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Civilization and Its Discontents



Egon Schiele, *Cardinal and Nun*, 1912.

And the end [*telos*] is the chief thing of all.
Aristotle, *Poetics*, 50a.22

THE COLLISION of two motive forces powers the plot of *Measure for Measure*. On the one hand is the urge to reproduce our own kind, no matter how; on the other is the urge to set limits on how we reproduce or to arrest reproduction altogether. In no other work that I know are these issues so extended to their logical, dramaturgical, and anthropological limits.

The Natural Motivation to Reproduce

The world must be peopled. ADO 2.3.238–39

The importance of the motive to reproduce our own kind is suggested by the high regard in which thinkers of the Reformation and earlier held the divine precept “Be fruitful, and multiply” (Gen. 9 : 1, 9 : 7).¹ But in *Measure for Measure* the injunction to increase comes not from God but from nature. Thus the Duke, attempting to convince Angelo to show off his virtues, claims that nature’s gifts to man are not made without obligation or intending an obligation. Rather, they are loans in return for which nature demands a profitable return.

Nature never lends (1.1.36)
The smallest scruple of her excellence
But, like a thrifty goddess, she determines
Herself the glory of a creditor,
Both thanks and use.

The Duke’s remark is not directly about sexual procreation; the “use” to which he refers is, primarily, the good works Angelo’s virtue may generate. Yet here and throughout *Measure for Measure*—as well as in a tradition extending back to Plato and Aristotle—the product of monetary generation, or use, and the product of sexual generation, or a child, have been compared. (The Greek word *tokos*, “offspring,”

referred to both.)² Thus, granting that Nature's loan is life, the Duke's injunction might be paraphrased: For the life nature lends a man, that man is required to repay both the principal and the interest ("use")—that is, both his own life (by his eventual death) and the lives of his progeny.³ In Jesus' parable of the talents, a master who leaves money with his servants expects both principal and interest (Matt. 25:27); the topos of God as banker pervades Christian writings.⁴ In *Measure for Measure*, we find a comparable natural usury.

The injunction to increase, whether attributed to God or to nature, is problematic from a social point of view. In Genesis, for example, God's command to Noah and his family to "be fruitful, and multiply" is not qualified by any rules about how to reproduce; indeed, He is to all intents commanding them to commit incest. For Noah's family after the Flood, as for Adam's family after the Fall, incest was allowable to ensure the survival of the human species. Neither incest nor fornication, by both of which the human species may increase and multiply, were yet infractions of the divine law. They became so only later in biblical history.⁵

In *Measure for Measure*, nature makes the same inexorable determination that we shall reproduce, no matter how. And the modern liberal impulse is to sympathize with such fornicators as Lucio and Juliet or with Lucio's praising (and perhaps false) description of the Duke: "Ere he would have hanged a man for the getting a hundred bastards, he would have paid for the nursing a thousand" (3.2.113–15). Such sympathy has some merit from the viewpoint of nature. First, nature as creditor regards all reproduction as good; it does not care whether the "use" that people beget and that it gets is legitimate or illegitimate. Nature loves bastards, or natural sons.⁶ Second, any act of sexual union, including fornication, is part of the natural, purportedly inexorable, and (we hope) acceptable sequence of events. The liberal Lucio puts the process of getting bastards into this natural perspective:

As those that feed grow full, as blossoming time (1.4.41)
That from the seedness the bare fallow brings
To teeming foison, even so her plenteous womb
Expreseth his full tilth and husbandry.

Claudio the fornicator argues further that, under some circumstances, from the natural perspective a socially vicious act can be transformed into its opposite: "Nature dispenses with the deed so far / That it becomes a virtue" (3.1.133–34)—here, the virtue of both making and saving a life.

But can this attitude toward fornication be the policy of a political order? Understanding whether a political figure such as a duke could treat any and all natural human offspring as good or any and all acts of reproduction as only natural involves understanding the relationship between political control and sexual reproduction.

The Motivation to Limit or Ban Reproduction

“If animate nature can be said to operate under any rules at all,” says the contemporary anthropologist Robin Fox, “the basic commandment must be simply, ‘Go forth and multiply.’”⁷ The Edenic simplicity of this injunction is, of course, fictional; the rules human beings follow are, for whatever reason, anything but simple. The contrast between the God of Genesis, who overlooks fornication and incest by the generations of Adam, and the God later in the Pentateuch, who sets out elaborate proscriptions along with penalties for their transgression, echoes the dilemma of Western civilization—perhaps of civilization anywhere.

