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# **Adultery in Early Stuart England**

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**Dissertation am Fachbereich  
Philosophie und Geisteswissenschaften  
der Freien Universität Berlin**

**2009**

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Datum der mündlichen Prüfung: 03.07.2009

## ACKNOWLEDGEMENTS

Firstly, I would like to take this opportunity to thank Prof. Ann Hughes, whose enlightening undergraduate seminar at Keele University taught me the fundamentals of historic research, and first sparked my interest in matters of gender and deviance, thus laying the basis for this project.

I wish to express my gratitude towards the Graduiertenkolleg *Codierung von Gewalt im medialen Wandel* for giving me the opportunity to work with a number of amazing individuals and exchange ideas across disciplinary boundaries, and also for providing the financial means to make travelling in order to do research for this project possible. Special thanks goes out to the helpful staff at Gloucestershire Archives.

Above all, I am greatly indebted to Prof. Sabine Schülting for providing the warm intellectual home in which this project could thrive, and for blending munificent support with astute criticism. I am most grateful to have benefited from her supervision.

I wish to extend my most heartfelt thanks to Maggie Rouse, Sabine Lucia Müller, Anja Schwarz, Judith Luig, and to Kai Wiegandt for their insightful comments on various parts of this dissertation in various stages, but, more importantly, for unerring support and motivation. These were also given most generously by my brother-in-law, Matthias Pohlig, who read the manuscript with a keen historian's eye and provided invaluable feedback at a crucial stage of its genesis. Thanks to Peter, Jon and Sebastian for brightening cloudy days.

This dissertation could not have been written without the encouragement and unflagging support of my family. I doubt words can convey my gratitude, most especially to my husband Joachim Pohlig: thank you for being there and for being you.

## NOTE ON THE TEXT

Quotations from printed and manuscript sources retain the original spelling, grammar and punctuation. However, in quoting from legal manuscripts, “th” has been substituted for “y” where appropriate and abbreviations have been spelled out. When quoting original plays, the original subdivision into acts and scenes has been kept. Where no individual scenes were marked, a reference to the act in which they occur has been provided. Secondary texts are consistently cited in author-date short format in order to make the footnotes clearer and shorter, i.e. more accessible. However, it seemed expedient that more substantial information than short citation be given for primary texts. Therefore, full bibliographical references in original spelling are provided for primary texts at first mention in each of the seven chapters. In subsequent occurrences titles have been shortened and their spelling has been modernised.

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# 1. Introduction

## 1.1. Why Study Early Stuart Adultery?

This study received its first impulses roughly ten years ago. They derived from the two vantages of social history and literary studies. Reading John Ford's *'Tis Pity She's a Whore* I was struck by the immediacy and pathos with which it had obviously been possible in the early 1630s<sup>1</sup> to stage transgressions like incest and adultery. Then, still an undergraduate in English history, I researched what 'respectable' members of local communities perceived to be the most threatening form of sexual deviance. To my surprise, I arrived at the conclusion that it was not one of the more scandalous transgressions like 'sodomy,' or incest, to which recent criticism has given considerable attention,<sup>2</sup> that caused particular social concerns in the early modern age, but rather extra-marital sex. My interest in early modern adultery and its significance in different medial and social contexts was piqued.

Adultery as a dramatic subject was remarkably common in Jacobean and Caroline plays, which portrayed sexual behaviour with "a frankness unprecedented in English drama, and rarely seen since."<sup>3</sup> Even tragedy increasingly turned towards sexual, and, notably, domestic themes; and comedies contained ubiquitous references to matters such as adultery. But spectacles of sexual transgression could not only be seen in theatres. Rhymes and broadside ballads sung at street corners or markets, or hung up on walls of taverns and private houses told of lusty bachelors and maidens, of unfaithful, slothful, or violent husbands and wives. At the local church, sermons were read against fornication and adultery, and sinners performed their penance for sexual offences wearing white sheets, sometimes placards detailing their crime. Sometimes they were even enjoined to parade the streets or announce their misdeed in the market place on market days.<sup>4</sup> As church courts had prime jurisdiction on matters of marriage, a substantial part of their business consisted in dealing with such sexual

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<sup>1</sup> The play was first performed between 1629 and 1633.

<sup>2</sup> I am thinking here, for instance, of Bruce Boehrer's (1992) *Monarchy and Incest in Renaissance England*, and Richard McCabe's (1993) *Incest, Drama and Nature's Law 1550-1700*, which have since been followed up by Maureen Quilligan's (2005) *Incest and Agency in Elizabeth's England*. I am also thinking of all the work scholars of queer studies like Alan Bray, Jonathan Dollimore, Alan Sinfield, Valerie Traub, Mario DiGangi, Eve Kosofski Sedgwick and others have invested in the exploration of early modern homoerotic and homosocial relations.

<sup>3</sup> Wiggins (1998: vii), for Jacobean tragedies.

<sup>4</sup> Cf. Stone (1990: 232).

offences.<sup>5</sup> Local justices of the peace, under certain conditions, also had the authority to punish fornication and adultery by fines, the stocks and whipping.<sup>6</sup> But both ecclesiastical and secular legal bodies functioned on the basis of community involvement, of local people holding offices such as churchwarden or constable, and, generally, of neighbours keeping their eyes and ears open to report transgressions. Matters such as adultery, thus, were not only a subject of contemporary entertainment culture and more institutionalised didactic efforts. In fact, they were never far from people's minds.

In certain social factions religiously motivated concerns over public morals grew. In 1650, the Rump Parliament passed an act which imposed death penalty on adultery and incest and repeated fornication.<sup>7</sup> Keith Thomas has called this “an attempt, unique in English history, to put the full machinery of the state behind the enforcement of sexual morality.”<sup>8</sup> However, this is not totally correct. Repeated attempts to introduce secular, judiciary punishment of incest and adultery had been made before, under Elizabeth, James as well as Charles.<sup>9</sup> They often coincided with endeavours to extend and sharpen secular jurisdiction over matters of marriage.<sup>10</sup> What makes the 1650 act special is that it was the first adultery bill which actually passed parliament, albeit only after prolonged debates and modifications.<sup>11</sup> When, after six years, it was finally passed, very carefully formulated and furnished with amendments, it proved to be virtually unimpossible, and efforts to revise it were made only six years later.<sup>12</sup> Thus, the ‘Adultery Act’ of 1650 is a conglomerate of long-standing moral concerns about sexual transgressions, sustained endeavours to regulate conjugal matters on a secular plain, and a contemporaneous political agenda of socio-moral reform.<sup>13</sup> To conclude, even before the explosion of sexual themes in libertine Restoration culture, the occupation with questions of sexual morality, marriage and gender order, on a whole number of cultural levels, gathered momentum. Its relevance, however, still remains to be properly assessed.

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<sup>5</sup> Cf. Outhwaite (2006: 58f.).

<sup>6</sup> Cf. Stone (1990: 232).

<sup>7</sup> England and Wales, *An Act for Suppressing the Detestable Sins of Incest, Adultery and Fornication* (London, 1650).

<sup>8</sup> Thomas (1978: 257).

<sup>9</sup> Thomas (1978: 281) himself acknowledges this towards the end of his article. The House of Lords read bills for the Punishment of Adultery and Incest in 1576 and 1604. The House of Commons debated such an act in 1626, 1628 and 1629, annually after 1644 (there were no parliamentary sessions between 1629 and 1640).

<sup>10</sup> The particulars of possible divorce, for instance, were repeatedly discussed. Also, in 1629, attempts had been made to facilitate marriage by lifting temporal restrictions on legally binding weddings, i.e., to allow weddings on any day of the year. See Miscellaneous, *House of Commons Journal, Volume 1* (London, 1802), 24 January 1629.

<sup>11</sup> Some delegates even suggested that the act should only be enforced for three years. See Miscellaneous, *House of Commons Journal, Volume 6* (London, 1802), 10 May 1650.

<sup>12</sup> See *House of Commons Journal, Volume 7* (London, 1802), 4 October 1656.

<sup>13</sup> Cf. also Thomas (1978: 281).

Despite its apparent contemporary importance, the subject has not yet been cohesively analysed, although more and less extensive comments on adultery pervade analyses of (early modern) English social and cultural history of the last thirty years, which have taken immense interest in issues of family life, marriage, sexual history, and different forms of deviance and crime. Both methodologically and thematically, this study benefits greatly from these examinations of gender relations, and household order as well as (local) social structures which have been undertaken in social history, as well as cultural studies and literary studies in the last decades. But here, especially in socio-historical and cultural studies, adultery is mostly treated as one transgression among others, or as a footnote to other, overarching concerns, for instance of social and gender order, violence and sexual transgressions.<sup>14</sup> I propose to reverse this focus and explore questions of gender and social order from the vantage of adultery.

Literary studies have largely focused on female adultery in tragedy. There is one monograph on adultery as a *motif* in Elizabethan, Jacobean and Caroline tragedy, by Ilse Born-Lechleitner (1995), which may justly call itself the first study of adultery in Elizabethan and Caroline drama.<sup>15</sup> A doctoral thesis by Susan Neal Mayberry on *The Adulterous Wife in Renaissance Drama* (1982), which examines the adulteress as a character in tragedies, tragicomedies and history plays, remains unpublished. Born-Leichleitner's book, although published in 1995, is based on a doctoral thesis which, on closer inspection, reads as if it (or research for it) had been completed much earlier without being revised or updated for publication. Apart from a short sketch of the legal and social background of adultery, which is based mostly on rather outdated secondary sources, Born-Lechleitner focuses entirely on secondary literature from the field of literary studies, disregarding recent methodological impulses, for example from gender studies or new historicism. Without critical reflection, she speaks of authorial intentions<sup>16</sup> and the 'message' of plays,<sup>17</sup> and simply adopts interpretative clues and evaluations of research of the 1950s and 1960s. Her study excludes comedies, arguing that the instances of adultery in comedy were too numerous to examine.<sup>18</sup> In addition to this monograph, a number of shorter essays have been dedicated to the problem of cuckoldry in Elizabethan and early Stuart plays, both tragedies and comedies, most notably by

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<sup>14</sup> Laura Gowing's (1996) monograph on early modern normative feminine gender constructions contains a chapter which analyses adultery in connection with domestic violence. Correspondingly, one chapter of Martin Ingram's (1987) monograph on *Church Courts, Sex and Marriage, 1570-1640* treats adultery along with incest and fornication.

<sup>15</sup> Born-Lechleitner (1995: viii).

<sup>16</sup> E.g., Born-Lechleitner (1995: 35).

<sup>17</sup> E.g., Born-Lechleitner (1995: iii).

<sup>18</sup> Born-Lechleitner (1995: iii).



Gary Kuchar, Katharine Eisaman Maus, Bruce Boehrer, Douglas Bruster, Jennifer Panek, and, from the perspective of queer studies, with a focus on Restoration comedy, Eve Kosofsky Sedgwick. In these studies, too, female adultery and its pendant cuckoldry have been the centre of critical attention.

From a critical vantage informed by the precepts of new historicism and cultural studies, David Turner has recently authored a comprehensive analysis of adultery in the Restoration period which examines how different genres (e.g., didactic and literary texts, journals, news reports, court records) represent or construct adultery.<sup>19</sup> He suggests that, in the late seventeenth and early eighteenth centuries, conceptions of adultery changed. Whereas before adultery had been seen as a transgression against the social order, it now became a private matter which carried more sexual connotations. David Turner's study has two major drawbacks which this present analysis seeks to avoid and rectify. Turner focuses solely on 'representations of adultery' on the textual level, on written language which he conceives as abstract, when much of what adultery meant, it could be argued, was really defined by individuals in local communities, in *interactions*, for instance through gossip, mocking and shaming practices.<sup>20</sup> Secondly, although Turner recognises that adultery is constituted by "a complex and interacting set of codes and meanings,"<sup>21</sup> he chooses to disregard just these interactions, analysing different genres separately. At the beginning of my investigations, I, too, presupposed that adultery should have been conceived differently in different genres. But what I found were striking similarities which suggested that overarching continuities had to be foregrounded. The picture of adultery which has presented itself to me in my readings has convinced me that these interactions of meaning must be highlighted above genre divisions. At least with regard to the specificities of early modern, or more precisely, early Stuart adultery I here share Seth Denbo's conviction that "[c]ultural history attains its explanatory authority when texts and interrelated cultural discourses are allowed to interact with each other."<sup>22</sup> Where Turner hopes that the study of language will serve to tie together disparate sources and allow different genres to interact across chapters,<sup>23</sup> I will allow different texts and genres to interact within each chapter, just as my thematic concern will trace adultery in the (traces of) interactions of local people.

In conclusion, my aims are to explore the cultural situation in the fifty years before the

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<sup>19</sup> Turner, D. (2002).

<sup>20</sup> Cf. also Elena Levy-Navarro's (2006: 45) review of Turner, D. (2002).

<sup>21</sup> Turner, D. (2002: 19).

<sup>22</sup> Denbo (2003: unpag.).

<sup>23</sup> Turner (2003: unpag.).

‘Adultery Act.’ I will lift the subject of early Stuart adultery from the sidelines of social, cultural and literary studies to make it the focal point of my investigation. On the one hand, I will merge the existing observations on the subject, and, often setting new focal points, integrate them into my larger narrative of (one possible version of) a social and domestic landscape of the early Stuart English neighbourhood. On the other hand, I offer original readings of a variety of different documents and texts. My study will explore the social dimensions by which adultery, according to David Turner, was characterised in pre-Restoration times. I propose that this social significance is best approached through the element of the neighbourhood, through the involvement of neighbours in individual cases of adultery. I ask not only what adultery could mean for ‘normal people’ of lower and middling social status, but also *how* adultery could mean, i.e. how the meaning of adultery could be generated in interaction, and to what other meanings it was connected. I endeavour to shift my focus from the immediate sexual act to the social and spatial conditioning of adultery, and its relevance for social and domestic affairs. Consequently, I have chosen texts which I think provide insights into this domestic and neighbourhood environment, and which, as shall be shortly outlined, are interrelated through a common focus on performance; from court records, prescriptive literature to broadside ballads and comedies.

As most studies so far have focussed on female adultery in literature, I wish to broaden common understanding of the role of the adulteress by evaluating her from a non-literary, non-feminist viewpoint. Accordingly, the relevance of male adultery must be assessed and both male and female adultery must be considered in relation to each other. The fruits of recent efforts in socio-historical masculinity studies, in particular, guide my reading.<sup>24</sup> Moreover, I will examine the role of the male and female rival. The choice of my texts also points to another question: if such a significant affair, why, and in what forms, could adultery be funny and entertaining? I think we need more differentiated answers here than are commonly provided.

When I started working on this project I thought of early modern adultery as an individual sexual transgression which was marked by a specific discourse of sin and which had a socially disruptive potential. But what I found was decidedly more of a social than sexual nature, and sin was far less prominent than expected. Of course, to a certain extent, this is due to the sources I chose. References to the spiritual dimension of sin are much more tangible in the pathos of tragic representations of adultery, for instance. However, moral-religious conduct books and especially church court records which one might expect to be

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<sup>24</sup> Foyster (1999) and Shepard (2003) are particularly important here.

suffused with references to the spiritual side of adultery, I often found surprisingly pragmatic and down-to-earth.

Marriage is often described as the linchpin or symbol of early modern social order.<sup>25</sup> Adultery, as shall be shown, is not so much disruptive of marital (and, hence, social) order, but a crucial element in its constitution, or more precisely, in the negotiations revolving around its constant (re)constitution and (re)formation. In addition, rather than constituting a clear break with or an alternative to marital domesticity, adultery presented itself as an inherently domestic phenomenon. Its construction seems intricately linked not only to household government and economy, but to the very materiality of the conjugal household itself. The structure of my study follows these observations. It shows adultery between its social, neighbourhood conditionality and its domestic conditionality.

Who was involved in ‘making adultery’ (to adapt Laqueur’s influential phrase)? The following discussion may be reduced to two basic and admittedly polemic theses: Neighbours ‘made’ adultery. And husbands ‘made’ adultery. In other words, I will ask how adultery relates to both neighbourly and husbandly responsibilities. The chapter following this introduction sets the scene for this study by charting the specific (and problematic) nature of early modern marriage. Each of the subsequent chapters begins with theoretical observations on neighbourliness and household structure before proceeding to detailed analyses of matters relating to adultery. Parts three and four, from different perspectives, examine how neighbours are involved in the generation of (a notion of) adultery, namely in their roles as commentators and witnesses as well as guests and friends. How did neighbours signify adultery in gossip and everyday mockery? Thus, on the one hand, as a vital element of gossip and related interactions, adultery furthered neighbourly sociability. On the other hand, I argue, adultery exposed the limits of social belonging and neighbourliness, for instance, in the category of slander, which is discussed in chapter three. Chapter four discusses how adultery could mark the boundaries of the neighbourly core categories of hospitality, charity and friendship. Moreover, as shall be seen, through the subject of adultery the (sometimes conflicting) relation between marital and neighbourly duties could be investigated. Chapter five moves closer to the household, analysing adultery in its spatial, domestic construction, which foregrounds the state of the household as oscillating between publicity and privacy. Apart from providing an analysis of the spatial conditioning of adultery which in this form has not yet been undertaken, chapter five also has important linking functions. In part, it continues the discussion of the two preceding chapters by investigating how spatial constructions of

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<sup>25</sup> McCabe (1993: 236).

adultery legitimise acts of witness, but it also presents adultery in a marital, domestic context which is the focus of chapter six. Part six then, finally, progresses right into the heart of domestic power structures, examining adultery in relation to household government and domestic economy, more precisely, from the viewpoint of husbandly responsibility. Its first sections describe adultery as related to failures of household government, while the last section approaches adultery through the figure of (economic) success.

As this chapter overview already makes obvious, adultery needs to be understood and examined in relation to the norm of marriage which it violates, and which, through violation, it helps to shape and reconfirm. Some introductory remarks about the nature of early modern English marriages, therefore, are called for. First, however, I wish to outline some of my methodological premises.

## **1.2. How to Study Early Stuart Adultery**

*“What matter who’s speaking?”*

Michel Foucault<sup>26</sup>

One of the benefits of poststructuralist theory for studies in cultural history is its notion that all we have access to are only ever representations of the past, which means that “none of these representations is more valid than the other.”<sup>27</sup> From the viewpoint of, for instance, new historicists, all documents of the past can be read as texts. The traditional distinction between a (literary) ‘text’ and its (historical) ‘context’ is renounced, both elements being viewed as equally co-dependent, and granted equal significance.<sup>28</sup> In David Kastan’s words, we are now able to understand the (literary) text “as a world of plenitude that is radically historical, a form of social knowledge and of social experience.”<sup>29</sup>

From the perspective of social historians, similarly, the recognition that sources such as court records which (today) are deemed “useful historical documents,” may be interpreted as ‘fiction’ rather than ‘fact’<sup>30</sup> has, conversely, undermined traditional reservations against the

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<sup>26</sup> Foucault (1980b: 136).

<sup>27</sup> Walker (2003: 6). At the same time, Walker critically remarks, early modern social historians of crime “have tended to shy away from explicit engagement with the theoretical issues raised by a poststructuralist approach.”

<sup>28</sup> Cf. Gallagher & Greenblatt (2000: 16).

<sup>29</sup> Kastan (1999: 55).

<sup>30</sup> Cf. Zemon Davis (1987).

use and interpretation of works of literature as historical documents.<sup>31</sup> Thus, “the differences between ‘factual’ history and ‘fictional’ literature break down, so that the court deposition and the fictional story simply become different forms of narrative discourse, each structured by literary conventions.”<sup>32</sup> “Literature plays a crucial role in making history,”<sup>33</sup> Elizabeth Foyster asserts in her acclaimed study of early modern masculinity, which uses broadside ballads and plays in conjunction with legal sources. In early modern times, especially, it is easy to find evidence of a “continuous interplay between real and fictional worlds.”<sup>34</sup>

My research is conducted along these lines of thought. Adultery in early Stuart England was not only what the law said it was, it was not only what conduct books said it was, and it was not only what ballads, jests and plays suggested it was. Rather, it was the interplay between different levels of interaction, different genres, different situational contexts which generated a complex conception of what adultery was. In order to grasp this complexity, this study is based on an examination of court records, prescriptive as well as fictional, literary texts. Methodically, one of my aims is to read non-fictional texts with the eye of the literary critic, and to highlight the cultural values and concerns by which literary texts are marked. The following overview will outline my methodological premisses in more detail besides highlighting the nature and status of my texts, their production, their functions and reception.

### 1.2.1. Court Records

*“And what though you had been embraced  
By me—were you for that unchaste?”*

Robert Herrick<sup>35</sup>

My archive research focused on the records of the consistory court of Gloucester. This location was chosen mostly for practical reasons. A search on the national archive database (A2A) brought up the most hits for adultery in the Gloucestershire Archives (then called Gloucestershire Record Office), which led me to the conclusion that the relevant records here

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<sup>31</sup> Foyster (1999: 14). In response to Natalie Zemon Davis’ (1987) “fiction in the archives,” for instance, Lena Cowen Orlin (1994) offers to explore the “archives in fiction.”

<sup>32</sup> Foyster (1999: 14).

<sup>33</sup> Foyster (1999: 15).

<sup>34</sup> Foyster (1999: 15), quoting from David Lindley’s (1993) monograph on *The Trials of Frances Howard: Fact and Fiction at the Court of King James*.

<sup>35</sup> Robert Herrick, *The Suspicion Upon his Over-Much Familiarity with a Gentlewoman*, in, Robert Herrick, *Selected Poems* (Jesson-Dibley, D., ed., 2003), 46.

had been most extensively catalogued and were most easily accessible. Also, those Gloucestershire records, in contrast to records from London, York, Wiltshire, Somerset, and Cambridge archives, had not been subjected to a larger study of remotely similar thematic interest.<sup>36</sup> My examination of court records cannot compare to those impressive, comprehensive studies, of course. I lacked both the opportunity and the methodological justification to undertake extended archive research. What I can offer is a sample analysis and present individual cases from a region which has not been scrutinized so far. One exception to this, i.e. one study which has recently explored Gloucestershire records, is Daniel Beaver's (1998) examination of *Parish Communities and Religious Conflict in the Vale of Gloucester, 1590-1690*, which outlines the strains which increasing religious diversity and political factioning put on the social cohesion of parishes in a specific Gloucestershire region. There appear to have been (traditionally) strong Puritan tendencies in Gloucestershire,<sup>37</sup> however, as Beaver can show, Puritanism was by no means a homogeneous concept. On the other hand, William Laud was Dean of Gloucester from 1616 to 1621, where he made his influence felt (and caused opposition), for instance by moving the communion table from the middle of the Cathedral to the East end.<sup>38</sup> Laud's ceremonialism again caused alarm and, possibly, increased Protestant religious fervour, at the occasion of Laud's (now Archbishop of Canterbury) metropolitical visitation in 1635.<sup>39</sup> Generally, religious heterogeneity should be remembered as a contextual factor for the following analysis of Gloucester consistory court records. From my small sample of records related to matters of adultery and sexual immorality, I have not been able to determine any specifically 'Puritan,' or specifically spiritual colouring in the way these issues are presented and negotiated.

On the administrative level of the diocese, as bishop's courts, consistory courts were the most important judicial forum in every see.<sup>40</sup> These ecclesiastical courts dealt with

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<sup>36</sup> An exception is Daniel Beaver's (1998) examination of *Parish Communities and Religious Conflict in the Vale of Gloucester, 1590-1690*, which, however, is more interested in the religion of the parish, and hence in religious and local-political issues in a specific part of Gloucestershire. G.R. Quaipe (1979) based his study of the sexual mores of the English peasantry on Somerset records. Martin Ingram (1987) studied records from Wiltshire and Ely to compile his monograph on the *Church Courts, Sex, and Marriage*. Elizabeth Foyster (1999) based her study of *Manhood in Early Modern England: Honour, Sex, and Marriage* on court records from the diocese of York. Alexandra Shephard, similarly interested in the *Meanings of Manhood in Early Modern England* (2003), has examined the records of the Cambridge ecclesiastical, secular and university courts. A number of scholars have studied London records; among them Laura Gowing (1996; *Domestic Dangers: Women, Words and Sex in Early Modern London*), Jeremy Boulton (1987; *Neighbourhood and Society: A London Suburb in the Seventeenth Century*) and Ian Archer (1991; *The Pursuit of Stability: Social Relations in Early Modern London*).

<sup>37</sup> Cf. also Herbert (1988b).

<sup>38</sup> Herbert (1988b).

<sup>39</sup> Beaver (1998: e.g. 187 & 193).

<sup>40</sup> Ingram (1987: 35). On the level below the diocese and the consistory courts, there were the archdeaconry and archidiaconal courts.

offences in either instance cases or office cases. In contrast to instance cases, in which one party sued another party for compensation, and which thus represented the civil branch of ecclesiastical jurisdiction, office actions were moved by judges or promoted by a third party. They represented the criminal branch of ecclesiastical jurisdiction. Canon law specified a range of offences which could be brought before the ecclesiastical courts. Instance cases might concern tithing and testamentary issues, clerical dues, but also defamation, and matrimonial affairs such as breach of promise allegations (which made up a huge part of the courts' matrimonial business)<sup>41</sup> or suits for separation between spouses. Office presentments often appear to have fallen into three large categories: cases relating to the responsibilities of churchwardens, clergy or laymen as relating to church matters, offices and payment of dues; failure to comply with the ritual demands of the church, e.g. not attending church, not receiving communion, working on Sabbath, disturbing services, or standing excommunicate. The third large category comprises forms of misbehaviour which generally revolve around the doctrine of marriage: such as fornication, adultery, bastardy and illicit pregnancy, bigamy, clandestine marriage or unlawful separation of couples. In addition, ecclesiastical courts also heard cases of drinking, cursing, swearing and defamation (if it alluded to a crime punishable by ecclesiastical law).<sup>42</sup> It is this preoccupation with matters of sexual conduct which caused these courts to be derogatively labelled as 'bawdy-courts.'<sup>43</sup> Matters concerning sexual immorality such as bigamy (which was a felony) and, under certain conditions, bastardy and adultery, could also be handled by secular jurisdiction, but fewer records of these cases survive, and they are much less accessible. The church courts, on the other hand, were at their most active during the sixteenth and early seventeenth centuries before the 1640s,<sup>44</sup> and their business is fairly well documented. Moreover, those records provide a rather good picture of contemporary social structures as church courts catered to a rather wide social spectrum since

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<sup>41</sup> Cf. Outhwaite (2006: 48f.).

<sup>42</sup> Cf. Ingram (1987: 68). Cf. also Sharpe (1998: 72f.): "Some 756 presentments against the inhabitants of the Essex village of Kelvedon Easterford were brought between 1600 and 1642 in the court of the Archdeacon of Colchester. The overwhelming majority of them fell into two categories: 234 involved various forms of sexual misbehaviour, adultery, fornication, bridal pregnancy and so on, while 224 involved failure to attend church. The only other large group of presentments arose from disrupting the Sabbath, [...]. Isolated samples of presentments from Cheshire, Somerset, Suffolk and Yorkshire between 1590 and 1633 show broadly similar characteristics, with sexual immorality perhaps constituting a higher proportion of reported delinquency in the two northern counties."

<sup>43</sup> Distinctively matrimonially-related cases, however, do not seem to have constituted a very high proportion of English late medieval and early modern ecclesiastical courts' ex officio business. Cf. Poos (1995b: 304), also Ingram's (1987: 68) figures for late 16<sup>th</sup> century Salisbury. Outhwaite (2006: 49) notes that, generally, the number of marital causes brought to the ecclesiastical courts seems to have declined from the fourteenth century onwards.

<sup>44</sup> During the interregnum, ecclesiastical discipline was abolished, and it never quite regained its former strength afterwards.

litigants and witnesses included “servants, labourers, yeomen, husbandmen and tradesmen as well as the occasional gentleman.”<sup>45</sup>

Ecclesiastical courts did not use juries but employed an inquisitional procedure of jurisdiction. In both instance and office cases, libels or articles were composed and witnesses were invited, or rather, ordered, to answer to these points.<sup>46</sup> They had to be admitted by the judge and sworn in open court. They were then assigned a time for a (theoretically) private session with the judge or registrar and the scribe in which they would be questioned in accordance with the libel, the articles or allegation. The deposition was recorded and then read out to the witness who could make changes, and then had to ratify the final version, usually by placing his or her signature or mark beneath the text. Additional witnesses might subsequently be cited to clarify disputed points; interrogatories might be composed to (re)examine hostile witnesses. Thus, simple matrimonial and defamations suits might be handled within weeks; more complicated suits, however, might take two to three years.<sup>47</sup> Many cases only progressed to the opening stages; a simple citation, for example, could serve as “a public declaration and warning shot,” and might thus pave the way to an informal settlement. In practice only a small minority of cases were pursued to the very verdict.<sup>48</sup> This disinterest in final sentences may also be explained by the fact that church courts had a very restricted catalogue of sanctions at their disposal: basically penance, fines (by commutation), and excommunication; no arrest, no imprisonment, no corporal punishment. In the words of Alan Macfarlane, “all [an ecclesiastical court] can do is basically say ‘tut, tut, you’re doing something wrong here.’” Referring to the practice of penance, Macfarlane adds: “They can dress some people up in funny hats and put them in the corner of the church and tell people they are very naughty.”<sup>49</sup> This also indicates that the legal process was not only shaped by the records which have come down to us. It was (and is) saturated by ritualised practices which, for instance, were (and are) necessary to convince people psychologically to accept what the courts were doing. “Law,” says Macfarlane, “is theatrical business.”<sup>50</sup> People use costumes and props, and follow scripts which not only determine the order of events in these judicial rituals, but also the use of space in court.<sup>51</sup> All this, however, does not mean that the business of ecclesiastical courts before the

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<sup>45</sup> Foyster (1999: 11). Of course, as Faramerz Dabhoiwala (2000: 87) has rightly pointed out, some sections of middling and upper classes were misrepresented, but, generally, there were hardly any courts which covered a wider social stratum.

<sup>46</sup> For a comprehensive delineation of judicial procedure at ecclesiastical courts see Ingram (1987: 48-50).

<sup>47</sup> As Ingram (1987: 50) notes, “in the consistory court of Salisbury in the early seventeenth century the average duration of causes pursued to the final sentence was about nine to twelve months.”

<sup>48</sup> Capp (2003: 213), cf. also Ingram (1987: 50).

<sup>49</sup> Macfarlane (1999a).

<sup>50</sup> Macfarlane (1999b).

<sup>51</sup> Macfarlane (1999b).



mid-seventeenth century was trivial, socially unimportant or ineffectual. This was an institution which many people employed, consciously, to their own spiritual but also social advantage, and which could have a profound influence on people's lives. Witnesses who came to depose before an ecclesiastical court were very much aware of their (pre)scripted role and acted accordingly. Especially in a situation where the overwhelming focus of the legal process was not on its final verdict, the ritual and processual elements of partaking in these judicial procedures may have been foregrounded. In other words, the act of promoting a case, of being cited at court, of deposing as a witness was weighty in itself, not only with respect to a final act of institutional judgement.

The legal process shaped the construction of transgressions in specific ways.<sup>52</sup> Offences brought before the church courts were structured in such a way as to fit into the framework of canon law, focusing on particular types of activity and pieces of evidence while excluding others.<sup>53</sup> Thus, the way in which certain types of behaviour are presented as criminal in the judicial context may occlude the extent to which they were rooted in normal, non-transgressive, social and economic patterns.<sup>54</sup> Early modern English people of lower (and middling) classes were highly litigious and had a very good legal knowledge,<sup>55</sup> a "highly legalistic mind-set" even, which shaped everyday local cultures.<sup>56</sup> Thus, they were not only able to use legal institutions to their individual best advantage, but legal terms and structures of thought permeated everyday interactions<sup>57</sup> and had a profound influence on individual and group cognition.<sup>58</sup>

Law should not be seen "as a self-referential discourse, a singular, closed system of formal rules and statutes."<sup>59</sup> When formulating their accounts (for instance of marital discord) before the courts, people could draw upon the language and linguistic conventions of

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<sup>52</sup> Cf. also Robertson (2005: 162).

<sup>53</sup> Dabhoiwala (2000: 87).

<sup>54</sup> Dabhoiwala (2000: 87).

<sup>55</sup> Early modern law enforcement has been described as basically personal and local by nature, with a high percentage of people being actively involved in some form of litigation. The theoretical legal framework itself appears to have been fluid enough (rather than rigidly structured) to allow adaptation to individual and communal needs. Cf. Sharpe (1985: 247) and (1998: 112), Ingram (1987: 367), Dabhoiwala (2001: 94), Amussen (1995: 11), Braddick & Walter (2001: 14), Mendelson & Crawford (1998: 36).

<sup>56</sup> Wood (1999: 264); cf. also Sharpe (1985). Macfarlane (1999c): "It wasn't something to be frightened of, it was on your side. It was a tool which, used well, could further you."

<sup>57</sup> As Jim Sharpe (1985: 247) points out, the "permeation of the law into the wider culture was, by the seventeenth century, a long-established characteristic of English society."

<sup>58</sup> I would thus extend Greta Olson's observation that law operates as a thought pattern and ordering principle in Shakespeare's trial scenes which makes order out of chaos to early modern every day neighbourhood interaction. See Olson (2004). Even though her article lacks careful attentiveness to factual and historic detail, and some of its conclusions remain debatable, I concur with the general direction which its title *Law as Thought Pattern and Ordering Principle [in Shakespeare's Trial Scenes]* implies.

<sup>59</sup> Robertson (2005: 163).

narratives they encountered and used in their everyday lives, for instance in popular literature.<sup>60</sup> “The narratives people told at court,” Laura Gowing asserts, “reflected the stories they already knew,”<sup>61</sup> and which they would also have told their family, friends, and neighbours outside the judicial context.<sup>62</sup> “Contemporary culture held a stock of stories in both oral and printed form whose contexts, events, and results could be rifled for the tales told in everyday life, in the moments of dispute, and at court.”<sup>63</sup> As Gowing remarks, “[n]arratives [and performances, one should add, V.P.] made sense, both in court and out of it, through their similarity to familiar plots in the stock of common social knowledge.”<sup>64</sup> Those tales, moreover, were based on established male and female stereotypes.<sup>65</sup> Obviously, the production of a legal record had different requirements than socialising and gossiping with one’s neighbours. Still, there is no reason to surmise that the production of legal depositions was not influenced by and did not reflect back on everyday interactions and discourses. For instance, while evidence in court might be based on rumours and gossip, the pithy, cohesive narratives produced for depositions might subsequently be recirculated outside the direct judicial context.

Court records, then, were the product of many voices; they were stories shaped to give meaning to behaviour,<sup>66</sup> something like a reverse script moulded to suit individual interests. Laura Gowing has further suggested that the “mastery of narrative technique” which some witnesses’ stories display “constitutes in itself a triumph over events that have got out of control.”<sup>67</sup> I think our analysis should not stop at this point, at stating that events simply “get out of control,” and then outlining how people try to get them ‘back under control.’ It is much more illuminative to examine the ways in which people through their narratives and actions are able to convey precisely this impression of disorder, chaos and transgression and simultaneously to present themselves as mastering this disorder. Reporting, publicising, and staging (other people’s) transgression thus is a means of generating or reiterating an image of control, and, ultimately, authority. Stereotypes played an important part in this respect. It was not individuality which generated authenticity, but rather witnesses’ reference to elements which would be commonly recognised as non-ambiguous markers of sexual transgression. Put differently, the more actions and narratives looked familiar, the higher their verisimilitude.

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<sup>60</sup> Foyster (1999: 15).

<sup>61</sup> Gowing (1996: 58).

<sup>62</sup> Gowing (1996: 262).

<sup>63</sup> Gowing (1996: 58).

<sup>64</sup> Gowing (1996: 56).

<sup>65</sup> Gowing (1996: 233).

<sup>66</sup> Foyster (1999: 14).

<sup>67</sup> Gowing (1996: 262).

The construction of adultery, not only in the judicial context, relied heavily on a restricted repertoire of specific patterns of behaviour and narratives.<sup>68</sup> The indicators of adultery or fornication in the context of canon law ranged from general clues such as two people meeting “suspiciously in secret places and at vnseasonable and vnfit tymes,”<sup>69</sup> an unusual physical proximity between them, to more specific markers such as the man lying on top of the woman.<sup>70</sup> They also included various states of undress: a man’s drawn hat, trousers unfastened, skirts hoisted, to complete nakedness.<sup>71</sup> In the records, the formula *solus cum sola*, often co-occurring with the phrase *nudus cum nuda*,<sup>72</sup> or vernacular variants thereof could be used to draw attention to the private or secretive nature of the couple’s meeting. The blatant parading of lewdness, on the other hand, was similarly condemnable. More ubiquitous in accounts of sexual transgression in church court depositions are (rather general) references to the man ‘having the use of’ or ‘having the carnal knowledge of the woman’s body,’ or simply the parties’ being ‘naught’ together, which categorised their meeting or relationship as illicit and adulterous.

To a considerable degree, constructions of adultery were thus based on presumptive evidence. David Turner’s evidence of post-Restoration adultery suggests that “[t]he act of a man and woman being alone in ‘a suspected Place, kissing and embracing each other in a very immodest Posture’ was sufficient to raise ‘vehement Suspicion,’ especially if the man and woman had been ‘both suspected before of Incontinency.’”<sup>73</sup> Importantly, the boundaries between transgression and accepted behaviour were far from clear-cut. As one of the witnesses in an adultery case of 1620 in Earls Colne, Essex, contented, “it was a hard matter for one seeing a man and a woman playing together [...] to swear that the man had the use of her body.”<sup>74</sup> Sex before the late eighteenth century, in practice and conceptualisation, Tim Hitchcock has suggested, was conceptualised as less penetrational and phallogocentric, but

<sup>68</sup> Gowing (1996: 56), Hunt (2000: 114).

<sup>69</sup> GDR/B4/1/2406.

<sup>70</sup> Gowing (2003: 103) with reference to John Ayliffe’s *Parergon Juris Canonici Anglicani* (London, 1726), a treatise on canon law. Cf. Also Robert Sharrock, *Judicia* (London, 1662), 5-22.

<sup>71</sup> Cf., for example, GDR 106, *Vick c. Vick*, 18 and 24 April 1609; GDR 100, *Clayfield c. Lugg*, defamation, 5 May 1608; similarly, in a case from Earls Colne Essex, ERO D/ABD1, 24 November 1620, documents 70084, 700330, 700511.

<sup>72</sup> Those phrases have a long history in the treatment of fornication and adultery ecclesiastical law. They were famously used already by Pope Alexander III in his decrees concerning adultery (Brinkmann 1831: 32f.) and by Thomas Aquinas in his *Scriptum Super Sententiis* (Lohr, C., ed., 1980), lib. 4 d. 35 q. 1 a. 3 ad 4. For my sample of Gloucester consistory court records impressionistic evidence suggests that the phrase was used more habitually from the late 1610s.

<sup>73</sup> Turner, D. (2002: 156).

<sup>74</sup> ERO D/ABD1, document 700260, *Brompton [Brampton] c. Collin*, 24 November 1620. This speech of Felix Blackman is reported by the accused Isabell Collin’s ex-servant Alice March in answer to the Interrogatories of the defence. Blackman himself actually only deposes later, on January 31 and February 1 1621, in what looks to be a defamation case by Isabell Collin against Brampton (ERO D/ABD2).

was “characterised by mutual masturbation, much kissing and fondling, and long hours spent in mutual touching.”<sup>75</sup> As a result, the distinction between touches which could still be regarded as non-transgressive (even though not exactly innocent) and those which crossed a line may have been open to much negotiation and subjective evaluations, and quite probably would have differed greatly from our own conceptions today.

Laura Gowing has remarked upon the conventionality of many court narratives and suggested that their formulaic nature offered the simplest way of describing sex even outside the jurisdictional context.<sup>76</sup> Ultimately, I would argue, the conventions of ecclesiastical law did not only have a powerful paradigmatic effect on ordering the witnesses’ narrations,<sup>77</sup> but also on conditioning the perceptions as well as the actions of witnesses *outside* the direct juridical context. Consequently, the formulae which are relevant in the legal context can be used to allude to sexual transgression in other media, not only in prescriptive texts, but also in broadside ballads, mocking rhymes, and plays which shall be discussed in more detail in the course of this study.<sup>78</sup> The boundaries between these genres appear to have been rather fluid. What started as a mocking rhyme based on a ‘real-life’ incident, for instance, might be turned into a ballad and be sent to London for print, thus transcending the immediate boundaries of the rhyme’s original local context. Finally, it might end up as the object of a legal investigation in a libel suit.<sup>79</sup> Also, images of transgression drawn from literary contexts such as prescriptive sources could be productively used as insults.<sup>80</sup> If these cases were taken to court, those images were then framed as transgressions and (re)introduced into judicial discourse and framed accordingly.

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<sup>75</sup> Hitchcock (2001: 191).

<sup>76</sup> Gowing (2003: 103). However, one must add here that we do not know how witnesses ultimately described sex, and what they would have considered the ‘easiest way’ to do so, since scribes transferred their depositions into writing, and, probably, also shaped them in accordance with the requirements of the legal situation. The “simplest way of *describing sex*,” (my italics) therefore, may ultimately only be the simplest way of dealing with the legal aspects of sex.

<sup>77</sup> Beaver’s (1998: 82) comment that “[t]o describe a local conflict in terms actionable in the church court was itself a powerful act and commonly involved the violence of the spoken word,” points into the right direction yet operates on a very narrow sense of violence which does not grasp the deep sense in which discourses and power structures shape not only narratives but also possibilities of perception and action.

<sup>78</sup> Adam Fox (1994: 70f), for example, cites just such a mocking rhyme turned ballad (which then turned into the object of a libel suit), which shows structural parallels to court records and employs similar clues. Kathleen McLuskie (1992: 122) notes that “[i]n their formulaic repetition of the details of sexual encounters and their public display of narratives of sexuality, the church court depositions suggest interesting connections with the representation of sexuality on the contemporary stage.”

<sup>79</sup> Fox (1994: 70f.).

<sup>80</sup> Fletcher (1995: 123).

## 1.2.2. Prescriptive Texts

Prescriptive texts which elaborated on the ideal relationship between husband and wife, such as conduct books and household manuals, were very popular in early modern England, particularly between 1590 and 1640.<sup>81</sup> Most of them were written by – predominantly Puritan – Englishmen who turned their sermons into books of varying length. Some were only small volumes, others were big, extensive tomes. One of the most successful and also longest exemplars, William Gouge's *Of Domesticall Duties*, covers nearly 700 pages. Notably, the vast majority of these books were based on texts which were designed for rendition, i.e. performance, in church, for instance in marriage sermons. These texts were concerned with moral-religious issues, but they were also intended as practical guides to running a household, discussing not only male and female roles within marriage, but also the relationship between parents and children, masters/mistresses and servants, and among neighbours. They thus constructed marriage in terms of household responsibilities,<sup>82</sup> and placed it firmly in a social, i.e. public and communal context, as one important relationship in a wider social web.<sup>83</sup> This was a socially marked conception of marriage and household government as conduct books specifically addressed an (increasingly literate and increasingly self-conscious) urban (upper) middle-class Protestant audience.<sup>84</sup>

Earlier critics have claimed that conduct books presented a radically new, Puritan<sup>85</sup> and more companionate conception of marriage, yet, as Kathleen Davies and Margo Todd have convincingly argued, Protestant marriage advice emphasised older discursive patterns of Catholic humanist tradition.<sup>86</sup> However, whereas pre-Reformation books on marriage had primarily been written for 'professionals,' to inform priests about the details of canonical marriage regulation, these late sixteenth- and early seventeenth-century books on marriage were now produced for – and shaped by – an emerging literary market. Kathleen Davies even considers the changing demands of the book market "the single most important factor in any

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<sup>81</sup> A second wave of conduct book popularity gathered force after the Restoration and reached its zenith in the eighteenth century. While earlier manuals had addressed both husbandly and wifely duties, many books were now written specifically for men or women. Cf. Fletcher (1999: 420), also Tague (2001), Foyster (1999: 213).

<sup>82</sup> Cf. Orlin (1994: 3).

<sup>83</sup> Cf. Dubrow (1990: 10).

<sup>84</sup> Davies (1981: 76), cf. also Bristol (2005: 130).

<sup>85</sup> Importantly, as Patrick Collinson and Peter Lake have argued on numerous occasions, Puritans (at least those who remained in England) before 1640, were Anglicans, i.e. they remained part of, and existed under the supremacy of the Church of England. Cf. Hill (1989: 104).

<sup>86</sup> Davies (1981), Todd (1980: esp. 19), also Todd (1987: esp. 100). Catholic views on marriage, moreover, were far from homogeneous. Cf. Dubrow (1990: 13). Christopher Hill (1989), on the other hand, has cautioned that many ideas which are too easily ascribed to 'humanist' traditions, in fact, originate from older dissenting movements.

analysis of [these] texts.”<sup>87</sup> Advice authors, it seems, strategically positioned themselves on this market, as they “were very consciously creating a new genre intended to rival ballads, plays and satirical tracts.”<sup>88</sup> Apparently, their strategy worked as these tracts were very successful. But what made them so popular?

Conduct books and household manuals, as Anthony Fletcher has argued, provided guidance for the ‘middling sort’ of (urban) householders “who needed reassurance about the stern and authoritative role their puritan faith made them feel called upon to play in their own households.”<sup>89</sup> This, however, should not lead us to the conclusion that these various texts were simply only *affirmative* of certain patriarchal notions. Marriage manuals are rather predictable in their reiteration of certain directions, most notoriously, as noted by countless critics, the wife’s subjection to her husband. Yet, Heather Dubrow suggests, they are also striking in their degree of inconsistency. Among different texts, but also within a single book they retain sufficient ambiguity to give the gender norms they purported a certain flexibility which allowed space for individual application.<sup>90</sup> Moreover, their formal attributes which often included subheadings, individual chapters concerning husbands’ and wives’ responsibilities, and indexes guiding both male and female readers to the sections of their individual interest, encouraged selective reading.<sup>91</sup> Thus, not only could the husband find reassurance concerning his wife’s duties, but the wife, too, if she could read (and numbers of women who could were increasing)<sup>92</sup> or found someone to read for her, might acquaint herself with the specific, numerous duties of her husband. My objective in examining these texts will thus be to shift the critical focus from female subjection and insubordination towards questions of government (which I think reflects early modern concerns), and to show that the “complex configurations of gender and authority” and hence the “problematic nature of constructing patriarchal authority”<sup>93</sup> pervaded even prescriptive texts.

The question how conduct book advice related to the actual established practice(s) of everyday matrimonial life is still somewhat unresolved. Kathleen Davies has contented that conduct books were *descriptive* rather than *prescriptive* as their authors drew heavily on pre-established discursive traditions and sketched existing marital practice rather than presenting a wholly new ideal of marriage.<sup>94</sup> Others, however, have suggested that these tracts did *not*

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<sup>87</sup> Davies (1981: 61).

<sup>88</sup> Fletcher (1995: 116).

<sup>89</sup> Fletcher (1995: 116).

<sup>90</sup> Dubrow (1990: 12ff.).

<sup>91</sup> Dubrow (1990: 12).

<sup>92</sup> Cf. Hull, S. (1996: 24).

<sup>93</sup> Cf. Braddick & Walter (2001: 18).

<sup>94</sup> Davies (1981: 76).

reflect conjugal life, but that their precepts were precisely contrary to common practice; so much so that the possibility of their application, especially where wifely reverence and obeisance was concerned, was quite simply unrealistic.<sup>95</sup> “Much of the conduct book advice,” Anthony Fletcher has argued, “as an instrument of creating gender, flew in the face of the established dynamics of London middling-sort households.”<sup>96</sup> Quite clearly, these tracts did not simply reflect social reality – if everybody had already behaved in the ways they described, nobody would have needed their instructions. Still, if they had described completely revolutionary practices, readers would have found it difficult to relate their suggestions to their own lives. Advice authors constructed the conjugal relationship as something which firstly can be regulated and which presently needs to be regulated. Their aim was clearly to shape and construct social reality, and surely, these books in their material form as well as the views and attitudes they presented were *part* of the social reality of that time. As *performance* instructions, their success is difficult to assess.

### 1.2.3. Fictional Texts and Performances

Conduct books and marriage manuals were not the only texts with didactic objectives. The usefulness and didactic drive of theatrical plays could always be (and, in fact was) defended by reference to the Horatian formula of *prodesse* and *delectare*. On the other hand, conduct books also needed certain entertaining elements in order to engage their audiences. One of the best examples in this respect is William Whately’s *Bride Bush* (1623). Similarly, popular broadside ballads, which have often been dismissed as trivial entertainment, may be considered as didactic.<sup>97</sup> Even though ballads, whether in oral or written form, seem to have been appreciated at all social levels,<sup>98</sup> Sandra Clark has argued that they may have operated in a similar fashion for lower classes as conduct books designed for the ‘middling sort,’ “counselling the young on marriage choices, advising the unhappily married how best to deal

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<sup>95</sup> Cf. Fletcher (1995: 116).

<sup>96</sup> Fletcher (1995: 117). From a slightly different perspective, Rüdiger Schnell (1997a: 24f.) has maintained that the gender models in early modern prescriptive texts very often do not refer (back) to social reality, but are largely attributable to the conventions of this particular genre. Of course, the fallacy of this argument lies in the relationship of the intentionally didactic texts to the social reality the text itself takes as given – and malleable. From a post-structuralist viewpoint, Schnell conceives of reality as only residing in the text itself, without acknowledging that a didactic text really creates two realities: the idealised one it is advancing, and the one beyond the level of the text, which it is attempting to actively influence. Furthermore, many of the gender codes which those prescriptive texts put forward are not restricted to this genre of writing, but can be traced across genres.

<sup>97</sup> Cf. Foyster (1993: 7).

<sup>98</sup> Watt (1991: 12).

with their situation, describing possible courses of action and their consequences.”<sup>99</sup> With regard to marriage, both genres treated the same basic issue, namely, “how a man could best show his competence as master of the household.”<sup>100</sup> Though focused on (mostly comical) entertainment, ballads took marriage seriously, as a process of negotiation between spouses.<sup>101</sup> Some ballads offered practical, others fantasy solutions,<sup>102</sup> but where marriage was concerned, they usually emphasised prudence, pragmatism and economic efficiency.<sup>103</sup> We may argue that plays, especially the (mostly comical) ones set in lower and middling social milieus and dealing with marital issues, functioned in similar ways.

Yet similarly to conduct books, the didactic effects of popular literature are difficult to determine. Historians of the early modern period have increasingly utilised popular literature, especially broadside ballads and plays, to gain insights into domestic affairs and popular attitudes on marriage and sexuality, particularly among the lower classes.<sup>104</sup> Popular literature may be regarded just as influential in generating and reinforcing gender roles as conduct books, maybe even more so. As Anthony Fletcher has argued, “[m]en learnt their gender role from watching plays and listening to ballads sung in the market place besides watching and listening to their elders. A few read the weighty and sober tomes produced by puritan clerics about marital and household duties. Many more bought and read ballads.”<sup>105</sup> What this also suggests is that, even if we study the written and printed texts that have come down to us, the instruction in and enforcement of social norms, honour codes and gender roles was (and is) a multi-faceted, multi-medial process, which also included watching and listening not only to plays, ballads and sermons, but also to one’s immediate family and neighbours. The didactic dimension of neighbours’ (inter)actions, therefore, must not be underestimated. The interactions between neighbours and family which people witnessed in their homes, in church or in the marketplace had a different quality, of course, than the performances they saw on stage. But, as Elizabeth Foyster points out, works of literature and theatrical performances “can be seen as historical events which had a material existence.”<sup>106</sup> For example, Anthony Fletcher maintains that “*The Taming of the Shrew* is probably the most profound statement about early modern courtship that we have. Its rich and deeply complex exploration of human

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<sup>99</sup> Clark (2002: 121).

<sup>100</sup> Fletcher (1995: 118).

<sup>101</sup> Clark (2002: 120).

<sup>102</sup> Cf. Fletcher (1995: 118).

<sup>103</sup> Clark (2002: 121).

<sup>104</sup> Cf. Spufford (1981), Sharpe (1986), Orlin (1994), Gowing (1996), Cressy (1997), Foyster (1999), Clark (2002).

<sup>105</sup> Fletcher (1995: 105).

<sup>106</sup> Foyster (1999: 14f.).



relationship and patriarchal stringencies makes conduct book stipulations in choosing a wife look simplistic.”<sup>107</sup> I would not go as far as Amy Lou Smith who, in her doctoral thesis on *Performing Marriage in Early Modern England*, classifies the marriage ceremonies presented in contemporary dramatic texts as thick descriptions (of existing ritual practice). Still, I concur with her call for close readings of both dramatic and non-dramatic texts.<sup>108</sup>

Literary texts were clearly not simply descriptive of contemporary ritual practice. Yet they reflected them in certain ways. As David Cressy points out, “the literary depiction of wedding festivity tended to be deeply conservative, self-consciously antique, and mildly lascivious.”<sup>109</sup> Moreover popular literature reflected back on real life practices. Plays were influential in changing sensibilities towards certain issues like love and marriage, and thus, as Martin Ingram has proposed, they should be studied as part of the history of the family in this period.<sup>110</sup> For instance, just as ballads were performed as part of wedding celebrations, people may “have modelled their wedding festivities on ballad traditions.”<sup>111</sup> Literature does not simply ‘mirror’ (historical) reality. There is a complex interplay, a circulation between literature and history, or as Elizabeth Foyster has put it, “each created the other.”<sup>112</sup> I consider Catherine Belsey’s take on the matter most pithy:

“No sane person would now look to Hollywood movies for the truth of contemporary social practice; any future social historian who saw our advertisements as depicting our actual way of life would be seriously misled. At the same time, the popular appeal of film and advertising, and their corresponding commercial success, depend to a high degree on their inscription of widely shared ideals, fantasies or values. We live our lives in relation to these dreams, in self-congratulation, disappointment, or resignation. ‘Life,’ we recognize, is not like fiction. At the same time, however, fiction generates hopes, desires, aspirations, and these, too, are lived; popular texts affirm norms and proprieties which we adopt, with whatever anxiety, or repudiate.”<sup>113</sup>

Literature engenders cultural meanings. It can provide clues to past assumptions, beliefs, values and attitudes; give insight into the emotional dimension of contemporary issues. As ballads, plays, and conduct books, for that matter, were created to suit the demands of an

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<sup>107</sup> Fletcher (1995: 107).

<sup>108</sup> Smith (2000: 5), cf. also Smith (2002).

<sup>109</sup> Cressy (1997: 361).

<sup>110</sup> Ingram (2005: 107).

<sup>111</sup> Cressy (1997: 368, 371).

<sup>112</sup> Foyster (1999: 15). Similarly, Mary Beth Rose (1988: 1) has argued that drama not only articulated and represented cultural change, but participated in it. Cf. also Kastan (1999: 16).

<sup>113</sup> Belsey (1999: 8).

established market for products of popular culture,<sup>114</sup> they dealt with issues of current interest and importance, and probably reflected widely held attitudes, using, albeit creatively, contemporary stereotypes of desirous and deviant masculinity and femininity.<sup>115</sup> Ballads in particular, but also plays, as for example Middleton's *The Witch* (c. 1609-1616), or the anonymous *Arden of Faversham* (1592), picked up contemporary news stories, and court cases.

In Stephen Orgel's words, "theatres are viable only insofar as they satisfy their audiences."<sup>116</sup> This seems also particularly pronounced in the production and selling of broadside ballads whose authors and vendors (unlike many theatre companies) could not rely on patronage but made their income only from sales.<sup>117</sup> Ballads enjoyed enormous popularity and were a vital part of everyday culture.<sup>118</sup> For all we know, they were produced by hack writers and presented and sold by hawkers and chapmen.<sup>119</sup> They were sung to particular, popular tunes which are usually noted on the broadsheet. The printed text was also often adorned with an illustrative woodcut, which indicated that ballads might also be put up on walls of alehouses and private homes, even those of illiterate cottagers.<sup>120</sup> As Tessa Watts has nicely put it, "the printed ballad was only the visible tip of the iceberg. Ballads could be chanted out by petty chapmen, performed by travelling players, danced to at bride-ales, harmonized, or shouted as insults."<sup>121</sup> Like plays, ballads were thus a multi-medial affair, but they were cheaper, much more accessible and suited to a greater variety of contexts. Natascha Würzbach has described them as "a kind of early bestseller."<sup>122</sup> Their form allowed for great versatility in terms of taking up news and current issues, adopting different perspectives, and exploring different roles as well as literary methods or song types.<sup>123</sup> They also alluded to the popular practice of rhyming, of composing funny or malicious verses on current neighbourhood issues, or rather, on certain neighbours – which were considered libels in a judicial context and have come down to us in the respective records. Sometimes, what started out as a short ditty made up by locals could end up as a full-fledged printed broadside ballad circulated widely across parish or county borders.<sup>124</sup> Similarly, the texts of existing printed

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<sup>114</sup> Cf. Bristol (2005: 130-132).

<sup>115</sup> Cf. Orlin (1994: 13), Sharpe (1986: 73), Foyster (1999: 16).

<sup>116</sup> Orgel (1996: 11).

<sup>117</sup> Cf. Würzbach (1981: 41 & 46).

<sup>118</sup> Würzbach (1981: 37).

<sup>119</sup> Cf. Fox (1994: 47f.).

<sup>120</sup> Würzbach (1981: 44), Watt (1991: 12).

<sup>121</sup> Watt (1991: 37).

<sup>122</sup> Würzbach (1981: 44).

<sup>123</sup> Würzbach (1981: 45), Watt (1991: 13).

<sup>124</sup> Fox (1994: 71).

broadsides could be easily adapted to reflect local settings and affairs.<sup>125</sup>

Both ballads and plays, even the ones designed for private theatres, reached a socially mixed audience of both literate and illiterate people.<sup>126</sup> Though they were written by men, they clearly addressed both male and female members of the audience, which means that we cannot categorise the depictions in them simply as fantasies designed by men for men.<sup>127</sup> Playgoing did not merely mean passively watching a performance. The interactions among the audience may often have reflected the actions on the stage as the theatre was a place for exchanging gossip and news, for flirting, establishing sexual relationships, and even for carrying out arguments and conflicts.<sup>128</sup> Moralists, as is frequently noted, were concerned about the moral quality of the instructions gained from popular literature and plays. For instance, they might consider stage plays as provoking adultery.<sup>129</sup> However, playgoing was not the only activity whose moral repercussions they worried about, but also common ritual forms and neighbourly interactions, of which making rhymes and reciting ballads would have been a part.<sup>130</sup>

Let us examine the characteristics of contemporary literary texts more distinctly. Some critics view literary texts as primarily self-contained, referring to other literary texts and the demands of their genre, but not social reality. Questioning these preconceptions, David Kastan has drawn attention to the social reality of the literary production of plays. Even Shakespeare, he argues, “had no specifically literary and small financial interest in his plays. He wrote scripts to be performed, scripts that once they were turned over to the company no longer belonged to him in any legal sense and that immediately escaped his literary authority and control.”<sup>131</sup> Shakespeare’s plays, Kastan points out, “came into being not merely as products of Shakespeare’s unrivalled imagination but as the result of the sustaining activities of the playhouse and the printing shop,”<sup>132</sup> over the latter of which Shakespeare did not take any control whatsoever,<sup>133</sup> just as he could not influence what meanings the public frequenting the

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<sup>125</sup> Watt (1991: 37).

<sup>126</sup> The notion that private theatres excluded the citizenry, Ian Archer (2005: 69) comments, is probably false. “However far the private theatres may have sought to establish an exclusive clientele, they could not resist the pressure of the lower orders to ape the manners and lifestyles of their superiors.”

<sup>127</sup> Gurr (2004: 49-69), Clark (2002: 119), Orgel (1996: 10).

<sup>128</sup> Orgel (1996: 26), Foyster (1999: 19).

<sup>129</sup> Cf. Fletcher (1995: 115).

<sup>130</sup> Daniel Rogers, for instance, lists a whole catalogue of activities which further sexual immorality, among them not only drinking, gaming, visiting alehouses, attending wakes, dancings, and festivals, stageplays, seeing people cross-dressed, reading sonnets or “amorous books,” but also “lestings and unsavory, rotten communications, allusions, similitudes and discourses” in general. Daniel Rogers *Matrimoniall Honour* (London, 1642), 174.

<sup>131</sup> Kastan (1999: 33).

<sup>132</sup> Kastan (1999: 19).

<sup>133</sup> For a recent exploration of the editing and printing process of plays in Shakespeare’s time see Massai (2007),

theatre and the bookstalls would draw from his work. At every stage of production, therefore, “Shakespeare’s art solicits other intentions that interact with his work to produce the meanings the text conveys.”<sup>134</sup> The bard made the bulk of his money not from commissions or royalties on his plays, but from being a shareholder in the acting company. He was thus primarily an entrepreneur, and this was “in no way unusual.”<sup>135</sup>

Moreover, “despite Ben Jonson’s efforts to establish his plays as a form of high culture, plays remained subliterate, the piece work of an emerging popular entertainment industry.”<sup>136</sup> Plays were usually composed on demand for the companies and were written quickly to suit the necessities of the theatrical repertory.<sup>137</sup> Thus, “the conditions of playwriting alone,” Kastan maintains, “militated against literary tradition.”<sup>138</sup> Plays were not “autonomous and self-contained literary objects,” but “provisional scripts for performances,” which were the products of multiple collaborations on all levels of their production.<sup>139</sup> Very few of them, perhaps one in ten, were actually published in print, and those that were printed were usually not authorial texts, but theatrical versions,<sup>140</sup> even though they might contain material which had been cut from (or later added to) the text which had been enacted on stage.<sup>141</sup> Though some authors, among them Middleton, Webster, and Jonson,<sup>142</sup> became increasingly interested in overseeing the publishing of some of their works, the author’s name on the printed book (if given at all), still served primarily as an advertising strategy rather than as an acknowledgement of his ultimate *authority* on the published text. Literature remained a product of complex social practices.<sup>143</sup> Kastan remarks, “the very category of literature is unstable, at different times encompassing different classes of utterances. It is less a coherent

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who suggests at one point that Shakespeare “may indeed have decided to check the of the Wise Quartos” himself. “However, if he did so, he intervened rather more like one of the early modern readers who introduced sporadic manuscript corrections in the printed playbooks [...] than as the transcribing or the revising author envisioned by late twentieth- and early twenty-first-century scholars like E.A.J. Honigman and Lukas Erne” (105).

<sup>134</sup> Kastan (1999: 19).

<sup>135</sup> Kastan (1999: 33). This view of Shakespeare is in now way unusual, either. In fact, this is the Shakespeare which, in Catherine Belsey’s (2006: 170) words, “most of us have come to take for granted, man of theatre, populist, indifferent to posterity and, indeed, his own writing as art.” In contrast, Lukas Erne (2003) has recently revived the argument (prominently made by W.W. Gregg) that Shakespeare was writing for posterity and perceived himself as a literary author after all. One may conclude with W. B. Worthen (2005: 218) that “Erne’s reading enacts the ongoing problem of plays in print, the ways print reshapes and rearticulates the dual identity of drama [in writing and performance].”

<sup>136</sup> Kastan (1999: 33).

<sup>137</sup> Kastan (1999: 34 & 36).

<sup>138</sup> Kastan (1999: 36).

<sup>139</sup> Kastan (1999: 33).

<sup>140</sup> Kastan (1999: 34f.).

<sup>141</sup> Cf. Erne (2003: chapters 6 & 7), cf. Worthen (2005: 218).

<sup>142</sup> Cf. Worthen (2005: 219).

<sup>143</sup> Kastan (1999: 36 & 38).

system of representations than a constantly rearticulated ensemble of signifying acts.”<sup>144</sup>

These observations strongly influence my own understanding of early modern literary texts.

I have chosen texts not for their literary merit or canonical status, but solely for their thematic relevance. Many of the plays and ballads I discuss have not received much critical attention. I have chosen to base my analysis on comedies and comic plots as they reflect my general focus on lower- and middle-class attitudes and concerns about household matters and marriage. Genre, however, is an abstract category which falsely suggests homogeneity. The proliferation of mixed dramatic genres such as ‘tragicomedy’ on the late Elizabethan stage bears particular evidence to this. And as David Cressy has argued, even court records were characterised by a specific blending of genres, by a “mixture of reportage, prescription, book-keeping, special pleading, selectivity, and fiction that so often renders” inherent in these testimonies, which we regard as factual “evidence” mainly in accord with established historical principles.<sup>145</sup> Analogically, we need to be aware of the allusions to current real life events and concerns in stageplays, ballads and conduct books. From the perspective of cuckold humour, David Turner speaks of a “*shared culture* of insults, jokes, ballads, plays and proverbs.”<sup>146</sup> This is what interests me here. It is precisely this “defiance of taxonomy,”<sup>147</sup> these intersections between genres of early modern texts, in which early modern notions of marriage and adultery were negotiated.

The cultural meanings of marriage and adultery, in their full profundity, however, were not generated and constituted through different texts, but in social interactions and relationships, i.e. cultural *performances*.<sup>148</sup> These original interactions, of course, are inaccessible to us, and all which remains are texts and, to some extent, images and material artefacts. Naturally, this presents methodological problems. I can explore the social construction of adultery largely through these remaining texts, yet the awareness of its basis in interaction and performances permeates my discussion at every level. Although I share basic new historicist premises, I do not solely perceive of culture as text, but as performance, too. Consequently, I have endeavoured to choose texts which have in common a specific focus on performance: court records which were generated in the theatrical process of law, in which witnesses and judges, but also defendants played certain roles, conduct books which were performance instructions, but which were based on texts designed for performance, as were

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<sup>144</sup> Kastan (1999: 48).

<sup>145</sup> Cressy (1997: 7).

<sup>146</sup> Turner, D. (2002: 84), my italics.

<sup>147</sup> Orlin (1994: 10). Cf. also Fletcher (1995: 21) who notes “a remarkable consistence across the genres in the reiteration of the central gender precepts.”

<sup>148</sup> Cf. Schechner (2002: 24): “Performances exist only as actions, interactions and relationships.”

broadside ballads and plays.

In accordance with this focus on issues of performance, let me introduce another voice into these reflections: that of (the anthropological strand of) performance theory. I am particularly interested in the fruitful dialogue between Victor Turner and Richard Schechner, specifically where it concerns the distinction between natural and aesthetic theatre,<sup>149</sup> the connection between aesthetic or stage drama and social drama, and, generally, the social functions of drama and performance. Schechner has repeatedly stressed the codependency, or the “positive feedback” between social and stage drama.<sup>150</sup> Thus, not only do social and political (inter)actions inform the stagings of aesthetic drama, but, in turn, the theatrical techniques actualised in stage drama shape people’s consciousness to form a hidden fundament of visible socio-cultural (inter)action. The basic distinction, according to Schechner, is between *efficacy* (marked by active audience participation, effectuation of transformations and results) and *entertainment*, not between ritual or ‘real life events’ and theatre.<sup>151</sup> For Elizabethan theatre, however, the convergence between efficacy and entertainment, seems to be particularly pronounced.<sup>152</sup> Conversely, it is thus not without cause that Bernard Capp, in his explorations of certain forms of early modern English neighbourly interactions, has used the term of “street theatre” to capture his subject.<sup>153</sup> In his essay “Ethology and Theatre,” written for the first edition of his *Performance Theory* in 1977, Schechner identifies a common base of different kinds of theatre:<sup>154</sup>

“I think all kinds of theater - that on show in theaters or churches, that of rites of passage, that of sports, that accompanying official displays of power, and that happening on a microsocial level in play and daily routines - comprise a single system

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<sup>149</sup> Natural theatre, in Schechner’s (2003: 209) terminology means “the kind of theater that happens in everyday life. There is no need to stage or (re)create it. When an incident happens or a dispute is played out in public, people will watch.” Victor Turner’s term ‘social drama’ largely corresponds to this, but it denotes rather specific interactional structures and sequences (as formulated by Turner). Aesthetic theatre, on the other hand, means drama specifically created for the stage.

<sup>150</sup> Schechner uses the image of an infinity loop to visualise his conception of the relation between aesthetic and social drama and the “positive feedback” which works in both directions. Cf. Schechner (2003: 214f.). What distinguishes aesthetic drama from social drama according to Schechner (2003, 192), however, is the involvement of the audience in the dramatic action: In aesthetic drama, the audience, while participating in the performance, is separated from the dramatic action. On the other hand, in social dramas all present are participants in the dramatic action, even though their degree of involvement may differ.

<sup>151</sup> Schechner (2003: 130).

<sup>152</sup> Schechner (2003: 134).

<sup>153</sup> Capp (2003: 95 & 197ff.).

<sup>154</sup> “Theatre,” according to Schechner (2003: 87), means “the specific set of gestures performed by performers in any given performance,” and I think this definition applies to the above-cited passage. Generally, however, I would argue that the one weakness of Schechner’s book is its slight terminological incoherence: In another essay, for example, Schechner (2003: 156) opposes theatre to ritual with the intention of distinguishing between efficacy/ritual and entertainment/theatre. It is doubtful whether this categorisation can do justice to the above-mentioned definition of theatre since “any given performance” would have to include ritual.

of script, scenarios, disguises, displays, dances, impersonations, and scenes.”<sup>155</sup> It is precisely this common system of symbols and codes, this network of signs which structures both social life and the aesthetic representations which are part of it which I take as a point of departure for my explorations.<sup>156</sup> From this perspective, the relation between ‘theatre’ and ‘real life’ shifts significantly. “There is no such thing as unperformed or naturally occurring real life. All behaviour is ‘twice-behaved,’ made up of new combinations of previously enacted doings.”<sup>157</sup> All behaviour is citation, reiteration. This appears to correspond to Barthes’ conception of the text as “a tissue of quotations drawn from innumerable centres of culture.”<sup>158</sup> Theatrical performances, according to Schechner, cite one thing: other performances, even though, of course, the social relevance of these performances differs in different contexts. This is a theoretical approach which has greatly influenced my thinking about early modern adultery. In the wake of post-structuralism, Schechner insists, we may now understand “just about all aspects of human thought, expression and behaviour” as determined and shaped by performance and “her sister, the performative.”<sup>159</sup> Rather than reading culture as text, Schechner has proposed that we “pay closer attention to behaviors, to actions enacted, and of course to the complex social, political, ideological, and historical contexts not merely surrounding behaviour, but profoundly interacting with it. Meaning radiates from those interactions, from what happens among performers and between performers and performance contexts.”<sup>160</sup> Thus, Schechner has repeatedly asserted that “anything and everything can be studied as performance phenomena” if one addresses the specific issues with the right (performance) questions, i.e., “questions of behaviour, enactment and reception,” and he sees this endeavour reflected in the (post)modern critical turn towards cultural studies.<sup>161</sup> “The materials of cultural history,” as Catherine Belsey suggests, “reside in the signifying practices of a society, and these include its fictions, where meanings and values are defined and contested for the delight and instruction of an audience which is expected to understand a proportion, at least, of what is at stake.”<sup>162</sup> I would thus consider ‘signifying practices,’ though in a more interactional, performative sense than intended by Belsey, as a quite fitting term of what I aim to describe.

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<sup>155</sup> Schechner (2003: 235).

<sup>156</sup> Cf. also Gallagher & Greenblatt (2000: 7).

<sup>157</sup> Schechner (2003: 186).

<sup>158</sup> Barthes (1977: 146).

<sup>159</sup> Schechner (2000: 5).

<sup>160</sup> Schechner (2000: 4).

<sup>161</sup> Schechner (2000: 4).

<sup>162</sup> Belsey (1999: 8). Cf. also Kastan (1999: 39): “Meaning, therefore, should be sought precisely in the webs of engagement that permit a text to be written, printed, circulated and read.”

I treat my texts and interactions as exemplary cases of sometimes anecdotal character, and I do not propose a historically-statistical ‘representativeness’ of my findings. From the wealth of all the facets and meanings this issue had in actuality, I abstract one story of adultery, and I do not suggest that this is the only cultural history of early Stuart adultery which can be written. There certainly are others which, from different vantages, may arrive at different conclusions. There was not one ultimate conception of adultery. “Infidelity,” in David Turner’s words, “was not a monolithic category of existence.”<sup>163</sup> We only have a net of interacting, interdependent codes and meanings from which to forge our narrative of one possible cultural reality of infidelity.<sup>164</sup> The texts from which I construct my argument are the products of many voices and defy simple, homogeneous interpretation. Thus, my own narrative defies ultimate closure. I circle my subject of interest, examining the same texts and similar thematic points from different perspectives. I do not propose to chart a certain historical development or shift in the popular understanding of adultery in the period in question. I present a version of a state of affairs. However, I would maintain that this is a state of affairs which is marked by a certain sensitisation concerning issues of marriage, gender order and sexual morality.

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<sup>163</sup> Turner (2002: 19).

<sup>164</sup> Cf. Turner (2002: 19).



## 2. Approaching Early Modern Marriage and Adultery

*“More ‘longs to marriage than four bare legs in a bed.”*

Proverb<sup>1</sup>

*“For ordinary people, and for virtually all women, marriage has never been just a private matter between individuals.”*

John Gillis<sup>2</sup>

### 2.1. Insecurities Surrounding Marriage

Marriage, according to early modern English authors of sermons and conduct literature, was the linchpin of social order.<sup>3</sup> Marriage also had political relevance, for example, as the relation between husband and wife was most commonly used as an analogy in discussions of contract theory of the state,<sup>4</sup> and monarchical power could be legitimized by analogical reference to the marital bond.<sup>5</sup> Marriage created the domestic sphere which could be understood as the site at which the application of authority was practised. Married status (and successful householding) was thus a crucial element to respectability and hence a prerequisite for access to public offices on a local level. In all probability, most men who held public offices of any kind were married.

It is surprising indeed that an institution to which was ascribed such stabilising, authoritative force, was, in actual practice surrounded by much confusion.<sup>6</sup> This uncertainty concerned all aspects of marriage, the point of its initiation, its everyday practice, and its conclusion. There were sustained attempts of both church and state to control marriage, there was a powerful moral-religious discourse which sought to restrict sexuality to marriage, but much of the actual cultural practice of marriage defied strict regulation. “It is fair to say,” Lawrence Stone has thus remarked, “that before 1753 [i.e. Lord Hardwicke’s Marriage Act,

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<sup>1</sup> John Ray, *A Collection of English Proverbs* (London, 1670), 48.

<sup>2</sup> Gillis (1985: 4).

<sup>3</sup> Fletcher (1995: 101); Ingram (1987: 141), Foyster (1999: 66); but cf. Keith Wrightson (1980) who suggests that the concept of ‘order’ must be contextualised and that there may have existed a conceptual difference between the order of a village and that of the state.

<sup>4</sup> Amussen (1988: 57).

<sup>5</sup> Jonathan Goldberg (1986), for example, has drawn attention to the contemporary concepts of fatherly authority and the way James I based his monarchical authority on the concept of marriage.

<sup>6</sup> Amussen (1988: 111), Dabhoiwala (2000: 91), Fletcher (1995: 10), and Stone (1992).

V.P.], marriage was to a considerable extent out of the control of either church or state, in spite of half-hearted attempts by both to hang on to the reins.”<sup>7</sup>

The first problem, as strange as it may appear to modern students of cultural history, is that it was often difficult to define the precise starting point of marriage. There existed elaborate courtship rituals – so elaborate, in fact, that Sara Mendelson and Patricia Crawford have spoken of a “culture of plebeian courtship” which characterised a whole period in young people’s lives, roughly between puberty and their mid-to-late twenties, the time at which most people married.<sup>8</sup> Part of these courtship customs were not only long periods of courting and negotiating, but also exchanging gifts and tokens, sexual intimacies, and, significantly, promises.<sup>9</sup> Thus, in an act called ‘spousals’ or ‘handfasting,’ man and woman (alone or in front of witnesses) might promise to take each other as man and wife (in words *de praesenti*), or they might agree that they would marry in the future (in words *de futuro*).<sup>10</sup> Even more significantly, these promises, even if unwitnessed, were potentially legally binding. Contracts made in words *de praesenti* were immediately valid. Thus, even though the church had made sustained attempts to ensure that unions were properly publicised, in church law, a simple consensual pledge to take each other as man and wife, theoretically, was all it took to make a marriage. Marriages which were not formalised through banns and solemnisation in church were considered *irregular* (which meant that couples could be punished for leaving their union unsolemnised), but they were binding. Of course, this does not mean that such marriages, especially when they were not properly attested or witnessed, were not liable to dispute.<sup>11</sup> Contracts in words *de futuro*, on the other hand, could be renounced under certain conditions,<sup>12</sup> and were nullified by later contracts *de praesenti* or official weddings in church. However, as a contemporary legal advice text argued, spousals could be dissolved for “fornication,” i.e., if one party was unfaithful, especially if this act of infidelity occurred “with

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<sup>7</sup> Stone (1990: 11).

<sup>8</sup> The classic accounts of the specific marriage pattern in early modern England are Wrigley & Schofield (1981) and Schofield (1985). According to them, the mean age of marriage for men in the period 1600-49 was 28, for women 26. Wrigley & Schofield (1981: 255 & 423-4). For a critical discussion see also Weir (1984).

<sup>9</sup> For a detailed discussion of courtship see Stone (1992: 7-12), and, more importantly, Cressy (1997: chapters 10 & 11).

<sup>10</sup> The exact tense, however, was not always easy to determine. For instance, does the example “I promise to take thee as my wife” constitute a promise in the future tense or one in the present tense (as opposed to “I promise that I will take thee as my wife”)? Also, does the acceptance (and the wearing) of certain tokens signify a formal acceptance of a marriage offer? Cf. Helmholz (1990: 70), Stone (1990: 53f.) and Stone (1992: 44-47).

<sup>11</sup> Ingram (2005: 100).

<sup>12</sup> Such (pre)contracts were nullified, for instance, if one partner had contracted a severe illness which made him or her sterile. Thomas Edgar, *The Lawes Resolutions of Womens Rights, or, The Lawes Provision for Woemen* (London, 1632), 55. Traditionally, spousals could not be dissolved if consummation (could be proven to have) occurred afterwards. Cf. Warnicke (1983: 9).

their kindred,” as the author said, carefully avoiding the term ‘incest.’<sup>13</sup> These rituals of courtship introduce an element of negotiation into matters of marriage and annulment which is also vital to our understanding of adultery. Without awareness of the significance of marriage promises, for instance, we could not understand that characters like Evadne in John Ford’s *The Broken Heart* (1633) who, having previously pledged herself to her love Orgilus, can consider her forced (mis)marriage to another man adultery. For the more determined young men and women in less tragic contexts engagement contracts could well serve as a tool to circumvent parental (or fraternal) influence in the choice of marriage partner.<sup>14</sup>

While sexual intimacy was commonplace during courtship,<sup>15</sup> spousals, whether in present or future form, appear to have been widely, yet not exclusively, accepted as legitimising full sexual intercourse.<sup>16</sup> However, as Laura Gowing has noted, given the relevance of love-tokens, jewellery, clothes and financial gifts in the long courtship process, “the distinction between paying for sex and offering marriage might not always be clear.”<sup>17</sup> Young couples tried to legitimise their pre-marital sexual relationships – if they came under question – by claiming that they were handfasted and intended to marry. Similarly, mothers of illegitimate children would almost habitually claim that they had been promised marriage by the child’s father.<sup>18</sup> Marriage thus appears to have been used as a definition in hindsight if a relationship had raised neighbourhood concerns, if it had come under official scrutiny, or if pregnancy ensued. With many courting couples, pregnancy, as Sara Mendelson and Patricia Crawford have observed, “would serve as a cue for church marriage.”<sup>19</sup> In consequence, Geoffrey Quaipe, notorious for his polemic view of the sexual mores of early modern English peasantry, has stated “[in] effect, for the peasant community, there was very little pre-marital sex. Most of the acts seen as such by Church and state were interpreted by the village as activities within marriage – a marriage begun with the promise and irreversibly confirmed by pregnancy.”<sup>20</sup> Indeed, there is evidence that espoused couples considered each other husband

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<sup>13</sup> Edgar, *The Law’s Resolutions of Womens Rights*, 55.

<sup>14</sup> Cf. Mendelson & Crawford (1998: 114 & 119).

<sup>15</sup> The practice modern commentators describe as ‘bundling,’ for instance, appears to have been common, in which men and women spent whole nights together, cuddling, kissing, and more, but not (usually) engaging in full sexual intercourse. Cf. Stone (1992: 9f.), Mendelson & Crawford (1998: 118), Cressy (1997: 243).

