

Chapter Four

1. One might compare Angelo with Philip Stubbes, who in his *Anatomie of Abuses* (1583) urged the death penalty for prostitution, fornication, adultery, and incest. It is easy to deride such urgings and to call for “more lenity to lechery,” as did Thomas Nashe in his *Anatomie of Absurditie* (1590). *Measure for Measure* does encourage us to hope that there could be lenity without the destruction of society through lechery, but it forces us to confront the problems inherent in lenity. Cf. Lever, introduction to his edition of *MM*, p. xlvii.

2. Cf. *СУМ* 2.5.6–7: “Some coiner with his tools / Made me a counterfeit.” See, too, Kaufmann, “Bond Slaves,” p. 91.

3. Fleetwood, *Sermon Against Clipping*.

4. Locke, *Civil Government*, p. 6.

5. Skulsky, “Pain, Law, and Conscience,” p. 148, points out that the equivalence of fornication and murder is set down in Viennese law, which makes both fornication and murder capital offenses, but he does not discuss Isabella’s odd claim.

6. E. J. White, *Law in Shakespeare*, p. 53; see also *MM*, ed. Rolfe, p. 174n. We do not learn in *Measure for Measure* why, according to the Friar, the religious law considers Juliet’s sin “of heavier kind” than Claudio’s (2.3.28) or why the secular law punishes male fornication more harshly than female. (Is it because the man is the head of the woman?) In Marguerite of Navarre’s *Heptameron* (4th day, tale 33), the capital punishment of a friar and his consanguineous sister for incest is delayed until after the birth of their child.

7. McGinn, “Precise Angelo,” p. 133, tries to explain Isabella’s statement by referring to “the repeated demands by Puritan leaders that the laws against adultery in the Old Testament be revived,” but he fails to note that the Old Testament does not enjoin execution for fornication and that Claudio is not an adulterer. Gless, *MM, the Law, and the Convent*, p. 125, says Isabella is in error and that the New Testament would not enjoin such cruelty. Roscelli, “Isabella, Sin, and Civil Law,” p. 216, and Harding, “Elizabethan Brothels,” p. 157, argue that the reason Isabella draws the distinction between divine and human law is that in the eyes of the civil law Claudio and Juliet’s betrothal would constitute a binding contract.

8. Aquinas, *Summa*, a. 154, art. 2 (p. 1816).

9. *Ibid.*, art. 4 (p. 1818). A similar claim that fornication, hence bastardizing, amounts to murder is put forward by the Christian pastor in Melville’s *Pierre*: “Is not the man who has sinned like that Ned worse than a murderer?” (Signet ed., p. 127).

10. Gregory (in *Moralium*, xxi) places lust among the capital vices. See Aquinas, *Summa*, a. 153, art. 4 (p. 1812). On lust’s being a “deadly” sin (3.1.110) in Christian popular thinking, see Bloomfield, *Seven Deadly Sins*.

11. Gratian, *Decretum*, 22, q. 1, an. Praedicandum. Quoted by Aquinas, *Summa*, a. 154, art. 2 (p. 1816). Cf. Adriana’s remark in *ERR* 2.2.140–43.

12. Josephus refers explicitly to the “unmarried Essenes” and to the “marrying Essenes” (*Bellum Judaicum*, 2.160 and 2.161). On the Essenes’ desire to preserve the *genus* (“mankind” or “race”), see Hippolytus, *Philosophumena*, II, 28; and Vermes, “Essenes,” p. 101. Cf. Ford, *Wisdom and Celibacy*, pp. 28–29. For the influence of this dogma of the Essenes on major Christian move-

ments, including Jansenism, see Racine's interpretive translation of Josephus's *De Bello Judaico*, 2.2, in his *Oeuvres complètes*, p. 602. To the Christian conflation of the creation and destruction of life, cf. the Talmudists' view that in some circumstances "the man who does not marry is like one who sheds blood" (Yebamoth, 63b, in Epstein, ed., *Babylonian Talmud*); the Jewish writer Caro writes similarly that "every man is obliged to marry in order to fulfill the duty of procreation, and whoever is not engaged in propagating the race is as if he shed blood" (*Shulchen aruch*, EH 1:1).

