose it. Like the play's ending, these new bonds are limited by the fact that neither couple can produce new offspring; time bears its own cost.

The conclusion of *The Winter's Tale* portrays that the way past slander is the self-awareness to admit error and atone, coupled with the ability to forgive. The potential for forgiveness is practical, life must go on; social, Sicilia needs a ruler who is engaged with the outside world, not one cloistered by his guilt; and imperfect, no amount of pity or absolution can bring back the dead. While the play concurrently demonstrates slander's murderous potential, it more importantly concludes by illustrating that individuals can move beyond slander and eventually heal. The larger communities of Sicilia and Bohemia are part of this process as the personal and political bonds between the kings are restored and repaired.

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