<sup>16</sup> Amussen (1988: 110), Cressy (1997: 277), Mendelson & Crawford (1998: 119), Ingram (2005: 99). Mendelson and Crawford (1998: 120) also point out that attitudes on this issue differed regionally.

<sup>17</sup> Gowing (2003: 32), cf. Cressy (1997: 263ff., 266).

<sup>18</sup> Gowing (2001: 53, 57), Ruggiero (1993: 18), Shoemaker (1998: 73), Cressy (1997: 280).

<sup>19</sup> Mendelson & Crawford (1998: 120). Historians base this conclusion on the fact that, while there were surprisingly low rates of illegitimacy at that time, bridal pregnancy rates were high. Cf. Mendelson & Crawford (1998: 121).

<sup>20</sup> Quaipe (1979: 61).

and wife and began behaving accordingly, not only on the sexual level.<sup>21</sup> These attitudes towards marriage, of course, should significantly influence popular perceptions of adultery and extend its relevance even to (officially) pre-marital relationships. Accordingly, the clergyman John Downname could define adultery as a sin “committed by those that are either married or betrothed.”<sup>22</sup> While not everybody might have shared this wide definition of adultery, it is clear that where the status of individual marriages was unclear, so was the categorisation of sexual activities outside them.

Another problem in determining whether someone was officially married or not were other forms of irregular (yet legally binding) marriages. For instance, these were marriages which had been conducted by a priest, maybe in church, maybe in other places, without proper licensing, without the preparatory publishing of banns, which had been solemnised in private rather than public ceremonies, or in prohibited seasons, on prohibited days or at times of day which were not officially designated for legitimate wedding business.<sup>23</sup>

In a society marked by high geographic mobility<sup>24</sup> and in which popular practices of contracting and bonding existed side by side and complementary to institutional formalisations of marriage, how could one tell if a couple was truly married?<sup>25</sup> “If a couple could not demonstrate that they had been lawfully married,” for instance because they could not provide an official document of solemnization or reliable witnesses, “how were their neighbours to know whether they lawfully cohabited, or whether they dwelt in fornication?”<sup>26</sup> David Cressy has asked. What is more, from Elizabethan times, the witnesses partaking in clandestine marriages seem to have come under closer scrutiny of the law, and were themselves subjected to disciplinary action.<sup>27</sup> As a result, it seems that fewer people were willing to appear as witnesses to clandestine marriages, which made them even harder to prove.<sup>28</sup> “Parties to clandestine marriages put themselves and their families at risk, but lawfully married couples might also arouse suspicion if they moved to a parish where their

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<sup>21</sup> Mendelson & Crawford (1998: 199f.).

<sup>22</sup> John Downname, *A Treatise Against Fornication and Adulterie*, in *Four Treatises Tending to Disswade All Christians from Foure No Lesse Hainous then Common Sinnes; Namely, the Abuses of Swearing, Drunkenesse, Whoredome, and Briberie* (London, 1609), 128-206, cit. 179.

<sup>23</sup> See Stone (1990: 96-120), Cressy (1997: ch. 14). According to Cressy’s (1997: 299) calculations, the Church of England marked 144 days as unsuitable for marriage. During these times, marriage was not totally impossible, but required special licenses and hence additional financial contributions. In addition, marriages could be solemnised only between eight and 12 o’clock in the morning, and everybody who married outside these ‘canonical hours’ was theoretically guilty of irregularity. Cressy (1997: 318).

<sup>24</sup> Cf. e.g. Sharpe (1998: 103).

<sup>25</sup> Cf. Stone (1992: 46).

<sup>26</sup> Cressy (1997: 329).

<sup>27</sup> Helmholz (1990: 71).

<sup>28</sup> Helmholz (1990: 72).

history was not known. Migrant couples, newly arrived from some distance, might readily be accepted as man and wife, but rumour or misbehaviour could call their status into question.”<sup>29</sup> Parish registers, of course, might provide answers to these questions, however, the usability of such information depended on a number of conditions, as David Cressy points out, “a combination of good record-keeping, document retrieval, co-operation, literacy, and luck.”<sup>30</sup>

While “the laws about the making of marriage were in practice too obscure,” according to Lawrence Stone, “the laws about the breaking of marriage were in theory all too clear.”<sup>31</sup> Canon law did not allow divorce, marriage was a ‘till death do us part’-affair. Yet at a closer look, in practice, the end of marriage was surrounded by just as much confusion. While Reformed Churches on the Continent had legitimised divorce for adultery, the English ecclesiastical marriage law still operated under the precept that all which could be obtained, and only in cases of extreme marital violence and adultery, was a separation from bed and board (*a mensa et thoro*), which did not allow either party to remarry, and in which case the husband remained liable for the support of his wife as well as any children which had been sired during the marriage, whether by him or other men.<sup>32</sup> It seems that more men sued for separation on the grounds of their wife’s adultery, while women more commonly sued for separation on the grounds of their husband’s cruelty<sup>33</sup> – of which, however, adultery could well be a part. There was also the possibility of having the marriage annulled if one had married within the prohibited degrees or if one could prove that a previous contract of marriage existed. Annulments made remarriage possible, and, according to Retha Warnicke, they were relatively easy to obtain, especially for members of the more privileged classes. Provided one had the money to see these church court proceedings through, “given enough time canon lawyers could almost always discover a case of consanguinity that extended even to spiritual relationships or a precontractual agreement to invalidate or annul a marriage.”<sup>34</sup> Yet while it seems that separation and annulment cases were not frequent,<sup>35</sup> the knowledge that it was legal to separate from one’s spouse for adultery and violence may have greatly influenced people’s attitudes towards these offences and may have facilitated unofficial separations.

At least the late sixteenth and seventeenth centuries appear to have been marked by

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<sup>29</sup> Cressy (1997: 329).

<sup>30</sup> Cressy (1997: 330).

<sup>31</sup> Stone (1990: 11).

<sup>32</sup> Cf. Orgel (1996: 115), Helmholz (1990: 77), Hill (1991: 295), Mendelson & Crawford (1998: 142).

<sup>33</sup> Gowing (1996: 180f.).

<sup>34</sup> Warnicke (1983: 9).

<sup>35</sup> Warnicke (1983: 9), Ingram (2005: 101).

rather widespread uncertainties as to the specific distinction between annulments and ‘separation,’ specifically, whether separations allowed remarriage (like annulments) or whether they did not.<sup>36</sup> Considering, however, that early modern English people are taken to have had a profound legal knowledge, this ‘uncertainty’ cannot be explained by ignorance, but rather as a deliberate exploitation of existing loopholes in contemporary legal practice (if not legal theory). For instance, firstly, a separation from bed and board was possible if one could prove that one’s spouse was adulterous. Apparently, continuing this line of thought, it was possible to reason, as a late seventeenth-century reader of the *Athenian Mercury* did, that one’s wife’s adultery theoretically dissolved the marriage contract.<sup>37</sup> Secondly, if one was officially separated and had sexual relations with other partners, was this technically adultery? Thirdly, if one was separated and married a new partner, was this bigamy? In 1604 parliament saw a need to clarify matters and call people to order, and passed an act which made bigamy a felony, thus giving secular powers primary jurisdiction over these matters. However, there were extenuating circumstances: if a (first) husband had been absent for seven years, for instance, and if a couple had been ‘divorced’ by an ecclesiastical court. And again, while the term ‘divorce’ used here may have been intended to refer to cases of annulment, it was interpreted by the courts to include separations from bed and board, too.<sup>38</sup> Yet prosecutions, either by church courts (which retained jurisdiction over cases in which these extenuating circumstances were relevant) or common law courts were rare, which leads Martin Ingram to conclude that, despite the tightening of the law, this was generally “not a matter of urgent concern to either judges or jurors.”<sup>39</sup> Puritan divines like William Whately, however, further confused matters by arguing that divorce for adultery (and subsequent remarriage) was justifiable.<sup>40</sup> It has even been argued that in the second half of the sixteenth century, this view was in accordance with accepted practice (though not with legal text). From 1603, after changes in canon law under James, divorce and remarriage were more firmly condemned.<sup>41</sup> Thus, writers like William Whately who argued against these (newly reinstated) doctrines, were a subject of great official concern. Some were questioned by the high commission, and,

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<sup>36</sup> Mendelson & Crawford (1998: 43), Ingram (1987: 179f.), for the later seventeenth century see Turner (2002: 70-73).

<sup>37</sup> Turner (2002: 73).

<sup>38</sup> Turner (2002: 71), Ingram (1987: 179).

<sup>39</sup> Ingram (1987: 180).

<sup>40</sup> Cf. also, for instance, John Rainolds, *A Defence of the Judgment of the Reformed Churches. That a Man May Lawfullie Not Onelie Put Awaie His Wife for Her Adulterie, but Also Marrie Another* (London, 1609), which was published posthumously because of its controversial nature, but had been published widely in manuscript during Rainolds’ lifetime. Cf. Feingold (2004).

<sup>41</sup> Davis (1998: 90).

as in Whately's case, forced to recant their views.<sup>42</sup> In effect, the harsher punishment for bigamy, and the recurring discussions concerning the legitimacy of divorce, and the possibility of introducing a death penalty for adultery (a severe form of divorce) were strands of the same controversy.<sup>43</sup>

Generally, there may have been an unofficial consensus among parts of the population that adultery justified separation, possibly even remarriage. Whether they did so knowingly, out of ignorance, or under the false assumptions that their spouse was dead, Lawrence Stone considers it "at least likely that thousands, probably tens of thousands, of English men and women committed bigamy in the seventeenth and eighteenth centuries and went unpunished."<sup>44</sup> Yet even if, like Martin Ingram, one does not wish to share this rather pessimistic view,<sup>45</sup> assuming not many men and women committed downright bigamy, there is evidence that marriage business was surrounded by a lot of irregularities. In effect, many people may have lived in (unofficial) separation from their spouse, in long-term adulterous relationships, having children together, many women taking the surname of their lovers without actually being officially married, and possibly without ever being called to account.<sup>46</sup> Parish officers, according to Faramerz Dabhoiwala, would only prosecute adulterous men when their deserted family threatened to fall back on communal support.<sup>47</sup> It remains uncertain how many couples who lived together were actually legally married; it may be that large numbers, in fact, were not.<sup>48</sup> To my mind, Lawrence Stone has offered the most pointed image of the overall state of affairs, suggesting that "neighbours and communities were on the whole prepared to regard stable cohabitation, the exchange in conversation of words such as 'husband' or 'wife,' the use of the same surname and the baptism of children as creating a socially acceptable presumption of marriage."<sup>49</sup>

## **2.2. Performing Marriage – Witnessing Marriage**

We may conclude that, ultimately, men's and women's everyday behaviour was the most crucial factor in determining whether they could be considered married or not. Though a

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<sup>42</sup> Cf. Eales (2008).

<sup>43</sup> Ingram (2005: 101).

<sup>44</sup> Stone (1990: 232).

<sup>45</sup> Cf. Ingram (1987: 179), Ingram (2005: 101).

<sup>46</sup> Dabhoiwala (2000: 91f.).

<sup>47</sup> Dabhoiwala (2000: 92).

<sup>48</sup> Stone (1990: 52).

<sup>49</sup> Stone (1990: 52).

number of scholars have pointed to the uncertainties surrounding marriage, the *implications* of these observations for the everyday practice of marriage are mostly disregarded: the ‘acceptable presumption of marriage,’ respectable marriage itself, depended on a *continuous* and thus reiterative performance of marital status. Moreover, witnesses play a decisive role not only during a wedding, but during the whole process of marriage.

The misconception ingrained in the work of scholars of early modern ritual, like David Cressy, but also in studies informed by contemporary performance theory like Amy Smith’s doctoral thesis on *Performing Marriage in Early Modern England* (2000) is that they only recognise the performance character of marriage with respect to its institutional initiation, the wedding ceremony. My thesis, in contrast, is that “performing marriage,” especially in a context like the one outlined above for early modern England, is not, as Austin would have it,<sup>50</sup> primarily about the one-time exchange of vows, but about a continual reiteration of the marital state and status in social interactions. It was not sufficient to speak your vows and then be married. Due to the insecurities surrounding marriage, every day, people had to live up to the expectations that their roles as husband and wife brought with them.

In order to explain this performative quality of early modern marriage more fully, I shall make a short digression to late twentieth century performance theory. In the introduction to their jointly edited *Performativity and Performance* (1995), Andrew Parker and Eve Sedgwick, from the perspective of queer studies, offer a critical reading of Austin, particularly “his first and most influential, arguable the founding example of the explicit performative:”<sup>51</sup> The “I do” uttered in the course of a marriage ceremony. They assert that the wedding ceremony evokes a dynamic of “compulsory witness” in a more fundamental way than Austin ever grasped. “It is the constitution of a group of witness that makes the marriage,” the authors hold.<sup>52</sup> A group of witnesses constitutes marriage, just as the marriage ceremony serves to constitute those witnesses as a social and communal entity.<sup>53</sup> Parker’s and Sedgwick’s argument culminates in the conceptualisation of

“marriage itself as theater – marriage as a kind of fourth wall or invisible proscenium arch that moves through the world (a heterosexual couple secure in their right to hold hands in the street), continually reorienting around itself the surrounding relations of visibility and spectatorship [...]. Like a play, marriage exists in and for the eyes of

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<sup>50</sup> Cf., for instance, Austin (1975: 5).

<sup>51</sup> Parker & Sedgwick (1995, 9).

<sup>52</sup> Parker & Sedgwick (1995: 10).

<sup>53</sup> This latter point is only implicitly made by Parker & Sedgwick, but deserves special attention. The ability of performance, or rather *theatre*, to constitute social groups is also highlighted by Schechner (2003: 244), who in this respect ventures to call theatre “a laboratory of group processes.”



others.”<sup>54</sup>

Clearly, Andrew Parker’s and Eve Sedgwick’s text betrays a conception of theatre which is deeply rooted in nineteenth-century theatrical conventionality,<sup>55</sup> and it is thus far removed both from early modern theatrical performances which are of interest to my study, and from modern conceptions of theatre, one of the areas in which performance studies is particularly interested. Still, there is something in their line of reasoning which is lacking from most ritual- and performance-oriented studies of marriage, to say nothing of studies of marriage in an early modern context: an understanding of the processual quality of marriage. This being said, Parker and Sedgwick still differentiate insufficiently between “marriage” as a process and “wedding” as the initiation into this procedural status.

The centrality of witnesses Parker and Sedgwick assert, on the other hand, is of utmost importance to my understanding of the functioning of early modern forms of marriage and adultery. With regard to the festive customs involved in early modern marriage formation Edward Muir has spoken of an “almost obsessive publicity.”<sup>56</sup> “At the day appointed for solemnization of Matrimonie,” the *Book of Common Prayer* proscribed, “the persons to be married, shall come into the body of the Church, with their friends and neighbours.”<sup>57</sup> Not only the institutional practices of posting banns and solemnising marriage in public service, but also other ritual forms of wedding practices such as processions and festivities, it might be argued, are structured in such a way as to generate the highest possible publicity. This publicity, of course, not only served to prevent (socially and familiarly) undesirable matches. It ensured that as many people as possible were involved in actively evoking a status of legitimate matrimony, e.g. through participating in celebrations. It guaranteed that as many people as possible were informed about the new match. But the community’s involvement in wedding celebrations also symbolised its involvement in the whole marital affair. From the beginning of courtship (rather than the beginning of wedding festivities) friends and neighbours were of crucial importance to individual matches. And they remained a central factor after a couple had officially entered marital status.

These friends and neighbours who witnessed a wedding ceremony, then, were more than spectators. They ‘made’ marriage in an even more profound sense than even insinuated by Andrew Parker and Eve Sedgwick. Just as marriage, as has just been explained, is a

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<sup>54</sup> Parker & Sedgwick (1995: 11).

<sup>55</sup> Cf. Worthen (1998: 1096).

<sup>56</sup> Muir (1997: 38).

<sup>57</sup> Church of England, *The Booke of Common Prayer, and Administration of the Sacraments and Other Rites and Ceremonies of the Church of England* (London, 1604), S4.

continual process of playing certain roles, of reiterating the codes and conventions associated with the married state, the role of ‘friends and neighbours’ acting as witnesses is not temporarily restricted to the act of marriage formation, but is a perpetually reiterative one. This group of witnesses, then, is central to determining the normative status of marriage as well as its disruptions, like adultery. In turn, of course, these disruptions are just as socially productive in (re)constituting groups of witnesses as marriage itself, possibly even more so. The great importance of witnesses, however, is easily missed by scholarly enquiries into early modern adultery. Katharine Eisaman Maus’s article *Horns of Dilemma: Jealousy, Gender, and Spectatorship in the English Renaissance Drama* (1987), one of the central studies of early modern adultery from a literary studies perspective, completely fails to recognise this aspect. This is even more astounding as “spectatorship” figures prominently in Maus’s title, which should have given her occasion to reflect on the magnitude of this and related categories. Consequently, one of my main questions is how neighbours and friends, by acting as witnesses, could generate a notion of transgression and mark other persons as agents of this transgression; and, conversely, how actions suggestive of adultery could invoke the constitution of a socially cohesive group of witnesses.

### **2.3. Marriage and Adultery: Norm and Transgression**

To conclude our above observations, “this was a society in which even the basic distinction between chaste and unchaste relationships was sometimes hard to determine.”<sup>58</sup> Especially with people who were new to a neighbourhood or parish, there was always at least the latent possibility that a couple who presented themselves as man and wife were not regularly married or even lived together in adultery or bigamy. This means that the boundaries between the legitimate and the transgressive were, to a certain extent, blurry; they were based on subjective impressions of orderly respectability or deviance. How could one determine if one’s new neighbour was a respectable matron or an adulterous harlot? Lawrence Stone’s comment<sup>59</sup> suggests that, on the whole, people were willing to regard cohabitation as orderly if certain conjugal markers and codes of behaviour were displayed. Thus the certainty of marriage (as opposed to the uncertainties outlined above), rested on accepted behavioural codes and everyday performances of matrimony. In this environment, the transgressions of

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<sup>58</sup> Dabhoiwala (2000: 92).

<sup>59</sup> See above, 34.

marriage were, to a significant degree, conceptualised as flaws in these performances of conventional, normative matrimony, or as a non-compliance with them. Adultery has to be viewed in this context.

Even though adultery is characterised by acts denoting sexual contact, it thus seems more appropriate to think of adultery as a *marital* transgression than as a predominantly sexually connoted transgression. There is more involved here than sexual acts, as we shall see. Significantly, the possibility of failure is always present in performances of marital harmony. Even in positively normative performances of the married status, a certain understanding of its transgression is always (con)current. However, this understanding may only come to be explicated when a non-compliance actually occurs. In order to grasp the social dimension of transgressions like adultery in early Stuart England and the role of witnesses, it is vital to recognise that a community does not react to something because it is transgressive. Rather, an action is coded as a transgression because a community reacts to it, and through the specific ways it reacts to it.<sup>60</sup> Moreover, I would suggest that members of a community do not only *react* to transgressions, but that their actions are immediately involved in the process of generating the notion of transgression.

While it is tempting to conceive of the norm as securely preceding transgression, the relation between the two is much more intricate. In the words of Michel Foucault, transgression “is not related to the limit as black to white, the prohibited to the lawful, the outside to the inside, or as the open area of a building to its enclosed spaces. Rather, their relationship takes the form of a spiral which no simple infraction can exhaust.”<sup>61</sup> Both transgression and norm are interdependent. Moreover, in many cases it is only in the face of transgression (what is counted as such as opposed to what is not quite perfect, but still within the realm of the acceptable) that the contours of the norm become distinctive. With respect to marital and sexual relations, especially in a cultural environment as the one described above, often it is only when someone says ‘this has gone too far,’ that such a boundary is recognisable. The same actions in one case may be tolerated, yet in another, they may be deemed scandalous. Some persons or groups react sooner to perceived infringements whereas others are more lenient. Insofar, transgression, in practice, is deeply contextual and subjective, even though, in theory, it may appear utterly objective and intransigent. The following chapters, consequently, will focus on the interplay between the normative conception of marriage and its primary transgression, adultery.

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<sup>60</sup> Cf. Bergeson (2003: 65).

<sup>61</sup> Foucault (1980a: 35).

What can we say in introduction of marriage and adultery in early Stuart England? From a religious point of view, although no longer a sacrament according to the Church of England, marriage was still Holy Matrimony.<sup>62</sup> The marriage ceremony in the *Book of Common Prayer*, in line with dominant theological discourse, explicated three causes of marriage: procreation of children “to be brought up in the feare and nurture of the Lord, and praise of God,” to serve as “a remedie against sinne and to auoid fornication,” and, importantly, “for the mutuall societie, help, and comfort” of husband and wife.<sup>63</sup> Hence marriage and the family it created were conceptualised as the basis of religious devotion.<sup>64</sup> Marriage legitimised sexual relations (of the consensual, heterosexual, monogamous kind) as well as any offspring conceived. And marriage was a partnership, in emotional as well as economic terms. But marriage also had political implications as it created the smallest unit of legitimate government, and this domestic commonwealth was the foundation of the English political commonwealth.<sup>65</sup> In marriage, John Witte has pointed out, a couple joined in covenant with both the Commonwealth and the Church of England, past, present and future.<sup>66</sup> Any breach of marriage, consequently, could be perceived as having enormous social, political, and religious repercussions, as constituting an offence against nature, against the Church, against the Commonwealth, even against the whole state of mankind.<sup>67</sup>

Most young people appear to have married only when they had saved enough money and goods to establish an independent household.<sup>68</sup> The household (in contemporary diction often synonymous with ‘family’) may thus be seen as the centre of marriage, in ideological as well as spatial terms. As Mark Wigley has observed, “[m]arriage [at least from the Renaissance onwards] is the reason for building a house. The house appears to make a space for the institution. But marriage is already spatial. It cannot be thought outside the house that is its condition of possibility before its space.”<sup>69</sup> Chapter five of this study will follow this thought in more detail, examining how adultery related to this spatial construction of marriage.

Through marriage, a man and a woman would combine their resources and work skills

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<sup>62</sup> Cf. Goody (1983: 41).

<sup>63</sup> Church of England, *The Book of Common Prayer*, S4<sup>v</sup>.

<sup>64</sup> Cf. Witte (1997: 165ff.).

<sup>65</sup> Witte (1997: 175).

<sup>66</sup> Witte (1997: 174). This understanding of marriage as a commonwealth, Witte (1997: esp. ch. 4) has argued, is based on an Anglican tradition and thus typical not only of early modern, but also modern England (and its colonies).

<sup>67</sup> Witte (1997: 175), quoting Bishop Lancelot Andrewes.

<sup>68</sup> Amussen (1988: 70), Mendelson & Crawford (1998: 122f.).

<sup>69</sup> Wigley (1992: 336).

to create a new economic and social unit, a new family.<sup>70</sup> Family households, in this period, were the centre of economic activity, of production and consumption – which lodged marriage firmly at the heart of economy at large.<sup>71</sup> Marriage, at least for the lower and middling sort, is thus best understood as a common venture of husband and wife to make a living.<sup>72</sup> Already the courtship process was marked by economic considerations and negotiations,<sup>73</sup> and it has even been argued that, overall, the very basis of marriage in this period was economic.<sup>74</sup> This economic determinism has been refuted by Alan Macfarlane, Margaret Spufford and others, who have pointed out that a certain ideal of marital love existed, and that most people would have conceived of marriage as a partnership characterised by mutual affection and care.<sup>75</sup> The social, economic and emotional structure of the household-making marriage and the consequences of adultery in this respect will be examined below in chapter six.

David Cressy has offered one of the most acute descriptions of matrimony, even if it only takes into account regular forms of marriage:

“Marriage assigned new privileges, advantages and obligations. It redefined social and sexual roles, rearranged patriarchal obligations, and conferred new duties of status, authority, and dependency. The process of ceremony converted men into householders, women into housekeepers. It made lads into masters and maids into dames. Through marriage their relationship to domestic authority became transformed. As single and dependent persons they had followed orders, but as married householders they issued instructions.”<sup>76</sup>

Marriage, according to David Cressy, meant different things for men and women. For a man, he argues, it implied “autonomy, mastery, responsibility, and the prospect of fathering a

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<sup>70</sup> Cf. Amussen (1988: 76), Ruggiero (1985: 13).

<sup>71</sup> Cf. Amussen (1988: 94), Fletcher (1995: 228), Ingram (2005: 95). Rogers (1975: 745) points out that this is typical of peasant societies in general. For a discussion of (late) medieval upper class economies of marriage see Payling (2001) and Spring (2003). For an exploration of how modern economic theory succeeded in removing marriage from this central position see Roberts (2005).

<sup>72</sup> Wrightson (2003: 101) even speaks of an “economic partnership.” In fact, despite the control most husbands in all probability elicited over the family’s financial resources, the economic success of the household depended on the thrift and labour of all involved. Cf. Bailey (2003: 3f.), Shepard (2003: 188 & 195), cf. also Foyster (1999: 65). For an exploration of the types of work done by housewives see, for instance, Whittle (2005). Gentry wives, as Wrightson (2003: 101) points out, still had the running of their large households to accomplish and supervised their estates in their husband’s absence.

<sup>73</sup> Cf. Cressy (1997: 239ff.); Mendelson & Crawford (1988: 108-123, esp. 108 & 122).

<sup>74</sup> Stone (1977) famously argued both that marital unions before the eighteenth century were basically loveless, low-key, unstable and undemanding (e.g. 60), and were determined by economic interests, which also constituted the basis of sexual norms (e.g. 504 & 635). G.R. Quaipe (1979: 47), similarly, contended that successful marriage depended on the ability of the husband to make sufficient living to keep a wife.

<sup>75</sup> Macfarlane (1979) & (1987: ch. 6), Spufford (1981: ch. 7), Sharpe (1986), Mendelson & Crawford (1998: 132), Ingram (2005: 101). For a discussion of the affectional basis of medieval marriages see, for instance, Otis-Cour (2000: part 3).

<sup>76</sup> Cressy (1997: 287).

lineage.” For a woman, it was “perhaps the major defining moment of her life, determining her social, domestic, and reproductive future.”<sup>77</sup> If we want to argue that women had less career opportunities in life so that marriage, to many, was the only path to respectability and relative financial security,<sup>78</sup> then, surely, marriage may have been more significant for women. Yet it did not encapsulate the female condition.<sup>79</sup> In principle, women gained the same things from marriage which Cressy assigns to men: authority, responsibilities and a certain degree of autonomy. Marriage, as Laura Gowing has pointed out, initiated women into a social network whose opinions and gossip might determine reputation and whose expertise was unique.<sup>80</sup> One should add that this was also the case for men. Marriage evidently was central to both male and female reputation and respectability. It was so in different ways, perhaps, but not in such fundamentally different ways as has often been assumed. The allegation of adultery, in turn, as we shall see, not only challenged a person’s reputation but also questioned men’s and women’s right to authority.

At the centre of marriage was the norm of monogamy, of sexual exclusiveness. At the official solemnization ceremony, both man and women promised to be faithful to each other.<sup>81</sup> Theoretically, marriage was the one context in which sexual relations were legitimate.<sup>82</sup> In consequence, having sexual relations before or outside marriage, in the eyes of the law, constituted a transgression which was actionable in ecclesiastical courts, and, to a lesser extent, in common law courts. Constables and justices of the peace were authorised to deal with notorious cases of adultery and fornication, especially when evidence for those was discovered in searches of suspect houses.<sup>83</sup> Some boroughs and court leets also punished notorious offenders, sometimes with draconian measures.<sup>84</sup>

Thus far, the case of adultery appears rather straightforward. However, in parallel to the uncertainties surrounding marriage, adultery is a more obscure matter than might be assumed. For one thing, different sexual offences were terminologically indistinct. Theoretically, an unmarried couple engaging in sexual intercourse committed ‘fornication,’ while married people engaging in extra-marital affairs committed adultery; ‘single adultery’ if only one party was married, ‘double adultery’ if both of them were. But as a person’s marital

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<sup>77</sup> Cressy (1997: 287).

<sup>78</sup> Cf. Warnicke (1983: 9), Mendelson & Crawford (1998: 131).

<sup>79</sup> Mendelson & Crawford (1998: 125).

<sup>80</sup> Gowing (2001: 49).

<sup>81</sup> Church of England, *The Book of Common Prayer*, S5.

<sup>82</sup> Cf., for instance, Richard Cooke, *A White Sheete, or, A Warning for Whoremongers* (London, 1629), 27f.

<sup>83</sup> Michael Dalton, *The Countrey Iustice Conteyning the Practise of the Iustices of the Peace out of Their Sessions* (London, 1618), 160.

<sup>84</sup> Ingram (1987: 150f.).

status might be ambiguous, so the distinction between fornication and adultery was diffuse. Thus, as mentioned above, John Downname could define adultery as an offence committed by both betrothed and married people. Moreover, church court records, which should have been most interested in determining the specific nature of the offence at question, often failed to distinguish between fornication and adultery, using both terms interchangeably or side by side in formulaic expressions like ‘fornication or adultery.’ What made matters even more obscure was that the blanket term of ‘incontinence’ was often applied for a whole range of sexual misdemeanours. Moreover, as rumours and hearsay formed a great part of the evidence given in these records, it is often “unclear just what circumstances and forms of behaviour had given rise to charges of this kind.”<sup>85</sup> According to Martin Ingram it was the “catch-all nature of the church’s jurisdiction” which discouraged the development of a sophisticated legal vocabulary which could distinguish clearly between different kinds of offences related to sexual behaviour.<sup>86</sup> However indistinct the situation concerning the definition of different sexual actions in practice may have been, the reactions of neighbours and spouses clearly indicated when this limit had been crossed. On the other hand, the distinction between the norm and the transgressive is further obscured by the fact that both fornication and adultery were, to a great degree, marriage-oriented, i.e. these relationships were pursued with the possibility of (later) marriage in mind.<sup>87</sup>

What makes the subject more complex is the conceptual difference between adultery and cuckoldry, which, however, is also rather elusive. Adultery is the more weighty term which, especially in religious writing, could denote any form of (heterosexual) unchastity. It is thus more suited, perhaps, to serious, institutional-judicial or tragic contexts. Cuckoldry is a concept which shifts attention and blame from the cheating towards the cheated party, on the loss of authority and control which makes betrayed husbands – and, in transference, sometimes betrayed wives – look dishonourable and ridiculous. Adultery, on the other hand, more strongly emphasises the agent. Critics, however, have suggested that there are other distinctions, i.e. that the transgression of adultery was situated on the heterosexual level (in the relationship between a man and a woman), while the transgression of cuckoldry resided on the homosocial plain (in the relationship between two men), which seems to imply a lesser degree of wifely agency.<sup>88</sup> Matters are more intricate than that, however, and of a less gendered nature. While it is important to highlight the homosocial dimension of cuckoldry, in

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<sup>85</sup> Ingram (1987: 239).

<sup>86</sup> Ingram (1987: 239).

<sup>87</sup> Ingram (1987: 269), Shoemaker (1998: 68 & 73), Ruggiero (1993: 18).

<sup>88</sup> Cf. Gowing (2003: 87), Sedgwick (1985: ch. 3).

many cases women were certainly understood as actively cuckolding their husbands, just as male rivals could actively make a husband a cuckold. This means that cuckoldry might be an affair between wife and husband *and* between rival and husband. Both of these perspectives will be explored in the following. To make matters still more complicated, the term ‘cuckold,’ as well as the insignia of cuckoldry, such as horns, was not exclusive to men, but could be applied to a woman as well.<sup>89</sup>

Adultery clearly referred to actions of an intimate, sexual nature, yet the implications of these actions were more wide-reaching. Adultery was seen as indicative of household disorder; it was connected to economic mismanagement. It questioned the reputation and hence the social positions of husband and wife. Of course, adultery was also a personal, emotional affair, but just as marriage never was simply a private matter between two individuals, neither was adultery. From around 1800 onwards, adultery and fornication would come to be considered beyond the reach of law, everyone’s individual business.<sup>90</sup> As shall be shown in more detail the following, the situation in early Stuart England looked different.

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<sup>89</sup> Cf. Capp (2003: 96 & 193).

<sup>90</sup> Cf. Dabhoiwala (2001: 86). This reflects a general, long-term trend rather than a sudden shift at the end of the 17<sup>th</sup> century. As Bailey (2003: 141) remarks, “[a]dultery was not simply decriminalised, however, nor were attitudes to it relaxed. Various sections of society continued to be concerned about immorality [...]” David Turner (2002), for instance, has persuasively argued that the growing cultural influence of the concept of “civility” is also at work in the shifting attitudes towards and yet persisting concern over adultery. Cf. also Fletcher (1999: 436). For a detailed study of the conceptual shift from courtesy to civility in early modern discourse, which, however, relies heavily on prescriptive texts, i.e. etiquette manuals, see Anna Bryson (1998). For a recent study exploring conceptual notions of civility in the context of early modern duelling culture, see Markku Peltonen (2003).



### 3. Neighbourhood I: Neighbours as Witnesses

On September 14<sup>th</sup> 1610, Humfry Phillpott, a clothier of Southgate Street in Gloucester, deposed before the Gloucester consistory court that, on numerous occasions during the past year, he had been “chiden and rayled against” by several of his neighbours “for sufferinge and permitinge” a certain Michael Payne “to come into [his] house and sollicite the private company” of a certain Jone Anflett.<sup>1</sup> Jone and her husband Richard Anflett lived in the same building as Phillpott, who may have been their landlord.<sup>2</sup> Phillpott’s deposition implies that members of the local community<sup>3</sup> held him at least partly responsible for what his direct neighbours did. And thus, by gathering evidence about the couple’s affair and acting as a witness, he may have sought to uphold or clear his reputation,<sup>4</sup> and to defend himself against allegations of aiding and abetting sexual offences, in other words, bawdry.<sup>5</sup> In the end, Humfry Phillpott was one of five deponents in an *ex officio* legal action before the Gloucester consistory court against Jone Anflett and her alleged lover, Michael Payne. As the accounts of all five deponents suggest, the relationship between Jone and Michael had given cause to neighbourly suspicions and concerns for quite some time so that the affair seemed to have reached a certain level of notoriety before, finally, legal action was taken against both offenders jointly. A certain amount of criticism, however, also seems to have been directed at Humfry Phillpott.

This short example suggests that adultery was an offence in which the local community, or, more specifically, the neighbourhood, was heavily involved on a number of levels. The following chapter will examine adultery as such: a neighbourhood offence. How

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<sup>1</sup> GDR 109, Office *c.* Michael Payne and Jone Anflett, deposition of Humfry Phillpott.

<sup>2</sup> Especially in more crowded urban areas it seems to have been common that people rented out parts of their (rented or owned) flats or houses. Cf. Capp (1995), also, for instance, the case in Stone (1992: 45).

<sup>3</sup> Community, as Bernard Capp (2003: 268) points out, is a problematical term, since it deceptively suggests a sense of homogeneity. However, he maintains that nonetheless, most people did feel a “wider sense of community, conscious of shared interests, concerns, or values that distinguished them from outsiders.” Similarly Steven Hindle (2000: 96) insists that in early modern England, “the parish was *the* locale in which community was constructed and reproduced, perhaps even consecrated,” and calls for an understanding of community as a *process* and an *ideal* rather than as a static entity. Hence, I retain my occasional use of the term “local communities,” without intending to imply either synchronous homogeneity or diachronic stagnation.

<sup>4</sup> Immoral actions of tenants might reflect negatively on landlords. Cf. Capp (1995: 28).

<sup>5</sup> As a clothier, Humfry Phillpott would have customers whose willingness to do business with him depended on his reputation. This is particularly relevant as the trade of clothiers, which had been flourishing in Gloucester in the sixteenth century, was under significant strain by the end of the sixteenth century, a trend which continued into the seventeenth century. The muster rolls of 1608, for instance, listed only four clothiers for the city of Gloucester where before there had once been around twenty. Cf. Herbert (1988a) In times of economic pressure, public reputation would obviously be even more vital to keep one’s business intact.

could neighbours ‘make’ adultery, i.e., generate the notion that a breach of the marital standard had occurred? After some introductory remarks on the conceptual and practical outlines of neighbourhood and neighbourliness, which will shed some light on the question why adultery was ‘neighbours’ business,’ the first section will examine gossip and slander in this regard, a second section will focus on contemporary mocking practices.

### **3.1. Neighbourhood and Neighbourliness**

*“The early modern village was not the closed, static community of sociological myth; but it was a place where reputation and ‘credit’ in its symbolic rather than its financial sense mattered and were evaluated, a place where gossip and story-telling were important aspects of sociability.”*

James Sharpe<sup>6</sup>

Early modern family life and sexual conduct were not fully private matters,<sup>7</sup> nor, as the above example shows, was the house a fully private place. Social historians have stressed the enormous social importance of individual sexual conduct and the central role that community interactions, involving both men and women, played in regulating the former.<sup>8</sup> Strictly speaking, these were matters of communal hygiene, both in a social as well as a religious sense. Adultery and fornication were institutionally conceptualised as misdemeanours which affected not only the individuals involved, but the wider social community; moreover, the Christian community was obliged to actively counteract these offences, e.g. by detection and punishment. The Canons of 1604, for instance, ordered that “[n]o Minister shal in any wise admit to the receiuing of the holy Communion, any of his Cure or Flocke which bee openly knownen to liue in sinne notorious without repentance, Nor any who haue maliciously and openly contended with their neighbours, vntill they shall be reconciled.”<sup>9</sup> Even more clearly, they stated that persons who “offend their brethren, either by Adulterie, whoredome, Incest, or Drunkennesse, or by Swearing, Ribaldrie, Vsurie, or any other vncleannesse and wickednesse

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<sup>6</sup> Sharpe (1996: 64).

<sup>7</sup> Amussen (1988: 2) on family life. Amussen (1994: 74) makes this point with regard to domestic violence. The argument that early modern English culture lacked the concepts of individual privacy and self-determination has been classically purported by Lawrence Stone (1977: 98f.) and Keith Thomas (1971: 526-30). Martin Ingram’s (1987: 30, also 238-81 *passim*) analysis suggests, however, that spaces of privacy and personal freedom did exist.

<sup>8</sup> Cf. Gowing (2003: 6). Statements like “much of the control of popular sexuality was through community regulation” (here from Reay 1998: 16) are legion.

<sup>9</sup> Church of England, *Constitutions and Canons Ecclesiasticall* (London, 1604), Canon XXVI, F2<sup>v</sup>.

of life” were to be presented to the ecclesiastical courts by the churchwardens so that “they and euery of them may bee punished by the seueritie of the Lawes, according to their deserts, and such notorious offendours shall not be admitted to the holy Communion till they be reformed.”<sup>10</sup> Adultery, or, in more general contemporary terms, ‘incontinent living,’ in theory, was a serious impediment to partaking in the Holy Communion.

The need to reform transgressive individuals and to ensure the moral integrity of one’s neighbours was emphasised by the association of whoredom with disease and contagiousness, which were seen as polluting the neighbourhood or community.<sup>11</sup> The idea that adultery was both personally and socially destructive as it blemished not only the individual marital relationship, but also threatened the stability of the neighbourhood and community at large, prevailed in prescriptive religious texts.<sup>12</sup> John Downname, for instance, instructed his readers that

“[t]he fornicator sinneth against all societies, both priuate and publicke; as first against particular families, both his owne, and his neighbours, for he defileth them with his filthie vncleannesse, and maketh them liable to Gods heauie iudgements. And wheras they should be so many little Churches wherein God is worshipped and serued, hee turneth them into secret stewes and polluted brothels; and so hauing heat and fired them with the fire of his filthie lust, hee hereby also inflameth the fierce wrath of God, which shall burne and consume them to their destruction.”<sup>13</sup>

This quotation describes fornication, which, as has been pointed out, was conceptually adultery’s twin, as an offence which affected the ordering and moral well-being of the neighbourhood as well as its spatial ordering. Elsewhere, Downname also suggests that “the adulterer plaieth the theefe against his neighbour, in robbing him of his goods,”<sup>14</sup> thus constructing adultery in the slightly less metaphysical terms of (household) economy. Adultery is thus conceptualised as a community offence deserving of (God’s) heavy judgement. Conversely, neighbourhood morality was important for the individual’s own social, economic as well as spiritual well-being. Interestingly, witnesses’ accounts, even in

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<sup>10</sup> Church of England, *Constitutions and Canons*, Canon CIX, R3.

<sup>11</sup> Laura Gowing has repeatedly highlighted this point. See Gowing (1993: 17 & 1996: 97-101). Trevor Dean, in his study of late medieval Bologna, has shown that this is not a feature solely of early modern English or even of Protestant societies. See Dean (2004: 220). For late medieval, post-Reformation German Zwickau, Susan Karant-Nunn (1982: 32ff.) has confirmed that the urban legal institutions became involved in private marital disputes particularly when they saw neighbourhood peace threatened.

<sup>12</sup> Cf. Turner (2002: 81f.).

<sup>13</sup> John Downname, *A Treatise against Fornication and Adultery*, 148. Traces of the moral-theological concept of *contagium peccati* are clearly discernible here, and yet this issue should not be reduced to a theological context.

<sup>14</sup> Downname, *A Treatise Against Fornication and Adultery*, 182.

ecclesiastical court records, rarely seem to construe adultery specifically within the discourse of sin: Jone Anflett's and Michael Payne's behaviour is described "suspicious," "scandalous," and "notorious," terms which point towards the immediate social and economic rather than the spiritual significance of their actions. This contributes to a general impression that it was not necessary in this context to emphasise the religious aspects of offences such as adultery and fornication; moral and social concerns seem to have been more pressing.

Let us examine this community of neighbours, the early modern conception of neighbourhood which was so central to transgressions like adultery. Within the larger framework of local communities, "most individuals generally saw a network of friends and neighbours as their primary frame of reference."<sup>15</sup> "Neighbourhoods functioned," in Pamela Allen Brown's phrasing, "as schools for manners and behaviour, unofficial courts of local judgement, and stages on which neighbours created the performances that built up reputation and identity."<sup>16</sup> This is precisely the framing in which I wish to examine the issue of adultery. The neighbourhood was a place which "held firmly its own sense of identity," and in whose streets, alleys or yards bonds were particularly close.<sup>17</sup> It was both a network of exchange and a moral community.<sup>18</sup> In everyday life, neighbourhood relations and networks of support were often more essential, of more immediate importance than kinship ties.<sup>19</sup> Accordingly, one proverb held that "a good neighbour [was one's] nearest relation."<sup>20</sup>

The term neighbour may generally connote a relations between peers.<sup>21</sup> Still, in the concept of neighbourhood hierarchical allusions remain eminent; or, if one insists on attenuating allusions to hierarchy, in which there existed a pool of roles and positions which were contested by members of the community. Rank, age and gender, for instance, were stratifying factors.<sup>22</sup> In order to convey a more accurate idea of what a neighbourhood was, one would have to consider the wide-ranging credit networks which indebted neighbours to other neighbours, as well as the relations of friendship which bound some neighbours more than others. Neighbours were connected by reciprocal obligations and responsibilities, for instance in the sense of Christian charity, economic relations, or the dynamics of communal hygiene I have broached above. One would also have to introduce master-servant-relationships as a sub- or at least cross-category into this paradigm. Another kind of hierarchy

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<sup>15</sup> Capp (2003: 268).

<sup>16</sup> Brown (2003: 14f.).

<sup>17</sup> Gowing (1996: 24).

<sup>18</sup> Beaver (1998: 57).

<sup>19</sup> Cf. Mendelson & Crawford (1998: 238) with regard to female networks.

<sup>20</sup> Brown (2003: 37).

<sup>21</sup> Cf. Brown (2003: 62), Wrightson (2003: 59).

<sup>22</sup> Wrightson (1996: 19).

would exist between married and unmarried neighbours.<sup>23</sup> Hence, the interaction between neighbours was an important site where the peculiarities of the social fabric, individual social identity, and the terms and conditions of communally acceptable behaviour were negotiated, and where ‘conformity’ was implemented as their standard code of reference.<sup>24</sup> It was here, as we shall see in the following chapters, that husbands and wives exercised authority – both, in turn, over other women and men. In this context, (the *successful* performance of) marital status emerges as one of the most salient preconditions of authority.<sup>25</sup>

Neighbourhood conflicts were considered serious issues. In line with the 1604 Canons,<sup>26</sup> churchwardens within the archdeaconry of Gloucester were urged to present “common swearers, filthy speakers, raylers, slanderers” and “sowers of discord among their neighbours” in the very same article which also named adulterers, fornicators and incestuous persons among those to be presented and punished.<sup>27</sup> Similarly, articles of visitation for the diocese of Oxford call for the detection and presentation of “any that be malicious, contentious, or vncharitable persons” along with the usual suspects among which were “great or often Swearers, Adulterers, Fornicators, Harlots, or Whoremasters, Incestuous persons, Bawds, or receiuers of naughty and incontinent persons.”<sup>28</sup> These are but two examples for

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<sup>23</sup> In the broadside ballad *Houshold Talke* (1629), for example, the two male speakers address each other as “Neighbour Simon” and “Neighbour Roger” respectively, and we learn in the course of the ballad that the one is married while the other is not. One frequently encounters the address “neighbour” in ballads, however, interestingly, Dave Postles (2005) does not include it in his analysis of *The Politics of Address in Early-Modern England*.

<sup>24</sup> Cf. Wrightson (2003: 62).

<sup>25</sup> Laura Gowing, for instance, has repeatedly demonstrated that it was successful marriage rather than female networks from which women gained authority, while Elizabeth Foyster has persuasively proven the same to have held true for husbands. See Foyster (1999), Gowing (1994), (2001: esp. 48, 61) & (2003: e.g. 71). See also Cressy (1997: 287), Mendelson & Crawford (1998: 205f.). Absolute lack of recognition of women’s authority seriously impairs the quality of Fielitz’s (2001) investigation of pregnancy and virginity tests in Jacobean drama. This only underscores the desideratum for literary studies to recognise and process historians’ findings.

<sup>26</sup> Church of England, *Constitutions and Canons*, R3, also see above p. 46.

<sup>27</sup> The articles of visitation for the diocese of Gloucester of 1618 (art. 19), 1624 (art. 28) and 1635 (art. 15) are virtually identical with respect to this point. The 1635 version adds “slanderer.” The respective article (sect. 4, art. 2) in the 1663 articles of visitation for the diocese of Gloucester still includes, among others, adulterers, fornicators and incestuous persons, “unclean or filthy Talkers, or sowers of Sedition, Faction and Discord amongst Neighbours.” Obviously, these prescriptive norms were based on long-standing traditions and proved very persistent. Church of England, *Articles to be Enquired of, Within the Archdeaconry of Gloucester* (London, 1618), B3; Church of England, *Articles to be Enquired of in the General Visitation of the Archdeacon of the Diocesse of Gloucester* (London, 1624), B3; Church of England, *Articles to be Enquired of in the Generall Visitation of the Archdeacon of the Diocesse of Gloucester* (London, 1635), B2<sup>v</sup>; Church of England, *Articles of Visitation and Enquiry to be Exhibited [...] within the Arch-deaconry of Gloucester* (London, 1663), 9.

Though the majority did, not all episcopal visitations seem to have placed great emphasis upon this fact. This can be seen in the case of the articles of visitation for the Archdeaconry of London of 1620, which do not make this point. Cf. Church of England, *Articles to be Enquired of, by the Minister, Churchwardens and Side-men, of Every Parish within the Archdeaconry of London*, (London, 1620).

<sup>28</sup> Church of England, *Articles to be Enquired of Within the Diocesse of Oxford* (London, 1622), B2<sup>v</sup> (art. 19). For a discussion of the issue of aiding and abetting sexual offenders which is touched upon here, see Ingram

what generally were standard formulae, though applied with slight variations in detail in different localities. What we can recognize from these articles of visitation which put a prescriptive as well as detective frame on everyday local interaction is, firstly, that there was a (prescriptive) discourse which constructed adultery and fornication as social transgressions against communal harmony which were, if not directly on the same level, still in the same category as other forms of openly antisocial behaviour such as spreading malicious gossip. Secondly, they evince that the ideal of communal harmony and neighbourly charity was implemented with great force, by making antisocial behaviour – in theory – a criminal offence. It was up to the members of local communities and local officeholders to decide when unneighbourly conduct became notorious enough to warrant prosecution. These are aspects of neighbourly interaction which are clearly a part of the early modern concept of charity which remain to be explored more fully.

Neighbours of good credit<sup>29</sup> and honest reputation ensured neighbourhood stability, or rather, neighbourhood stability was ensured by the identification and self-fashioning of good, honest neighbours. Neighbours and friends were not only central to the act of marriage formation,<sup>30</sup> but, as I have pointed out above, to its continual orderly functioning. In addition, officeholders (like churchwardens or constables), who were recruited from the ranks of the ‘respectable’ members of the community, were neighbours, friends or employers, and consequently often less than impartial.<sup>31</sup> In cases of disputes, it was also vital to have friends and neighbours of good reputation who could attest to one’s own creditable life-style when this was put under close scrutiny in a legal situation. The judicial procedure of compurgation, for instance, entailed that a person suspected of a certain misdemeanour or crime had to produce a specified number of ‘honest neighbours’ who could convincingly attest to the suspect’s innocence and general ‘honesty’ in order for the charges against him or her to be

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(1987: 282-291).

<sup>29</sup> Concurring with Ingram (1987: 165), who points out that the terms “credit” and “honesty” must be considered the “lower class equivalents of gentry notions of honour,” I prefer the use of ‘credit’ or reputation to ‘honour.’ This term also abounds with economic connotations which will be examined more closely in the sixth chapter (6.4.).

<sup>30</sup> This was also recognised by contemporary ceremonial choreography: The contemporary *Book of Common Prayer* explicitly advised contracted couples to come into the body of the church with their friends and neighbours on the day of solemnisation. See Church of England, *The Booke of Common Prayer, and Administration of the Sacraments and Other Rites and Ceremonies of the Church of England* (London, 1604), S4.

<sup>31</sup> Kent (1981: 38 & 40), Amussen (1988: 135), Wrightson (1996: 19). For a detailed study of local government and the institutional structure of neighbourhood see Boulton (1987: esp. 261-275). Scholars have also drawn attention to the fact that office-holding in early modern communities was not only a sign of a person’s already established reputation and status, but that it was also in itself a means to further advance one’s social position. Cf. Hanawalt (1998: 255).

dropped.<sup>32</sup> Compurgation, at least in the medieval ecclesiastical courts, was often used where the charge was adultery.<sup>33</sup> This practice also effected that personal reputation had legal significance<sup>34</sup> – which makes Humfry Phillpott’s actions all the more comprehensible. Reputation, fame and rumours, which we now might consider ‘fictions’ rather than ‘facts,’ constituted legal evidence.<sup>35</sup>

The married women of one’s neighbourhood might also serve on a ‘jury of matrons,’ whose job it was to search other women’s bodies for evidence of pregnancy, witchcraft or illicit sexual activity. As ‘gossips’ they would assist other women’s accouchement, and also investigate the fatherhood of possibly illegitimate children in the process.<sup>36</sup> It is therefore important to note, not only, as Bernard Capp does, how “respectable women felt in some sense collectively responsible for the good behaviour and honour of their neighbours, especially other women, and assumed informal authority over them.”<sup>37</sup> Rather, in reverse, we must recognise how both men and women could style themselves as respectable exactly by performing acts which were coded as authoritative and responsible. In this respect, everybody needed immoral, disreputable neighbours, after all. For many people, acting as a witness in a legal suit provided a rare opportunity to have one’s voice recorded.<sup>38</sup> It was thus a way of making one’s own voice officially heard (or read, in this case), of fashioning oneself as a respectable member of the community who had something important to say, and who strove to uphold communal order. Yet this was not without hazards. As we shall see below, performances of witness might well be considered illegitimate and reflect back negatively on the witness.<sup>39</sup> The pivotal point was the credible production of authority, moreover, the (successful) negotiation of individual social identity.<sup>40</sup>

On the one hand, the neighbourhood was integrative by means of positive acts of inclusion. On the other hand, it was by acts of negative exclusion (and then, possibly,

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<sup>32</sup> Cf. Dabhoiwala (2001: 88), Ingram (1987: 293).

<sup>33</sup> Helmholz (1974: 71).

<sup>34</sup> Amussen (1988: 99).

<sup>35</sup> Critics of the early modern judicial practices have deplored their reliance on *fama* rather than *fact*. Christopher Hill (1991: 299), for instance, couched it in the following terms: “[The church courts] retained the archaic oath of compurgation, by which men from the locality were called upon to testify not the fact of the accused’s guilt or innocence, but to the general belief in it.”

<sup>36</sup> Brown (2003: 38), Walker (1998: 13), Gowing (1997), Gowing (2001), Holmes (1993), Oldham (1985).

<sup>37</sup> Capp (2003: 77).

<sup>38</sup> Gowing (1996: 53).

<sup>39</sup> Moreover, in the process of deposing before a court, as the reliability of the witness was tested, the witness’s life came under close scrutiny, and it was possible that things got to light which were rather detrimental to personal reputation. Cf. Capp (2003: 198).

<sup>40</sup> Cf. Butler (1997: 151 & 159).

reintegration) of transgressive individuals, by directing public awareness to individual transgressions, that a reputable neighbourhood could constitute itself. The “process of identifying and demonising deviance,” through every-day social interaction as well as institutionalised practices, therefore, is not only “necessary to maintaining social order,” as Jonathan Dollimore has suggested,<sup>41</sup> but is rather an inherent part of constantly (re)creating and (re)generating (ordered) community itself. The neighbourhood, then, as Keith Wrightson has remarked, was a shifting, unstable construct, “constituted by processes of inclusion and exclusion which were not infrequently occasions of contest.”<sup>42</sup> Put another way, one could argue that contest was at the heart of the concept of neighbourhood. Adultery was one of the issues around which such contests were staged.

Do we need to distinguish here between urban and rural environments? The question of whether elements of stability and neighbourhood were equally strong in towns as in villages,<sup>43</sup> and whether this image of social order is ‘still’ appropriate for the late sixteenth, early seventeenth centuries<sup>44</sup> remains open to debate. I would assert that order is always subject to negotiation and that towns, too, were composed of smaller units of neighbourhoods, parishes and wards which furthered a sense of belonging and social coherence.<sup>45</sup> It would be wrong to perceive of them as structurally antithetical to village communities, more so, as the conception of ‘rural communities’ is itself an undue over-generalisation. Moreover, due to the relatively high rate of geographical mobility, rural communities were far less static than is often implied.<sup>46</sup> The conventional argument that towns were more anonymous and significantly differed from rural areas in their social and interactional structures,<sup>47</sup> therefore, is inappropriate. Jeremy Boulton has shown at length that the neighbourhood was one of the most important socially cohesive forces, and that factors such as close social regulation and

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<sup>41</sup> Dollimore (1986: 60).

<sup>42</sup> Wrightson (1996: 22).

<sup>43</sup> Cf. Wrightson (2003: 64).

<sup>44</sup> Cf. Underdown (1987: 18) distinguishes between “two Englands” which had become distinguishable “by 1600”: On the one hand, areas of open-field husbandry, where the “old conception of stable, harmonious village community based on deference of good neighbourhood retained some vitality,” and, on the other hand “many towns, pasture and woodland areas linked to expanding market economy” where this “ideal” was “increasingly threatened.” As much as these arguments are justified in their effort to trace contemporary developments and shifts and alert us to geographical differences, I would caution against any model which is based on the notion of a formerly stable and uncontested order which is now threatened by new developments.

<sup>45</sup> Jonathan Barry (1985: 61), discussing popular cultural attitudes in seventeenth-century Bristol, then England’s third-largest town, notes that the town could “still be characterised as a ‘face-to-face’ society where great premium was placed on corporate identity.”

<sup>46</sup> Sharpe (1998: 103) speaks of a “massive turnover of population within relatively short timespans.” Cf. also Sharpe (1997: 91), Wrightson (1996: 19).

<sup>47</sup> Cf. Gowing (1996: 20f.), who seems to employ these arguments in her discussion of London neighbourhoods.



distinctively localised forms of government remained dominant in the London suburb of Boroughside in the 17<sup>th</sup> century.<sup>48</sup> On the other hand, Jim Sharpe estimates that “by 1550, many village communities in England were probably no more stable than some of the urban areas studied by modern sociologists,” and calls for a revision of our concept of ‘community’ which takes this into account.<sup>49</sup> Studies by Craig Muldrew<sup>50</sup> and Dave Postles<sup>51</sup> have shown that, indeed, exchange between rural areas and urban centres was thriving, which undermines the strict, oppositional rural-urban distinction which earlier studies have tended to take for granted.<sup>52</sup>

Gloucester, the episcopal seat where the Gloucester consistory court was situated, by contemporary standards, was a fairly well-sized port town.<sup>53</sup> Yet the interactions of the deponents who lived directly in Gloucester express similar patterns and just as much concern over matters of sexual transgression as those of their fellow countymen and -women dwelling in the countryside, who also deposed before the Gloucester consistory court.<sup>54</sup> If anything, we could even argue that in the closer confines of towns and cities those matters were accentuated rather than relinquished in the face of (alleged) anonymity. This might be enhanced by architectural features, as Sara Mendelson and Patricia Crawford suggest: “wood-and-plaster walls were so thin, especially in crowded cities and towns, that the community knew what was happening.”<sup>55</sup> We shall return to housing design and the domestic spatiality of adultery in chapter six.

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<sup>48</sup> See Boulton (1987: 228-47, 263 & 266); cf. Archer (1991: 78), who notes that “[c]ommunity sanctions against behaviour in breach of its norms remained powerful in London.”

<sup>49</sup> Sharpe (1998: 103).

<sup>50</sup> Muldrew (1997).

<sup>51</sup> Postles (2004). Postles (2004: 57) makes this point with particular reference to the practice of penitential discipline in urban market places.

<sup>52</sup> Postles (2004: 57).

<sup>53</sup> Gloucester, which became an episcopal seat in 1541, had an approximate population of 4600 in 1603. Cf. Herbert (1988a). By comparison, the city of York had a population of about 10,000 in 1600, while Bristol had approximately 10500 inhabitants in 1607; cf. Tillot (1961: 160-165) and Latimer (1900: 34).

<sup>54</sup> Of course, admittedly, we have to take into account that the influence of the ecclesiastical legal system and its set of formulae in shaping the narratives recorded by scribes possibly levelled existing differences.

<sup>55</sup> Mendelson & Crawford (1998: 140).

### 3.1.1. Thou Shalt (Not) Bear (False) Witness

*“Consent, as well secret as open, maketh thee guiltie of trespasse.”*

Hyperius<sup>56</sup>

The case of Humfry Phillpott and his neighbour Jone Anflett conveys the impression that there existed a willingness by neighbours to mind each other’s business, to spy on one another and report their findings.<sup>57</sup> These mechanisms which, ostensibly, were geared towards curbing sexual immorality, operated on a larger scale so that William Naphy has spoken of “neighbourhood watch” schemes.<sup>58</sup> The high incidence of what one might call opportunistic neighbourhood surveillance, or, as Underdown has put it, “the alacrity of early modern villagers to pry and eavesdrop,”<sup>59</sup> has been remarked upon by many scholars. In Susan Amussen’s words, “people expected to know what their neighbors were up to, and if they suspected any misconduct, they were more than willing to peek through a window or crack in the wall, or listen at the door by the window.”<sup>60</sup> It was this readiness by neighbours to investigate and publish (sexual) transgressions, this system of detection, which ensured the successful operation of a legal institution such as a consistory court. By the seventeenth century, these mechanisms, moreover, were long established. As L. R. Poos observes with regard to later medieval, pre-Reformation England:

“Behind the formal means of regulating sexuality in later medieval England there thus must have lain multiple networks of informing, gossip, rumor, talebearing and, on occasion, lies about neighbors’ sex lives among community inhabitants, which brought such cases to the attention of officials and courts.”<sup>61</sup>

Importantly, there is an inherent connection between the ecclesiastical information management strategies (i.e. the system of informants gathering evidence about (sexual) transgression) and structures of secular law enforcement.<sup>62</sup> The actions of neighbours in this

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<sup>56</sup> Andreas Hyperius, *The True Tryall and Examination of a Mans Owne Selfe*, transl. by Thomas Newton (London, 1587), 106.

<sup>57</sup> Sharpe (1998: 119).

<sup>58</sup> Naphy (2004: 37). Naphy points out that this was not only characteristic to English, but also to contemporary continental cultures. Some of his examples also suggest that comparable mechanisms operated in Spanish and English colonies in the ‘New World.’

<sup>59</sup> Underdown (1987: 15).

<sup>60</sup> Amussen (1994: 78), also Sharpe (1998: 119).

<sup>61</sup> Poos (1995a: 585f.).

<sup>62</sup> For the duties of local secular legal officers in this respect see, for instance, William Lambarde, *The Duties of Constables, Borsholders, Tythingmen and Such Other Low and Lay Ministers of the Peace* (London, 1619),

respect, I would suggest, may be considered reminiscent, for instance, of the frankpledge system, including the ritualised, deeply rooted mechanism of the “hue and cry” which alarmed the community to crimes.<sup>63</sup> There seems to have been one common basis of morally regulating activity by certain individuals, the “more substantial community members,”<sup>64</sup> which, depending on the ultimate framing of the offence, could lead to *either* secular or ecclesiastical court action. The complexities of early modern English jurisdiction thus make a clear distinction between the categories of ‘sin’ and ‘crime’ difficult, if not impossible.<sup>65</sup>

Basically the same agents were active in both systems. The actions of witnesses were institutionally encouraged and heavily ordered bureaucratically. For instance, churchwardens,<sup>66</sup> chosen from the pool of ‘respectable neighbours,’ were instructed to report any persons in the parish who, to their knowledge, “or by common fame and report haue committed adulterie, fornication, or incest, or any Bawds, harborers of receiuers of such persons, or publikely suspected thereof” along with other offenders.<sup>67</sup> It is doubtful whether “adulterers or other notorious offenders received much sympathy from their fellow-parishioners when they had to dig deep into their purses,”<sup>68</sup> in order to pay hefty court fees which accompanied their trials<sup>69</sup> or the fines to which they could be subjected.<sup>70</sup>

Yet far from reporting all irregularities, agents such as churchwardens only pressed for legal action in cases considered sufficiently notorious or scandalous to require sanction.<sup>71</sup> In addition, the institutional treatment of sexual transgressions appears to have been marked by class bias. Churchwardens might exercise discretion, particularly where marital problems of aristocrats and gentry were concerned, and they might be reluctant to subject poor neighbours to the financial strains of litigation and thus turn “a blind eye to presentable offences.”<sup>72</sup>

In consequence, even if we are dealing, as in Michael Payne and Jone Anflett’s case, with an *ex officio* action (instigated ‘from above’), the presentation of this case might still

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esp. 1-13. - Originally published in 1582, William Lambarde’s tract went through numerous editions in the late 16<sup>th</sup> and 17<sup>th</sup> centuries.

<sup>63</sup> Cf. Poos (1995b: 307f.), who draws a connection between secular information techniques and secular law enforcement mechanisms like court leets, and the frankpledge system in the 14th and 15th centuries.

<sup>64</sup> Poos (1995b: 308).

<sup>65</sup> Cf. Ingram (1999).

<sup>66</sup> Keith Wrightson (1996: 19f.) has pointed out that participation in parish office was generally biased towards the “better sort” of neighbours. Churchwardens were chosen jointly by the minister and the parishioners for the term of one year, re-election was possible. Church of England, *Constitutions and Canons*, section 89. See Carlson (1995) for an analysis of the office of churchwarden.

<sup>67</sup> Church of England, Diocese of Gloucester, *Articles to be Enquired of, within the Archdeaconry of Gloucester* (London, 1618), B3.

<sup>68</sup> Ingram (1987: 58).

<sup>69</sup> Cf. Hill (1991: 298).

<sup>70</sup> It was possible, under certain circumstances, to commute penance orders into fines.

<sup>71</sup> Poos (1995b: 308).

<sup>72</sup> Ingram (1987: 186).

reflect community concerns and ‘neighbourly’ agency. Though Humfry Phillpott’s deposition suggests that he actively set out to investigate and counter his neighbour’s transgressions, his efforts ultimately resulted in an office action. It is thus obvious how gravely misleading any conception of seventeenth-century sexual or marital transgression would be which only took into account prescriptive texts and the workings of the law and regulation of individual behaviour as a top-down process.<sup>73</sup> Sexual misbehaviour did not only concern the people primarily involved or the authorities, but the whole of the community.<sup>74</sup> It was *constructed* by the community.

Allegedly ostracised by his neighbours for his lack of agency concerning Jone Anflett’s and Michael Payne’s affair, Humfry Phillpott uses his deposition to make it known and have it put in writing (which he is able to sign with his own name) that he thinks “it very<sup>75</sup> vnfitt that a younge man shold keepe privat company and haue private meetinges with another mannes wife her husband being from home.”<sup>76</sup> Importantly, Phillpott’s deposition does not suggest that he, at any time, approached either party involved in this adulterous triangle (husband – wife – lover), even though the reported comments of his neighbours seem to call for just such a direct intervention on his part. Instead of openly confronting the transgressors, Phillpott decides to collect more evidence of his neighbours’ adulterous affair, perhaps in order to circumvent allegations of slander. He did, as he deposes,

“divers and sundry tymes [...] indeavor to harken out and discover the intent and cause of [...] Michaell Paine and Jone Anflettes private meetinges together to the rest of the neyghbours with the intent that yf theyr said meetinges weare suspicious or scandalous then might order and a course be taken for redressing of the same.”<sup>77</sup>

Institutional action is thus constructed as more weighty than personal intervention alone. Phillpott presents himself as being in some kind of moral debt or responsibility to his larger community to do something about this adulterous affair, yet he chooses the role of witness rather than of openly confrontational judge. Thus, he reports that on the Friday after

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<sup>73</sup> Sharpe (1999: 118) underlines the importance of “pressure from below.” Lawrence Stone (1977) was one of the first British social historians to draw attention to the immense importance of local social regulation to early modern communities. However, the scenario he sketched was one of a bleak society where interpersonal relationships were dominated not so much by love as by malice and violence. His work provoked a wealth of criticism, for instance by Wrightson, Fletcher and Sharpe, which ultimately lead him to revise his thesis.

<sup>74</sup> Whether the notions of ‘proper behaviour’ negotiated in these instances “were those of the ‘community’ or of its ruling stratum of relatively rich and perhaps relatively respectable yeomen and artisans” (Sharpe 1999: 119), is a point open to debate, which ultimately hinges on the conceptual framing of the term ‘community.’ See above, 44n3.

<sup>75</sup> The emphatic marker is even specifically inserted.

<sup>76</sup> GDR 109, Office *c.* Payne and Anflett, 14 September 1610, deposition of Humfry Phillpott.

<sup>77</sup> GDR 109, Office *c.* Payne and Anflett, 14 September 1610, deposition of Humfry Phillpott.

Whitsunday, around the first of June, at about nine o'clock, Michael Payne came to visit Jone Anflett and stayed alone with her in her bedchamber for about a quarter of an hour. When he noticed Payne's arrival, Humfry Phillpott, according to his deposition, immediately left to go and see Jane Hall, a brewer's wife and "next neighbour" to Jone Anflett, and, consequently, one of Phillpott's closest neighbours as well, to tell her that right then, Michael Payne was in Jone Anflett's bedchamber. He suggested that she "take some other woman with her and to see [...] what [the couple] did then and there together which [...] Jane Hall did accordingly." Phillpott further professes to be ignorant of the outcome of the women's investigation, but the general circumstances lead him to believe that Jone Anflett and Michael Payne had, as it was termed, "the carnall knowlege of each others body."<sup>78</sup>

Jane Hall had deposed four days before her neighbour Humfry Phillpott. Her deposition presents an account of what went on after Phillpott came and asked her to inquire further into what transpired in Anflett's bedchamber. Jane Hall had a room which directly adjoined to this said bedchamber. And, through a hole in the wall, she could indeed see Michael Payne "lieing in naked bed hauing onely his shirte on, solus cum sola [inserted] with the said Jone Anflett clipping embracing and kissinge her [...]: in most notorious and scandalous manner."<sup>79</sup> Upon seeing this, she immediately went downstairs again and asked Elisabeth Morris, one of the neighbours, to come up and see Payne and Anflett together, which she promptly did, and Hall and Morris both arrived at the conclusion that Payne did then and there "carnally know the body of" Jone Anflett.<sup>80</sup> Elisabeth Morrice, a shoemaker's wife, deposed on the same day as Jane Hall. She alleged that Jane Hall came to see her and asked her to come back to her house because she had to talk to her. Once in her house, she asked her to go upstairs and look through the hole in the wall to see "what she cold espy in the next chamber."<sup>81</sup> Morrice's deposition supports Hall's findings that Michael Payne and Jone Anflett had then and there committed adultery.

The gender aspects of this case are interesting as they seem to contradict often-reiterated notions of the existence of a double sexual standard with respect to sexual morality. While the majority of (even more recent) studies of early modern gender relations have tended to reiterate that "men could not as easily be held accountable" for sexual transgression, and therefore social and domestic order rested solely upon the scrutiny and regulation of

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<sup>78</sup> GDR 109, Office *c.* Payne and Anflett, 14 September 1610, deposition of Humfry Phillpott.

<sup>79</sup> GDR 109, Office *c.* Payne and Anflett, 10 September 1610, deposition of Jane Hall.

<sup>80</sup> GDR 109, Office *c.* Payne and Anflett, 10 September 1610, deposition of Jane Hall.

<sup>81</sup> GDR 109, Office *c.* Payne and Anflett, 10 September 1610, deposition of Elisabeth Morrice.

women's sexuality,<sup>82</sup> from the outset, this *ex officio* court action targets both Jone Anflett and Michael Payne. Admittedly, this does not appear to have been very common – my (random) sample<sup>83</sup> of office cases at the Gloucester consistory court certainly does not allow any more definite conclusions in this respect. It does – tentatively – suggest, however, that *male* sexual transgressions were a prevalent target of these office actions: seventeen cases promoted against men are contrasted by only five against women. Of those five office cases against women, only one relates to adultery, one to bawdry, and the rest to premarital fornication and bastardy issues.<sup>84</sup> In the suits which involved male defendants, bastardy (which is often connected to male adultery) is a prevalent concern. There are also a few cases which involved married women, hence adultery, but it is the male partners in crime who are examined and made to shoulder responsibility here, not the women.<sup>85</sup> Quite similarly, Phillipott's deposition lays the stress not on the adulterous wife's offence, but on the transgression of her lover Michael Payne, alleging it was not fit for a young man to visit another man's wife privately. His account thus refocusses attention as well as culpability entirely on the male partner. Already a short glance at the above depositions and the context from which they evolved thus reveals that the matter is more complex by far than is often suggested – Elizabeth Foyster's

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<sup>82</sup> Breitenberg (1996: 20), to whom I refer here, is really only one example. See also Shoemaker (1998: 72).

<sup>83</sup> Those GDR/B4/1/X cases catalogued by the Gloucestershire Archives and classified as adultery were examined selectively, while GDR signatures 100, 106, 109 and 159 and 168 were browsed for office case depositions – these samples are thus more random, although the years 1606-1611 (GDR 100, 106 and 109) were sampled almost conclusively.

<sup>84</sup> Office *c.* Woman: GDR/B4/1/2325, Office *c.* Maude Morris, (bastardy, fornication); GDR/B4/1/863, Office *c.* Ursula Bugbee (adultery); GDR/B4/1/1918, Office *c.* Margaret Hart (bastardy, fornication); GDR 109, Office *c.* Joyce Hill (bawdry); GDR/B4/1/242, Office *c.* Joan Robins (adultery or fornication). Note that the records often do not classify these cases, or use different terms. My classification here is intended to suit the demands of my discussion.

<sup>85</sup> Office *c.* Man: GDR 89, Office *c.* Richard Pascal (bastardy\* [involving male adultery]); GDR/B4/1/2274, Office *c.* John Holder (adultery [both Holder and his lover Elizabeth Vick are married; the affair also involves a divorce case by Mr Vick, yet not disciplinary office action against Elizabeth]); GDR/B4/1/2923, Office *c.* John Cook (adultery, incest); GDR 100 & GDR/B4/1/1934, Office *c.* Thomas Wood (fornication or adultery); GDR 109, Office *c.* Simon Cotherington (bastardy [possibly involving male adultery]); GDR 106 & GDR/B4/1/2571, Office *c.* William Holder or Houlder (bastardy\* [involving male adultery]); GDR/B4/1/1405, Office *c.* Richard Kent (bastardy [but classified by Gloucestershire Archives as (male) adultery]); GDR 106 & GDR 109, Office *c.* Thomas Pearce (bastardy\* [possibly involving male adultery]); GDR/B4/1/2413, Office *c.* Edward Dudson (bastardy\* [but classified by Gloucestershire Archives as (male) adultery]); GDR 109, Office *c.* Richard Sizemore (adultery [i.e. sex with a married woman, Richard Sizemore's own marital status is unclear]); GDR 159, Office *c.* Richard Showell (adultery [i.e. sex with a married woman, Richard Showell's own marital status is unclear]); GDR 159, Office *c.* Henry Carter (aiding and abetting bastardy), GDR/B4/1/617, Office *c.* William Ocklee (sexual incontinence [fornication with a widow and attempted adultery with several married women]); GDR 168, Office *c.* Edmund Perker (bastardy [involving male adultery]); GDR/B4/1/2489, Office *c.* Richard Wilkes (bastardy [involving male adultery]); GDR/B4/1/1791, Office *c.* Thomas Hill (sexual incontinence [bragging and boasting about having slept with numerous married women]); GDR/B4/1/2406, Office *c.* Simon Wallington (adultery [both parties were married yet only Simon seems to have been questioned before the Gloucester consistory court]). Those bastardy cases marked by \* involve female servants.

acclaimed analysis has shown this in much greater depth and detail.<sup>86</sup> I am not denying that sexual deviance *per se* was gendered, as it has been suggested, for example, by Anthony Fletcher.<sup>87</sup> I am only cautioning against the rash presupposition and, therefore, reinscription, of a homogeneous binary gender system and fixed hierarchies between the sexes.

If we take the quantity of court action as a meter of the social disruptiveness attributed to particular offences, female sexual deviance was clearly not construed as more socially significant or disruptive than male sexual transgressions. The fact that one cannot read a gendered double standard in the modern sense into the above depositions and the dispersion of office cases sampled from the Gloucester consistory court should not encourage the conclusion that this was due to gender-nivellating tendencies of the medium in which these records originated. In fact, Robert Shoemaker has argued that a double standard, which regarded men's promiscuity as far less harmful than women's, was indeed deeply ingrained in the law.<sup>88</sup> Set against the above observations this illustrates that, even if we concede that the legal text was partial, there is a difference between legal structure or, more generally, prescriptive discourse and actual practice.

The depositions in the above example are obviously designed to produce the sort of evidence demanded by ecclesiastical law. Two primary witnesses present direct evidence, while a third supports their narrative. The position of the two lovers is noted as well as the deranged state of their clothing. The record itself reveals efforts to style the narration in compliance with the demands of the ecclesiastical law: the formula *solus cum sola* is inserted into the text at some point of its production, which referred to the private nature of the couple's meeting, and which, in the vernacular, is reiterated throughout the depositions. The agents in this account are all of a respectable, 'middling-sort' crafts and trades background. What is striking in terms of gender relations is that although Phillipott is the one who sets out to investigate, it is not other men, but married women to whom he turns for support in order to establish creditable accounts of witness. He even denies to be informed of their findings so that all responsibility rests on the actions and accounts of these two married women. Phillipott himself does not go up in Mrs Hall's chamber to spy through the hole. His conduct, therefore,

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<sup>86</sup> See Foyster (1999).

<sup>87</sup> Fletcher (1995: 101).

<sup>88</sup> Shoemaker (1998: 72). Shoemaker hastens to add that "this is not to say that men's peccadilloes went unchallenged," however, in the same breath, he restricts this "particularly" to middle class backgrounds and "times of intense religiosity." The use of the term "peccadillo," however, is already very suggestive of a certain bias. Cf. also Houlbrooke (1984: 116), who observes that the common law disadvantaged "the condemned eloped wife" as she lost her dower and jointure while there was no comparable penalty for the husband. However, that there is no exactly congruous penalty for husbands in legal theory is not to say that social practice actually condoned male adultery; there might be other consequences adulterous men had to face, especially where illegitimate children were involved.

is antithetical to Michael Payne's, the outward marker of whose transgression is precisely that he joins a married woman in her private rooms. However, Phillpott ensures that the acts of witness of Jane Hall and Elizabeth Morrice can be attributed to his agency insofar as Jane obediently follows his directions. Yet this cannot be explained simply by prescriptive gender notions of obedient femininity and dominant masculinity, since the question in how far a married woman would have to take directions from men other than her husband is at least contestable – this in itself, as we shall see in chapter six, could quite easily allude to adultery again. On the other hand, it is therefore possible to argue that Phillpott's denial to be informed of the outcome of the women's investigation might be an attempt to veil his appropriation of authority over another man's wife. It can also be read in the larger context of a strategy, of which the above-mentioned referral to his chiding neighbours may also be a part, to stress Phillpott's beneficial agency without assuming full responsibility for his actions and the resulting narrative of adultery.<sup>89</sup>

Phillpott is the only man out of five witnesses in this case, which raises the question of his status. His deposition is the last one. We do not know whether he was cited to depose from the beginning and only appeared later than the other witnesses, or whether it became apparent during the trial that his deposition was needed – maybe even as a sort of finishing touch, a male voice buttressing the legitimacy of the women's depositions. What is striking in this case is the level of (inter)action among the neighbours, the chain of people becoming involved, the speed and readiness with which all the witnesses claim to have (re)acted, and the great importance placed on generating first-hand evidence as eye-witnesses which conformed to the demands of canon law. It is also apparent how intricately the generation of (evidence for) adultery in these depositions is connected to questions of spaces, authority and government which will be dealt with in the following chapters.

The neighbours in this lawsuit do not act as passive witnesses. On the surface, their actions are shaped as *reactions* to a prior transgression; yet, I would argue that it is really their *actions* which connote the deviance of what Payne and Anflett are doing. Through their narratives and the actions which they recount, they actively seek to constitute legitimate and authentic acts of witness. There is the obvious attempt to incite the biggest possible publicity without causing a neighbourhood suspicion of potentially illegitimate scandalous gossip-mongering. Also, status emerges as an important determinant of legitimate witness. Jane Hall,

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<sup>89</sup> A similar strategy to deny ultimate responsibility of witness, at least in the context of the depositions, is also evident in GDR 106, *Vick c. Vick*, especially the depositions of John Gabb and Henry Eagles, the two eye-witnesses in a case of female adultery, on April 18 and 24 1609. This case is discussed below, see 72ff. & 220ff.



the brewer's wife, would very probably have had one or more servants or apprentices in her house whom she could have asked to explore the matter at hand with her, but she chose to alert her neighbour, who, similarly, by virtue of her married status alone may have been able to claim considerable authority.<sup>90</sup> Evidently, not everybody was able to legitimately denote other people's actions as transgressive. Most importantly, all deponents in this case, just like Humfry Phillpott, actively collect evidence and manage information instead of openly judging and confronting either the adulterous couple or the cuckolded husband. If such confrontations existed, they clearly represent a blind spot in the official records of this adulterous affair. This means that one kind of neighbourly performance related to adultery is foregrounded while the other is completely neglected. While the records report that Humfry Phillpott has been publicly chided, the punishment of the adulterers themselves is presented as resting solely with judicial authorities.

Witnesses, then, did not passively absorb other agents' transgressions, but they were its active creators. This pertains to the narratives they told as well as the actions they took. Ultimately, Payne's and Anflett's transgression is constituted socially by their neighbours' acts of witness. If nobody had reacted to, or had *cared* about the two people's meetings, no sense of transgression would have been generated. On the other hand, by fashioning oneself as a witness, for instance by alarming other people to the special significance of a certain incident, one can (re)codify the act(s) one has just observed as transgressive, which also suggests the possibility of a future judicial situation. Through their actions and words which connoted them as potential witnesses, neighbours and friends thus generated transgressive meanings.

One crucial issue, as I have already pointed out, was the negotiation of who should be able to legitimately (re)signify transgression in such a way as to make it socially and legally significant. Where depositions before the ecclesiastical court were concerned, canon law, in concordance with Deuteronomy,<sup>91</sup> demanded at least two witnesses to support the same narrative. Depositions as well as witnesses' actions were shaped accordingly, which is quite apparent in the case against Payne and Anflett where there are two direct eyewitnesses. Moreover, the testimony of the offenders as well as their spouses was excluded.<sup>92</sup> Neighbours as witnesses, then, in their role of carers and keepers of the community, might have had a much stronger position in publicising transgression than the affected wives and husbands, non the least since it was their actions and performances which ultimately afforded and constituted

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<sup>90</sup> These considerations challenge the universality of Laura Gowing's (2003: 105) proposition that neighbours remained silent observers in sexual dramas, whereas servants engaged in them as active participants.