13. See Collins, "'Excommunication' in Paul."

14. Cf. ROM 1.1.27–28, 2H6 4.7.119–25. Pompey alludes, of course, to such biblical passages as Eph. 5:23. See also Frey, "Shakespearean Interpretation," and Skura, *Psychoanalytic Process*, p. 261.

15. G. K. Hunter, "Six Notes," p. 168, says that "Abhorson" is a portmanteau version of "abhorred whoreson."

16. Some critics argue that the play is flawed because Isabella's outburst about bastardy and incest is inconsistent with the drama of which it is the turning point; others claim that the two halves of the play are unified, but they do not demonstrate the mode of that union. (For a representation of these views, see Tillyard, *Problem Plays*, in Stead, ed., *Casebook*, p. 223.) I think that the two halves are of one consistent piece, and shall show that the union involves incest, the *lex talionis*, and the conflation of intent with act.

17. For example, both Gless, *MM, the Law, and the Convent*, p. 145, and Lever, introduction to his edition of *MM*, pp. lix, lxxx, use the term "hysterical" to describe Isabella's question; they intend thereby to discuss the possibility that Isabella's words may mean more than is apparent at first blush. With the hysterical refusal to consider incest in the play as anything other than hysterical, compare Howard, *Spirit of the Plays*, which even deletes Isabella's lines about incest from the caption to a sketch illustrating 3.1, and the productions of Joseph Younger (1770) and John Philip Kemble (1803), which excised all "bawdy" language from the play. For Freud and Breuer, "hysterical deliria often turn out to be the very circle of ideas which the patient in his normal state has rejected, inhibited, and suppressed with all his might" (Freud, "Hysterical Phenomena: A Lecture," *SE*, 3:38). Freud's theory presumes to explain why "the hysterical deliria of nuns revel in blasphemies and erotic pictures" (Freud, "Footnotes to Charcot," *SE*, 1:138; cf. "Treatment by Hypnotism," *SE*, 1:126; and Freud and Breuer, "Hysterical Phenomena," *SE*, 2:10–11). According to Freud, "the asylum of the cloister" is nothing more than a social counterpart to the insulation of illness that he found in individual neurotics (comment of Freud quoted in Hitschmann's "Über Nerven- und Geisteskrankheiten," p. 271).

18. Lascelles (*Shakespeare's MM*), for example, writes of Isabella that "many times, in her most moving passages, it would be possible to substitute 'neighbour' for 'brother,' and hardly wake a ripple." Earlier, however, Walter Pater (*Appreciations*, p. 184), opposing *Measure for Measure* to *Promos and Cassandra*, pointed to the importance of Isabella's being a Sister. Samuel Johnson (*Johnson on Shakespeare*, in Stead, ed., *Casebook*, p. 41) pointed to the importance of Isabella's chastity being that of a nun, as opposed to a mere virgin. In his edition of Shakespeare's *Dramatic Works*, 2:167, Harness calls Claudio "an object of disgust" for Isabella, showing an awareness of how her brother focuses her

hidden emotions. Stone, *Family, Sex, and Marriage*, p. 115, presents evidence that the brother-sister relationship was the closest one in the typical Elizabethan family.

19. See, for example, Vessie, "Psychiatry Catches Up"; Kott, "Austauschdienststruktur in *MM*"; Sypher, "Casuist"; and Bache, *MM as Dialectical Art*. In commenting on Isabella's question, Bache notes (p. 39) that "the incest will be controlled and the shame will be conditioned by the brotherly acts of Claudio, of Angelo, and of the Duke."

20. "Kind," in the phrase "a kind of incest," recalls Latin *genus*, which, like "kind," retains a connection with the idea of kinship. See the Church Fathers' discussion of the three genres of affinity in Hefele, *Histoire des conciles*, vol. 5, pt. 2, p. 1372; and Bernard of Pavia, *Summa*, pp. 168–69.

21. Jonas of Orleans, *De institutione laicalli*, PL, 106: 183–84.

22. Nineteenth-century critics who praise Isabella's chastity include Singer, in his edition *Dramatic Works of Shakespeare*, 2:3; Jameson, *Characteristics of Women*, 1:43; Dowden, *Shakespeare*, p. 125; and Bowdler, in his edition *Family Shakespeare*. More recently, Stevenson, *Achievement of MM*, pp. 88–89, and Jaffa, "Chastity as a Political Principle," have invoked this aspect of her character.