Measure for Measure goes a step further. It does not ground in biblical proscriptions or divine commandment the Viennese rule prohibiting the way one may “increase and multiply.” The play is noticeably silent, for example, about such laws as Deuteronomy 22:22–25 or Leviticus 20:10–16, which define as adulterous, incestuous, or bestial those sexual acts that transgress marital, familial, or species boundaries. Instead of relying on the Bible as the ultimate source for rules against fornication, *Measure for Measure* looks to politics and the teleological consequences of fornication for the political order. In the play, fear of those consequences explains the regulations of sexual activity that the Bible and similar rule books contain. By singling out Claudio among Viennese fornicators—and by presenting his punishment as meted out not so much for his sexual intercourse as for its “character,” the pregnancy that “too gross is writ on Juliet” (1.2.143)—*Measure for Measure* encourages the spectator to see the political interest in controlling sexual acts as an interest in controlling the natural end of such acts, that is, in restricting reproduction itself.

Just as in *Measure for Measure* the injunction to reproduce comes less from God’s command to “be fruitful, and multiply” than from nature’s requirement of use (1.1.36–40), so the injunction against fornication comes less from the God of Leviticus and Deuteronomy than from the fact that, as *Measure for Measure* pursues the telos of sexuality, fornication leads to a natural sickness (venereal disease) that tends toward destroying the individual body and, more seriously, to a

political sickness (incest) that tends toward destroying the body politic—Claudio calls it “the body public” (1.2.148)—as we know it. These sicknesses—venereal disease and incest—focus the essential dilemma of the play.

Nature, in order to ensure that she is provided with sufficient use, provides us with lust or sexual desire, perhaps with too much for the good of individual human beings. We need to restrain the use of nature (1.2.119–20) because, as Claudio the sexual usurer puts it:

Our natures do pursue, (1.2.120)
Like rats that ravin down their proper bane,
A thirsty evil; and when we drink, we die.

In meeting the natural obligation to reproduce our own kind we may consume ourselves.⁸

Lust has traditionally been characterized as disease unto death. Thus Augustine writes, “Why do you praise the disease of lust, when you see a man will die of it unless the restraint of celibacy or the conjugal remedy resists it?”⁹ In *Measure for Measure*, the physiological counterpart to Augustine’s theological disease is the disease of Venus—venereal disease.

Venereal disease was a new affliction in the late fifteenth century, when Shakespeare probably sets the action of *Measure for Measure*. The first large-scale epidemic of syphilis swept over Europe in 1494–95, and it has been estimated that a quarter of the population was infected. Only half a century later did the disease lose its acute virulence.¹⁰ By the sixteenth century, fear of the disease of Venus provided adherents of chastity and celibacy with the argument that limiting sexual intercourse was a means of saving the individual body, if not the soul. (The soul is lost whether lust is enacted bodily or not.) Indeed, “the whole development of Puritanism can be viewed,” says William Empson, “as a consequence of the introduction of syphilis.”¹¹ But in *Measure for Measure* saving the individual body is not a sufficient—meaning sufficiently spiritual or noble—justification for banning fornication. Its insufficiency is indicated by the fact that venereal disease in *Measure for Measure* does not affect the relatively noble social class—Juliet, Claudio, Angelo, Mariana—although they too engage in illicit sexual activities. Some further justification is needed.

Venereal disease in *Measure for Measure* (e.g., at 1.2.28–55) is the almost comic (because bodily) counterpart of a political disease that tends toward destroying the whole fabric of society. That disease is incest, whose symptoms are fornication, or bastardizing.¹² If Shakespeare is a syphilographer suffering from sexual nausea, as some crit-

ics have implied,¹³ it is because he graphically describes the political or social disease par excellence, incest.

As we shall now see, the natural end, or telos, of fornication is illegitimacy, the end of illegitimacy is incest, and the end of incest is the annihilation of the political order as that order exists in Vienna and perhaps everywhere. "The telos," writes Aristotle in the *Poetics*, "is the chief thing of all."¹⁴ Fornication is outlawed in *Measure for Measure* because the prohibition of fornication is a bulwark of politics and of law itself.