<sup>91</sup> Cf. Deut. 19:15.

<sup>92</sup> Cf. Stone (1990: 197).

institutional responses to adultery.

The social position of these witnesses-*cum*-agents (including their relation to the transgressors) was central to determining whether they were able to establish this meaning of transgression legitimately, with its full range of social connotations. Attempted acts of witness did not always confirm or further individual status, but could also draw it into question. Witnesses might, for example, be accused of slander. However, if one failed to act up against one's neighbours' sexual transgression, one possibly risked one's position as a good, moral neighbour, too. One could find oneself not only confronted by reproachful neighbours, but also in trouble with the law – for aiding and abetting sexual offences, or, in other terms, bawdry. This is basically Humfry Phillpott's quandary.

Another of the Gloucestershire cases offers enlightening insights into this subject. This office suit was promoted in 1609 against Joyce Hill by Anna Partridge of Syde, the wife of a gentleman named John Partridge, who was Joyce's landlord and who had an affair with her daughter. Anna Partridge did not target her husband, nor did she target his lover. Both Ann Hill and John Partridge had already been subjected to considerable legal action and thus disciplinary pressure. The previous year, rumour ran, they had been taken together in Bristol, where, consequently, Ann Hill was put in jail and Mr Partridge was bound over not to come into her company again.<sup>93</sup> They had also been examined in an ecclesiastical court on suspicion of 'incontinent living,' where John Partridge may have been excommunicated (nothing is said about Ann Hill's punishment here).<sup>94</sup> However, these antecedent efforts had been futile, since, at the time of this lawsuit, Mr Partridge and his young lover had eloped together.<sup>95</sup> Hence Anna Partridge now aimed this suit at the mother of her husband's lover in whose house the illicit acts had allegedly taken place, and against whom she was also waging a defamation suit in the same year.<sup>96</sup> Even though Joyce Hill's house was not the only place of transgression – Ann Hill and Mr Partridge were reputed to have had sexual intercourse in diverse places and at different times – the trial examined whether Joyce Hill consented to or even encouraged John Partridge to have sexual intercourse with her daughter in her house, even after he had entered a bond not to see her again.<sup>97</sup> The case, thus, was one of aiding and abetting sexual

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<sup>93</sup> GDR 109, 27 October 1609, deposition of Margery Edwards, wife of Tom Edwards, and deposition of John Wilse. As John Wilse, John Hill's servant deposes, the lovers were taken while going along a street in Bristol, so somebody must have alerted the authorities. – Another attempt of his wife to straighten out the situation?

<sup>94</sup> GDR 109, 27 October 1609, deposition of Margery Edwards. She deposes that Partridge's name was read out in church during service as standing excommunicate.

<sup>95</sup> GDR 109, 27 October 1609, deposition of Margery Edwards.

<sup>96</sup> See GDR/B4/1/2415.

<sup>97</sup> Ultimately, the enquiry also seeks to clarify her role in the elopement of her daughter and John Partridge.

offences,<sup>98</sup> and, ultimately, of Joyce Hill's misgoverning her house. The depositions suggest the Anna Partridge, in a fashion similar to Phillpott's neighbours, had entreated Joyce Hill not to allow Mr Partridge to visit her home when her daughter was present. Yet even though defendant had allegedly fallen to her knees, begged for forgiveness and promised that she would do as Mrs Partridge asked, thereby simultaneously demonstrating her responsibility in the case and her determination to take it more seriously, Mr Partridge still visited.

The point was that Joyce Hill had allegedly failed to codify her daughter's and Partridge's behaviour as objectionably transgressive through her (public and private) actions, wherefore she now risked being included in or held responsible for her daughter's acts of immorality. It remained open to negotiation what authority Joyce Hill held to counteract and oppose this liaison, the male party involved being her landlord. As one witness remarked, "he is her landlord and she dares not displease him."<sup>99</sup> Theoretically, Joyce Hill would have to banish Mr Partridge from his own property, which sounds extraordinary. However, the question advanced by Anna Partridge's promotion of the suit and the subsequent depositions was precisely one of Joyce Hill's responsibility – not only for her daughter, but also for her male social superior John Partridge. This case, then, does not only negotiate Joyce Hill's responsibilities within her own family and household, but also in a wider-ranging implication of communal well-being, much in the sense in which Phillpott purported that his actions reflected his desire to take responsibility for his neighbourhood. Joyce Hill's example shows that it was not only men who could be made responsible for transgressions in their neighbourhood. This suit also gave Anna Partridge a platform to demonstrate her own efforts of opposing her husband's transgression, of taking responsibility for her own marriage. It thus provides an example of what betrayed, deserted wives could do to direct public awareness to their spouse's adultery, thereby ultimately consolidating their own position within the community.

Adultery cases – inside or outside the court – depended on the actions of witnesses<sup>100</sup> which indicated that a certain line had been crossed. Legal action against adultery and fornication was taken at a local level to negotiate standards of personal sexual behaviour, of marital harmony, but also of individual reputation and responsibility for the community's

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<sup>98</sup> Cf. Ingram (1987: 284), who points out that parents were occasionally prosecuted "for acting as bawds to their own children, by deliberately allowing them to fornicate under the parental roof."

<sup>99</sup> GDR 109, Office (by Anna Partridge) *c.* Joyce Hill, 27 October 1609, deposition of Thomas Bradley.

<sup>100</sup> I am suggesting a broader conceptualisation of *witness* here than Gowing (1996: 189), who simply states the importance of witnesses for the judicial process of dealing with adultery.

well-being. In this context, the observation practices used by Humfry Phillpott and his neighbours, which might astonish modern readers, were in no way unusual. This was an environment in which there was a close ideational proximity between one's own household and those of one's neighbours. Neighbours felt they had a right to get to know each other, to gain insight into each other's businesses, to establish friendship and business ties, and to identify and exclude *personae non gratae*. The knowledge neighbours gained from watching closely what went on next door gave them a considerable amount of power, which they could consolidate in open acts of witness. They were prepared – and expected – to become actively involved in what we might consider other people's business, and the setting out to 'catch' offenders, seems to have been a very common structure.<sup>101</sup> In the absence of a professional police force, the detection and prosecution of offences depended on neighbours' individual initiative.<sup>102</sup> The notion that everybody was responsible for social, economic and spiritual communal hygiene, and that to do nothing in the face of transgression might be taken as a sign of consent,<sup>103</sup> was advanced in numerous prescriptive didactic-religious texts. What has been often overlooked, however, is that it was not the immediate, sexual actions of the delinquents which established the notion of transgression in its full meaning, but the actions of neighbours who reiterated what they had seen or heard. The fact that someone posed as witness was a more meaningful marker of transgression than the intimate act of adultery between two lovers. The actions of neighbours as witnesses included the narrativisation of adultery and its circulation in gossip, rumours, and the stories told at court, which will be examined in the next section.

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<sup>101</sup> Cf. Amussen (1988: 50).

<sup>102</sup> See Capp (2003: 282), Sharpe (1998: 11), Amussen (1994: 79). Bailey's data (2003: 158f.), however, indicate that this sort of more or less opportunistic neighbourhood surveillance was still rather flourishing at the end of the 18<sup>th</sup> century, when the fight against crime had been professionalized to a more considerable extent.

<sup>103</sup> Cf. Hyperius, *The True Trial and Examination of a Man's Own Self*, 106, also quoted at the beginning of this section.

### 3.2. Gossip and Slander

“’Tis good to play with rumour at all weapons.”

Sir Walter Whorehound in Middleton’s  
*A Chaste Maid in Cheapside*<sup>104</sup>

*“The reputation of communities and individuals alike was constantly reshaped by news, rumour, and comment. Gossip, ubiquitous in early modern England as in most places, played a key role in moulding local public opinion and in the wider politics of the parish. Men and women exchanged news in the street, alehouse, or market, at church, working in the fields or sheltering from the rain, even at deathbeds and funerals.”*

Bernard Capp<sup>105</sup>

Gossip, as a specific form and structure of narratives of transgression, being largely local by definition, plays an important role in the constitution of adultery in early modern England.<sup>106</sup> From another perspective, one could say that adultery and fornication were central to constituting gossip, and its counterpart defamation or slander. Evidence from contemporary court records conveys the impression that sexual issues were a popular subject of everyday social interactions, including the exchange of news and the like. Sexual themes, for instance, figured prominently in ecclesiastical defamation suits, which underlines the (growing) importance of sexual reputation or ‘honesty’ in local communities.<sup>107</sup> My (random) sample of Gloucester consistory court records does not include a single defamation<sup>108</sup> case, whether brought by male or female plaintiffs, where sexual slander was not the decisive issue.<sup>109</sup> Moreover, evidence from defamation suits from other localities confirms the impression that the sexual reputation at risk in these cases was equally important to *both* men and women.<sup>110</sup>

<sup>104</sup> Thomas Middleton, *A Chaste Maid in Cheapside* (Loughrey, B., ed., 1988), 2.2.37.

<sup>105</sup> Capp (2003: 272).

<sup>106</sup> Cf. Capp (2003) and Gowing (2001), both with special reference on the involvement of women, for the connection between credit and gossip see Sharpe (1999: 123).

<sup>107</sup> Cf. Ingram (1987: 292).

<sup>108</sup> As Lindsay Kaplan (1997: 12) has noted, various terms existed to denote this offence, however, slander was used most widely. Defamation, one should add, was also prominent.

<sup>109</sup> This sample contains depositions to 33 cases explicitly categorised as actions for slander, from 1579 to 1630, the bulk of which originates from the period between 1608 and 1610. It has to be added that by the 17<sup>th</sup> century the prosecution of slander in common law jurisdiction was already well established (cf. Kaplan, 1997: 15ff.). My analysis, however, is solely based on ecclesiastical court records, which is mostly due to their more ready availability.

<sup>110</sup> Capp (2003: 249). See also Ingram (1987: 301, table 13), who lists sexual slanders before different courts of Elizabethan Wiltshire and York and early Stuart Wiltshire and Ely according to their referential nature.

Pamela Allen Brown rightly points out that “[w]hat we now call gossip was, in fact, essential to being a good neighbour.”<sup>111</sup> However, she wrongly maintains that this pertained only to women, and that it was not related to slander.<sup>112</sup> As shall be shown, in a significant way which is rarely noted by critics, slander is an act of witness or gossip gone wrong; in other words, the infelicitous performance of gossip (and witness).<sup>113</sup> Information-sharing is one of the issues where female agency is particularly prominent,<sup>114</sup> and stereotypes of (reprehensible) female talkativeness were thriving in early modern England. Nevertheless, the importance of male agency in this context should not be disregarded. The interactions created by court depositions offer ample evidence of men engaging in colourful talk about their neighbours. Gossipmongers, male or female, were able to manipulate public opinion and its social repercussions. Significantly, even though they flourished outside the ecclesiastical courts, the status of such gossipy narratives was never fully extra-legal.<sup>115</sup> They not only affected or, in effect, *generated*, a person’s reputation,<sup>116</sup> but also brought forth suspicion and hence simultaneously constituted the incentive for presentation before the court, thus forming the actual body of evidence for what was then dealt with in lawsuits. Also, the mere fact that a certain story circulated widely or was “common rumour” was taken to constitute evidence.<sup>117</sup>

Sexual transgressions such as fornication and slander are closely interconnected. This is logically consistent since, by definition, slander had to impute activities which, if true, could be legally prosecuted. If the slander action was to be taken in an ecclesiastical court, the

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Interestingly, this table discloses that in these locations, generally a higher overall *percentage* of male plaintiffs were slandered with reference to adultery/fornication than the overall percentage of female plaintiffs, although the actual *number* of female plaintiffs slandered with reference to adultery/fornication was greater. Also bastardy emerges as a gendered concept insofar as, in three out of the four samples, more men were slandered with reference to *begetting* a bastard child than women with reference to *having* a bastard child. Gowing (1996: 64, table 15), which lists London slanders, presents a similar picture. It also suggests a rise of slanders of men for fathering a bastard in the first half of the 17<sup>th</sup> century. Furthermore, this table attests to a significant rise in slander prosecution before the London Consistory court in the first half of the 17<sup>th</sup> century, whereby the rise in female plaintiffs exceeded the rise in male plaintiffs.

<sup>111</sup> Brown (2003: 63).

<sup>112</sup> Brown (2003: 63).

<sup>113</sup> Even though the crucial role of gossip and defamation for the social interaction and social regulation in early modern communities has been treated extensively in historical analyses, this aspect has rarely caught scholarly attention. Ina Habermann (2003: e.g. 60, 63 & 75), possibly guided by her reading of Butler, recognizes the illocutionary quality of slander as defined in the legal context, but does not relate this to gossip or other forms of social interaction.

<sup>114</sup> See Hindle (1994) for a detailed analysis of the role of gossip and its gender aspects in early modern England. As Capp (2003: 59) suggests, “[i]t is clear that local public opinion often developed initially among the women of a neighbourhood, especially in relation to other women.”

<sup>115</sup> Cf. Amussen (1988: 99).

<sup>116</sup> It should have become obvious by now that I prefer the terms ‘reputation’ and ‘credit’ to ‘honour’ as the latter carries too many class connotations. Habermann (2003), for instance, does not recognise these distinctions.

<sup>117</sup> Cf. Foucault (1995: 42) “The suspect, as such, always deserved punishment; one could not be the object of suspicion and be completely innocent.”

slander had to impute an offence punishable in this context.<sup>118</sup> Adultery, fornication and also bastardy were actionable in ecclesiastical courts, and hence causes of slanders which alluded to these offences would be heard in church courts.<sup>119</sup> However, it was precisely the framing and rhetorical composition of a specific situation or interaction which determined both whether they alluded to a criminal offence by one party and constituted slander by another party. Framing a transgression so as to justify its presentment at a particular legal institution was a creative, powerful process.<sup>120</sup>

Slander was generally constructed as a transgression which signalled a lack of charity with one's neighbours, a malicious intention to harm their reputation.<sup>121</sup> Thus, on the one hand, the notion of neighbourly responsibility obliged people to (publicly) act up against transgressions they noted; on the other hand, this acting up might be conceptualised as a violation of neighbourly peace and as a symptom of their lacking 'good neighbourly' attitude. The boundaries between normative requirements and transgression thus were extremely shifty in this respect.

In addition, critics often note that a certain level of (intentional) publicity was necessary to constitute the offence of slander, e.g. in causing 'ill fame' and rumours.<sup>122</sup> Laura Gowing stresses that defamations "rarely happened inside private houses, at meals, or within private conversation, but were staged, often in the open, with an audience provided by the witnesses who, 'hearing a great noise' in the street, left their work or houses to investigate or intervene."<sup>123</sup> She concludes that most slanders occurred outside, in the street, and that the doorstep was a particularly "crucial vantage point for the exchange of insult."<sup>124</sup> Consequently, witnesses are a vital element of slander. Ina Habermann's functional definition of slander, which proposes a triangular structure of slanderer, victim and witness, holds that what distinguishes slander from insult is precisely the presence of a witness.<sup>125</sup> Slanderous expressions thus are always directed both at the victim and at the witness. What has to be added to Habermann's account is that the victim does not even need to be present in the social interaction which generates a slanderous comment, whereas the presence of witnesses is

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<sup>118</sup> Bound (2003: 64). For a more detailed account see Ingram (1987: 296), also Shoemaker (2000: 99).

<sup>119</sup> Helmholz (1990: 56).

<sup>120</sup> Cf. Beaver (1998: 82).

<sup>121</sup> R.H. Helmholz (1990: 59 & 63) notes in his study of *Roman Canon Law in Reformation England* that there seems to have been a conceptual broadening of slander in ecclesiastical jurisdiction so that it also applied to reproachful words considered to have been spoken out of malice and in abuse of ideals of 'fraternal charity.'

<sup>122</sup> Bound (2003: 64), cf. also Ingram (1987: 294), who argues that "the use of public penance [for slander] signified that defamation was conceived to be a public offence as well as a private injury."

<sup>123</sup> Gowing (1996: 98).

<sup>124</sup> Gowing (1996: 99).

<sup>125</sup> Habermann (2003: 2), also Bound (2003: 64).

indispensable.

In turn, we may define gossip as an “informal, private communication between an individual and a small, selected audience concerning the conduct of *absent* persons or events.”<sup>126</sup> If slander, as I want to suggest, is essentially related to gossip, then a considerable part of slandering occurs in smaller, more private communicative situations. In consequence, even if a certain degree of publicity is requisite to this “slander triangle,”<sup>127</sup> the conceptualisation of slander as inherently “public” needs to be further differentiated. The contemporary legal theorist Ferdinando Pulton, for instance, distinguished between “libelling, secret slandering,” and “defaming of another.”<sup>128</sup> Telling stories about other people in a secretive mode was just as dangerous as openly marking someone as a ‘whore’ or a ‘whoremaster.’

The connection of gossip and slander to witnessing is another element which needs to be added to common conceptualisations of slander. More often than not the slanderer is him- or herself is posing as a witness – of the ‘slandered’ party’s alleged transgression. Thus, slander may not only be gossip ‘gone wrong,’ but also an act of witness ‘gone wrong.’ In fact, as we shall see, the attributive roles of witness and slanderer exist on both ends of a continuum, and the signifying authority, the position on this scale, is contested over by oppositional claims to legitimacy and respectability. Sometimes this contestation was even carried out in oppositional legal action, in a suit – countersuit structure.

### 3.2.1. Witnessing Gone Wrong

Ursula Bugbee of Dumbleton, who, although married, had not cohabited with her husband for four years, living with her father instead,<sup>129</sup> was rumoured to have a sexual relationship with her father’s miller, Thomas Goodlad. John Dobbins, one of the main purporters of these rumours, moved an office case against her, but she answered in kind by launching defamation cases against him<sup>130</sup> and Anthony Diston, who had similarly spread ‘slandorous gossip’ about

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<sup>126</sup> Merry (1984: 275), my italics. Sally Merry (ibid.) also delineates the relation between gossip and scandal, the latter being what occurs “when gossip is elevated into the public arena, when ‘everyone knows that everyone knows.’” To a certain extent, then, one could view slander and scandal as related.

<sup>127</sup> Habermann (2003: 2).

<sup>128</sup> Pulton, *De pace regis et regni*, B<sup>v</sup>, quoted in Kaplan (1997: 21).

<sup>129</sup> Cf. Ben Jonson’s *Volpone* (1606) where, as a result of her husband’s attempt to prostitute her to the rich Volpone, the virtuous wife Celia is sent back to her father with her dowry trebled by a jury inquiring into the affair.

<sup>130</sup> See GDR/B4/1/862.



her.<sup>131</sup> Anthony Diston had used private situations to spread his narrative. One day, for instance, he went out with Richard Sollons to a meadow called Netmeadow where they ate collops, and on the way back home he told Richard Sollons “in secreate” that he had had the carnal knowledge of Ursula Bugbee’s body twice at her father’s house about a year ago. Diston also told Sollons that he could produce a witness who could affirm that Ursula “had been occupyed twentye times on a table boarde.” As if this was not enough, he added that he himself had found Thomas Goodlad and Ursula Bugbee together, in a situation where Thomas Goodlad “had her down uppon the mill purse and had upp her coates or cloathes and was betweene her legges,” and that, in addition, Thomas Goodlad “had all the kissinge of her att home.”<sup>132</sup> Diston’s narrative, as the deponent Sollons and his scribe construct it, evinces his attempt to involve other witnesses, and thus to legitimise his claim about Ursula Bugbee’s transgressions. But both the secretive manner of Diston’s approach and the exaggerative nature of his details serve to discredit the reliability of his story and mark it as slanderous. After all, Sollons deposed for Ursula Bugbee’s side, which suggests that he shaped Diston’s narrative so as to make it appear transgressive. The marginally outrageous nature of some of those particulars (twenty times,<sup>133</sup> on a table board) can easily be linked to (transgressive) practices of male bragging about sexual prowess. On the other hand, excess was a decisive component in the general conceptualisation of (sexual) transgression,<sup>134</sup> so Diston may not have been totally unjustified to employ this marker.

In 1608, Thomas Rose of Broad Camden instigated two defamation cases before the consistory court in Gloucester.<sup>135</sup> Both defendants had spread rumours which hinted that Thomas Rose, who was himself married,<sup>136</sup> had had a sexual relationship with married Alice White.<sup>137</sup> John Mosley, the first defendant, fashioned himself as an active eye-witness in this scenario. He employed recognised markers of transgression. At night when, as Mosley himself pointed out, “it was a fitt time for everie man to be in bed,”<sup>138</sup> he noted Thomas Rose

<sup>131</sup> See GDR/B4/1/861.

<sup>132</sup> GDR 106, Bugbee *c.* Diston, 3 November 1608, deposition of Richard Sollons.

<sup>133</sup> Bernard Capp (2003: 256), for instance, in a passage dealing with male bragging of sexual conquests, cites the example of “an Oxford man, who allegedly boasted in 1617 that he had had another man’s wife ‘twenty times for a quarter of a pig.’” This bragging was judged contemptible behaviour by a neighbour.

<sup>134</sup> This conceptualisation apparently had a long tradition. As Michel Foucault (1992: 45) notes, the “idea that immorality in the pleasures of sex is always connected to exaggeration, surplus, excess,” is found in both Plato’s *Timaeus* and in the third book of the *Nicomachean Ethics*.

<sup>135</sup> GDR 106, 18 November 1608 & 23 March 1608 (1609).

<sup>136</sup> We can only deduce this fact from the deposition of John Bonner, who reported that John Mosley, the defendant, had told him that “he the said Rose kept the said Alice as common as he did is wife.”

<sup>137</sup> One cannot help but notice the fantastic coupling of the names – Rose and White.

<sup>138</sup> Why Mosley excluded himself from this directive, we can only speculate. Like Phillipott, he might have operated under a certain suspicion and may have set out to ‘catch’ Rose and White. Or he may have held a public office at that time, such as warden or constable, which entailed that he patrol the streets and ensure

who came from ‘the long hedge,’ jumped over it and entered his father’s house at the back gate. The late hour as well as the hedge and the back door (spatial markers which will be discussed in more detail at a later point) all point towards secretive intentions. Mosley went to investigate and “looked further along the said longe hedge and there sawe Alice White [...] by her self.”<sup>139</sup> The interpretation which John Mosley allegedly offered – and spread – was that “he thought that the said Rose and Alice White att that time had bin nought together, [i.e.] that they had carnall knowledge of each others bodye.” Yet, unlike Jane Hall and Margery Wood in the office case against Michael Payne and Jone Anflett, Mosley did not claim to have witnessed the physical act of adultery directly. This foregrounds his narrative and plot construction, as well as their speculative nature, and thus ultimately makes him more vulnerable to accusations of malicious manipulation. Neither did he reinforce his act of witness by immediately alerting other neighbours. The assertion that it was late at night when (almost) everybody was in bed might serve as an anticipatory explanation of why he had not done so.

Whether somebody acted as a responsible witness of a sexually transgressive action, or as a spiteful gossipmonger spreading malicious tales was a matter wide open to negotiation.<sup>140</sup> It seems that a lot depended on whether one was able to recruit other witnesses to buttress one’s own testimony. The act of trying to engage other witnesses, whether as direct eye-witnesses, or as (belated) confidants, however, was hazardous as it might be interpreted as slander if contextual factors were unfavourable. Elenor Taylor became the target of Thomas Rose’s second defamation suit, even though she had, in fact, attempted to incite other neighbours to come and witness Rose’s and White’s illicit meeting directly. But, apparently, her authority to do so was restricted.

The way in which John Mosley subsequently went about sharing his observations suggests that he was aware of the precariousness of his situation; or put differently, the precariousness of the situation is evoked in the way the dissemination of the narrative is presented in the depositions. For all the records will yield, Mosley did not directly confront Thomas Rose. Instead, he chose private one-to-one situations to talk about what he had allegedly witnessed. This, however, could be interpreted as (overly) secretive and hence as a

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neighbourhood peace. Further archive research might yield an answer here.

<sup>139</sup> GDR 106, Rose *c.* Mosley, 18 November 1608, deposition of William Toms. See also GDR/B4/1/579.

<sup>140</sup> As Helmholz (1990: 66) has pointed out, this was precisely what made the situation of churchwardens so precarious, who had to report (suspicions and rumours of) offences and were thus in danger of being subjected to suits for defamation, until the canons of 1604 made it inadmissible for judges to admit complaints against churchwardens, because it was presumed they did not act out of malice, but in accordance with the requirements of their office.

marker of malicious intent and, consequently, of illicit slander. Mosley's choice of confidants, moreover, proved unfortunate. One of the men he approached claimed to have been acquainted with the suspected adulterer from his childhood, and vouched for Rose's good character and reputation, discounting Mosley's credibility.<sup>141</sup>

Deponents in ecclesiastical defamation suits were asked to express their opinion on whether they thought the defendant's allegations against the plaintiff were false or true. Their answer, usually the final statement of the depositions, therefore, determined where the transgression, in the deponent's view, was to be allocated: on the side of the plaintiff (adultery or, more generally, sexual transgression) or on the side of the defendant (slander – we might call this adultery-related transgression). In slander cases the possibility always existed that the allegation was true and that the 'victim' of a slander was in fact the perpetrator of a crime. "Thus, at least in theory, the positions of plaintiff and defendant could be reversed at any time," which made defamation both reversible and reflexive.<sup>142</sup>

Ecclesiastical defamation suits operated on the basic allegation that a person's formerly good reputation was harmed and discredited by a slanderous utterance. In thus transforming individual credit and status, slander was constructed as an illocutionary speech act, or as a series of those.<sup>143</sup> It is obvious that the crux of this whole matter is that a morally disreputable person cannot really be defamed; a person without credit cannot be discredited for immoral living. Sexual slander consequently pertains only to members of the community who have a reputation to lose.<sup>144</sup> Individual reputation is thus of legal significance. Correspondingly, "unchastity was ultimately a matter of reputation, not proof."<sup>145</sup> Good reputation, on the other hand, "was almost self-perpetuating," which also put witnesses in a hazardous position as it meant that the "accusers of the respectable were more suspect than the accused."<sup>146</sup> Transgressive behaviour was not perceived as a singular lapse, but as

<sup>141</sup> GDR 106, Rose *c.* Mosley, 18 November 1608, deposition of John Bonner.

<sup>142</sup> Kaplan (1997: 15). See also Ingram (1987: 293).

<sup>143</sup> Cf. Habermann (2003: 63). Even though the crucial role of gossip and defamation for the social interaction and social regulation in early modern communities has been treated extensively in historical analyses (Gowing (e.g. 1993 & 1994), Foyster (1999), Capp (1996), but also Fox (1994), Ingram (e.g. 1984 & 1985b), Sharpe (1980) all have addressed this issue in one way or another), with the exception of Ina Habermann, this aspect has not caught the attention of scholars of (English) early modern culture and history.

<sup>144</sup> Theoretically, things may have looked different. At least they did so in common law, where, as Baker (1990: 505) has pointed out, it was held in 1535 that a man could sue for defamation even if he had a bad reputation: "Every man, however wicked, had the right to protection against false statements to his detriment." This may have been more easy to uphold where more 'material' accusations such as theft were concerned, but in cases of sexual slander where all the evidence was based on the existence of certain rumours and the credibility of witnesses and plaintiff, the situation clearly appears in a different light. In any case, the (usually) last part of the depositions in which deponents had to make a statement concerning the general reputation of the plaintiff must have had a function.

<sup>145</sup> Gowing (2001: 51).

<sup>146</sup> Amussen (1988: 99), see also Capp (2003: 204).

reiterative by nature. It was taken to reflect a person's general moral constitution, his social worth and identity.<sup>147</sup>

By instigating legal action against those who spread rumours about him, and thus suggesting that he had been wronged, Thomas Rose could have hoped to fashion himself exactly as an honourable member of the community, to set his own performance against that of the slanderers and thus, possibly, to gain some amount of control over the dissemination of those rumours. Moreover, sexual reputation, as Thomas Rose's court action evinces, was apparently so important for married men that they felt they had to judicially counteract allegations of adultery. If one compares the above-examined office suit against Michael Payne and Joan Anflett to the defamation suits launched by Thomas Rose, it is precisely the successful acquisition of further witnesses and the successful mobilisation of neighbourhood support which evidently makes the difference, for example in determining whether somebody's act of witness might be considered illegitimate. Neighbourhood support, then, could work for the allegedly adulterous couple, but also against them, and for the witnesses.

In acting as witnesses, as I pointed out above, neighbours did have the opportunity to negotiate their position within the local community. As Scott Taylor has observed, "through slander, truth telling, confrontation, and trust, individual men and women emerge as brokers of their own reputations and the reputations of their neighbors."<sup>148</sup> But acting as a witness brought one's own credibility under particularly close scrutiny and put one's standing in the community to a test:<sup>149</sup> Was it authoritative enough to assign the transgressive meaning to the other party? Or would it fail and thus bring the transgressive meaning down upon oneself? Old neighbourhood conflicts might be highlighted. Old misdemeanours and crimes, or the *rumours* and suspicions thereof, could be revitalised by witnesses for the oppositional party and could thus be refreshed in communal memory. For instance, having a bastard child and/or having been convicted of sexual transgression could seriously impair the credibility of both

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<sup>147</sup> Foucault's (1978: 43) famous and much-discussed dictum that "the sodomite had been a temporary aberration; the homosexual was now a species," is widely taken as proclaiming a strict separation between sexual acts and sexual identities in European culture before the nineteenth century. David Halperin (2001: 58), however, argues strongly that this "orthodox" reading of Foucault's text is misleading and, as he calls it, "pseudo-Foucauldian." Halperin maintains that Foucault's argument only refers to a specific context, and that there is much evidence which in fact challenges this supposedly strict separation (between sexual acts and sexual identities). Our observations support Halperin's point.

<sup>148</sup> Taylor (2003: 27). The fact that Taylor makes this observation with respect to early modern Castile indicates that these dynamics were neither restricted to English nor Protestant contexts. For an analysis of the social functions of slander in early modern Germany see Walz (1992).

<sup>149</sup> Cf. Bernard Capp (2003: 198): "Moreover witnesses might be aware that in a protracted case the other side would try to dredge up embarrassing episodes from the past to blacken their characters and discredit their evidence."

male and female witnesses.<sup>150</sup>

In the light of these reflections, it is perhaps understandable why neighbours, on the one hand, felt obliged to act against other people's adultery and attempted to present themselves as responsible witnesses, yet, on the other hand, refused to take ultimate responsibility for their actions (of witness). In the light of contemporary notions of neighbourly responsibility for moral and spiritual communal hygiene, Humfry Phillpott's actions appear completely justified. Still, he attributed the impulse for his setting out to investigate the adulterous affair of his neighbour not to his own sense of moral duty, but to social pressure. He even claimed not to know the ultimate outcome of his investigation which he himself had described as rather elaborate.

In the divorce case James Vick brought before the Gloucester consistory court in 1610, the central piece of evidence concerned an intimate meeting of Elizabeth Vick with John Holder, himself married, in a certain grove. The two primary witnesses, John Gabb and Henry Eagles, appear to have repeatedly presented themselves as eye-witnesses within the local community. In chats and private conversations they broached the subject to neighbours and friends, and related how they had caught Vick and Holder in the act, for instance, while the addressees were working in the field or in a barn feeding oxen.<sup>151</sup> However, both men were reluctant to assume responsibility for their actions and narratives before the court. Henry Eagles admitted that they had intentionally set out to 'go and catch' Holder and Vick, but attributed the original idea and initiative wholly to Gabb. He described in detail how they had both lain in waiting for hours in a place which Vick and her lover were rumoured to frequent, and how they had finally been able to see Vick and Holder have sexual intercourse.<sup>152</sup> John Gabb indirectly denied to have actively sought to 'catch' Holder and Vick, by stating they had met the lovers purely incidentally while looking for some sheep, and that Eagles had been the first one to chance upon them, while Gabb only arrived later, when Holder and Vick were already talking to Eagles. Gabb disavowed to have seen anything explicitly sexual between the couple, but solely based his account on circumstantial evidence, relating how Holder and

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<sup>150</sup> As Walter Goslinge, a broadweaver of Stroud, deposed in the matrimonial suit of Hugh Baker *c.* Mabel Elliott in January 1602, his *precontestant* Richard Windoe was "a person of noe credditt, or reputation, but reputed and taken to be a common whoremaster." He added that the said Windoe had had a base child or bastard by one Ann Bennett dwelling at that time with one John Wayte of Colthrop in the parish of Standish where he did his penance for the same. GDR 89, Baker *c.* Elliott als. Merret, 11 January 1602 [1603], deposition of Walter Goslinge. Another interesting point in comparison to the above-mentioned case of John Holder is that here, too, the penitential aspect is only broached with respect to the male partner in crime. However much this might be conditioned by the requirements of this specific legal situation, it is still worthwhile noting that men's penance for sexual transgressions was far from inexistent and unimportant.

<sup>151</sup> GDR 109, Vick *c.* Vick, 24 April 1609, deposition of John Rice; GDR 109, Vick *c.* Vick, 24 April 1609, deposition of Robert Kerry.

<sup>152</sup> GDR 109, Vick *c.* Vick, 24 April 1609, deposition of Henry Eagles.

Vick had been in the grove all by themselves, i.e. *solus cum sola*, and had attempted to bribe Eagles and Gabb to remain quiet about their encounter.<sup>153</sup>

Eagles and Gabb may have been cautious to frame their depositions in such a way in order to prevent allegations of maliciously setting up and thus slandering Elizabeth Vick and her lover. However, Elizabeth Vick's and John Holder's relationship had been notorious long before those two men allegedly started spreading fresh rumours, and neither Elizabeth Vick nor John Holder instituted ecclesiastical legal proceedings against Gabb or Eagles. John Holder had apparently been enjoined to do penance for his continued adulterous relationship with Elisabeth Vick three years earlier, and had also entered a bound not to frequent Elizabeth's company any more.<sup>154</sup> He was now again questioned for this transgression in an office case initiated by a churchwarden's presentment,<sup>155</sup> while there is no record of such (ecclesiastical) disciplinary action against Elizabeth Vick either then or before. It consequently appears unlikely that Gabb and Eagles would have been stigmatised as slanderers. Yet, even given the long previous history of the case, the performances of the two eye-witnesses were not left unquestioned. Several additional deponents were specifically interrogated as to the general reputation of Gabb and Eagles, which was taken to allow inferences, I would argue, not only about the reliability of their narrative, but also about the legitimacy of their performances as witnesses. All deponents agreed that both men were respectable members of the community.

Gabb's and Eagles' refusal to take responsibility for their actions in their depositions highlights the fact that there are differences between acting as a witness in a legal setting and in a social setting, between interacting and socialising with one's neighbours and acting in a highly formalised institutional context. Though those different kinds of witnessing were based on the same structures of neighbourhood surveillance, witnesses appear to have fashioned their actions and narratives consciously with regard to specific contexts and settings. Many had sufficient legal knowledge to frame their interactions and narratives according to their best advantage,<sup>156</sup> and calculated their social position correctly enough to deliver successful acts of witness.

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<sup>153</sup> GDR 109, Vick *c.* Vick, 24 April 1609, deposition of Henry Eagles.

<sup>154</sup> See GDR/B4/1/2274. John Holder had performed his penance on 23 March 1606.

<sup>155</sup> See GDR/B4/1/2274; interestingly, one of the churchwardens who presented Holder was named Richard Vick. If he was a relative of James Vick, this points to the fact that, often in these legal issues, personal and communal interests were inseparably linked.

<sup>156</sup> For instance, as Laura Gowing (1996: 123) has noted, defamers and their victims in this period showed themselves well aware of the legal rules of slander and the boundaries between actionable and non-actionable insults. Cf. Capp (2003: 199).

### 3.2.2. Gossip Gone Wrong

Sexual slander may also be viewed in relation to gossip. The link between gossip and slander has been, albeit, as it seems, reluctantly, highlighted by historians with regard to the socially regulative and cohesive functions of gossip.<sup>157</sup> The following discussion, conversely, will suggest that ‘slander’ foregrounds the socially disruptive tendencies inherent in ‘gossip.’<sup>158</sup> Ultimately, of course, gossip served to negotiate these ideals good neighbourhood, the boundaries of acceptable behaviour, in the first place.<sup>159</sup> So far I have only examined sexual transgression with regard to first-hand eye-witnesses. However, the majority of those who talked about other people’s sexual transgressions were not direct witnesses, but reiterated what they had heard from third parties. In this they were quite similar to witnesses in slander cases. Generally, judging from the ubiquitous references to rumours in court records and other media, there was a lot of communication and interaction about what we today might term other people’s business.

Scholars have repeatedly suggested that, in early modern times, gossip was a gendered concept associated solely with women, and marked often by negative connotations.<sup>160</sup> As Laura Gowing has pointed out, “any kind of public speech, and most of all that about sex, could be interpreted as discrediting” of female virtue.<sup>161</sup> Gossip has been described as paradigmatic of a female subculture, which was still powerful in shaping public opinion.<sup>162</sup> The importance of similar types of information management for men’s interaction, however, is often neglected. Yet if one describes gossip as strictly gendered, one follows only certain contemporary discourses and stereotypes, for instance contemporary moralists’ attacks on female public speech, and disregards the great relevance of just those mechanisms of socialising, chatting and exchanging news to men’s lives and their status within the closer and wider community.<sup>163</sup>

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<sup>157</sup> Gowing (1996: 120). However, she (*ibid.*: 123) herself is hesitant to make this connection, and speaks of “the gossipy talk of which slander *might* be a part,” my italics.

<sup>158</sup> Capp (2003: 60) has pointed out the disruptive potential of gossip, but has not referred to slander.

<sup>159</sup> Cf. Capp (2003: 273f.).

<sup>160</sup> This notion is commonly taken as a *fait accompli*, and is shared by Hindle (1994: 393), Gowing (1996: 119-25), Foyster (1999: 58f.), Brown (2003: 61ff.). The term ‘gossip,’ which had earlier connoted a godparent of either gender, by the 16<sup>th</sup> century was applied to any close female friend, and could mark a person as well as a certain kind of action.

<sup>161</sup> Gowing (1996: 122). This issue is particularly pertinent regarding the conflation female verbal and sexual incontinence which was not uncommon in various discourses (*ibid.*: 102) and the fundamental relevance of female verbal restraint to the construction of female virtue (*ibid.*: 61). See also Foyster (1999: 163) and Boose (1991: 196).

<sup>162</sup> Hindle (1994: 393).

<sup>163</sup> Cf. Capp (2003: 273). Fay Bound (2003: 71) implicitly argues in the same vein when she asserts that “[i]t was no less common for men and women to claim that sociability, rather than a lack of charity was involved

A number of critics have emphasised the regulative functions of (female) gossip, for women's as well as men's behaviour.<sup>164</sup> As Sally Merry has rightly noted, "gossip controls behaviour when the people who gossip exercise other forms of social control over its victims."<sup>165</sup> From a slightly different angle, Bernard Capp has extensively outlined the functions and structures of gossip, rooting it in neighbourhood networks of mutual support, attributing to it economic functionality, but also stressing its socially cohesive and emotional capacities.<sup>166</sup> "Company and the exchange of news, stories, or jokes," writes Capp, "helped to relieve the monotony of everyday toil. Even more important, gossiping was about bonding and belonging. [...] If neighbours were willing to share their trivial news and concerns, and listen to her own, a woman knew she was accepted."<sup>167</sup> The information neighbours gathered about each other, moreover, was like a currency which they could use to bolster their own status. However, certain kinds of sexual gossip which may have been aimed at group cohesion, at including the speaker in a social group, could be marked as deviant when the speaker misjudged contextual determinants.<sup>168</sup>

Defamation records indicate that talking about sexual deviance was a normal part of gossip. Newcomers to communicative situations offer pieces of delicate insider information as a sort of conversation opener, as a token to be accepted in a group, to strengthen their position in a group, but also for entertainment. If the agent misjudged his status in the group, the status of the people he gossiped about, or the sensitivity of his piece of information, his socialising/information-sharing could backfire and show himself in a bad light.

Around Shrovetide 1608, for example, a man named William Berry, "watch[ing] for company,"<sup>169</sup> approached a group of men who were lying in ambush at night to catch and kill a fox which had been killing sheep. He "watched a while with them, and falling to talke" informed them that Robert Clutterbuck had had sex with unmarried Mary Fawlknor on the

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in slanders, deposing that the contested words were spoken, and received, in a 'bantering' or 'jocular' manner."

<sup>164</sup> Foyster (1999: 59) found literary evidence indicating that men did adjust their behaviour, while Sharpe (1980: 20) in his study of church court records from York concluded that gossip regulated particularly women's conduct through the concept of female chastity. Also see Amussen (1988: 131f.).

<sup>165</sup> Merry (1984: 272). Merry (ibid.) also points out that gossip gains its regulative potential not from the actual semantic contents of the words, the direct "talk," but by being part of larger social processes, "that lead to the implementation of powerful social, economic, and political sanctions."

<sup>166</sup> Capp (2003: e.g. 56f.). For functions of gossip also see Foyster (1999: 58).

<sup>167</sup> Capp (2003: 57). Bernard Capp's findings generally suggest that Foyster (1999: 58) is mistaken when she asserts that "[w]ithin seventeenth-century popular culture, this type of talk only had negative connotations."

<sup>168</sup> From this perspective, this section is aligned with Gluckmann's classical take on gossip which stressed the stabilising, cohesive functions of gossip, however, it also seeks to include Paine's, originally oppositional classical point that the individual's motivation to gossip must not be neglected. Hence, I concur with Merry who suggests that both approaches are actually complementary. See Merry (1984: 274f.). Obviously, Paine was more concerned with the self-serving, "malicious" elements of gossip/slander which I shall treat below.

<sup>169</sup> GDR 106, Fawlknor c. Berrie, 27 January 1608 [1609], deposition of John West.



way home from Painswick Fair on a “barlye Cocke.”<sup>170</sup> Unfortunately, Berry’s audience objected to his gossip, apparently agreeing that nineteen-year-old Mary was an honest maiden much wronged by such allegations. She subsequently sought to solidify her honesty institutionally by suing Berry for slander. In December 1608, a certain William Fleetwood came to have breakfast with a married couple and their maidservant at Sandhurst and, at the table, related that an unmarried girl named Ann Bosley had been “naught” with the high sheriff’s man.<sup>171</sup> Ann Bosley took him to court for slander (as well as a number of other people who had spread the same story).<sup>172</sup> As these examples suggest, telling stories about other people’s sexual transgression, just as telling news, could function as a form of socialising even for men.

It seems highly unlikely that people should have offered that kind of information if they did not think it served a certain positive purpose. In November 1609, about Clement’s day,<sup>173</sup> a group of women gathered in Iron Acton when Helen Browne, a single woman who had only recently moved to the village, came to join them and asked the mistress of the house what she had heard about Mrs Margery Belfire of late. She then related that Margery Belfire, the wife of John Belfire, had been “naught” with one Henry Lawrence behind the park in Iron Acton, and that Anthony Howbrooke had come by and seen them.<sup>174</sup> Margery Belfire consequently sued Helen Browne for defamation.<sup>175</sup> Yet, apparently, her husband was the driving force behind these legal proceedings, as he asked the witnesses to depose at court at his cost in order to clear his wife’s (and his own) name.<sup>176</sup> Two married witnesses present at the time of the incident acted as deponents and testified that Margery Belfire had been greatly defamed by these speeches.<sup>177</sup> Helen Browne, by offering this information, may have tried to fashion herself as an insider to this neighbourhood and to the community of women in particular. Yet her status as a newcomer and unmarried woman apparently made her attempt unsuccessful. Ultimately, by accusing her neighbour of slander and deposing against her in

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<sup>170</sup> GDR 106, Fawlkner c. Berrie, 27 January 1608 [1609], deposition of Egidius Osborne.

<sup>171</sup> GDR 106, Bosley c. Fleetwood, 14 January 1608 [1609], deposition of William Kent.

<sup>172</sup> At the time of the incident involving William Fleetwood, Ann Bosley had already taken legal action against Fleetwood’s married sister and one other man. See GDR/B4/1/2170, Bosley c. Freeman: defamation (1608). GDR/B4/1/2171, Bosley c. Woodward: defamation (1608).

<sup>173</sup> Clement’s day was on November 23rd. Cf. Church of England, *The Book of Common Prayer*, prefixed “Almanacke,” [A7].

<sup>174</sup> GDR 109, Belfire [Belfier] c. Browne, 15 March 1609 [1610], depositions of Elizabeth Butler and Alice Mayoe. See also GDR/B4/1/8.

<sup>175</sup> I have not encountered evidence that Margery Belfire also sued Anthony Howbrooke for defamation.

<sup>176</sup> GDR 109, Belfire [Belfier] c. Browne, 15 March 1609 [1610], depositions of Elizabeth Butler and Alice Mayoe. In order to avoid allegations of bribing witnesses, they added (in conventionalised formulae) that John Belfire had not made any additional payments to them.

<sup>177</sup> Elizabeth Rymer, single woman or “girl” as she was classified in Mayoe’s deposition, who had also been present did not depose in this case.

court, the two female witnesses, Elisabeth Butler and Alice Mayoe, were able to consolidate *their* status as respectable matrons of the neighbourhood, even, and this is important considering the prejudice against female speech mentioned above, by reiterating narratives of sexual contents before the ecclesiastical court, and presumably outside it.

As these examples from the records of the Gloucester consistory court clearly indicate, gossip had functions which were not gender-specific. In inference, this also suggests that women had no monopoly on the brokerage of oral reputation as Laura Gowing has suggested.<sup>178</sup> Sally Merry's distinction between judgemental and informational gossip seems useful in drawing our attention to the fact that the (slandering) narratives of other people's sexual transgression discussed above are employed less in a censorious, judgemental fashion which would imply open and direct efforts of social regulation.<sup>179</sup> Yet although the news- and entertainment value of these narratives certainly should not be underestimated,<sup>180</sup> the actions of those three slanderers cannot be solely read as aimed at informational content, either. Rather, these examples suggest that the narration of stories about other people's sexual behaviour was part and parcel of interactions geared towards socialising, and bonding,<sup>181</sup> simply initialising conversation or keeping it flowing. This, however, was always also connected to the ongoing processes of negotiating individual credit and reputation.

Though sexual issues like adultery and fornication were the *theme* of slander, these defamatory exchanges were not usually triggered by concerns for sexual morality. Indeed, "suits brought after sexual slander were often concerned with issues which were in fact not sexual, but were rather the culmination of long-term 'neighbourhood' disputes."<sup>182</sup> More deep-rooted power struggles and neighbourhood tensions were often at the heart of slander. This is particularly obvious where a sub-category of defamation, sexual insults, are concerned. What characterises insults is that they mostly do not involve long-winded story lines, but short, poignant accusations, and that they are delivered in a directly confrontational manner. As direct confrontations, insults could be regarded as a symptom of an unneighbourly, malicious,

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<sup>178</sup> Gowing (1996: 123), reiterated in Haberman (2003: ch. 4).

<sup>179</sup> Pamela Allen Brown (2003: 64) uses the term "censorious gossip," while Merry (1984: 276) refers to the same kind of gossip as "judgemental."

<sup>180</sup> Cf. Fox (2002: 354): "Allegations about people's personal lives and sexual misdemeanours, accusations of behaviour which breached community norms, all thrived as news in such a setting [in the intimate setting of small town and village life, V.P]."

<sup>181</sup> As Merry (1984: 276) asserts, "gossip symbolises intimacy. It is a social statement." Cf. Bellany (1994: 291): "The distribution of news and libels also occurred in regular sociable contact. [Ben] Jonson, we may recall, was visiting Sir Robert Cotton's house when he was shown Townley's verse libel lying on the table after dinner. Friends established informal reading groups, circulating amongst themselves what news and comment they could find."

<sup>182</sup> Foyster (1999: 149).

angry attitude.<sup>183</sup> Correspondingly, the occurrence of insults thus indicates to us that a communicative situation was emotionally charged.

As Bernard Capp notes, “[s]exual issues might figure in male quarrels that had erupted over entirely different issues, such as an alehouse bill or impounded livestock.”<sup>184</sup> Such conflicts highlight the existence of a “directly sexual element in male reputation.”<sup>185</sup> Property rights, for instance, often seem to have lain at the basis of quarrels which resulted in defamations, whether the contestants were male or female, of lower- or higher-class background.<sup>186</sup> These observations support our thesis that sex-related public interactions cannot solely be interpreted as attempts of moral regulation. Rainer Walz has suggested that life in seventeenth century rural German Westphalia was characterised by a predominantly agonistic interaction mode based on notions of honesty and credit, in which disputes tended towards escalation and relatively benevolent social moods might shift suddenly towards aggressive confrontations,<sup>187</sup> and where chiding was “undoubtedly a basic mode of interaction.”<sup>188</sup> Our impressionistic evidence indicates that these observations can be conferred to our early modern English context. This, however, does not mean that defamation did not have certain functions and social effects.

Slandorous insults of a sexual kind seem to have been used to call local authority into question. While local office-holding certainly elevated personal status and public standing,<sup>189</sup> the flip-side of the coin was that the (sexual) conduct of men of authority and of public office

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<sup>183</sup> Cf. Bound (2003: 64), Gowing (1996: 123f.), Helmholtz (1990: 59). Sexual slander as a consequence of anger and in the context of other forms of disharmonious, disruptive public expressions, such as mockery, has caught the attention of a number of cultural historians. For a treatment of slander as related to anger see Fay Bound (2003), who draws on the suggestion made by Ingram (1987: 294f.), and other that the disciplinary actions against slanderers were linked to enforcing, or as I would rather say, reiterating, norms of communal charity and peace. – A notion shared by Helmholtz (1990: 59), who notes a broadening of the civilians’ conception of slander which, by the end of the 16<sup>th</sup> century, embraced not only allegations of actionable crimes, but also words which were uttered out of malice and offended ‘fraternal charity.’ For the connection between libel, ballad-making, anger and mockery see a side remark with reference to Jacobean drama in Fox (1994: 53).

<sup>184</sup> Capp (2003: 254). Furthermore, Alexandra Shepard (2003: 159) has indicated that “sometimes [the insults alleged in slander suits] were simply the fuel to perpetuate quite separate tensions.”

<sup>185</sup> Capp (2003: 254).

<sup>186</sup> Ina Habermann (2003: 64) devotes a number of lines to the notorious Lake-Roos case, in which Lady Lake and her daughter Lady Roos had, not unsuccessfully, endeavoured to get control of Lord Roos’s estate and had cooperated to slander Lord Roos and Lady Exeter, his young stepgrandmother, with whom, they said, he was having an affair. She concludes that “what looked like a case of sexual slander and was fought as such by the women was initially a quarrel about property.” The same mechanisms seem to have functioned in lower-class contexts. Daniel Beaver (1997: 60), in his investigation into the functioning of parish communities in the Vale of Gloucester in the 17<sup>th</sup> century, observes that often, neighbours entered the street to negotiate property rights, but ended up fighting about their reputations.

<sup>187</sup> Walz (1992: 227).

<sup>188</sup> Walz (1992: 234).

<sup>189</sup> Cf. also Warnicke (1993: 127), Hanawalt (1998: 255).

was all the more closely monitored and evaluated in social interactions such as slander.<sup>190</sup> William Tanner, bailiff of Tedbury, for example, sued a man for defamation who, in a drunken and boisterous manner, in the local jail, in front of at least twenty two witnesses, had called him “whoremaster bailiff” and had accused him of keeping one Elizabeth White as his whore.<sup>191</sup> Tanner’s reputation, the deponents agreed (in conformity with the demands of their medium), had been unsoiled before this insult was uttered. Even though Tanner was a man of power and influence, and allegedly good reputation, the allegations of sexual misconduct uttered by an obviously drunk, spiteful, rampaging neighbour were apparently perceived as threatening enough to warrant defamation action. Tanner’s slander action demonstrates precisely that slander of this kind *worked*, that it could question authoritative status.

On the other hand, if applied by a superior, defamation could easily be interpreted as *abuse* of authority. Young Elizabeth Flan, who was engaged to be married, for instance, took her former master, Ciprian Wood, to court because, in the heat of an argument over Elizabeth’s wish to be prematurely released from her contract in order to marry, he told her that he had heard she had had sex with one of his male servants on a cart loaded with wine (or corn)<sup>192</sup> and in the “cowhouse.”<sup>193</sup> The fact that Elizabeth Flan, a female servant, launched a defamation suit against her former master suggests that this matter must have been of considerable importance to her and her family.<sup>194</sup> In fact, that she was able to bring this case at all indicates that she had substantial family support in this matter, not only morally but financially – although *initiating* legal procedures was relatively affordable, slander suits, on

<sup>190</sup> Cf. Kaplan (1997: 22), Fox (1994: 77), Ingram (1987, 313), Gowing (1996: 37). See Capp (2003: 274) for a similar statement with regard to the subversive role of gossip. Adam Fox (1994: 81) found instances where libellous rituals and gestures were specifically directed at justices of peace and other men of authority. “The libellers were said to have claimed that it was legitimate to publish such material [as rhymes, V.P.], provided that it did not touch the person of the king, nor his privy councillors.”

<sup>191</sup> GDR/B4/1/2429. Also GDR 106, Tanner *c.* Pearce, 17 November 1608, depositions of Jasper Chapman and Thomas Poole. The incident was said to have taken place at night time on Magdalen day, the 22<sup>nd</sup> of July 1608, which had been a Fair day in Tedbury.

<sup>192</sup> GDR 109, Flan *c.* Wood, 29 January 1609 [1610]. The depositions disagree on this aspect.

<sup>193</sup> Here different depositions offer slightly different versions. Both witnesses who deposed for Elizabeth Flan also stated that Wood had called her “whore.” See GDR 109, Flan *c.* Wood, 29 January 1609 [1610], depositions of Henry Tony and George Roberts, who is said to be the plaintiff’s uncle. (For this information see GDR 109, Flan *c.* Wood, 12 June 1610, deposition of Richard Yarnton.) See also GDR/B4/1/224.

<sup>194</sup> Particularly her uncle seems to have been actively involved. There is evidence that families stuck together to support even married female members. Bernard Capp (2003: 211), for instance gives the example of Margaret Church of Berkshire, whose parents promoted a suit to clear her name when gossip circulated that she was an adulteress and her husband refused to assist her. – Of course, gossip and slander were also able to disrupt family and marital relationships (cf. *ibid.* 280). To use a fitting, graphic verbalisation of these issues: Phebe, in Richard Brome’s play *A Mad Couple Well Match’d*, when faced with premarital pregnancy and being abandoned by her lover, refuses to concede defeat and exclaims, “But my Kinsman has money though I have none, and for money there is Law to be found, and in a just cause he will not let me sink.” Richard Brome: *A Mad Couple Well Match’d*, in *Five New Plays* (London, 1653), B-H2, cit. [B4<sup>v</sup>] (act 1).

the whole, were rather costly.<sup>195</sup> Thus, by activating kinship networks and obligations of support, even women in financially and socially vulnerable positions could manage to defy what they might perceive as economic, sexual or emotional injustice, or even exploitation. Clearly, however, the conflict behind this allegation of sexual transgression is non-sexual; Wood's imputation of sexual transgression provides an occasion to deal with the whole issue on the institutional plain of ecclesiastical jurisdiction, and to put pressure on Wood by making public his alleged slanderous transgression. Again, at the heart of the matter is the negotiation of the limits of legitimate authority.

Another defamation case dealt with by the Gloucester consistory court in 1609 was brought by Elizabeth Whiting of Painswick against her neighbour John Forte who had slandered her with imputations of adultery and sexually transmitted diseases. John Forte was working with a couple of men on a piece of land he cultivated while Elizabeth Whiting was washing clothes by her well in her backyard, which was adjoining to Forte's close. As bystanders remarked, they started talking and "fell at oddes," whereupon Forte called out to White "thou arte a pockie whore and thye husband was layde of the pockes and soe thou mayest be, and tolde her that she sholde not goe to bull throughe his groundes."<sup>196</sup> This, according to the persons present, implied that Whiting had an adulterous affair with someone and that she had gone through Forte's grounds to meet him.<sup>197</sup> Forte also insinuated that she had been questioned at court long ago for "goeinge a bulling through his grounds," but that she had good friends and had paid her way out of this suit, which may be an allusion to the above-mentioned practice of compurgation.<sup>198</sup> Particularly interesting in this case is Elizabeth Whiting's agency. She apparently rails back at Forte for thus abusing her reputation, and she asks two of the witnesses to depose in this matter.<sup>199</sup> Obviously, this was a long-standing neighbourhood dispute in which individual property rights, the right of passage to one's neighbour's grounds and moral reputation were used to negotiate status and interpersonal hierarchies in the neighbourhood.

Insults and quarrels of this kind convey an image of neighbourhood as an arena in which men and women competed for status and reputation, for instance by openly comparing

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<sup>195</sup> Cf. Capp (2003: 213).

<sup>196</sup> For an insightful account on contemporary venereology and its connection to discourses of social danger see Siena (1997). See Capp (1996: 133) for another example of a wife's lover being identified as the "town bull."

<sup>197</sup> GDR 106, Whiting *c.* Forte, 24 February 1608 [1609], deposition of John Charles. For this case see also GDR/B4/1/1985.

<sup>198</sup> GDR 106, Whiting *c.* Forte, 24 February 1608 [1609], deposition of John Charles and Joanna Forte, daughter of Walter Forte.

<sup>199</sup> The episode generated in this case resembles another incident in which Walter Long caught Alice Gough walking across a meadow which he owned, although he had repeatedly asked her not to do so. Cf. GDR 109, Longe *c.* Gough, 20 October 1609; see also GDR/B4/1/73.

them – which, again, could take the shape of sexual slander. In Mitcheldean, for example, in May 1609, two men, Thomas Pelly and Thomas Mason, started arguing in the street. “And vppon multiplyeing of wordes [they] fell into comparison on [sic] with thother of theyre Creditts and reputacions insoemuche that [Pelly] said to [Mason] I am as honest a man as thou.” Thomas Mason did not seem to appreciate this and replied, “thou mightest have forborne to say soe in regarde of my graye heares [hairs, V.P.] but being thou stand[est] soe vppon thye Creditt and comparest thye self with me I tell thou thou are a burnte tayl knave and goe like a burnt taylor knave.”<sup>200</sup> The (presumably younger) man Thomas Pelly took offence at this accusation and brought defamation action against Thomas Mason. This exchange suggests that age could be perceived as a determining factor of status and credit; yet again, if there was a certain kind of authority connected to it, this authority did not in every case legitimise insinuations of sexual transgression and sexually transmitted contagious diseases. The very existence of this suit is evidence enough that Thomas Pelly questioned Mason’s self-proclaimed authority and, particularly his authority to determine Pelly’s status by way of (slandering) interpellation.<sup>201</sup>

Susan Amussen and Laura Gowing have both argued that insults for men such as ‘knave’ and ‘whoremaster’ carried few sexual connotations.<sup>202</sup> Yet slanderers were clearly able to directly attack a man’s sexual reputation and thus put it to open scrutiny.<sup>203</sup> As William Tanner’s example makes obvious, “whoremaster” was not only an *indirect* slander as Bernard Capp and others would maintain, defaming men merely “through their association with immoral women.”<sup>204</sup> Rather, it is the active transgression of keeping a whore, possibly turning her into a whore in the first place (and thus contagion) which is imputed here, and which forms the focal point of this slander investigation in Tanner’s case.

Male ‘honesty’ and reputation appear to have been conceptualised as competitive.<sup>205</sup> It seems only logical that, as a part of this agonistic strife, men should have competed for

<sup>200</sup> GDR 109, Thomas Pellye *c.* Thomas Mason, 3 October 1609, deposition of Thomas Wiede; see also GDR/B4/1/1741. The rather general expression “burnt taylor knave,” of course, may have been cautiously, in an attempt to circumvent just such slander action, designed to allude to a very specific sexual transgression on Thomas Pellye’s part – a message, which his neighbours, people ‘in the know’ would have easily been able to decode.

<sup>201</sup> See Butler (1997: esp. introduction & ch. 1).

<sup>202</sup> Gowing (1996: 62f.), Amussen (1988: 102).

<sup>203</sup> Ingram (1987: 297f.), based on his examinations of the church court records of the Diocese of Ely, has further noted that unspecific slanders like ‘rogue’ or ‘knave’ become much rarer in the early 17<sup>th</sup> century. However, Laura Gowing’s findings for London do not corroborate this thesis.

<sup>204</sup> Cf. Capp (2003: 155).

<sup>205</sup> Cf. Capp (2003: 199). Alexandra Shepard (2000: 83 & 87f.) has noted this competitive vein in male reputation in respect to men’s economic worth, too, “which needed constant defence and assertion in competitive bids for status.”

women, too. Yet not every conquest increased a man's reputation. In an incident similar to the one outlined above in Westbury, Gloucestershire, in June 1610, a group of men were drinking together in the widow Smithe's alehouse when two of them started brawling. In the course of the dispute, one of them compared his honesty to the other's, to which the latter replied:

“Dick, thow arte a very honest man indeed for thow (as thow thy self hast reported) hast occupied Mazons wife and hast had her at thy commaund and pleasure, and that thow canst make her follow the[e] as the horse that is coupled to thy horse tayle<sup>206</sup> will follow thee.”<sup>207</sup>

As several witnesses saw it, this implied that the addressee Richard Bathern had “lived in incontinency” with Mazon's wife and had “committed adultery with her.”<sup>208</sup> Naturally, the identification of the crime imputed by the slanderous utterance was an integral part of generating the depositions. This fascination with comparing each other's “honesty” was not a regional phenomenon restricted to Gloucester. In yet another example, a Sussex villager, on return from a market day in 1635, is recorded to have been a little more direct than the above-cited Robert Crumpe. He scornfully cried out to his opponent “Thou as honest a man as I?” and added accusingly, but in nicely alliterating fashion, “Thou fuckest other folks' wives.”<sup>209</sup> The notion of male honesty which presents itself here is clearly conceptualised in terms of *sexual* normativity.<sup>210</sup> Alexandra Shepard has noted that “[v]ariations on this theme of ‘I'm as good a man as you' were a regular feature of defamation litigation” brought before Cambridge university courts, too.<sup>211</sup> Moreover, there is evidence that these structures of comparing reputations and competing for credit were similar for women's altercations.<sup>212</sup>

Alexandra Shepard has cautioned that slander suits might not constitute the most useful tool to gauge “the components of honesty and reputation.”<sup>213</sup> I agree, since, as I have

<sup>206</sup> GDR 109, Bathern *c.* Crumpe, 12 September 1610, deposition of Thomas Evans *alias* Taylor. Interestingly, the elision of the genitive [horse's] in the written document, whether accidental or deliberate, generates a double entendre in which “thy horse tayle” can be understood as a reference to Dick's genitals. It evokes images of particularly well-endowed masculinity. Also, this erases the metaphorical level of Dick's reported boast and points right at the heart of the physical action which his horse metaphor had been alluding to: Mazon's wife had copulated – cf. “coupled” – with him. Cf. Ina Habermann's assertion that “the metaphorical nature of language provides the linguistic basis for defamation” Habermann (2003: 7 & ch. 1).

<sup>207</sup> GDR 109, Bathern *c.* Crumpe, 12 September 1610, deposition of Thomas Evans *alias* Taylor.

<sup>208</sup> GDR 109, Bathern *c.* Crumpe, 12 September 1610, deposition of Thomas Bellamy.

<sup>209</sup> Recorded in Capp (2003: 254).

<sup>210</sup> On the gendered notions of honesty see Shepard (2004).

<sup>211</sup> See Shepard (2003: ch. 3) and Shepard (2000: 88). Interestingly, “[w]hile allegations of sexual dishonesty supplied the third largest category of insult against townsmen, they comprised the largest category of insult against university men.” Shepard (2003: 168) concludes that “university men were disproportionately concerned with their sexual reputations” while townsmen were more concerned with denigrations of their economic worth and trustworthiness.

<sup>212</sup> As Garthine Walker (2003: 231) has indicated, “in cases of sexual insult it seems that women publicly gauged their honesty and honour by comparison with other women.”

<sup>213</sup> Shepard (2003: 159).

noted before, these insults – and these suits themselves, too<sup>214</sup> – must be viewed in the wider contexts of community and neighbourhood conflicts and disputes. Still, the similarities between the above examples are intriguing, and they cannot be solely attributed to the formalising forces of the medium in which they were generated, particularly, since all three incidents purport to reproduce direct speech. They are thus part of the the “speech of sexual insult,” which, like “the words in which adultery was discussed,” according to Laura Gowing, “give us some rare evidence of the ways in which ordinary people spoke about sex.”<sup>215</sup>

### 3.2.3. Sexual Reputation and the Double Standard

Feminist critics have tended to underplay the sexual components of male reputation in order to accentuate the magnitude of female sexual reputation. Reiterating conventional notions of a double standard, Pamela Allen Brown contends that women in slander actions “complained most often about sexual insults while men complained about being called knaves, blasphemers, or drunkards.”<sup>216</sup> Yet impressionistic evidence of Gloucester consistory court records for the first three decades of the 17<sup>th</sup> century suggests that slanders relating to the sexual dishonesty of men were actually the most numerous by far. In fact, *all* of the eleven defamation cases in my (random) sample instituted between 1602 and 1626 by *male* plaintiffs (both against male as well as female defendants) involved sexual slander of some sort (imputations of bastardy and rape included).<sup>217</sup> That this kind of slander was by no means unusual is evinced by Martin Ingram’s findings for the diocese of Ely, where sexual slanders for “fathering bastards, begetting children illicitly on married women, committing fornication or adultery” constituted the majority of slanders directed at men in the early seventeenth century.<sup>218</sup> Moreover, this was not a temporally restricted occurrence. Men in the Restoration period, for instance, also brought defamation prosecutions against those who accused them of adultery.<sup>219</sup>

I would generally concur with Bernard Capp, who argues that “the contrasts between male and female honour have been exaggerated.”<sup>220</sup> Sexual reputation was clearly significant

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<sup>214</sup> Shepard (2003: 159).

<sup>215</sup> Cf. Gowing (1996: 6).

<sup>216</sup> Brown bases her argument on Keith Thomas’ (1959) classic account of *The Double Standard* and Amussen’s (1988: 101-3) discussion of the connotations of swearwords for men and women.

<sup>217</sup> My findings thus conform to the general trend noted by Ingram (1987: 302) for Wiltshire ecclesiastical courts.

<sup>218</sup> Ingram (1987: 302).

<sup>219</sup> Bailey (2003: 149).

<sup>220</sup> Capp (1999: 98). This is not to say that Capp has negated the centrality of sexual reputation to women’s



to the credit and honour of those men of lower and middling ranks studied by Capp.<sup>221</sup> Men were not only slandered for their wives' sexual transgressions. Through slanders, Capp asserts, men were clearly condemned for their own promiscuity.<sup>222</sup> As the above examples illustrate, it does not appear to have been unusual for men to be slandered by reference to their having sexual (adulterous) relations with other men's wives, or for keeping whores.<sup>223</sup> Sexual propriety certainly was not the only category by which male honesty and reputation could be moulded and assessed,<sup>224</sup> it may have been more prevalent in certain contexts than in others, for instance within married masculinity, but it was definitely one.<sup>225</sup> In her seminal study of sexual insult in early modern London, Laura Gowing has maintained that

“[t]he conventions of slander assumed that adulterous men and adulterous women stood at very different ends of the battlefield of sexual words. Adultery made women vulnerable to insult, but gave men, instead, the power to abuse: while adulterous women and their husbands were at the receiving end of sexual slander, the men they had allegedly had sex with joined with their wives to call them whores and their husbands cuckolds. The language of insult revolved around a rigid and precise vision of the difference gender made to sex.”<sup>226</sup>

If this was the case, then men would not have brought slander actions against people who accused them of having sexual relations with other men's wives or who generally attacked their sexual morality (whether marital or not). But apparently, they did.

It has often been remarked that there was a dramatic increase of defamation business in the ecclesiastical courts around the turn of the seventeenth century.<sup>227</sup> Still, their quantity would only average about one defamation suit per parish every five years.<sup>228</sup> Were people simply more ready to resolve social and neighbourhood tensions in litigation?<sup>229</sup> This increase

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social position. See Capp (1996: esp. 131ff.).

<sup>221</sup> Capp (1999: 98).

<sup>222</sup> Capp (2003: 255).

<sup>223</sup> I hesitate to make more specific statements about the relevance or relational quantity of this sort of insult. Regional variations must also be accounted for. Alexandra Shepard's (2003: 162f.) figures for the Cambridge University courts 1581-1640 indicate that in any case, more men pursued slander action for defamation with reference to fornication/adultery than women. As regards Laura Gowing's (1996: 64) London (1572-1640) table of slanderous words, in which this sort of defamation does not figure, I would speculate that a lot of what was classed in the category "other specific sex acts," which is by far the largest, might actually have been slanders of this very nature outlined above.

<sup>224</sup> Cf. Shepard (2000: 77): "Reputation, or 'credit,' was a composite of social and economic appraisal, incorporating a wide spectrum of definitions of honesty ranging from chastity to plain-dealing."

<sup>225</sup> Cf. also Braddick & Walter (2001: 19).

<sup>226</sup> Gowing (1996: 112f.).

<sup>227</sup> See Ingram (1987: 292f & 299), Kaplan (1997: 19), Shoemaker (2000: 99f.). See Shoemaker (2002: 100f.) for a short overview on the historical development of prosecutions for slander from 1600 to the 19<sup>th</sup> century.

<sup>228</sup> Ingram (1987: 317). Regional differences must, of course, be taken into consideration.

<sup>229</sup> Martin Ingram (1987: 319 & 314) has suggested that this popularity of defamation suits should be viewed "as a reflection either of an increase in parochial tensions [...], of a greater propensity to pursue the resulting

has often been attributed to the rise of female slander litigation. Thus, Laura Gowing has argued with respect to London courts that the general increase in causes was “due to an increase in defamation suits, which were almost entirely about sex and generally sued by women,”<sup>230</sup> while Martin Ingram (working on Wiltshire records) has simply asserted that “female plaintiffs [in sexual defamation cases] outnumbered males,” stressing that “church courts catered for female victims of slander and for housewives, in particular.”<sup>231</sup>

However, as the above discussion has shown, sexual credit and reputation were not the province of young maidens or even married matrons. Both men and women were actively involved in these processes of assessing and constructing male and female reputation. Both men and women were actively involved in gossip as well as slander and its prosecution.<sup>232</sup> Moreover, it is doubtful whether all those slander actions brought by female plaintiffs can be ascribed exclusively to the agency of women. Though some slander suits were fought solely by women, others, though possibly nominally in the wife’s name, were waged jointly by husband and wives, and still others were predominantly pushed by husbands or relatives. Slanders of women, particularly of wives, did not only negotiate female reputation, but, significantly, also the credit of the male heads of household in which they dwelled. Hence, husbands were often forced to take some sort of action to purge their wife’s name in order to protect their own reputation,<sup>233</sup> which they did, for instance, by entreating neighbours to testify in the suits brought by their wives, and accounting for the financial means necessary for litigation. Moreover, many defamation suits between women actually appear to have been “quarrels over the husband’s sexual fidelity which had reached the public stage,”<sup>234</sup> and consequently targeted male infidelity rather than female immorality. One way in which women – and men – could deliberately draw public attention to their marital problems and

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quarrels through the medium of litigation,” or a combination of both. Adam Fox (1994: 55) has explained the phenomenon with implicit reference to David Underdown’s concept of the mounting contemporary ‘anxieties about disorder,’ which Underdown (1985: 119-212) has linked specifically to the disorder of women and the maintenance of patriarchal hierarchies. Lindsay Kaplan (1997: 19) has relied on Lawrence Stone’s (1969) analysis of the surging contemporary social mobility and the ‘cult of reputation’ which he regards as interrelated with the former.

<sup>230</sup> Gowing (1996: 37).

<sup>231</sup> Ingram (1987: 302).

<sup>232</sup> Laura Gowing’s (1996: 60) figures for London show that more than half, roughly 60 per cent of all slander defendants were women, which leaves less than 40 per cent male slanderers. The overwhelming majority of female plaintiffs sued other women for slander; most men sued other men for slander. Generally, roughly three quarters of defamation suits were instigated by women, which suggests, at first look, a clear gendering of this offence. However, viewed from a different perspective, men were involved, either as defendants or plaintiffs, in 50 per cent of these defamation causes. Martin Ingram (1987: 304), has shown that in Salisbury in beginning of the 17<sup>th</sup> century (between 1615 to 29) substantially more men were accused of slander than women, the ratio was 6:4.

<sup>233</sup> Cf. Capp (2003: 211).

<sup>234</sup> Mendelson & Crawford (1998: 216).

involve friends and neighbours in ‘conflict management’ was precisely by publicising these problems in defamation suits.<sup>235</sup> Whether men or women, the majority of slander plaintiffs were married people of middling rank. To them, Martin Ingram has emphasised, “sexual ‘credit’ or ‘honesty’ [...] really mattered.”<sup>236</sup>

### **3.2.4. Gossip, Slander and Adultery: Conclusions**

Adultery was an important element of the daily communications and social interactions, of common practices of socialising. Both men and women engaged in gossip about men and women and their sexual encounters; they watched their neighbours and, under certain conditions, reported what they had observed or heard. And both men and women were sometimes concerned enough about what their neighbours told about them that they took them to court for slander. Slander allegations marked not the alleged fornicator or adulterer as deviant, but the accuser. Thus, although it was expected that neighbours should become involved in each other’s affairs in the interest of the greater good of the community, to do so, for instance by posing as a witness of a neighbour’s adultery, might prove to be rather hazardous. On the other hand, people who did nothing in the face of transgression could easily be accused of condoning and perhaps even supporting criminal offences, especially if their position in the community was weak to begin with. To conclude, what has become obvious, and what will remain relevant in the following section, is that practices of witnessing and gossip and slander are part of a larger continuum of social interaction.

Adultery and related issues could serve as a tool to negotiate individual social status and reputation, which was important for both men and women. They could be used to highlight local conflicts and tensions. Adultery-related interactions could be used to negotiate not only the norms of both adult masculinity and femininity, but also the relation between the individual household and the larger social community. These interactions could take forms more elaborate than gossip, which were characterised by stronger gestural and multi-medial elements. Were these other forms characterised by more distinctive gender markers than gossip and slander?

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<sup>235</sup> Mendelson & Crawford (1998: 216).

<sup>236</sup> Ingram (1985a: 150).

### 3.3. Mocking Practices

“I shall be rather praised for this than mocked”

Francis Ford in Shakespeare’s  
*The Merry Wives of Windsor*<sup>237</sup>

The previous section has shown that adultery-related performances were a part of negotiating local social order and its constituents like reputation. However, they were also part of broader communicative and performative structures fostering social cohesion which aimed at spreading information, but also at providing entertainment. The dominance of sexual themes in court actions concerning adultery and adultery-related slander certainly is yet another piece of evidence that ecclesiastical courts were considered an environment particularly suited to generating and reiterating issues of ‘sexual incontinence.’ So were streets and theatres, as we shall see in the following when the discussion opens more widely to other contemporary genres and to not exclusively verbal elements of neighbours’ adultery-related (inter)actions.

Instead of the friendly wave across the fence or the street, which indicated benevolence and neighbourly charity, the more elaborate means used by neighbours to mark sexual deviance included making vulgar signs, singing raunchy songs about alleged offenders, and even presenting them with genitals. This communal mocking and shaming targeted adulterous women, as well as their husbands, or, more specifically, their sexual inadequacy.<sup>238</sup> These performances could be marked by a greater degree of publicity and group involvement than the actions discussed above. Still, they are a part of the same general context: of the ways in which people sought to reiterate and publicise the transgressions of their neighbours which they had witnessed (hoping to cement their own positions more firmly); of how these performances served to negotiate reputation and social status, but also to entertain; and of how they could go wrong in certain ways. In effect, a number of these gestures and practices were actionable in common law courts as defamation,<sup>239</sup> however, scholars usually tend to discuss them solely in the larger context of *charivari*.

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<sup>237</sup> William Shakespeare, *The Merry Wives of Windsor* (Craik, T.W., ed., 1990), 3.2.41f.

<sup>238</sup> Fletcher (1999: 433).

<sup>239</sup> Baker (1990: 507) has suggested that skimmingtons were actionable in common law without proof of special damage required since the particular malice expressed in the public ridicule was held to be self-evident. The verdict on which this argument is based, however, dates only from 1680. On the other hand, practices of rhyming, for instance, had long been actionable as libel, as we shall see. The Connection between defamatory business and mocking rhymes are particularly palpable, as “[i]n the late sixteenth and early seventeenth centuries, the secular law – especially via judgements in the Star Chamber – extended the law of libel to included any ‘epigram, rhyme, or other writing [...] composed or published to the scandal or contumely of another.’” See Ingram (1985b: 188).

Practices which are usually seen as related to charivari, on the one hand, are traditionally subsumed under the cloak of the ‘carnavalesque.’<sup>240</sup> On the other hand, they are viewed as extensions or supplementations of institutional justice, as regulating reputations and punishing violations of social norms – shaming punishments and ‘popular justice.’<sup>241</sup> Trying to marry these two seemingly contrastive views, one may conclude that a common trait of these ritualised forms of behaviour was that they synthesised both penal and festive practices.<sup>242</sup> In a sense, this confers to the mixture of socially regulative and entertainment functions of witnessing, slander and gossip examined above. Generally, however, it needs to be pointed out that the term ‘charivari’ may suggest an unsolicited uniformity of ritual performance, and may thus obscure diverging interactional structures, forms and functions, arousing, as E.P. Thompson has argued, “inapposite expectations.”<sup>243</sup> Similarly, Martin Ingram observes that “[t]here is a tendency for historians to lump these manifestations together as ‘charivari’ or ‘rough music’; but ideally a more discriminating approach is required to establish the full range and explore similarities and differences between what was evidently a variety of customs of mockery and disapprobation.”<sup>244</sup>

Rather than focussing on the larger and more complex interactional structures which are too easily subsumed under the umbrella of charivaresque group violence, I shall thus turn towards the smaller, yet much more common gestures of mockery and disapprobation by means of which neighbours sought to reiterate and publicise each other’s transgressions. These smaller practices and gestures of mocking such as ballading were the stuff of everyday

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<sup>240</sup> Muir (1997: 98ff.) recognises the defamatory element in charivaris, but generally seems to relate them closely to the carnivalesque. Pettitt (2005: 85 & 97) classifies charivaris as carnivalesque because, as he says, they tended to be particularly common during festive season and because of their *liminal* elements. Linda Woodbridge and Edward Berry (1992) likewise emphasise the carnivalesque elements of charivaris, but also point out its normative functions, supporting conservative social standards. For classic accounts of charivari see: Natalie Zemon Davis (1971, 1987 & 1984) and E.P. Thompson (1972, 1981 & 1992).

<sup>241</sup> Cf. Shoemaker (2002: 98), Muir (1997: 98 & 104) Muir stresses charivari in context of deviant marriage ceremonies as a form of ‘prophylactic magic’ (110), Orgel (1996: 117), Boehrer (1994: 18f.), Underdown (1987: 100), Underdown (1985: 127). Thompson (1972: 285), Stone (1990: 3, 211). Some scholars, for instance, Stone (1990: 101), Muir (1997: 99), however, recognized that charivaris or, one should rather say ‘charivaresque’ customs regularly accompanied marriages.

<sup>242</sup> Cf. Ingram (1984: 96), Ingram (1985b: 172). The best formulation, to my mind, is offered by Martin Ingram (1985b: 172): “the symbolism of ridings had links with both penal and festive practices.” Scholars have long sought to come to terms with this apparent rift and have tended to slightly stress one side or the other. The unresolved paradox at the heart of this seems to be that charivaresque practices appear to be simultaneously mimetic [of judicial practices] and amimetic [of conventional order]. This, however, only points towards the unsuitability of mimesis as a concept to account for these phenomena. And I would carry this even further and argue that mimesis is unsuitable both for understanding ritual practice and its “re-presentations” in, for instance, literary genres. Especially in diachronic historic perspective, in my view, there is no opposition between “this was the ritual” and “this is what literature made of this ritual.” Rather, our conception of ritual practices should be informed by the whole range of their cultural expressions.

<sup>243</sup> Thompson (1992: 3).