23. Lever, introduction to his edition of *MM*, p. lxxviii.

24. Gratian, *Decretum*, 36, q. 1; quoted by Aquinas, *Summa*, q. 154, art. 9 (p. 1823).

25. Various Church decrees and controversies reflect the universalizing tendency that threatens to undo all attempts to limit the degree of blood kinship defining incest. In A.D. 868 a Church council ruled that "we will not define the number of generations within which the faithful may be joined. No Christian may accept a wife . . . if any blood relationship is recorded, known, or held in memory." (Worms, can. 32; in MANSI, 15: 875.) Julius I, in *Decreta Julii papae* (no. 5, PL, 8: 969) specified the seventh remove as the limit of diriment impediment to marriage. But there were enormous practical problems of record keeping, and even where the numerical degree was both agreed upon and ascertainable, there were controversies about the correct method of counting. Thus Stephanus Tornacensis notes that "the counting begins with the brothers according to some and with the sons of the brothers according to others" (*Summa*, p. 255). Cf. C. E. Smith, *Papal Enforcement*, chap. 2.

26. Aquinas refers to Aristotle's argument in *Summa*, q. 154, art. 9 (p. 1824). Cf. Aristotle, *Politics*, 2.1.2–4.

27. Aquinas, *Summa*, q. 154, art. 9 (p. 1824). For Aquinas on incest, see *idem*, p. 1823.

28. Reid, "Psychoanalytic Reading," p. 280. Reid ascribes this opinion both to Shakespeare (p. 273) and to the Duke (p. 280).

29. Augustine, *De Sermone Dei in Monte*. Bullough, *Narrative and Dramatic Sources*, pp. 399–400, regards Augustine's story as an important analogue to *Measure for Measure*.

30. Augustine, *Lord's Sermon*, p. 60. Battenhouse, *Shakespearean Tragedy*, and "MM and Atonement," pp. 1029–59, overlooks the story.

31. Some theologians have been upset by this refusal to judge the man and woman. It has been argued, for example, that Augustine overlooked the fact that "in the marriage contract the parties are not free to give up or transfer their rights, because these rights have been fixed by God *ab initio*" (Jepson, note in Augustine, *Lord's Sermon*, p. 189, n. 129).

32. See Halliwell-Phillipps, *Memoranda on MM*, p. 6, and P. E. Smith, "Incest Motif."

33. Heywood, *Woman Killed*, scene 14, ll. 4–8, 11–13, 31–36, 46, and 48–51.

34. Bradbrook, *Webster*, p. 157, notes of Romelio's conduct that "acting as bawd to one's kin might be considered 'a kind of incest,'" without further developing the comparison to *Measure for Measure*. Brennan, "Relationship Between Brother and Sister," p. 489, discusses the idea of a brother's obsession with his sister's body (cf. Leech, *Webster*, pp. 49, 101–4) and remarks the likeness between the incestuously obsessed brother in *The Dutchess of Malfi* and his brother the Cardinal. She fails to recognize the brother/Brother incest thematic, however, or to link it to *The Devil's Law Case*.

35. Webster, *Case*, 3.3.159, 5.2.34–35.

36. *Ibid.*, 5.1.3.

37. Pearson, *Tragedy and Tragicomedy*, p. 105.

38. For Ercole and the Brotherhood of the Knights of Malta, see *Case*, 1.2.29, and Pearson, *Tragedy and Tragicomedy*, p. 105; for Contarino as a Bathanite, see stage directions at *Case*, 5.2.17; for the "blood embrace," see *Case*, 4.2.575.

39. Beaumont and Fletcher, *King*, 4.4.74–76.

40. *Ibid.*, 4.4.118–19, 131–38.

41. John Ford, *'Tis Pity*, 1.1.24–27; 1.2.185–86.

42. Vessie, "Psychiatry Catches Up," p. 144.

43. Compare Shakespeare's *Pericles of Tyre*, which begins by presenting an incestuous father-daughter couple and which eventually transcends the fear of such incest when, in a manner of speaking, it shows a daughter giving birth to her father. Thus Pericles calls Marina, his daughter, "thou that beget'st him that did thee beget" (PER 5.1.195).