The Generic Intent in Nature of Sexual Intercourse: Reproduction

The natural end of each and every sexual act of intercourse (whether within or without wedlock) in *Measure for Measure* is procreation; to use the terms of the play, nature intends each and every act of intercourse to be a useful (use-begetting) act. The play adapts to secular dramaturgy this conceptual collapse of natural intent into act, so that, as in a kind of shorthand, all intercourse outside wedlock is treated as bastardizing. This conflation of intent, or telos, with act explains why Isabella behaves and thinks as though she will conceive if she should sleep but one time with Angelo (3.1.188–90).¹⁵

This conflation of intent and act is not unusual in the Western tradition—indeed, it may be an essential characteristic of that tradition. Thomas Aquinas, for example, argues that the real intent of an action does not depend on whether or not the agent or actor wants or knows about its end: "For in those things which clearly act for an end, we declare the end to be that towards which the movement of the agent tends. . . . Nor does it matter, as to this, whether that which tends to an end be endowed with knowledge or not; for just as the target is the end of the archer, so it is the end of the arrow's flight."¹⁶

The Church Fathers' discussion of sexual intercourse is informed by precisely this understanding of intent. Similarly, in his discussion of what is uniquely wrong with fornication, Aquinas considers the intent of the individual fornicator (often the satisfaction of concupiscence), the actual result for the family or species of the individual act of fornication (sometimes reproduction, sometimes not) and the telos or general intent of fornication (always reproduction). For him, the last is paramount, and all acts of fornication should be treated as though reproduction were their result:

One copulation may result in the begetting of a man, wherefore inordinate copulation, which hinders the good of the future child, is a mortal sin as to the very genus of the act, and not only as to the inordinateness of concupiscence.

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“On whom it will, it will; / On whom it will not, so” (1.2.114–15), he says, paraphrasing bitterly Paul’s letter to the Romans: “I will have mercy on whom I will have mercy, and I will have compassion on whom I will have compassion” (Rom. 9: 15). The immediate antecedent of “it” in Claudio’s paraphrase would appear to be the weight of “Authority” in 1.2.111–12, but in the context of the play “it” refers to the impregnation by which he believes his fornication chanced to be discovered, to the secular law that, having discovered it, is set on punishing him, and to the mercy he hopes God or His earthly representative will have.¹⁹ But the rule of nature, for which the end of every act of intercourse is pregnancy, is no chance chain of events. Thus what Claudio calls chance, the unlucky sign of his misdeed, is rather the unavoidable telos of every act of fornication and the will of nature. In this sense Juliet’s pregnancy is no accident; moreover, it is not only a sign of past sexual intercourse (1.2.142–44) but also, and more essentially, a sign of future illegitimate procreation. (Aristotle calls pregnancy the necessary sign, or *tekmērion*, of procreation—just as a flower is the promise of fruit.)²⁰ Similarly, the gentlemen’s diseases are the signs of past fornication and of the future destruction of their lives.

This concern with generic telos rather than mere chance suggests how *Measure for Measure* meets one Aristotelian precondition for great plays: events are to be necessary, not accidental.²¹ In one of the great tropes in the history of drama, Shakespeare takes as the internal telos of his plot the natural telos of sexuality. Aristotle associates the telos of dramatic plots with the telos of organic nature, and Shakespeare connects the two kinds of teloi in a brilliant ideological knot that combines, as we shall see in Chapter 6, the birth of Claudio’s son (the telos of Juliet’s pregnancy) with the deliverance of Claudio (the telos of the plot).

The Intent in Law of Fornication: Bastardy

In Shakespeare’s Vienna, where all acts of fornication result in bastards, Juliet and Claudio are typical and the production of illegitimate children is widespread: “Nay, if there be no remedy for it, but that you will needs buy and sell men and women like beasts, we shall have all the world drink brown and white bastard” (3.2.2–3).²² Even the genealogies of the “central couple” in the play—Pater’s term for Isabella and Claudio—are cast into doubt.²³ Thus Isabella, relying on the tradition that kinship between father and consanguineous son shows in some essential likeness between them, is undecided whether Claudio is her father’s son or a bastard.