<sup>244</sup> Ingram (1985b: 167).

interactions, much more so than full-fledged charivaris, ridings, or skimmingtons ever were.<sup>245</sup> Martin Ingram points out that “notorious fornicators or adulterers were *sometimes* visited with the discordant din of ‘rough music,’ made by the beating of pots and pans and other household utensils.”<sup>246</sup> Yet he also strongly emphasises that “most symbolic demonstrations against cuckolds [and adulteresses, one should add; V.P.] were less spectacular. Neighbours grimaced and made horn signs with their fingers or, at most, horns were hung, often under cover of night, at the victim’s gate, gable-end or windows.”<sup>247</sup> This very connection to everyday occurrences such as chiding, slander and the like also indicates that those mocking practices are not best appraised as a ‘world turned upside down,’<sup>248</sup> a time in which ‘normal’ rules are suspended.

The following discussion will focus on “mocking” rather than “shaming” practices as the implications of the former term are generally underestimated. Most importantly, the term “mocking” with its connotations not only of scorn and ridicule and hence social ostracism, but also of mimicry is ideally suited to convey the processes of reiteration of other people’s deviances outlined above. Mockery is also what Francis Ford, the husband of one of Shakespeare’s *Merry Wives of Windsor*, refers to when he claims that he will be “rather praised [...] than mocked” for his (planned) exposure of Falstaff’s seduction of Mrs Ford, for ‘catching them together’ in the act. Ford is right in recognising that to counter one’s wife’s adultery, even to provide evidence for it by supplying witnesses, was considered honourable. However, as long as Ford, even though he is so sure that he will succeed, continually fails to secure this evidence and thus cannot legitimise his displayed vigilance, he remains the object of laughter. But humorous though he may be, the character of Ford points towards a central problem which may be encountered again and again in various contexts: a husband’s reputation is affected negatively or positively depending on how he succeeds in governing his house. Praise can be earned if the husband is rightfully vigilant in identifying and opposing disturbers of domestic peace. On the other hand, where there is no proof that the household is indeed threatened by male (sexual) rivals, vigilance may be interpreted as excessive jealousy which may serve to discredit the husband rather than bolster his reputation. To little vigilance,

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<sup>245</sup> Foyster (1993: 5). Ingram (1985b: 170). As Stephen Orgel (1996: 117) points out, charivari and skimmingtons were occasional, local and unsystematic in appearance. Cf. also Ingram (1985b: 172) who has noted that ridings were restricted to “a narrow range of social circumstances, among which the beating of a husband by his wife was clearly predominant.” On the other hand, although Shoemaker (2004: 251) remarks on the increasing importance (and use) of written insult, Ingram’s (1985b: 188) Wiltshire quarter session data for the period between 1601 and 1650 only evidence ten indictments for mocking rhymes and similar libels.

<sup>246</sup> Ingram (1987: 163), my italics.

<sup>247</sup> Ingram (1985b: 170).

<sup>248</sup> Cf. Muir (1997: 89).

on the other hand, may lead to cuckoldry. A husband could become the target of communal mockery both for his excessive jealousy and for his lack of vigilance – epitomized by cuckoldry. These aspects will be examined more closely in the following section.

### 3.3.1. Mocking the Cuckold

In the broadside ballad *Houshold Talke* (1629)<sup>249</sup> we find two men involved in personal conversation: Roger, a bachelor, counsels his married neighbour Simon in the affairs of this life, particularly the issue of jealousy.<sup>250</sup> The difference in status between the men already sets the satirical undertone of the piece. Neighbour Simon bemoans his situation:

“Night and Day,  
I pine away,  
Whilst my dearest friends doe scoffe me,  
to my face they (boldly) say,  
My Cosen makes a Cuckold of me.”<sup>251</sup>

Structurally, this situation is very similar to the instances of direct insult and railing discussed above. In a way comparable to Humfry Phillipott’s deposition, the speaker is reproached by friends and neighbours for his wife’s alleged immorality. This time, however, it is the husband himself who is questioned for his wife’s actions, and, possibly in consequence, he is subjected to a greater degree of ridicule and ostracism than a mere neighbour or landlord. This character suffers because of the unsubtle ways in which his neighbours and friends bring his wife’s adultery to his attention. To add hurt to injury, Simon is scoffed not only by his neighbours, but also, openly, by his own wife and her lover, which suggests that he is not man enough to defend himself and put them in their place.<sup>252</sup> Simon’s adulterous wife is associated with the stereotype of the shrew:

“Tis a saying long agoe,  
us’d by those that know it truely,  
Every man can tame a Shroe,  
but he who hath a wife unruly.”<sup>253</sup>

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<sup>249</sup> M[artin] P[arker], *Houshold Talke* (London, 1629).

<sup>250</sup> The subtitle runs “Good Councell for a Married Man. Deliuered in a Prittie Dialogue, By *Roger* a batchelor, to *Simon*, A (iealous) Married-man.”

<sup>251</sup> M. P., *Household Talk*, 1,5-9.

<sup>252</sup> Cf. M. P., *Household Talk*, 7,4-8.

<sup>253</sup> M. P., *Household Talk*, 5,1-4.

Shrews in seventeenth-century broadside ballads are often depicted as violent,<sup>254</sup> yet in most of these cases female physical violence does not appear to be linked explicitly with adultery. In ballads like *Houshold Talke*, which do address female adultery directly, however, the wife's *verbal* violence, dominance and disobedience is foregrounded. The adulterous wife who taunts and mocks her cuckolded husband is a motif commonly exploited in broadside ballads, and her mockery correlates to the communal "scoffing" and "mocking" of the husband.<sup>255</sup> This confers with social practices of mockery which stereotypically targeted the 'hen-pecked' husbands of shrewish wives.<sup>256</sup>

The ballad, in line with a powerful contemporary discourse, makes clear that the responsibility for a wife's shrewish – and sexually transgressive – behaviour lies with the husband. 'Man'-kind is divided into those who are able to govern and satisfy a woman and those who are not.<sup>257</sup> Those who are not, are constantly at risk that their wife will be "tamed" by another man and thus will be fully taken out of their sphere of authority.<sup>258</sup> Moreover, they hazard being mocked and ostracised for their incapacities as husbands. Still, neighbour Roger persistently tries to convince the conflicted husband that the root of all his problems is actually his jealousy. In stanza thirteen Simon relents,

"I will not  
My selfe besot,  
With Jealousie that made some scoffe me,  
Yet 'twill hardly be forgot,  
My Cosen makes a Cuckold of me."<sup>259</sup>

Here, the neighbours' scoffing is interpreted as a reaction not to his wife's adultery, but to his own jealous reaction. Finally, in the last stanza, Simon abjures jealousy completely, swearing "neuer more I will be Jealous."<sup>260</sup>

<sup>254</sup> For instance, Anonymous, *My Wife Will Be My Master* (London, 1674-1679); Anonymous, *She Is Bound But Won't Obey* (London, 1674-79); Anonymous *The Married Mans Complaint Who Took a Shrow Instead of a Saint* (London, 1641-74).

<sup>255</sup> In the ballad *Cuckolds Haven* (1638) the speaker tells us: "O what a case is this, / O what a griefe it is / My wife hath learn'd to kisse, / and thinkes 'tis not amisse: / She oftentimes doth me deride, / and tels me I am hornify'd" (5). In the ballad *She is Bound But Won't Obey* (c. 1640 (Dolan 1999), 1674-78) the abused husband complains, "She'l call me Cuckold to my face, / and I cannot it deny," yet this husband is consoled by the knowledge that "in our Town, / there's more as well as I" (7,1-4).

<sup>256</sup> With regard to ridings and skimmingtons cf. Underdown (1985: 127), Ingram (1985b: 169 & 172), Amussen (1988: 75).

<sup>257</sup> Cf. Anthony Fletcher (1999: 432): "But a husband's overriding imperative was to satisfy his wife in bed; the deepest shame was being called a cuckold for this carried the slur of sexual failure."

<sup>258</sup> We have encountered a very similar setting in the alleged claim by Richard Bathern of Gloucestershire to have had Elizabeth Mazon at his "commaund." GDR 109, Bathern c. Crumpe, 12 September 1610, deposition of Thomas Evans *alias* Taylor. See above, 82.

<sup>259</sup> M. P., *Household Talk*, 13,5-9.

<sup>260</sup> M. P., *Household Talk*, 15,2.



A husband, we learn in this broadside ballad, may, in fact, be mocked for two things: for his failure to govern his wife properly, which includes being able to keep her sexually exclusive to himself, as well as his lack of vigilance concerning male rivals, but also for excessive vigilance and jealousy. Considering the difference in status of the two male speakers, however, and the rather unusual communicative situation of an unmarried man giving a married man advice in how to carry himself, Simon's abjuration of jealousy may just be another sign of his foolishness. Neighbour Roger may, in fact, be taking advantage of the unsuspecting cuckold. The lack of jealousy may only serve to give other men easier access to the wife. Ultimately, thus, both the lack of vigilance which leads to cuckoldry and excessive jealousy (which may also drive the wife to seek the company of more sympathetic men) are symptomatic of husbandly inability.

In another ballad devoted to the phenomenon of cuckoldry,<sup>261</sup> entitled *The Merry Cuckold*, dating from the same year (1629), a married male speaker begins by approaching the fellow husbands in his audience:

“You married men  
whom Fate hath assign'd  
To marry with them  
that are too much kind,  
Learn as I do,  
to beare with your wiues,  
All you that doe so,  
shall liue merry liues.”<sup>262</sup>

Here, the wife's adultery is not conflated with her violent, shrewish and dominant behaviour but, conversely, it is ironically conceptualised in terms of her excessive *kindness*.<sup>263</sup> As the speaker later points out, despite her adulterous affairs his wife still conforms to the ideal of the “quiet” wife.<sup>264</sup> The woodcut printed alongside this ballad, however, showing a woman pulling a man by his clothes, ready to beat him with a household utensil, introduces the

<sup>261</sup> For the moment, I shall refrain from making the clear distinction between the ‘wittol’ or ‘contented cuckold’ on the one hand and the (discontented) ‘cuckold’ on the other hand, on which Jennifer Panek (2001) has insisted.

<sup>262</sup> Anonymous, *The Merry Cuckold who Frolickly Taking what Chance Doth Befall, Is Very Well Pleased with Wife, Hornes and all* (London, 1629), 1.

<sup>263</sup> I shall discuss the boundaries of wifely kindness in the following chapter.

<sup>264</sup> What is more, her transgressions even reinforce her domestic meekness as her self-consciousness of her own faults and her husband's complacency makes her think twice about complaining about his lapses: “One trying [sic?, *thing?*, V.P.] to me / a great comfort is, / Still quiet is she, / though I do amisse, / She dares do not other, / because she knowes well, / That gently I smother, / what most men would tell” (stanza 12).

element husband-beating after all. The woodcut thus comments the narrative content of the ballad and casts it in an even more ironic light,<sup>265</sup> especially considering that this ballad sets out to relate the story of a *merry* cuckold, who is “very well pleased with Wife, Horns and all.”

The speaker calls his wife’s adultery a “trade”<sup>266</sup> and lists its advantages: it will “maintain” him,<sup>267</sup> grant him an economically carefree life, expensive clothes, a rich variety of food and drink. Adultery is presented as a sort of business which has the wife ‘working’ at home while the husband is encouraged to roam abroad in order to fill his spare time. *The Merry Cuckold*, therefore, takes moralists’ counsel that the wife should refrain from “gadding abroad” and care for the house to its ultimate ironic consequence.<sup>268</sup> It thus hints at the transgressive potential behind this and other moralist demands.<sup>269</sup>

The *Merry Cuckold*’s only problem is jealousy: “daily I striue / against iealous assaults.”<sup>270</sup> But it is not necessarily the his own jealousy which the cuckold fights. Rather, these “jealous assaults” seem to refer to the attacks of neighbours, which the speaker interprets as originating not in their moral objections to his wife’s business, but in their envy of his easy life.<sup>271</sup>

“Many a time  
         vpbraided I am.  
 Some say I must dine,  
         at the Bull or the Ramme:  
 Those that do ieere  
         cannot do as I may,  
 In Wine, Ale and Beere,

<sup>265</sup> Women/wives abusing men/husbands seem to have been a particularly popular motif both of contemporary broadside ballads and of the woodcuts illustrating them. On the other hand, the relationship between engraving and narrative text in these broadside ballads is problematical as it does not always seem to have been referential. Many woodcuts, for instance, were used a number of times in different contexts. However, as far I as am aware, the particular relationship between illustration and text has not caught a lot of scholarly attention. Natasha Würzbach, in her thoughtful and detailed account on *The Rise of the English Street Ballad* (originally in German 1981), which remains the most elaborate discussion on the subject to date, does not devote any substantial considerations to this issue. Neither does Klaus Roth (1977). For a more general approach on illustrations see Franklin (2002); Shields (1994) discusses Irish broadside woodcuts from the 17<sup>th</sup> to the 20<sup>th</sup> century. For a study of illustrations in German broadside ballads see Andersson (1986), for a shorter overview Paisey (1976).

<sup>266</sup> Anonymous, *The Merry Cuckold*, 3,5.

<sup>267</sup> Anonymous, *The Merry Cuckold*, 3,6.

<sup>268</sup> Cf., for instance, Dudley Fenner, *The Order of Household* (in Davis, L., ed., 1998), 175.

<sup>269</sup> The *Merry Cuckold* further follows moralist teaching i.e. in being patient and striving to uphold household harmony (esp. 9 & 13 - 15).

<sup>270</sup> Anonymous, *The Merry Cuckold*, 5,7f.

<sup>271</sup> “While for small gaines / my neighbours worke hard, / I liue (by her meanes) / and neuer regard, / The troubles and cares / that belong to this life, / I spend what few dares: / gramercy good Wife” (6).

spend a noble a day.”<sup>272</sup>

Of course, from these lines alone it is obvious that, notwithstanding the nonchalant attitude of the speaker, the ballad criticises these household conditions by showing how they cater to the wife’s *lust* and are connected to other sins like *sloth*, *gluttony*, *greed*, and *pride*,<sup>273</sup> on the part of her husband while causing *envy*, possibly *wrath* in their social vicinity.<sup>274</sup> The connection between alehouse and sexually transgressive behaviour is equally conventional.<sup>275</sup> The main point for our current discussion is the public shaming, the jeering and upbraiding to which the *Merry Cuckold* is subjected. This upbraiding, in its quantity and repetitiveness, takes on a collective quality, which, arguably, also figures in Humfry Phillpott’s presentation of his neighbours’ behaviour towards him. The animal symbolism inherent in the neighbours’ taunts is connected to what one could call the ‘imagery of the horn,’ one of the most prevalent and potent paradigms by which cuckolded husbands and adulterous wives were marked.<sup>276</sup> In this case, it is used as a reference to the practice of naming English taverns and alehouses after animals. The jeering of the speaker’s neighbours also appears as a socially exclusive tactic in that they seem to tell him to dine elsewhere.

Cuckoldry was inherently linked to long-standing stereotypes of male passivity.<sup>277</sup> One of the most central aspects of the unwitting or contented cuckold is that he does exactly the opposite of taking responsible actions against his wife’s transgression – sometimes out of inability, sometimes because he is unsuspecting, which basically amounts to the same thing. In other words, the husband fails or refuses to regard his wife’s adultery as a despicable transgression: “Yet I will not, / accuse my wife,” the *Merry Cuckold* says, “For nothing is got,

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<sup>272</sup> Anonymous, *The Merry Cuckold*, 8.

<sup>273</sup> The speaker points out that he likes to dress in expensive clothes (5).

<sup>274</sup> It thereby reflects the conventional argument of the *Sermon Against Whoredom and Uncleanness* published in the contemporary *Book of Homilies*: “What sin or kind of sin is it that is not joined with fornication and whoredom?” Adultery is here presented as the only sin which involves all other sins and thus as particularly grievous and socially disruptive. Anonymous, *A Sermon Against Whoredom and Uncleanness* (in Davis, L., ed., 1998), 10.

<sup>275</sup> Cf. Martin (2001: esp. ch. 5).

<sup>276</sup> Cf. the dispute between Elizabeth Whiting and John Forte discussed above in which John Forte had told Elizabeth Whiting that she “sholde not goe to bull” through his grounds. GDR 106, Whiting *c.* Forte, 24 February 1608 [1609], deposition of John Charles. See also GDR/B4/1/1985. See above, 80.

<sup>277</sup> Cf. Foyster (1999: 198): “Men were expected to respond when their manliness was questioned by their wives’ behaviour, for failure to do so opened them to the further dishonour of being labelled wittols [i.e. contended or merry cuckolds, V.P.]. Gaining honour required a man actively to assert and demonstrate his manhood, so it was assumed that cuckoldry could only be the result of inactivity or passivity.” This paradigm is based on a long tradition. Foucault has verified the connection between manliness and activity in ancient Greek thinking. This activity always relates to government – self-government or -mastery of one’s own desires, which is connected to rational cognition, and is one of the most crucial preconditions for the ability to govern others as well as to successfully manage one’s household (which basically comes to the same). Cf. Foucault (1992: e.g. 75ff., 81f., 172, 182). Interestingly, here, temperance and the ability to govern always go hand in hand. From this perspective, it is quite clear why the *Merry Cuckold* who lacks this virtue should be unable to keep his household in proper order.

/ by railing but strife.”<sup>278</sup> Consequently, one could say that if the husband fails to mark his wife’s adultery as transgressive through his private and public actions, his neighbours will do this for him. They will not only act on and publicize his wife’s transgression, but also his own failure. These actions, then, might be, at first look, far removed from the performances of legitimate witness discussed above, and more related to what has been said so far about the relationship between slander and gossip and slander and chiding. Yet, as we shall see, all these elements are part of a continuum.

The speaker of *The Merry Cuckold* stresses the individuality of his own conception of marriage, and denies its harmfulness: “I act mine own sence, / intending no wrong,” he proclaims.<sup>279</sup> This self-distinction from the normative multitude, however, only paves the way for his next move in which he gives the audience the chance to demonstrate their own sexual or marital normativity. He continues:

“No Cuckold nor Queane  
will care for this song.

But a merry Wife,  
that’s honest I know it,  
As deare as her life,  
will sure loue the Poets  
And he thats no Cuckold  
in Countrey or City,  
Howeuer if lucke hold,  
will buy this our Ditty.”<sup>280</sup>

Hence, the public consumption of the broadside ballad is paralleled to the neighbours’ railing against and mocking of the cuckold in the ballad text. Everybody who openly shows dislike of this song will prove themselves to be either a cuckold, or a deviant wife, while benevolent applause is solicited. The persons who would take the most fervent objection to such an idle and bawdy ballad would very probably be the staunchest advocates of local moral order. To mark such respectable neighbours publicly as cuckolds and queans in this way surely is not devoid of comic effects, to put it mildly. Of course, this is clearly an advertising strategy which indicates that performances of adultery such as in broadside ballads and plays catered

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<sup>278</sup> Anonymous, *The Merry Cuckold*, 15,1-4.

<sup>279</sup> Anonymous, *The Merry Cuckold*, 15,5f.

<sup>280</sup> Anonymous, *The Merry Cuckold*, 15,7f. & 16.

to an entertainment market.<sup>281</sup> Yet, on another level, it enables individual members of the audience to publicly fashion themselves as sexually and socially reputable not by railing at or mocking transgressive neighbours, but by buying this broadside ballad – with a wink.

In order to examine more closely the dynamics of mockery for cuckoldry and jealousy, from *The Merry Cuckold* and the poet-loving, ballad-buying “merry wife that’s honest” let us now turn to *The Merry Wives of Windsor*, who assert that “Wives may be merry and yet honest, too,”<sup>282</sup> and to the plight of Francis Ford. Unlike *The Merry Cuckold*, Master Ford is not prepared to be a contented specimen of cuckoldry. As can be inferred from the above-quoted examples, collective mockery and ridicule often targeted cuckolded or jealous husbands, perhaps even sooner than adulterous wives.<sup>283</sup> Master Ford immediately recognises that he is at risk: if he remains passive about Falstaff’s attempts to seduce his wife, he will possibly be mocked as a cuckold, as someone who has no clue about what is going on in his household, or who, like the *Merry Cuckold*, does not care. However, if he actively counters Falstaff but fails to deliver proof for the knight’s (intended) transgression, he will be vulnerable to being ridiculed for ungrounded, excessive jealousy.

Why would jealousy be such a discrediting trait? Jealousy, just like cuckoldry, is conceptualised as endangering household harmony, and ultimately also neighbourhood peace, since the excessively jealous man will not hesitate to suspect and asperse his own neighbours. Pamela Allen Brown has stressed this aspect by stating that the “lesson in neighborhood urged by Ford’s example is clear: the jealous man is a bad neighbor and a sick man whose disease is contagious. [...] Horn madness is a social disease that, like a fire, threatens an entire neighborhood.”<sup>284</sup> The ultimate irony of horn-madness is that a jealous husband, in his irrational endeavours to prevent his wife’s adultery, will often only further it. However, Brown, like most of Francis Ford’s critics, misses the legitimate dimension of his actions and over-exaggerates the transgressive nature of his jealousy. Shakespeare’s contemporary William Heale aptly remarked in his moral tract *An Apologie For Women* (1609),

“the iealousie of husbandes touching their wiues incontinencie, or suspition otherwise

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<sup>281</sup> The phrasing also suggests that this ballad was aimed at both rural and urban audiences.

<sup>282</sup> Shakespeare, *The Merry Wives of Windsor*, 4.2.94. Shakespeare’s *The Merry Wives of Windsor* was probably written around 1597-8, and first performed allegedly in 1597. It was first published in the First Quarto (1602). Hence, it is theoretically possible that the formulation of the ballad is a direct reference to the play.

<sup>283</sup> As William Heale observed with reference to certain shaming punishments in Catalonia, France and England, “the husbands are punished only for the faults of their wiues.” Similarly, William Fenner remarked in his humorous treatment of cuckoldry, *Cornu-copiae*: “For whether part soeuer be in fault / Still is the husband deemed for to halt.” See William Heale, *An Apologie for Women* (Oxford, 1609), 45 & William Fenner, *Cornu-Copiae, Pasquils Nightcap, Or: Anti-Dot for the Headache* (London, 1612), 89.

<sup>284</sup> Brown (2003: 54).

concerning their disloyalty, before they come into actual proofe are no actual faults of the wife but, to be adiudged as the braine-sicke fancies of their fond husbands. [...] Jealousie is a childe conceived of selfe-vnworthines, and of anothers worth, at whose birth feare made it an abortiue in nature, and a monster in loue. For the iealous man, vnworthily loving a worthily beloved object, stands in feare of communicating his good, vnto an other more worthy.”<sup>285</sup>

Jealousy, thus, is a mental affliction which is connected to the husband’s loss of rational self-control and judgement, and to a hierarchy between two rivalling men. The main plot of Shakespeare’s comedy centres exactly on this issue, especially considering the class hierarchy between Falstaff and Ford.<sup>286</sup> Falstaff’s plan to cuckold Mistress Ford and seduce her out of her husband’s fortune, which he unwittingly divulges to a disguised Master Ford, is a part of his general quest to “predominate over the peasant [Ford].”<sup>287</sup> At the bottom of this planned adultery is thus a heterosocial rivalry and competition for authority. Ford’s worries are legitimate also in another sense, as they conform to a recurring topos in early modern comedy which depicts citizens’ wives as easy prey to courtiers, and to which our discussion will repeatedly return.<sup>288</sup> A certain amount of vigilance or jealousy is thus called for and legitimate. As Ford remarks, “[a] man may be too confident. I would have nothing lie on my head [i.e. horns, V.P.].”<sup>289</sup> His jealousy, he insists, especially considering the information he has about Falstaff’s plans, “is reasonable.”<sup>290</sup> Jealousy, as Heale, too, recognises, can be transferred onto a legitimate plane, if the husband’s suspicions are proven to be grounded in proper evidence of the wife’s transgressions.

Ford is intent on banishing the threat of mockery by doing just that – establishing evidence that his concern is justified. He seeks to maintain his reputation by displaying his ability to govern his household by exercising authority over his wife, by exposing

<sup>285</sup> Heale, *An Apology for Women*, 32f.

<sup>286</sup> Cf. Rosemary Kegl (1994: esp. 154ff.) who surveys the body of literature stressing the ‘middle class’ environment of Windsor. Kegl proposes to view ‘middle class’ in more procedural terms than this had been done so far. It is vital to recognize that this hierarchy between Ford and Sir John Falstaff becomes problematic insofar as Ford is actually more pecunious than Falstaff, which is what enables the knight to set his whole plan in motion to relieve Master Ford of his savings. In a sense, Falstaff thus tries to re-establish a sort of (mythical) older system of order where aspiring merchants were not yet better off than gentlemen. On the other hand, as Ina Habermann (2003: 73) points out, Falstaff is himself an upstart.

<sup>287</sup> Shakespeare, *The Merry Wives of Windsor*, 2.2.266.

<sup>288</sup> Cf., for example, Edward Sharpham, *Cupid’s Whirligig* (London, 1619), “If you marry a citizen (though yee liue neuer so honest) yet yee shall be sure to haue a Cuckold to your Husband.” (Lady Troublesome) B3<sup>v</sup>, Richard Brome, *The Mad Couple Well Match’d* (London, first published 1653), “As you respect my Lord, and your own profit, you must be a Cittizen still, and I am no more a Cittizens Wife else [...]. Though my Lord loves the Clothes of the Court, hee loves the diet of the City [...], what ever I weare outwardly hee must finde me Cittizens Wife [...].” (Mrs Alicia Saleware, *light wife*) [E6<sup>v</sup>].

<sup>289</sup> Shakespeare, *The Merry Wives of Windsor*, 2.1.71f.

<sup>290</sup> Shakespeare, *The Merry Wives of Windsor*, 4.2.135.

transgressive neighbours, and by dominating over and thus eliminating his rival. To quote a well-known passage from the play which directly precedes Ford's hope to be praised rather than mocked:

“Well, I will take him [Falstaff], then torture my wife, pluck the borrowed veil of modesty from the so-seeming Mistress Page, divulge Page himself for a secure and wilful Actaeon; and to these violent proceedings all my neighbours shall cry aim.”<sup>291</sup>

Ford intends to shift the mockery onto someone else: to Master Page, apparently incapable of jealousy and thus a “wilful,” oblivious cuckold, and, ultimately, to Falstaff. Ford thus plans to become part of the mocking crowd rather than the victim of mockery. For this, however, he needs to prove that his jealousy is, indeed, reasonable: he needs to actively secure evidence of Falstaff's adulteration of the Ford household, and he needs to engage witnesses: his neighbours. This provides an answer to Katharine Eisaman Maus's question why husbands like Ford in contemporary English plays show such a desire to acquire ocular proof of their wives' adultery as witnesses, if the whole affair is so painful to them.<sup>292</sup> Rather than being an indicator of what might anachronistically be termed his ‘masochistic voyeurism,’<sup>293</sup> I would argue, Ford's attempts of acquiring ocular proof and witnesses relate directly to the practices of witnessing we have discussed above.

Ford's ideal witnesses are imagined not as passive by-standers, but as active witnesses who back up the husband;<sup>294</sup> they are thus witnesses both to Falstaff's and Mrs Ford's transgression and to Master Ford's praiseworthy handling of the situation. Whether Ford's actions will be perceived as creditable, or deserving of ridicule, however, depends on securing the evidence of Falstaff's and Mrs Ford's illicit affair. This becomes obvious when Ford incites his neighbours to help him search his house with the words, “[p]ray you, come near. If I suspect without cause, why then make sport at me, then let me be your jest, I deserve it.”<sup>295</sup> Ford's problem is his choice of available witnesses. They only reluctantly agree to join him in his house search, and only after being promised extraordinary entertainment. They fail to take Ford's suit seriously and are not quite suited as respectable witnesses. Master Page, whom Ford intends to “divulge” and ridicule, is unsusceptible to jealousy and is quite unlikely to

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<sup>291</sup> Shakespeare, *The Merry Wives of Windsor*, 2.3.35-39.

<sup>292</sup> Cf. Maus (1987: 564f.). Cf. also Breitenberg (1996: 187f.).

<sup>293</sup> Cf. Maus (1987: 566).

<sup>294</sup> T.W. Craik refers to the OED entry for “to aim sb,” 3c., and suggests the connotation “spectators,” yet is slightly vague as to the active encouragement involved here. Yet the OED entry “aim-cryer,” which lists two 17<sup>th</sup>-century examples, stresses the element of active encouragement and applauding.

<sup>295</sup> Shakespeare, *The Merry Wives of Windsor*, 3.3.141-43. Ford renews this offer in 4.2., when he begs his friends to search his house a second time: “If I find not what I seek, show no colour for my extremity. Let me for ever be your table-sport. Let them say of me, ‘As jealous as Ford, that searched a hollow walnut for his wife's leman’” (4.2.146-49).

support Ford wholeheartedly in his search for evidence. Sir Hugh Evans is a Welshman with a funny accent. Though connected both to ecclesiastical jurisdiction and to the community in his function as parson, he is still an outsider who is not taken quite seriously by Windsor's inhabitants. Albeit, theoretically, he is a good choice of witness, his authority is limited. The same applies to the last witness, Doctor Caius, the French physician, who, by his profession, is similarly connected to certain practices of establishing knowledge about the human body and its frailties. Yet he, too, causes a lot of amusement among the people of Windsor because of his accent, although he is popular with the ladies, Mistress Page in particular. The comments of this group of men during the following house search produce comical effects which are detrimental to the Ford's serious business.<sup>296</sup> And since the suspect Falstaff can nowhere be found in the Ford residence, Master Ford fails to deliver the central piece of evidence which could validate the legitimacy of his actions and achieves exactly what he has tried so hard to prevent: he is mocked. Even though Ford apologizes publicly for his suspicions and invites everybody for dinner, his neighbour Master Page tells Caius and Evans: "Let's go in, gentlemen; but trust me, we'll mock him."<sup>297</sup>

Yet, this kind of ridicule is directed against Ford's jealousy and does not generate him primarily as a cuckold. It is vital to recognise and keep in mind this distinction between these two types of public reaction. To be mocked for his jealousy seems to be slightly more bearable to Ford than to be ridiculed for being a cuckold. Still, he is not satisfied with the situation. Upon a second conversation (in disguise) with Falstaff, he starts another offensive, in which the regaining of his reputation has a high priority: "Ay, but if it prove true, Master Page, have you any way then to unfool me again?"<sup>298</sup> he inquires while he positively storms onto the stage with his group of witnesses which now includes justice Shallow, a representative of the common law, who, however, will prove to be of no help. Consequently, the second attempt to find Falstaff is as fruitless as the first, and the verdict of Ford's witnesses remains the same: "This is jealousies," says Sir Hugh Evans, and upon Ford's concession that Falstaff "is not here," neighbour Page contends: "No, nowhere else but in your brain."<sup>299</sup> This, of course, refers us back to William Heale's "braine-sick fancies" which are clearly connected to Ford's inability to "come into actual proofe" of Falstaff's adulterous

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<sup>296</sup> During the second house search, Sir Hugh Evans even, more or less inadvertently, detects the central piece of evidence in noting that the old woman (Falstaff disguised) Ford is just about to throw out of his house sports a "great peard." However, the effect (for the audience) is comical, Ford dismisses his contribution and goes on pleading for a more thorough search (4.2.178-83).

<sup>297</sup> Shakespeare, *The Merry Wives of Windsor*, 3.3.216f.

<sup>298</sup> Shakespeare, *The Merry Wives of Windsor*, 4.2.103-5.

<sup>299</sup> Shakespeare, *The Merry Wives of Windsor*, 4.2.142-45.



designs.<sup>300</sup>

Ultimately, however, Ford's efforts are not fruitless, as they finally motivate the *Merry Wives* to disclose their scheme to manipulate and ridicule Falstaff to their husbands, thereby delivering the decisive piece of evidence that Francis Ford's vigilance had, in principle, been justified all along. Ford is jealous, he even admits to this himself, but the comedy certainly plays with the 'jealous fool' stereotype, by exploring the full semantic range of 'jealousy' and by drawing attention to its connotations such as vehemence of feeling, indignation, and vigilance in guarding one's assets.<sup>301</sup> It thus asserts that Ford ultimately is not a fool. It is Falstaff who bears the brunt of the ultimate communal mocking in the woods,<sup>302</sup> while Ford's jealousy issue is addressed almost as an afterthought by Sir Hugh Evans, the clergyman (in fairy disguise), when Ford draws attention to himself by wisecracking. Evans, much in accord with religious-didactic conduct literature, advises the husband to "leave [his] jealousies."<sup>303</sup> This valuable piece of advice, however, is deprived of its force by Evans' heavy accent.<sup>304</sup>

Mockery for husbandly jealousy, as it is presented in *The Merry Wives of Windsor*, appears to have been relatively benign. Mockery for cuckoldry was far less so. Let us consider some evidence from another comedy, namely the lament of the character of Claribel in *The Cuck-Queanes and Cuckolds Errants* (1601), a comedy by William Percy.<sup>305</sup> The overall setting of this play shares certain similarities with *The Merry Wives of Windsor*. The central protagonists are two middle-aged married couples, of which one husband is jealous and one is not. The *Cuck-Queanes and Cuckolds* live in different English towns, Maldon and Harwich, and unlike the Fords and Pages, they do not exactly excel in chastity.<sup>306</sup> Claribel has been away from home for quite some time, pursuing his own amorous adventures, and is not exactly thrilled about what he discovers back home:

"For, Lords, what Reakes haue beene kept in my howse,

(Ere my home returne from my worldly Trafique)

Here in Maldon! This tweluemonths space, what sports!

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<sup>300</sup> Heale, *An Apology for Women*, 33, see above, p. 96.

<sup>301</sup> Cf. OED, "jealousy," esp. 1. (obs.), 2. (obs.) & 3.

<sup>302</sup> Importantly, Falstaff here is not a substitute for Ford, as a number of scholars suggest, for instance Gallenca (1985: 30, 32), Iwasaki (1999: 11f.).

<sup>303</sup> Shakespeare, *The Merry Wives of Windsor*, 5.5.132.

<sup>304</sup> Cf. Ford's answer "I will never distrust my wife again till thou art able to woo her in good English" (5.5.133f.).

<sup>305</sup> William Percy, *The Cuck-Queanes and Cuckolds Errants or The Bearing Down the Inne* (Nicol, W., ed., 1824). The play is set in 1588, the year of the Armada.

<sup>306</sup> The action, however, takes place in several English settings: Maldon, Harwich and Colchester. Similar to *The Merry Wives*, there are two mischievous characters named Nim and Shift, and there is a character called Pigot who is an innkeeper. A member of the legal profession is also represented.

What games! What Playes! That no where I may passe,  
 But rimes be made up against my Bed, and Hornes  
 Hung at my gate, Besyde which, Creditors  
 Rush vpon mee, which if they do but follow  
 I see no meane there's But *bonds* and Fetters,  
 Therefore, Doucebell, accuse thee I nill,  
 Thy freinds be mighty, and may down poyse mee,  
 But that I loath thy falshood, I will leaue  
 Thy self to thy self [...].<sup>307</sup>

The three central aspects of this study, i.e. the role of neighbours, of spatial constructions and of household economy and government in relation to adultery, all play a part in this quotation. In Claribel's absence his wife, Doucebella, has entertained her lover in grand style and has run up a lot of debts.<sup>308</sup> The whole affair has gained public notoriety and, on his return, Claribel is virtually overwhelmed with the collective neighbourly reaction to the issue. In this case, the public scolding and mocking also serves as a kind of *evidence* or *marker* of this adultery and brings the transgression to the husband's awareness. Again, it is the husband who is publicly held responsible for the sexual transgressions of his wife and her lovers, and it is obvious that this is no 'merry' business. Claribel's social and economic status is ruined.

The degrading public humiliations to which Claribel is subjected include the fastening of horns at his gate and scornful rhymes made to ridicule him. This were the standard ingredients of cuckold mockery, which also included shorter insults or through making horn signs with one's fingers. These gestures, we may conclude from Francis Ford's pursuits, must be imagined as particularly humiliating. In Claribel's case, not atypically, this mockery is connected to financially significant shaming harassment by creditors. This further destabilises his weak social position which is epitomised in his awareness that he cannot do anything to publicly counteract his Doucebella's behaviour because she has "mighty friends." He cannot openly accuse her of adultery. Claribel has missed his chance to forestall and publicly criticise his wife's adultery in time, now he is incapacitated and must suffer his neighbours' mockery. The play itself will yield no concrete examples of the mocking rhymes, but we know from other sources what characters such as Claribel, and also Master Ford allude to.

What forms might such practices of mocking take? In 1603, two men from Urchfont, Wiltshire, for instance, publicly recited the following piece of devotional verse:

<sup>307</sup> Percy, *The Cuck-Queanes and Cuckolds Errants*, 30 (2.8.).

<sup>308</sup> She has drained household resources to the very last so that she is even forced to send her reluctant lover home to his wife for want of further means to entertain him.

(1) “Ave Maria, full of grace,  
Frye doth lie in Gilbert’s place;  
Thy kingdom come, Thy will be done,  
Lie there Frye till Gilbert come.”<sup>309</sup>

From Martin Ingram’s discussion of this case we may infer that the victim of this rhyme felt sufficiently concerned for his reputation to instigate a slander suit against its authors. Another mocking rhyme was composed in Bremhill, Wiltshire, in 1618. Eleven people were directly involved in its production and publication, and it comprised an elaborate twelve stanzas,<sup>310</sup> starting like this:

(2) “Woe be thee, Michael Robins,  
That ever thou wert born,  
For Blancute makes thee a cuckold  
And though must wear the horn.

He fetcheth the nurse  
To give the child suck,  
That he may have time  
Thy wife for to fuck.”<sup>311</sup>

Similarly, the following “single, but pithy obscene verse”<sup>312</sup> was contrived and recited in Earls Colne (c. 1588), which presents the addressee as a contented or ‘merry’ cuckold who lives off the money his wife earns, possibly by prostituting herself.

(3) “Woe be unto Kendall  
that ever he was born  
He keeps his wife so lustily  
she makes him wear the horn.

But what is the better  
or what is the worse?  
She keeps him like a cuckold

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<sup>309</sup> Ingram (1987: 293).

<sup>310</sup> Ingram (1985b: 180 & 182f.) mentions the existence of this verse and provides background information on it, but only cites it – without the background information – in a later article (1987: 164).

<sup>311</sup> Cited in Ingram (1987: 164).

<sup>312</sup> Emmison (1970: 68). Ingram (1985b: 180) cites this from Emmison. I have altered Emmison’s and Ingram’s layout of this example and split it in two verses in order to tease out the similarities to the rhyme cited in Ingram (1987).

with money in his purse.”<sup>313</sup>

These rhymes have only come down to us because either the victims of these verses or third parties felt they constituted a slander of personal reputation or even a breach of the public peace. In fact, most of the rhymes which we know about were recorded in libel or slander suits.<sup>314</sup> A comparison between the second and the third examples shows that Martin Ingram appears to be justified to classify these satires as “relatively formalised,”<sup>315</sup> which in this case applies both to their form and the motifs employed, even though their length apparently varies significantly. Elsewhere, Ingram further suggests that there “was probably also a certain amount of wholesale borrowing from professionals.”<sup>316</sup> Examples two and three above are an instance of this, as they, on closer inspection, bear striking resemblance to a rhyme included in the contemporary jestbook *Tarlton’s Jestes* (1613).<sup>317</sup> Significantly, Tarlton, too, is mocked for his wife’s adultery by the singing of a rhyme in a public space, the street.

“Tarltons answeere to a Boy in a Rime

There was a crackrope Boy, meeting Tarlton in London street, sung this rime vnto  
Tarlton.

Woe worth thee, Tarlton,

That euer thou wast borne:

Thy wife hath made thee Cuckold,

And thou must weare the horne.

Tarlton presently answered him in Extemporie.

What if I be (Boy)

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<sup>313</sup> Cited in Emmison (1970: 68). Ingram (1985b: 180) cites example number three directly and hints at the existence of number two, which he then cites in Ingram (1987: 164).

<sup>314</sup> The distinction does not seem to have been fully functional in the Elizabethan and early Stuart times, neither in common law (Cf. Baker 1990: 506f.) nor in ecclesiastical law. In common law it dates from the Restoration era (Shoemaker 2000: 122). Fox (1994: 55f.), however, sees a clear distinction between the terms in Star Chamber business in the early 17<sup>th</sup> century. He argues that the term ‘libel’ was used for instance for songs or verses, letters, pictures. – Still, one has to object here by pointing out that the contemporary Richard Crompton, in his *Star Chamber Cases. Shewing what Causes Properly Belong to the Cognizance of that Court* (London, 1630), delineates the difference between “a Libell” and “an injurie in writing” (11). Ingram (1987: e.g. 164f.) treats rhymes and rough music in the context of sexual slander, probably echoing contemporary ecclesiastical legal non-distinction between the terms. MacRae (2000) and (2004: esp. ch. 2) does not reflect on the close connection between libel and slander at all and thus seems to base his argument on a slightly anachronistic definition of libel.

<sup>315</sup> Ingram (1987: 164).

<sup>316</sup> Ingram (1985b: 180).

<sup>317</sup> Richard Tarlton, *Tarlton’s Jestes Drawne into these Three Parts* (London, 1613). This is a collection of material associated with the actor/clown Richard Tarlton who died in 1588.

I am nere the worse:  
She keepes me like a gentleman  
With money in my purse.”<sup>318</sup>

Tarlton, thus, is unperturbed by the rhyme and answers in kind – and the character of the contented or *merry* cuckold makes yet another appearance. Incidentally, Tarlton’s ghost appears in *The Cuck- Queanes and Cuckolds Errants* to deliver the prologue.

The very first example of rhyming reproduced above also fits well into this “borrowing from professionals” category as it uses one of the most formalised and well-practised compositions available and modifies it creatively in order to direct public awareness to alleged local transgressions, or, negatively, to damage reputations, in entertaining manner. It thus seems highly probable that what has been said above about juristic categorisations and expressions and their effect on everyday language also applies to such ‘professional’ literary models for rhymes and lampoons. That is, maybe their formulaic nature offered a simple, adequate and effective way of describing sex, of communicating a certain message.<sup>319</sup> Conventionality of form highlighted both the legitimacy and the authority of the speaker, and in the case of the modified *Ave Maria*, the blatant disparity between the original context of religious devotion and piety and its assimilation to express immorality surely intensified the sense of transgression it conveyed.

Out of a great variety, of course, these are only three examples of mocking rhymes, which, despite their relative conventionality, or, in case of the first example, exactly *because* of their satirisation of conventional verse, were sufficiently on the notorious side to be dealt with in a judicial setting. As concerns the connection between printed and widely distributed broadsides and more regionally restricted rhymes and lampoons it needs to be added that, sometimes, what started out as a short ditty made up by neighbours could end up as a fully developed broadside as some of the more ambitious rhymes (both in terms of publicity and slanderous intent) were sent to London to be printed, which might set in motion more extensive distributional and adaptational processes.<sup>320</sup> It seems that this was a cultural climate which nurtured this sort of expression.

Whether short or long, conventional or original, despite their obvious entertainment value, these rhymes clearly were not as amusing to the person(s) they targeted as *Tarlton’s* light jesting would insinuate. They were designed to bring their content to great publicity. Their rhymed form made them easy to remember, they could be distributed in oral and written

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<sup>318</sup> Tarlton, *Tarlton’s Jests*, [B3<sup>v</sup>].

<sup>319</sup> Cf. Gowing (2003: 103).

<sup>320</sup> Cf. Fox (1994: 71).

format, they could be sung, or read. They could be accompanied by images, symbols or drawings which reinforced the message of the text. Adam Fox, who has authored the most comprehensive piece on the subject, explains that written rhymes

“could easily be “scattered abroad,” distributed in the streets, left in “places of common resort,” or posted up in prominent positions. Indeed, there are many examples of libellous verses pinned to people’s front gates, to church doors, or to alehouse walls, and there is evidence of them being left on the parish pump, the pillory, and the maypole; attached to a fence post, a stile, or a hay-stack; left on busy highways; posted on the market cross on market-day; slipped inside the Prayer Book on Sunday; or pinned to the coffin at a funeral. People would flock round them to discover the latest news or scandal, those who could understand a written hand reading them aloud to the others.”<sup>321</sup>

Rhymes could thus be posted at most various locations, and they could reach utmost levels of publicity. Martin Ingram has delineated the specific context of the Bremhill rhyme cited above, pointing out the striking determination and organisation of the ringleaders:

“Multiple copies of the verses were distributed at strategic points in the parish, neighbours were invited into houses to hear them sung, and the libel was also disseminated in the local market town and in other places round about. Publication reached a peak on the sabbath. The rhymes were read on the way to church, in the churchyard, and in the belfry, while a group of parishioners met and sang part of the verses in the nave. After evening prayer, the organisers tried to persuade the preacher to read the rhymes openly in the chancel (they were angry when he refused), and also tried to get the backing of the churchwardens.”<sup>322</sup>

The strategies of active witnessing, involving other neighbours and creating public awareness addressed earlier are evident here. The purposeful attempt of Bremhill’s inhabitants to approach village officials and to link these rhymes to the context of religious ritual, e.g. congregating, singing, preaching and penance, suggests that they were interested in approaching or triggering official forms of punishment. The wide and public distribution of rhymes mirrored both the verbal forms of neighbourly commenting, chiding and insulting discussed above, and the concordant non-verbal practices such as making horn signs, or fastening horns on houses. In addition, the written or printed ballads were often illustrated and thus provided visual clues which complemented the other signs and props used to signify

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<sup>321</sup> Fox (1994: 61).

<sup>322</sup> Ingram (1985b: 182).

sexual transgressions, such as the already-mentioned horns fastened on people's houses.

On occasion, readings of such 'libels' could also accompany more elaborate forms of ritual group mockings such as ridings or skimmingtons.<sup>323</sup> Broadside ballads and the rhymes, drawings and signs discussed above all share qualities of advertising transgression which are akin to official punishments. They can be compared, for instance to the papers or placards which offenders had to wear while doing public, institutionalised, ecclesiastical penance.<sup>324</sup> Yet again, the distinction between the penal and the festive or recreational aspects of these phenomena seems blurry.

The nature of these rhymes, of their performances and distribution, also evinces the entertainment value that the preoccupation with these delicate issues such as adultery held.<sup>325</sup> To quote Ingram, "the making or singing of ballads on strange, obscene or amusing subjects – 'Maid, carry thy cunt before thee' is one of the titles which have come down to us – was a traditional holiday occupation."<sup>326</sup> Ingram even speaks of a (restricted) proxy form of sexual indulgence.<sup>327</sup> The entertainment argument is further buttressed by the affinity between these rhymes and popular broadside ballads. Those ballads, moreover, were traditionally performed at fairs, markets and in alehouses.<sup>328</sup> To conclude, adultery was present in an extremely wide range of social interactions, medial and ritual contexts. Moreover, one incident of adultery-related gossip or slander could escalate dramatically and spread widely to other social contexts.

The effects of this sort of vilification on the personal reputation and social standing of the addressee are said to have been far-reaching.<sup>329</sup> A certain Robert Reede, who has acquired a certain degree of fame among scholars, was a one of the 'better sort' of Tiverton. In February 1610,<sup>330</sup> he was the 'star' of a mocking rhyme, and his door was graced with a pair of horns which publicly marked him as a cuckold. When Reede brought this matter to the

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<sup>323</sup> Ingram (1985b: 178).

<sup>324</sup> For the use of papers and placards in the context of penance see Ingram (2004: 39). Interestingly, Ingram (*ibid.*) also points out that secular shame punishments, too, were often referred to as "penance," which further blurs the distinctions between different penal contexts.

<sup>325</sup> Cf. Ingram (1985b: 182).

<sup>326</sup> Ingram (1985b: 179).

<sup>327</sup> Ingram (1987: 165).

<sup>328</sup> Cf. Bellany (1994: 289).

<sup>329</sup> Cf. Robert Shoemaker (2004: 232) for a similar argument with respect to the more official forms of humiliating public punishments like penance, whipping, or the pillory. "The public labelling of the recipient [of public forms of punishment] as deviant," Shoemaker says, "was intended to identify him or her as someone who could not be trusted, to damage his or her reputation as a respectable member of the community. This infamy lasted long after the punishment was completed and any bruises healed." Interestingly, Shoemaker (2004: 233) points out that these punishments declined during the 'long 18<sup>th</sup> century' even before they were formally abandoned.

<sup>330</sup> Note the possible connection to the holiday season here: February was the time of Shrovetide customs.

attention of the London Star Chamber,<sup>331</sup> the prosecution side<sup>332</sup> argued that long after this incident people in the street, when passing him, still pointed at him “most disgracefullie,” and “with their hands and fingers make the signe or token of hornes.”<sup>333</sup> This pointing of the fingers and making horn-signs seems to have been a rather common gesture denoting cuckoldry.<sup>334</sup> However, Paul Griffiths’ discussion of the punishment of petty crime in early modern Norwich suggests that people used a wide variety of signs at that time. The interpretation of these signs, just as the interpretation of certain ‘slandorous words,’ depended on the context of their performance so that some of them were clearly regarded as transgressive and were officially punished,<sup>335</sup> while others successfully drew the addressee’s status in question.

Adam Fox insinuates that it was the rhyme and the horns which made Reede “a laughing-stock among his neighbours.”<sup>336</sup> The particular direction of this argument, however, is slightly misleading. Certainly, Robert Reede did not become a laughing-stock simply *because* of the rhyme and the horns – the horns and the rhyme could only be functionalised because he already was in a position to be attacked. Thus, I would suggest that there is a certain inextricable, spiral dynamic of these gestures a) symbolising that somebody *is* “a laughing-stock,” and b) *making* somebody a “laughing-stock.” The point is that, although the court records claim that slanders and libels were illocutionary, these particular mocking rhymes and gestures could not have functioned as they did if the contextual factors had not been appropriate. In other words, if the ‘victim’ had not already been vulnerable such an attack would have backfired on the mocker. The elaborate public gestures of transgression, then, served to emphasise the target’s low status as much as to further diminish it. In terms of *mediality*, for example, it is possible that smaller- or larger-scale gossip paved the way for these other gestural performances of mockery and ostracism, and *vice versa*.

<sup>331</sup> Unlike ‘normal’ common law courts, Star Chamber, originally a court of appeal, operated in the mode of the Roman canon law, without jury trials and common law pleadings, which is why it can be classified as a “non-common law court,” although its “territory fell in the common law system.” It was abolished in 1641. Cf. Gray (1994: xxix).

<sup>332</sup> From Fox’s (1994: 74f.) quotation of the case it is hard to determine who exactly made the statement.

<sup>333</sup> Fox (1994: 74f.). Elizabeth Foyster (1999: 108) slightly misquotes Fox by stating that Reede’s wife was included in this public mocking and pointing.

<sup>334</sup> It is mentioned, for instance in William Fennor’s *Cornu-Copiae*, 114. *Cornu-Copiae* is a humorous verse satire which sketches the advantages of cuckoldry. Here finger-pointing figures as the only explicit gestural form of mocking cuckolds within the social environment of the neighbourhood, while forms which predominantly connote verbal aggression, such as “scoffing,” “taunting,” and “deriding,” are more prevalent. Emphasis is put on the connection between cuckoldry and defamation (e.g. 11, 89, 125).

<sup>335</sup> See Griffith (2004: 94). There are examples of a drunken man at night who made a sign “upon his hand” which signified disrespect of the law (probably, the representatives of the law who rebuked him for his disorderly behaviour), and a Dutchman who was taken to court for making the sign of “a paire of gallowse” at an Englishman.

<sup>336</sup> Fox (1994: 74).



It is not clear, exactly *how* far-reaching and long-lasting the effects of such ridicule actually were.<sup>337</sup> In the Reede case, the prosecution argued that the ‘libels’ had been so harmful that they were likely to cause a separation between Reede and his wife and had “bereaved them both of their lyves.”<sup>338</sup> Adam Fox takes this as evidence that mocking rhymes and libellous practices could ruin a marriage. Yet we must be cautious about taking these and similar statements at face value. They originate from lawsuits in which the prosecution had to construct a case, proving the severity of the crime by delineating its detrimental effects on the defamed individual. One could hence argue that these criteria should be taken as general markers of the harmfulness of libels rather than as evidence for social ‘reality.’ Clearly, the generation of such mocking rhymes could also indicate that a marriage was already ruined.

Significantly, the examples of rhyming discussed above all focus on the cuckolded husband. Nonetheless, men were openly accused of and mocked for active adultery, too: Henry Collins, a married clothier of Somerset, who also served as a constable and in this function regularly presented local offenders, was the butt of a number of rhymes which were penned by just such a local ‘wrongdoer,’ John Hawker, and his friends. The “ballets, rymes, songs and other infamous speeches” which they composed imputed that Collins had “been seen in the trees of Maudlines grove with Hawker’s niece Ann.”<sup>339</sup> They also alleged that Collins had ‘lived incontinently’ with other women as well, was a “bad debtor” and hence had no credit, whether moral or economic. These ballads were subsequently sung to Collins’ kin and friends, “the better sorte” of neighbours. As a result, Collins claimed, he was “shunned by all,” was afraid to leave his house and was ruined professionally.<sup>340</sup> This example underlines what has already been hinted at above: that the connection between (alleged) immoral behaviour and collective exclusion draws on well-established rhetoric and discourses. In other words, the acrimonious exclusion from the social community was a conventional *marker* of an individual’s sinful and immoral estate.

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<sup>337</sup> On the one hand, Martin Ingram (1985b: 183) argues that it was “[s]mall wonder that the victims of these lampoons complained bitterly that they had become ‘odious and contemptible persons’ in the eyes of their neighbours.” Elsewhere, however, he indicates that the effects of (official) shame penalties were not always taken so seriously and that it was possible for their effects to wear off over time. See Ingram (2004: 49). However, Ingram (*ibid.*) also suggests that the ability of offenders to take those punishments lightly might have depended on the attitudes of other people. Thus, if they had social backing of some sort, any kind of shaming would obviously have been easier to endure.

<sup>338</sup> Fox (1994: 75).

<sup>339</sup> Fox (1994 : 75), cf. also Foyster (1999: 121) who paraphrases Fox.

<sup>340</sup> Fox (1994: 75).

### 3.3.2. Mocking the Adulteress

The previous reflections were designed to provide a small insight into what the mocking practices might entail to which the character of Claribel, the cuckolded husband, was subjected, and at which Master Ford of Windsor had also hinted. As has been indicated, Claribel of Maldon is the target of rhymes and a pair of horns fastened at his gate, similar to his real-life counterpart Robert Reede of Tiverton. And just as the depositions in Robert Reede's case suggest, Claribel separates from his wife. He leaves his house and goes into hiding from his creditors – and his cathartic odyssey begins.

The situation of the second married couple of the play is a little different. As has already been mentioned, Claribel's wife has sent her lover, Floradin, home because she cannot entertain him any longer. On his return home, Floradin, too, discovers that his wife, Arvania, has been unfaithful in his absence; 'incidentally,' in terms of dramaturgy, with Floradin's old friend Claribel – the 'love carousel' is complete. Unlike Master Ford, Floradin finds evidence for his wife's transgression in his house: an "engine" tied to "his window" – the window, moreover, to the room where Arvania performs the rather intimate task of getting dressed, or "decking" herself in the morning.<sup>341</sup> Evidently, ropes or a ladder were hung from this window to enable an agile lover to clamber up. The reference to a window might itself have implications of sexual transgression. A broken window was one of the signs with which people marled their neighbours' transgressions; it denoted a house where a whore or a bawd lived.<sup>342</sup> When his wife denies everything, Floradin reveals that he has secured yet more evidence by rifling through Arvania's personal things. This search is not illegitimate, but an act of asserting husbandly authority:

"I can no longer hold, Therefore t'outface  
Thy shames Impudency, loe, strumpet,  
What I haue found, among thy boxes late."<sup>343</sup>

It is a letter of invitation by Arvania to her lover to come to her at night, explaining that ropes will be hung down for him from her window. Floradin shows himself enraged at this discovery:

"The Lord, I had his name, I might now teare,  
From their Regions, the Letchours entrayles,  
For as I do, peicemeale, teare these Dictions

<sup>341</sup> William Percy, *The Cuck-Queanes and Cuckolds Errants*, 2.7. (p. 26).

<sup>342</sup> Gowing (1993: 14), Walker (2003: 53). Cf. also Capp (2003: 197).

<sup>343</sup> Percy, *The Cuck-Queanes and Cuckolds Errants*, 27 (2.7.).

So should teare, from his ioints, his quarters,  
 But where's nought must needes there Patience be.  
 Aruania, I will neither schoole nor chide thee,  
 That were, when th'hopes past, clenche an Aethiope,  
 But by the sacred oast, I sweare to heauen,  
 I will leaue thee a begger, to the world,  
 As euer yet was any, and so will make thee  
 The onely Mirrhour of Ingratitude,  
 For all mens eyes, to gaze and wonder at,  
 The shame, the schorne, the Peoples obloquie.  
 [...]

Get in, get in Baggage.  
 Get in, from me, get in, I say, you whore."<sup>344</sup>

Unlike Claribel, who avoids confrontation, Floradin immediately asserts his physical and verbal dominance over his wife and his rival – however unknown of name. The other man is threatened by bodily disengagement and his wife is evicted from their house and left bereft of economic support.<sup>345</sup> At least the latter part of this scenario is not unrealistic. Legally, it was possible to obtain an official separation from bed and board on the grounds of a spouse's adultery, and wives who were convicted of adultery did run the risk of forfeiting their alimony and dower.

Although Floradin declares that he personally will not chide or school his wife, he verbally attacks and insults her and swears to subject her to public scorn and shaming. In comparison to Claribel and Doucebella, the situation here is reversed. Floradin does not admit defeat, but attempts to salvage his social position, his reputation by counteracting his wife's adultery. It might be important in this context that, unlike Claribel, Floradin's economic situation has apparently not yet suffered badly, which could support his position of power. Instead, with this couple, it is the wife who is forced to leave the household, it is she who is left destitute, and it is she and not her cuckolded husband who is subjected to public scorn and

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<sup>344</sup> Percy, *The Cuck-Queanes and Cuckolds Errants*, 27f. (2.7.). This passage warrants comparison with John Ford's tragedy *'Tis Pity She's a Whore* ( first published 1633). The parallels are striking as the violence in *The Cuck-Queanes* is palpable. Soranzo attempts to get his new wife to reveal the name of her lover, and she taunts him and tells him he will never know it. "SORANZO Not know it, strumpet! I'll rip up thy heart, / And find it there. ANNABELLA Do, do! SORANZO And with my teeth / Tear the prodigious lecher joint by joint." (4.3.53-55) The important difference, of course, is not only the more violent mien of the cuckolded husband Soranzo, but also quite outrageous impudence of Annabella, which is, of course, a marker of her moral transgressiveness and heightens the sense of dramatic tension. For the parallelisation of a woman's conduct/appearance and her chastity cf. Dabhoiwala (1996: 207, 209).

<sup>345</sup> Cf. William Heale, *An Apology for Women*, 26.

shaming. Floradin himself sets out to spur this collective action, to publicise his wife's transgressions, to have them prosecuted and thus to salvage his own reputation as a responsible householder who ensures order by enforcing his authority.

Above, the examination of libels against male transgressors has sought to provide an idea of what it meant to be a public "shame," or "the peoples obloquy." For a woman, this was not much different. Here is an example of a mocking rhyme which was directed against the mistress of John Coren, vicar of Box, in 1606.

"Mistress Turd  
At one bare word,  
Your best part stinketh.  
If stink be the best,  
Then what doeth the rest?  
As each man thinketh.  
A pox on your arse  
You have burned a good tarse.<sup>346</sup>  
A very filthy lot  
And that was all got  
With a finis. [sic]"<sup>347</sup>

We have already encountered the slanderous expression 'burned-tail knave.'<sup>348</sup> In present example, it is not the man's, but the woman's dirty, diseased body which symbolises lack of moral purity. Again, the notion of infectiousness is highlighted. Similarly, in Buckinghamshire, in 1607, a song set "to a new tune called Pride and Lecherie" sought to explain the sudden wealth of Dorothy Poole and mused, "some say tys with layeinge her legges soe wyde."<sup>349</sup> In this case, though, it has to be added that although Dorothy Poole was the chief protagonist of the rhyme, it was the man who featured as her generous lover who took its composers and disseminators to court, claiming it ruined his reputation – another piece of evidence that male sexual reputation mattered. Also, we must be careful when identifying the 'victims' of such libels; the settings are often complex.<sup>350</sup> But women were not

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<sup>346</sup> According to the OED, "tarse" is an obsolete term for the penis.

<sup>347</sup> Ingram (1985b: 181f.).

<sup>348</sup> See 81.

<sup>349</sup> Quoted from Gowing (1996b: 228). The same motif can be encountered in the broadside ballad about *The Discontented Married Man* whose wife could not "keep her l. together." Anonymous, *The Discontented Married Man, Or: A Merry New Song that Was Pend in Foule Weather; of a Scould that Could Not Keep her Lips Together* (London, 1640). Although the title speaks of "lips," the refrain provides a heightened sense of ambiguity by only quoting "l.," thus conflating "lips" and "legs."

<sup>350</sup> Gowing (1996b: 228).

only subjected to verbal insults or mocking rhymes.

The horns hung at gates and houses, which scholars usually interpret as markers of cuckolds, could also signify *women's* transgressions. To be more precise, perhaps more than has been recognized, the gracing of a house with such symbols generally seems to have marked the disorderliness of the *whole* household, not only of single inhabitants thereof.<sup>351</sup> Ironically, the following two pieces of evidence for this originate exactly from a public insult and a mocking rhyme. In South Cerney, Gloucestershire, on a Sunday a week or two before Christmas 1607,<sup>352</sup> Richard Iles and Elizabeth George were “chiding”<sup>353</sup> in the street near Elizabeth George’s house, in the process of which Richard allegedly called Elizabeth a “rascall Iade and whoare and tolde her that if she had that that she deserved with her tonge and her tayle she should have Rams horns hung vpp att her dores instead of an ale sticke [alestake?] by signe [there]of.”<sup>354</sup> In the late sixteenth-century mocking rhyme below recorded in Frederick Emmison’s Essex sources, both transgressions, the husband’s cuckoldry and the wife’s conjugal infidelity, are denoted by the horn.

“Here dwelleth an arrant bichant whore,  
Such one as deserves the cart.  
Her name is Margaret Townsend now.  
The horn shows her desert.  
Fie, of honesty, fie, fie,  
Your whore’s head is full of jealousy.  
Therefore I pray your whore’s tricks fly,  
And learn to live more honestly.  
Alack for woe? Why should I do so?  
It will cause a sorrowful hey-ho.  
Thus do I end my simple verse,  
He that meeteth her husband, a horned beast.”<sup>355</sup>

This rhyme openly announces its didactic mission to “schoole” (Floradin) and convert Margaret Townsend. The referral to jealousy in these verses is interesting, as it is more or less causally linked to Margaret Townsend’s sexually transgressive state as adulterous “whore.”

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<sup>351</sup> Cf. Capp (1996: 133) for the same argument with respect to gossip and the whole variety of smaller-scale shaming punishments. Cf. Fletcher (1999: 433) & Shepard (2003: 136) for a similar argument with regard to skimmingtons and stag-ridings.

<sup>352</sup> Again, a possible connection to the holiday/festive season must be taken into consideration.

<sup>353</sup> Here probably more in the now obsolete sense of “brawling” (Cf. OED, chide, v., 1a).

<sup>354</sup> GDR 106, George c. Iles, 24 May 1608, deposition of John Remington. See also GDR/B4/1/400.

<sup>355</sup> Quoted from Emmison (1970: 68).

Moreover, it seems to have socially disruptive connotations. Appropriately, the rhyme mentions certain means of punishment, such as “horning” and carting, the latter being a form of punishment used both in official (ecclesiastical as secular) and unofficial forms of public shaming for offences such as defamation, prostitution, adultery, fornication and bawdry.<sup>356</sup> The repeated use of the interjection “fie” brings to mind the song of the ‘fairies’ in *The Merry Wives of Windsor* where it is similarly used, and also Francis Ford’s (earlier) horrified interjection: “Fie, fie, fie! Cuckold, cuckold, cuckold!”<sup>357</sup> It too is a (verbal) means used to excite shame in the addressee and, along with several opprobrious intensives, complements the other forms of shaming punishments envisaged for Margaret Townsend. Although the main part of this rhyme directly addresses Margaret Townsend only, it is clarified in the very last instance, corrupting the theretofore rather regular rhyme scheme and metric, that it is also aimed at her husband. While she is a “bichant whore,” he is a “horned beast” – the chiasmic construction of the initial sounds of these four words which frame this rhyme (by ending the first and last verse), indicate their interrelatedness, and hence the interdependence of both their transgressive states. The formal construction thus emphasises that immoral behaviour affects both spouses.

The first verse of the above rhyme indicates that there is yet another important context in which the publication of such mocking rhymes and signs, but also of more elaborate broadside ballads needs to be read: that of the popular reception of news and announcements which, again, is closely related to the processes of gossip which have been touched upon above. Adam Fox reproduces the beginning of a song contrived by a group of about twenty “labouring people” from Southwark in 1613. It went “Within this doore / Dwelleth a verie notorious whore.” The whole rhyme was fastened to the ‘protagonist’s’ porch

“in open and publique view of all the neighboures and passengers travayling to and fro [...] who red the same as they passed by, at first taking it to be a kinde of bill or declaration that the house were to be let or solde, but yt being percyved to be a libell, great companie theruppon resorted thither to the hearing and reading thereof.”<sup>358</sup>

This illustrates the reception strategies of such rhymes and the pictures and signs which were possibly made to accompany them. This record, originating from a Star Chamber suit, clearly

<sup>356</sup> See, for example, Ingram (1996: 66), Ingram (1985b: 192). An example given by Dave Postles (2003: 463) shows that carting could be applied as a form of aggravated ecclesiastical punishment for failing to do penance properly. Yet it was also a well-established common law form of correction (cf. Thomas 1978: 265f.). E. P. Thompson (1992: 4) points out that carting was sometimes part of a stag riding, which is roughly equivalent to what was elsewhere known as a skimmington.

<sup>357</sup> Shakespeare, *The Merry Wives of Windsor*, 2.3.294f.

<sup>358</sup> Fox (1994: 64).

suggests that a “libell” was able to arouse even greater interest than official bills or announcements. Again, great publicity and collective experience are highlighted.<sup>359</sup> In this case, it was the neighbours’ interpretation which framed the rhyme as an announcement, but other libels were designed in the shape of news-sheets in the first place.<sup>360</sup> More generally, many court records insist that the rhymes in question had been performed in a loud voice.<sup>361</sup> Raised volume of the voice is an element which is typical of news announcements. The fact that it was also prominent in public insults might indicate that this mode of speaking was a marker necessary to generate a notion of a defamatory transgression against which legal action was justified.<sup>362</sup> Still, the impression of calculated publicity in these interactions is so potent that Bernard Capp has devoted a (small) sub-section of his monograph on gossips to “Insults as Street Theatre.”<sup>363</sup> He argues that loud voices served to simultaneously attract spectators and to intimidate the ‘victim.’ Other techniques of gaining attention apparently included clapping one’s hands before delivering the humiliating, slanderous blow, and even having horns sounded to attract spectators, which resembled “methods by which the public were notified of more conventional theatrical performances.”<sup>364</sup> Obviously, anybody making public announcements or publicly delivering the news at certain central points in towns and cities would be entitled to use loud voices,<sup>365</sup> yet the matter of contestation was under which circumstances this mode of public expression could be considered as transgressive. On the other hand, as Alastair Bellany has pointed out, the distribution of news and libels was also a sociable affair in yet other, less openly insulting and more ‘indoor’ respects. He indicates that, in early Stuart times, it was common to establish informal reading groups among friends, “circulating among them what news and comment they could find.”<sup>366</sup> Of course, adultery and fornication were prominent themes.

Apart from horn signs, public parades of ridings or rough music, and the performance of rhymes and songs, the repertoire of gestures, images and props which signified adultery

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<sup>359</sup> Yet again, we do not know for certain to what extent this is the result of the formative forces of the legal background this document originates from.

<sup>360</sup> Cf. Fox (1994: 64f.).

<sup>361</sup> Cf. Fox (1994: 58, 63 & 67).

<sup>362</sup> For example, when Walter Long of Ashleworth, Gloucestershire, in May 1609, told his neighbour Alice Goughe he did not want her to trudge over his fragile ground, she became very enraged and insulted him “in most raylinge manner, with a verie lowd voice.” Similarly, Elizabeth Smith, when she was “chiding” with Margery Groves at Alice Damsell’s open door in Cirencester, Gloucestershire, in October 1609, used “alowd voyce” when she suggested that Margery Groves was a common whore and would play the whore with every knave who had money to give her. GDR 109, Long *c.* Goughe, 18 October 1609, deposition of Thomas Drewe. & GDR 109, Groves *c.* Smith, 22 May 1610, deposition of Alice Damsell.

<sup>363</sup> Capp (2003: 197-200).

<sup>364</sup> Capp (2003: 197).

<sup>365</sup> Cf. Barry (1985: 69).

<sup>366</sup> Bellany (1994: 291).

and similar transgressions even included making mock genitalia. A broadside ballad dating from the second half of the seventeenth century is titled “News from Crutchet-Fryers,” and proposes to “declare” a “story strange,” which substantiates parallels between broadside ballad and news announcements. The plot focuses on a group of women who make “Stiff-standing Dildoes” and “merkins” and throw them over their neighbour’s wall in order “defame” her, i.e. put her moral conduct to open question.<sup>367</sup> Instead of waving a friendly ‘hello’ to their fellow neighbour across the fence, then, these women throw erect penises at her across the wall. These objects cause quite a scandalous stir and are shown “to several” neighbours.<sup>368</sup>

“Merkins and Dildoes made of Clouts,” the ballad proclaims, heightening the sense of sensationalism, “till now were never known.”<sup>369</sup> Yet, they seem to have ‘been known’ after all. Both David Turner and Laura Gowing, for example, have drawn attention to a case of 1621 in which a wife from Glastonbury told her friend the story of how, in jealous revenge on a woman with whom her husband had been intimate, she made a model of female genitalia of cloth and presented it to her rival in broad daylight in the market place as a token from her husband, advising her to use it if she had the need to – i.e. if her husband should again attempt to fondle her. The woman took her ‘gift’ home and showed it to her female friends.<sup>370</sup>

This example also bears evidence to the fact that, rather than quietly taking a husband’s adulterous affairs, cuckolded wives could develop creative strategies in dealing with their female rivals, even though they might not all match the Glastonbury woman’s sense for the dramatic. We shall encounter other examples of wives coping with their husbands’ adulterous affairs in the following chapters. Finally, this case suggests it was not only the adulteress who might be subjected to social ostracism or mockery, but female rivals, too, could be a target. The practice of making and openly presenting mock genitalia is a striking example of what I have described above: by mocking and reproaching certain (alleged) offenders for sexual deviance, neighbours were generating this deviance in its full social magnitude.

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<sup>367</sup> Anonymous, *News from Crutchet-Fryers* (London, 2<sup>nd</sup> half of 17<sup>th</sup> century), 1,6f.; 2,3; 4,1. For the dating of the ballad see also Nebeker (2007).

<sup>368</sup> Anonymous, *News from Crutchet-Fryers*, 8,7f.

<sup>369</sup> Anonymous, *News from Crutchet-Fryers*, 8,5f.

<sup>370</sup> Gowing (2003: 26f.).



### 3.3.3. Mockery and Adultery: Conclusions

Basically, neighbourhood concern, in one way or another, seems to have targeted all parties involved in adultery: the adulterous spouse and his or her lover, the cuckolded spouse, and even the permissive neighbour. The biggest focus of neighbourly *mockery*, however, appears to have been on the cuckolded husband and the adulteress. These two (re)actions, then, the mocking and shaming of the cuckold and the adulteress, which are both found in the *Cuck-Queanes and Cuckolds Errants* discussed above, are two complimentary tactics of publicly denoting adultery which are particularly prominent in contemporary cultural discourse, and both notably focus on female adultery. In conclusion, as we have seen, a husband could generally be mocked either for his excessive jealousy and vigilance or for his cuckoldry, which always also implied sexual failure. Conversely, a wife could be mocked for adultery and for governing her hen-pecked husband. Both could thus be ridiculed and ostracised for sexual misdeeds and misguided household government. The connection between adultery and household government will be explored further in the subsequent chapters.

Adulterous husbands, on the other hand, could be verbally attacked and admonished by their neighbours for their sexual incontinence, they could be officially questioned and punished for it. But would they be mocked? At first glance, it seems unlikely. They might become the subject of a skimmington or rough music if they beat their wife, but not if they were unfaithful. To our knowledge, no horns were hung at the gates of an adulterous husband (unless his wife was equally unfaithful). However, the picture changes significantly if we observe it from another perspective. Men, married or not, could clearly be subjected to both harsh official punishments and communal ostracism if they had affairs and produced illegitimate children. A mocking rhyme cited by Adam Fox addresses a “cowardye George Hawkins” who got his “whore” with child “in a place moste wilde,” namely, a privy.<sup>371</sup> Unfortunately, George’s Hawkins’ marital status is unclarified, but I would hazard the thesis that it may have been insignificant, that, irrespectively of their marital status, men could be “balladed” and mocked for lewd living, specifically, for producing a bastard. Another of Fox’s examples targets a young girl and her married lover.<sup>372</sup> But we do not know of many similar examples. One, possibly the most weighty reason why this mockery of unfaithful husbands remains so obscure might be that social historians have so far focused on mocked cuckolds or adulteresses when gathering evidence. Maybe the positive connotations of men’s sexual

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<sup>371</sup> Fox (1994: 50).

<sup>372</sup> Fox (1994: 70f.).

proWess, even though they did not exactly conform to prescribed norms of married sexuality, prevented such public humiliatory displays in most instances. Maybe, too, while a husband's violence was seen as crossing a line, his authority with regard to sexual issues was deemed more untouchable. Even more obscure than mockery for male adultery is mockery for female cuckoldry. Below, in chapter six (6.3.), we will discuss some literary examples of how women coped with their husband's adultery and, possibly, find more explanations for why female cuckoldry, in contrast to male cuckoldry, was not funny or 'worthy' of ridicule.

Similarly, we have little evidence of the mockery and ridicule of the successful male rival. Men might be socially condemned and (in consequence) judicially penalised if they had sexual relations with the wives of their neighbours. William Ocklee of Churcham in Gloucestershire, for instance, was questioned for 'adultery,' having "in lewd manner attempted the Chastities of divers honest women," among them a married woman whom he offered money and the release of her husband's debts.<sup>373</sup> But mockery, at least as literary texts indicate, rather targeted men who had unsuccessfully tried a wife's chastity. One example would be *Shakespeare's* Falstaff, another the Duke in Fletcher's *Rule a Wife and Have a Wife*, which will be discussed below. This suggests that, generally, mockery aims ultimately at male incompetence – in household management, in keeping one's wife satisfied, in asserting oneself against a male rival, even in seducing other men's women. Female adultery, then, is basically an epitome of this manly incompetence.

Just as neighbours were responsible for generating a public notion of both acceptable marriage and adulterous transgression, interactions in which adultery was a thematic focal point were really often about something bigger than an individual, intimate sexual act. Allegations of adultery could be used in gossip as a form of social capital, to display one's own respectability, or to further group cohesion by exclusion of neighbours marked as deviant. Libel and slander, rhyming and shaming, mocking, ridings and rough music, which all in one form or another focused on marital transgressions, were part and parcel of the larger processes by which people socialised, competed over status and reputation,<sup>374</sup> by which they negotiated the "day-to-day configurations of their vertical relationships"<sup>375</sup> – and horizontal ones, one should add. This included the negotiation of normative gender roles.<sup>376</sup> A person's

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<sup>373</sup> GDR/B4/1/617, Office c. William Ocklee, 1626.

<sup>374</sup> Cf. Ingram (1987: 164), also Ingram (1985b: 186f.): "Examination of the background indicates that some libels were essentially incidents in long standing gentry feuds, faction struggles among town oligarchs, or contests for land and status among the sub-aristocracies of yeomen and substantial husbandmen and tradesmen who dominated many rural communities."

<sup>375</sup> Fox (1994: 77).

<sup>376</sup> Cf. Mendelson & Crawford (1998: 59).

reputation might be negatively affected by gossip, rumours, and mockery. Previously established respectability and status, on the other hand, could play a huge role in determining whether or not a person would be mocked in the first place, for instance as a cuckold.<sup>377</sup>

Our discussion of gossip, slander and mocking practices has highlighted that these interactions which reiterated marital transgressions were often consciously dramatic performances. As we have seen, the more elaborate practices of mocking one's neighbour for his or her marital transgression suited a great variety of (interlinked) frames: (literary) entertainment, distribution of news, gossip, official and unofficial disciplining with a clearly didactic intention.<sup>378</sup> Many of these gestural and symbolic forms were highly formalised, but they resounded with the variety of their possible medial expressions.<sup>379</sup> What made them so popular and so effective was exactly that they could function on multiple levels and were often difficult to constrain to one.

As Robert Shoemaker has suggested, in the sixteenth and seventeenth centuries, reputation was primarily established by events and spectacles – spectacles of which the generation of adultery was one central element.<sup>380</sup> Not only individual and family reputation was at stake here, but the reputation of larger social structures like neighbourhoods and even communities.<sup>381</sup> Still, respectability, as Jonathan Barry points out, was only one pole of communal life which these performances reiterated and negotiated; the other was sociability.<sup>382</sup> This aspect of sociability will be the focus of the next chapter. Communities existed, one could say, despite and because of constant reiterative processes of affirmation, negotiation and (re)formation. In this respect, then, the contentions and neighbourly interactions around transgressions such as adultery can be regarded as part of the “turmoil of [communities' constant] refashioning,”<sup>383</sup> which may be considered as constitutive of the very institution of community and neighbourhood itself.

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<sup>377</sup> Turner, D. (2002: 92).

<sup>378</sup> At least didactic intention could be used to legitimise collective mocking action if it was drawn into question. Thus, for instance, as Ingram (1984: 174) notes, “one of the actors in a riding at Haughley and Etherden (Suffolk) in 1604 claimed that their object was that ‘not only the woman which had offended might be shamed for her misdemeanour towards her husband (in beating him) but other women also by her shame might be admonished (not) to offend in like sort.’”

<sup>379</sup> Cf. Turner, J. G. (2002: 51).

<sup>380</sup> Shoemaker (2004: 251f.). Shoemaker also maintains that this older system of communally shaped reputations declined in the eighteenth century and took on the function of a class marker: it was now only typical of the lower classes, while in the middle (and upper) classes the significance of written libels increased.

<sup>381</sup> Cf. Thompson (1992: 9).

<sup>382</sup> Barry (1985: 76).

<sup>383</sup> Turner, D. (2002: 77).

## 4. Neighbourhood II: Neighbours as Guests and Friends

*“Make not thy friend too familiar with thy wife.”*

Alexander Niccholes<sup>1</sup>

*“But if any such should happily be borne, that like wilde beasts would needs be breaking ouer the pale of this parke of God, and like fed horses fall aneighing after their neighbours’ wiues, as God complains of such in Ieremies time, or that should discover their father’s nakedness, or humble her that was set apart for pollution, or committed abomination with his neighbours wife, they might know they should doe it at their owne perill, and pay sweetly and deerely for it first or last for Whoremongers [and adulterers God will judge].”*

Richard Cooke<sup>2</sup>

The previous chapter has examined how neighbours claimed responsibility for the integrity of other people’s marriages. This chapter will investigate how certain norms of neighbourliness might relate to marital duties, most importantly, to marital fidelity. In order to provide a more differentiated picture of the social environment of the neighbourhood, the concepts of hospitality, charity and friendship will be introduced into the discussion. How did married men and women act as hosts, hostesses and friends? As shall be seen, adultery could be causally linked both to an *excess* and to a *lack* of hospitality and friendship, especially on the part of the husband. It could serve as a marker of disturbances of the neighbourly and friendly *status quo*. Thus, the connections between the integrity of conjugal and neighbourly harmony are wide-ranging, indeed. Conjugal disharmony could be understood as causing neighbourly disharmony. However, could friendship, the epitome of neighbourly harmony, serve as a model for a successful marriage? Moreover, the following sections will explore another aspect of how neighbours could ‘make’ adultery: not by acting as witnesses, but by acting as seducers and lovers. To begin with, this chapter, just as the previous one, will commence with a few introductory remarks on the theoretical outlines of neighbourliness with regard to charity, hospitality and friendship.