44. Quoted by Cohn, "Cult of the Free Spirit," p. 56. For Lucrezia Borgia, the union that Isabella as sister fears and Isabella as Sister desires was an outrageous reality, since Lucrezia "descended in 'un-history' as 'the pope's daughter, wife, and daughter-in-law.'" Accused of father-daughter incest, Lucrezia retreated to a nunnery (Santiago, *Children of Oedipus*, pp. 59, 69).

45. Shakespeare apparently was not a great admirer of Elizabeth. Unlike most English poets of the age, for example, he did not write a word of direct mourning on her death. (On Shakespeare's silence, see esp. Chettle, *Englandes Mourning Garment* [1603], in Munro, *Shakespeare Allusion-Book*, p. 123, cf. pp. 124 and 140; and Albrecht, *Neue Untersuchungen*, pp. 235–36.) Shakespeare's dislike for Elizabeth may have had something to do with his connection to the Earl of Essex (Robert Devereux). Shakespeare's *Richard II* played a part in Essex's ill-fated 1601 rebellion, and in a conversation of August 4, 1601, Elizabeth herself drew the production's moral: "I am Richard II. Know ye not that?" (Quoted in Nichols, *Progress*, 3: 552–53; see also Greenblatt, Introduction to *Forms of Power*.) Essex's conspiracy may have been linked to pro-Catholic groups; one of the conspirators was the Earl of Southampton (Henry Wriothesley, or W. H.), possibly Shakespeare's patron.

46. Elizabeth made her translation of Marguerite of Navarre's *Le Miroir de l'âme pecheresse* from a copy of the 1535 edition in the book collection of Anne Boleyn (Ames, introduction to his edition of Elizabeth's *Mirror*, p. 31). She entitled it *The Glasse of the Synnefull Soule* and sent the manuscript—"bound in an

elaborate needlework cover worked by herself” (Neale, *Elizabeth*, p. 12)—to her stepmother, Catherine Parr, as a New Year’s gift for 1545. Catherine sent the manuscript to John Bale, Elizabeth’s tutor. Bale “mended” some of the words, added a long Epistle Dedicatory and a Conclusion, retitled the work *A Godley Medytacion of the Christen Soule*, and arranged to have it published by Dirik van der Straten in 1548. That edition was reprinted, with a few minor changes, in 1590 in London by R. Wood. A copy of the 1590 edition is in the possession of the Houghton Library. Another edition, by James Cancellor, was produced in 1568 (?1570) and reprinted in 1582 in *Bentley’s Monument of Matrones*, vol. 1, sigs. F2v–H4v. The original manuscript, now at the Bodley Library (described in Madan, *Western Manuscripts*, no. 9810), was reproduced in facsimile by the Royal Society of Literature of the United Kingdom in 1897. The letter with which Elizabeth gave it to Catherine Parr, December 31, 1544, is included in Harrison, ed., *Letters of Elizabeth*, pp. 5–7. For further bibliographical information, see Steele, “English Books Printed Abroad, 1525–48”; Hughley, “A Note on Queen Elizabeth’s ‘Godly Meditation’”; and Craster, “An Unknown Translation by Queen Elizabeth.”

47. On the indictments of Anne for sibling incest and for an account of the trial, see Friedmann, *Boleyn*, 2: 262–63, 278–81.

48. See *Ibid.*, 2: 287, 351.

49. As Jones points out (*Hamlet and Oedipus*, p. 68), “Had the relationship [between Claudius and Gertrude] not counted as incestuous, then Queen Elizabeth would have no right to the throne; she would have been a bastard, Katherine of Aragon being alive at her birth.” On Hamlet and the relationship between Henry VIII and Catherine of Aragon, see Rosenblatt, “Aspects of Incest Problems.” Blackmore, “Hamlet’s Right to the Crown,” says that “the diriment impediment to marriage with a deceased brother’s wife was part of English church doctrine since earliest times and was retained by the English secular authorities until the nineteenth century.” For the polar opposite view, that one must marry a deceased brother’s wife, see the biblical law of the levirate (Deut. 25: 5–6).