When Claudio appears ready to give up his life rather than bargain for it dishonorably, Isabella exclaims that he speaks like her father and therefore is her father's son: "There spake my brother: there my father's grave / Did utter forth a voice" (3.1.85–86).²⁴ She is assuming that the business of fathers and sons alike is to protect the chastity of their daughters and sisters, and that when Claudio knows the terms Angelo has proposed he will, like a true brother or son, reject them. Yet Isabella's "there" raises the question of whether she feels or fears that Claudio elsewhere may speak as someone other than a brother.²⁵

What motives might Isabella have for concluding that Claudio's apparent willingness to die for her chastity is proof that he is her father's son? Perhaps she hopes to strengthen Claudio's resolve to die, which she fears is weak; perhaps she hopes to strengthen her faith in her mother's chastity, hence in his fraternal obligation. Be that as it may, were Claudio not her dead father's son, she might be unable to realize her presumed goal, becoming a nun. If she were her father's only child, the traditional advice would be for her to marry rather than to join a nunnery. Thus Erasmus counsels marriage, not religious celibacy, for those whose kin are all either dead or celibate: "Your mother is departed . . . your syster is entred in to a hous of barren nunnys . . . the hope of your stocke is turned onely unto you."²⁶ If Claudio is Isabella's father's son, Claudio's child, when it is born, will be her father's grandchild and hence will free her to enter the convent.

Isabella's situation is like that of the sister in George Whetstone's *Promos and Cassandra* (a source of *Measure for Measure*), Antigone in Sophocles' play, or the historical Queen Elizabeth. In *Promos*, Isabella's counterpart is concerned that her brother is "the onely meane, Got wot, that should our house aduauance," so that the corrupt magistrate, by executing him, would also slay her and all their house's potential progeny. The brother, for his part, reminds his sister that "I once gone, our house will goe to wrack."²⁷ Antigone—the daughter-sister of Oedipus—is the last of her father-brother's bloodline. ("Antigone" means "anti-generation.")²⁸ Likewise, the Tudor Queen Elizabeth died childless, leaving her throne to the Stuart King James one year before the first performance of *Measure for Measure*.

Although Isabella says and hopes, on the one hand, that Claudio is her paternal brother, she says and fears, on the other hand, that he is not and that her mother was an adulteress.²⁹ When Claudio hesitates in his resolve to die, Isabella cries out: "Heaven shield my mother play'd my father fair: / For such a warped slip of wilderness / Ne'er issued from his blood" (3.1.140–42).³⁰ Isabella's denunciations have

emotional and perhaps structural resonance: she may wish to separate Claudio from the legitimate family of her beloved father—to defamiliarize Claudio—so as to make his execution emotionally more bearable for her.* Such methods of defamiliarization would not be needed if the novice Isabella were less the sister of Claudio and more a Sister in the Order of Saint Clare. A good Sister is supposed to defamiliarize all men equally by treating each one as a brother; an attempt to defamiliarize blood kin in just this way often underlay the intentions of saintly sisters who entered Sisterhoods.

The Intent of Bastardy: Property and Incest

What's wrong with illegitimacy? Illegitimacy leads to uncertainties about paternity, which lead in turn to two problems. First, the practice of law (in Vienna and elsewhere) depends upon judging a man by who his father is, just as the appropriate dispensation of patrimonies depends on ascertainable parentage and birth order.³¹ Thus when Escalus pleads for mercy to Claudio, he refers to Claudio's "most noble father" (2.1.7). Pompey, ironically, makes the same argument to Escalus when he pleads for mercy to Froth, whose father is wealthy (2.1.121–24), and Escalus seems to accept it (2.1.192–94, 201–4). Laws of succession and inheritance embody the legal significance of genealogy; at least one legal historian has claimed that "whatever ideological problems bastardy litigation might ultimately raise, jurisdiction over land was always at its center."³² (Comically, in *Measure for Measure* Pompey suggests that widespread illegitimacy raises the value of real property by increasing the population as quickly as possible; see 2.1.237–39.)

Second, if illegitimacy becomes widespread, then any man and woman risk incest when they satisfy natural desire by sexual intercourse. Tiresias' question in *Oedipus the King*—"Do you know who your parents are?"—reminds us that if one does not know with certainty, one cannot be sure any given sexual union is not incestuous.³³ In fact, many of the central sexual unions contemplated in *Measure for Measure* are tinged with incest. Isabella accuses Claudio of having a kind of incestuous intention in proposing that she sleep with Angelo, for example (3.1.138–39). Perhaps, as Lucio at one point seems to imply, even the union between Claudio and Juliet is vaguely incestuous, for Isabella's obscurity about Claudio's paternity is matched by her obscurity about her kinship with Juliet:

* Richard Wagner's first opera, *The Ban on Love* (1836), was based on *Measure for Measure*. In it, the heroine tries to make nothing of (*vernichten*) her kinship with Claudio.