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<sup>1</sup> Alexander Niccholes, *A Discourse on Marriage and Wiving and of the Greatest Mystery therein Contained: How to Choose a Good Wife from a Bad* (London, 1615), 48.

<sup>2</sup> Richard Cooke, *A White Sheete, or, A Warning for Whoremongers*, (London, 1629), 7.

## 4.1. Cornerstones and Boundaries of Neighbourliness: Charity, Hospitality, Friendship

According to Jim Sharpe, early modern England was “a world in which ideas about proper behaviour were clearly defined and thought to be generalized enough to make attempts to uphold them desirable and viable. Perhaps the most useful summation of these ideas resides in the concept of neighbourliness.”<sup>3</sup> As a concept, neighbourliness was a behavioural model as well as an analytical tool for judging (inter)personal conduct. Good neighbourhood was a value deeply engrained in early modern culture. It was connected to the notion of living in charity with one’s fellow humans, and it was a prerequisite to acquiring personal honour.<sup>4</sup>

To love one’s neighbour was – and still is – one of the most basic cornerstones of Christian moral teaching. This idea may have gained renewed force in didactic discourses of the time, with the emphasis reformed churches and sects placed on the religious community and its cohesion. “The ethos of community,” Steve Hindle has argued, “was one of charity, neighbourliness and reciprocal obligation.”<sup>5</sup> Being in charity with one’s neighbour was a precondition, as organised religion stressed, of receiving communion.<sup>6</sup> According to popular contemporary notions, ‘charity began at home,’ in acts of friendliness and kindness, affecting the closer circle of kin and household.<sup>7</sup> Charity could mean offering hospitality to a stranger, or a neighbour.<sup>8</sup> Both charity and hospitality were concepts which could be used to conceptualise marriage.<sup>9</sup> Charity often denoted hierarchical, uni-directional acts, such as giving to the poor, and research tends to treat it in this manner.<sup>10</sup> Yet rather than being purely

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<sup>3</sup> Sharpe (1997: 95).

<sup>4</sup> Cf. Eibach (2004: 197).

<sup>5</sup> Hindle (2000: 108).

<sup>6</sup> Cf. Archer (1991: 79). According to Archer (ibid.) there is evidence that ministers excluded members of congregation from communion if they “were in flagrant breach of charity.” In this context, we must consider the efforts to delineate and establish a specifically Protestant understanding of charity, in early seventeenth century London as well as during the interregnum (cf. Jackson 2005: 3f., 43). On October 15<sup>th</sup> 1645 the House of Commons passed a set of *Rules and Directions Concerning Suspension from the Sacrament of the Lord’s Supper, in Case of Scandal*, which made it possible for Elders to suspend “any Person that shall profess himself not to be in Charity with his Neighbour.” After it passed the House of Lords on October 20<sup>th</sup> 1645, the Parliamentary Ordinance was issued together with another set of rules as the *Ordinance concerning Church Government, and to exclude ignorant and scandalous Persons from the Sacrament*. However, debates as to the detailed content and execution of this ordinance continued well into 1646. The *Rules* were recaptured when the *Ordinance to Settle Church Government* took its final shape when it passed the House of Lords on August 29<sup>th</sup> 1648. It widened the circle of persons to be suspended from the sacrament of the Lord’s Supper to include “all persons in whom malice appears and who refuse to be reconciled.” Cf. Miscellaneous, *House of Commons Journal, Volume 4* (London, 1802), 15 October 1645, Miscellaneous, *House of Lords Journal, Volume 7* (London, 1802), 20 October 1645, and Miscellaneous, *House of Lords Journal, Volume 10* (London, 1802), 29 August 1648.

<sup>7</sup> Cf. Hindle (2000: 100), Bennett (1997: 240), Ben-Amos (2000: 296).

<sup>8</sup> Cf. Heal (1984: 69), Hanawalt (1998: 246 & 257).

<sup>9</sup> For hospitality, cf. William Heale, *An Apology for Women* (Oxford, 1609), 24.

<sup>10</sup> Cf. Jackson (2005: 235), who speaks of the theatre of charity in London’s institution of Bedlam. When he

based on altruistic neighbourly sentiment, providing for the poorer sorts could be a means of negotiating socio-economic power relations, for instance between rival elite groups. Through their acts of generosity benefactors might aim to “exhibit paternalism, seek consensus or to establish social control.”<sup>11</sup> Here, already, it becomes apparent that though the flow of material donations may be uni-directional, charity, in a way, is always *reciprocal*.

In addition, it must not be reduced to pronouncedly hierarchical relationships. Charity, as Judith Bennett has shown, indeed, also affected the local networks of less hierarchical socialising, exchanging gifts and establishing balances of *mutual* liability, in a certain – to borrow Craig Muldrew’s phrase – *economy of obligation*, which did not exhaust itself in material exchanges.<sup>12</sup> More generally, charity referred to the individual’s ability to live peacefully among his or her neighbours – an ideal (seemingly) directly opposed to the workings of slander and brawling examined above.<sup>13</sup> Still, I would argue that the basis of sociability from which sprouted numerous of the defamation scenarios I have discussed is the very soil on which these more low-key displays of reciprocal neighbourly help, care and kindness thrived. For example, as sharing confidential information about third persons as well as oneself was (and still is) a crucial strategy of establishing and nurturing intimate relationships such as friendships,<sup>14</sup> the boundaries between sociable behaviour and maliciously anti-social intent were far from distinct.<sup>15</sup> Evidence, for instance from the 1604 *Canons* and from *Articles of Visitation*, indicates that the ideal of communal harmony and neighbourly charity was implemented with great force, by making antisocial behaviour – in theory – a criminal offence.<sup>16</sup> It was up to the members of local communities and local officeholders to decide when unneighbourly comportment became notorious enough to warrant prosecution.

Although charity is a concept which was affirmed in prescriptive religious and

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says that it is difficult to distinguish between the “show” and the “charity” (18) he points to the important fact that charity is a *performative* code of behaviour. Cf. McIntosh (2005), Bennet (1992 & 1997) and Moisà (1997). Similarly Robert Jütte (1994) in his monograph on *Poverty and Deviance* habitually mentions charity and forms of poor relief in one breath. Sharp (1988); Hindle (2001, 2004a & b); Clark (2002) for medieval England. For the Italian context see also Cavallo (1995) who treats *Charity and Power in Early Modern Italy* largely in the context of poor relief.

<sup>11</sup> Cavallo (1994: 50).

<sup>12</sup> Cf. Bennett (1992: 22), Ben-Amos (2000: 297).

<sup>13</sup> Cf. Sharpe (1980: 8), Ingram (1987: 30 & 292), Gray (1994: xxxii), Fox (1994: 61 & 78).

<sup>14</sup> Cf. Foyster (1999: 58).

<sup>15</sup> As Fay Bound (2003: 71) in her analysis of slander at the Restoration and 18<sup>th</sup> century church courts of York observes, many women and men accused of slander claimed that their remarks stemmed from sociability, i.e. friendly banter and jest, rather than from lack of charity.

<sup>16</sup> Church of England, *Constitutions and Canons Ecclesiasticall* (London, 1604), R3; Church of England, *Articles to be Enquired of Within the Dioces of Oxford* (London, 1622), B2<sup>v</sup> (art. 19). For a discussion of the issue of aiding and abetting sexual offenders which is touched upon here, see Ingram (1987: 282-291).

political discourse,<sup>17</sup> there are significant restrictions to its *practical* applicability. While it was indispensable also in terms of household economy, it could ruin households if carried to excess. A balance between hospitality, charity and neighbourliness, and thrift and profit was crucial to individual household stability, as Craig Muldrew has emphasised.<sup>18</sup> There were constrictions to the applicability of the ideal of neighbourly charity and care on other levels, too. What happened when *neighbours* became too good *friends*, when neighbourly *love* and *charity* turned to lustful *erotic desire* and neighbours, in the words of Richard Cooke, “*like wilde beasts*” would “[break] ouer the pale of this parke of God, and like fed horses [fell] aneighing after their neighbours’ wiues”?<sup>19</sup> Already Augustine who famously reflected on the opposition between loving *caritas* and lustful *cupiditas*, had recognised that the two opposites of *caritas* and *cupiditas* grew from the same root category of *amor*; i.e., love.<sup>20</sup> This suggests, at least, that there is an inherent connection between charity and desire. The same connection between charitable and lustful forms appears to be functional for the concept of friendship, too. The ambiguity of friendship can be recognised, for instance, on the semantic level, by the fact that the word “friend” could – and still can – connote not only a close acquaintance but also a lover or paramour.<sup>21</sup> In a way, adultery was a marker that the boundaries of charity and friendliness had been stretched beyond the acceptable. It also indicated, however, that the limits between acceptable and unacceptable acts of friendship and charity were not always distinct.

It is possible, therefore, to chart out a contested territory between the demand of neighbourly love and the seventh commandment prohibiting adultery, or the tenth, proscribing the coveting of one’s neighbour’s wife and possessions.<sup>22</sup> Richard Brathwaite, in his collection of “jeasts, merry Tales, and other pleasant Passages; Extracted from the choicest flowers of Philosophy, Poesie, ancient and moderne Historie,”<sup>23</sup> recounts a story in which a ‘friendly

<sup>17</sup> In times of economic pressure and supply crises both James and Charles published proclamations (for instance, in 1615, 1622, 1626 and 1627) ordering their noblemen, knights and gentlemen of quality to return to their country estates and attend to their duties of providing hospitality and charity for the needy.

<sup>18</sup> Muldrew (1998: 158). Muldrew also notes a sort of *negative* charity – a “charitable forgiveness of debts” when it was clear that the debtor was incapable of meeting the obligation (304). Here again, this is charity in a more hierarchical understanding.

<sup>19</sup> John Rogers, *A Treatise of Love* (London, 1632), 90.

<sup>20</sup> Cf. Parman (1991: 63). What distinguishes charity and cupidity is the object at which they are directed. See Augustine, *On the Trinity* (Matthews, G.B., ed., 2002), VIII: 9,13; also *Expositions on the Book of Psalms* (Schaff, P., ed., 2004), 9,15: “The foot of the soul is well understood to be its love: which, when depraved, is called coveting or lust; but when upright, love or charity.”

<sup>21</sup> Cf. OED, *friend*, A.4.

<sup>22</sup> Both are even bunched together in Rom. 13:9: “For this, Thou shalt not commit adultery, Thou shalt not kill, Thou shalt not steal, Thou shalt not bear false witness, Thou shalt not covet; and if [there be] any other commandment, it is briefly comprehended in this saying, namely, Thou shalt love thy neighbour as thyself.” If not indicated otherwise, biblical references are taken from the KJV.

<sup>23</sup> Richard Brathwaite, *Ar’t Asleepe Husband? A Boulster Lecture* (London, 1640), title page (subtitle).

neighbour' helps an unsuspecting husband uncover his wife's illegitimate affairs. By posing as a spirit in the couple's bedroom he incites the wife to admit "That she had once indeed layne with a Begger, to whom she out of meere charity had given Harbour; and hee poore thankfull man, to requite her, desired to returne her one curtsy for another."<sup>24</sup> This confession turns on the idea of reciprocity which was central to the early modern (English) conception of hospitality and also seems to have played a significant role in conceptualising charity.<sup>25</sup> The irony behind the wife's explanation is striking, but what it exposes is that although there clearly were boundaries to charity, they were sufficiently unclear – or could be sufficiently obscured – so as to make the concept highly ambiguous. Adultery, as Braithwaite's story shows, served to highlight both the functionality of charity in the neighbourly detection of wrongdoers, and the boundaries of this concept, its ability to serve as a cloak for all sorts of transgressions.

The resulting formula, in moral-didactic terms, could be phrased like this: love thy neighbour as thyself,<sup>26</sup> but not as thy husband or wife. This is all the more intricate as, in theological terms, husband and wife could be considered "one flesh."<sup>27</sup> Basically, neighbourly love becomes highly problematical once gender – and its sexual connotations – are introduced and emphasised in neighbourly interactions; even more so, since charitable love is not exclusive, but "polyamorous:" True love "must be common," the minister John Rogers insisted in his treatise on love, "we must not loue one, or two, or a few, but all, and especially all that fear God."<sup>28</sup> When explaining exactly how Christians should love one another, John Rogers used the image of Christ's mythical body: "[Christians] ought to loue one another most entirely, and more than they doe, or can loue the common sort. They must loue them as fellow-members of the same mysticall body whereof Christ is the head."<sup>29</sup> This doctrine, however, was highly problematic, as radical sects engaging in free love evince. The root of the problem, one could thus argue, is the obvious structural equivalence of order and transgression in this particular continuum of neighbourly love and adultery or, more generally, fornication.

<sup>24</sup> Braithwaite, *Ar't Asleep Husband?*, 55.

<sup>25</sup> For hospitality cf. Heal (1990: 19), for charity cf. Bennett (1997: 240f.).

<sup>26</sup> Lev. 19:18, Mar. 12:31, Mat. 22:39, Luc. 10:17.

<sup>27</sup> Cf. Gen. 2:24, Eph. 5:31, Mat. 19:5f., Mar. 10:8.

<sup>28</sup> Rogers, *A Treatise of Love*, 91. This is illustrated by a case from 16th century Calvinist Geneva recounted by Robert Kingdon (1995: esp. 35, 51, 59). Pierre Ameaux, a local card-maker sought divorce from his wife because of her scandalous opinions on the issue of adultery. When questioned before a number of Genevan legal institutions, Benoit Ameaux obviously insisted that since all faithful believers in God were members of his body, it was permissible to engage in sexual intercourse with fellow good Christians, since these "brothers in Christ" were all, in fact, her husbands. She had, as Kingdon (1995: 36) puts it, apparently "taken too literally a number of the sermons she must have heard on the duty of Christians to love one another."

<sup>29</sup> Rogers, *A Treatise of Love*, 167.



Though contemporaries like John Rogers tried hard to circumscribe clear demarcations, the boundaries between *caritas* and *cupiditas* were obscure enough to allow negotiations. Worries about confusions of morals and free love are paramount in the public reception of sectarian groups such as the *Family of Love*. The preoccupation with these reaches across various genres and stretches over basically the whole early Stuart period.<sup>30</sup> William Gouge, in his celebrated conduct book *Of Domesticall Duties*, for instance, felt obliged to attack the “bestly opinion” of “the foolish collection of Adamites, Familists, and such like licentious libertines, who from the generall words which the Apostle vsseth (*men and women*) inferre that all women are as wiues to all men, and that there needeth not any such neere coniunction of one man with one woman.”<sup>31</sup> Some of the practical consequences of the exploits of such antinomian “Familists” had been staged in the comedy *The Family of Love*.<sup>32</sup> Published in 1608, nearly fifteen years before Gouge’s tract, and attributed to Thomas Middleton and Thomas Dekker, its sub-plot explores the adulterous adventures of Mrs Purge, a member of the *Family of Love*, at the family’s headquarters, as well as those of one of her lovers, Master Glister. Adultery here is clearly shown to be related to sectarian practices. Both Mrs Purge and Mr Glister are not only duly reproached by their spouses, but are also made to answer for their misdeeds in a final trial scene.

In everyday cultural practice (sectarian or not), the norms of charity and hospitality demanded that households be open to visitors. The wife, as the good housewife and respectable hostess of the house, was supposed to welcome and entertain friends, neighbours and strangers.<sup>33</sup> The expected forms of polite salutation demanded that the (male) guest kiss the housewife or her daughter(s).<sup>34</sup> The limits of the acceptable here do not seem to have been too clearly cut out as early seventeenth-century conduct books evidently had some qualms about kissing, or “ouer-familiar and light behauiours” in general, which could easily be associated with adultery.<sup>35</sup> Apart from gestures of familiarity and amicability, a wife’s duties

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<sup>30</sup> In fact, the earliest activities of *Familists* in England have been dated at the early 1550s, and by 1580 they had caused enough worries among authorities for a proclamation to be issued against them and their writings by Elizabeth in 1580. For a detailed study of Familist thought and practice in Elizabethan, Jacobean and early Caroline England see Christopher Marsh’s (1994) monograph *The Family of Love in English Society 1560-1630*.

<sup>31</sup> William Gouge, *Of Domesticall Duties Eight Treatises* (London, 1622), 28.

<sup>32</sup> For the original publication see Thomas Middleton, *The Famelie of Loue Acted by the Children of his Maiesties Reuells* (London, 1608).

<sup>33</sup> Cf. Mendelson & Crawford (1998: 307), Heal (1990: 178-183).

<sup>34</sup> Cf. Turner (2005: 82). Many scholars have noted that early modern European visitors to England were amazed at what they perceived to be a greatly liberal approach or lack of inhibition of Englishmen and -women where kissing was concerned.

<sup>35</sup> William Whately, *A Bride-Bush, or, A Wedding Sermon Compendiously Describing the Duties of Married Persons* (London, 1617), 3. Cf. also Turner (2005: 82).

as a provider of food and care for the family,<sup>36</sup> which were connected to the generation and protection of her honour and reputation, extended to her role as hostesses. In general, hospitality also meant entertainment, in the wide and thus similarly ambiguous contemporary sense of the term.<sup>37</sup> Importantly, this was not only an upper-class ideal.<sup>38</sup> From what we can gather from court records, but also from popular literature, middling and lower-class men and women frequently visited each other, whether on specific occasions like sickness, birth, marriage and the like, to work together, or simply to share food, drink and stories and other sorts of pastimes. All this sociability and generous exchange, which connects to the practices of socialising and gossip discussed in the previous chapter, was part and parcel of the notion of ‘neighbourliness.’<sup>39</sup> It was so important that the successful performance of hospitality, for both men and women, was a crucial prerequisite to achieving a good reputation and social credit. In domestic comedy, for instance, it could thus become “the *sine qua non* of the ideal householder’s active virtue.”<sup>40</sup>

The danger lurking behind this friendly amicability, however, is also explored in many of these contemporary comedies, and in other genres, too. It resounds in Alexander Niccholes’ gloomy warning not to make one’s friend too familiar with one’s wife, which takes second place in his *Precepts to be Observed in Wiving or Marriage*.<sup>41</sup> Only once this precaution is put forward can the author proceed to counsel against “idle jealousy.”<sup>42</sup> In this conception, the friend who is invited into the house, becomes an object of suspicion, threatening to disintegrate the household from within. The act of good hospitality, which furthers social cohesion<sup>43</sup> and increases the social status of the housekeeping couple, can also undermine the householders’ reputation. As Julie Kerr puts it, “the link between honour and the open door was thus rather paradoxical.”<sup>44</sup> This seems to have put the wife in particular in a difficult situation, associated as she was with the immediate running of the household. “The role of the

<sup>36</sup> Cf., for instance, Gervase Markham, *The English Housewife* (London, 1631), 4.

<sup>37</sup> Mendelson & Crawford (1998: 307). Cf. also William Gouge’s remarks on the subject: Gouge, *Of Domestical Duties*, 261-264. For instance, he advises that “guests should know they are welcome both to the husband and to the wife, that so they may be more cheerefull” (262).

<sup>38</sup> Cf. Palmer (1992: 3). In scholarly texts the expectations of hospitality and charity are often only discussed with a focus on upper classes (cf. Comensoli 1996: 138), but there is no reason to suspect that middle class households would not have been expected to entertain guests.

<sup>39</sup> Cf. Heal (1990: 20).

<sup>40</sup> Comensoli (1996: 136).

<sup>41</sup> Niccholes, *A Discourse of Marriage and Wiving*, 48. The first precept cautions against wooing by ambassador.

<sup>42</sup> Niccholes, *A Discourse on Marriage and Wiving*, 48.

<sup>43</sup> Cf. Heal (1984: 78), who points out that “hospitality among neighbours was a particularly approved method of strengthening community.”

<sup>44</sup> Kerr (2002: 331).

hostess,” as Ina Habermann has pointed out, “is riddled with uncertainties.”<sup>45</sup> In order to fulfil her role as good wife and hostess she had to receive guests in a friendly and generous fashion, yet too much friendliness would cause suspicion. Where ‘over-familiarity’ (which was a common term) started, however, may have been in the eye of the beholder. Hence the visiting friend, neighbour or stranger and the hospitable spouse (especially the wife), were fundamentally vulnerable to suspicion.

Neighbourliness, which was something like the putty of local social life, was also a great motor for transgression. The following sections will analyse some literary examples which explore the tension between neighbourliness and marital duties, first and foremost among them marital chastity. As shall be seen, both excessive friendship as well as neighbourly animosity could be understood as causing adultery. On the other hand, excessive jealousy of one’s spouse not only destroyed marital harmony, it could also be counter-productive to neighbourly harmony.

## **4.2. Male Friendship Facilitates Adultery**

*A Cuckold: “He is commonly more in Love with the Cuckoldmaker, than his Wife, and dare trust his Friend any where with her, and ’tis he that Cuckolds him.”*

Anonymous<sup>46</sup>

The ambiguity of hospitality and neighbourliness is tangible, for instance, in a joke collected by Nicholas Le Strange: A country wife hosts a wedding party in her house, and a drunk wedding guest ends up in her chamber, in her bed – and subsequently also inside her.<sup>47</sup> It is tangible, too, in a case brought before the Gloucester consistory court in which a man, who had visited his neighbour to assist him in his grave illness and kept company at his bed with a couple of other neighbours, stole away in the middle of the night into the adjacent chamber where the sick man’s wife was sleeping and there lay down in bed with her, thus causing suspicions of adultery.<sup>48</sup> Friendship and hospitality are valuable things, but, as these examples and the above quotation underline, it may easily result in cuckoldry, particularly if the

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<sup>45</sup> Habermann (2003: 74).

<sup>46</sup> Anonymous, *A Law Against Cuckoldom, Or the Tryal of Adultery* (London, 1700), “A Cuckold,” attachment to unpag. preface.

<sup>47</sup> Nicolas Le Strange, *Merry Passages and Jeasts: A Manuscript Jestbook of Sir Nicholas Le Strange* (Lippincott, H.F., ed., 1974), 121.

<sup>48</sup> GDR 109, Office c. Richard Sizemore, 12 July 1610, deposition of Robert Rone.

husband does not retain a certain amount of vigilance and suspicion towards his neighbours and friends.

The limits of hospitality and friendship are also explored, in more detail, in Francis Beaumont and John Fletcher's comedy *The Coxcomb*, which was first performed in 1612.<sup>49</sup> The above-quoted, anonymously made observation that the cuckold was commonly more in love with the cuckold-maker than his wife could be considered the central theme of this play, which presents adultery as related to certain (extreme) notions of male friendship. Antonio, "the Coxcomb Gentleman,"<sup>50</sup> who has spent three years abroad travelling,<sup>51</sup> returns home with Mercury, a travelling companion he has met on the continent, and whom he has wheedled into staying at his house. They arrive to find Antonio's wife Maria engaged in an act of hospitality, hosting an annual feast to celebrate her "marriage night."<sup>52</sup> Dancing and celebrating, she is surrounded by entertainment-hungry bachelors who seem to be courting her and competing for her favours with quite heavy innuendo.<sup>53</sup> Although it must be added that Viola, the neighbour's maiden daughter, and Portia, wife to Antonio's kinsman, are also present, this scenario has an illicit touch. The classical example of chaste (but heavily pursued) Penelope comes to mind, but also that of adulterous Doucebella of the *Cuck-Queanes and Cuckolds Errants* who, in the twelve-month absence of her husband Claribel, has entertained her lover in grand style and has ruined the household finances in the course of it. Absent husbands, an issue which shall be explored at greater length below, and feasting wives raise suspicion. Maria's motive for hosting this celebration, commemorating "my marriage night," which she vows to do every year "Till I see my absent husband,"<sup>54</sup> may not be as innocent as it sounds. A woman celebrating (in) her husband's absence? And why her marriage *night*? A leering suitor's response, "'Tis fit freedome,"<sup>55</sup> implies that this is a liberty she may only be allowed to take because of her husband's absence. Although Antonio takes no offence and greets his

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<sup>49</sup> All further references: Francis Beaumont & John Fletcher, *The Coxcomb* (Bower, F., ed., 1966). Though the play is included in the folio of 1647, the authorship by Beaumont and Fletcher is not quite certain.

<sup>50</sup> Beaumont & Fletcher, *The Coxcomb*, 268 (list of characters).

<sup>51</sup> We only learn that Antonio has been absent for three years during the course of action, in 3.1.65. The length of his absence may be significant. The *Act For Suppressing the Detestable Sins of Incest, Adultery and Fornication* (1650), for instance, declared that adultery was not punishable by death if the adulterous wife's husband were "remaining beyond the Seas by the space of three years" or "shall absent himself from his said wife by the space of three years together, on any parts or places whatsoever, so as the said wife shall not know her said husband to be living within that time" (828f.). For contemporary images and appraisals of educational travellers, see Warneke (1994).

<sup>52</sup> Beaumont & Fletcher, *The Coxcomb*, 1.2.11.

<sup>53</sup> One suitor toasts "To joy in many of these nights" and promises "Weele crowne your liberall feast / With some delightfull straine fitting for your love / And this good company" (1.2.3 & 6-8).

<sup>54</sup> Beaumont & Fletcher, *The Coxcomb*, 1.2.10-12, my italics.

<sup>55</sup> Beaumont & Fletcher, *The Coxcomb*, 1.2.13.

wife with a good-humoured “y’are merry, tis well,”<sup>56</sup> *merry wives* were a highly equivocal lot.<sup>57</sup> Antonio’s reaction thus characterises him as either exceptionally kind or rather dull-witted.

Hot-blooded Mercury takes one look at beautiful Maria and is passionately enamoured. Yet while he does not hold his travelling companion in very high esteem,<sup>58</sup> he realises that Antonio’s previous acts of friendliness have made it impermissible for him to simply cuckold Antonio:

“If I had never seen, or never tasted  
The goodnesse of this kix, I had beene a made man,  
But now to make a Cuckold is a sinne  
Against all forgivenessse, worse than a murther;”<sup>59</sup>

Acts of neighbourly kindness hence are presented as a preventive of adultery and cuckoldry. At night, troubled by his passions and unable to sleep, Mercury decides to leave the couple’s house immediately, but Antonio stops him. Determined to be a good host and make Mercury comfortable<sup>60</sup> he inquires about his guest’s troubles. Finally, Mercury admits “I love your wife extremly,”<sup>61</sup> but immediately calls up Antonio’s deeds of friendship and his consequent determination to stay “honest” and “true.”<sup>62</sup> Antonio remains unfazed. Instead of turning jealous, he devises “the best plott that ever was then,”<sup>63</sup> and takes male hospitality and friendship to a new level. “You shall enjoy my wife,”<sup>64</sup> he announces. In asides he expounds his motivation for this unusual decision:

“If ever any had a faithful friend I am that man, and I may glory in’t, this is he, that *ipse* he, that passes all Christendom for goodnesse, hee shall not over go me in his friendship, twere recreant and base, and I’le be hang’d first.”<sup>65</sup>  
“Why, this will gaine me everlasting glory; I have the better of him, that’s my comfort.”<sup>66</sup>

This deed of friendship, he argues, will be so outstanding that it will compare to the classical

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<sup>56</sup> Beaumont & Fletcher, *The Coxcomb*, 1.2.84.

<sup>57</sup> Cf. for instance, my discussion in Pohl (2007).

<sup>58</sup> In his numerous asides he has called Antonio various names such as “*Balaam’s Asse*“ (1.1.86), “foole” (1.2.60), and “Coxcomb” (1.2.68 & 83).

<sup>59</sup> Beaumont & Fletcher, *The Coxcomb*, 1.2.69-72.

<sup>60</sup> Cf. also his promise that “you [Mercury] ere long / Shall see my house, and finde what I call mine / Is wholly at your service.” 1.1.55-57.

<sup>61</sup> Beaumont & Fletcher, *The Coxcomb*, 2.1.103f.

<sup>62</sup> Beaumont & Fletcher, *The Coxcomb*, 2.1.110.

<sup>63</sup> Beaumont & Fletcher, *The Coxcomb*, 2.1.183.

<sup>64</sup> Beaumont & Fletcher, *The Coxcomb*, 2.1.167.

<sup>65</sup> Beaumont & Fletcher, *The Coxcomb*, 2.1.125-28

<sup>66</sup> Beaumont & Fletcher, *The Coxcomb*, 2.1.92f.

feats of *Damon and Pythias*, *Pylades and Orestes* and earn him and Mercury everlasting fame.<sup>67</sup>

We may conclude that Antonio, though a married man, wishes “to perpetuate the solidarity of male community.”<sup>68</sup> What this means is not only that Antonio puts the value of friendship above marriage, switching the hierarchies of their most basic values. He chooses to be a faithful friend rather than to have a faithful wife. In essence, the almost mythical unified body which is created here is not between husband and wife; it is a homosocial body based on heterosexual relations with one woman. The idea of charity, of sharing with one’s neighbour and guest, is taken to its most extreme in sharing one’s wife. The religious element in Antonio’s first aside quoted above is strong. Indeed, this rings suspiciously of the community of wives which certain religious sects envisaged. Marital order is confused here by a spouse’s excessive attention to the needs of their neighbours, which leads to the postulation of an alternative social and moral order. Significantly, Mercury does not see Antonio’s act in romantic terms, as heroic friendship, but in social terms, as self-inflicted, ridiculous cuckoldry.<sup>69</sup>

Antonio is not satisfied with just offering his wife; sensing Mercury’s reluctance to accept his plan he, even more outrageously, offers to “woe this woman” for his friend.<sup>70</sup> His efforts in the wooing sector take up a good part of the following plot evolvment. Antonio visits his wife in the disguise of an Irish footman to deliver a love-letter from Mercury, but Maria recognises him and takes his charade as a test of her chastity. In an aside, she muses angrily, “what have I don that should deserve this tryall? I never made him cuckold to my knowledge.”<sup>71</sup> And indeed, Antonio’s undertaking is structurally a perverted chastity test.<sup>72</sup> To prove her moral integrity, Maria orders a servant to kick “this Irish bawde heere” and lock him safely away “till [her] husband comes home.”<sup>73</sup> Not wanting to blow his cover, Antonio lets himself be detained and thus disappears. Maria then angrily confronts Mercury about the love letter, but when it turns out that Mercury is not the author, Maria realises “her husband’s knavery” and decides, if possible, to leave with Mercury.<sup>74</sup> When a servant brings news that

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<sup>67</sup> Cf. Beaumont & Fletcher, *The Coxcomb*, 2.1.150-165.

<sup>68</sup> Clark (1994: 130).

<sup>69</sup> Cf. Clark (1994: 130).

<sup>70</sup> Beaumont & Fletcher, *The Coxcomb*, 2.1.177. At this point, Alexander Nicholes’ list of bachelorly and husbandly *Not To*’s may be consulted again, on which “Wooe not by Embassadour” prominently takes first place right before his above-mentioned advice against making one’s friend too familiar with one’s wife. Nicholes, *A Discourse on Marriage and Wiving*, 48.

<sup>71</sup> Beaumont & Fletcher, *The Coxcomb*, 2.3.50-52.

<sup>72</sup> Bueler (2001: 90) speaks of “a lighthearted version of the ‘Curioso impertinente’ situation.”

<sup>73</sup> Beaumont & Fletcher, *The Coxcomb*, 2.3.57 & 72.

<sup>74</sup> Beaumont & Fletcher, *The Coxcomb*, 3.1.31.

Antonio was last seen in a suspicious out-house in the suburbs, “the rankest house in all the City, the most cursed roguy bawdi-house,”<sup>75</sup> and that only his clothes have been left, but nothing is known about his whereabouts, she is the first one to announce “Sure they have murdered him” and pleads with Mercury to take her with him.<sup>76</sup> Assured that Antonio is dead, Mercury finally agrees and takes her to his mother’s home in the countryside. Maria’s departing order to the servant who is left behind is to “keepe the *Irish* fellow safe, as you love your life.”<sup>77</sup> Antonio’s deed of friendship, therefore, has resulted in the (temporary) dissolution of his household. By taking Maria to his home, Mercury repays one deed of hospitality with another. But while offering a widowed women refuge may be considered legitimate, Mercury’s motives, of course, are not since he intends to sleep with her. Thus, this act of hospitality, too, will be subsequently perverted.

Antonio, meanwhile, has managed to escape and keeps up the pretence of being dead. Disguised as a messenger, he visits Maria in the countryside and delivers her a letter which states that her husband was dead and advises that Mercury “bee your right hand in all things.”<sup>78</sup> This time, too, Maria recognises him. Calling upon discourses of wifely obedience, she resolves that she must follow her husband’s commands, even if he “will be an asse against the haire at his own peril.”<sup>79</sup> Still pretending to be a widow, even making Mercury promise marriage before sex, she finally sleeps with him, to her own mind “the honestest woman without blushing, / That ever lay with another man.”<sup>80</sup> Again, the norm of wifely obedience is exploited to justify a reversal of norms. And yet again, there is a clear hint of self-interest behind wifely deference, which unmasks the wife’s obedience as a calculated performance. Since both Antonio and Maria succeed in obliterating the fact that their marriage actually still persists (because Antonio is in fact alive), Maria can accept a promise of marriage before becoming more intimate with Mercury. She does, however, reject his offer to marry her straight away and thus avoids bigamy. Still, what we have here, in a non-fictional context, would be a valid marriage promise in the future tense. Consequently, the breaking of Maria’s marriage is cloaked in the legitimate form of making a new marriage between Maria and Mercury. The line between regular courtship and transgression in this relationship is only discernible to the witness who has an extraordinary amount of intimate background information. The audience, of course, is such a witness and may feel both thrilled and

<sup>75</sup> Beaumont & Fletcher, *The Coxcomb*, 3.1.66f.

<sup>76</sup> Beaumont & Fletcher, *The Coxcomb*, 3.1.55.

<sup>77</sup> Beaumont & Fletcher, *The Coxcomb*, 3.1.100.

<sup>78</sup> Beaumont & Fletcher, *The Coxcomb*, 4.4.22.

<sup>79</sup> Beaumont & Fletcher, *The Coxcomb*, 4.4.27f.

<sup>80</sup> Beaumont & Fletcher, *The Coxcomb*, 4.8.59.

unsettled at such a crossing of boundaries.

In this plot, husbandly jealousy and suspicion, both against the guest and the wife, are clearly blanked out, and this is where a good part of the humour lies – in the rather foolish-looking endeavours of Antonio, who is so determined to achieve what other men seek to prevent at all cost, in an outrageous quest for fame. However, suspicion is reintroduced on another level when it becomes clear that by their actions the adulterous couple have activated the common cliché of a wife and her young lover who have done away with the husband and have eloped together. A legal examination of Maria and Mercury ensues in which Antonio reveals himself so that the accusations against his wife and his friend are dropped. Antonio is apparently overwhelmed with joy and, inadvertently marking the comic extravagance of this scenario, raves: “But such a wife as thou, had never any man, and such a friend as he, beleeve me wife, shall never be; ah good wife, love my friend, friend love my wife, harke friend.”<sup>81</sup>

Marriage may forge a bond not only between man and woman, but, significantly, between two men, and thus ensure their common social, economic and maybe even emotional commitment.<sup>82</sup> As Antonio has no daughter or other female relative to offer Mercury in matrimony in order to secure their relationship, he offers his wife. In his view, this will constitute an extraordinary act of friendship and generosity. Yet the boundary between such homosocial relations, between friendly love and eroticism is not clear-cut since his wife’s relation with Mercury will intimately link Antonio to the other man, in a sort of erotic triangle.<sup>83</sup> They are linked by their erotic desire for the same woman.<sup>84</sup> It could be argued that husband characters of the suspiciously jealous kind expose a concern exactly with this erotic relationship with the rival male rather than with the sexual honesty of their wife.

From the above observations we can deduce a certain symmetry between the friend and the adulterer which this comedy uncovers. Just as the behavioural codes of masculine friendship are ambiguous,<sup>85</sup> so are the codes of neighbourly and hospitable behaviour which

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<sup>81</sup> Beaumont & Fletcher, *The Coxcomb*, 5.3.220-22.

<sup>82</sup> Henry Howard, who “sought to bind himself to the powerful Robert Carr by Carr’s marriage to his grandniece Frances Howard,” is only one contemporary example, which is linked, however, with one of the most spectacular ‘high society’ sex, adultery, divorce and murder scandals of James I’s reign. Bray (1990: 9); see also Bellany (2002).

<sup>83</sup> According to Felicity Heal (1990: 16), more generally, this intimacy is even established in more material/economic forms of charity where the relationship between donator and recipient is more hierarchical than friendly-on par. She observes that “giving within and from the household suggested an intimacy that brought donor and recipient into a direct relationship, even when that directness was tempered by the host’s substitution of an almoner or usher to personate his generosity at the gate.”

<sup>84</sup> That Antonio desires his wife becomes clear when does not hesitate to share her bed as soon as he returns home. Cf. Beaumont & Fletcher, *The Coxcomb*, 1.2.118f.

<sup>85</sup> Cf. Alan Bray (1990: 2), who has pointed to the “curious symmetry between the sodomite and the masculine friend.”



urge the head of household to share his resources with the friendly guest, and which advise the wife to display kindness and politeness to the friend. The lines between acceptable and unacceptable friendly behaviour, e.g. between politeness and courtship, between hospitality and ‘over-familiarity,’ are negotiable.

Another crucial issue consists in determining whether all parties play by the same rules of friendly charity: friendly actions are ambiguous also in so far as it is sometimes hard to determine whether the friend is honest or just dissembling. This is where the reciprocity of friendship, neighbourly hospitality and charity is decisive: it is *because* of this reciprocity that the other party’s motives and honesty may be significant. We have already pointed out the ambiguities in the concept of friendship and hospitality evidenced by Alexander Niccholes’ warning that the friend was a potential cuckold-maker. That (the pretence of) friendship was a great motivator as well as cover for cuckoldry seems to have been a recurring topos: “A Cuckold is a good mans fellow,”<sup>86</sup> Roger, the bachelor, informed his jealous neighbour Simon in the ballad *Houshold Talke* (1629), simultaneously alluding to the society of ubiquitous cuckolds, as to the problem of deceitful friends. When Cacafo in Beaumont and Fletcher’s *Rule a Wife and Have a Wife* (1624) meets his paramour Margarita’s new husband, he vows “If thou beest her Husband, / I am determin’d thou shalt be my Cuckold, / I’ll be thy faithful friend.”<sup>87</sup> This, of course, has ironic connotations, but it points to the basic fact that as cuckoldry is a perversion of friendship, it could also be regarded as one of its (ultimate) consequences.

The action of *The Coxcomb* calls up these ambiguities. However, it also presents the conceptions of friendship and hospitality under which the characters operate, and around which adultery revolves here, as highly dubious. It reveals that Mercury actually holds Antonio in very low esteem while he acts the friend with him. The audience learns just *how* friendly Mercury wants to get with Antonio’s wife, even though he makes an initial effort to remain honourable, and that Antonio’s ultimate motivation for his great act of friendship is his desire for immortal fame. Maria, in the men’s scenario, is reduced to an object of exchange which will bind the two men closer together, the wax under their seal of friendship. However, she does not play the part of the meek object that both men assign to her. In fact, it is she who manages the whole affair from the background, for instance by taking spatial authority and having Antonio in disguise detained, by keeping Mercury’s lust at bay and controlling the

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<sup>86</sup> M[artin] P[arker], *Houshold Talke* (London, 1629), 6,9.

<sup>87</sup> Francis Beaumont & John Fletcher, *Rule a Wife and Have a Wife*, In: *Fifty Comedies and Tragedies Written by Francis Beaumont and John Fletcher, Gentlemen* (London, 1679), 279-296, here 288. This comedy is not included in the 1647 edition of Beaumont and Fletcher’s plays; it was first performed in 1624.

point at which she finally gives herself to him.

Of course, Antonio is one more variation of the cuckold stereotype. Where the jealous cuckold is anxious to avoid his fate, the zealous cuckold Antonio eagerly furthers it. Antonio, for comical effect, is depicted as over-zealous, but could one truly consider this character ridiculous in his belief that he would earn advantages and reputation by lending out his wife for a good cause? Quite obviously, Antonio's ideas allude to a system of patronage and favouritism in which there existed the very real possibility to negotiate one's social and economic advancement by lending or 'leasing'<sup>88</sup> one's wife to rich and influential men,<sup>89</sup> or in which one could make oneself the centre of gossip and fame by doing extraordinary deeds.

Antonio offers his wife for the ideal of friendship and for the fame he thinks it will earn him, which *may* involve material gains, but not necessarily so. He will uphold his notion of friendship to the very end of the play where he maintains "sooth if I could yet doe thee [Mercury] any good, I wood, faith I wood,"<sup>90</sup> apparently not having learned his lesson during the course of the dramatic action. Mercury, who has been plagued by disillusionment since "enjoying / This woman that I lov'd so," and has even begun to "loath [her] straingly,"<sup>91</sup> declines: "I thanke you Sir, I have lost that passion."<sup>92</sup> Maria surely expresses a sentiment which may well be shared by the audience when she asserts that her husband "would make himselfe a naturall foole, / To do a noble kindnesse for a friend."<sup>93</sup>

*The Coxcomb* demonstrates that it was possible – to a certain extent – to stretch the boundaries of what could be contained by the label of friendship. It retraces one of the decisive demarcation lines of masculine friendship – the point where men become sexual rivals. While childhood friendships were based on equality, this shifted with the onset of maturity, and men became potential rivals and competitors for resources.<sup>94</sup> From the start, Antonio openly refuses to accept the concept of rivalry which Mercury's desire for Maria introduces into their relationship. Still, behind this refusal, perhaps unwittingly, he has found a way of dealing with his competitor. In essence, what Antonio has managed to do is to save his marriage and to disable his rival by killing Mercury's passion, by taking from it the thrill of

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<sup>88</sup> In Edward Sharpham's comedy *Cupid's Whirligig*, which will be discussed below, one character proposes to make a "lease" of the married lady he is wooing. See below 192.

<sup>89</sup> A fine dramatic role model to this effect would be the merchant Corvino in Jonson's *Volpone* (1606) who, to outrival his co-contenders for the aristocratic Volpone's inheritance, swallows his excessive jealousy and prostitutes his wife to the older man "[a]s the true, fervent instance of his love." Ben Jonson, *Volpone, or the Fox* (Pache, W. & Perry, R.C., eds. & transl., 1974), 3.7.77.

<sup>90</sup> Beaumont & Fletcher, *The Coxcomb*, 5.3.226f.

<sup>91</sup> Beaumont & Fletcher, *The Coxcomb*, 4.8.1f. & 11.

<sup>92</sup> Beaumont & Fletcher, *The Coxcomb*, 5.3.228.

<sup>93</sup> Beaumont & Fletcher, *The Coxcomb*, 5.3.166f.

<sup>94</sup> Cf. Foyster (1999: 127).

the forbidden and the unknown. Admittedly, the threat of Maria's pregnancy from her encounter with Mercury, despite, or rather, *because* of its being blanked out of the action, darkly overshadows the 'happy' ending of the play. From this point of view, what Antonio actually achieves is a synthesis of the two poles of a man's best friend and a man's worst enemy in the adulterer. By merging these roles, he actualises the latent fear that one's friend might turn out to be one's enemy<sup>95</sup> and thus overcomes it. Arguably, only this total suspension of the customary (sexual) rivalry between men makes Antonio's quest outstanding.

From another perspective, Antonio's actions can be read as a refusal to accept his responsibilities as a married man – which, as the play indicates, has serious consequence. Antonio leaves his wife – and his position as head of household – for three years, and seeks to gain new “vertues” in travels<sup>96</sup> rather than to prove himself an honest householder. Yet he is not shown to have gained much wisdom during his journeys. Consequently, both this rather aristocratic educational concept of travelling, and a rather ‘middling-sort’ idea of household government are opposed in the character of Antonio, and hence subjected to ironic reflection. In contrast to Claribel, for example, he does not seem to have internalised that “Batchelours may, as they please, or goe or tarrie, / Wee’are bound, by the chaine Necessitye / To Children, Wife, and Family.”<sup>97</sup> The one instance in which he is shown attempting to protect his house is seriously misguided. When, on the night of Antonio's return, his neighbour's innocent daughter Viola, who, having sneaked away from home, has been assaulted by lusty bachelors, knocks at his locked door, calling for his neighbourly aid and hospitality, he takes it for a ruse, “a common custome of the Rogues that lie about the loose parts of the City. [...] To knock at doores in dead time of night, and use some fained voyce to raise compassion, and when the doores are open, in they rush, and cut the throats of all and take the booty; we cannot be too carefull.”<sup>98</sup>

Although Mercury recognises her as “one of the Gentlewomen were here ith’ evening,”<sup>99</sup> Antonio persists it cannot be she and refuses to grant Viola his protection. His lack of trust and charity in this case thus contrasts starkly with his generosity towards Mercury. Ultimately, the adulterer Mercury is welcomed with open arms while the ‘damsel in distress’ is turned away.

The world of this play is one where the reciprocity we touched upon earlier is defunct:

<sup>95</sup> Cf. Traub (2004: 341) in an appraisal of Alan Bray's writings on friendship.

<sup>96</sup> He advises the bachelors Uberto and Silvio, who, arguably, are not too pleased about his return, to take to travelling so they might learn “hidden vertues” (1.2.88f.).

<sup>97</sup> Percy, *The Cuck-Queanes and Cuckolds Errants*, 17 (1.4.).

<sup>98</sup> Beaumont & Fletcher, *The Coxcomb*, 2.1.81-88.

<sup>99</sup> Beaumont & Fletcher, *The Coxcomb*, 2.1.93f.

where the basic interpersonal values of love and compassion are abused, where men cannot feel safe at home and need to protect themselves from their abusive neighbours. That the streets *are* full of dangers and dubious characters is made abundantly clear by the sub-plot recounting Viola's adventures which shows that "a poore distressed maid"<sup>100</sup> cannot find a safe haven but among sturdy country milk-maids. On the other hand, it might be suggested that Viola's fault here is more significant than Antonio's, as "[m]erely to walk unescorted at night rendered a woman liable to be arrested for immorality and sent to the local Bridewell."<sup>101</sup> Theoretically, Viola is thus not only in danger of being raped by gangs of young bachelors,<sup>102</sup> but also of being arrested by the local watch. It was thus simply not expected that respectable young girls would be roaming the streets at night. Still, we are invited to question Antonio's judgement here, who fails to protect his neighbour's child and instead rushes to offer his wife to a 'friend' who does not even like him very much. This is symptomatic of Antonio's neglect of his household duties.

Elizabeth Foyster has argued, that "with marriage men's attention shifted away from their male friends to their wives as they became eager to gain honour by exhibiting prowess and control."<sup>103</sup> Yet, Antonio, as we have noted, shows little desire of following these notions of married masculinity, and he does so in a way which is clearly designed to entertain his audience, but still has quite serious undertones. For instance, by acting as an "ambassador"<sup>104</sup> in his friend's courtship, especially in the fashion in which he chooses to proceed, he behaves more like a young bachelor than a reputable member of his community. He constantly puts male-male relationships above his marital one. He practically dissolves his household by impelling Maria to depart with Mercury, leaving it 'headless,' without either male or female leadership.

If we are looking for models for Antonio's behaviour, we will not find them in marriage guidance texts. There were, however, other literary texts available which offered alternative models of the perfect union man could achieve, friendship. Antonio's actions seem to follow those instead. Indeed, from this vantage point, his 'foolish' endeavour to make a

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<sup>100</sup> Beaumont & Fletcher, *The Coxcomb*, 2.1.78.

<sup>101</sup> Mendelson & Crawford (1998: 212).

<sup>102</sup> Historical evidence for such gang rapes as *The Coxcomb* alludes to has been found, for instance, for fifteenth-century France. As in the play, this behaviour was connected with the problematic, unruly behaviour of groups of unmarried young men. In the French cases, however, married women and widows seem to have been the primary target of these 'gang rapes.' Moreover, the victims were abducted from their homes. Cf. D'Cruze (1993: 381), for Italy see Ruggiero (1993: 17f.) and, generally Ruggiero (1985: 89-108). Even though I have yet to come across similar evidence for England, the misdeeds of groups of bachelors clearly presented a problem in this country, too. Cf., for instance, Griffiths (1996a) and (1996b).

<sup>103</sup> Foyster (1999: 126f.).

<sup>104</sup> Cf. Nicholes, *A Discourse of Marriage and Wiving*, 48.

match between his wife and his friend can be read as an attempt to live up to an ideal of complete friendship which can be traced back to Aristotle. One of the principal elements of this ideal is the lack of competition, exploitation and mistrust between the two (male) friends,<sup>105</sup> the altruistic consideration of the friend's interests and needs.<sup>106</sup> In Michel de Montaigne's famous *Essays*, which were translated into English by John Florio in 1603, we are told *Of Friendship* that in 'normal' friendships, "a man must march with the bridle of wisdom and precaution in his hand: the bond is not so strictly tied, but a man may in some sorte distrust the same."<sup>107</sup> In 'perfect' friendships this is not the case:

"[A]nd as I acknowledge no thanks vnto my selfe for any service I doe vnto my selfe, so the vnion of such friends, being truly perfect, makes them loose the feeling of such duties, and hate, and expell from one another these words of division, and difference, benefite, goode deede, dutie, obligation, acknowledgement, prayer, thanks, and such their like. All things being by effect common betweene them; wills, thoughts, judgements, goods, wives; children, honour, and life; and their mutuall agreement, being no other then one soule on two bodies, according to the fit definition of Aristotle, they can neither lend or give ought to each other. See here the reason why Law-makers, to honour marriage with some imaginary resemblance of this divine bond, inhibite donations between husband and wife; meaning thereby to infere that all things should peculiarly be proper to each of them, and that they have nothing to divide and share together. If in the friendship whereof I speake, one might give vnto another, the receiver of the benefit should binde his fellow. For each seeking, more then any other thing, to doe each other good, he who yeelds both matter and occasion, is the man sheweth himselfe liberall, giving his friend that contentment, to effect towards him what he desireth most."<sup>108</sup>

Though Montaigne sets out to construct the freedom of true friendship in opposition to the forces and constraints of marriage,<sup>109</sup> he ends up painting a picture of the perfect union which is not dissimilar to the vision of marriage early modern Protestant moral-didactic tracts and sermons convey, although the latter rarely failed to stress the couple's 'duties.' Still, Montaigne argued that there was only an "imaginary resemblance" between marriage and the

<sup>105</sup> Cf. Shepard (2003: 91).

<sup>106</sup> Aristotle, *Nicomachean Ethics* (Rackham, H., transl. & ed., 1939), 1157a1.

<sup>107</sup> Michel de Montaigne, *The Essayes Or Morall, Politike and Millitarie Discourses*, transl. by John Florio (London, 1603), 93.

<sup>108</sup> Montaigne, *Essays*, 93f. Although Weller (1978: 508) claims that "it is not the Aristotelian parity of souls from which Montaigne characteristically draws his model of friendship, but rather the Platonic marriage of poverty and plenty," the Aristotelian elements in this essay are undeniable.

<sup>109</sup> Montaigne, *Essays*, 91.

“divine bond” of friendship.<sup>110</sup> Undoubtedly, these two discourses of (Protestant) marriage and (humanist) friendship drew on the same elements – and ultimately each other! – to legitimate themselves.<sup>111</sup> the union of souls, for instance, and the exclusiveness which made both lawful marriage and perfect friendship only possible between *two* people.<sup>112</sup> As Harriette Andreadis points out, “The discourse of same-sex ‘union,’ in the sense of ‘marriage,’ pervades the language of (male) friendship in early modern England and provides its rhetorical fulcrum, the hinge on which soul fusion turns.”<sup>113</sup> Still, the dialogue between these two discourses was clearly competitive.

In other words, the (humanist) discourse of friendship held that friendship was not dissimilar to marriage, only better, while the (Protestant) discourse of marriage maintained, conversely, that marriage was based on friendship, but transcended it.<sup>114</sup> *The Homily on the State of Matrimony* saw “perpetual friendship” as a basic ingredient of good marriage.<sup>115</sup> This notion was reiterated in Protestant moral tracts and household manuals.<sup>116</sup> Robert Cleaver contended that “if it be true that men doe say, that friendship maketh one heart of two: much more trulie and effectualle ought wedlocke to doe the same, which farre passeth al maner both friendship and kindred.”<sup>117</sup> This also affected the community of property, “for if friendship make all things common among friends, [...] how much more effectually and perfectly ought marriage to cause the same, which is the highest degree, not only of friendships, but also of al blood and kindred.”<sup>118</sup> It is obvious how Cleaver is confirming arguments such as Montaigne’s.

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<sup>110</sup> Montaigne, *Essays*, 94.

<sup>111</sup> Cf. Andreadis (2006: 525).

<sup>112</sup> For Marriage: Cf. Heale, *An Apology for Women*, 20f.; For friendship cf. Montaigne, *Essays*, 94., also Thomas Breme, *The Mirrour of Friendship: Both How to Knowe a Perfect Friend and How to Choose Him* (London, 1584), B3<sup>v</sup>.

<sup>113</sup> Andreadis (2006: 524).

<sup>114</sup> The distinction between humanist and protestant or puritan thought is problematic, however. As Margo Todd (1980 & 1987) has argued, ‘Christian humanism’ heavily influenced and permeated protestant and puritan thinking.

<sup>115</sup> Church of England, *Homily on the State of Matrimony* (Davis, L., ed., 1998), 24.

<sup>116</sup> William Heale’s *Apology for Women*, for instance, did not fail to point out that marriage was “the nearest of any friendship,” and actually “a stronger bond than friendship” (43 & 19). On the other hand, Jeremy Taylor in his tract on *The Measures and Offices of Friendship: With Rules of Conducting It* (London, 1657), insisted that “friendship is the greatest bond in the world” (63f.). Unlike Montaigne, however, he claimed that a friend can never be more than a husband or wife, because “Marriage is the Queen of friendships” (83). However, though he admitted that “[a] Husband and a Wife are the best friends,” he hastened to restrict the totality or perfection of this friendship: “but they cannot alwayes signifie all that to each other which their friendships would” (85). Indeed, what we find in this tract, is the attempt of a synthesis of Protestant marriage rhetoric and humanist friendship rhetoric.

<sup>117</sup> Robert Cleaver, *A Godlie Forme of Householde Gouvernment* (London, 1598), 221. I have here used the oldest edition of this text. It went through at least two more editions before, in 1612 (and again in 1630), a new version was published which was revised and commented by John Dod.

<sup>118</sup> Cleaver, *A Godly Form of Household Government*, 242.

Antonio's idea of friendship bears a clear resemblance to the sort of perfect relationship Montaigne envisages. From another perspective, it might be considered as a form of charity carried to extremes.<sup>119</sup> In delineating these extremes and their negative effect on marriage, the play clearly presents this ideal of friendship in a critical light. Some of the texts praising 'perfect friendship' sustain certain reservations. For example, the *Mirror of Friendship: Both How to Know a Perfect Friend and How to Choose Him* (1584), a translation of an untraced Italian tract, cautions its reader never to fully disclose his true thoughts nor the true measure of his wealth to anyone, and to "be wary, & carefull, neuer to put to the hazzard of variant fortune those things that concerne thy person, thy estate and goods."<sup>120</sup> In contrast, there are no such reservations in Antonio's (as in Montaigne's) conception of true friendship. There is no division of property, which includes community of women. Friends must continually strive to do each other good ("sooth if I could yet doe thee any good, I wood, faith I wood"<sup>121</sup>) and freely offer their wives if that is what the other desires most.<sup>122</sup> This sort of friendship clearly takes precedence over marriage. *The Coxcomb* thus utilises the literalisation of certain contemporary notions of friendship to achieve comic effects, but also to delineate the practical boundaries of these ideas. Antonio's idea of friendship leads to a neglect of household issues, he endangers household integrity, and compromises the moral integrity of his wife.

Although the tendencies for notoriety in both Antonio and Mercury, *might* be attributed to foreign, i.e. continental humanist influences,<sup>123</sup> English society in *The Coxcomb* is shown to be little better. Generally, men here have trouble accepting or executing the responsibilities of adult, married manhood. Mercury, who has promised to marry Maria in the heat of passion, begins to reject this arrangement and is very reluctant to honour his promise

<sup>119</sup> Cf. Taylor, *The Measures and Offices of Friendship*, 33, who states that "friendship is charity."

<sup>120</sup> Breme, *The Mirror of Friendship*, C & C'. Cf. Taylor, *The Measures and Offices of Friendship*, 59f., who cautions similarly that friendship must only "be as great as our friend *fairly* needs in all things where we are not tied up by a former duty, to God, to our selves, or some pre-obliging relative," [my Italics] and quotes Cicero "*Nulla est excusatio si amici causa peccaveris* [...]. No friendship can excuse a sin."

<sup>121</sup> Beaumont & Fletcher, *The Coxcomb*, 5.3.226f. Cf. Taylor, *The Measures and Offices of Friendship*, 31: "and therefore those friendships must needs be most perfect, where the friends can be most useful."

<sup>122</sup> Cf. Breme, *The Mirror of Friendship*, B3: "Hee then of good right ought to be called a friend, and esteemed as true and perfect, that dothe willingly offer, departe, and giue to his friend those things that he lacketh, therefore he asketh his ayde: and he speedely cometh to succor & help his friend, beeing in peril, without calling [...]."

<sup>123</sup> The influence of foreign languages and cultures on both characters is difficult to ascertain. Antonio is presented as a widely-travelled man, yet Mercury informs the audience that Antonio does not know foreign languages (1.1.84f.). Mercury's own capacities in the field of foreign languages are little better, which becomes clear when his mother asks him to "sprout some french," and all he can offer are sexually connoted swearwords like "Coukew" and "Besay Man cur [Baisez mon queue]" (4.4.50 & 55). Of course, this shows where his fields of interest lie and hence that Mercury only stays true to character when he is overwhelmed by desire for Maria as soon as he lays eyes on her and starts calling Antonio "coxcumb" in his asides (2.1.68 & 84).

after that passion has cooled down. Besides Antonio and Mercury, there is Richardo, the bachelor, who gets drunk with his mates instead of keeping his promise to meet his sweetheart Viola at night to elope with her, consequently, as we have seen, manoeuvring her into a highly dangerous situation. Valerio, a married country gentleman, offers the homeless Viola refuge only if she agrees to be his mistress. Charity here is clearly corrupted and, like Antonio's excessive charity in friendship, is bound to lead to adultery. Thus, Antonio's ventures, in a fashion not atypical of comedy, are set against the background of a society in which – compared to normative notions – things have gone a bit awry.

Social corruption of values is the background foil to Antonio's rather spectacular adherence to the ideal of friendship. Do Antonio's exploits represent a far-reaching critique of the concept of friendship and hospitality? To a certain point, in *The Coxcomb*, the ideal of hospitable friendship is shown to be functional in promoting good interpersonal relations and preventing transgressions. Antonio's previous acts of kindness, for instance, clearly oblige Mercury not to pursue Maria. However, there are problems in the actual application, in the *performance* of the ideals of friendship and hospitality, whether elevated like in the Antonio-Mercury plot, or most basic like in the Viola plot. These difficulties in performance are not only symbolic of general social corruption in the world of the play, but also, one could argue, expose the ambiguities inherent in the concepts of friendship and hospitality themselves. Especially in the example of Antonio, adultery is used symptomatically to present the consequences of the literal performance of certain abstract norms of interpersonal relations, and thus, to negotiate to which extent they were at all practicable.

All characters in this play offer hospitality not for altruistic reasons, but with rather selfish objectives, which highlights the *reciprocity* inherent to the concept of hospitality. Ideally, both host and guest must play by the same script of hospitality, or one will be able to take advantage over the other. There are, *The Coxcomb* vividly suggests, boundaries to friendship and hospitality. This concerns the question of who should be offered hospitality in the first place, and whose hospitality one should accept. But it also concerns the specific acts of hospitable friendship themselves: to give everything a guest desires is shown to be a rather unwise thing to do. The economic, social and moral stability of the household must not be compromised. A balance between hospitable sociability and thriftiness is needed. In this respect, and by highlighting the responsibility of married men for the morality and economic integrity of their households, *The Coxcomb* takes a stance on the issues of household government which is much in line with the arguments of contemporary household advice literature.



The calamities of the character of Antonio can be traced back to one further structural problem to which the ideal of perfect friendship points: the lack of a corresponding ideal of perfect ‘husbandship.’ Certainly, Protestant household manuals and conduct books taught their readers how to be a *good* spouse, but the problem was exactly this: One can be respectable and honourable for being a good husband, but one cannot be *famous*. Conduct authors sought to emphasise the importance and praiseworthiness of exemplary household management, they argued that it increased one’s social and economic success. Yet, as far as I can see, there are no available discourses of exceptional, perfect ‘husbandship’ comparable to the ones of perfect friendship. Men can earn fame through great deeds in war, and in politics, there are classical-mythological examples of famous friendship, which Antonio can name readily, but what precedents are there of men who acquired fame because they were good, faithful husbands and competent householders? Is fame itself, thus, contradictory to good household management? In this respect, this comedy explores a blind spot of moral-didactic models of married masculinity.

In the example of Antonio, (wifely) adultery can be viewed as grounded in excessive (husbandly) neighbourly love and generosity. We are confronted with a very similar setting in the tragic handling of the theme in Thomas Heywood’s *A Woman Killed with Kindness* (1607), which predates the other play by about five years.<sup>124</sup> Here, Wendol, being offered hospitality in the household of John Frankford, is equally enamoured with the mistress of the house. In a fashion quite similar to Mercury, Wendol initially struggles with his passionate feelings, yet his rhetoric is infused with images of tragic scope, such as prayer and meditation, damnation without redemption, divine wrath, the inevitability of destruction, or the trope of “tears of blood.”<sup>125</sup> Wendol, too, despairs at the urge he feels to betray a man who has shown him so much kindness, yet, unlike Mercury who belittles his companion, he hails John Frankford as “the most perfect man / That euer England bred a Gentleman.”<sup>126</sup> Of course, this display of Wendol’s inability to rule his passions, his feelings of guilt, and the prospect of a such an ethically integer character as John Frankford being betrayed increases the tragic mood of the action and foreshadows that a catastrophe will be inevitable. In Beaumont and Fletcher’s comic handling of the setting, however, the quirky nature of both Mercury and Antonio, most especially, Antonio’s larger-than-life generosity as well as a rhetoric which, from the

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<sup>124</sup> Thomas Heywood, *A Woman Kilde with Kindnesse* (London, 1607). The play was first performed in 1603, and first published in 1607. The following quotations refer to this first edition.

<sup>125</sup> Heywood, *A Woman Killed with Kindness*, C2<sup>v</sup>f.

<sup>126</sup> Heywood, *A Woman Killed with Kindness*, C3.

beginning, treats this adultery with a light-hearted touch and facilitates twists and turns of the plot prevent such a catastrophic ending despite the fact that Maria finally commits adultery with Mercury.

One could argue that there is an element of excessive kindness in John Frankford's friendship, too. Before he ever suspects that anything illicit might transpire between his wife and Wendol, John generously delegates the heading of his household in his absence to his friend. As Anne Frankford informs the guest, her husband

“wils you as you prize his loue,  
Or hold in estimation his kind friendship,  
To make bold in his absence and command  
Euen as himself were present in the house,  
For you must keepe his table, vse his Seruants,  
And be a present *Frankeford* in his absence.”<sup>127</sup>

In the cultural context of this thesis, the absence of a husband, as we shall repeatedly see in the following chapters, is always a very critical time with regard to the possibility of adulterous affairs, of rivals usurping the husband's rightful place in the wife's bed. Thus, to hand out to anybody, even a friend, a *carte blanche* such as this to act as a full-blown substitute seems not only extremely generous, but very hazardous. Allusive invitations to “*make bold* in his absence,” to “*vse his Seruants*”<sup>128</sup> and to “*be a present Frankeford*” must have alerted the audience to the imminent dangers of such a delegation of authority and privileges. It may be argued, then, that it is this gesture of excessive kindness which paves the way for the adultery between Wendol and Anne Frankford, and hence for the play's tragic development. It contrasts starkly, moreover, with his subsequent punishment of his wife, whom he banishes from the house, depriving her of her position as his wife, mother of their children and mistress of their household, even eradicating all traces of her existence there. It is only a logical consequence (in tragic terms) that this symbolic death should be followed by Anne's ‘actual’ death from grief and remorse, even though Frankford forgives his wife and reinstates her at the last minute. Kindness towards friends and kindness towards wives, evidently, may be irreconcilable.

To conclude, plays like *The Coxcomb* put abstract ideals of male friendship to the test. What they showed was that ideals of ‘perfect’ masculine friendship clashed with ideals of perfect matrimony. How, then, might male neighbourly animosity affect successful marriage?

<sup>127</sup> Heywood, *A Woman Killed with Kindness*, C3<sup>v</sup>.

<sup>128</sup> My italics. There are a number of rhetorical contexts, for instance in prescriptive texts, in which the wife could be described as the husband's helper or servant, which makes this phrase even more allusive.

And what about female friendship? Of course, there existed no such elaborate ideals of female friendship, but how could friendship between women be understood in relation to adultery?

### **4.3. Male Hatred Facilitates Adultery, Female Friendship Saves Marriage**

“Let us therefore striue who shall doe most dutie each to other, husband to wife, neighbour to neighbour;”

John Rogers<sup>129</sup>

Adultery could be used to negotiate the limits of neighbourly charity, both on the upper and lower end of the scale. In contrast to the *The Coxcomb* and *A Woman Killed with Kindness*, in the comic subplot<sup>130</sup> of *The Insatiate Countess* (1610),<sup>131</sup> co-authored by Lewis Machin and William Barksted, one of the actors who were later to appear in *The Coxcomb*,<sup>132</sup> (close) adultery is motivated not by too much friendship but by lack of charity, by malice. In other words, neighbourly strife is presented as threatening the individual’s domestic peace and the successful continuation of the marital union. This plot is set in Venice. The two neighbours Signor Claridiana and Signor Mizaldus are enemies. Their dislike of each other is rooted in long-standing neighbourhood conflicts between their families (the “hatred ‘twixt [their] grandsires first began”<sup>133</sup>) which also have religious undertones. Rogero, Count of Arsena and Massino, who yields this piece of information, attributes the conflict “to the folly of that age” and cautions that the hostility, if continued, might escalate into a full-blown feud between their families, that the “dissensions may erect a faction / Like to the Capulets and Montagues.”<sup>134</sup>

As the action begins, both men have just married. The joyful union of heterosexual

<sup>129</sup> Rogers, *A Treatise of Love*, 90f.

<sup>130</sup> The prominence of this plot is accentuated so that it might actually be called a second main plot. It is, for instance, the sole focus of the play’s closing scene.

<sup>131</sup> William Barksted and Lewis Machin finished the play in 1610 from a draft which John Marston had produced either around 1600 or 1608 (scholarly opinion differs). Cf. Wiggins (1998: xxxvi). All subsequent quotations from William Barksted and Lewis Machin [and John Marston], *The Insatiate Countess*, in *Four Jacobean Sex Tragedies* (Wiggins, M., ed., 1998), 1-73.

<sup>132</sup> This connection may be even more significant since it is the only Beaumont and Fletcher play for which “Will. Barcksted” is listed as actor in the 1679 folio. – The 1679 folio includes 51 plays, for 25 of which names of principal actors are given. “William Barksteed,” however, appears as the (sole) author only in the 1631 edition of the *The Insatiate Countess*. Of the two [?] preceding editions, the 1613 edition specifies “Lewis Machin, and William Bacster,” while the 1616 edition does not give any authors.

<sup>133</sup> Barksted & Machin, *The Insatiate Countess*, 1.1.183.

<sup>134</sup> Barksted & Machin, *The Insatiate Countess*, 1.1.184f. They are certainly not “two friends” as Pamela Allen Brown (2003: 45) suggests.

marriage and the larger sense of social cohesion and fraternisation which its celebration creates is contrasted with the two men's malevolent homosocial animosity. The two wives, Abigail and Thais,<sup>135</sup> however, are intimate childhood friends who have been "brought and bred up together; that have told one another all [their] wanton dreams, talked all night long of young men, [...], practised all the petulant amorousnesses that delights young maids."<sup>136</sup> Still, they have not told each other about their upcoming marriage. When both parties meet in the middle of their wedding processions, the husbands draw their swords, while the wives talk apart and reflect their new situation:

“ABIGAIL Well, wench, we have cross fates: our husbands such inveterate foes, and we such entire friends. But the best is, we are neighbours, and our back arbour may afford visitation freely. Prithee let us maintain our familiarity still, whatsoever thy husband do unto thee, as I am afraid he will cross it i' the nick.

THAIS Faith, you little one, if I please him in one thing, he shall please me in all, that's certain. Who shall I have to keep my counsel if I miss thee? Who shall teach me to use the bridle when the reins are in mine own hand? What to long for, when to take physic, where to be melancholy? Why, we two are one another's grounds, without which would be no music.”<sup>137</sup>

They kiss to “confirm [their] friendship”<sup>138</sup> against the animosity of their husbands. The ritual formation of a union between husband and wife during the preceding wedding ceremony, which may have involved kissing, is thus augmented by another bonding ritual: between female friends.<sup>139</sup> Moreover, the girlfriends' speech is littered with *double-entendre* allusions to homoerotic practices. The two friends agree to continue their relationship regardless of their husbands' opinions, which places the women's union outside the (new) sphere of

<sup>135</sup> The name *Abigail* is certainly more English than Italian, though, of course, Hebrew in its origins. *Thais*, however, has Greek roots. This may be another indicator of the problematic situation concerning the names of this play to which Wiggins (1998: xxv) draws attention. Apparently, Barksted and Machin, though not consistently, “swapped” Marston's original names “around” (ibid.). Though Wiggins does not mention any of the women's names to be affected by this confusion, considering its etymology, the name Abigail would have been more suited for the wife of a (former) Jew. Historically, Thais was the mistress of Alexander the Great, a famous Greek *hetaera*.

<sup>136</sup> Barksted & Machin, *The Insatiate Countess*, 1.1.201-6 and stage directions following 1.1.137.

<sup>137</sup> Barksted & Machin, *The Insatiate Countess*, 1.1.218-28.

<sup>138</sup> Barksted & Machin, *The Insatiate Countess*, 1.1.234f.

<sup>139</sup> It is not quite clear in how far ritual kissing was part of 17<sup>th</sup> century Anglican marriage ceremony. It certainly was not scripted in the official prayer books. Yet it had apparently been common in pre-Reformation England (Cressy, 1997: 338), and there is evidence that it was an element of ritual handfasting in Elizabethan and early Stuart times (Cressy, 1997: 273). David Cressy (1997: 341) concludes: “There was no official kissing in church, as there had been under the Sarum Missal, but customs of this sort were hard to obliterate as the ceremony moved quickly from religious to secular celebration.” The matter becomes even more complex considering that the play is set in Venice, where – obviously – Catholic customs would apply if consistency with the setting would be aimed for. Nonetheless, of course, the authors did not endeavour to portray the setting “realistically.” Cf. also Turner (2005: 87).

husbandly authority. Instead, female authority is presented as one of the aims of this clearly didactic relationship. The references to reins and bridles indicate that the women intend to (learn how to) gain a substantial amount of authority over their husbands. Much more than the marital bond, this relationship is envisaged as holistic, being grounded in trust and the mutual care of physical and mental well-being. Furthermore, their new status as next-door neighbours and the resulting spatial proximity allows female interaction and visitation with only minimal neighbourhood surveillance.

The rather gender-unspecific vow of the doctrinal marriage ceremony to “forsak[e] all other, and keepe [oneself] vnto him”<sup>140</sup> obviously does not apply to these two girlfriends. Considering that, as both socio-historical research and ritual studies have stressed, marriage was the rather drastic beginning of a new stage of life, that men and women entered a new world when they married, it is interesting that Abigail’s and Thais’ relationship is conceptualised as a continuation of earlier practices – in spite of and in direct contrast to the changes of status and living conditions which their marriages ensued. The slight tinges of female rivalry for suitable husbands have been overcome by their successful completion of their wedding ceremonies.

As in *The Coxcomb*, this is a case of a special friendship which tests the limits of purely abstract marital norms. For example, the wives have not entered marriage as virgins<sup>141</sup> and they have a tendency to dominate their husbands, all of which their friendship allows them to express freely. Especially Abigail is shown to have a strong-minded, independent disposition.<sup>142</sup> Her motto, following the proverb, “merry be and wise,”<sup>143</sup> brings back to mind the *Merry Wives of Windsor*’s claim that “Wives may be merry and yet honest, too.”<sup>144</sup>

Analogously, for the husbands, who both enjoy a rather bad reputation,<sup>145</sup> their new status apparently has not changed their attitude towards each other. When they meet right after their weddings, they immediately express their animosity in physically – and verbally – violent terms. Restrained and reproached by their respective wedding guests, they finally agree to reconcile publicly – only to secretly go about planning to cuckold the other straight away. The implicit possibility that their feuding fathers might have had the same idea and succeeded offers unsettling perspectives. In his new marital status each man recognises not so

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<sup>140</sup> Church of England, *The Booke of Common Prayer, and Administration of the Sacraments and Other Rites and Ceremonies of the Church of England* (London, 1604), S5.

<sup>141</sup> Cf. Barksted & Machin, *The Insatiate Countess*, 4.3.28-33.

<sup>142</sup> Among other things, she swears that no man on earth was worth giving one’s life for, and lives by the rule “Love well thy husband, wench, but thyself best.” 4.3.26 & 39.

<sup>143</sup> Barksted & Machin, *The Insatiate Countess*, 3.4.44.

<sup>144</sup> William Shakespeare, *The Merry Wives of Windsor* (Craik, T.W., ed., 1990), 4.2.94.

<sup>145</sup> Barksted & Machin, *The Insatiate Countess*, 1.1.181f.

much a possibility to increase his own reputation as a new weakness in the adversary.

“When I have ended what I now devise,” Claridiana muses in a soliloquy,

“Apollo’s oracle shall swear me wise:

Strumpet his wife, branch my false-seeming friend,

And make him foster what my hate begot:

A bastard, that when age and sickness seize him,

Shall be a corrosive to his griping heart.”<sup>146</sup>

The physical act of violence directed at the enemy’s body is thus transformed into a physical of seduction, penetration and impregnation directed at the enemy’s wife, his ‘extended body.’

The deportment of these characters appears to confirm the observation of social historians that adult manhood was understood as a competitive concept, “defined in terms of sexual assertiveness and performance, learnt, practised and displayed,”<sup>147</sup> not only towards women, but, importantly, towards men.<sup>148</sup> Through sexual assertiveness, Mizaldus and Claridiana plan to dominate over their enemy, yet they totally disregard their own positions as husbands.

While young, ‘practising’ bachelors may compete for status by seducing women of any marital status,<sup>149</sup> Mizaldus and Claridiana are now married men with numerous responsibilities which they neglect. They fail to display their manly sexual assertiveness at home and to protect their households. Though they outwardly – albeit reluctantly – show signs of neighbourly benevolence, they display no intention of leaving their bachelor existence behind and of adhering to the behavioural norms of the more cultivated, responsible manners of ‘honest,’ married householders. Like Falstaff, they write letters to their rival’s wife. Where Falstaff seeks to enrich himself and, consequently, to damage his rivals financially,<sup>150</sup> Mizaldus and Claridiana aim at the ruin of the reputation and the procreational health of their enemy’s family.<sup>151</sup> Transported into the realm of adult masculinity, the men’s feud even takes on a new level of significance within the micro-social struggles of their local

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<sup>146</sup> Barksted & Machin, *The Insatiate Countess*, 1.1.439-44.

<sup>147</sup> Fletcher (1999: 426).

<sup>148</sup> Dollimore (1986: 75).

<sup>149</sup> Male youths, i.e. bachelors, formed a social group which was associated with troublemaking on a number of levels. They are described as overly sexually potent, but also engaged in numerous other forms of breaking the peace. Cf. Shepard (2003: esp. 23-37; 93-126). Cf. also *The Coxcomb*, 1.3, 1.5 & 1.6. in which a group of young, drunk men roams about town at night, looking for fights and women, and, as has been noted above, even attempt to rape a young, innocent maiden. Cf. also Groebner (2003: 43): Youth Culture (gangs of young men making trouble) already existed in medieval cities, and mainly comprised middle class youths.

<sup>150</sup> The fact that Mrs Ford is rumoured to have “all the rule of her [rich] husband’s purse” (1.3.49f.), for example, is clearly an incentive for Falstaff to woo her.

<sup>151</sup> Cf. Claridiana’s vision of how the sorrow over having a bastard would plague Mizaldus in his old age and sickness (1.1.444f.).

community, where heads of households compete for offices, make politics and try to secure the economic survival of their businesses – Claridiana is an apothecary and Mizaldus speaks of himself as a merchant.<sup>152</sup> In addition, in this case, the validity of the prescriptive norms of neighbourliness across religious divides is drawn into question, as Claridiana is of Catholic denomination while Mizaldus is, arguably, “a baptized Christian of Jewish extractions who may have kept some Jewish habits but evidently wishes to conceal his ethnic background.”<sup>153</sup>

The animosity between Mizaldus and Claridiana spawns schemes of adulterous deceit. In contrast, the friendship between Thais and Abigail prevents the successful execution of their husbands’ plans, and also ensures that the men are sufficiently punished. Thus, ultimately, the ideals of neighbourly and marital harmony are confirmed, just as both are shown to be interrelated. The friendship of these women is exemplary of neighbourly care and love. If it tends to weaken the women’s devotion and obedience to their husbands, this is with good cause, considering the immorality of the Mizaldus’ and Claridiana’s plans. When each woman receives her suitor’s letter, they go to see each other in order to reveal everything and discuss a possible solution, which presents itself in the form of a bedtrick. Abigail tells Thais that she has baited Claridiana with the information that her husband will be absent this evening and with the promise that “he should enjoy, like a private friend, the pleasures of my bed.”<sup>154</sup> Thais is to do likewise and then the two women will swap places in each other’s houses – and beds. Abigail assures her friend, “I’ll be true to thee, though a liar to my husband.”<sup>155</sup> It is this adherence to the ideal of female friendship – which here takes precedence over the norm of wifely obedience – which ensures the preservation of the women’s honour and the integrity of their households. It is this *double or reciprocal deception* (the husbands deceive the wives, the wives deceive the husbands) which will rectify the wrongs planned by the men. Thus, ultimately, by being “a liar” to their husband, both women protect their marriages along with their own reputations.<sup>156</sup> This emphasis on the monogamous marital union and female friendship counteracts the play’s main plot of polyamorous, murderous female lust.

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<sup>152</sup> Cf. Barksted & Machin, *The Insatiate Countess*, 5.2.44.

<sup>153</sup> Wiggins (1998: 331). Though Wiggins does not advance it, there is a historical explanation for Mizaldus’ behaviour, as Venetian Jews, from 1516 onwards, were confined to live in the Ghetto. A character as socially aspiring as Mizaldus might thus choose to discard or conceal his origins in order to circumvent the heavy restrictions of ghetto life. This might be a small pointer to the ‘real’ Venice instead of the rather fictional Venice which serves as the play’s setting, if we wish to read it that way.

<sup>154</sup> Barksted & Machin, *The Insatiate Countess*, 2.2.41f.

<sup>155</sup> Barksted & Machin, *The Insatiate Countess*, 2.2.38.

<sup>156</sup> When the reputable Lady Lentulus gently admonishes “O, you’re a couple of trusty wenches to deceive your husbands thus,” Abigail defends herself and her friend: “If we had not deceived them thus, we had been trussed wenches” (4.3.6-9).

In a scene which emphasises the importance of cohesive, peaceful neighbourhood, Claridiana and Mizaldus end up being discovered in each other's houses in a compromising state. In the neighbourhood, the Duke's kinsman Mendosa has gone to woo the honourable widow Lady Lentulus, albeit not in a very honourable fashion: by secretly climbing her window at night. He falls down and is injured, and when the watch discovers him he remains silent about the circumstances of his accident to save the lady's reputation.<sup>157</sup> The guards search the neighbourhood for clues, discover Claridiana and Mizaldus in each other's homes and escort them out to the street to question them. Upon seeing each other, both men presume that they have been cuckolded by the other, and rather than to expose this fact they end up admitting to having murdered Mendosa.

“MIZALDUS Not so fast, gentlemen. What's our crime?

CAPTAIN Murder of the Duke's kinsman, Signor Mendosa.