50. According to Johnson, *Elizabeth*, p. 9, Elizabeth was conceived in early December 1532, and Anne and Henry were married secretly on January 25, 1533. See too Friedmann, *Boleyn*, 2: 338–39. For the date of the marriage between Henry and Anne, see Cranmer’s letter to Dr. Hawkyns of June 17, 1533, and Stow’s *Chronicles* (1605).

51. For Cranmer’s views on the matter, see Lingard, *History of England*, 5: 74, 5: 540–42, and Friedmann, *Boleyn*, 1: 43, 2: 323–27, 2: 351–55. Contrast Cranmer’s prophetic praise of Elizabeth in H8 5.5.14–62.

52. Cf. “I knew the young Count to be a dangerous and lascivious boy, who is a whale to virginity, and devours up all the fry it finds” (AWW 4.3.231–34).

53. In *The Devil’s Law Case* (4.2.222–24), Webster jokes about the fact that a father cannot be godfather to his own child: “thus are many serv’d / That take care to get gossips for those children, / To which they might be god-fathers themselves.” As Webster suggests in the next line, the Puritans did allow fathers to be godfathers.

54. Whether or not John Fletcher, rather than Shakespeare, wrote the last scene of *Henry VIII*, as some critics aver (for the controversy see Foakes, introduction to H8, pp. xv–xxviii), an ambiguous attitude toward Elizabeth is characteristic of the entire play.

55. Bale, Epistle Dedicatory to Elizabeth, *Mirror*.

56. In 1546, at the age of thirteen (two years after making her translation, Elizabeth allegedly either was sexually molested by Thomas Seymour or had an affair with him. Seymour was the brother of Jane Seymour, who had married Henry VIII the day after Anne Boleyn's execution, and he was to become Elizabeth's stepfather when he married the queen dowager, Catherine Parr, in 1547—the very year of Henry's death. After Catherine's death the following year, he tried to marry Elizabeth, who was both his step-niece and his step-daughter. For a review of the evidence concerning the Elizabeth-Seymour liaison, see Seymour, *Ordeal by Ambition*, pp. 215–19, 225–26.

57. Elizabeth, *Glasse*, folios 7, 8, 23. Marguerite gives the last lines as “Ma voisine, ma sensualité / En mon dormir de bestialité” (*Miroir*, ed. Allaire, ll. 429–30).

58. Margaret of Navarre, *Heptameron*, 3d day, 30th tale, 3: 200. Saintsbury's claim, generally accepted nowadays, is that Margaret and her brother did not have physically incestuous relations (introduction to *Heptameron*, p. 56). Even before Marguerite's great poems expressing her sisterly love were published, however, rumors that they did have such relations were circulated widely.

59. For the poetess lover in this quadrifold kinship role, see such passages as: “O my father, brother, child, and spowse” (fol. 21); “O what a switte reste it is, of the mother, and the sonne togyther” (fol. 26); “I am syster unto thee, but so naughty a syster, that better it is for me to hyd suche a name” (fol. 26); and “Nowe than that we are brother and syster together, I care but lytell for all other men” (fol. 29).

60. Bale, Epistle Dedicatory, p. 10; in Elizabeth, *Mirror*.

61. “Al humain kind on erthe / From like begininge Comes; / One fater is of all, / One Only al doth gide. . . . What Crake you of your stock / Or for-fathers Old? / If your first spring and Auther / God you view, / No man bastard be, / Vnless with vice the worst he fede / And Leueth so his birthe” (*Queen Elizabeth's Englishings*, ed. Pemberton, p. 54).

62. Elizabeth, Speech to Commons, 1558/59; in Rice, *Public Speaking of Queen Elizabeth*, p. 117. Elizabeth became the godmother—the spiritual mother—of more than a hundred English subjects (Williams, *Elizabeth*, p. 218). John Harington writes of her as “oure deare Queene, my royale god-mother, and this state's natural mother” (Harington, *Letters*, p. 96). With Elizabeth's statement that her subjects should never have “a more natural mother than I meant to be unto all” (Neale, *Elizabeth I and Her Parliament*, p. 109), cf. the curse that Shakespeare's Margaret (the widow of Henry VI), in *Richard III*, speaks to Queen Elizabeth (the wife of Edward VI): “Die neither mother, wife, nor England's Queen” (R3 1.3.208).