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Isab. Someone with child by him? My cousin Juliet? (1.4.45)

Lucio. Is she your cousin?

Isab. Adoptedly, as schoolmaids change their names
By vain though apt affection.

*The Intent of Incest: Liberty and the Transformation
of the Body Politic*

And why may not I love Johnny?
And why may not Johnny love me?
And why may not I love Johnny?
As well as another body?

*Mother Goose's Melodies*³⁴

As we have seen, the end of fornication is bastardy and the end of bastardy is incest. It is, in part, this teleology that explains Jonas of Orleans's argument that "all illicit carnal relations are incestuous."³⁵

It is said nowadays that the avoidance of sexual relations with one's own kin is a hallmark of the human species. Yet in Shakespeare's time, as in our own, there was considerable skepticism about the universality of the taboo. Montaigne, for example, asserted that among some societies incest is practiced without shame, and Charron claimed that the incest taboo was a "mere custom."³⁶ But what were the grounds for the incest taboo adduced in Shakespeare's time, and how does the play reflect them? So long as we do not limit Shakespeare's understanding to what we know about the thinking of his forerunners and contemporaries, these will be useful questions.

The Bible. For many, it was enough to know that the Bible forbids incest. The friar in John Ford's *'Tis Pity She's a Whore* (1628)—the first English play in which unmediated sibling incest is an obvious theme—locates the ultimate source of the incest taboo in God's dislike of incest. He argues that, even if incest were natural (the ancient philosophers, Aquinas says, claimed that it was),³⁷ Heaven has forbidden it:

. . . if we were sure there were no Deity,
Nor Heaven nor Hell, then to be led alone
By Nature's light—as were philosophers
Of elder times—might instance some defence.
But 'tis not so: then madman, thou wilt find
That Nature is in Heaven's positions blind.³⁸

In *Measure for Measure*, however, Heaven comes in, if at all, only *ex machina* at the end, and the play is silent about both the Old Testament

laws that ban incest and about 1 Corinthians 5–6, in which Paul condemns fornication. By this avoidance, the play implicitly treats the Bible as a symptomatic rule book, comparable to the laws of Vienna, and draws our attention instead to the familial and social systems that biblical injunctions legislate. To do so is to examine the very grounds for the Old and New Testament prohibitions, and to subject those grounds to a searching scrutiny.

Love, Charity, and Property. Luther's argument that if consanguinity were not an impediment to marriage people would often marry without love, for the sole purpose of maintaining the familial patrimony, was an influential theory justifying the incest taboo in Shakespeare's time.³⁹ His appeal to exogamous love is connected with an earlier justification of the incest taboo that appeals to charity. Thus Augustine justifies exogamy because it provides a benefit at once social and religious: interfamilial marriage, according to Augustine, encourages the extension of charity and love from the narrow kinship circle to the larger civic community.⁴⁰ Augustine's notion of turning some others (members of another kinship group) into brothers (members of one's own kinship group) conflicts, to some degree, with Jesus' notion that all men are brothers, but it does have the same effect: enjoining a conversion of all men into kin. That is, it explains the incest taboo in terms of a desire to (re)make the human species into a single kinship group.

Both Luther's argument from love and Augustine's from charity would knit together the people of the world in a network of exchanges of spouses and property.⁴¹ In a way, these arguments are forerunners of the contemporary theories of Marcel Mauss and Claude Lévi-Strauss, who understand the social basis of the incest taboo in terms of a societal need to exchange spouses (usually female) as gifts or commodities.