CLARIDIANA *and* MIZALDUS Nothing else? We did it, we did it, we did it!”<sup>158</sup>

Unaware that their alleged victim is still alive, Mizaldus and Claridiana will thus go to prison on murder charges, face and suffer execution rather than be branded as cuckolds.<sup>159</sup> For the first time, they agree in something. To these characters, the dishonour of having murdered a man, a member of the gentry no less, obviously does not weigh as heavily as the dishonour of cuckoldry.<sup>160</sup>

The two elements of adultery/lust and murder which dominate the tragic main plot of this play, and which are taken to the catastrophic execution of the female protagonist there, are here reflected in a comic light, and yet the men's fate (in terms of a comic or tragic ending) appears far from certain. When they are brought to trial, Amago, the Duke of Venice, is inclined to show himself benevolent and save their lives,<sup>161</sup> but they will have none of it. “All the law in Venice shall not save me;” Mizaldus declares, “I will not be saved.”<sup>162</sup> Claridiana is not too eager to die, but he does not want to be outrivalled and called a coward,

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<sup>157</sup> When later questioned by Duke Amago he claims that he climbed Lady Lentulus' window in order to steal her jewels – a confession designed to protect the widow's reputation. Barksted & Machin, *The Insatiate Countess*, 4.1.130f.

<sup>158</sup> Barksted & Machin, *The Insatiate Countess*, 3.1.143-46.

<sup>159</sup> Although this play is set in Italy, in English towns and villages, Justices of the peace and constables were also entitled to deal with notorious occurrences of adultery and incontinence, as Martin Ingram (1987: 151) emphasises, “especially those discovered by search of suspect houses,” which, of course, refers more to alleged bawdy houses. In any case, an English audience might have reckoned that Mizaldus and Claridiana, by being discovered in each other's houses, were in danger of being subjected to a common law trial for their alleged sexual transgression. The sometimes draconian shaming punishments to which the common law treated sexual offenders would might not only have been highly unpleasant, but also damaging to their reputations.

<sup>160</sup> Barksted & Machin, *The Insatiate Countess*, 5.2.196-229.

<sup>161</sup> Cf. Barksted & Machin, *The Insatiate Countess*, 4.1.37f.

<sup>162</sup> Barksted & Machin, *The Insatiate Countess*, 4.1.39.



so he will not be saved either.<sup>163</sup> Instead, he vows: “Fear not, I have a trick to bring us to hanging in spite of the law,” to which Mizaldus replies that by these words he had forever proven his friendship.<sup>164</sup> Friendship, of course, is the last thing Claridiana wants. The men’s rivalry goes so far that they compete about who has killed Mendosa. The irony of the whole situation consists partly in the fact that both men claim to have killed the Duke’s kinsman, but in order to accomplish this together, they would have needed to cooperate, of which they are obviously incapable: “We shall never agree in a tale till we come to the gallows,” Mizaldus recognizes.<sup>165</sup> Consequently, both are sentenced to death by hanging, and when Amago decrees, “You hang together: that shall make you friends,”<sup>166</sup> quarrelling even breaks out over who gets to be hanged first.<sup>167</sup> Rivalry continues to the very end, exposing the ridiculousness of such quarrels, but also, beneath all the comedy, the fact that some rifts are too severe to be overcome. Instead of acting in accordance with normative ideals of household government, i.e. instead of taking responsibility for their families and households, both characters sit sulkily in prison, Claridiana “compiling an ungodly volume of satires against women” called *The Snarl*,<sup>168</sup> and ultimately let themselves be sentenced to death, abandoning their wives and possessions, well aware that the widows are likely to be left destitute because, by law, their property will be confiscated by the Duke.<sup>169</sup> It is only at the very last minute that Abigail and Thais disclose the whole background information to the Duke and thus prevent their execution.<sup>170</sup>

How is Abigail’s and Thais’ role in this whole scenario to be interpreted? In a way, their approach complies with the counsel which William Heale, charting out the (ecclesiastical and common) legal framework for these issues, gave his readers, namely, that it was not advisable for a wife to publicly speak up against her husband’s adultery, “though is were as open as the sun, and as odious as hate itself.”<sup>171</sup> Abigail and Thais do not publicly accuse their husbands, but operate secretly and successfully within their own private networks. Here

<sup>163</sup> Cf. Barksted & Machin, *The Insatiate Countess*, 4.1.93f.

<sup>164</sup> Barksted & Machin, *The Insatiate Countess*, 4.1.40-43.

<sup>165</sup> Barksted & Machin, *The Insatiate Countess*, 4.1.79.

<sup>166</sup> Barksted & Machin, *The Insatiate Countess*, 4.1.105.

<sup>167</sup> Barksted & Machin, *The Insatiate Countess*, 4.1.109-12.

<sup>168</sup> Barksted & Machin, *The Insatiate Countess*, 3.4.34f.

<sup>169</sup> Barksted & Machin, *The Insatiate Countess*, 5.2.89f.

<sup>170</sup> Another parallel to the *Merry Wives of Windsor*, only Mistress Ford and Mistress Page confess everything in the presence of both the parson Sir Hugh Evans, and their husbands.

<sup>171</sup> Heale, *An Apology for Women*, 26. These were indeed “hard impositions” as Heale (ibid.) himself pointed out, and there surely existed contrasting views on the subject, even among advice authors. William Whately, for example, cautioned that the capability of the spouse to forgive should be limited, and encouraged spouses to leave notorious, “irreformable” transgressors and make their sins to publicly known. Whately, *A Bride-Bush, or, A Wedding Sermon*, 2.

the neighbourly female communication and networking strategy, though scorned by Puritan commentators such as Robert Cleaver as ‘gadding from the house to prate,’ actually averts greater harm and, true to the designs of comedy, serves to teach the husbands a lesson. Some ideals of married femininity, then, are shown to be rather unpractical and potentially dangerous in times of crisis. That the wives wait so long to reveal their trick to the authorities, on the other hand, ensures the husbands’ punishment, and their last-minute clarification of the situation renews their husbands’ obligation towards them.

The friendship between Abigail and Thais is based on intimate exchange and sharing, yet, unlike Antonio, they draw a distinct line at sharing their husbands. In effect, their intimacy and sharing, in certain respects, specifically excludes their husbands. Yet, despite the fact that they are outspoken, self-confident women, they are not shrews who openly subjugate their husbands, and their exclusive friendship, in the end, is shown to have favourable rather than negative consequences for their marriages and for neighbourhood peace. They may be unconventional in their outspoken, self-assertive, sometimes bawdy demeanour, but through their friendship, both women teach their husbands a lesson in *conventional* neighbourliness and marital duties.

The play closes on the reconciliation of both couples (if not so explicitly on the reconciliation of the two men), which is an important statement for both cordial conjugality and neighbourliness. It is even more so as the main, tragic plot, from which the play derives its title, finishes a scene earlier with the nymphomaniac countess Isabella who has transcended all boundaries of monogamous marital unions, being executed in Pavia.<sup>172</sup> Her crime is clearly of a social – or rather *asocial* – nature: “Her lust,” as her judge, the Duke of Medina says, “would make a slaughter-house of Italy”<sup>173</sup> if she were kept alive. The comic subplot, on the other hand, resolves its crisis through marital reconciliation, which is linked to the restoration of harmony between the two feuding neighbours. Claridiana’s closing call for marital “jealousy,”<sup>174</sup> and thus for husbandly vigilance and authority, reconfirms husbandly responsibility, and plays down the threat from rival neighbours by emphasising that the danger of adultery emanates primarily from wives. The focus of both characters is thus redirected from each other towards their marriage and their wives. However, the wives have already demonstrated that they are willing and able to stay true to their husbands while the men, although they have learned a valuable lesson, are still not prepared to self-critically reflect their responsibility for their own adulterous plans.

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<sup>172</sup> Legal action thus pervades both plots.

<sup>173</sup> Barksted & Machin, *The Insatiate Countess*, 5.1.55.

<sup>174</sup> Barksted & Machin, *The Insatiate Countess*, 5.2.215-225.

The play's final stress on marriage and masculine reputation correlates with contemporary religious, moral-didactic discourses, whose focus on reconciliation in cases of both neighbourly strife and adultery, moreover, was pronounced.<sup>175</sup> Yet while guiding concepts for this spousal reconciliation, in the moral-didactic context, were love and charity,<sup>176</sup> Mizaldus' and Claridiana's acceptance of marital duties is based on stereotypical notions of female transgression (Pandora and her wantonness in opening her box, for instance, are mentioned<sup>177</sup>), and hence on mistrust. That this play, while emphasising marriage and husbandly responsibilities, closes on just such note of distrust of women's sexuality is dramaturgically consistent as it refers back to the main plot and Countess Isabella's libidinous, disastrous exploits. Men's jealous mistrust of women, however, as the next section will demonstrate, may not only result in strained conjugal relations, but also manifest itself as animosity on the homosocial level, in unneighbourly, antisocial behaviour.

#### **4.4. Jealousy Suspends Neighbourliness and Destroys Marriage**

The jealous mistrust of the wife is also a central concern in Edward Sharpham's comedy *Cupids Whirligig* (1616).<sup>178</sup> The play focusses on the jealous, older Sir Timothy Troublesome and his pretty young wife who is swarmed by suitors. In contrast to Claridiana and Mizaldus, Sir Troublesome takes his some of his husbandly responsibilities (the economic and moral ones) too seriously, yet this equally results in asocial, unneighbourly behaviour as he is inhospitable and suspicious of everybody who wants to visit him at home. His servant Wages judges that Sir Timothy keeps a "villanous house, as if twere alwaies Easter eue."<sup>179</sup> According to him, his master is an old miser who never puts good food on the table, practices bad hospitality, and underpays his servants. When Young Lord Nonsuch proposes to pay him

<sup>175</sup> Cf. Panek (1994: 358f.)

<sup>176</sup> Panek (1994: 358f.), Cf. William Perkins, *Of Christian Oeconomie, transl. by Thomas Pickering* (London, 1609), 119; Whately, *A Bride-Bush, or, A Wedding Sermon*, 2.

<sup>177</sup> Barksted & Machin, *The Insatiate Countess*, 5.2.216-229. Claridiana in his monologue also brings the play back full circle to its very beginning and the main plot where Isabella, the insatiate countess, in an aside expresses her relief to be freed from her jealous husband and her wish to pursue her pleasures more fully now that he is dead (1.1.42-64). In both speeches the images of marital jealousy, Argus eyes, unreliable female chastity, and Diana are evoked.

<sup>178</sup> Edward Sharpham, *Cupids Whirligig* (London, 1616). Written in early 1607 for the Children of the King's Revels – and thus originally designed for performance in private theatres such as Whitefriars, where the Children of the Revels were housed in 1607 and 1608. The play was first printed in 1607. The edition used here is the third edition. Cf. Kathman (2004a), Cathcart (2005: 358). *Cupid's Whirligig* is one of four original plays written specifically for the first Whitefriar's company, which, as Mary Bly has argued, share a similar texture; among them it is the only play of the Children of the King's Revels which can be securely said to have been single-authored. See Cathcart (2005: 360) and Bly (2000: ch. 2).

<sup>179</sup> Edward Sharpham, *Cupid's Whirligig*, D1<sup>v</sup> (act 2).

a visit, for instance, he does not react very kindly:

“*Young Lord*. Or else I were vnworthie of your loue, if I neglect the visitation of such kinde friends as your selfe and my deare Mistris.

[*Sir Timothy Troublesome*.<sup>180</sup>] Visitation! My Wife’s not sicke, what visitation? T’is I am ill, t’is the Horne-plague I haue; [...] O that I should be a Cuckold! a Creature of the last Edition, and yet of the olde print.”<sup>181</sup>

Occurring in the very first scene of the play, this interaction already indicates that the Troublesome household does not cater to the Christian standards of charity because of the householder’s mistrust of his wife and other men. Though Troublesome himself seeks to restrict the number of visitors to his house to a miserable minimum, his wife is a quite social and hospitable person. Lady Troublesome, a woman “composed of more than ordinary Female spirite,”<sup>182</sup> as she says of herself, is even forced to make excuses to another visitor, the Welsh courtier Nucombe:

“*Lady*. Syr, I am sorry that I cannot with that free scope of friendly Entertainment, giue welcome to your Worth, because a iealous spirite haunts my Husband, which doeth disturbe vs all.”<sup>183</sup>

Sexual jealousy is thus brought into opposition to neighbourly hospitality. Then again, Sir Troublesome’s suspicions are not completely unjustified. The fictionalised London, which is the backdrop of this play, may be straining the norms of neighbourliness, with so many bachelors (such as courtiers, soldiers, Inns-of-court men) on the loose chasing honourable wives, or in this case, Lady Troublesome. Also, the jealous knight married his wife “out of the Country”<sup>184</sup> when she was very young – we may suspect that there is a significant age difference which points to a mismatch, or at the very least calls up numerous stereotypes of ridiculous elderly husbands being unfit for young women; a laughing-stock stereotype which Sir Timothy will fulfil and carry to excess by having himself gelded in order to prove his wife’s infidelity in the case of pregnancy.<sup>185</sup> As it turns out during the course of the action, Lady Troublesome is utterly faithful to her husband, yet this is disregarded both by her manically jealous husband, and by the many suitors who seem to flock around her. If

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<sup>180</sup> Throughout the manuscript Sir Timothy Troublesome’s lines are prefixed by “*Kni.*” Here, however, the name is missing although the start of the speech is indented.

<sup>181</sup> Sharpham, *Cupid’s Whirligig*, [A4] (act 1).

<sup>182</sup> Sharpham, *Cupid’s Whirligig*, [A4<sup>v</sup>] (act 1).

<sup>183</sup> Sharpham, *Cupid’s Whirligig*, [A4<sup>v</sup>] (act 1).

<sup>184</sup> Sharpham, *Cupid’s Whirligig*, C (act 2).

<sup>185</sup> As the Old Lord Nonsuch, father to the Young Lord, remarks at the very beginning of the play, if women marry too young, they will only regret their choice afterwards (A3<sup>v</sup>). There are allusions that even before his ‘trick’ Sir Timothy has not quite managed to satisfy his wife’s needs in the marital bed department (B2 & C).

hospitality his problematical, is male friendship thinkable for a character like Troublesome? Curiously, it appears, albeit with biting sarcasm, in quite the same fashion we have encountered earlier, in which the sharing of a wife is imagined to forge a bond of friendship between men.

*“Knight.* Nay, nay, though I bee, yee may be friends again with me in spite of my teeth: for looke ye sir: my wife and I are but one and then though I fall out with you, you may fall in with her.

*Nuc.* Syr, I come not to offend your, nor -----,

*Knight.* Nay, nay, ye may, ye may yfaith, ye may, my wife is charitable, and would be glad by such meanes to make vs friends.”<sup>186</sup>

The wife’s “charity” here takes clear sexual connotations, and, again, the lover and the cuckold are imagined as “friends.” The gallant Nucombe, however, will not have Lady Troublesome thus insulted and draws his sword against her husband. This gesture of male potency visualises the underlying rivalry which, despite the allusions to friendship, had pervaded Sir Troublesome’s words. Lady Troublesome proves charitable indeed, speaking up for herself against her husband’s slander, and thus arbitrating between the men. A short while later, exasperated with her husband’s behaviour, Lady Troublesome tries to give him a taste of his own medicine by acting jealous, and the following dialogue ensues in which each spouse accuses the other of suspicious actions:

*“Kni.* Did not I find thee in priuate conference with my Horse-groome?

*La.* Didst thou not offer thy Mayd a newe Gowne, for a Nights-lodging?

*Kni.* Didst not thou giue a Diamond to the Butler?

*La.* Didst not thou send a bowd Angell to thy Laundresse Daughter?

*Kni.* No, tis false.

*Lad.* Yes, tis true, and then when I tolde thee on’t, thou swarest twas out of charity, because the Wench was poore, her Father an honest man, her Mother a painefull woman ...”<sup>187</sup>

All these actions are slightly exaggerated compared to the normal, everyday, business and charitable interaction between members of a household.<sup>188</sup> What this passage makes clear, though, is that charity itself could be suspicious; if someone was too charitable (or too little), too *kind*, one could be suspected of ulterior motives. In this case, this concerns rather overtly

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<sup>186</sup> Sharpham, *Cupid’s Whirligig*, [A4<sup>v</sup>] (act 1).

<sup>187</sup> Sharpham, *Cupid’s Whirligig*, B2<sup>v</sup> (act 1).

<sup>188</sup> The “conference” with the horse-groom is an arguable case, but the stress here is on the notion of “private,” which suggests a rather secretive, suspicious activity.

hierarchical acts of giving material support to inferiors, which are related to everyday economic relations and interactions. The ostensible unidirectionality of charity is thus continuously pervaded and undermined by allusions to the reciprocity of common economic exchanges. Especially if gender was a salient category within these exchanges, their altruistic unidirectionality seems to have been easy to draw into question.

When Sir Timothy realises that he has helped a suitor in disguise gain entrance to his house and privacy with his wife, he is furious. Lady Troublesome and the Young Lord Nonsuch appeal to the Christian values of charity and pity to calm him down, but Sir Timothy will have none of it.

*Lad.* Nay good Husband, for pittie sake heare me.

*Kni.* Talke not of pitie, pitie is deafe, and cannot heare the poore mans crie, much lesse a strumpets.

*Lor.* For charitie heare me.

*Kni.* Charitie is frozen, and benumb'd with cold, it cannot helpe thee, doest kneele? To the heauen's not to me: ye they loooke [sic] thy heart should stoope, and not thy knee.

Doest weepe, doest? Rise, rise, thou strumpet, goe out of my sight, in, in."<sup>189</sup>

Obviously, such values are corrupted by both jealousy and actual adultery. Though adultery may be constructed as generated through excessive charity towards guests and friends, it may correspondingly be connected to a lack of friendship and charity between spouses. The Troublesome's marriage is generally devoid of notions of marital charity and loving care, as Sir Timothy, hard driven by his humours, will spout misogynist defamations most of the time, and fly to exaggerated praise of female chastity when, for a short period, convinced of his wife's faithfulness.

Both the lack and the excess of charity between men may bring forth adultery, as *The Insatiate Countess* and *The Coxcomb* have indicated. In *Cupid's Whirligig*, it is predominantly the absence of charity between the two spouses which evokes jealousy and hence the allusions to adultery. These tensions are only resolved at the end of the play through the intervention of higher powers. Sir Timothy, who, although still married to his first wife, had intended to wed young Peg in a masked wedding ceremony involving several couples, ends up remarried to his original (masked) wife. Fate has thus reaffirmed their union. Sir Troublesome utters an astonished "What now, remarried?" and nothing is heard of him and Lady Troublesome any more on this matter. Sir Troublesome is not publicly ridiculed or scorned for his foolishness. With the rest of the characters paired off correctly, too, communal harmony is fully restored

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<sup>189</sup> Sharpham, *Cupid's Whirligig*, D3<sup>v</sup> (act 2).

so that the play can close on a reconciliatory note: “And thus in friendship endes long iealous strife, / With all things well, saue Wages [the only character left single] wants a Wife.”<sup>190</sup> Marriage, earlier the motor for jealous tension and neighbourly strife, now serves as the remedial social cohesive. Yet, just like in *The Coxcomb*, the happy ending of this play, too, is overshadowed: by the prospect of how a marriage between a rather foolish eunuch and an able, young woman will progress in the future. Clearly, *Cupid’s Whirligig*, through negative example, advertises a harmonious, friendly relationship between husband and wife. But to which extent was the concept of friendship conducive to a harmonious marriage?

#### **4.5. Friendship as a Model for Marriage?**

Earlier, I discussed the boundaries of charity and hospitality with reference to *The Coxcomb* where excessive male friendship jeopardized marriage. Friendship, in humanist and Protestant discourse was paralleled to marriage. William Heale hailed friendship between the spouses as the “nearest of any friendship,”<sup>191</sup> and the *Homily on the State of Matrimony* propagated it as the basis of a good marriage?<sup>192</sup> Could high ideals of friendship serve as a model for marital relations in practice? A commentary to this question to be found in Richard Brome’s *A Mad Couple Well Match’d* (1638-9, published 1653), “one of the period’s most radical re-examinations of sexual relations within the gentry [and middling-sort, V. P.] household.”<sup>193</sup> Here, the concept of friendship does not serve to cement this union, but rather dislodges marital hierarchies. Thomas and Alicia Saleware, shopkeepers of London, decide to treat their relationship in terms of friendship. The fact that, although characters of a sub-plot, the title “mad couple” may very well refer to them, too, already indicates the critical perspective from which their actions are presented. Mistress Saleware is ambitious and sick of the “courser habit”<sup>194</sup> of a shopkeeper’s wife. The lifestyle her husband can provide for her, though “a gentleman born,”<sup>195</sup> is not enough. Her desire is “to appeare more Courtly,”<sup>196</sup> which she presents to her husband as an advertisement strategy for their shop.<sup>197</sup> She earns money and

<sup>190</sup> Sharpham, *Cupid’s Whirligig*, [K4<sup>v</sup>] (act 5).

<sup>191</sup> Heale, *Apology for Women*, 43.

<sup>192</sup> Church of England, *Homily on the State of Matrimony* (Davis, L., ed., 1998), 24.

<sup>193</sup> Butler (2007: unpag.).

<sup>194</sup> Richard Brome, *A Mad Couple Well Match’d*, in *Five New Plays* (London, 1653), B-H2, cit. [C7]. Though the play was only printed in 1653, at a time when theatres had been closed, it may have been staged as early as 1639. It was adapted for the Restoration stage by Aphra Behn.

<sup>195</sup> Brome, *A Mad Couple Well Match’d*, E3<sup>v</sup> (act 3; I follow the subdivision of the original, only the fourth and fifth acts are subdivided into individual scenes).

<sup>196</sup> Brome, *A Mad Couple Well Match’d*, [C7] (act 2).

<sup>197</sup> Brome, *A Mad Couple Well Match’d*, [C7<sup>v</sup>] (act 2).

goods to achieve this outward change in status by selling herself to well-situated customers. Conjugal reciprocity is thus disturbed by the wife's social aspirations to leave her husband and his life-style behind. Her husband suggests that they should call and treat each other like friends: "Troth, and I'le call thee friend, and I prethee, let that be our familiar and common compellation: friend it will sound daintily, especially when thou shalt appeare too gallant to be my Wife."<sup>198</sup> Saleware is "very much taken" with his idea.<sup>199</sup> However, it becomes clear almost immediately that the concept of marital friendship, which, as we have learned, was a rather normative idea advanced by prescriptive discourse, in this case does not increase conjugal harmony. It can be (ab)used by one partner to make immoral and self-serving decisions. Mistress Saleware reminds her husband that, as a friend, she is not accountable to him; he has no right do ask her where she is going, what she is doing, and when she will return. Even if she stays away all night, she admonishes, "you cannot be a faithfull friend and aske mee where, or in what company, friendship you know allowes all liberty."<sup>200</sup> Though, in Saleware's case this reliance on friendship may be rationally explained as an attempt to reintroduce reciprocity into the spousal relationship in the face of increasing social separation, the play presents it as a symptom of contemptible masculine weakness. It ultimately only supports the wife's independent and immoral ambitions. Alicia conceptualises the liberty of friendship as a contrast to the yoke of marriage.<sup>201</sup> Such a concept of friendship is clearly counter-productive to marriage rather than serving as its basis. While wives are accountable to their husbands, friends, who are bound by fewer obligations, are not required to report to each other. Saleware, who realises he has a very witty wife, follows the advice of conduct book authors not to be bitter with her,<sup>202</sup> "not with Gall" to "temper" her, but to guide her "sweetly," with cleverness, or "wit-all."<sup>203</sup> *Sapientia mea mihi, stultitia tua tibi* therefore, is his motto, and he refuses to be jealous, like Antonio in *The Coxcomb* setting out to achieve something exceptional in the name of friendship.<sup>204</sup> Again, the application, or literalisation, of prescriptive discourse is shown to have quite norm-shattering consequences as Alicia Saleware uses the freedom of friendship to her full advantage – and her husband looks

<sup>198</sup> Brome, *A Mad Couple Well Match'd*, [C7] (act 2).

<sup>199</sup> Brome, *A Mad Couple Well Match'd*, [C7] (act 2).

<sup>200</sup> Brome, *A Mad Couple Well Match'd*, [C7<sup>v</sup>] (act 2).

<sup>201</sup> For the motive of the "captivity of Wetlock" cf. Brome, *A Mad Couple Well Match'd*, D4<sup>v</sup> (act 3).

<sup>202</sup> Col. 3:19, "Husbands love your wives, and be not bitter unto them," is a recurring motive in conduct books. It is the motto of William Heale's *An Apology for Women*, and it is cited, for instance, in Robert Cleaver's *A Godly Form of Household Government*, 97, where it is listed in second place of all the husband's duties, and in William Whately's *A Bride Bush Plainely Describing the Duties Common to Both, and Peculiar to Each of Them* (London, 1623), 101f.

<sup>203</sup> Brome, *A Mad Couple Well Match'd*, [C8] (act 2).

<sup>204</sup> Cf. Brome, *A Mad Couple Well Match'd*, F4 (4.3), H (5.2). Saleware has been compared to the complacent cuckold in Dekker's *The Honest Whore, Part One*. Cf., for one early example, Andrews (1913: 107).



ridiculous. When she returns a day – and a night – later, she is dressed richly like a lady so that Saleware hardly recognises his “Friend-wife.”<sup>205</sup> When he attempts to talk to her about her new clothes, suspecting quite rightly where they come from, she refuses to tolerate his “impertinent inquisitions:”

“Did you not Covenant with mee that I should weare what I pleased, and what my Lord lik’d, that I should be as Lady-like as I would, or as my Lord desir’d; that I should come, and go at mine own pleasure, or as my Lord requir’d; and that we should alwayes be friends and call so, not after the sillie manner of Citizen and Wife, but in the high courtly way?”<sup>206</sup>

As this passage indicates, while the husband takes the position of a friend who has no authority over the wife, the new lover takes over the position as the man whose wishes determine Alicia Saleware’s actions. That this system of pimping and whoring is described as “courtly,” is reflective of the play’s recurrent accentuation of the defective morals of gentlemen. Saleware’s lack of jealousy or vigilance in this context is clearly symptomatic of a marital breakdown, especially as it coincides with his complacency in letting his wife have her way under the banner of friendship.

Does the example of the Salewares draw attention to the dangers of an egalitarian concept of household government and industriousness? The point, rather, seems to be the practised abuse of a rhetoric of marital reciprocity and (near) equality. Alicia Saleware is precisely not interested in truly cooperating with her husband for the common good of both partners, but egotistically is concerned about her own wealth and status only. This is further illustrated by the way she abuses the concept of conjugal friendship to cuckold her husband. The character of Saleware, on the other hand, directs attention towards husbandly responsibility. This is highlighted by the conclusion of the plot when Saleware directs his marriage back onto a normative course. “But by your favour friend,” he urges, “we will be friends no more, but loving man and wife henceforth.”<sup>207</sup> The “citizen merchant wittol”<sup>208</sup> himself has apparently learned his piece. Alicia, having accepted the counsel of her ex-lover Lord Lovely to “love [her] husband, giving him no cause / Of feare or jealousy,” answers: “That shall be as you please.”<sup>209</sup> As the woman’s consent is central,<sup>210</sup> masculine authority is

<sup>205</sup> Brome, *A Mad Couple Well Match’d*, E4 (act 3).

<sup>206</sup> Brome, *A Mad Couple Well Match’d*, [E5<sup>v</sup>] (act 3).

<sup>207</sup> Brome, *A Mad Couple Well Match’d*, H (5.2.).

<sup>208</sup> Clark (1997: 35).

<sup>209</sup> Brome, *A Mad Couple Well Match’d*, H (5.2.).

<sup>210</sup> The importance of the woman’s consent is highlighted in the conclusion of another plot, in which Carelesse’s mistress Phebe marries Carelesse’s servant Wat after Lady Thriwell has supplied one hundred pounds towards her dowry under the condition of her consent; and in which the widow Crostil chooses and

nominal rather than ultimate. To her husband's performance of normative 'husbandhood' by evoking the normative code of marriage as a loving union, Alicia reacts with a performance of normative 'wifeness.'

Lack of husbandly jealousy and vigilance, as ridiculed in comedy, could clearly be viewed as indicative of marital breakdown. Claridiana's and Mizaldus' final statement for husbandly jealousy and responsibility in caring for one's household runs to the same effect. From the point of the didactic drive of comedy, it is only consistent that Saleware, though he cannot be persuaded to be jealous, renounces friendship with his wife. Marriage, the Saleware plot demonstrates, can only function if both partners accept their respective roles and positions. A good marriage is based on love, which surely includes elements which may be covered by the term 'friendship,' but to reject one's role of husband and wife completely in favour of other concepts is to endanger household integrity. The problem with 'friendship' here seems to be that it is an emotive concept unrelated to household matters so that it does not serve to allocate and justify a distribution of domestic roles and duties. Friendship may be used to describe the emotional basis of marriage, the mutual support and help which the spouses promised each other at marriage, but it could not differentiate sufficiently to connote individual, gendered roles. 'Friend' and 'friend' are equal, undifferentiated even in terminological respects, but the relationship between 'husband' and 'wife,' as shall be seen in the next chapters, was much more complex.

#### **4.6. Neighbourliness v. Marital Duties: Conclusions**

In *The Coxcomb*, the ideal of friendship between male characters is glorified and overstated in order to justify the sharing of wives. *The Mad Couple*, on the other hand, offers an ideal of friendship within marriage which is equally marked as something elevated in status, as 'courtly,' but which is presented as something equally deluded. In its exceptionality, it is used to 'justify' the dissolution of the covenant of marital chastity. Even though the plays themselves certainly exaggerate for dramatic and comic effect, what they point to is that high ideals of both marital and neighbourly friendship may be unsuited for practical realisation in everyday married life. Both homosocial and heterosocial models of friendship may thus become problematic if they result in a disregard for marital duties. On the other hand, the overpronunciation of marital chastity and exclusivity, as indicated by *Cupid's Whirligig*, could

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practically marries herself to Carelesse.

be connected to a generally anti-social attitude, i.e. to unneighbourly mistrust and jealousy. In the comic plots examined thus far, female friendship appears to be much more benign and unproblematic than male or heterosocial friendship and its opposites, hatred and jealousy. However, a certain competitive tension between marriage and female friendship remains palpable even in the characters of Thais and Abigail. The demands of neighbourliness and friendship thus might clash with marital duties, and it was a matter for each and every individual couple to negotiate where to draw the exact lines between preserving conjugal integrity and investing in (equally indispensable!) relations of friendship and neighbourliness. Adultery was one important marker that this line had been crossed.

Adultery, as constructed by a wealth of early modern texts, discourses and social interactions, was a social transgression. It was given its full social significance through the (inter)actions of both male and female neighbours who generated the meaning of adultery, for instance by acting as witnesses. In popular literature and (comic) theatrical performances, the practical implications and limits of abstract social norms of hospitality, charity and friendship in the context of marriage, for both husbands and wives, were tested. Abstract ideals of love and friendship are thus repeatedly weighed against actual performances of marital and neighbourly love and disharmony. Adultery is a significant component in this process in order to identify and negotiate the limits of normative concepts. As a heterosexual affair, adultery also highlights that gender is a problematic category in neighbourly, charitable exchanges.

The boundaries of acceptable neighbourly behaviour were explored again and again in different texts and contexts. By presenting adultery as as symptomatic both of excessive and of lacking charity and friendship, the texts examined above ultimately argued for a balance between caring for one's neighbour and caring for one's own household and marital union. Significantly, the texts discussed above overwhelmingly place the blame for adultery or adulterous designs on husbandly social incompetence. Moderation, the right measure, connected to the old virtue of temperance, especially of the husband, is shown to be crucial to both marital and social success. The common proverb "Love thy neighbour, yet pull not down thy hedge,"<sup>211</sup> focuses on this issue. Importantly, here, neighbourliness – and its boundaries – are conceptualised in spatial terms. The spatial dimensions of neighbourliness and adultery (as its transgression and ultimate consequence) will be discussed in the next chapter.

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<sup>211</sup> Cf. John Howell, *Paroimiographia* (London, 1659), therein: *English Proverbs Rendred into French, Italian and Spanish*, 3.

## 5. Household I: Spaces of Adultery

*“Witnesses to illicit sex paid a particular attention to the domestic geography of adultery.”*

Laura Gowing<sup>1</sup>

The boundaries of neighbourliness will remain an important issue throughout this chapter, albeit in more spatial terms. We will explore how the meaning of adultery can be brought forth through the generation of certain kinds of spaces and references to certain spatial markers. Yet, this chapter will not be concerned with the spaces most easily associated with sexual ‘incontinence’ such as alehouses or, of course, brothels. Instead, domestic spaces will be at the centre of interest.<sup>2</sup> Because domestic space was conceptualised as the symbolic pinnacle and lived centre of the marital union, it could also become the most significant site for sexual transgression. As shall be seen, performances of adultery often turn on the permeability of domestic space(s) and thus negotiate the limitations of both the public and the domestic domain. In this sense, the discussion of adultery in the texts treated below can be read as a prefiguration of the debate on privacy which would gather momentum towards the end of the 17<sup>th</sup> century.

Performances of adultery thus offer a medium to scrutinise the normative construction of domestic space(s), their nature and functions, both internally, and as part of the larger neighbourhood. The previous chapters have indicated that adultery was used to negotiate the limits of neighbourliness, and thus of domestic openness. However, as this chapter will show, performances of adultery could also be functionalised so as to draw attention to the dangers of the converse process of domestic enclosure. Although, in the following, the processes of the construction of spaces – for instance the question how exactly particular spatial formations are generated or modified in order to convey transgressive meaning – will be touched upon, the discussion below will set a greater focus on the nature of spatial authority, i.e. the (im)possibility of governing household space completely. Adultery here involves not only the conquest of the body of somebody else’s spouse, but also a struggle for certain spatial rights. This chapter, therefore, in certain respects, continues the previous discussion, but also introduces aspects of household government which will receive closer attention in the following chapter. After some introductory remarks on modern theoretical approaches to

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<sup>1</sup> Gowing (1996: 269).

<sup>2</sup> For a discussion of the alehouse as a sort of “home away from home,” particularly for youths, vagrants and the poorer sections of society, see Fumerton (2002: esp. 494-97).

spaces as well as on early modern conceptualisations of the space(s) of the household, this chapter will examine how adultery marked both the very core of conjugal household space and its borders, its outer limits.

### **5.1. Household: Enclosure or Theatre?**

*“The walls of the household were as much a threat to order as a safeguard of it.”*

Laura Gowing<sup>3</sup>

The following will be an exploration of early modern domestic spaces as represented, for instance, by Gervase Markham’s model of a “plaine country mans house” below. I do not wish to overemphasise the representativeness of this house. Contemporary housing styles clearly varied significantly, not only according to social rank and/or profession, but also regionally. Still, Nicholas Cooper suggests that Markham’s readers would have been very familiar with this sort of house because it was widespread.<sup>4</sup> As the title suggests, this is a model of an everyman’s *country* house.<sup>5</sup> The fence and gate construction suggests a closing off of the house’s front against the street or footpath which would have run by the premises. Gates, however, could be left open during daytime to further traffic both into and out of the house, with the great hall at its centre. In addition, the significance of windows, even in this model, should not be underestimated. Significantly, the room “C,” despite being described as an “inward closset within the Parlor for the Mistrisses vse,”<sup>6</sup> has a window facing East, towards this street. Though this model can convey an impression of the domestic spaces we will be dealing with, we shall see in the following that the household was much more than a mere assembly of different rooms. The actions of its inhabitants were decisive in generating and shaping domestic space. Moreover, as the following discussion will show, not the individual rooms themselves are central to generating both domesticity and adultery, but rather the liminal structures surrounding and separating these rooms, such as doors, windows, and even walls.

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<sup>3</sup> Gowing (2003: 33).

<sup>4</sup> Cooper (2002: 292).

<sup>5</sup> Markham makes some suggestions as to how it could be easily transformed to suit the decorative needs of “men of dignity” such as rich yeoman farmers or lesser gentry, yet he refrains from elaborating here, pointing out that the scope of his book “tendeth onely to the vse of the honest Husbandman, and not to instruct men of dignity” ([A4<sup>v</sup>]). The general outline of rooms, as Cooper has indicated, is thus also comparable to a gentleman’s house. Cf. Cooper (2002: 292).

<sup>6</sup> Gervase Markham, *The English Husbandman* (London, 1613), B.

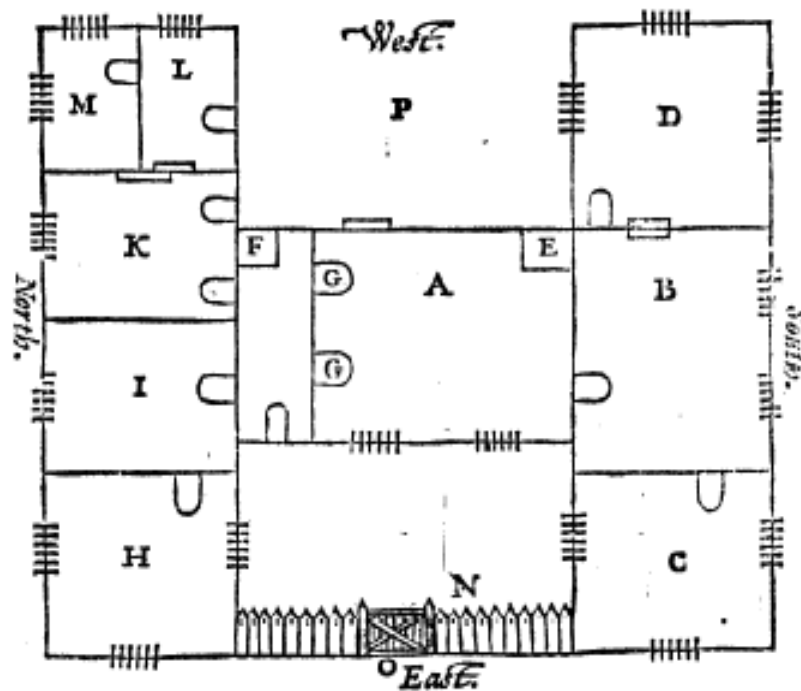
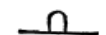
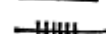



Illustration 1: Model of a Plaine Country Mans House,  
Gervase Markham: *The English Husbandman* (London, 1613),  
[A4<sup>v</sup>].

Markham's legend:<sup>7</sup>

- "A. Signifieth the great hall.
- B. The dining Parlor for entertainment of strangers.
- C. An inward closet within the Parlor for the Mistrisses vse, for necessaries.
- D. A strangers lodging within the Parlor.
- E. A staire-case into the roomes ouer the Parlor.
- F. A staire-case into the Good-mans roomes ouer the kitchin and Buttery.
- G. The Skreene in the hall.
- H. An inward cellar within the buttery, which may serue for a Larder.
- I. The Buttery.
- K. The kitchin, in whose range may be placed a bruing lead, and conuenient Ouens, the bruing vessels adioyning.
- L. The Dairy house for necessary busnesse.
- M. The Milke house.
- N. A faire lawne pale before the formost court
- O. The great gate to ride in at to the hall dore.
- P. A place where a Pumpe would be placed to serue the offices of the house [the backyard of the house is also called the "inward dairy and kitchen court" *ibid.*]

-  This figure signifieth the dores of the house.
-  This figure signifieth the windowes of the house.
-  This figure signifieth the Chimnies of the house."

<sup>7</sup> Markham, *The English Husbandman*, B.

Simon Morgan-Russell observes that “few investigations have considered that the adulterous liaison requires a space for its performance.”<sup>8</sup> In his study of Otway and Restoration domestic architecture, he sets out to rectify this oversight by examining how adultery is shaped or determined by the physicality of its locus, how adulterous acts configure space, and, importantly, how the spatial structures of adultery interact with the discourses of public and private space in the domestic environment.<sup>9</sup> This chapter will work along similar lines. Narrative and gestural constructions of sexual transgression, both in popular culture and in legal contexts, I will argue in the following, equally foregrounded and functionalised spatial markers. In other words, the generation of transgressive space was perceived as constitutive of adultery.

It is undisputed that human beings shape space, and that spaces and localities structure the actions, even the identity, of human agents.<sup>10</sup> For instance, recent research on space and place has shown that “one’s physical location within a specific locale or geography informs the subjectivity constructed therein; space is not just a backdrop for the subject, it helps to constitute the subject and her desires.”<sup>11</sup> There is thus a strong interaction, interdependence, even, between agents and space. According to the sociologist Martina Löw, “*space is a relational ordering of social goods and (human) beings in places.*”<sup>12</sup> Spaces are created through the two continuous and inter-reliant processes of spacing (building spatial structures, but also placements of objects and people) and synthesis.<sup>13</sup> This could be visualised in the form of a circling spiral since both processes influence each other. Spacing concerns the placement of material objects and people as well as their interactions in a certain locale.<sup>14</sup> Synthesis, on the other hand, as I understand it, is conceptualised from the perspective of the observer who has to group objects, people and actions together into (partly preconfigured) images of spaces. The outcome of this synthesising process, however, will encourage the ‘observer’ to act in certain ways. This, again, is a form of spacing, which affects subsequent processes of synthesising.<sup>15</sup> This means that certain actions in certain

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<sup>8</sup> Morgan-Russell (1998: 347).

<sup>9</sup> Morgan-Russell (1998: 347).

<sup>10</sup> Cf. for instance Traub (2002: 62); Gans (2002: 329). Gans (ibid.) cautions that space “almost never has total and direct causal power, and then functions as an intervening causal variable.” Cf., however, Gieryn’s (2002) criticism of Gans.

<sup>11</sup> Traub (2002: 62), drawing on Lefebvre, among others.

<sup>12</sup> Löw (2001: 212, italics original), this and the following my translation.

<sup>13</sup> Löw (2001: 158ff.) In her emphasis of the significance of social interaction for spatial constructions Löw is influenced by Giddens.

<sup>14</sup> Placement means both the order which is created by spaces as well as the process of ordering. Löw (2001: 166).

<sup>15</sup> Cf. Löw (2001: 228f.). Again, this is similar to what Michel de Certeau states about the determination through subjects and the determination through objects in stories and the “passages back and forth” between

places will be perceived in preconfigured ways, hence the resulting acts of synthesising will generate institutionalised or habitualised spaces.<sup>16</sup> Hence, for example, if you have come to the conclusion that you are in a kitchen, you will behave as you think is proper for a kitchen, and the more you ‘perform’ the kitchen it will actually *be* a kitchen. On the other hand, if you start using what might have been a kitchen as your bedroom, it will gradually *become* a bedroom. Spaces, in other words, are at once performance spaces and performed spaces. Central to this definition, consequently, is the *processual* nature of spaces and their reliance on (human) agents.<sup>17</sup>

Russell West has remarked upon the very same processes in the context of Jacobean stage performances by employing, among else, Peter Brook’s conceptualisation of stage space, which suggests “[t]hat space is constructed and given meaning by the set of relationships and human interactions which constitute it.” Moreover, “the spatial configurations of the Jacobean theatre,” West says, “suggest that space is made to signify, becomes meaningful, by the ways it is constituted in the very act of performance.” He underlines this by pointing to Styan’s observation that “when a character, having identified a location by his presence on stage, makes his exit, the location exits with him.”<sup>18</sup> But there is more: one might go so far as to say that it is only because the constitution of spaces *per se* is dependent on the interactions and relationships of agents that we can even *recognise* (i.e. in Löw’s diction *synthesise*) the fictional spaces which are produced on stage as such. The Elizabethan and early Stuart theatre, in particular, with its scarcity of stage design, seems to emphasise the fact that spaces are brought into existence primarily through (inter)actions of bodies.<sup>19</sup> Space, one could thus say, is a product of social interaction.<sup>20</sup>

Spaces of adultery were shaped by secretive gestures of illicit physical intimacy between members of opposite sex. This construction of an (overly) intensified privacy is particularly interesting to trace in the domestic environment, which would come to be viewed as the very core of privacy itself.<sup>21</sup> The spatial codification of certain interactions might determine their legitimacy. Thus, Laura Gowing has noted that “[w]itnesses to illicit sex paid

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them. Cf. de Certeau (1984: 118).

<sup>16</sup> It is thus possible, with Louis Marin (1991: 171) to speak of a dialectic at play between *space*, *place* and *event*.

<sup>17</sup> Cf. Marin’s (1991: 170f.) definition of spaces, drawing heavily on de Certeau, as “effects of movements” in contrast to places as more static constructs.

<sup>18</sup> Cf. West (2002: 29). West (ibid.) reconceptualises dramatic action *per se* as “the interaction of various spaces.”

<sup>19</sup> Those bodies, of course, would carry spatial markers, for instance in their costumes and accessories. Cf. West (2002: 29).

<sup>20</sup> Cf. Postles (2004: 65), Unwin (2000: 18); ultimately, this argument goes back to Henri Lefebvre’s concept of the ‘production of space.’

<sup>21</sup> Cf. Turner, D. (2002: 157-165).



a particular attention to the domestic geography of adultery.”<sup>22</sup> Consequently, the question which presents itself with respect to the spatial conditionality of adultery is not only in which localities adultery could (typically) occur, but how spatial formations of secrecy and privacy were constructed in order to convey the meaning of adultery.

“Disputes of sex and marriage,” Laura Gowing indicates, “were centrally concerned with the spatial organization of the household.”<sup>23</sup> Adultery thus affected the spatial construction of the household.<sup>24</sup> But how was this (ideal) household constructed in the first place? The formation of a marital union entailed a specific spatial (re)configuration. As marriage created the common body of husband and wife, it also created the body of the household, the common – and prescribed – dwelling place of both spouses. That marriage and household were inseparably interlinked concepts was highlighted in household advice literature: “He that hath no wife, hath no house,” claimed William Austin, possibly in response to the contemporary misogynist pamphlet *Hic Mulier* (1620).<sup>25</sup> He stressed that the status of being a householder was depended on marital status: those who lost their wives “must marry *again*, or be counted no *housekeeper*.”<sup>26</sup> Despite the gain in status for both parties, the establishment of the marital home resulted in a spatial constriction, which could be framed as a reduction of personal spatial freedom. The Puritan divine William Whately, for instance, pointed out that

“the married man or woman may not abide or dwell where each of them pleaseth, but they must haue the same habitation as one bodie. I deny not, that the seruice of the country, and needfull priuate affaires, may cause a iust departure for (euen) a long time: but a wilfull and angry separation of beds or houses must not be tollerated.”<sup>27</sup>

Married persons were obliged to cohabit with their spouse.<sup>28</sup> Moral didacts like William Perkins, Dudley Fenner, Matthew Griffith and William Gouge described dwelling together as one of the crucial duties of husbands and wives, articles of visitation urged churchwardens to detect separated couples, and church courts could order spouses to resume cohabitation. To

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<sup>22</sup> Gowing (1996: 269).

<sup>23</sup> Gowing (1996: 269).

<sup>24</sup> Cf. also Gowing (1996: 197).

<sup>25</sup> William Austin, *Haec Homo Wherein the Excellency of the Creation of Woman is Described by Way of an Essaie* (London, 1637), 58. Though only published posthumously in 1637, the essay is probably an early work, possibly written about 1620. Cf. Hunt (2008: unpag.).

<sup>26</sup> Austin, *Haec Homo*, 58. This was not a new trope, since Austin was in fact quoting Cornelius Agrippa. Austin’s parallelisation of woman and house is even more far-reaching, as he argues that “The woman, therefore, being [*aedificata*,] [an argument, Austin picks up from Isidor, V.P.] and builded after the manner of a house, must have and retain some *qualities* of an house also.” Austin, *Haec Homo*, 56f.

<sup>27</sup> Whately, *A Bride-Bush or a Wedding Sermon Compendiously Describing the Duties of Married Persons* (London, 1617), 3. Austin, too, stressed that husband and wife must dwell together. Austin, *Haec Homo*, 58.

<sup>28</sup> Cf. 1 Peter 3:7.

live apart without a lawful separation order was a criminal offence.<sup>29</sup> Part and parcel of marital cohabitation was the fulfilment of the ‘marital debt,’ the mutual sexual obligation between the spouses, or “due benevolence,” which was described as one of the main remedies of adultery.<sup>30</sup> Consequently, this sexual intimacy (and mutual obligation) was an important constituent of a couple’s conjugal domestic space.

Domestic spaces were governed spaces as spouses lived in hierarchical relationships with each other, their children and servants. The household was an economic space of production as husband and wife would work together to earn the family’s subsistence, but, simultaneously, it was a space of consumption.<sup>31</sup> It was a legal space,<sup>32</sup> and a space of religious devotion. Households were social spaces, marked by neighbourly surveillance,<sup>33</sup> and by obligations and special codes of conduct, which concerned, for instance, the notions of hospitality and charity which have been addressed in the previous chapter. Households, created through marriage, were not spatially isolated, but were situated in a network of other households.<sup>34</sup> At least in bigger towns, however, living conditions sometimes were such that clear demarcations between households – as spheres of authority – were difficult to draw.<sup>35</sup>

As Russell West-Pavlov recognises, masculinity was (and potentially still is) connected to the mastery of space.<sup>36</sup> So, for that matter, was normative femininity. Household spaces were gendered. The relation between husband and wife was taken to affect the whole household space, for which the materiality of the house stood synecdochically. In his humorous “Boulster Lecture” *Ar’t Asleepe Husband?* (1640), Richard Brathwaite contends: “Well did that wisest of Kings observe this; when he so definitely concluded: *Where a woman is not, the house grones.*”<sup>37</sup> We find similar imagery in moral didactic discourse. William Whately, echoing Ephesians 5:23, observed,

“The Lord in his Word hath intituled him [the husband] by the name of head:  
wherefore hee must not stand lower than the shoulders; if he doe, doubtlesse it makes

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<sup>29</sup> Cf. William Perkins, *Christian Oeconomie* (London, 1609), 98; Dudley Fenner, *The Order of Household: Described Methodically out of the Word of God, with the Contrary Abuses Found in the World* (Davis, L., ed., 1998), 175; William Gouge, *Of Domesticall Duties Eight Treatises* (London, 1622), 230f.; Matthew Griffith, *Bethel, or, A Forme for Families* (London, 1633), 280ff.; cf. also Ingram (1987: e.g. 177).

<sup>30</sup> Gouge, *Of Domesticall Duties*, 221-24. Cf. also Poos (1995b: 298), Fletcher (1994: 176).

<sup>31</sup> Cf. Eibach (2004: 189).

<sup>32</sup> Households were legal spaces even irrespectively of marriage. For instance, the burning of houses or buildings near or adjacent to them was a felony by the common law. Cf. Michael Dalton, *The Countryre Iustice, Conteyning the Practice of the Iustices of the Peace out of Their Sessions* (London, 1618), 238.

<sup>33</sup> Cf. Stallybrass (1986: 129).

<sup>34</sup> Cf. Harrington (1998: 1162).

<sup>35</sup> Cf., for instance, Capp’s (1995) observations on an example of the London lodging house system.

<sup>36</sup> West-Pavlov (2006: 93).

<sup>37</sup> Richard Brathwaite, *Ar’t Asleepe Husband? A Boulster Lecture* (London, 1640), 4.

a great deformity in the family. That house is a mishappen house, and if (wee may vse that terme) a crump-shouldered, or hutch-back<sup>38</sup> house, where the husband hath made himselfe an vnderling to his wife, and giuen away his power and regiment to his inferiour.”<sup>39</sup>

The combined marital body of husband and wife here is mapped onto the space of the house(hold) in a way which naturalises and therefore legitimises patriarchal hierarchies.<sup>40</sup> Simultaneously, this procedure assigns not only different role, and thus potentially different spaces to both sexes. From one angle we could thus, in Whately’s example, speak of both an anthropomorphisation and gendering of the household. From the theoretical perspective outlined above, these examples confirm that household space is generated through the agents who inhabit it.

The wilful dissolution of conjugal cohabitation, Whately argued, was almost invariably connected to adultery.<sup>41</sup> Even the severe ‘Adultery Act’ of 1650 recognised that the separation of spouses was more likely to cause disturbances and classified these absences as extenuating circumstances for adultery. There are innumerable fictional examples in which the (wilful or forced) separation of married couples results in adultery. In Webster and Rowley’s *A Cure for a Cuckold*,<sup>42</sup> the seaman Compass returns home to find his wife has born a child in his five-year-long absence. In Percy’s *The Cuck-Queanes and Cuckolds Errants*, both protagonists Floradin and Claribel absent themselves for a year to be with their lover – who happens to be the other one’s wife. The absence of a spouse encourages adulterous performances and thus the reframing of domestic space as adulterous or bigamous. Similarly, as we have seen, in Beaumont and Fletcher’s *The Coxcomb*, Antonio’s endeavour to forge a sexual union between his wife Maria and his friend Mercury results in the factual (though temporary) dissolution of his household. Here, too, the husband’s previous long absence from home is significant for the subsequent development of the action. Abigail and Thais of *The Insatiate Countess* lure their suitors to their house with the promise of their husband’s absence, and the same applies for the *Merry Wives of Windsor*.<sup>43</sup>

<sup>38</sup> Hunch-backed, cf. OED, “hutch,” *a* (obs.).

<sup>39</sup> William Whately, *A Bride-Bush or a Direction for Married Persons* (London, 1623), 98.

<sup>40</sup> The same strategy is apparent in Robert Underwood’s *A New Anatomy. Wherein the Body of Man Is very Fit and Aptly (Two Wayes): 1 To a Household, 2 To a Cittie* (London, 1605). The implications of household government of the above-quoted passage will be discussed in the next chapter.

<sup>41</sup> Whately, *A Bride-Bush or a Wedding Sermon*, 4.

<sup>42</sup> The play was first published in quarto in 1661, but had been composed nearly forty years earlier.

<sup>43</sup> Tragic plots, too, are fuelled by spousal separation. For example, Sebastian and Isabella in Middleton’s tragicomedy *The Witch* had been betrothed or secretly married, but Sebastian has been absent because he fought in war for three years. Meanwhile, Antonio, in order to marry Isabella for his reputation, deliberately spread the rumour that Sebastian was dead. On Sebastian’s return, the two men’s claims on Isabella clash. In Fletcher’s and Massinger’s tragedy *The Double Marriage*, Violet is sent to sea by the “libidinous tyrant” of

These plays seem to suggest and caution that even short absences of husbands can encourage rivals to invade marital space, or inspire wives to invite suitors. This structure can be found, time and time again, in court records, too. As G. R. Quaipe has noted, “husbands and wives whose respective spouses were away for the night, especially if the former were seen talking to other women, or men were seen in the vicinity of the latter’s house after dark, found themselves the object of rumour and suspected of incontinence.”<sup>44</sup> Jone Anflett met her lover Michael Payne while her husband was “from home.”<sup>45</sup> We shall return to this case shortly. On the other hand, the fact that Ursula Bugbee of Dumbleton in Gloucestershire refused to cohabit with her husband, and instead had chosen to live with her father for about four years, obviously fuelled local suspicions. She subsequently had to defend herself against allegations of having had sex with her father’s miller, Thomas Goodlad, on a mill purse, and twenty times on a table board with another man.<sup>46</sup>

The dissolution of marital cohabitation, and thus the reconfiguration of household space, can, of course, also be an effect of adultery. Mr Partridge, the gentleman of Syde in Gloucestershire whom we encountered in the previous chapter, eloped with his tenant’s daughter, young Ann Hill, while his wife went to great lengths to use all legal measures open to her to get satisfaction of some sort. This point is also illustrated nicely by Richard Brome’s comedy *A Mad Couple Well Match’d*, where the ambitious shopkeeper’s wife Alicia Saleware leaves her household to live in the house her lover Lord Lovely has provided for her. In all these examples, adultery is quite obviously correlated with the disturbance, or even dissolution of marital household structures.

The spatial reconfigurations by which adultery is characterised can also effect a spouse’s displacement.<sup>47</sup> Bernard Capp, for instance, gives an example of a Sussex villager who “locked his wife out of the house while he had sex with their maid in the marital bed, and thereafter relegated his wife to a spare room.”<sup>48</sup> Wives could treat their husbands equally badly. A woman from Chichester apparently let her lover live and dine in her house, while refusing to share a table with her husband and even to serve him food unless he paid for it. She also locked her husband into his chamber and then went to her lover’s room. Thus, she obviously created a form of illicit privacy, even though her actions appear to have been

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Naples to fight the rebellious Duke-turned-pirate Sesse, where he meets and falls in love with Sesse’s daughter Martia, whom he subsequently marries. In these two examples, the husband’s space in marriage is invaded by a usurper, and the original marital union is replaced by a second, transgressive one.

<sup>44</sup> Quaipe (1979: 49).

<sup>45</sup> GDR 109, Office *c.* Payne and Anflett, 14 September 1610, deposition of Humfry Phillpott.

<sup>46</sup> GDR/B4/1/863, and GDR 106, Bugbee *c.* Diston, 3 November 1608, deposition of Richard Sollons.

<sup>47</sup> This connects, too, to the issues of hen-packed husbands who also are displaced by their shrewish wives.

<sup>48</sup> Capp (2003: 92).

scandalously blatant rather than secretive. Moreover, the wife effectively took control of the household, and of her husband, presenting herself as the sole governor of household space. Possibly, this made her exploits appear even more transgressive and provided grounds to bring this case to the attention of legal authorities. In these cases, then, deceived husbands and wives were not only replaced in their spouse's bed, but were also displaced within their own households.

Historically, Elizabeth Foyster has connected the increasing trend in the eighteenth century to confine women to private homes and madhouses to the changed relationships between husbands and wives, which made openly violent strife and wife-beating more and more unacceptable.<sup>49</sup> She regards wifely confinement as “both a cause and a symptom of marital breakdown” which, unlike wife-beating, mostly affected women of the middling and upper classes.<sup>50</sup> The complementary strategy of violent – sometimes adulterous – husbands, to turn their wives out of doors and thus attempt to dissolve the union of bed and board, as Foyster shows, was even more frequent in the eighteenth century.<sup>51</sup> We can relate these acts of confinement and displacement, not only in the eighteenth century as Liz Foyster has argued,<sup>52</sup> but more generally, to an ongoing negotiation of the boundaries of husbandly authority over the wife's will and body. Particularly in the seventeenth century, moreover, where shrewish wives commanding over their hen-pecked husbands were quite ubiquitous in popular culture, negotiations apparently also concerned the boundaries of wifely authority over their husbands.

One question related to husbandly authority, for instance, was how far husbands could go in order to prevent adultery. Particularly in presentations of domestic space on the early Stuart stage, the spatial confinement of women is often related to husbandly jealousy. It is easy to find examples where women are literally incarcerated in their houses by their jealous husbands. In John Ford's *The Broken Heart* (1633), a tragedy set in Sparta, the youthful Penthea, who had been betrothed to Orgilus, is now married to the older jealous Bassanes,

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<sup>49</sup> Cf. Foyster (2002: 40). This coincides with the shift from more public displays of marital violence towards more private forms of marital violence, e.g. wife-beating, in the eighteenth century for which scholars have argued. Joanne Bailey (2006), however, has shown that, even in the eighteenth century when new modes of privacy are said to have emerged, it is much too simplistic to chart the locations of marital violence in a spatial model in which outdoor is equated with ‘public’ and indoor is equated with ‘private.’

<sup>50</sup> Foyster (2002: 42).

<sup>51</sup> Cf. Foyster (2002: 46).

<sup>52</sup> Cf. Foyster (2002: 43). The (legal and mental) force with which women obviously opposed such forms of confinement indicates that even in the eighteenth century, the ideology that women belonged at home, secluded in the emerging sphere of domestic privacy, and were not to “gad abroad” had not completely permeated female lives. However, this sort of resistance seems to have been associated particularly with urban women. Cf. Foyster (2002: 50). Interestingly, it was often when husbands failed to exercise their authority successfully at home that they would have their wives locked up in one of the growing number of madhouses, which practically re(as)signed husbandly authority to an external space and institution.

who keeps her confined to his house. The jealous husband Corvino in Jonson's *Volpone* (1605) has a guard of "ten spies thick, upon [his wife]; / All his whole household."<sup>53</sup> Thus, the whole household watches and encloses Celia. This enclosure goes even further as Corvino, in the second act, rages:

"I'll chalk a line, o'er which if thou but chance  
To set thy desp'rate foot, more hell, more horror,  
More wild, remorseless rage shall seize on thee  
Than on a conjurer that had heedless left  
His circle's safety ere his devil was laid.  
Then, here's a lock which I will hang upon thee."<sup>54</sup>

Although this is a comedy, tragic pathos here ends in husbandly violence. The confinement of the wife is basically a violent, completely heteronomous construction of female domestic *and* social space. Penthea's and Celia's situation, however, is not presented free of judgement. Penthea's predicament ends in catastrophe – she starves herself to death. True to Jonsonian theory of comedy, Celia's story is employed to underline the ridiculousness of Corvino's character, who is presented as so deranged that he will ultimately throw jealousy overboard in order to engage in homosocial rivalry and pimp his wife for the prospect of material gain. The enclosure of women in the household, in these plays, is clearly shown to cross the limits of the acceptable.

Whereas jealousy attempts to assert or preserve domestic boundaries, adultery seeks to transcend (or disaffirm) them. Most generally, of course, spatially confining a person was a means of performing one's authority and superiority. It could be an act of punishment as well as coercion.<sup>55</sup> Self-confinement, for instance within the household, in a room or a closet, on the other hand, was different matter. It could be a woman's means of withdrawing from her husband's sphere of accessibility.<sup>56</sup> A closed or locked door works both ways; it will keep the person(s) inside inside and the person(s) outside outside. The decisive question is who has the key.

Just as a wedding does not make a marriage, the act of marital initiation may generate the household, but it is not enough to uphold it. Rather, the domestic space needs to be upheld by the actions of the people who inhabit it, by the constant reiteration of the marital union.

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<sup>53</sup> Ben Jonson, *Volpone, or The Fox* (Pache, W. & Perry, R.C., eds. & transl., 1974), 1.5.25-28.

<sup>54</sup> Jonson, *Volpone*, 2.5.52-63.

<sup>55</sup> Imprisoned in her chamber and debarred of contacts, John Ford's Annabella in the first scene of the fifth act of *'Tis Pity She's a Whore* (Lomax, M., ed., 1998), finally repents her incestuous relationship with her brother.

<sup>56</sup> Cf. Dolan (2002: 661n30).

From this perspective, the argument that in early modern England “[p]rivacy and domesticity comprise overlapping spaces and habits which make up the nearly invisible background of patriarchal reality”<sup>57</sup> appears seriously flawed. The domestic sphere is not the “nearly invisible background”<sup>58</sup> of patriarchal performance, but the very *arena* of it, since early modern patriarchal authority is inherently connected to masculine reputation for which marital status and performance was vital, as Elizabeth Foyster’s work has shown.<sup>59</sup>

Gender constructions thus rested on spatial constructions and *vice versa*. Did the household itself have a predominant gender coding? The case is not straightforward. Dominant (moral-didactic) ideology conceptualised the husband as the head of the household, and, in economic terms, husbands were usually sole owners of houses.<sup>60</sup> Yet, despite the nominal husbandly rule and ownership, it is also possible to see the household as a primarily female space, even though scholars tend to convey this observation in a hesitant mode.<sup>61</sup> Apart from the fact that research of demographic records has taught us that many households were not headed by men at all, but by widowed women:<sup>62</sup> When the authors of household tracts and conduct books insisted that, whereas the husbands’ “whole office and employments are euer for the most part abroad or removed from the house, as in the field or yard,” the housewife “hath her most generall employments within the house,”<sup>63</sup> they did not so much describe social reality than, in fact, construct the home as a female space in the first place. To cite a quite

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<sup>57</sup> Mazzola & Abate (2003: 3).

<sup>58</sup> Mazzola & Abate (2003: 3).

<sup>59</sup> Cf. Foyster (1999). Mazzola and Abate (2003: 3) seek to refute Laurence Stone’s argument that the development of ‘privacy’ in the modern sense really took place only in the eighteenth century, arguing that “early modern developments of humanism, capitalism, and Protestantism encouraged a more dramatic segregation at an earlier stage by codifying patriarchy and thereby confining women more and more to separate spheres.” Their choice of Stone as a central point of reference seems questionable and slightly outdated, considering that Stone’s arguments have been so often, and devastatingly refuted, and that so much work has been done on both privacy and early modern gender relations since Stone’s publication of *The Family, Sex and Marriage in England 1500-1800* in 1977. Though the title of their book, *Privacy, Domesticity and Women in Early Modern England*, proposes a culturally informed perspective, their arguments remain palpably uninformed of a number of important works which have been published by social historians such as Elizabeth Foyster or Shoemaker’s (1998) great monograph conspicuously titled *Gender in English Society 1650-1850: The Emergence of Separate Spheres?* On the whole, Mazzola and Abate’s reading of the early modern domestic sphere through the feminist lens seems very much at odds with the understanding I have gained of it through my reading of both primary and secondary texts. In this respect, their failure to recognise the centrality of the domestic sphere for normative performances of masculinity as well as the normative transparency of the domestic sphere (which will be discussed below) are two of the crucial points of criticism.

<sup>60</sup> Cf. Mendelson & Crawford (1998: 211).

<sup>61</sup> Mendelson & Crawford (1998: 211), for instance, note that “women’s custody of domestic space was always precarious” and Bernard Capp (1995: 35), points out that “[o]rdering the household was primarily a woman’s responsibility,” yet this made the household “a female social place” only “to some extent.” Cf. Capp (2003: 50).

<sup>62</sup> Cf. Capp (2003: 26; 36), cf. also Mendelson & Crawford (1998: 174-184).

<sup>63</sup> Gervase Markham, *The English House-Wife* (London, 1631), 1f. Markham really is only one author out of many who argued in the same vein.

well-known passage from Cleaver's *A Godly Form of Household Government*,

“Lastly, wee call the wife Huswife, that is, house-wife, not a street-wife, one that gaddeth vp and downe, like *Thamer*: nor a field-wife like *Dinah*, but a house-wife, to shew that a good wife keeps her house: and therefore *Paul* biddeth *Titus* to exhort women that they bee chaste, and keeping at home: presently after chast he saith *keeping at home*: as though home were chastities keeper. And therefore *Salomon*, depainting, and describing the qualities of a whore, setteth her at the doore, now sitting vpon her stall, now walking in the streetes, now looking out of the window: like cursed *Iezebel*, as if she held forth the glasse of temptation, for vanity to gaze vpon. But chastitie careth to please but one, and therefore she keeps her closet, as if she were still at prayer.”<sup>64</sup>

Here, the household is a religious, moral as well as economic female space marked by performances of female chastity. However, a different conception of the early modern household has been advanced which argues that its actual specificity lay in the fact that it was a place where female and male conceptions of spaces were constantly in a state of rivalry or friction. As Sara Mendelson and Patricia Crawford have remarked, “even in peaceable households, the contradiction between female and male concepts of space was never resolved,”<sup>65</sup> thus conceiving of domestic space as intrinsically agonal. It should be added that this friction between gendered concepts of spaces is not particular to the household, though it is particularly tangible there because this was a sphere where both men and women explicitly wielded authority.<sup>66</sup> Certain transgressions such as adultery thus served to expose the underlying tensions of marital cohabitation, challenging and negotiating normative notions of domestic spatial order.

As has been noted above, the authors of moral-didactic religious tracts conceptualised the walls of the house as a safeguard for female chastity,<sup>67</sup> and in fictional husbands who sought to confine their wives out of jealousy a similar notion was conveyed. However, it was

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<sup>64</sup> Robert Cleaver, *A Godlie Forme of Householde Gouernment* (London, 1598), 223f. Actually, Cleaver is unabashedly citing a longer passage *verbatim* from Henry Smith's *A Preparative to Marriage* (London, 1591), 59-63 (quoted passage on 62). However, Smith's marriage manual was only published once, in 1591, whereas Cleaver's tract was published twice in the year of its first publication, 1598, and then went through ten more editions in the first half of the seventeenth century. We can thus safely say that Cleaver's would have been the more widely read and the more influential text by far. A part of this passage is also quoted in William Secker's marriage sermon, where it is introduced as authored by “one of the Antients;” it is further alluded to in Matthew Griffith's *Bethel*. Cf. William Secker, *A Wedding Ring Fit for the Finger* (London, 1658), 35f., Matthew Griffith, *Bethel*, 414.

<sup>65</sup> Mendelson & Crawford (1998: 211).

<sup>66</sup> Cf. For instance Barbara Hanawalt's (1999) research on the contestation of gendered space and the resulting spatial ambiguities in medieval London taverns.

<sup>67</sup> Cf. Gowing (2003: 59), Traub (2002: 52).



a misconception to believe that these walls could protect female chastity by hiding the wife from public visibility. Rather, and somewhat paradoxically, it was the *transparency* of the walls of the house which ensured compliance with social and moral norms in early modern times. As Joachim Eibach emphasises, “much more so than today, the behaviour of agents inside the house was visible in a distinctive fashion, through doors and walls.”<sup>68</sup> In the same vein, with regard to early sixteenth-century town houses, Lucas Burkart astutely notes: “Hence, windows and doors were less leaks within the protection of privacy through which the gaze could seep in from the outside, than rather places of staging the inside for the outside.”<sup>69</sup> This view, then, is diametrically opposed to the arguments of feminists such as Katherine Gillespie, who have insisted that, in early modern times, women were enclosed in their houses; so much so that windows were generally recognised as the “structural flaw” in women’s domestic confinement.<sup>70</sup> In opposition to this, apparently misconceived, assessment, we may summarize with Catherine Richardson that early modern “[s]ocial, moral and spiritual order was therefore predicated upon denying the physicality of boundaries, upon legitimating their crossing as an absolute moral project of revelation to ensure stability.”<sup>71</sup>

This denial of boundaries was not restricted to the liminal space of windows and doors, but also affected the inner spaces of the household. This notion is voiced, for instance, by William Heale, in his *Apology for Women*, his single published work,<sup>72</sup> where he suggests that

“as the private event of this action [wifely impiety as well as wife-beating] must needs be inconvenient vnto ourselues, so the publike example thereof is dangerous vnto the common-wealth. For whatsoever in this kinde is committed within our own family, is acted (as it were) on an open theater, where wee haue store of spectators: our children, our servants, our neighbours, sometimes our nearest kindred, oft times our dearest friends.”<sup>73</sup>

From this perspective, family life – *domesticity* – is public and inherently didactic rather than intimate and withdrawn. It thus needs to be carefully staged in order to comply with common ideas of propriety. Household space thus can be viewed and analysed both as *performed*

<sup>68</sup> Eibach (2004: 187), my translation from German; cf. Hull (1996: 44).

<sup>69</sup> Burkart (2004: 174). This, Burkart points out, is not restricted to middling sort respectability, but also affects the interior design of town mansions, which we might have considered to be even more secluded.

<sup>70</sup> Gillespie (1997: 58), cf. also Dolan (2002: 661).

<sup>71</sup> Richardson (2005: 276).

<sup>72</sup> William Heale, *An Apologie for Women* (Oxford, 1609). At the time he wrote this tract, which is basically directed against wife-beating, Heale, himself married, was chaplain fellow of Exeter College in Oxford, before he was expelled from this position for absence and went on to become vicar in the parish of Bishopsteignton, Devon in 1610. Cf. Wright (2004).

<sup>73</sup> Heale, *An Apologie for Women*, 16.

space, i.e. the space which is created *by* the enactment of the marital union and household unit as a whole, and *performance* space, i.e. the setting for those performances of domesticity.

Lucas Burkhart, analysing the communication between different social spheres in continental European towns around 1500, has arrived at a very similar conclusion:

“The inside of the house was, in other words, not withdrawn from the gaze of neighbours, friends, and clients, it was not the intimate space of the family, but the space of staging the two goods of affluence and family. These goods required the staging inside and outside the house in order to acquire the other two goods of honour/respectability and friendship.”<sup>74</sup>

Besides, the house was the most important site for *Staging Domesticity*, a collective ideal or “fantasy” which, as Wendy Wall has argued, was at the very core not only of individuals’ marital identity, but of early modern English national identity, “the ‘psychic glue’ binding people into a community.”<sup>75</sup> This general transparency was reflected, too, in the architectural design of houses, as “[m]ost houses were built around shared space.” Attempts to circumvent this unprivate performance of household space and to “make secret or private space” were likely to be regarded as suspicious.<sup>76</sup> The two notable exceptions, as Erica Longfellow has only recently argued, were *private* prayer and married sexuality.<sup>77</sup> Indeed, the term ‘privacy’ itself seems to be closely linked with the individual practice of religious devotion, particularly by women, as Retha Warnicke’s explorations of the boundaries between ‘private’ and ‘public’ suggest more readily than she herself seems to appreciate.<sup>78</sup> Her account also implies that notions of privacy are largely dependent on the discursive context from which they stem. Though Warnicke appears to speak for ‘early modern women’ in general, the texts from which she draws her conclusions mainly concern women who are not only aristocratic, wherefore their household spaces would be structured differently from the middle and lower rank families which interest me, for instance in their contact with neighbours’ wives and the resulting female networks. But these women are also exemplarily pious, which further affects their use and hence their construction of domestic space in that they seem to have sought seclusion and avoided public events such as popular entertainments with a notable fervour.<sup>79</sup>

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<sup>74</sup> Burkhart (2004: 174). For medieval London, however, Vanessa Harding (2002: 559) has contended, “[n]eighbors were not to overlook directly one another’s property and private affairs, and windows that did so, even from well within the property, had to be obscured. But these rights needed to be defended [...]”

<sup>75</sup> Wall (2002: 6).

<sup>76</sup> Gowing (2003: 33).

<sup>77</sup> Cf. Longfellow (2006: 321). The exception for private prayer has already been suggested in the passage of Cleaver cited above.

<sup>78</sup> See Warnicke (1993).

<sup>79</sup> Lady Mildmay, who was especially forceful in seeking isolation, is quoted to have stated that “God had placed [her] in this house, and if [she] found no comfort here, [she] would never seek it out of this house,”

Generally, I would argue, we must be wary of stereotypes which too easily conflate women with ‘private’ spheres and men with ‘public’ ones.

By advising women to keep to their houses while encouraging men to move outside the direct household, Protestant preachers and authors of conduct books indeed constructed (an abstract model of) a domestic sphere which was, to a great extent, dependent on the wife’s performance. For most women, keeping only to their houses would have been an economic impossibility. Yet even if women could afford to put these instructions into practice and restrict their activities to the house, this did not mean that they would dwell in seclusion behind closed doors and curtained windows – the latter had not even yet come into fashion.<sup>80</sup> Women could be ‘at home’ without being *enclosed*<sup>81</sup> or secluded since household space and its borders were structured differently from today, and women’s spatial authority in this sphere must not be neglected.<sup>82</sup>

The image of the enclosed woman is long-nourished cliché in (feminist) literary studies. Betty Travitsky, for instance, with reference to Juan Luis Vives, contends that “[i]ndeed women were taught to live enclosed in silence,”<sup>83</sup> while Retha Warnicke observes that “within [the] early-modern framework, women’s lives were expected to be and were much more private than those of their modern counterparts.”<sup>84</sup> Statements such as these are misleading. Even Warnicke (somewhat reluctantly) admits that prescriptions which sought to tie women to the home were “not always well kept.”<sup>85</sup> Peter Stallybrass has famously argued

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Warnicke (1993: 135).

<sup>80</sup> Cf. Ingram (2005: 96).

<sup>81</sup> Mendelson & Crawford (1998: 208), cf. Dolan (2002: 660). That this was not a particularly recent development in early modern times is indicated by the fact that David Wallace (1997: 74) has identified similar mechanisms in Chaucer’s conception of wifhood. “Chaucer,” he says, “establishes wifhood as an indispensable part of his social totality. Even when practised behind closed doors, wifhood remains an art that is public and political, rather than private and individual.”

<sup>82</sup> Though Warnicke (1993: 134) stresses this point, she does not arrive at a conclusion similar to the one advanced in this present study. As concerns today’s conceptions of domestic spaces, however, it must be added that late twentieth century technological advances may have significantly changed the way domestic space is structured, with computers and internet accessibility in many homes creating a new form of shared and domestic space. Cf. Flanagan (2005, unpag.).

<sup>83</sup> Travitsky (1990: 188n3). A similar point is actually made by Cleaver.

<sup>84</sup> Warnicke (1993: 129). Moreover, the phrasing is problematical. What does it mean that women’s lives ‘are private’ or not? Does a ‘less private’ life, which Warnicke assigns to “modern women,” simply mean that women move more freely in the public sphere and hold more public offices than they used to? Does private life imply seclusion? - Surely, there is a connotation of the term “private life” which encapsulates the degree to which a person has contact with other people, and to which other people are privy to one’s personal life, opinions, etc. Though the Western kinds of “modern women” may move about more freely in public society, I would argue that they do not share information about their personal lives with a greater number of people and, in certain contexts, may be socially more isolated than their early modern predecessors were, which may be ascribed to the general trend towards individualisation and isolation which has been observed in modern industrialised society; which is, admittedly, yet another rather crude cliché. In any case, generalising arguments concerning publicity or privacy of heterogeneous groups of people are always problematical.

<sup>85</sup> Warnicke (1993: 130).

that – to cite a most often-quoted passage – economically, woman in early modern English society “is the fenced-in enclosure of the landlord, her father, or husband.”<sup>86</sup> Though warranted from a certain vantage interested, as Stallybrass himself admits, in the discursive practices of the ruling elite,<sup>87</sup> this reading should not be generalised beyond its original context as this would betray a misapprehension about women’s spatial domestic authority. Examinations of legal documents, for example, may lead to different conclusions.<sup>88</sup> Domestic space was shaped by women’s actions and performances, too, not only by men’s agency. Generally, Stallybrass’ examination of his moral-didactic sources at this point displays a biased focus on constructing a homogeneous thesis of a certain kind of normative ideology of femininity, when, in fact, these texts are often much more ambiguous than his reading will allow,<sup>89</sup> and the extent of their practical application, or even applicability, is less than certain. One of the aims of this chapter is precisely to demonstrate that in actual practice, enclosing women could be seen as highly problematical. Rather than being unambiguously connoted as normative, female enclosure was in fact potentially transgressive.

Despite certain, often theoretical attempts to establish rigid domestic contours, and to propagate the household as a more or less enclosed female space, domestic spaces and outside spaces often blurred in lived everyday life. Early modern English homes were no castles with big walls and a moat to ward off enemies and protect women’s chastity.<sup>90</sup> Frances Dolan points out that “most domestic spaces [were] multipurpose and accessible.”<sup>91</sup> As Sara Mendelson and Patricia Crawford have suggested, “women treated their dwellings as fluid and open expanses from which they surveyed the passing scene and emerged at will.”<sup>92</sup> For instance, women seem to have habitually posted themselves at their doorsteps, where the outdoor light was more advantageous for household chores such as needlework.<sup>93</sup> They also surveyed the neighbourhood streets from open shop windows or house windows on upper

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<sup>86</sup> Stallybrass (1986: 127).

<sup>87</sup> Stallybrass (1986: 127).

<sup>88</sup> For a thoughtful examination of *Women and Property in Early Modern England* based not on prescriptive discourses but largely on legal documents see Erickson (1995).

<sup>89</sup> See also my discussion of prescriptive texts in the context of household government in chapter six (6.1.).

<sup>90</sup> Dolan (2002: 660) warns that analogies between women’s bodily and architectural enclosures are highly problematical.

<sup>91</sup> Dolan (2002: 600).

<sup>92</sup> Mendelson & Crawford (1998: 206).

<sup>93</sup> Mendelson & Crawford (1998: 208). See also Capp (1996: 128) & Orlin (1997). Whether work or leisure, women seem to have spent time in their doorways. Cf. Ian Archer’s (1991: 76) remark that on examination of early modern London defamation records one is left with the impression that “London housewives spent much of their leisure hours standing in their doorways exchanging views on their wayward neighbours.” This seems to have applied to men, for instance, apprentices and journeymen, as well (ibid.).

floors.<sup>94</sup> These liminal positions allowed them to simultaneously perform their roles as mistress of a household and as a member of the wider social community of the neighbourhood.<sup>95</sup> However, most women did not stay confined to their houses or their doorsteps as their socio-economical situation simply did not allow this. At least during daytime, they “freely resorted to each other’s houses” to socialise, work together, help each other, and exchange news, in a way as though each other’s houses were “common property,” so that their use of their neighbours’ dwellings constituted something like a “series of linked female spaces.”<sup>96</sup> Bernard Capp emphasises that a “circle of close friends, or ‘gossip network,’ was almost essential for the smooth running of the household.”<sup>97</sup> So, in fact, the ‘reality’ in which the majority of women found themselves must have rather resembled the state of affairs which Cleaver sought to condemn as ‘whorish ways.’<sup>98</sup> Cleaver’s actual goal, then, in advising that women should display their chastity by keeping to their closets, seems to have been a re-evaluation of an existing cultural practice in moral-religious terms. This indicates, too, what a gigantic ideological project the more and more unyielding association of women (even of lower status) with their homes must have been, which gathered force in the eighteenth century.