63. On the cult of Elizabeth as the virgin queen, see Montrose, “Shaping Fantasies,” and Schleiner, “*Divina Virago*.” On visual representations and icons of Elizabeth as the Virgin Mary, see Strong, *Cult of Elizabeth*, esp. p. 66, on the “Sieve Portrait” of Elizabeth. Consider the aged Elizabeth's public identification with Saint Elizabeth (Chamberlain, *Sayings of Queen Elizabeth*, no. 301); Saint Elizabeth was the niece of Saint Anne (of the Immaculate Conception) and the cousin of Saint Mary (of the Virgin Birth)—nominally, therefore, a close relation to Shakespeare's Mariana in *Measure for Measure*.

64. Elizabeth strongly disapproved of clerical marriage but did not make a legal issue of it. See Johnson, *Elizabeth*, pp. 94–95.

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65. Crosse, *Lover*, sec. 11.

66. Often Elizabeth tried to transform the injunction of nature in general (that one should reproduce) into a command of a more or less individual nature of her own (that she should not marry). Thus Salignac reports that Elizabeth said to the French ambassador, "When I think of marriage it is as though my heart were being dragged out of my vitals, so much am I opposed to marriage by nature" (Chamberlain, *Sayings of Queen Elizabeth*, pp. 61, 68).

67. Chalmers, *Apology*, pp. 404–5.

68. For overviews of similarities between Vincentio and James I considered by the critics, see Goldberg, *James I*, pp. 231–39, and Levin, *New Readings*, esp. pp. 187–88. Levin claims that there is no real evidence that *Basilicon Doron* was an actual source of *Measure for Measure*; see his similar questioning of previous critics' views on connections between Queen Elizabeth and *Measure for Measure* (Levin, *New Readings*, p. 192).

69. Bennet, *MM as Royal Entertainment*, p. 98.

70. Baker, *Chronicle*, p. 155. As Bennet (*MM as Royal Entertainment*, p. 180, n. 39) points out, "James's fondness for young men is sufficiently notorious."

71. James, *Political Works*, pp. 272, 24; cited by Goldberg, *James I*, pp. 141, 142; cf. Tennenhouse, "Representing Power," p. 153.

72. Craigie, in note to his edition of *Basilicon Doron*, 2: 208.

73. Saintsbury, *Short History*, p. 323.

Chapter Five

1. For the Platonic formula "Both are two but each is one," see Plato, *Theaetetus*, 185; *idem*, *Hippias Major*, 300; and Shell, *Money*, chap. 3.

2. Peterkiewicz, *Third Adam*, p. 209. "In the world of the carnival," writes Bakhtin, "all hierarchies are cancelled. All castes and ages are equal. During the fire festival a young boy blows out his father's candle, crying out . . . 'Death to your father, sir!'" (Bakhtin, *Rabelais*, p. 251). During such festivals or masked balls every person can pass for any other. Not only can a son pass for his father or a father for his son—resulting in liberty of the kind that Goethe witnessed in the celebration of the Saturnalia at Rome (Goethe, "Roman Carnival," p. 446)—but one's sister can pass for a woman who is not one's kin, resulting in incest.

3. As Empson suggests in "Sense in *MM*."

4. Lupton's work was published in 1581; for Augustine's version, see chapter 4, above. Lascelles, *Shakespeare's MM*, p. 6, points out that John Donne refers to Augustine's version in his *Bithanatos* (1648), p. 127.

5. Aristotle, *Politics*, 1258b. See Shell, *Economy*, esp. pp. 94–95. Cf. *sitos* and *faenus*, which have the same financial and biological meanings as *tokos*. On the same analogy in *The Merchant of Venice*, see Shell, *Money*, chap. 3; and in *Measure for Measure*, G. K. Hunter, "Six Notes," p. 168, and Pearlman, "Shakespeare, Freud, and the Two Usuries."

6. For this and the Protestant controversy, mentioned above, about whether interest is contrary to nature, see Nelson, *Idea of Usury*, and Shell, *Money*, chap. 3.

7. Members of religious orders often learn a secret sign language. In fact, certain orders share Pompey's conflation of "woman" with "trout" (Barakat, *Cistercian Sign Language*, p. 26).