Genetics. In the Christian tradition, the genetic or sociobiological explanation of the incest taboo harkens back at least as far as Saint Gregory the Great in the sixth century. The idea that incestuous unions weaken the physiology and intellect of the human race by producing defective progeny was well known in Elizabethan England; for example, Robert Burton believed that incest should be prohibited for that reason.⁴²

Respectus parentelae. One way or another, all the preceding explanations or justifications of the incest taboo are considered in Shakespeare's play. *Measure for Measure* most strongly draws our attention, however, to the fact that both the fear of the practice of incest and the

practice itself are social diseases that lead, one way or another, to the death of the body politic as we know it. First, the fear of incest can lead to avoiding procreation altogether. This can happen both in a society where no one knows who his particular father is, so that any sex partner is potentially kin (secular Vienna), and in a society where everyone acknowledges only the universal Fatherhood of God, so that all human beings are Siblings (religious Vienna). In societies where parenthood is believed to be either inascertainable or divine, only secular or religious celibacy can provide a nonincestuous way of life. Second, the practice of incest shows a hugely consequential disrespect to one's parents, hence to parentarchal political order. The Roman *respectus parentelae*, the reverence due to near kin, is apparently one of the earliest and most constant arguments against incest advanced in Western culture.⁴³

The widespread practice of incest would lead to a radical transformation of the body politic since such sexual liberty would restructure kinship relations by destroying the crucial distinction between generations. Teleologically, incest dissolves the *pater* (father) in the *liber* (son) and replaces the patriarchy with a radical egalitarian *liberty*.^{*} It establishes what Tiresias calls "a grim equality between you and your children."⁴⁴ From this perspective the longterm familial and political consequence of incest is not so much the destruction through murder of a fatherly ruler by filial subjects (which is what happens in the Freudian fable of the Primal Horde) as the complete transcendence for everyone, including those who were fathers, of the distinction between parent and child or between ruler and subject. Everyone becomes at once both either parent and child or neither parent nor child. (In *Measure for Measure* the tendency of sexual license to homogenize the father in the brotherhood of man is suggested in the figure of Vincentio, who, as "father friar" or "brother father" [3.2.10, 11], wavers between the roles of parentarchal duke and either fraternal monk or universalist libertine.)[†] With the dissolution of generations must come the dissolution of genealogical inheritance and a corollary dissolution of the tie of property (or polity) to purported bloodlines. This would pave the way for the argument that since all people are equal members of a

^{*}The *Oxford Latin Dictionary*, s.v. *liberi*, defines the word as "sons and daughters, children in connection w[ith] their parents." *Liberi* is the plural of *liber* (free). (Cf. Elyot's and Chapman's use of *libertine* to mean "any man of bonde ancestour" and "an urban freeman" [Elyot, *Image Governauce*, 34; Chapman, *Iliad*, 16.50].) According to the dictionary, the association of freedom with sonship is obscure. The present book is, in part, an attempt to clarify that association.

[†]"Friar," from Latin *frater*, means "brother."

single family all property should be held in common. From that point of view, the parentarchy's fear of sexual and propertal communism would explain the incest taboo.⁴⁵

Liberty is the cause and the object of fear and desire in *Measure for Measure*. Claudio says that his act of fornication, which gives rise to the action of the play, came "from too much liberty" (1.2.117). What is "liberty"? On the one hand, it is libertinism in the sense of licentiousness, but on the other, it is also both liberty in a strictly political and sexual sense, and libertinism in an uncomfortably related theological and sexual sense.

In dealing with the first of these alternate senses of liberty, *Measure for Measure* is preeminently a play in political theory. Virtually its first words are "Of government the properties to unfold" (1.1.3). Not only does the play consider what it means to be a governor and to execute a law, it also unfolds the ground of Law in terms of the traditional rule of parent over child, and it subjects the rule to searching scrutiny.

During the Tudor and Stuart Renaissance, as throughout the history of the West, a ruler was viewed as a father and his people as his children.⁴⁶ Thus a child's beating his father is, according to the Elizabethan Nashe, tantamount to upsetting the natural order: "It is no maruaile if euery Alehouse vaunt the table of the world vpside downe, since the child beateth his father."⁴⁷ By the early seventeenth century the challenge to the patriarchy was growing into modern liberalism. In that century the proponents of absolute monarchy had such spokespersons as King James I, who in his *Trew Law* stressed the identity between the duty of a subject and that of a child,⁴⁸ and Robert Filmer, who in his *Patriarcha* finally provided both sides of the debate with a major rallying point. John Locke, among others, came to be the spokesperson for the proponents of liberalism. Locke criticized Filmer's conceptual reliance on a "strange kind of domineering phantom, called 'the fatherhood'"⁴⁹ and opposed to it his own idea of all men free and equal in the state of nature. For Locke, as Norman O. Brown puts it, "liberty . . . means equality among the brothers (sons)."⁵⁰ *Measure for Measure* explores the political and religious implications of the opposition between the parentarchal and liberal positions and presents an ideal transcendence of the distinction between parent and child.