The overall problem, again, was one of the unclear distinction between normativity and transgression. Prostitutes did indeed sit at doors and walked the streets to offer themselves,<sup>99</sup> and matters were further complicated by the fact that a lot of illicit sex in exchange for money and, notably, goods was less professionalised and more occasional than we might expect.<sup>100</sup> On the other end of the spectrum, even if a wife was enclosed in her house, withdrawn from public gaze – who could ensure that she was in there alone? Already Juvenal, in his *Satire 6, On the Ways of Women* famously had his narrator point out:

“I know the advise my old friends give and their prudent recommendations: “Bolt your door and keep her in[doors].” But who is to guard the guards themselves? They are

<sup>94</sup> Mendelson & Crawford (1998: 208). Cf., however, Orlin’s (1997) critical discussion of women and windows in court records. She contends that while in court records we find countless allusions to women standing or sitting at doors, there is little evidence of women passing time at windows in these records. This, she suggests may be so because windows had clear pornographic meanings, which forced women who were trying to create legitimate narratives of other people’s transgression transgression, i.e. to legitimately reiterate their neighbours’ transgression, to omit these window spaces from their narratives and substitute them with doors instead. These issues, of course, are deeply infused with notions of respectability assigned to individual spaces. However, scholars do seem to have evidence that women claimed to have looked out of windows in their depositions. Cf. Bound (2003: 68), a case from the 1670s.

<sup>95</sup> Cf. Mendelson & Crawford (1998: 208), Gowing (1996: 98).

<sup>96</sup> Mendelson & Crawford (1998: 206).

<sup>97</sup> Capp (2003: 51).

<sup>98</sup> Cf. also Orlin (1997).

<sup>99</sup> Cf. Clark (1978: 59).

<sup>100</sup> Cf., for instance, Shoemaker (1998: 75), Warner & Lunny (2003: 261), Stone (1977: 615f.).

paid in kind for concealing the shady tricks of the naughty girl. Complicity promises silence. One's wily wife anticipates this and begins with them [the guards]."<sup>101</sup>

The walls of the house protect chastity just as much as they conceal transgression. The integrity of the guards the husband employs to keep the wife locked up, moreover, cannot be guaranteed.

In legal theory as well as in moral and wider cultural discourse, adultery was defined as a transgression marked by secrecy, which related to notions of illicit or suspicious 'privacy.'<sup>102</sup> What we are faced with, then, is the structural paradox that the illicit nature of sexual acts such as adultery, was conceptually connected *both* to excessive publicity and excessive privacy or secrecy. Adultery and fornication, both in moral as well as legal discourse, are defined as "deeds of darkness and secrecy,"<sup>103</sup> yet Cleaver's loose women parade the streets and openly flaunt their sexual availability and willingness. Correspondingly, there are two strategies of ensuring domestic normativity, female chastity in particular, and both are spatially marked. On the one hand, there is enclosure, a withdrawal from visibility, where the husband functions as a guard of his wife's – and his own – credit. On the other hand there is a pronounced openness, a deliberate visibility and display of normativity, where neighbours can watch out for and witness transgressions. The best option, certainly, was to keep a good balance between both. Too much openness, as was indicated in the last chapter, could easily be associated with transgression, sexual or otherwise, but so could too much secretive privacy, spatial withdrawal, as we shall see in the following.

A certain degree of publicity was considered vital to ensure household morality. Domesticity, therefore, is not to be conflated with modern notions of 'privacy.'<sup>104</sup> Yet, as the previous chapter has demonstrated, it was not only *female* friends who came to visit a household. This would not have been problematical had the house indeed been an open, fluid place where no private intimacy was possible. The specificity of early modern households, however, was, as Laura Gowing has indicated, precisely that they were simultaneously public and private.<sup>105</sup> "Houses and marriages," she attests, "were at once public and private space, the

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<sup>101</sup> Juvenal, *Satires, 6: Roman Wives* (Rudd, N., transl., 1999), O29-34.

<sup>102</sup> Cf. Turner, D. (2002: 157f).

<sup>103</sup> In a discussion of the Ordinance of Parliament concerning the regulation of church government, which excluded adulterers from the Lord's Supper, the ministers of London petitioned for its revision. One of their points was that it would be hard to identify adulterers and fornicators as "Whoredom and Adultery, being Deeds of Darkness and Secrecy, seldom or never can be discovered by Oath of Witnesses." See Misc., *Petition of the Court of Aldermen, &c. for Settling some Doubtful Points Concerning Church Government* (Miscellaneous, *House of Lords Journal, Volume 7* (London, 1802), 20 October 1645), cf. also Church of England, *A Sermon Against Whoredom and Uncleaness* (Davis, L., ed., 1998), 8.

<sup>104</sup> Cf. MacKeon (2005: xxi).

<sup>105</sup> This is one of the facts which Warnicke's (1993) discussion fails to recognise.

scene of both social and intimate relationships.” This was why “[i]n the stories of violence as those of adultery, the contours of privacy and publicity in the marital household are contestable.”<sup>106</sup> Similarly, yet from a different perspective, Patricia Fumerton has suggested that Elizabethans habitually presented their private lives as “inescapably public.” This, she alleges, was connected to a fragmentation of the Elizabethan self, which “lived in public view but always withheld for itself a “secret” room, cabinet, case, or other recess locked away (in full view) in one corner of the house.”<sup>107</sup> Though Fumerton’s arguments pertain primarily to the cultural history of an elite, we could argue that, generally, amid the normative publicity of the household, the *allusion* of privacy, a space for intimacy, for instance behind walls and closed doors, was always prevalent.<sup>108</sup> Early modern domestic spaces thus structurally confer to the fifth principle which Michel Foucault utilised for sketching his *heterotopias* in as much as they, too, “presuppose a system [or rather, *systems*] of opening and closing that both isolates them and makes them penetrable.”<sup>109</sup> They also tend to juxtapose in one real place several spaces or sites, e.g. those of intimacy and publicity, that are in themselves incompatible.<sup>110</sup> The early modern household, in contrast to Foucault’s heterotopia, of course, cannot be easily defined as a “countersite.”<sup>111</sup>

A certain degree of publicity was also vital to ensure the economic stability of the household. The early modern concept of (middling and lower sort) domesticity is marked by a strong economic element. Houses functioned as “busy, chaotic, threatening, playful, transgressive, and gory workplace[s],” as Wendy Wall has put it, where housework was carried out which “established only loose boundaries around the body and the household.”<sup>112</sup> The economically inevitable social contacts opened up the unit of the house to outside influences. This includes the servants who lived there, who were one group stereotypically suspected of adulterous liaisons with their employers, but also those persons who came to the house to trade, to work there, to do chores, repair work and the like. It does not appear to have been unusual, for example, for acquaintances and working associates to spend the night.<sup>113</sup>

<sup>106</sup> Gowing (1996: 216).

<sup>107</sup> Fumerton (1991: 69).

<sup>108</sup> In concurrence with Lefebvre it is possible to argue that (urban) public and private spaces are interdependent and that, consequently, there cannot be public space(s) without at least the potentiality of private space(s). Cf. Harding (2002: 549), cf. also Longfellow (2006: 313).

<sup>109</sup> Foucault (1986: 26).

<sup>110</sup> Foucault (1986: 25), which is the third principle of heterotopias.

<sup>111</sup> Foucault (1986: 24).

<sup>112</sup> Wall (2002: 7 & 21).

<sup>113</sup> Felix Blackman, a witness in one of the cases surrounding the alleged adultery of Isabell Collin of Earls Colne, for instance, deposed that he “wrought with [Isabell’s husband] in making ploughs and carts for him for five or six years together and hath lain in his house a fortnight together since his marriage with Isabell.” ERO D/ABD2, document 701408, Isabell Collin *c.* John Brampton, 1 February 1621. This seems to have

Lastly, and presumably most importantly, the husband's own economic obligations and relationships not only brought other men to the house, but also took the husband away from home – and hence furthered adultery on the part of both husbands and wives. Part of the masculine jealous mania or anxiety which found expression in numerous texts and performances of the time, of which we have already encountered some examples, is based precisely in the (spatial) paradox of having to leave one's house for economic reasons on the one hand, and on the other hand seeking to ensure that one's wife was safe from other men's attempts of seduction nor got the chance to seduce other men.

It is precisely this spatial dichotomy of publicity and privacy, I want to argue, which makes domestic spaces vulnerable to adultery. Basically, this is the same structural problem which I have already touched upon when discussing the relation between charity and adultery in the previous chapter. The household was thus at once a social, public space which could be associated with both charity and chastity, and a domestic, private space whose walls, separate rooms, doors and locks – to a certain extent – made intimacy and secrecy possible.<sup>114</sup> However, as we have pointed out, this was a culture where already the demonstration of a wish for privacy could be interpreted as indicative of illicit intentions. As Isabel Hull has argued, “nobody expected ‘privacy’ in the modern sense,” transparency was preferable.<sup>115</sup> Thus, a certain form of publicity was the normative behavioural as well as spatial code – which, in turn, is the basis for the structures of witnessing adultery which have been discussed in the last chapter, since this normative publicity meant that one had a right as much as an obligation to interfere with certain kinds of other people's performances of illicit privacy. In correlating adultery and fornication with secrecy, however, one could argue, moral-didactic as well as legal discourses of the time, in fact, operated in a fashion similar to what Sarah Toulalan has detected in seventeenth-century pornographic literature: they created an illusion of possible privacy against the backdrop of a social environment which offered very little of it. Like pornographic texts, witnesses' depositions, for example, designed this “private sexual world” as one which was not meant to be seen, but which they unveiled to an audience – of whatever kind – anyway.<sup>116</sup> Depositions, pornographic texts, but also plays, jokes, broadside ballads and other texts which generate instances of sexual transgressions are thus often marked by a revelatory element. Most generally, spaces of adultery, then, are created as spaces

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been a defamation suit by Isabell Collin against John Brampton in reaction to what looks to be an *ex officio* case moved by Brampton against Collin.

<sup>114</sup> Cf. Capp (2003: 51).

<sup>115</sup> Hull (1996: 44). Hull's observation claims validity for early modern Europe in general.

<sup>116</sup> Cf. Toulalan (2001: 706).



which contrast the normative transparency of social as well as domestic space. As adultery highlights the boundaries of domestic space, it ultimately also serves to expose – and reinforce – the *concept* of domesticity as the idealised notion it already was.

From a slightly different angle, the domesticity of the household was connected to habituations and the feeling of home and belonging. Domestic spaces were generated through performances. A display of affection and *familiarity* between the spouses was particularly important in this respect.<sup>117</sup> The nature of this conjugal familiarity in everyday interactions was subject to debates in moral didactic discourse, where its significance was emphasised yet simultaneously restricted. William Heale, for instance, instructed his readers that the law styled a wife not only his “equal associate” and “mistress of the house,” but first and foremost, his “familiar friend,” and as such she was to be “embraced,”<sup>118</sup> which, even if not taken literally, suggests an emotional basis of conjugal relations. While William Whately acknowledged that a the wife’s relationship with her husband was “sweetned with more loue and more familiaritie” compared to their children and servants, he insisted that though she might “bee more familiar” with her husband, she had not licence to be “more rude.”<sup>119</sup> “Too much familiaritie,” he claimed, “will breede contempt.” A wife should show reverence to her husband, and this, according to Whately, did not include bearing “her selfe so ouer-bolde of her husbands kindnesse, as to nick-name him with those nick-names of familiaritie, *Tom, Dick, Ned, Will, Iacke*, or the like.”<sup>120</sup> William Gouge expressed very similar concerns, pointing out that servants were commonly addressed in such a disrespectful manner, whereas, between husband and wife, any names which suggested equality, let alone the wife’s superiority, were highly inappropriate.<sup>121</sup> “[I]f a stranger be in presence,” he urged, “[if] he espie any matrimoniall familiaritie betwixt you, what can he iudge of it otherwise to be, but lightnesse and wantonnesse?”<sup>122</sup> The display of loving emotions between the spouses thus might be considered as having sexual connotations inappropriate for the eyes of guests. Yet, on the other hand, he recognised elsewhere that a husband’s gesture towards his wife needed to be familiar and amiable enough so that “others may discern him to be her husband, and his wife may be prouoked to be familiar with him.”<sup>123</sup> Thus, Gouge perceives of the expression of familiarity between the spouses as something like the performative core of marriage within

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<sup>117</sup> For the later middle ages cf. Poos (1995b: 298).

<sup>118</sup> Heale, *An Apology for Women*, 48.

<sup>119</sup> William Whately, *A Bride-Bush, Or Direction for Married Persons*, 193, the argument is repeated on 205.

<sup>120</sup> William Whately, *A Bride-Bush, Or Direction for Married Persons*, 199. Cf. William Gouge, *Of Domesticall Duties*, 281.

<sup>121</sup> Gouge, *Of Domesticall Duties*, 283.

<sup>122</sup> Gouge, *Of Domesticall Duties*, 283.

<sup>123</sup> Gouge, *Of Domesticall Duties*, 388.

the theatre of the household. Not only did it have outward effects in demonstrating, performing marital status, it also worked inwardly, affecting and perpetuating the emotional bond between husband and wife, the ultimate expression of which would be the ‘familiarity’ Gouge alludes to above, namely, marital intercourse. In this respect, Laura Gowing’s observation that “secrecy and privacy were among the constitutive conditions of early modern reproductive rituals,”<sup>124</sup> is in need of revision. As David Turner has recently argued, the deeply familiar gesture of kissing, for example, was not only crucial in *making* a marriage, “[w]ithin marriage too, the commerce of kisses held together a relationship, representing the spiritual equality of husband and wife.”<sup>125</sup> Yet, as has been noted above, there was a point, open to negotiation as it was, at which the exchange of affectionate gestures between spouses would be deemed inappropriate. Affectionate gestures, however, were not only the glue of the conjugal relationship, but also of wider social relations, as husband and wife were not only expected to express familiarity towards each other, but also towards visitors and friends. Generally, Martin Ingram has suggested that “local society did tolerate a certain amount of kissing and touching between adolescent youngsters and even between single and married people, especially at dances and festivities.”<sup>126</sup> The question was, to borrow and adapt David Turner’s formulation, at what point did gestures of familiarity become loaded with sexual meaning and thus give cause to suspicion?<sup>127</sup> The cases already discussed above and those examined below seek to negotiate this instance.

The household, far from being a stable spatial entity, was indeed a ‘contested space’ in which contradictory performances of authority and legitimacy rivalled.<sup>128</sup> Both, crowded living conditions and acts of witness may also have been symptoms of the generally high degree of competition over space, and thus spatial authority, in the urban environment,<sup>129</sup> but in more rural settings, too. This also affected the notions of publicity and privacy. Vanessa Harding has observed that “[t]he interface between public and private was by no means a decisive cleavage: There was a continuum from one to the other, and an area of interaction between the two. Public and private were constantly pushing into one another.”<sup>130</sup> The intimate spaces of adultery which were constructed by lovers and their witnesses, then,

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<sup>124</sup> Gowing (2003: 33).

<sup>125</sup> Turner (2005: 87 & 94).

<sup>126</sup> Ingram (1987: 240). For the negotiability of the transgressive nature of familiarity see also *ibid.*, 241f.

<sup>127</sup> Turner (2005: 80).

<sup>128</sup> Cf. Estabrook (2002), who uses this term of “contested space” in order to explore the use and performances of sacred and secular space in seventeenth century cathedral cities, and the struggle for dominance between the two in specific places.

<sup>129</sup> Cf. Harding (2002: 549).

<sup>130</sup> Harding (2002: 550).

negotiated the limitations and boundaries of the transparently public domain and, in equal measure, of the possible seclusion of the private domain, too. If one considers the inter-reliance of public and private spaces, one might even argue that the generation of intimate or ‘private’ spaces, such as these adulterous ones, was inherently necessary to generate *public* spaces, and to negotiate their nature.<sup>131</sup>

The walls and doors of a house, but also the actions of inhabitants and visitors obviously generate structure: they create different rooms, which may be linked to spaces of varying degrees of publicity; they shield chaste wives as well as transgressors from view, unless they are made permeable by open doors, keyholes or holes in walls. From this perspective, we can say that adultery is a transgression which is conceptualised as a violation of spatial rights and norms. In connection to adultery, new spaces are created which counter the household’s conception of marital domesticity, whereby the boundaries of patriarchal (or more generally social) spatial control are explored. It may be concluded that, as marriage affected a spatial recodification by establishing domestic space, adultery brought with it yet another recodification which undermined domesticity. Adultery within the marital sphere of the household makes this particularly obvious; it is something like the germ cell of domestic disintegration. Simultaneously, (the threat of) this disintegration serves to sharpen the contours of domesticity as a concept.

## **5.2. The Centre Inside: The Marital Bed**

Let us start our tour of the early modern house not at the gate, but at the very centre of conjugal intimacy: the marital bed. It was, of course, symbolic of the spatial, physical and spiritual union of marriage, and was exploited as such in moral-didactic discourse. In the words of the enormously popular Puritan clergyman and pastor of St. Andrew’s church in London, William Perkins, “[t]he marriage-bed signifieth that solitarie and secret societie, that is betweene man and wife alone.”<sup>132</sup> Irrespectively of the actual living and sleeping arrangements in many households, it was ideologically constructed as an intimate space where there was no place for third persons. Marital sex, according to Perkins, is “indifferent,” neither good nor bad, yet “by the holy vsage thereof, it is made a holy and vndefiled action.”<sup>133</sup> Perkins is clearly taking a strict, yet not unusual stance when he added that

<sup>131</sup> Cf. Harding (2002: 549), drawing on Lefebvre.

<sup>132</sup> Perkins, *Christian Oeconomie*, 111. Originally published in Latin in 1590, this treatise only appeared in English after Perkins’ death in 1602.

<sup>133</sup> Perkins, *Christian Oeconomie*, 113.

moderation was called for between the sheets of the marriage bed since excess of lust, albeit in marriage, amounted to “no better then plaine adulterie before God.”<sup>134</sup> Such wide definitions of adultery were not uncommon in religiously motivated household manuals and treatises. Indeed, the question of marital passion had long been one of the most controversial in Christian moral-didactic discourse.<sup>135</sup> If lust itself was highly suspect in the conjugal bed, adultery, clearly motivated by lust, in this very place epitomised the ultimate transgression and the final consequence of illicit lust. The positive effects of the intimacy of the marital bed and marital sexuality, however, had also long been recognised; for instance their reconciliatory and conflict-solving potential, which was why quarrelling and strife there was especially discouraged.<sup>136</sup>

The marital bed was also a particular hotspot of adultery. Adultery, understood as the transgression of this conjugal intimacy, this “secret societie,” with a third person, could be defined, as by John Downname, as “the defiling of anothers [marital] bed with the act of vncleannesse.”<sup>137</sup> Moreover, phrasings such as “defiling the marriage bed” could be applied quite regardless of where the act in question actually occurred. In fact, it was rather widely supposed that the etymology of the very word adultery or *adulterium* could be traced back to the Latin phrase “*ad alterius thorum accessio*,” or, as Richard Cooke translated for his congregation, “the climbing vp vnto the bed of another.”<sup>138</sup> Hence the bed was metonymically connected to the concept of adultery, but also, of course, quite literally. To be cuckolded in one’s own house was shameful to a man, but to be cuckolded in one’s own bed was extraordinarily anti-climactic.

In Edward Sharpham’s comedy *Cupid’s Whirligig* (1607), Sir Timothy Troublesome, as we have learned, appears as the jealous surveyor of his household and his wife’s chastity. When Wages points out to his master that a new guest has arrived, Troublesome immediately thinks of cuckoldry:

“Wages. O Syr, what make you heere when there’s a gallant Gentleman, but newly come from Court, talking within with my Ladie?

*Kni.* Yet! more Courtiers, more Gallants, more Gentlemen? now in a hundred thousand

<sup>134</sup> Perkins, *Christian Oeconomie*, 113.

<sup>135</sup> Cf. Schnell (2002: 261).

<sup>136</sup> Cf. Schnell (2002: 261ff.) While medieval theologians were generally sceptical of sexuality, classical notions, e.g. by Plutarch, which recognised the positive effects of marital sexuality were reasserted by Renaissance didacts such as Erasmus and Vives.

<sup>137</sup> John Downname, *A Treatise Against Fornication and Adulterie*, in *Foure Teatises Tending to Disswade All Christians From Foure No Lesse Hainous Then Common Sinnes; Namely, the Abuses of Swearing, Drunkenesse, Whoredome, and Briberie* (London, 1609), 128-206, cit. 179. Cf. also Joseph Hall, *The Anathomie of Sinne*, in *Two Guides to a Good Life* (London, 1604), D2.

<sup>138</sup> Richard Cooke, *A White Sheete, or, A Warning for Whoremongers* (London, 1629), 9.

horn'd diuels names, what makes a there? what, is gone to bed to my Lady? doth a Cuckold me in mine owne House, in mine owne Chamber? Nay, in mine own Sheets? What hee's come to visit her too, is a not, ha? But let me see, I haue now found out a tricke to know if my wife make me a Cuckold, I will gelde my selfe, and then if my wife be with child, I shalbe sure I am a Cuckold, that will doe brauely Faith, God a mercie braine."<sup>139</sup>

Wages' remark, of course, is ambiguous. It may be designed to rouse his master's suspicions, but also to admonish him to attend to his duties as a host to his highbred visitor. In any case, the spatial contrast of the lady's being "within" with a male guest and the husband's being outside, possibly in the street,<sup>140</sup> instantly triggers the husband's suspicions. Sir Timothy conceptualises the visitor not as a guest worthy of hospitality, but as an intruder who corrupts the Troublesome's domestic space, most importantly, the space at the very heart of their marriage: the marital bed. The husband's need to *confirm* his suspicions with irrevocable finality now takes precedence over asserting his authority in his house or reconnecting with his wife. In this he differs markedly, for instance, from Francis Ford of *The Merry Wives of Windsor*, whom I have already discussed elsewhere.<sup>141</sup> Instead of re-claiming his chamber, his wife and hence their marital union (which would be the positive didactics here), he devises a plan which will ultimately exclude him from of his wife's sexuality and their marriage bed: he will castrate himself.<sup>142</sup> This is an act of more than intimate consequences as, legally, impotence was a ground for annulment of marriage.<sup>143</sup> Consequently, Sir Timothy, in his jealous irrationality, is presented as a very bad example of husband and householder.

The connection between receiving visitors and taking them to bed, which Timothy Troublesome draws so readily, however, is less farfetched than may be assumed. Bedchambers in sixteenth- and early seventeenth-century houses were still used as reception rooms, as they had been in medieval times.<sup>144</sup> In addition, though the bed could certainly be a space of marital intimacy, it could not, owing to the common practice of sharing beds, properly be termed 'private.' This means that there was a fundamental difference between

<sup>139</sup> Sharpham, *Cupid's Whirligig*, [A4f.] (act 1).

<sup>140</sup> Though the scene is not specified, the interactions between the neighbours taking place in this passage evoke the image of a street or doorway scene.

<sup>141</sup> See Pohlig (2007).

<sup>142</sup> We can find a similar narrative in Robert Burton's *Anatomy of Melancholy* in the story of a baker who becomes so obsessed with his wife's fidelity that he gelds himself. Cf. Breitenberg (1996: 15f.).

<sup>143</sup> Cf., for instance, Thomas Edgar, *The Lawes Resolutions of Womens Rights, or, The Lawes Provision for Woemen* (London, 1632), 65f., also Helmoltz (1974: 87-90).

<sup>144</sup> Turner, D. (2002: 158). The parlour, which, by the nineteenth century, functioned as an important reception area, in the early seventeenth century appears to have been used less for reception than for withdrawing purposes. Though in early seventeenth-century country houses parlours were furnished with beds, they were not in urban houses. See Brown (1986: 587-90).

being in bed with someone and ‘having the carnal knowledge of someone,’ to use contemporary legal jargon, and yet the boundaries between the two proved highly negotiable at times. Valerie Traub has argued that it is still possible to conceive of the bed as a “space between visibilities,” which may have offered a sort of refuge from patriarchal determination.<sup>145</sup> In terms of the ‘transparency’ of bedchambers and beds, David Turner has spoken of “layers of concealment,” considering there were not only locks or latches at doors (where there were no locks, a distinction could be made between open and closed doors), but also bed curtains.<sup>146</sup> Turner relates an early eighteenth-century incident where a woman was found by an acquaintance, in her bedchamber, in bed, eating sugared lemons with a man who was suspected to be her lover. However, the fact that there were two other women present and particularly that the door was “latched but not locked” served to diffuse worries over transgression in this situation.<sup>147</sup> Secretive behaviour, it seems, was generally suspicious, and we may assume that, to a certain extent, this included married couples, too. On the other hand, the marital bed was one of very few spaces where people could licitly enjoy a ‘private’ or intimate life; it was the one space where (married) people were actively encouraged to seek privacy in order to engage in sexual activity.<sup>148</sup> This means that the marital bed itself was connected to a form of *normative* secrecy which contrasted with, but may also have furthered the establishment of transgressive, *adulterous* secrecy within it. This transgressive secrecy is also the central aspect of the generation of adultery in other domestic spaces. Doors and walls are of crucial importance to delineating spaces. Whether they serve to establish secretive intimacy and thus further adultery, or to exclude potential intruders and thus prevent adultery, however, depends on human agency.

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<sup>145</sup> Traub (2002: 62).

<sup>146</sup> Turner, D. (2002: 159). The same image is evoked by Patricia Fumerton’s (1991: 71) observation that, increasingly, bedchambers in palaces and great manors were situated behind a long succession of progressively less common rooms.

<sup>147</sup> Cf. Turner, D. (2002: 158).

<sup>148</sup> Cf. Longfellow (2006: 323).

### 5.3. Thresholds I: Doors

“Where no sin  
Unbolts the door, no shame comes in”

Robert Herrick<sup>149</sup>

Doors were the thresholds which formed the layers of intimacy within the domestic sphere. Sharpham’s *Cupid’s Whirligig* highlights the centrality of (people’s use of) doors to the generation of adulterous spaces inside the household, and, conversely, to maintaining domestic integrity. Lady Troublesome has told her husband that Lord Nonsuch intends to visit her that night. He will send “a certaine Pander before, for feare you stand a rocke in his way,” and she suggests that her husband bribe this pander to work for the Troublesomes and watch out for the arrival of Lord Nonsuch, so that Sir Timothy, in concurrence with the common motif, will be able to catch the offender and, in Lady Troublesome’s words, may “punish him either with death or feare.”<sup>150</sup> The household is thus constructed as a governed space in which illicit access to the wife is debarred by the husband and his allies. Who arrives at the house, however, is not the “pander,” but Lord Nonsuch in disguise. Without noticing this, Sir Timothy, for comic effect, welcomes the guest heartily, and employs him as his wife advised: “my wife hath told me all,” he admits, “you are an honest man, hold, hold, will ye but befriend me now, and watch another dore vnto my house, & giue me notice when a comes, while I watch this?”<sup>151</sup> The disguised rival is thus let into the house under the premise of guarding the door against the wife’s seducer, while the husband watches the other door.<sup>152</sup>

Even though Sir Timothy is clearly not the most capable of household managers, comic action here serves to the rather serious fact that, generally, household space, with its many points of potential access (and we are not even counting windows here), is essentially unsuited for total husbandly or patriarchal surveillance.<sup>153</sup> These manifold points of access

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<sup>149</sup> Robert Herrick, *The Suspicion Upon his Over-Much Familiarity with a Gentlewoman*, in Robert Herrick, *Selected Poems* (Jesson-Dibley, D., ed., 2003), 46.

<sup>150</sup> Sharpham, *Cupid’s Whirligig*, C<sup>v</sup> (act 1).

<sup>151</sup> Sharpham, *Cupid’s Whirligig*, D<sup>v</sup> (act 1).

<sup>152</sup> If we assume that Sir Timothy has greeted the disguised Lord at the front door and then sends him to guard the *back door*, than this carries a wealth of insinuating allusions. Cf. Daileader (2002).

<sup>153</sup> As Sharpham’s Spanish (near) contemporary Calderón recognised: *Casa con dos puertas mala es de guardar* – a house with two doors is difficult to guard. Performed in 1629, this was an early comedy of Calderón de la Barca. In this play, it is not the vigilant husband who guards his house (and wife), but, more in the spirit of romantic comedy, a brother and a father who try to keep the two young young heroines Marcela and Laura separated from their lovers. The women, however, can defy their guardians through the clever use of domestic space: hidden passage ways (i.e. hidden doors) and the two doors of the title respectively. See Calderón de la Barca, *A House With Two Doors Is Difficult to Guard* (Muir, K., transl., 1963).

correlate with the manifold possibilities of creating spaces of illicit intimacy within the household and hence also with the multiple spaces of temptation for the wife. The husband, however, is only one person, and cannot possibly guard the whole domestic sphere against intrusion on his own, even if he is present in the house. He can delegate his authority to defend household space and wifely chastity to associates, whose trustworthiness, however, as this example shows, cannot be guaranteed. A variation of the question who will guard the guards themselves, famously posed in Juvenal's *Sixth Satire*, where it appears, significantly, in the context of the threat of female adultery.<sup>154</sup>

The ultimate guarantor of the integrity of domestic space in the sense of wifely chastity is the faithful wife. This is a position of power which should not be underestimated. From quite early on in the play, Lady Troublesome proves to be a quite able manageress of household space and of her own chastity. To succumb to another man's temptation, she argues, equals loss of self-government: "shall I that haue beene a commander of my self, now prooue a slaue to sinne? No, no, my mounting thoughts doe soare too high a pitch to stoope to any strangers lure."<sup>155</sup> This, in turn, is visualised in spatial terms. "Lust," she recognises, "it's like an ouer-swollen Riuer, that breakes beyond all bounds."<sup>156</sup> The same motif is picked up in Barkssted and Machin's *The Insatiate Countess*, where it is applied specifically to female lust as Rogero, one of the nymphomaniac countess' ex-lovers, recognises

"This course pursues female adultery  
They'll swim through blood for sin's variety,  
Their pleasure like a sea, groundless and wide;  
A Woman's lust was never satisfied."<sup>157</sup>

Hence the specificity of sexual transgression, in one contemporary discursive tradition, lies precisely in its refusal to be spatially restricted or codified, i.e. in the transgression of spatial limits. Of course, one may say, this is simply a metaphor (of space), but our further explorations of *Cupid's Whirligig* will show that there is more to it.

Lady Troublesome recognises that she cannot physically restrain Lord Nonsuch from coming to her house as he will transcend those boundaries, but she can manage her husband and household space in a way that will give her suitor no opportunity to reach his goals. Her

<sup>154</sup> See above, 176.

<sup>155</sup> Sharpham, *Cupid's Whirligig*, C (act 1).

<sup>156</sup> Sharpham, *Cupid's Whirligig*, [B4<sup>v</sup>] (act 1).

<sup>157</sup> William Barkssted and Lewis Machin [and John Marston], *The Insatiate Countess*, in *Four Jacobean Sex Tragedies* (Wiggins, M., ed., 1998), 1-73, cit. 4.2.80-83. Here, lust is also compared to a labyrinth (4.2.104) and the volcano Etna (4.2.109). Cf. Alexander Niccholes, *A Discourse of Marriage and Wiving* (London, 1615), 5: "for as a vertuous woman is a hauen of beauty, so a wicked woman is a sea of evils."



agency in devising a plan to ward off amorous intruders is striking. When Lord Nonsuch encounters Sir Timothy at his door, he quickly catches on to the other man's play and admits in a line which, considering the situation, is charged with underlying smugness:

“I thinke my Lord meanes to Cuckold you indeed.

*Kni.* Why, that's well said, hold, heere's one Angell more, and goe but with my wife, sheele show you the other dore, while I watch this: and if a come, knocke him down, kill him, and lay the fault on mee, ile please you for your paines; looke, heere's a club will hold.

La. Giue me, giue me, come.

*Kni.* Goe wife, go with him, see a stand stiffely too't. And if occasion serue.”<sup>158</sup>

After this exchange loaded with puns, wife and Lord exit the stage, while Sir Timothy vows

“if a come to this dore, ile teach him come to tie his mare in my ground.”<sup>159</sup> Though his

intention is thoroughly legitimate, his obvious inability makes him a laughing-stock.

Husbandly inability, as we have learned, incited mockery. If Sir Timothy were a capable

model of a husband, the laugh would be on the potential lover<sup>160</sup> – or, in a tragedy, the

catastrophic scope of such a confrontation between lover and husband could be explored. As it is, Sir Troublesome remains clueless despite his best efforts.

Clearly, even Troublesome's unsuccessful actions convey the impression that this issue is about his mastery of household space, which was connected to the credibility of his performance of masculinity. Like marital status, this spatial authority did not simply exist – it had to be constantly, successfully reiterated in order to be kept legitimate. Thus, a husband's performance needed to constantly (re)generate his household as his sphere of authority. Yet defending this space, and in doing so codifying it as both domestic (protected marital household space) and under masculine authority, was no easy task.

It was not unheard of that suitors would seek to gain access to the house of their object of passion, even with violent measures. In her explorations of early modern sexual violence, Garthine Walker relates a case which was dealt with by the London Star Chamber in 1619, in which one particularly hotly enamoured suitor simply could not be discouraged to break into the house of a married woman from Southampton. “He had made a key to the back door of

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<sup>158</sup> Sharpham, *Cupid's Whirligig*, D2 (act 2).

<sup>159</sup> Sharpham, *Cupid's Whirligig*, D2 (act 2).

<sup>160</sup> The mid-seventeenth-century broadside ballad *The Mouse-Trap*, for example, recounts the story of “one Peters a Post of Roterdam, who tempting an honest woman to leudness, was by her and her husband catch [sic] in a Mouse Trap.” Here, the potential lover, not the husband, is ridiculed. Humphrey Crouch, *Come Buy a Mouse-Trap, or, A New Way to Catch an Old Rat* (London, 1640-1650), part of the subtitle; also in Roth (1977: 415f.).

her house and ‘made many secret entrances into the house before the same could be discovered.’” He repeatedly tried to rape her so that one time “she had to be rescued from his hands by her neighbours.” On another occasion, “he crept into her house when her husband was away and hid ‘in an obscure place’ until night-time; when she was asleep in bed he undressed and jumped in next to her, intending ‘to have ravished her against her will.’”<sup>161</sup> In the *Merry Wives of Windsor*, Falstaff enters the Ford household through the back-door.<sup>162</sup> Evidently, Sir Timothy Troublesome’s basic endeavour to guard the second door is justified.

Yet due to the need of having his second door guarded, what the unsuspecting, witless husband has managed is to let his rival inside his house. Hence this house now offers a refuge, a nearly safe haven for lovers bent on adulterous interludes as the husband is anchored at his look-out at the (other) door, his jealously attentive gaze turned outside rather than inside. The sexual double-entendres of the (unsuspecting) Sir Timothy’s verbal imagery – he hands Nonsuch a “club” and advises his wife to “see that a stand stiffely too’t” – add as much to the audience’s amusement as to the impression of Troublesome’s ridiculousness and incapability of spatial management – *his* “mouse trap” does not function.<sup>163</sup> Sir Timothy himself realises his dilemma, when Lord Nonsuch, after being unsuccessful with the lady, passes him to leave the house, and he finally recognises the intruder by his signet ring.

“*Kni.* Fare ye well, sir I hope that shal be neuer: but haue not I spun a faire thread thinke you, to be a very Baude, an arrant Wittall, to giue them opportunitie, put them together, nay, hold the dore the whilest: this is my wiues plot by which I haue saild to Cuckolds hauen, yet my saile was but a smocke, which shee her selfe hoist vp. Alas, alas, Gentlemen, doe you not know the Philosopher saith, this world is but a stage.”<sup>164</sup>

Troublesome recognises how he has unwittingly encouraged the construction of a secluded space of intimacy between his wife and his rival, how he has foolishly ‘held the door’ closed for them. Yet his reference to the familiar world-stage topos is designed to characterise himself as a player, a mere pawn in his wife’s scheme. That he thus denies responsibility for his actions makes him appear even more foolish.

The notoriety of the liminal space of the door lies in the fact that it makes no distinction between protecting chastity through concealment or promoting transgression. What Troublesome does not know, however, is what has really passed between his wife and her suitor in the meantime. The audience, on the other hand, has witnessed the private

<sup>161</sup> Walker (1998: 16).

<sup>162</sup> Cf. William Shakespeare, *The Merry Wives of Windsor* (Craik, T.W., ed., 1990), 3.3.21f.

<sup>163</sup> Cf. above, 188n160.

<sup>164</sup> Sharpham, *Cupid’s Whirligig*, D3 (act 2).

conversation between the two characters. While Sir Timothy had looked out for his rival's arrival at one door, Lord Nonsuch and Lady Troublesome have re-entered "at another dore."<sup>165</sup> Evidently, stage space, marked by the dual entrance options which seem to have been a quite typical feature of both private and public theatres,<sup>166</sup> is particularly well-suited to evoke the permeability of domestic space. Her husband's back turned, Lady Troublesome uses the rather intimate situation with Nonsuch to get her message through to her suitor by declaring,

"O my Lord, shall a smile, a good word, a little kind behauiour, or the title of deere seruant, make your hopes to swell into so great a sea of lust, as presently to ouer-flow and drowne the honour of your Mistris? O my Lord, no, your iudgement much deceiues you of my disposition: besides, I sent not for yee, it was your leaud vnbrideled will, that made you thus come gallop hither [...]; No my Lord, I know I durst to trust my selfe against the most of opportunitie and strength of all temptation, and though my husband watch you at the doore, yet know within, my conscience watcheth me."<sup>167</sup>

Lady Troublesome's speech employs the image of limitless lust, and touches on the ambiguity of hospitality which has been treated in the last chapter. Her performance of chastity thwarts Nonsuch's attempts to create a space of transgression inside the Troublesome household; the secluded space generated around wife and potential lover does not become an adulterous space, but one where the normativity of wifely chastity and, consequently, domestic integrity is reinforced.

As the plot unfolds, Lady Troublesome succeeds in convincing her husband of her innocence and hopes for a reconciling quiet night with him – little does she know that her rather humorous husband,<sup>168</sup> in the meantime, has let himself be gelded to prove her false and has already planned on divorce and remarriage. She expects her husband's return that evening and orders a servant to "keepe fast the doore, let no man trouble me."<sup>169</sup> Her intention is to create a space of marital intimacy. No sooner has she passed this order than Captain Wouldly, who apparently would not be dissuaded by the servant from entering, comes swaggering in, seeking to draw an advantage of Sir Timothy's absence and the spatial vacancy this has generated: "Saue thee sweete Ladie, I heare thy Husband is from home: which makes mee

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<sup>165</sup> Sharpham, *Cupid's Whirligig*, D2<sup>v</sup> (act 2).

<sup>166</sup> Cf. The for private theatres see figures in Graves (1982: 82, 85f., 90), for public theatres see Johannes de Witt's famous sketch of the Swan theatre, for instance in Foakes (2003: 14), cf. also Styan (1996: 95 & 97f.).

<sup>167</sup> Sharpham, *Cupid's Whirligig*, D2<sup>v</sup> (act 2).

<sup>168</sup> Sir Timothy generally appears to be a character hard-driven by his humours.

<sup>169</sup> Sharpham, *Cupid's Whirligig*, [G4<sup>v</sup>] (act 4).

come to render thee my persons loue.”<sup>170</sup> Lady Troublesome is exasperated, reminds the soldier that her husband could discover them, whereupon the servant flees for fear that Wouldly might get furious because of being rejected. The Lady and her would-be lover are thus left alone, which promptly creates a space of intimacy between them, similar to the one Lady Troublesome had intended to create for her husband. The soldier promptly uses this intimate set-up to woo the lady. Wouldly, true to his name, insists that he “must now enjoy” her and vows that his “warlike Sword” should “defend [her] honour.”<sup>171</sup> The pun obviously perverting the literal meaning of the message, as sex with the soldier would destroy the lady’s honour. A knocking sound saves Lady Troublesome from hearing more romantic tirades.

This “*rap, rap, rap*” in the stage directions apparently connotes a knock on the door, as Lady Troublesome immediately proceeds to look “*through the Doore*.”<sup>172</sup> This sound brings to the foreground the door as the interface between spaces, and emphasises the distinction between *inside* and *outside*. It also makes clear that doors are permeable and that the secluded space of the intimacy of adulterous lovers, which Wouldly aims to generate in the Troublesome household, is a fragile construction because it is ultimately part of the husband’s domestic sphere of authority. By looking “through” the door, moreover, Lady Troublesome has gained an advantage of knowledge over Captain Wouldly. She sets out to “*trie my Captaines valour now,*” pretends that her husband was outside, with a pistol, and pleads with the Captain to prove his bravery by drawing his sword and defending her honour.<sup>173</sup> Of course, his courage immediately crumbles, and he, increasingly desperate, begs to be hidden, be it (on a certain note of leering hopefulness) under her farthingale.<sup>174</sup> An adulterous lover hiding inside the Lady’s farthingale, however, would not only be visually protected, but create the ultimate space of illicit intimacy under the woman’s skirts. Unfortunately, the nature of Captain Wouldly’s subsequent hiding place is not clarified except for the Lady’s order to

<sup>170</sup> Sharpham, *Cupid’s Whirligig*, H (act 4). The *topos* of husbandly absence as an incentive for suitors is also broached in this play in the context of female wooing when Mistress Correction, the midwife and parson’s wife, invites the servant Wages to have sex with her.

<sup>171</sup> Sharpham, *Cupid’s Whirligig*, H (act 4).

<sup>172</sup> This “*Rap, rap, rap*.” is repeated while the Lady and Wouldly debate what to do, and again, Lady Troublesome “*lookes at the Doore*” (H<sup>v</sup>; act 4).

<sup>173</sup> Sharpham, *Cupid’s Whirligig*, H (act 4). Again, the sexual imagery is quite blatant. Captain Wouldly decides that his *sword* is no match for the husband’s *pistol*. The point, however, really is Captain Wouldly’s cowardice, which becomes clearer and clearer when Lady Troublesome repeatedly revises her information on the weapon her husband is supposedly carrying so that it ends up to be a mere “ponyard” (H<sup>v</sup>), but Wouldly cannot be convinced to face him.

<sup>174</sup> Sharpham, *Cupid’s Whirligig*, H<sup>v</sup> (act 4). The shape of this hiding place evokes similar images: Sir Politic Wouldbe’s turtle disguise in Jonson’s *Volpone*, for instance, or the brewer’s unlucky refuge under the brewing vat. Cf. Jonson, *Volpone*, 5.4., M.[artin] P.[arker], *The Cooper of Norfolk* (London, 1627). Jonson, *Volpone*, 5.4., M.[artin] P.[arker], *The Cooper of Norfolk* (London, 1627).

“stand here” and “stand close, take heed, doe not moue, till I call you.”<sup>175</sup> However, this is in fact a very good description of how hiding could have been performed on stage without the help of further props, namely by (relative) physical immobility, for instance next to a certain structure like a pillar, a wall or a curtain.

Importantly, the room which the characters generate on stage has no back door through which the suitor could escape. The back door as an escape route seems to be specifically disregarded in this comedy for dramatic purposes. In the earlier incident, when Lord Nonsuch in disguise is assigned to guarding this second door and could thus have easily left the house through it, he does not make use of it. Instead, he walks all the way back to the door Sir Timothy is watching, who only then recognises his rival by his signet ring. The permeability of domestic space in *Cupid's Whirligig*, then, appears to be unidirectional.<sup>176</sup> Suitors can *enter* through different doors, but there is only one possible *exit*, which is blocked for the most part. Thus, the dramatic pace and tension increases, confrontations between rivalling characters become possible.

When Lady Troublesome finally opens the door, it is not her husband who walks in, but Master Exhibition, yet another suitor or “[y]et more Flesh flyes,” as she appositely remarks.<sup>177</sup> Master Exhibition, the “Innes-a-Court-man,”<sup>178</sup> tries to win her with great, supposedly learned speeches full of legal jargon. He wants to make “a Lease” of her love “for tearme of life,” “in the remainder” of her husband, so that if Sir Timothy be “*alien* (or put away) it may be lawful for [Exhibition] to enter;” on the other hand, in Exhibitions absence or in the case of his tiring of Lady Troublesome, it would be lawful for Sir Timothy “again to receiue, and then to haue, holde, manure, and occupie, *In statu quo pius*.”<sup>179</sup> Thus, while Captain Wouldly's field of metaphors of courtship is war, Master Exhibition's is law, more precisely, property law. This conceptualisation of adultery in terms of (spatial) property is surely not exceptional. For instance, the anonymous author of *The Bloody Downfall of Adultery, Murder and Ambition* (1615), a pamphlet dealing with the Overbury affair, describes adultery as an act which “takes possession of another mans free hold, and makes a common of his neighboures inclosure,”<sup>180</sup> conceives of adultery in spatial terms as a violation of boundaries of property. Of course, conversely, this also means that adultery may be used to

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<sup>175</sup> Sharpham, *Cupid's Whirligig*, H<sup>v</sup> (act 4).

<sup>176</sup> This points to a general *intransitivity*, i.e. asymmetry of the boundaries of human spaces to which Kunze (2001: unpag.) has pointed. This means, for instance, that conditions of crossing a boundary may change with the direction of travel, or with time.

<sup>177</sup> Sharpham, *Cupid's Whirligig*, H<sup>v</sup> (act 4).

<sup>178</sup> Sharpham, *Cupid's Whirligig*, A<sup>v</sup>, list of characters.

<sup>179</sup> Sharpham, *Cupid's Whirligig*, H2f. (act 4).

<sup>180</sup> Anonymous, *The Bloody Downfall of Adultery, Murder and Ambition* (London, 1615), B<sup>v</sup>.

negotiate just these boundaries of property in the first place. In *Cupid's Whirligig*, adultery similarly is conceptualised in spatial terms as 'entering' another man's property, and yet again, the absence of this other man is described as a prerequisite for the adulterous union.

The consequences of this adulterous affair, Master Exhibition claims, are negligible. The law, as he presents it, seems to be biased towards male adulterers.

“*La*: Sure this fellow thinkes he hath some right to mee, and he hopes to win me by Lawe, but what thinke yee, if my Husband should come, and enter now vpon vs two, in what case were you?

*Ex*: Why, well enough, perchance he would complaine of me to the Bench,<sup>181</sup> and then I shuld be put out of commons: that's the worst he could do, and that's nothing: for I was once put out of commons before, for beating of the Panyard man: and in any within 3. dayes after.”<sup>182</sup>

Of course, Master Exhibition's view of his case is a trifle optimistic, especially since he totally ignores the measures which canon law held in store for sexual offenders.<sup>183</sup> Ultimately, it turns out he is bragging just as much as his fellow suitor and rival Wouldly, as his nonchalant-lofty attitude cracks when he is confronted with Sir Timothy's imminent arrival by a servant's message. He refuses to face the 'harmless' consequences he had envisaged before and demands of Lady Troublesome: “Why hide me some where, cannot ye hide me here?”<sup>184</sup>

Lady Troublesome does not hide Exhibition, but takes the opposite approach of blatantly parading the two suitors under her husband's nose, a motif which is borrowed from Boccaccio.<sup>185</sup> She tells Master Exhibition to draw his rapier and storm from the house in a pretended rage, as if he and the Captain had been fighting. This way, a confrontation with the husband can be avoided. This solution, however, is only possible because there are *two* suitors present. The presence of two men, moreover, basically makes this a public and less intimate situation, at least as long as the two suitors remain rivals and do not team up for an even more scandalous seduction of the 'lonely' wife. In effect, the fictional fight between the two visitors visualises their position as competitors for Lady Troublesome's favour. Sir Timothy remains ignorant about the actual cause of their quarrel. He is informed:

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<sup>181</sup> A division of the High Court of Justice.

<sup>182</sup> Sharpham, *Cupid's Whirligig*, H2<sup>v</sup> (act 4).

<sup>183</sup> While Master Exhibition only mentions disciplinary measures imposed by the King's Bench, actions for criminal conversation, which only became possible in the later seventeenth century, and which were pursued in courts like the King's Bench, allowed the husband to sue his wife's lover for financial recompense. Cf. Loftis (1996: 562), Turner, D. (2002: 172), Shoemaker (2000: 131).

<sup>184</sup> Sharpham, *Cupid's Whirligig*, H2<sup>v</sup> (act 4).

<sup>185</sup> Cf. Giovanni Boccaccio, *The Decameron* (Usher, J., ed. & Waldman, G., transl., 1998), VII., 6.

“Alas, Husband, he [Exhibition] would a kild this poore Gentleman [the Captain], but that hee came and ranne in heere for shelter; and because I would not suffer him [Exhibition] spoyle him [the Captain] heere in your House, hee [Exhibition] is gone in such a rage as you neuer saw.”<sup>186</sup>

In this scene, the domestic space of wifehood and hospitality is first turned into the a space of amorous contest by the husband’s absence and the advances of other men. Although the suitors propose to turn domestic space into a space of adulterous intimacy, thanks to the reinforced permeability of the domestic space in which the wife and her potential lovers interact, this space of adulterous intimacy is not ultimately established. Now, Lady Troublesome, against the onslaught of her suitors, sets the image of a different kind of secluded space, with positive connotations: a shelter. This domestic space of refuge is congruent with expectations of ideal hospitality. By offering such hospitality, moreover, in the name of her husband, Lady Troublesome can fashion her household as well-ordered, and her husband as orderly governor. Her actions also make very clear how much the generation of spaces really depends on the performance of certain acts and kinds of behaviour. In contrast to his earlier lack of hospitality, Sir Troublesome agrees with his wife: “Well Wife, belieue me, I thanke ye for this,” he admits, “for I would not for the wealth of all this Towne he shuld a hurt him in my house.”<sup>187</sup> To support this image of hospitality and neighbourly charity, the Captain is invited for dinner.

Thus, Troublesome once more ends up unsuspectingly inviting a rival into his house, and even entertaining him. This highlights the ridiculous touch of this character, but also draws attention to the problematic nature of the precept of hospitality itself. Troublesome is not a complete fool. As the manoeuvres of Master Exhibition and the Captain prove, he is actually *right* to be suspicious of his visitors, but his judgement is sadly lacking. His offer to later escort the other man back to his own lodgings,<sup>188</sup> without Troublesome’s knowing, certainly is a symbolic act of taking the man back to his own space, where he belongs. However, by doing so, the knight leaves home yet again, and the (re)confirmation of marital intimacy (the cosy night Lady Troublesome had planned) is postponed or even cancelled completely.

*Cupid’s Whirligig* sketches a social environment in which sexual and marital partnerships are potentially unstable.<sup>189</sup> As we have seen, these shifts are closely connected

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<sup>186</sup> Sharpham, *Cupid’s Whirligig*, H3 (act 4).

<sup>187</sup> Sharpham, *Cupid’s Whirligig*, H3 (act 4).

<sup>188</sup> Sharpham, *Cupid’s Whirligig*, H3 (act 4).

<sup>189</sup> Cf. Bly (2000: 46).

with competing claims of spatial authority. In this comedy, male rivals are cast as actively conquering intruders who, by gaining access to the husband-free body of the household, hope to gain access to the body of the wife as well. The boundaries and entrance points of this domestic space are exceedingly difficult to guard. The deficient husband cannot achieve it, whether he is at home or not, and the servant cannot dissuade determined visitors from entering either. The problem, irrespectively of the comic setting of this action, is that domestic spaces *are* potentially permeable; they are open to visitors and thus open to sexual advances, not the least because of the demands of charity and hospitality. In *Cupid's Whirligig*, it is this very permeability, however, which thwarts the men's attempts at establishing an intimate space of sexual union. Although it may not always be possible to keep potentially harmful visitors outside, capable (male and female) householders can manage household space in such a way as to prevent adultery. Lady Troublesome moves inside this house, akin to a spider in the web. While visitors intrude from outside, she manages household spaces effectively in order to outwit both her suitors and her husband. In this, she is, to a certain extent, quite similar to the *Merry Wives of Windsor*. It turns out that although the nominal authority resides with the husband, the spatial authority over domesticity may very well be effectively upheld by the wife, particularly if the husband proves wanting.

Even though this is a comedy, I would argue that this emphasis of female household management has nothing to do with a subversion of normative hierarchies sometimes associated with this genre, but rather with the very real implications of women's role as the "keeper of the house." Many adolescent gentry girls were comprehensively trained for the role of household manager,<sup>190</sup> and these management tasks were also demanded of middling- and lower-sort wives. The role of the "good huswife," as Wendy Wall has convincingly outlined, involved a lot of dirty work and hard physical labour, which, quite possibly, provided the grounds from which wives could successfully counteract sexual advances.<sup>191</sup>

In the comic subplot of *The Insatiate Countess*, Abigail and Thais manage household space equally effectively. Here, the transparency and fluidity of the women's domestic space, which is backed up by the construction of a space of intimacy and confidence – a network – between the two women, allows them to exchange places in each other's homes and beds and thus successfully prevents adultery. Significantly, although in this play the 'illicit' sexual intercourse is definitely supposed to take place, the 'transgression' is not shown directly on

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<sup>190</sup> Cf. Fletcher (1995: 177).

<sup>191</sup> Cf. Wall (2002: 22).



stage. The space of intimacy between both couples, thus, is purely imaginative. In *The Merry Wives* we see Falstaff cavorting in Mistress Ford's chamber, and in *Cupid's Whirligig* we behold Lady Troublesome's private interactions with her suitors in her more private rooms. Thus, in both cases the audience can take the function of a witness – of the fact that nothing sexually illicit happens.

Yet in the subplot of *The Insatiate Countess* stage space does not turn into the private bedrooms of the protagonists, the scene is set outside, and (stage) doors serve as a boundary separating the audience from the intimate domestic space of the characters. Hence we never see the two men in their neighbours' wives' private rooms.<sup>192</sup> Here, it is the *lack* of concrete visual presentation, the impression of secrecy, which suggests something intimate has transpired between the characters – something which cannot be shown on stage. This impression, of course, is emphasised by certain markers. The dialogue indicates that the couples are to meet at the day's end, at "six, a dark time fit for purblind lovers,"<sup>193</sup> the husbands must "come darkling"<sup>194</sup> so that they will not realise they are being (bed) tricked. Darkness and night-time, as we have learned, are circumstantial factors associated with transgression.<sup>195</sup> The stage directions specify that when both male characters arrive for their nightly interlude, they enter "at several doors." They display signs of "being in a readiness," which might well be sexually allusive, and disappear into the other's house.<sup>196</sup> Apparently, early modern stage space, with its double doors, was not only ideally suited to evoke the permeability of domestic spaces from an inside perspective, but also to represent neighbouring houses and the interactions of neighbours. Curiously, the doors of both houses are left open after the husbands enter – which provides an incentive for the night watch (searching for Mendosa's 'murderer') to question the inhabitants or "guests."<sup>197</sup> Obviously, here the openness of doors or houses at such a late hour – or rather, in the darkness<sup>198</sup> – is an

<sup>192</sup> Interestingly, we find a similar situation in Heywood's *A Woman Killed with Kindness* where Frankford only reports what he has discovered in his bedroom, and subsequently Wendol and Anne Frankford are seen emerging from said room in night attire. This room is specifically coded as a "bed-chamber" rather than a whole house, a "polluted bed-chamber," even, yet we never get a glimpse inside. Thomas Heywood, *A Woman Killed with Kindness* (London, 1607), F3 & [F4].

<sup>193</sup> Barksted & Machin, *The Insatiate Countess*, 2.3.58f. Similarly, Lady Troublesome's suitors Captain Wouldly and Master Exhibition arrive sometime around supper, which implies that it must already be later in the day.

<sup>194</sup> Barksted & Machin, *The Insatiate Countess*, 2.3.79.

<sup>195</sup> "The eye of the Adulterer," Richard Cooke quotes Job 24:15, "waiteth for the twilight, and saith none eye shall see him, and disguiseth his face." Cooke, *A White Sheet*, 13.

<sup>196</sup> Barksted & Machin, *The Insatiate Countess*, 3.1. stage directions at the beginning of the scene. The 1613, 1616 and 1631 editions, however, do not mention the "several doors," but only state that the two men "being in a readiness, are received in at one anothers houses by their Maids."

<sup>197</sup> Barksted & Machin, *The Insatiate Countess*, 3.1.115f.

<sup>198</sup> Cf. Barksted & Machin, *The Insatiate Countess*, 3.1.80, where Mendosa exclaims "See, now 'tis dark," and 3.1.107 when the Captain of the watch requests a light in order to be able to examine the injured man lying on the ground.

indicator of transgression and thus arouses particular suspicion. For instance, the image of assailants or thieves fleeing and leaving doors open in a haste may be conjured up. The watch returns moments later “with Claridiana and Mizaldus, taken in one another’s houses in their shirts and nightgowns.”<sup>199</sup> Though the audience has not witnessed what went on inside the houses, the men’s disorderly attire, of course, is another piece of evidence that they were engaged in (potentially illicit) sexual acts, as “removal of any outdoor clothing, and particularly the symbolic hat, could be carnally suggestive.”<sup>200</sup>

As has been pointed out, Claridiana and Mizaldus decide to confess to murder rather than to be exposed as cuckolds and are consequently taken to prison. The domestic space of their households is thus left in the hands of their able wives, who are repeatedly shown to interact and discuss the situation, among themselves but also with their neighbour Lady Lentulus.<sup>201</sup> Here, then, the communal female space of the household we have mentioned earlier is at least alluded to. It is only the logical consequence of Abigail’s and Thais’ successful management of domestic spaces and resources that, in the end, Amago, the Duke of Venice, grants them all of their husbands’ possessions after they would be hanged. Normally, the Duke points out, the estate of executed criminal offenders would fall to him. Enraged, Claridiana breaks out “O hell of hells! Why did we not hire some villain to fire our houses?”<sup>202</sup> Burning houses was a crime that, at least in England at that time, surely merited exactly the capital punishment which both men find themselves facing, which also indicates what great value was (institutionally) placed on these domestic spaces.<sup>203</sup> Mizaldus replies, “I thought not of that: my mind was altogether of the gallows.”<sup>204</sup> It is exactly this general neglect of their household (space) as well as the misrecognition of their wives’ central role inside this space which is the two husbands’ basic problem. Rather than guarding their own doors (here as a *pars pro toto* for the whole of their domestic space), Claridiana and Mizaldus are only intent on assaulting their neighbours’ door. Once again, the ultimate protector of household space against the intrusions of adultery-minded suitors and irresponsible husbands is the faithful wife.

Comic plots like the one focussing on the Troublesomes in *Cupid’s Whirligig* and on Abigail and Thais in *The Insatiate Countess* present adultery as originating in the husband’s

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<sup>199</sup> Barksted & Machin, *The Insatiate Countess*, stage directions after 3.1.120. For night-gowns as conventional markers of representing night-time on stage cf. Dessen (1980: 3).

<sup>200</sup> Gowing (2003: 35).

<sup>201</sup> Cf. Barksted & Machin, *The Insatiate Countess*, 3.3., 4.3.

<sup>202</sup> Barksted & Machin, *The Insatiate Countess*, 5.2.92f.

<sup>203</sup> Cf. above, 165n32.

<sup>204</sup> Barksted & Machin, *The Insatiate Countess*, 5.2.94f.

incompetence or distraction, while able, witty wives successfully ward off insistent suitors. Consequently, these plays not only, negatively, highlight the husbandly duty of caring for his wife and household, but they also, positively, stress female agency in maintaining marital harmony and chastity. A resolute wife who may govern household space and handle suitors successfully thus seems much more preferable to a meek wife who has been intimidated into obedience by sheer husbandly authority and has been 'enclosed' in her house with no spatial authority of her own. This was especially pertinent as such a domestic enclosure was nearly impossible to maintain in practice.

The performances of domestic spaces on the early modern stage which we have just discussed visualise the household as an at once permeable and yet not fully transparent space. They enable the audience to witness exchanges which are connoted as secretive or private, and which take place in spaces which are markedly secluded and would not normally be open to public view, like the dialogues between Lady Troublesome and her suitors. Although there certainly was no such thing as a dramatic concept of the fourth wall in early modern times, what the audience was presented with in these instances was very similar to peeking through a hole into somebody else's house. In the case of Lady Troublesome, this involvement of the audience as witnesses served to establish her innocence – much to the contrary of the 'real-life' neighbourly acts of peeping which have survived in court records, which mostly assert the transgression of the observed person rather than their innocence. As the example of Abigail and Thais indicates, however, this view into the private rooms of characters may also be debarred. One may surmise that it was possible to show intimate interactions on stage precisely as long as no more intimate sexual activities occurred. Those had to be inferred from secondary evidence. In both cases, in those where intimate spaces were opened up to viewers and where they were not, doors were used to negotiate the line between normative and transgressive interactions.

One may thus note the structural similarities between spectatorship in the theatrical context and neighbourly surveillance and acts of witnessing. Thus, visitors to the theatre could utilise the practices of everyday neighbourly watching and witnessing as well as their knowledge about markers of transgression to make sense of and interpret the actions presented on the theatrical stage. On the other hand, by watching performances in the theatre, members of the audience might also refine existing skills of watching and analysing (inter)action or even develop new ones, which might then be applied to everyday neighbourhood contexts.

## 5.4. Thresholds II: Walls

Jack “Yes, yes, Gaffer, I have thought so many times,  
that you or some body else have been at home; I lye  
at next wall, and I have heard a noise in your  
chamber all night long.

Compass [who has actually been absent from home  
for four years] “Right, why that was I, yet thou never  
sawst me.”

John Webster, *A Cure for a Cuckold*<sup>205</sup>

Walls, rather than presenting safe boundaries which uni-dimensionally generated spaces of exclusion and concealment, are very similar in their construction to doors and windows in that they can be codified as liminal structures. They are marked by mechanisms of opening and closing and thus constitute spaces *in between*. These liminal characteristics of walls were emphasised in the context of generating adultery in early modern England. In a sense, the function of these material liminal spaces of doors, windows, walls, and, in the open air, hedges and fences and the like, is to signify the liminal space between normativity and transgression; that is, they provide a room to negotiate just this distinction between normativity and transgression.

Walls, the basic structures which constitute the space of a house, are made liminal by their audial and visual permeability, which was highlighted, for instance, by the accounts of neighbours who reported the suspicious goings-on next door. Walls did not always serve to separate households clearly, particularly in cramped city spaces, where several parties dwelled under one roof. Laura Gowing, examining defamation cases in early modern London, describes the situation as follows:

“The closeness of city dwellings made the house and the household less self-contained than those imagined by most contemporary writers. Several couples often shared one house, a situation liable to provoke dispute. In one case, the three litigants and two of the three witnesses lived in one house, and the defamation took place on the stairs. Even between houses, privacy was not guaranteed: one women prosecuted a case based on having heard her next door neighbour call her whore through the kitchen wall.”<sup>206</sup>

<sup>205</sup> John Webster [and William Rowley], *A Cure for a Cuckold*, in *The Works of John Webster*, vol. 2 (Gunby, D., ed., 2003), 261-442, cit. 2.3.56-59.

<sup>206</sup> Gowing (1996: 98f.) The question remains, of course, whether we can take these depositions at face value or whether we should much rather view them as a strategy of liminalising spatial structures in order to negotiate the twilight zone between transgression and normativity.

Similarly, practices of hanging up a pair of horns on walls, or fastening a ballad over the door of the house which harboured alleged cuckolds,<sup>207</sup> proposed to display what went on behind these boundaries; and thus, in a way, liminalised walls. Quite literally, moreover, these practices served to make a distinction between normativity and transgression by marking a specific house *in toto* as a space of transgression. This may have cast a dubious light on the surrounding buildings, too. From another perspective, these acts of active witnessing construct adultery as a social phenomenon precisely through the use or generation of spaces.

But there were other ways to gain knowledge about the goings-on behind walls and closed doors. In church court depositions we find countless examples of people who claimed to have looked through holes in walls, cracks in floorboards, or listened in on their neighbours' conversations or illustrious doings through thin walls, windows and doors left ajar. The sheer quantity of such holes in these statements has led historians to identify them as predominantly fictitious. As Laura Gowing remarks, they "are just too convenient."<sup>208</sup> When we look back at the depositions of Mistress Hall and Mistress Morrice, who deposed in the case against Jone Anflett and Michael Payne, it appears remarkably convenient that Mrs Hall should have a wall directly adjoining to Mrs Anflett's bedroom, even more convenient that this wall should have a hole in it, and still more so that the hole should be precisely in such a place as to open the view directly to the scandalous going-on inside the other room. It also seems striking that Mrs Hall and Mrs Morrice, spying through a little hole, should have been able to clearly make out not only the exact positions and state of undress of the couple's bodies, but also to identify both participants.<sup>209</sup>

The ubiquitous referral to such holes in court records, I want to argue, can be viewed as just such a strategy to liminalise walls, i.e. to create legitimate acts of witness. Just like the bleeding "wound in the wall" in the painting *Profanation of the Host* by Paolo Uccello, which Stephen Greenblatt has discussed at length, holes in walls created a link between inside and outside, between the individual and the Christian community.<sup>210</sup> In his essay, Greenblatt asks

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<sup>207</sup> Cf. Capp (2003: 65) and (1995: 33), who only really stands as one example for the numerous instances in which social historians have referred to these practises.

<sup>208</sup> Gowing (2003: 106). Cf. Crawford & Gowing (2000: 137). On the other hand, Ian Archer (1991: 71) has stressed that "once people decided that they wanted such proof" of their neighbours' illicit actions, the cramped living situation in London meant that it was easy to obtain. I would suggest that his statement is valid on an even more general level: If neighbours decided they wanted proof, they were likely find a way to get it, no matter where they lived. Moreover, "proof," as we have mentioned, to a large degree was exactly the evidence generated by the (witnessing) neighbours' actions themselves, in rumours, gossip, or court depositions.

<sup>209</sup> This is even more important as the deposition of Mrs Morrice structures the events in such a way as to make us assume she was not made familiar with the details of what was going on, but only told to look through the hole and see what she could see in the chamber next door.

<sup>210</sup> Cf. Greenblatt (2001: 97).

how we are to account for this hole in the wall in Uccello's painting, and a number of potential explanations also suit these other holes our witnesses' accounts of adultery. Were they an architectural feature which many contemporary houses sported? Or do they indicate that many houses were in a desolate state, in need of repair? Finally, are we to imagine a more metaphysical explanation for the use of these holes? In our case, this could mean that they were employed as a marker, maybe, that sin corroded not only the spiritual community, but also the physical condition of its smallest unit, the household. Greenblatt admits that "there is something absurd about any of these explanatory measures," and offers a final conclusion: "The wound in the wall [...] is there for one overwhelming reason: to gather the streaming blood [from a desecrated host inside] into a satisfying narrow ribbon, which runs through it and thereby awakens the community inside to the crime within."<sup>211</sup> The same, I would argue, essentially, applies to the holes which are discussed here. Holes appear to be a narrative and visual feature which suited one crucial purpose: to legitimise the witnessing of crimes, in our case, adultery. These holes highlight that a person's offences were not a private affair, but that they involved, and affected his or her social environment.

The living conditions of the Phillpotts and Anfletts in the house in Southgate Street are not elaborated upon. We only learn that they live in the same building. However, Phillpott allegedly is considered as exercising spatial authority in the house in which all parties dwell. This suggests that there are no clear-cut boundaries between the Anflett household and the Phillpott household, and, consequently, the two men's respective domestic authority. Moreover, there seems to have been a hierarchy in status between Anflett's husband and Phillpott. Possibly, Phillpott was the Anflett's landlord – it does not appear to have been uncommon, even in the middle station, to rent one or two floors, or even a number of rooms in somebody else's house, particularly if a young couple only started out together, which, of course, makes household structures particularly blurry.<sup>212</sup> Yet whatever his actual status, Phillpott's authority does have certain limits. When Humfry Phillpot does not explore the situation in Jone Anflett's bedroom himself, but instead sends women to investigate the matter, he seems to be appealing exactly to the form of female networks and the notion of shared female space which has been highlighted above.

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<sup>211</sup> Greenblatt (2001: 103f.).

<sup>212</sup> Cf. Earle (1989: 210). Alternatively, Phillpott may be Jone Anflett's father, which, it needs to be cautiously added, is in no way suggested by the depositions. In this case his neighbours' admonitions for Phillpott to exercise his authority in such a way as to forbid Jone's lover entrance to his house in her husband's absence, would be appealing to his even more weighty authority as a father.

In the Payne/Anflett case, the question of the hole does not seem to have been elaborated upon. However, the nature of the hole is a crucial issue in a group of suits from Earls Colne in Essex, dating from the 1620s, in which revolved around the depositions of a group of servants who alleged that their married mistress had engaged in sexual intercourse with a certain Robert Carter.<sup>213</sup> The plot itself relates to several aspects which have already been mentioned. On the Saturday after Easter 1620, while William Collin was still away from home at Coggeshall market, an hour or two before sundown, the servants see his wife and Robert Carter sitting in the hall by the fire. When one of the maidservants re-enters the hall a short while later to find Isabel and Robert gone, she calls her fellow maidservant. Together, the two witnesses venture to find out what is going on. Their search charts domestic space in a fashion very similar to Gervase Markham's illustration given above.<sup>214</sup> It moves from the more public area of the hall to the 'old parlour,' where they find the latch of the door pulled out and open the door with a fire fork to enter. When there is nobody in the old parlour, they, supposedly entering deeper into the household space off the hall, go to the "next door being the cheese house door,"<sup>215</sup> which they find locked, the key stuck inside.

Interestingly, the two women's depositions use different strategies to legitimise their exploration of domestic space. Alice March maintains that, apart from noticing that her mistress was absent and that the latch of the old parlour door was pulled back, her primary motivation for going into the old parlour was to get yeast and "lay a leaven for bread," so she took the fire fork and opened the door.<sup>216</sup> Margaret French's deposition, on the other hand, admits straight away that upon noticing that Isabel Collin and Robert Carter were no longer in the hall she and Alice suspected "that they were gone about some dishonest act,"<sup>217</sup> and thus ventured to find out more. Hence, while one woman links the (alleged) discovery of her mistresses' transgression to her own dutiful performance of household chores and the

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<sup>213</sup> There are primarily three suits involved here: John Brampton *c.* Isabel Collin (possibly a promoted office case for 'incontinent living'), Isabel Collin *c.* John Brampton (probably a defamation case instigated by Isabel Collin to refute Brampton's allegations), and finally William Collin *c.* Isabel Collin, which may have been a suit for divorce (*de facto* separation from bed and board), which, however, could just as well be aimed at official punishment of the wife's alleged transgression and/or a reconciliation of the spouses. Isabel and William had obviously separated at the time the witnesses deposed for this case, and it is very possible that official church policy would have favoured reconciliation in such an instance; cf. Ingram (1987: 318). In any case, they are still recorded as husband and wife in a document from 1638; cf. ERO D/DU292/7, document 22402520. Yet the legal action in this matter does not end here. Though there apparently was no plenary or instance jurisdiction against him in Earls Colne, Robert Carter, who had allegedly been seen *in flagrante delicto* with Isabel Collin, launched a defamation suit against the servants and primary witnesses March, French and Jones in London with the help of one Felix Blackman, one of the crucial witnesses for Isabel Collin. Cf. ERO D/ABD2 31 January 1621, deposition of Felix Blackman, document 701225.

<sup>214</sup> See above, 160.

<sup>215</sup> ERO D/ABD1, Brampton *c.* Collin, 24 November 1620, deposition of Margaret French, document 700330.

<sup>216</sup> ERO D/ABD1, Brampton *c.* Collin, 24 November 1620, deposition of Alice March, document 700084.

<sup>217</sup> ERO D/ABD1, Brampton *c.* Collin, 24 November 1620, deposition of Margaret French, document 700330.

connected need to use domestic space(s), the other woman classifies their use of domestic space as a straightforward expedition to uncover transgression.<sup>218</sup>

Both women depose that upon finding the cheese house door locked, they went about the house to try and look into the this room through a back window, which proved to be too high up and therefore inaccessible to them.<sup>219</sup> The cheese house is described as “above” main hall level,<sup>220</sup> but though it may be inaccessible from below, it proves to be accessible from above: Another servant, Thomas Jones, becomes involved, whose habitual sleeping place is situated in a chamber directly above the cheese house. According to Gervase Markham’s model house, this seems to have been quite common, as it marks a staircase “into the Goodman’s roomes ouer the kitchin and Buttery.”<sup>221</sup> Very conveniently, it turns out, there is a hole in the floorboards of this very chamber, through which the servants can all (simultaneously) behold the scandalous goings-on in the cheese house. This collective viewing marks the climax of a thrilling search for evidence. Apparently, the servants deliberately set out to get visual evidence on what their mistress is doing, and though their first attempts, involving doors, possibly keyholes and windows are unsuccessful, they finally succeed by finding a hole in the floorboards. The elaborate search history itself may have been strategically constructed to validate the existence of this hole – and ultimately, of course, the discovery of Collin’s and Carter’s adultery.

All in all, there are four witnesses who depose to have spied through the decisive hole. The three aforementioned servants depose in the case of John Brampton (whose relation to the Collins is difficult to determine) against Isabel Collin and unanimously incriminate their (former) mistress.<sup>222</sup> Only the fourth person, deposing *for* Isabel Collin in her subsequent

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<sup>218</sup> It may be that Alice March, being 29 years of age, and thus seven years older than Margaret French, had a little more experience in handling this sort of (legal) issues and was more careful, for instance, not to fall victim to an allegation of slander, but this is rather speculative. Cf. ERO D/ABD1, Brampton *c.* Collin, 24 November 1620, documents 700047 & 700312.

<sup>219</sup> Though Lena Cowen Orlin (1997) has argued that it may not have been considered respectable for women to be *seen* through their windows from the outside, it does not seem to have been deemed disreputable for women to have looked through windows from the outside.

<sup>220</sup> ERO D/ABD1, Brampton *c.* Collin, 24 November 1620, deposition of Alice March, document 700084. This is another parallel to the bedroom in which Jone Anflett reportedly received her suitor Michael Payne.

<sup>221</sup> See above, 160.

<sup>222</sup> The two women had left the Collin household, Margaret French having explicitly been dismissed by Isabel Collin, by November 1620, and both are reputed to be “out of service” by January 1621, which suggests that it was difficult for them to find new employment. Interestingly in spatial terms, Margaret French’s deposition referred to her dismissal as having been “shut out of doors by her dame.” ERO D/ABD1, Brampton *c.* Collin, 24 November 1620, deposition of Margaret French, document 700458, ERO D/ABD2 31 January 1621, deposition of Felix Blackman, document 701145, ERO D/ABD2 31 January 1621, deposition of Joan Strutt, document 701027. There is a possibility that Thomas Jones had similarly left the Collins household. Otherwise, it would be interesting that only the two women would have felt the need or been forced to leave the household after this incident. Cf. ERO D/ABD2 31 January 1621, deposition of Agnes Barker, document 700910.



(defamation?) action against Brampton, asserts that he could not really see anything happening in the room below.<sup>223</sup> Isabel Collin's side, both in the interrogatories of the first case and in the articles of the second one, draws attention to the hole, its shape and precise position in the chamber, e.g. in relation to the supposedly copulating couple below. Another important issue was whether the hole had been tampered with since the incident, presumably to legitimate the claim that the hole had offered a good view on the proceedings below, and that more than one person could have looked down there at one time. While the witnesses for Brampton argued that the hole had not been enlarged, Isabel Collin's side maintained that the hole had been greatly altered. Brampton himself seems to have taken a few people to visit the scene.<sup>224</sup> The question was clearly how fictitious this hole in the floorboards above the cheese house in the Collins' house truly was.

In parenthesis it may be remarked that discussion about the size of the hole and the evidence it (the size) presented for Isabel Collin's adultery also has some more delicate implications, which disclose themselves upon consideration of a joke recorded in Nicholas Le Strange's jest book. It deals with a German doctor named Matthias who lived in Norwich, and, "having beene long Absent, and suspecting foule playe," remarked the following about his wife: "By my Trote, when I went into Germanie she was as fitt for me as any woman in the world; But when I come Backe, she is e'ene so fitt for me as my Cappe (having then one of those same Furrd German Capps on) is for my Tumme [thumb, V.P.], putting the one upon the other."<sup>225</sup> *En passant*, we may note that, obviously, the rendition of the German accent, as well as the comparison of furry German hat with the woman's vagina is meant to increase the humour. The important point for my present line of argument, however, is that, apparently, (adulterous) sexual activity could be imagined as widening a woman's vagina, although the joke obviously greatly exaggerates the actual proportions. The enlargement of the hole in the floorboards, a hole which, significantly, even has a horizontal alignment, is thus metaphorically linked not only with the increasing disintegration of the household, but with

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<sup>223</sup> The three servants who allegedly witnessed the adultery through the hole in the floorboards, Alice March, Margaret French and Thomas Jones, are the first to depose. They are the only witnesses in the Brampton *c.* Collin case. Isabel Collin's case against Brampton, however, called upon eight witnesses. As one of them, Nathaniel Hatly, who also looked down the hole but did not see anything, deposes three months later. However, possibly as a consequence of his stance on the matter, Hatly is himself accused of having committed adultery with Isabel Collin while he spent a night at the Collins' by Alice March. Cf. ERO D/ABD2, Collin *c.* Brampton, 1 February 1621, deposition of Nathaniel Hatly, document 701364. ERO D/ABD2, Collin *c.* Collin, 1 February 1621, deposition of Alice March, document 702602.

<sup>224</sup> Cf. ERO D/ABD1, Brampton *c.* Collin, 24 November 1620, Documents 700232, 700237, 700273, 700423, 700445, 400473, 700568, 700584, 700635; ERO D/ABD2, Collin *c.* Brampton, 31 January, document 701192, 1 February 1621, documents 701394, 701435.

<sup>225</sup> Nicolas Le Strange, *Merry Passages and Jeasts: A Manuscript Jestbook of Sir Nicholas Le Strange* (Lippincott, H.F., ed., 1974), 139.

the effects of adultery on the female body. Again, the physicality of the household and the human body, in this case, the female body, are paralleled, and adultery is presented as destructive of both. If the hole in the floorboards (or wall) can thus refer to the vagina, then the penetration of the hole by the witnesses' gaze, a penetration into the secluded space of adultery, compares to the allegedly witnessed intimate penetration of the female body. This short sketch of this particular hermeneutic possibility shall suffice here, however, since my focus generally lies elsewhere.

In a way, the high occurrence of holes, I would suggest, is based on and also reinforces the contemporary normative construction of domestic space as transparent which authorised neighbourly acts of witness. These narratives of holes, in many ways, function rather similarly to the above-mentioned practices of adorning the house or larger domestic space of alleged an transgressor with horns, rhymes or illustrations. These rather suspect holes serve to liminalise walls by reconfirming their impassibility and simultaneously making them permeable. Though the borderline between outside and inside is fractured, it is ultimately reconfirmed: What narratives of holes do is, in most cases, to firstly establish a closed space, which, by reason of its closure, portends the potentiality of being a space of transgression. If adultery and fornication are defined 'deeds of darkness and secrecy,' it stands to reason that they take place in secluded spaces and must be dis-covered in order to be witnessed. Hence revelation must be a vital element in acts of witnessing adultery. At first, therefore, there needs to be a secluded space which connotes a transgressive intention, a space which, in the case of houses, suspends the normative transparency of domestic space. Sometimes, the mention of this secluded space is enough to support suspicions of transgression and generate acts of witness.<sup>226</sup> In a second step, this space must be opened to the witnesses' sensory means of perception. In court records, the opening of this secluded space is vital to provide the evidence necessary to sustain the case. On stage, however, things may work differently. In *The Insatiate Countess*, for example, Abigail and Thais meet their lovers/husbands in the privacy of each other's bedrooms. The audience does not gain access to these rooms, and the very fact that they *remain* secluded here supports the impression that actual sexual actions have occurred. In *Cupid's Whirligig*, on the other hand, the intimate space in which the wife and

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<sup>226</sup> This was so, for instance, in the case of Thomas Rose mentioned in the last chapter, who, at night-time, was seen by his neighbours coming from an apparently *tête-à-tête* meeting with another man's wife. This 'private' meeting at a 'suspicious' time was taken as evidence that there was something going on between the two. Cf. GDR 106, Rose *c.* Mosley (defamation), 8 November 1608, deposition of William Tomes, and GDR 106, Rose *c.* Taylor (defamation), 18 November 1608, deposition of George Pigeon.

her potential lovers operate is opened up, so the audience can follow the goings-on in the Troublesome's bedroom exactly to witness that nothing illicitly sexual transpires.