The initial dilemma of the play is the "too much liberty" Claudio mentions. As Vincentio as Duke complains:

. . . Liberty plucks Justice by the nose,
The baby beats the nurse, and quite athwart
Goes all decorum. (1.3.29)

46), and Lucio remarks: "How now, noble Pompey! What, at the wheels of Caesar? Art thou led in triumph?" (3.2.42–43).

In conclusion, if the ground of the law, the patriarchal King (Caesar), were to be swept away by fornication, hence illegitimacy and inevitably incest, then the homogenously liberal people would be able to "use their abuses in common houses" and Constable Elbow would "know no law" (2.1.42–43). The Duke wants to cut short the development of such an outlaw state. In familiar terms, he wants to contain fornication, hence illegitimacy and inevitably incest, in order to protect his patriarchal place and, to give him the credit he deserves, to protect Law itself as he sees it.*

At first blush, Claudio seems caught by a legal technicality—after all, he and Juliet acted in mutual consent. Yet the mutual intent of individuals does not alter the natural and political telos of their fornication. The law against fornication that Claudio and Juliet have broken has a unique social place, so that their act is willy-nilly an attack on the ground of the rigorously generational, political order. No patriarchal ruler—not Angelo, not the Duke—could countenance such a violation. (At no moment in the play is there any indication that the Viennese law against fornication or the Viennese rule for punishing it will be changed.)⁵⁴

The crucial need for the polis to order sexual relations is similarly suggested in *A Midsummer Night's Dream*, in which Theseus, Duke of Athens, cannot directly oppose the patriarchal basis of his rule, perhaps also of the political order. When Hermia refuses to marry the man chosen by her father, for example, that father cries out the purportedly primordial claim of the entire political order:

I beg the ancient privilege of Athens: (MND 1.1.41)
As she is mine, I may dispose of her,
Which shall be either to this gentleman
Or to her death, according to our law.

Theseus mitigates the law by providing another option: joining a Sisterhood.

Either to die the death, or to abjure (MND 1.1.65)
Forever the society of men.
Therefore, fair Hermia, question your desires.
Know of your youth, examine well your blood,

*That the law against incest is necessary to the state does not imply that it must be enforced by the state; it is of some interest, however, that during Elizabeth's reign prosecution for such offenses as adultery and incest began to be transferred from the church authority (the Courts Ecclesiastical) to the state (the Queen or King). (See Cleveland, "Indictments," p. 59.)

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Whether, if you yield not to your father's choice,
You can endure the livery of a nun,
For aye to be in the shady cloister mewed.
To live a barren sister all your life.

If *Hermia* does not choose to marry the man her father has chosen, hence reproduce in the way that her father wills, she must choose between celibacy and death. In either case, she will not reproduce at all. (Compare *Theseus'* demand that *Hyppolyta* forswear the Sisterhood of Amazons.) As a man, Duke *Theseus* may wish to be merciful, but as a political figure, he cannot be lenient:

. . . fit your fancies to your father's will; (MND 1.1.118)
Or else the law of Athens yields you up
(Which by no means we may extenuate)
To death, or to a vow of single life.

The choices in *Measure for Measure* are also execution and celibacy. Yet both are finally the same, for the universal counterpart of execution—human annihilation—is the telos of individual celibacy.

The Viennese Response

The incest prohibition is not a prohibition like the others.
It is *the* prohibition in the most general form, the one per-
haps to which all others . . . are related as particular cases.
The incest prohibition is a universal like language.

Claude Lévi-Strauss⁵⁵

In *Measure for Measure* Shakespeare makes fornication, to which nature drives us, not merely one legal offense among others but rather the typically human (perhaps also the civilized) offense,⁵⁶ and he makes the law against it, demanded by the parentarchal political order (perhaps the order from which civilization and its discontents arise), the typically human law. "The rules of kinship and marriage," writes Lévi-Strauss, "are not made necessary by the social state. They are the social state itself."⁵⁷

The standard response to the incest taboo, we usually assume, is exogamous marriage. Through the enforcement of laws prohibiting extra-marital sexual intercourse, paternity and maternity might be ascertained and incest avoided. Yet given the purportedly high illegitimacy rate in Vienna (or even the mere possibility of bastardy anywhere), not even marriage is a sufficient guarantee against the threat of incest, since it is impossible to know with absolute certainty who are

one's own parents, or those of anyone else. (In these terms the only eligible bachelor for Isabella to marry, besides Jesus, is the foreigner Barnadine, who is Bohemian, but he is condemned to die.) Moreover, if one agrees with Aquinas that incest is not merely a determinate species of lust but lust in general, and if one believes that all sexual urges are essentially lust, then incest may be the antonomasia of, or general term for, all sexual relations, whether within or without marriage. Aquinas argues:

Incest (*incestum*) takes its name from being a privation of chastity. But all kinds of lust are opposed to chastity. Therefore it seems that incest is not a species of lust, but is lust itself in general.⁵⁸

In this view, which is not far from the Freudian grounding of sexual impulses in incestuous wishes, all sexuality is essentially incestuous, so that a successful eradication of the desire for incest, assuming that were possible, would mean the complete annihilation of sexual desire and the human species.

How, then, does one respond to the Law of Laws, the incest taboo? On the one hand, one can break the law or allow it to be broken (as do Claudio and the Duke, at least initially); on the other hand, one can obey the law and enforce obedience to it (as do Angelo and Isabella, at least initially). Yet both of these responses lead, each in its own way, to the destruction of society. In the first case, the practice of incest brings about a savage condition in which men copulate freely, or at least the breakdown of political or parentarchal society. In the second case, the enforcement of the law against incest, by ending procreation, leads to the annihilation of humankind. If incest is unavoidable in sexual practice, its taboo is genocide, or execution universalized.*

Genocide. The telos of Claudio's proposed execution, then, is universal genocide. The annihilation of humankind is invoked explicitly by Pompey and Lucio (2.1.227–40, 3.2.98–99) and implicitly by Claudio in his bitter comparison of sex to ratsbane (1.2.120–22). Angelo himself unwittingly hints at human annihilation when he defends the death sentence as a deterrent against fornication:

Those many had not dar'd to do that evil (2.2.92)
If the first that did th'edict infringe
Had answer'd for his deed.

*"Genocide" ordinarily refers to the destruction of one or another group of human beings and not to the destruction of the entire human genus. Where familial or tribal distinctions between groups are transcended in favor of a universal siblinghood, however, there is essentially only one group, and "genocide" refers to the destruction of all human beings.

Angelo means the man who first infringed the edict against fornication when, some fourteen or nineteen years earlier,⁵⁹ the Duke began to ignore transgressions of the law against fornication; however, his words also refer to Cain, who committed the original act of fornication—incest with his sister.⁶⁰ Had Adam's or Noah's children not dared to commit fornication, there would have been no one to have "dar'd to do that evil" because the human species would have been annihilated.*

Celibacy. *Measure for Measure* hints at some ways other than marriage and genocide to avoid illegitimacy, hence, purportedly, anarchic disorder. These include castration (Pompey asks Escalus whether he means "to geld and splay all the youth of the city," 2.1.227–28),⁶¹ externally enforced celibacy (consider the "secret holds" of the prison, 4.3.86), and homosexuality (the segregation of the sexes in the prison allows only homosexual relations; see Pompey's joke about serving Abhorson, 4.2.54–55). The problem with castration, externally enforced celibacy, and homosexuality, of course, is that, although they prevent the production of illegitimate offspring, they violate nature's injunction to reproduce. In *Measure for Measure*, such ways to restrain sexual desire remain part of the background; instead, the play focuses on religious celibacy (as practiced by the Sisterhood that Isabella is about to join and by the Brotherhood that the Duke pretends to join) and voluntary secular celibacy (as practiced by Angelo and perhaps also by the Duke before either statesman meets Isabella).

The way religious celibacy would incorporate and transcend the dilemma of physical incest is the subject of the next chapter. It is fitting to remark here, however, that Saint Jerome believed the divine injunction "Be fruitful, and multiply" would cease, when the Edenic "virginal order" would be restored, a restoration that would put an end to the dilemma of incest once and for all.⁶² Western monachal institutions, as we shall see, would realize such virginity here and now.

*Lévi-Strauss, imagining a world without a taboo on incest, writes that "the multiple rules prohibiting or prescribing certain types of spouse, and the prohibition of incest, which embodies them all, become clear as soon as one grants that society must exist. But society might not have been." (*Elementary Structures*, p. 490.)