Thus, witnessing adultery is not only about merely making visible this transgression, but about opening up lines of sight or of hearing. It is about highlighting the wall's permeability and instead of bringing the wall down. We can speak of a dual strategy of concealing and revealing, which, where witnesses are involved, also creates a power hierarchy between the viewing, who synthesises a space as adulterous, and the viewed, whose actions make it possible for the witness to interpret a particular scene as adulterous. The next example, which involves another incident in the above-mentioned Payne/Anflett case, will show by what means soundscape, too, could serve to identify a sexual action as transgressive and thus to codify the room behind the wall as a space of (adulterous) transgression, even when there is no visual evidence which could open up a line of sight into a secluded space.

The second incident regarding Jone Anflett's adulterous liaison with Michael Payne which came to be dealt with by the Gloucester consistory court, occurred about three weeks after the one which Phillipott, Hall, and Morrice had witnessed, around Thursday, the 21<sup>st</sup> of June 1610.<sup>227</sup> It took place in the house of Michael Payne's "father-in-law," John Payne, a victualler, who lived in a different parish of Gloucester than the Anfletts. Margery Wood, a pewterer's wife, and Sibill Gowy, a spinster, acted as primary witnesses. Margery Wood deposed that she had "divers and svndry times come into the howse of John Payne, a victualler in the City of Gloucester, and there hath seene them the said Michael and the sayd Jone kisse and play with each other in a wanton and vnseemely fashion they being a man and a woman as if they had bin wanton children."<sup>228</sup> This indicates both that Margery had often visited her neighbour's house, and that Michael and Jone had also habitually spent time there together. This points to the shared or communal space of households which has been highlighted above. Of course, the image of communal space may be called up here in order to legitimise the witnesses subsequent eavesdropping.

According to her deposition, one day, Margery Wood was standing in a room of her own house which directly adjoined to the kitchen of John Payne's house. Just to get a general impression of how such spatial structures may have been arranged, looking back at

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<sup>227</sup> As there are quite numerous records which point to married couples or young adults living with their parents, it is possible that Michael Payne lived in John Payne's house, who may have been his (adoptive) father, or his father in law. In any case, these depositions suggest that he frequented John Payne's dwelling on a quite regular and casual basis.

<sup>228</sup> GDR 109, Office *c.* Payne and Anflett, 22 August 1610, deposition of Margery Wood.

Markham's model of a house,<sup>229</sup> even though it depicts a detached country home, one can easily imagine that if there were another house attached to it in the Northern direction, the kitchen of the first and the parlour of the second house would share one wall. Margery heard Michael Payne enter the room and ask Jone Anflett where her mother and father and the rest of her "folkes" were.<sup>230</sup> Jone answered that her mother and sister had gone into town. The "rest," a man servant and a maidservant, were also out so she was left alone.<sup>231</sup> A sort of ungoverned space emerges which, just as in the plays mentioned above, seems to invite suitors to try their luck. What Jone was doing all alone in the kitchen of a man who, though he may have been a relative, was not her husband, is not entirely clear. We may speculate that she had some sort of work to do there.

Not through visual evidence but through narrative means Margery Wood's deposition establishes that Michael and Jone are alone. It thus succeeds in creating an intimate, secluded space next door in which the rest of the plot can unfold. In due accordance with the demands of ecclesiastical law, Wood's narrative – by fashioning *their* narrative – manages to convey that this is a private meeting between Anflett and Payne at which no other persons are present, despite the fact, one should add, that the room in which the couple is located is in itself marked much less by privacy than, for instance, Anflett's bedchamber in the first episode was.

As soon as it is understood that they are undisturbed, Michael Payne allegedly jumps into action (the deposition takes care to link these two elements causally), by "taking hold of [Jone's] body."<sup>232</sup> This statement seems to stretch the plausibilities of aural evidence, and the modern commentator may wonder by what sound one might possibly unambiguously recognise a person "taking hold of" another person's body. Here the situational frame is clearly at odds with the visualisation of the narrative, but we may deduce that these visualisations are obviously needed to authorise Margery Wood's narrative. Moreover, this

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<sup>229</sup> See above, 160.

<sup>230</sup> The kinship relation between the people involved is far from clear. Michael Payne's question seems to indicate that that Anflett's family also dwells, or habitually spends time in this house. It may be a working or a sort of lodging arrangement, where it was not unusual that kitchens were shared (cf. Capp 1995: 33). However, if there was more than one family living in this house, then this would mean that there could still be more people left in the house, which contradicts her answer that she was left alone and his reaction – groping her. There is a possibility that Anflett and Payne are in some way related, either through adoption (which could make John Payne Jone's father and Michael her adoptive brother) or through marriage in some way. John Payne is repeatedly referred to as Michael Payne's father-in-law, which might indicate an adoptive status and might point to some sort of early modern patchwork family. However, the depositions do not illuminate this point, and the term "incest" itself is never brought up, although a sexual relationship between step-siblings would surely have been classified as such. An alliance through marriage to one of John Payne's children on the part of Michael, which would make the identical surname purely accidental, seems most unlikely at this point.

<sup>231</sup> The father is actually not mentioned again by Jone.

<sup>232</sup> GDR 109, Office *c.* Payne and Anflett, 22 August 1610, deposition of Margery Wood.

piece of evidence is supplemented straight away with Michael Payne's next words, which make his intention manifest: he tells Jone that "he wold haue Some."<sup>233</sup> The capitalisation of the first letter in the protocol of Margery's deposition is particularly interesting, not only because it is rather unusual for my sample of Gloucester records. It only appears in the first occurrence of this phrase and seems to point exactly towards the surplus of sexual and transgressive insinuation which the ambiguous, originally neutral expression "some" connotes here. This meaning is further emphasised by an additive statement typical for these records,<sup>234</sup> which contends that, as Woods perceived it, Michael Payne's request implied "that he wold haue the vse of her body."<sup>235</sup>

Jone, however, was not easily wooed by his subtle approach, so she "replied and answered with an oth that he shold haue none in that place (it being the kitchen of the said John Paines howse) but he the said Michael Paine in most eager and passionat manner replied and swore that he must and wold haue some and therefore bid her the said Jone Anflett be quiett."

Significantly, as Margery Wood's deposition suggests it, Jone is not so much averse to the "sport" but to the "place."<sup>236</sup> G.R. Quaipe has concluded from his study of Somerset Quarter Session Rolls that the kitchen was not such an unusual place for sexual activities of the not quite licit sort as Jone Anflett's words might suggest: "the kitchen and the hall rivalled the bedroom," as he put it, "the kitchen floor, in front of the fire" being particularly popular. Even the fact that this was a place where privacy was scarcely possible, in Quaipe's rather rustic view of English peasantry, does not seem to have discouraged sexual activity.<sup>237</sup> The practice of 'bundling,' for instance, in which a young couple stayed together, often in a woman's place of residence, "after her folks had gone to bed," tended to occur in the kitchen by the fire or in a bedroom.<sup>238</sup> In lodging houses, the kitchen could be the primary point of contact and

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<sup>233</sup> GDR 109, Office *c.* Payne and Anflett, 22 August 1610, deposition of Margery Wood.

<sup>234</sup> Paragraphs and phrases such as this are the standard repertoire of these depositions: Deponents are not only to "recount" what they have seen or heard, they seem to have been asked to interpret what they witnessed in terms of legal vocabulary and legally actionable offences. Accounts of defamations such as "whore," for instance, were regularly supplemented by interpretative phrases which rephrased the action. Witnesses were thus generally encouraged to shape their narratives – and probably, their perception – in terms of legal structures.

<sup>235</sup> GDR 109, Office *c.* Payne and Anflett, 22 August 1610, deposition of Margery Wood.

<sup>236</sup> "Could he find no other place, / But putt her daughter to that disgrace" asks an enraged mother in a mocking rhyme cited by Adam Fox (1994: 71) when she catches the local miller engaging in sexual activity with her daughter at the mill, "a topp of the baggs." The mother, the narrator emphasises, does not find fault with the "sport" itself so much as with its location: "For no ill will she bore to the sporte, / But bycause it was done in such sorte."

<sup>237</sup> Quaipe (1979: 75). In comparison, the surviving Gloucestershire Quarter Session records unfortunately only begin in the Restoration period.

<sup>238</sup> Stone (1990: 61).

conflict.<sup>239</sup> Consequently, it may well be that both in popular as in juridical discourse the kitchen was seen as a space connected to transgressive sexual acts, as a space which was particularly easily transformed into a space of adultery or fornication. Hence Wood's referral to the kitchen would have served to legitimise her narrative of witness.

As concerns Michael Payne's reaction to Jone's refusal, it is difficult to judge whether his demand that Jone be quiet is meant to smother her objections, or whether it is supposed to refer to her behaviour during sexual intercourse. Both would serve to avoid arousing other people's attention and thus prevent acts of witnessing. The term 'quiet,' however, does not only connote the absence of sound. 'Quietness' was an important contemporary concept which alluded to orderly and peaceful functioning of smaller social structures such as neighbourhoods and households. Accordingly, the notion of *disquiet* was central to the definition of a range of neighbourhood crimes such as scolding and brawling,<sup>240</sup> it is present in the conceptual framing of the offence of 'breach of the peace.' To live quietly together, without quarrelling, and without other scandals which might come to public knowledge, was one of the great (prescriptive) objectives of early modern marriages,<sup>241</sup> while *disquiet* was a marker of marital dispute. Moreover, to be of quiet, obedient behaviour was one of the central elements of ideal femininity in prescriptive, moral-didactic discourse.<sup>242</sup> Insofar, Michael Payne's alleged request for his lover to be quiet invokes a normative idea of orderly wifeness within the context of a transgressive heterosexual relationship. From a pragmatic point of view, if one considers that Margery Wood was in fact eavesdropping next door, Michael Payne's warning for his lover to be quiet, i.e. not to draw attention to their actions both

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<sup>239</sup> Cf. Capp (1995: 33).

<sup>240</sup> See Wrightson (1996: 18-19) on the role and functions of *quietness* for the moral constitution of local communities. In regard to the expression of anger see Bound (2003: 67).

<sup>241</sup> Amussen (1994: 77). The phrase "anything for a quiet life," for example, gave title to a play by Thomas Middleton and a contemporary ballad.

<sup>242</sup> Cf. Warnicke (1983: 11). Of the many moral-didactic tracts which purport this notion one example is Gouge, *Of Domestic Duties*, e.g. 282. In the articles composed in 1671 to inquire into John Fluck's adulterous liaison with the widow Susanna Pope and her daughter Sara Pope, the first question referred to John Fluck's wife, and "whither she be not given to drink much and to be often drunk? Whither at such times she do not opt to fall and hurt herself or endanger her life whither she be not very unquiet a rayling reviling woman?" While the second article asked deponents to evaluate whether they did "not believe that he enjoyed his peace and quiet and had better attendance in his sickness where he lodged than if he had lodged in his own house where he had such a perverse unquiet and unloving wife, and that the enjoyment of such his rest peace and quiet conduced much to the wrong of his health." Moralising statements of a similar magnitude are uncommon in early Stuart depositions before the Gloucester Consistory Court. Significant here is the use of the term "perverse" in relation to the moral laxity suggested by "unquiet" behaviour, and the influence of such female conduct on the physical condition of the husband. Both I did not encounter in my sampling of early Stuart cases. However, William Gouge, already in 1622, speaks of "perverse wives," but also of "perverse dispositions [...] in husbands and wives." Before him William Perkins advises what men may do if their wives be "desperately perverse." See Gouge, *Of Domestic Duties*, 413, 261 & 273; Perkins, *Christian Oeconomie*, 129.

through further protests or sounds of passion, seems absolutely reasonable. It creates, however, just the sort of secretive atmosphere which was indicate of illicit behaviour. Sounds, or even the lack of sounds, which may indicate a person's intention to hide something, are thus in instrumental in constituting seclusive spaces of transgression.

When Margery Wood does not hear Jone Anflett "contend any further," she goes to fetch Sybille Gowy, spinster, and when they return together, they "see and behold" the very thin clay wall which separates the rooms (and houses) shaking. They also hear Michael Payne "blowe and puff" as if he was out of breath. And although Margery admits that, due to the wall, they could not see the persons in question, both women were certain that it was Michael Payne and Jone Anflett "that did soe shake the wall and blowe as afforesaid." What allegedly gave the lovers away was precisely the fact that Jone "then and there" said "oh good Michael and other such filthy words not fitt to be sett down in testimony."<sup>243</sup> The impression conveyed here is clearly that of a (transgressive) excess of passion and a lack of rational control which accords with the child-like, playful wantonness of which Margery Wood had accused the couple earlier. The image of sexual pleasure is highlighted through the involuntary sounds and words connected with it, and its transgressiveness is amplified by the notion of unspeakability which the speaker calls upon. These sounds and words, it is clear, help to generate the adulterous space in which Jone's and Michael's coupling takes place.

We are here faced with the apparent paradox that court records, by their very design, had to record evidence of transgression, yet that some evidence could be presented as too transgressive for recording. Had Margery Wood repeated the exact phrasing of the words she allegedly heard, she might have drawn her own status as a respectable women, and hence reliable witness into question. Her deposition, moreover, seems to imply that it is easier to repeat filthy words orally than to have them written down in official documents, moreover in such a respectable context as church court depositions. The reference to unspeakability thus serves to highlight several things: it seems to legitimize the moral position of the genre or medium, as well as the moral integrity of the female speaker. It also underlines the scandalous immorality of the adulterous woman whose words are too indecent to report.

Margery's narrative emphasises Michael's physical aggression rather than verbal elements of his 'courtship.' This is striking because the physical actions which constitute this

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<sup>243</sup> GDR 109, Office *c.* Payne and Anflett, 22 August 1610, deposition of Margery Wood. It may be that they returned to the very same room from which Margery had witnessed the first exchange between Michael and Jone, but it is also possible that they went into yet another room together, which was still better situated for inquiring what went on next door. The deposition does not simply state a return, but takes care to once again (re)locate the room which Margery and "Sibble" enter together: they "went into a rome next adioyning vnto the kitchen or room" in which Michael and Jone were.

couple's (space of) adultery are precisely the black spot of Margery Wood's deposition. The few verbal clues of seduction and intercourse are infused with the emotional appeal of the man's (illicit) desire. Margery Wood's deposition is particularly interesting in the ways it proposes to convey direct speech of the couple engaging in transgressive acts. It thus discloses how sexual acts could be framed verbally in the first place, at that time, under the given medial conditions (of ecclesiastical court records). On the one hand, of course, Jone Anflett's cry of passion serves as a key to the identity of the two protagonists. On the other hand, it functions as a marker of passion itself. It tells us that Michael Payne's passionate 'courting' has evoked an ardent response in his partner, her initial reluctance to participate in the act, which had been conditional rather than categorical, having passed. Though the original initiative must still be attributed to Payne, Jone's ultimate response seems to distribute responsibility – and liability – rather evenly.<sup>244</sup> Margery Wood's narrative indicates how adultery, in its intimate, secluded setting, could be codified as a transgression of desire and passion. After all, scenarios are imaginable (and will be discussed below) in which lust is not the primary motivator for adultery. Furthermore, this case shows how a particular space, even if it remained invisible to witnesses, could be codified as a space of adultery through the foregrounding of seclusion, intimacy and desire. At the end of her deposition, Margery Wood, in answer to what seems to have been a standard question in the articles of investigation, again reaffirmed that she knew all this to be true because she was in the next room to Anflett and Payne and "was an eare and an eye wisse" to everything she had deposed.<sup>245</sup> The same story was reconfirmed by Sybill Gowy's deposition nearly three weeks later, which gave the crucial elements in almost exact wording.<sup>246</sup>

Testimony which lacked visual evidence, such as given by Margery Wood and Sybill Gowy, however, was problematic. Comedies such as John Webster's *A Cure for a Cuckold*, could highlight this fact for comic effect. In its subplot, the sailor Compass returns home after four years at sea to find that, during his absence, his wife has been delivered of a son, who is now one year old. When interviewed by his neighbour, Compass declares that he has repeatedly visited his wife under the cover of night, only to slip away and head back out to sea before the break of day, thus claiming the child as his own legitimate heir. The neighbour, as quoted at the beginning of this section, answers, "Yes, yes, Gaffer, I have thought so many times, that you or some body else have been at home; I lye at next wall, and I have heard a

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<sup>244</sup> Ultimately, it may also have served to prevent allegations of rape, which, however, given the history of this case, would have been hard to uphold.

<sup>245</sup> GDR 109, Office *c.* Payne and Anflett, 22 August 1610, deposition of Margery Wood.

<sup>246</sup> GDR 109, Office *c.* Payne and Anflett, 10 September 1610, deposition of Sibill Gowy.



noise in your chamber all night long,” to which Compass replies, “Right, why that was I, yet thou never sawst me.”<sup>247</sup> Although the neighbour mentions the possibility that the visitor next door was not Compass, but “somebody else,” he does not offer more substantial evidence which would confute Compass’ story. The occurrences which the neighbour has witnessed are so ambiguous, in fact, that that they now can serve to even substantiate Compass’s extraordinarily farfetched claim: *somebody* was at home with Compass’ wife, it might as well have been her husband. This, of course, points to the more general problem that evidence may be manipulated to suit different agents’ narratives and intentions.

What is particularly interesting in the Payne/Anflett case, apart from the utmost importance of the soundscape, is the way in which the house itself, for want of other, more direct visual clues, is claimed to step in and yield the necessary evidence. This time, there is no mention of a hole which would open up a view on the clandestine lovers. It is the wall itself which, not through presenting a hole, but through its shaking conveys the rhythmical movements of the copulating bodies. On a more metaphorical plane, of course, the quaking of the walls can be understood as a sign of endangered integrity of the household’s edifice and, more symbolically, the soundness of the relationships upon which household structure is built. This threat of disintegration, it is made clear, does not only affect the household in which the transgression takes place, but also the neighbouring domestic units.

In this episode, the permeability of John Payne’s domestic space,<sup>248</sup> and its double nature of working and living space, allows not only neighbours like Margery Wood to enter his house often, but it also gives access to Jone Anflett and her lover, who can then make use of the potential of privacy/intimacy inside this domestic space. The normative transparency of the domestic space in which their adulterous space is generated, again, serves to legitimise the acts of witness by the two neighbours. Just as in other examples discussed above, the male partner is styled as the initiator of sexual transgression. Michael Payne’s sexual seduction of Jone Anflett parallels his conquest of a space vacated by the absent John Payne, and, significantly, in this case, also by Jone Anflett’s father, mother and servants. Interestingly, Jone Anflett’s husband does not play any role in this particular scenario either.

In other instances, however, the cuckolded husband was foregrounded, particularly in comical broadside ballads and plays. In the ballad *Cuckolds Haven* (1638),<sup>249</sup> the speaker

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<sup>247</sup> Webster, *A Cure for a Cuckold*, 2.3.56-59.

<sup>248</sup> There are clearly business connotations through John Payne’s being a victualler. However, Patricia Fumerton (2002) draws attention precisely to the domestic codifications of alehouses.

<sup>249</sup> Anonymous, *Cuckolds Haven, or, The Marry’d Mans Miserie, Who Must Abide the Penalty of Being*

envisages a group of cuckolds parading through town to publicise their lot. “Come Neighbours follow me, / that Cuckollized be,” he invites, “That all the Towne my [sic] see / our slauish miserie.”<sup>250</sup> This parade of cuckolds seems to mirror and forestall the parades of skimmington rides and rough music in which hen-pecked husbands would be driven through town.<sup>251</sup> The men’s extensive use of public space is juxtaposed with the speaker’s restrictive – and restricted! – control over his own domestic space: “Though narrowly I doe watch,” he complains, “and use Lock, Bolt, and Latch, / My wife will me o’rematch, / my forehead I may scratch.”<sup>252</sup> Enclosing the wife thus seems impossible: not even “Italian Locks [...] Can keepe these Hens from Cocks.”<sup>253</sup> And as long as wives remain physically mobile, they will find a way to have adulterous intercourse: “So long as they can goe or ride, / They’l haue their husbands hornify’d.”<sup>254</sup> Moreover, the wives assert their authority both over public space, through their homosocial networks,<sup>255</sup> and over household space. The speaker, evoking once again the community of abused husbands, admits “If they once bid vs goe, / wee dare not twice say no”<sup>256</sup> – if the wife asks the husband to leave the house, he sees no choice but to obey. Again, the classic stereotypes of hen-pecked husbands, “women on top” or women wearing the breeches are broached here.

*Cuckold’s Haven* playfully employs the two *topoi* of spatial limitation and dislimitation. Women appear as spatially unenclosable, which also connects to popular notions of the indistinct boundaries of the female body itself, its ‘leakiness.’<sup>257</sup> Both images were commonly associated with female insatiability. The publication of the cuckolds’ predicament in open processions, on the other hand, is contrasted with the husbands’ attempts to hide their wives’ transgressions.<sup>258</sup> The speaker sings of his fellow cuckolds and the community of unfaithful wives to whose wiles they are subjected. Yet there is something like a curiously blind spot, a shifty figure in this scenario, for which the woodcut accompanying this ballad merits a closer look.

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*Hornify’d* (London, 1638).

<sup>250</sup> Anonymous, *Cuckold’s Haven*, 1,1-4.

<sup>251</sup> By evoking a group of cuckolds which perambulates the main roads of the town and is joined by more and more men as it progresses, of course, a certain network of unlucky householders is elicited, which in a way parallels the networks and shared spaces of women touched upon above. These female networks are even alluded to in the second part of the ballad when the speaker sings of “these good Gossips” meeting in “Alley, Lane, or Street,” obviously plotting against their husbands. Anonymous, *Cuckold’s Haven*, 13.

<sup>252</sup> Anonymous, *Cuckold’s Haven*, 2,1-4.

<sup>253</sup> Anonymous, *Cuckold’s Haven*, 14,1-3.

<sup>254</sup> Anonymous, *Cuckold’s Haven*, 14,5f.

<sup>255</sup> Anonymous, *Cuckold’s Haven*, 13.

<sup>256</sup> Anonymous, *Cuckold’s Haven*, 11,1f.

<sup>257</sup> Cf. Paster (1993: esp. 23-63).

<sup>258</sup> Anonymous, *Cuckold’s Haven*, 12.

Above, I have talked extensively about domestic space and the generation of adulterous spaces within it. Interestingly, the woodcut printed alongside this ballad shows the front of a house, a man with horns on his head looking out of an open upper window. A woman, presumably his wife, is standing in the open door below. Like the husband's head, the house is graced by a pair of horns – again, a parallelism between physical body and house(hold). Before the house, very nearly as big as the house itself and basically taking half of the space in the picture, stands another man who blows a horn from which the banner “looke out” emerges. This message can be interpreted as a call for the house-owner to look out of his window, and, more immediately, a call for him to be vigilant about what is going on in his house. Just like Sir Timothy Troublesome, this husband figure seems to be looking out of one opening of the house, while his wife, unbeknownst to him, interacts with his rival at the other opening. In the play, the audience may be taking the role of the witness who calls out for the husband to be vigilant. On the symbolic level, the enlarged size of the witness figure in the woodcut implies that the importance of the social-regulative element is not to be underestimated.

Alternatively, considering the similarity between the husband's and the caller's features, the caller may actually be the husband himself, or a cuckold like him, who has left his house to alert *other* husbands to the dangers of cuckoldry, just like the text suggests. The house on the left side may then represent an image of what the caller cautions against, the cuckold's fate. Since the herald's head is covered by a hat, we cannot discern any horns on it which would clarify whether he is another cuckold or a respectable neighbour warning a husband of the danger(s) of cuckoldry. He holds a horn in his hand, yet this is similarly ambiguous, being both a normal instrument used to call people's attention when making announcements, and a potential symbol of cuckoldry. In the light of what has been said above about the crucial role of neighbours in constituting and regulating adultery, and considering the fact that the caller could have easily been branded unambiguously as a cuckold by adding a pair of horns to his head or his staff, I strongly lean towards the 'respectable neighbour' variant.

The cuckold's wife is standing in the door, which was, as has been suggested a space commonly associated with women, but also with women's transgressions. We see her in profile, as she is turned not towards to 'street' or the reader of the ballad, but towards an ominous figure. Where the woman is set off in white against the black background of the door or the inside of the house, the figure is silhouetted against the white wall of the house, as if painted on the wall, or rather, visible through it. It is turned towards the wife and its posture

suggests that it is interacting with her, particularly the way the two figures' arms seem to be moving towards each other. The figure, looking rather devilish, has something like a cloven foot, horns (or dog-like ears) on his head, and a tail. His second, similarly deformed foot is raised and pointed at some point between the woman's legs, thus being connotative of male sexual arousal. While the scene indicates that there is a rival who cuckolds the husband, he remains a vague, zoomorphic demonic figure. Thus, the woodcut presents a more abstract image of sinful temptation rather than a concretely identifiable adulterer. The devil figure can be either seen as a stain on the wall, the foundation of the house, or as having invaded the house and being made visible through the wall. It can be argued that it is the giant witness outside the house who, by drawing attention to the danger of transgression, in an act of witness similar to spying through a hole in the wall or a window (and the figure is situated right next to the window), makes this demonic figure visible. This woodcut indicates that spacial constructions of intimacy/secretcy and publicity, outside and inside play a crucial role in generating spaces of adultery. Doors and walls (and windows, for that matter) are of pivotal importance in generating these spaces and hence in negotiating the line between normativity and transgression.



*Illustration 2: Woodcut from Cuckolds Haven (1638)*

In anticipation of the following chapter, a few words concerning the agents of adultery and the power structures among them are called for. Both ballad and woodcut throw the spotlight on the wife's stereotypical tendency not only to succumb to temptation, but to actually actively plot it, and the husband's (equally stereotypical) helplessness about it. The crucial point is that women, whom the ballad depicts as adulterous agents scheming with their fellow 'gossips,' cannot effectively cuckold their husbands with their female friends alone. Yet both by the text as by the illustration, the position of the rival is obscured or, at the very least, left unclarified. While the adulterous wife is a fixed point of reference, the cuckold, as we have learned, could be anyone, neighbour, closest friend or worst enemy, business associate, a stranger in need of hospitality, or someone yet completely different. The narrator of the ballad speaks of the suffering community of cuckolded husbands - "we men must suffer all"<sup>259</sup> - and of their wives, but we do not learn anything about the group of men who engage in sexual intercourse with these wives. Those men appear as "every slaue vnknowne" who will "reape what [the husbands] haue sowne,"<sup>260</sup> as shady usurpers of other men's authority and economic profit. In this point, too, ballad text and woodcut concur.

Besides, even if the husbands can name their rivals and try to confront their wives (again, not the rivals) with their misdeeds, the women will deny everything:

"Although the men we name,  
with whom they did the same:  
They'l sweare who euer spake it ly'd  
Thus still poore men are hornify'd."<sup>261</sup>

The (inherently interpellative) act of *naming* the crime, and especially the offender, fails because of the authority of the wives' contrary performance. What stands out yet again is the evasiveness of the rival. One might even say that by being thus blinded out and unknowable the rival, in this example, indeed emerges as the central figure. This, of course, concurs with Eve Sedgwick's influential observation that the *homosocial* dimension of cuckoldry, which concerns the relationship between husband and rival, is most crucial to understanding this transgression.<sup>262</sup> Still, the gigantic figure in the woodcut may remind readers and viewers that the relationships by which male power hierarchies are negotiated through cuckoldry are not only triangular, but involve much more than only the husband, the rival and the wife. It needs to be stressed that cuckoldry effects not only the hierarchies between husband and rival, but

<sup>259</sup> Anonymous, *Cuckold's Haven*, 10,4.

<sup>260</sup> Anonymous, *Cuckold's Haven*, 3,3f., my italics.

<sup>261</sup> Anonymous, *Cuckold's Haven*, 16,3-6.

<sup>262</sup> Cf. Sedgwick (1985: esp. ch. 3).

also between those two and other men, and, possibly, women in their social environment. The (semi)permeability of the walls of the house is a symbol of this.

The door – in which the wife is shown to be standing in the woodcut – lets strange men enter the house, where they then can then hide from the inquisitive eyes of neighbours and even household members. In this scenario, if the husband needs to be told to be watchful and vigilant, the woodcut seems to indicate, he is already a cuckold. If strange men can enter or blemish the house(hold) by making sexual advances on the potentially seducible wife, and, through the husband's inability to control all domestic spaces, can create an adulterous space within the household, then, just as those rivals and their activities with men's wives are unknowable and impossible to pin down, the household itself emerges as an assembly of potentially unknowable, ungovernable spaces. It is possibly even more unknowable for the husband than for the wider community who actively participate in staging the normative *transparency* of household space.<sup>263</sup> In addition, the very potential for privacy and intimacy, which ultimately marks the households as a *home* is thus the basis of the generation of adulterous spaces. It is only when husband and wife work together that they have the best chances at governing domestic space successfully.

The limits of the husband's spatial domestic authority are visualised by the ballad's woodcut: both the husband and the house as a whole are marked by horns and thus codified as deviating from the norm of respectability. The horns on the husband's head indicate that he is unable to govern and protect his own house sufficiently. If he needs his neighbour to draw his attention to the dangerous incidents in his own home, he is danger of being subjected to heavy censure by neighbours and friends. Consequently, it is not his own house which is a haven for the cuckold; he can only find sanctuary, it is satirically suggested by the broadside ballad's text, in the company of other cuckolds by (temporarily) abandoning his domestic sphere, and making it yet more susceptible to adulterous invasions.<sup>264</sup>

In addition, *Cuckold's Haven* suggests a geographical locality such as *Cuckold's Point*, Rotherhithe, London,<sup>265</sup> which was also known as *Cuckold's Haven*, and which was marked

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<sup>263</sup> Cf. MacKeon (2005: xx) who has stressed that the modern division between 'public' and 'private' is basically a division of knowledge in a similar sense.

<sup>264</sup> Of course, sanctuary is also to be found in heaven, to which the ballad's title alludes by means of the homophone "haven." A contemporary proverb held that "all cuckolds go to heaven," which is particularly interesting considering another proverb which indicated that heaven was also the place where all marriages were made. Cf. Gowing (2003: 86f.), cf. also William Congreve, *Love for Love*, in *Three Restoration Comedies* (Salgado, G., ed., 1986), 259-369, cit. 289 (2.1.); cf. Cressy (1997: 252) citing both Ray's (1670) *Collection of English Proverbs*, and Tilly's *Dictionary of Proverbs*.

<sup>265</sup> More precisely, this site is situated where the Thames takes a sharp bend near St Mary, Rotherhithe. For a mid-eighteenth-century impression see Samuel Scott's oil painting *A Morning, with a View from Cuckold's Point*, which is held by the Tate Collection, London.

by a horned post.<sup>266</sup> Its earliest recorded appearance is in the diary of Henry Machyn in 1562.<sup>267</sup> The founding myth of this site holds that King John, weary from hunting, sought to compose himself at a miller's house in the village of Charlton. The miller being from home – again, the reference to husbandly absence – the king only met his pretty young wife who quickly succumbed to his royal charm and kissed him. When the miller returned home, he found them embracing each other, and angrily tried to kill King John, but desisted when the visitor disclosed his identity. Then the miller spared the other man's life, of course, but he asked for compensation, so King John granted him the rights to all the land he could see from his door, the boundary of this visible space being marked by what was to become cuckold's point. King John's condition to this generous donation, however, was that the miller should take a walk each year on October 18<sup>th</sup> to this outer limit of his land, wearing a pair of horns.<sup>268</sup>

As regards spatial constructions in this narrative, it is interesting that, on the one hand, the husband's sphere of spatial dominion is extended as a form of compensation for the danger of cuckoldry. On the other hand, (the site of) cuckoldry is expelled from the house and (re)situated at the outermost periphery of the husband's land; an expanse, which, though not his *domestic* space in the narrow sense, is still associated intimately with the family's economic integrity and husbandly authority. In a sense, cuckold's point thus marks the outer limit of the husband's spatial and physical authority. The legendary annual walk of the cuckolded husband to mark the boundaries of his sphere of authority was seen as the founding stone of an annual procession named "Horn Fair," to which this ballad alludes in its call for a parade of cuckolds.<sup>269</sup> The following section will shortly examine how adulterous spaces could be constructed outside the immediate context of the household, i.e. in rural, natural contexts and in public (gathering) spaces such as streets and churches.

<sup>266</sup> *Cuckold's Haven* is mentioned in Chapman, Jonson & Marston's *Eastward Ho!* and numerous other English Restoration plays. George Chapman, Ben Jonson & John Marston, *Eastward Ho!* (van Fossen, R.W., ed., 1999), (3.3.125); cf. Bruster (1990: 195).

<sup>267</sup> Bruster (1990: 195).

<sup>268</sup> Cf. Walford (1878: 134-42); cf. also Bruster (1990: 196).

<sup>269</sup> At least in Restoration London this carnivalesque parade seems to have enjoyed great popularity, and summons to horn fair were published. T.R. who penned the pamphlet *Hey For Horn Fair: the General Market of England, Or: Room for Cuckolds* (London, 1674), devoted his piece to Cuckolds Haven: "This Jovial place in famous Kent, / At Charleton you may find. / Where Gallants all, both great and small, / For pastime do repair; / Great pains they take, Horns for to make / And cry, Hey for Horn Fair." Similarly, in 1688, *A General Summons for those Belonging to the Hen-Pecked Frigate, to Appear at Cuckold's Point* was published anonymously, which invited all "hen-pecked" husbands, the "Knights of the Forked Order," to come to Cuckold's Point on the 18<sup>th</sup> of October, equipped with a basquet, a pit-axe and a shovel. From Peter Cunningham's *Handbook of London* (1849) we gather that this Horn Fair was still celebrated yearly at the set date and place, but not even fifty years later, Edward Walford, writing in 1878, and quoting Cunningham, notes with palpable relief that this "disreputable fair [...] fortunately" was now a thing of the past. Cf. Walford (1878: 134-42); T.R., *Hey for Horn Fair: the General Market of England, Or: Room for Cuckolds* (London 1674), unpag., Anonymous, *A General Summons for those Belonging to the Hen-Pecked Frigate, to Appear at Cuckold's Point* (London, 1688).

## 5.5. Outside: Public (Outdoor) Spaces

*“Indeed, the entire outdoors served as the theatre of plebeian courtship: ‘to give a woman a green gown’ was a euphemism for rural lovemaking.”*

Sara Mendelson and Patricia Crawford<sup>270</sup>

*“Anyhow, who said that nothing has ever occurred on a hillside or in a cave?”*

Juvenal<sup>271</sup>

Courtship, as has been asserted above, is a concept indifferent to its outcome, it works both for marriage and its transgression. In comparison to our examination of indoor spaces, this section will shortly sketch out the theatre of adulterous courtship in the outdoors. As we shall see, the generation of secluded spaces plays an important role in this context, too. The speaker of William Fennor’s *Cornu-Copiae, or Pasquils Night-Cap* compares women’s adultery in the countryside and the city.

“Whereas the Countrie forrests, woods, and feilds,  
Groues, thickets, haiecockes, grasse, and standing corne,  
To such intentes more fit occasion yeildes  
And greater libertie to grast the Horne.  
And therefore howsoere the Cittie-Dame  
For pride and beautie may deserue the name,  
Yet Countrie Marian with liuelie browne  
Is oft as willing to be tumbled downe.

Therefore allthough much crazed broken wares  
Are vented vnto Cittizens by chance;  
Yet sure the Countrie people haue their shares,  
And hand in hand with Cittizens may dance:  
And this to be no fiction nor a lie  
Their Teachers in white shetes can testifie:<sup>272</sup>

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<sup>270</sup> Mendelson & Crawford (1998: 111f.).

<sup>271</sup> Juvenal, *Sixth Satire: Roman Wives*, 58f.

<sup>272</sup> The “teachers in white shetes,” are the persons doing penance for adultery, the formulation pointing to the didactic objective of this penal practice.



So that I must conclude. Both Town and Cittie  
Haue store of Cuckolds, worthie, rich and wittie.”<sup>273</sup>

Although one might suspect that the city offers more walls behind which adulterous lovers may hide, the country-side, the speaker of Fennor’s humorous poem argues, provides an even greater variety of spaces where lovers can meet unobserved, and thus yields greater “liberty” and “more fit occasion” to adulterous action than urban environments.<sup>274</sup> But is Fennor’s narrator only jesting, or did people really make use of these outdoor opportunities? From his analysis of contemporary court cases, Quaipe has concluded that lovers indeed used a great variety of outdoor locations such as streets, gardens, even churchyards, walls, orchards, groves, ditches, lanes, moors, commons, hedges, and heaths.<sup>275</sup>

Above, I have pointed out the unsuitability of the terminological pair “privacy” and “publicity” to demarcate the border between domestic and non-domestic spaces; it is equally unsuited to clearly define outdoor spaces. The garden, obviously, albeit (predominantly)<sup>276</sup> an outdoor space, would mostly be considered a part of the domestic sphere. Similarly, fields, meadows and forests, though not domestic in the proper sense, are spaces of rented or owned property, which, in many cases, also meant that access to them was restricted. In addition, more rural settings are not indisputably public either, because often there are simply not enough people around to constitute what one might call a ‘public’ space. Indeed, those rural, open-air *loci* of transgression could be constructed quite similarly to the ones discussed in detail above.

The case I wish to present here has already been broached in the previous chapter.<sup>277</sup> It is the only divorce suit in my sample of Gloucester consistory court records.<sup>278</sup> When James Vick filed for a separation of bed and board from his wife in 1609, her relationship with John Holder was already notoriously well-known and had obviously persisted for more than three years. Indeed, John Holder, himself married, had done penance for this affair before, in 1606. He was again presented by the churchwardens of Standish for his ongoing affair with Elizabeth in October 1608. One of these churchwardens was named Richard Vick, which

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<sup>273</sup> William Fennor, *Cornu-Copiae, Pasquils Night-Cap: Or Anti-dot for the Head-ache* (London, 1612), 62.

<sup>274</sup> This “liberty” is also associated with the more rustic manners of countryfolk, who may be less restrained by more ‘civil’ or ‘polite’ codes of conduct. While the “Citie-Dame” is characterised by “pride” and “beauty,” terms intrinsically connected to a certain social etiquette, especially when opposed to the country woman’s “liuelie browne,” which may result from her exposure to the sunlight, but possibly also from the other elements she came in touch with through daily agricultural work.

<sup>275</sup> Cf. Quaipe (1979: 74).

<sup>276</sup> Cf. Henderson (1999) for a detailed discussion of Tudor garden architecture.

<sup>277</sup> Cf. above, 72.

<sup>278</sup> A catalogue search in the Gloucestershire Archives suggests that, on the whole, divorce cases were a rare phenomenon indeed in early modern Gloucester.

suggests that he may have been related to James Vick and thus, perhaps, had personal motives in presenting this case, for instance, to further James Vick's divorce case. A subsequent inquisition was made in September 1609, when James Vick's divorce suit was already under way.<sup>279</sup>

There is nothing in the depositions which suggests that Elizabeth Vick underwent comparable institutional questioning or punishment.<sup>280</sup> As a part of his penance and rehabilitation, Holder had been enjoined not to come into Elizabeth's presence "excepte it weare in publique places and that in the company of five others at the least."<sup>281</sup> In his divorce suit, James Vick found witnesses who were willing to testify that Holder defied these orders. Their allegations focussed on one particular incident of which the two crucial eyewitnesses produced different versions in court. I will relate the one which is most significant to the spatial construction of adultery in this case.

Henry Eagles of Randwick, a twenty-six year-old farmer, related the following story. One day in July 1608, he agreed to help John Gabb of Standish drive "to washing" some sheep which Gabb had depasturing in a lease called Combe Head. On the way there, Gabb told him that John Holder and Elizabeth Vick often met "in verie suspitious manner" in a certain wood called Barlowes Grove, whereupon both men decided to make a detour to this grove "to see whether that they could espie and take the said John Holder and Elizabeth Vick together."<sup>282</sup> The desire to catch the alleged offenders in the act is thus presented as the two men's primary motivation for spying on their Holder and Vick.

Eagles and Gabb must have been either very patient or very determined, as they lay in ambush for the space of three or four hours. Finally, Elizabeth Vick arrived, followed closely by John Holder. They went "into the bottom" of Barlowes Grove, where a thick brake or a heap of thick bushes grew. Holder and Gabb sneaked after them and found them in the standard position, Elizabeth Vick lying on her back with her clothes up and Holder on top of her with his breeches down. The position of the witnesses in this instance, however, is even more interesting: Eagles deposed that he could see everything clearly because he was "verie

<sup>279</sup> Cf. GDR/B4/1/2274 (11 October 1608). Depositions for Vick's divorce suit exist from April to December 1609.

<sup>280</sup> There is one instance where, according to a witness, John Holder expressed concern that it should be Elizabeth Vick's undoing if their renewed offence was to become publicly known. This may refer to institutional, i.e. *ex officio* punishment procedures, yet it seems more probably that what is alluded to is the threat of James Vick's public separation from his wife.

<sup>281</sup> GDR/B4/1/2274 (27 September 1609).

<sup>282</sup> The shady grove obviously is one of the central elements of the classical *locus amoenus*, yet, it is only *one* of the constituents which, scholars have argued, generated this locus in their interplay. Similarly, the sheep to which the witnesses' narratives refer (this is a point in which Eagles and Gabb agree in their deposition) are an integral part of the stereotypically bucolic landscape. This suggests that literary and pictorial motives might have influenced the construction of narratives at court.

neare vnto” Vick and Holder, “there was but a hedge betwixte” them, Eagles “lyeing on the one side and they lieing vnder the other side of the said hedge.”<sup>283</sup>

Significantly, although all this takes place in an outdoor environment, the generation of the space of adultery functions in ways very similar to domestic environments. Not only do Vick and Holder use a grove, which will shield them from too easy viewing, they go to the very heart (or “bottom”) of the wood, which can be associated with even greater secrecy because of the thick brake or bushes growing there. There are no buildings involved here, no walls and doors behind which one can more safely hide, and so despite the reclusiveness of the grove, Holder and Vick, as well as Eagles and Gabb potentially risk being discovered. Yet even though the grove is not structured by walls as the house is, it operates in a remarkably comparable fashion. The hedge which separates them offers both parties visual protection, but, as the wall, it can be made permeable. Instead of merely confronting the lovers at the right (delicate) moment, according to Eagle’s story, the witnesses take care to liken the space in which Vick and Holder become intimate to a seclusive love-nest, whose closure signifies transgression, and which they then can pry open in a conclusive act of witness.

Consequently, the generation of adulterous space here functions just as in the domestic (indoor) contexts examined above: a space of illicit seclusion is established, which, however, can only ultimately be identified as adulterous through an act of witness. To a certain extent, of course, this congruence in constituting adultery in both indoor and outdoor environments may be due to the genre of court records from which the most compelling of the above examples derive. Yet the same trend can definitely be observed in other instances of adultery from popular literary culture and iconography previously discussed.

By meeting his lover in private, in a grove, John Holder had clearly violated the condition not to seek Elizabeth’s company any more, except in public places, with at least five other persons present. This was a standard institutional precaution taken in such cases, i.e. where offenders had undergone purgation for sexual offences.<sup>284</sup> This is related to the connection of the public with the morally normative in which the church is included.<sup>285</sup> Enclosure and privacy are thus discursively linked to sexual transgression, whereas the public was connected to the morally normative and hence publicity was regarded as a deterrent from adultery. Hence, where sexual acts in such public places, like the church or the street, did occur (and occur they did, apparently) they carried connotations of exponentiated

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<sup>283</sup> GDR 109, *Vick c. Vick*, 24 April 1609, deposition of Henry Eagles.

<sup>284</sup> Ingram (1987: 244).

<sup>285</sup> Cf. Gowing (2003: 30).

transgression. These occasions merit closer examination. Before examining those more ‘pastoral’ settings of churches, we shall first turn to the streets about which moral didactics like Smith and Cleaver were so concerned with respect to the displays of female morality.<sup>286</sup>

In 1657, Mary Combe, an alehousekeeper’s wife from Compton Bishop, Somerset, was prosecuted for her scandalous comportment.<sup>287</sup> This woman allegedly knew how to manage household space in a transgressive fashion. One man deposed that when he came to her house, she shut the door and “would force [him] to be naught with her spreading of her legs, & shewing her commodity saying come you rogue look thee here what thou shalt play withall.” However, she also liked to ‘play’ in the outdoors. Not only had she exposed her private parts to her husband and some guests when they had lain on the grass by the house. She also had walked home drunk and naked, “tumbling herself in the highway more like to a swine than a christian,” as one deponent remarked, “wishing all good fellows to come and occupy with her that were passing by her.” On another occasion she had

“laid her down in the highway between Axbridge & Crosse & called to all persons passing by spreading of her legs abroad, saying come play with my Cunt and make my husband a cuckold, a gentlemen passing along she called to him in the like nature, & he asked the neighbours what was the reason that course would not be taken with such a debauched woman, for she was a fit creature not to live amongst christians of the Commonwealth.”

In my discussion of adulterous spaces I have generally not focused on the constructions of the gendered body in this context. However, these are clearly foregrounded in this example and thus deserve to be pointed out. Through her alleged “tumbling” in the street, Mary Combe’s body is codified in a specific fashion: the street on which everybody walks is paralleled with the female body which (potentially) every man penetrates. In Beaumont and Fletcher’s play *The Maid’s Tragedy*, the enraged Melantius informs his sister Evadne, “Thou art my way, and I will tread upon thee / Till I find truth out.”<sup>288</sup> This outbreak is part of his attempt to re-establish his (or any kind of) masculine authority over a sister whose adulterous affair with the king has made her scandalously overbearing and presumptuous, and to pressurise her into a confession, subjugation – and finally a regicide. Mary Combe’s invitation for the passers to use her body on – and much *like* – the road, on the other hand, displays an

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<sup>286</sup> See above, 171.

<sup>287</sup> The case is related in Gowing (2003: 38-40). All subsequent quotations from this passage.

<sup>288</sup> Francis Beaumont & John Fletcher, *The Maid’s Tragedy*, in *Four Jacobean Sex Tragedies* (Wiggins, M., ed., 1998), 4.1.37f.

absolute denial of a certain normative patriarchal authority over her: her husband's and, ultimately, that of the Commonwealth.

Does this public acting out of female desire, then, epitomise the overcoming of patriarchal authority *per se*? In Mary Combe's case it did not; quite on the contrary. Mary's lewd behaviour, in fact, was connected to, or rather, was taken as a symbol of her adherence to a very specific mode of patriarchal authority which in the 1650s was nothing if not exceedingly problematic: the king's. Mary's comportment was taken as (further) evidence of her glowing royalism, as "the combination of drinking and lewdness made her a recognisable royalist stereotype."<sup>289</sup> Female sexual transgression, then, could be conceptualised not only as marking the negation of patriarchal authority, but also as signifying an adherence to, an allegiance with the *wrong kind* of authority. Mary's position as an alehouse keeper's wife and, thus, as the hostess of a (potentially) morally questionable establishment certainly did not help to invalidate accusations of subversive lewdness, since alehouses had long been associated by Puritans with subversive opposition to both moral and political order.<sup>290</sup> The capitalisation of "Cunt" in this context may be quite significant considering that, excluding the two geographical terms, it is the only capitalised word in this passage apart from "Commonwealth." At the very least, the capitalisation highlights the scandalous nature of Mary Combe's reported speech, possibly drawing attention to the inappropriateness of such terms for the medium of the ecclesiastical court's deposition; a concern which was frequently verbalised, despite the fact that it was the very function of this medium to record such transgressions.<sup>291</sup> On the other hand, the Capitalisation of both "Cunt" and "Commonwealth" visualises the blatant contrast between the two, between Mary Combe's conduct, and the norms of the society she lived in, and thus stresses arguments of her subversive, royalist stance. Only the first instance of Mary Combe's sexually aggressive courting is marked by the generation of a secluded space of transgressive intimacy. In the other incidents, there is no mention of 'secrecy' or hiding 'dark deeds.' Rather, it is the perceived publicity of the space in which the intimate actions take place which evokes their transgressiveness.

Thus, we are left with something like a structural paradox that the transgressiveness of a certain sexual action could be codified or visualised by two extremes: its intimate seclusion, its spatial restriction on the one hand, and its excessive publicity, its refusal to remain in the dark, its dissolution of boundaries on the other hand, which confers to the above-mentioned

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<sup>289</sup> Gowing (2003: 39).

<sup>290</sup> Cf. Clark (1978: 47f.). For a link between alehouses and prostitution cf. Clark (1983: 148-151). Cf. Fumerton (2002: 495), who has emphasised the role of female hostesses in alehouses.

<sup>291</sup> Cf. also above 208 & 210.

image of lust breaking all barriers.<sup>292</sup> Both instances are prominent in the case of Mary Combe, who (according to the records) publicly exposed herself and her desire, yet also attempted to establish secluded spaces of transgression. In short, through these records, Mary Combe was constructed as a thoroughly immoral person who would spread debauchery wherever she went. Whether she had actually found men willing to take her up on her offer was far more than a question of morals. In 1657, under the ‘Adultery Act,’ both she and any of her lovers would have been in danger of execution. This also suggests that, under these circumstances, charging one’s social enemies and political opponents with severe, adulterous immorality could be a handy means to get rid of them. However, as has been indicated, the ‘Adultery Act’ proved largely unenforceable, perhaps precisely because most people shied away from so drastic measures. Even so, Mary Combe’s case supports our observation that local power struggles, and other pressing social, religious and political issues were at the heart of many allegations of sexual incontinence which came before early modern local and regional courts.

One might surmise that although Mary Combe’s behaviour in the street was exceptionally provocative, it was less problematic because, even if there had been no threat of execution, common morals would have likely prevented men from actually accepting her offer. However, there are records of incidents in which people allegedly engaged in transgressive sex in the street. G.R. Quaife cites one case from Somerset where a butcher and one of his female customers, whom he was apparently in the process of escorting home, were seen copulating

“against a gate in the highway in a very uncivil manner, and they were both against the gate about half an hour and ... Joan Perriam’s coats up about her and John Jeames [the butcher] against her and had the advantage of the ground, and the gate kept a great noise and rattling.”<sup>293</sup>

Laura Gowing relates yet another case of a woman of Coventry, who was accused of having had adulterous sex with a man against the portal door of a house she had just come out of, which was reputed to be a bawdy house.<sup>294</sup> Lastly, Thomas Rose of Gloucestershire has already been mentioned, who had reportedly kissed married Alice White by his gate,<sup>295</sup> apart from having been secretly intimate with her near a certain hedge.<sup>296</sup>

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<sup>292</sup> This breaking of boundaries is also the basic prerequisite for transcendent connotations which might be connected to lust, even in the context of (from a normative point of view) transgressive sexuality.

<sup>293</sup> Quaife (1979: 129).

<sup>294</sup> Cf. Gowing (2003: 36).

<sup>295</sup> Cf. GDR 106, Rose *c.* Taylor, 18 November 1608, deposition of Ciprianus James.

<sup>296</sup> Cf. GDR 106, Rose *c.* Mosley, 18 November 1608, deposition of William Toms.

It is thus noteworthy that, generally, doors or gates seem to retain a certain prominence in the construction of transgressive sex in the outdoors in the vicinity of villages or towns. In the above examples, admittedly, they do not primarily serve to convey the generation of a secluded transgressive space. Still, these fringes of the openly public space, these thresholds between different kinds of spaces, by means of their liminality, are well-suited to convey the transition from normative behaviour into transgression connected to fornication and adultery. The fact that horns and mocking rhymes were commonly fastened to gates and front doors suggests that these spaces were very prone to all sorts of stagings of (sexual) transgressions. Peter Stallybrass has argued that, in early modern England, “[t]he surveillance of women concentrated upon three specific areas: the mouth, chastity, the threshold of the house.” These three elements “were frequently collapsed into each other.”<sup>297</sup> A couple fornicating against the door of a house, one might argue, evinces just such a case of collapse. Witnesses thus generated these outdoor spaces of adultery by reference to common discursive structures, thereby also legitimising their allegations.

In this respect, it must further be taken into account that the streets to which these doors and gates opened, and which, as we have seen, could similarly become spaces of adulterous sex, were also the very places where mock parades and ridings, but also more institutionalised festive and penal processions were performed.<sup>298</sup> Streets were associated with the normative, with publicity. They staged moral standards through public punishments and processions, and constantly negotiated them in neighbourly interactions. But they could also become the very sites of transgression.

The church was the epitome this public-normative sphere, and one might assume that this should naturally prohibit generations of adulterous spaces inside it. In 1608/1609, Robert Clayfield of Longney, instigated a defamation suit against those who accused him of immoral behaviour. He had been vicar of Longney for an impressive forty six years, and hence must

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<sup>297</sup> Stallybrass (1986: 126).

<sup>298</sup> Cf. also Shoemaker (2004). Shoemaker describes a process in which traditional shaming punishments were moved indoors in the ‘long eighteenth’ century before finally being formally repealed or restricted. This development was coupled to, for example, an increasing sensitivity to violence (or at least its public manifestations), and a declining communal interest in public punishment. Most importantly, he argues that the way personal reputation was negotiated changed significantly, particularly for London’s upper class, which, for instance, increasingly discovered print as a medium for establishing or defending reputations. On the whole, in this class, reputation was less and less shaped by the community but by individual conscience and self-identity. This meant, Shoemaker concludes, that “London’s main streets, their functions now dominated by traffic and architectural display, became inappropriate places to establish and destroy reputations” (253). From another perspective, it needs to be added that ‘street’ is not a homogeneous concept. As Harding (2002: 566) notes, particularly in early modern urban centres the distinction between straightforwardly public streets and more private alleys and yards was often difficult to draw.

have been an elderly man.<sup>299</sup> This, however, did not stop a woman called Eleonor Lugg from spreading rumours about his alleged sexual ‘incontinence.’ She went about telling people that, through a broken window pane,<sup>300</sup> she had seen Robert Clayfield and Joane Steephens have sex in a pew in Longney church. Eleonor Lugg told this story to a group of people when working together on a field, and she went to Gloucester to see Richard Lane, a saddler, who obviously held some sort of public office at that time, to inform him of her discovery. In his deposition, this Richard Lane suggested a motive for Eleonor Lugg’s endeavour: apparently, she held Clayfield responsible for having “hunted her husband out of the parishe from her.” For this she would “plauge [plague]” Clayfield and “never leave him before she was revenged on him.”<sup>301</sup> Consequently, this case involved much more than just Clayfield’s sexual affairs, namely the negotiation of communal authority and hierarchies. Richard Clayfield may have been framed. His time as vicar of Longney ended in 1609, and the temporal coincidence with his defamation suit against Eleonor Lugg strongly suggests a connection to his sudden retirement.<sup>302</sup>

Admittedly, the marital status of Clayfield and his alleged lover is not specified in the depositions. We may tentatively speculate that Clayfield was either married or a widower, the status of the woman involved does not appear to have been given much relevance. The evidence, however, is constructed in a quite similar fashion to cases of domestic adultery. Indeed, there are parallels between a vicar who commits sexual transgression in his church, and a husband who commits adultery in his own house; both men seriously abuse their office and violate their sphere of authority.

Christopher Haigh has unearthed the intricate details of a similar case which occurred in the Gloucestershire village of Burton-on-the-Water in 1634.<sup>303</sup> The local rector, Dr Thomas Temple, himself married, was accused of having had sex inside the local church with Mary Toms, the parish clerk’s wife. The case was fought over for two years, in Gloucester

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<sup>299</sup> Elrington & Herbert (1972).

<sup>300</sup> Some of the witnesses stated that she had reported to have broken the window herself, which would quite possible set Eleonor Lugg in a bad light. In any case, her (over-)active involvement in securing evidence could have been used, or even fabricated to support Clayfield’s defamation case.

<sup>301</sup> GDR 109, Robert Clayfield *c.* Eleonor Lugg, 12 June 1609, deposition of Richard Lane.

That Clayfield would separate a married couple when we know that the church’s most well-practised strategy was to affect reconciliation suggests that there must have been something seriously wrong with either the Lugg’s marriage (perhaps it was illegitimate), or Mr Lugg as a person (he may have been a very poor man or a criminal), or, if we are to believe the outraged Mrs Lugg, there was something wrong with Clayfield himself.

<sup>302</sup> Elrington & Herbert (1972). He may have died that year, which could mean that his leaving his office might be unrelated to the accusations against him – or, on the contrary, that the accusations had even more serious consequences than just his quitting is post. Further research would be needed to ascertain the exact year of his death.

<sup>303</sup> Haigh (2005).



consistory court, where it resulted in a public purgation, and in Star Chamber in London. The decisive act had allegedly been witnessed by the cuckolded husband, the parish clerk himself, who, when he came to the church and found the door locked from within, went about the church to look inside through a window, and discovered his wife and Temple having sex in Temple's family pew.<sup>304</sup>

This story-line bears all the familiar elements: locked doors causing suspicions, witnesses looking in at windows. Quite obviously, there was no need to construct special narratives of transgression just because the site of the crime was church, the common markers of suspicion and discovery could be employed. Just like Clayfield, Temple was accused of having 'been naught' with a woman in a church pew, yet not just any, but a very specific one: his family pew, a site clearly marked by familial liaisons and claims, a space connected to the household, and, in certain ways, an extension of domestic space. As the seating order inside the church represented the fabric of the local community, its hierarchies, but also its networks, conflicts concerning seating rights appear to have been quite frequent.<sup>305</sup>

Christopher Haigh, interested in the links between allegations of sexual transgression and the negotiation of local hierarchies, has carefully dissected the arguments of the parties involved in this particular case. He has traced the roots of this incident to power struggles between Temple and a local family, which were negotiated over the specific seating rights in this church and this very pew.<sup>306</sup> Obviously, tensions had arisen between Temple and the local gentry very soon after his assumption of office,<sup>307</sup> and the case seems to have bifurcated the local community, involving more than fifty people as defendants or witnesses by the time it reached Star Chamber.<sup>308</sup> This conflict could be considered symptomatic of a more general uncertainty about the status of parsons at that time,<sup>309</sup> which might also help to explain the fact that rather a lot of them seem to have come under suspicion of sexual deviance.<sup>310</sup> This increased suspicion may also be attributed to the fact that many parsons were strangers to the communities they worked in.

What was at question in Temple's case was nothing less than the social hierarchical make-up of this community. Though of genteel birth, Temple was now a 'mere' rector,<sup>311</sup> and

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<sup>304</sup> Haigh (2005: 497).

<sup>305</sup> Cf., for instance, Foyster (1999: 119f.), also Amussen (1988: 138-143, esp. 140) and Ingram (1987: 112).

<sup>306</sup> Cf. also Marsh (2001).

<sup>307</sup> Cf. Haigh (2005: 498).

<sup>308</sup> Cf. Haigh (2005: 513).

<sup>309</sup> Cf. Amussen (1985: 21): "Parsons were especially likely to be the targets of criticism and claims of equality. The position of the parson in the social order depended on his office, not his wealth or birth, and was therefore increasingly anomalous." Cf. also Amussen (1988: 147).

<sup>310</sup> The topos of the sexually transgressive (Catholic) clergyman clearly had a long tradition.

<sup>311</sup> This, as Haigh (2005: 497) has pointed out, also reflects a change in the recruitment of clergymen which

although it seems that he generally had problems being accepted in his community, the situation escalated over the question of whether a rector's family could outrank the local gentry; more precisely, whether Temple's wife Susan should sit in front of Susan Ayleworth, a baronet's daughter.<sup>312</sup> Importantly, the dispute did not solely involve male hierarchies. Wives' seating rights appear to have been equally crucial to signifying the family's social position.

The fact that Thomas Temple was now accused of having committed adultery in the very space over which his rightful authority was contested points to the consciously constructed nature of the witnesses' narratives and performances. Thomas Temple's transgressive actions are clearly designed to evince his abuse of the space of the church entrusted to him as rector, but also, through the connections between the pew and Temple's household, of his own domestic, *marital* space. It thus compares to the (adulterous) spouse's abuse of spatial authority over domestic space if adultery occurred inside the household. Temple's alleged adultery in the family pew, moreover, is a direct abuse of his wife, not dissimilar to adultery in the marital bed. All this, of course, questioned his social authority in this community. Generally, then, these disputes over seating rights in pews and Temple's subsequent problems of asserting his authority, on a number of levels, evince that neither hierarchies nor personal authorities are ever fixed and unproblematic.<sup>313</sup>

Adultery in the home carried a wealth of implications, and adulterous intimacy in a church did even more so. Above, I have mapped out the marital home as the space that marriage generated and where marriage was *made* in the sense of being *reiteratively*, most visibly, actively performed, and I have outlined how it could become the very space where marriage was *unmade* or broken. In the previous examples, the church functions in a very similar fashion. It is the site where the local community celebrates its coherence, where marriages are officially brought into being or, in more correctly early modern terms, where marriage is made public and solemnised.<sup>314</sup> It is also the space where the familial associations and social ties generated through marriage are displayed and performed over and over again in regular services, baptisms, confirmations, requiems. Adultery inside the church corrupted this cohesion in the most blatant possible fashion.

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brought forth a "new breed of educated gentleman-clerics in early-seventeenth-century England."

<sup>312</sup> Cf. Haigh (2005: 500).

<sup>313</sup> "Hierarchy was," as Christopher Marsh (2001: 69) has pointed out, taking *The View from the Pew*, "in practice, profoundly problematic: an ideal that highlights divisions can all too easily prove divisive."

<sup>314</sup> Of course, communal gatherings at church also functioned as a sort of marriage market, a place for meeting and romancing members of the other sex.

In the moral-religious discourse of the time, the church also served as a metaphor for marriage and the family itself.<sup>315</sup> The families of a neighbourhood or congregation, John Downname instructed his audience, “should be so many little Churches wherein God is worshipped and served.” They were corrupted through acts of sexual transgression. The fornicator, and we may include the adulterer here, in effect, “turneth them into secret stewes and polluted brothels” which naturally brings down god’s fierce wrath not only on the single family, but upon the whole community.<sup>316</sup> Significantly, this was the line of argument taken by Temple’s accusers. Lucy Ayleworth, who laid claim to Susan Temple’s seat in church, declared that in Temple, “God hath sent a destroyer among them, and it were well if he were rooted out so that they might have a better one,” for he was “a very ill man, and not fit to feed a flock of Christians but a flock of pigs.”<sup>317</sup> Thomas Temple supposedly locked the church door and broke his marriage in the very space where all local marriages were made, which effected a spatial recodification: the church itself was turned into a secluded space, a ‘secret stew.’ Of course, this was not a private, intimate transgression. It seriously questioned his professional ability to be a spiritual leader and moral guide to the local community, which also included his ability to generate legitimate marital unions among the members of his congregation.

There are obvious parallels between the spatial construction of the church and that of the household. Though by nature a public space,<sup>318</sup> access to the church is regulated by behavioural codes, rites and membership.<sup>319</sup> The inside of the church has a marked potential for (religious) intimacy and even privacy,<sup>320</sup> and carries a wealth of allusions to otherworldly spaces.<sup>321</sup> Like the household, the church, too, was a place in which different spatial constructions were contested. Firstly, sacred and profane spatial conceptions and performances rivalled within it.<sup>322</sup> The church could be a space for private recreation, a workspace, a space for spiritual devotion, a penitential space, a space for the reconfirmation of socio-religious norms and moral codes, a social space. Both church and household were crucial sites where early modern marriages were performed, in an initiative and in a reiterative

<sup>315</sup> Cf. Gouge, *Of Domestic Duties*, 31.

<sup>316</sup> Downname, *A Treatise Against Fornication and Adultery*, 148, cf. above, 46.

<sup>317</sup> Quoted in Haigh (2005: 500).

<sup>318</sup> Cf. Postles (2003: 443).

<sup>319</sup> Again, this concurs with Foucault’s fifth principle of *heterotopias*, which describes the regulated access to these ‘other spaces,’ but much more so than early modern households could be, I would argue that churches are in fact heterotopias. Cf. Foucault (1986: 26).

<sup>320</sup> Exemplary for this would be the practice of aural confession practised by Anglican churches, even though confession and absolution were not officially retained as sacraments.

<sup>321</sup> The connection between those transcendent spaces and the spaces of adultery generated inside the church would be an interesting subject for further explorations.

<sup>322</sup> Cf. Estabrook (2002), Rau & Schwerhoff (2004: 35), cf. also Postles (2003: 446).

sense. More profanely, as the above example indicates, they are buildings with doors which can be locked. These elements – to varying degrees – facilitate the generation of adulterous spaces inside the church.

Thus, in certain respects, the generation of adulterous space in the church appears to function in a similar manner to domestic space. However, since a church is always a sacred spatial entity, these transgressive sexual acts, in the most possibly evident manner, serve to desecrate it. From another point of view, adulterous acts inside the church can be taken as the ultimate allegory for the rivalry between the sacred and the profane in this building. As the union of marriage was allegorically taken to stand for the mystical union of Christ and his church,<sup>323</sup> the implications of a rector's adultery inside the church were wide-ranging indeed, and it is telling that the controversy surrounding this case appears to have focused on the adulterous husband Temple whereas Mary Tom's adultery seemed of little concern.<sup>324</sup> The accusation against Thomas Temple, by his very name associated with sacred space, whether fabricated or not, indicates the severed union between himself and his church, in the sense of both his congregation, his place in his community, and his personal connection to Christ.

The church was where marriages were ritually solemnised, and at the church door the woman received her dower.<sup>325</sup> Yet the church was also the site where fornicators, adulterers and other sinners had to perform penance.<sup>326</sup> Notorious adulterers and fornicators convicted by the church courts would be assigned to stand in the churchyard or the church porch, as well as inside the church, in the conventional white sheet, often holding a white yard or a candle, sometimes having a sort of placard pinned to themselves which denounced their sins to the congregation.<sup>327</sup> Even if such official punishments may not have been used frequently for

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<sup>323</sup> Cf. Church of England, *The Booke of Common Prayer, and Administration of the Sacraments and Other Rites and Ceremonies of the Church of England* (London, 1604), S4 (chapter on *The Forme of Solemnization of Matrimonie*).

<sup>324</sup> This is another parallel to the Clayfield – Steephens case, where attention seems to have centred on the adulterous husband in prominent social position. Mary Tom's adultery did play an important role in as much as she was obviously pressured to confess, i.e. depose it. This, however, does not account for Temple's innocence since he himself tried to bribe people in order to hush everything up. Cf. Haigh (2005: 511f.).

<sup>325</sup> The church door, particularly, was the site where the woman had to be endowed, i.e. to officially receive her dower. Without the performance she would not be entitled to her dower. Cf. Ingram (1981: 53), also the legal sources in MacCarthy (2003: 110-121, esp. 119).

<sup>326</sup> Dave Postles (2003: 442) formulates, in a somewhat long-winding fashion: "The performance of penance in the parish church also constructed penitential spaces in the church, repetitively used for a theatre of penance, and thus reconstituted as performative spaces."

<sup>327</sup> C. 1620 Elizabeth Baker from Longney, Robert Clayfield's old parish, for bearing a bastard child, was enjoined to do penance at the market cross in Gloucester on Saturday and at Gloucester cathedral on Sunday, i.e. the day after. This suggests that penances were not only carried out in parish churches, but some sinners were ordered to come and do penance at the episcopal seats, although Postles has agreed with Ingram that penance in the early seventeenth century had largely been restricted to the parish church. Moreover, this example shows that ecclesiastical penance was not only restricted to sacred spaces. This is particularly

adultery,<sup>328</sup> this whole ritual, of course, bears a striking resemblance to the custom of fastening horns or rhymes to the houses of local transgressors, and several critics have pointed towards the similarities between institutionalised penal practices and these customs.<sup>329</sup> Indeed, as has been mentioned above, slanderous rhymes were even fastened on church doors or slipped into bibles.<sup>330</sup> Moreover, traditionally, penances, like skimmington rides and rough music, had also involved processions through streets and market places.<sup>331</sup>

In cases in which adultery was supposed to have taken place inside the church, then, marriage and its transgression, the making and breaking of marriage, are specially conflated; but so are sexual/marital transgression and its penance.<sup>332</sup> I would argue that, in certain respects, penance (*re-*)enacts sexual transgression, similar to the practice of fastening horns on houses or performing rhymes and broadside ballads. Of course, the aim of penance is to purge the individual from his or her sins and (if possible) reintegrate her or him into the community, who is encouraged through the whole procedure to abstain from similar transgressions.<sup>333</sup> The church is made a performance space for adultery precisely through numerous elements of penance.

The public staging of the individual's (sexual) sin included elements such as having the sinner dress up and behave in a certain fashion which conveys his transgression. Sinners had to verbally confess their crime, thus yielding its particulars to the congregation.<sup>334</sup> Though the whole performance had the negative connotation of deterrence, it still conjured up the acts

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interesting as Dave Postles has argued that penance at the market place was a practise customary of the middle ages which was only shortly revived in the 1570s and 1580s. Cf. Postles (2003: esp. 466) & Postles (2004). For Elizabeth Baker's case see GDR/B4/1/1599.

<sup>328</sup> Cf. Ingram (1987: 258f.): "It was rare to see married women and their lovers do penance for adultery," as most defendants seem to have been able to secure a dismissal sooner or later.

<sup>329</sup> Cf. Ingram (1984: 96), Ingram (1985b: 172).

<sup>330</sup> Cf. Foyster (1999: 108), Fox (1994: 60f.).

<sup>331</sup> Cf. Postles (2003: 442, 445f., 455).

<sup>332</sup> Interestingly, as John Penry suggested, the very practice of penance itself became the subject of mocking rhymes and songs. Already in 1587 he asked "[W]hat it is [...] to pay a little money, or to run through the church in a white sheet? They have made rhymes and songs of this vulgar penance" (cit. in Hill 1991: 302). Since Hill, several critics have drawn attention to the waning importance or force of penance in the late sixteenth and early seventeenth century. Cf. Postles (2003: 465). Most significantly, the case of Elizabeth Baker from Longney shortly outlined above (see 231n327) is on record precisely because she obviously refused to take her penance seriously, not performing crucial parts of it during service, and laughing, drinking sack-posset and making jokes about her penance while standing at the market cross. It is thus Elizabeth's contrary *performance*, her refusal to comply with the behavioural codes of penance and display penitence, which totally undermines the effectiveness of this punishment.

<sup>333</sup> In a rather well-known example of a sermon on adultery, Richard Cooke's *A White Sheete*, the possibility of reintegrating the particular man to whom these words were originally directed in the course of his penance, is denied, at least until such a time as he would prove to "be a little sweeter." Having obviously done penance for his adulterous transgressions before, he is now told that "wordes will not carry it," i.e. his promises of betterment have proven to be void, and he is asked to leave the parish. Richard Cooke, *A White Sheete, or, A Warning for Whoremongers* (London, 1629), 33 & 36.

<sup>334</sup> For a short description of the common practices of penance see Ingram (1987: 53f., 294), Gowing (1996: 40f.).

for which the offender was punished. In this, the church, as a performance space of adultery, resembles the theatre, which also proclaims that its spectacles have didactic functions, and where certain events are alluded to and take shape only before the inner eye of the spectators. Penance thus not only sought a balance between punishing offenders through public humiliation and welcoming them back into the community,<sup>335</sup> it was also a spectacle which enacted the sexual transgression which punished, a spectacle of which the rector or vicar was prime conductor.

It might be argued, then, that these spectacles of penance, even though they did not only concern sexual offences, further facilitated the generation of spaces of ‘live’ sexual transgression inside the church. Moreover, the association of sexual intimacy with sacred spaces including churches apparently has a long discursive tradition.<sup>336</sup> This well-established tradition may also have served to legitimate witnesses’ accounts of sexual activities in churches. Evidently, the performances of Christian piety, charity and love to God and one’s neighbours in the church were able to establish a space where sexual intercourse was transgressive, yet they could not establish a space where transgressive sexual intercourse could not take place.

## 5.6. Adulterous Domesticity: Conclusions

*“And must we part, because some say  
Loud is our love, and loose our play,  
And more than well becomes the day?  
Alas for pity! And for us  
Most innocent, and injured thus!  
Had we kept close, or played within,  
Suspicion now had been the sin,  
And shame had followed long ere this,  
T’have plagued what now unpunished is.”*

Robert Herrick<sup>337</sup>

Spaces of adultery, in the texts discussed above, were not constructed as elysium-like, otherworldly spaces of refuge. They could be generated in the most divers of everyday settings, yet certain processes of closing and opening spaces appear to have been crucial both in domestic, in public and outdoor environments. We have explored how individual structures

<sup>335</sup> Cf. Gowing (1996: 41).

<sup>336</sup> Cf. Harvey (2001: 162).

<sup>337</sup> Robert Herrick, *The Suspicion Upon his Over-Much Familiarity with a Gentlewoman*, in, Robert Herrick, *Selected Poems* (Jesson-Dibley, D., ed., 2003), 45.

of houses such as we encountered in Markham's model, i.e. the gates, the front and back doors, the kitchen and bedroom, the hall, and dairy house, were utilised to generate meanings of adultery. In the early modern middling and lower-class home, a tension existed between the potential for public reception, i.e. with regard to social and business relations, and the potential for secluded intimacy. This secluded intimacy, though at the heart of marital relationships, also could be used to generate spaces of transgression. In most of the examples examined above, the (potentially) adulterous agents first established a secluded space of transgression, which was then opened, either to indicate their innocence, or to prove their guilt. The importance of liminal structures such as doors, windows, and walls in this process has been highlighted. While, to a certain extent, these processes of closure and opening may be attributed to the formative influence of the genre of court records from which many of the above examples originate, similar constructions may be observed in other contexts, too. Moreover, they involve a negotiation of the boundaries between different spatial dichotomies such as inside / outside and secret / open, and different kinds of spaces, most notably those of normativity and witnessing, and spaces of transgression. The theatrical stage seems quite well suited to explore these tensions.

Significantly, in this context, enclosure was a vital marker of transgression. Women's enclosure, therefore, whether self- or other-induced, was always potentially transgressive, hence never quite unproblematic. We may recall Laura Gowing's observation that while, theoretically, "the private walls and doors of the household safeguarded a woman's reputation," they might, as Herrick's poem cited above, contends, "facilitate suspicions of dishonour" and of illicit sexual pursuits.<sup>338</sup> Yet women's involvement in the social sphere was no less ambiguous. While a certain openness of the domestic space was considered normative, this openness, as Mary Combe's case most vividly suggests, had its limits. On the other hand, the above examples of women actively managing household space in order to dupe hopeful suitors and prevent the generation of spaces of adultery, seem to call for a revision of the stereotypical view that female chastity was a passive, spatially static quality.<sup>339</sup> The crucial point appears to have been to achieve an acceptable balance between openness and seclusion.

Even more importantly, the role of husbands and their male rivals is not less controversial. The above examples evince a recurrent concern with male sexual transgression, which was often correlated with men's use and abuse of spatial authority. The generation of sexually transgressive spaces was utilised in local power struggles as a means of establishing,

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<sup>338</sup> Gowing (2000: 134). Gowing (*ibid.*) points out that they also caused suspicions of (illegitimate) male violence.

<sup>339</sup> For one example, cf. Warnicke (1993: 131).

reiterating or contesting social hierarchies. This may explain, for example, why men in positions of authority were particularly vulnerable to accusations of sexual misconduct,<sup>340</sup> and why clergymen in particular, “the archetypal figures of parochial respectability,” brought defamation suits in disproportionate numbers.<sup>341</sup>

A home was more than a just a house, not just an assemblage of rooms as Gervase Markham’s model might suggest. It was the basis for a couple’s reiteration of their marital and social status. Its functional heterogeneity allowed for a diversity of different spaces to be generated inside and around it. In a way, this heterogeneity of domestic space, its transparent codification and potential instability<sup>342</sup> reflects the instability of the marital union. The house was metaphorically connected to the church. As the home of the family, it was a smaller unit of the larger Christian community. Consequently, adultery could be viewed as corrupting not only the individual’s family, but the whole congregation. In addition, it was taken to embody the qualities of its inhabitants or owner<sup>343</sup> – a fact to which, for instance, the horns adorning cuckolds’ houses graphically attest. The house will remain relevant as a stage for the performances of government discussed in the following chapter.

In his short piece *A Good Husband*, Robert Herrick conceptualises the husband as the “master of a house,” whose duties he lays out in predominantly spatial, if typically sarcastic terms.

“A master of a house, as I have read,  
Must be the first man up, and last in bed.  
With the sun rising he must walk his grounds;  
See that, view that, and all the other bounds:  
Shut every gate; mend every hedge that’s torn,  
Either with old, or plant therein new thorn;  
Tread o’er his glebe, but with such care, that where  
He sets his foot, he leaves rich compost there.”<sup>344</sup>

The bed, the gate and the hedge have all been examined in the last chapter as spaces connected to adulterous transgression. We have seen that husbandly vigilance was often called for, but also how ambiguous impenetrable or insurmountable hedges could be in preserving the normative integrity of a household. Herrick’s narrator is in line with many moral-didactic

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<sup>340</sup> Foyster (1999: 117). Cf. also the articles by Hindle (1994) and Turner (1999) who give accounts of similar plights of yet other men of the church.

<sup>341</sup> Capp (1999: 89).

<sup>342</sup> Cf. Gowing (2000: 136).

<sup>343</sup> Cf. Heal (1990: 6).

<sup>344</sup> Robert Herrick, *Works of Robert Herrick* (Pollard, A., ed., 1891), vol. 2, 73.



commentators of his age when he ascribes the principle duty of maintaining this integrity to the house-holding husband. This provides a ready answer to the question where the narrator may have “read” such instructive notions, even if he distances himself from this advice through implicit sarcasm. Yet, as the narrator points out with his reference to “rich compost,” not only vigilance and care but, also industriousness characterises good ‘husbandry.’ The following chapter will examine some of the arguments of the instructive literature on household government at which Herrick’s narrator hints as well as the nexus between household government and economy. How did those issues relate to adultery?

## 6. Household II: Domestic Affairs

*“The conventions of popular morals understood sexual sin in the light of domestic transgression: women who made their husbands cuckolds usurped their domestic power, men who were unfaithful to their wives spent the affectional and economic resources of the household outside it.”*

Laura Gowing<sup>1</sup>

Humfry Phillpott’s deposition claims that his neighbours admonished him for allowing adulterous behaviour to occur under his roof, or in his direct vicinity. It is constructed in such a way as to appeal to contemporary notions of good household government. Simultaneously, Phillpott’s acts of witness are legitimated through these notions. This seems to be representative of a larger cultural trend. As Catherine Richardson observes, “early modern governors” often legitimated “close observation of neighbours’ domestic activity” in order to “guard against the dangers of weak domestic rule.”<sup>2</sup> Transgression, in the domestic setting, thus, is inherently connected to issues of (mis)government, which has both social and economic effects. According to Laura Gowing, as cited above, the domestic relevance of adultery may be described in two basic categories: in terms of marital power hierarchies, and in terms of economic issues. This chapter will explore these two facets.

In the chapters three and four, I have outlined how adultery was generated by specific performances of a transgressive couple’s social environment. The previous chapter has revolved around the household, around the marital union as a spatial entity and the related spatial configurations of adultery. It has touched upon men’s difficulty and women’s agency in managing household space. As we have seen, many generations of adulterous spaces revolved around conflicts of authority – between spouses, between spouses and their rivals, but also between witnesses and adulterers and cuckolds. Problems of marital hierarchies and issues of household government thus have already been broached and will be explored in more detail in the following. The present chapter has a number of aims. It will focus on the performances of husbands and wives and relate adultery to the successful or failed performance of marital roles in the context of household government. It will examine how adultery is constructed in relation to the normative notions of domestic order and economic success. And it will

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<sup>1</sup> Gowing (1996: 268).

<sup>2</sup> Richardson (2005: 276).

emphasise husbandly duties in this respect.

Who was to blame for adultery? Many scholarly discussions of early modern adultery focus on adulterous wives, implicitly or explicitly claiming that female adultery was more significant than male adultery, and was, of course, women's fault, as it served to make their husbands look ridiculous. Anthony Fletcher, for instance, has argued that "a woman's adultery dissolved the household order and thus the social order; cuckolding made nonsense of the gender order: the woman took the blame and was held responsible."<sup>3</sup> In questioning this double standard, we will see how adultery of *either* spouse could be blamed on the husband, or, more specifically, on certain *performative* shortcomings on his part.

The thesis which presents itself here is the following: Critics tend to overemphasise contemporary concerns with 'unruly' women, i.e. wifely disobedience, in popular comical literature as well as in moral-didactic tracts.<sup>4</sup> Consequently, they underplay the enormous contemporary preoccupation with matters of husbandly care and government. The common denominator behind the frequently encountered unruly wives, jealous husbands and ridiculous cuckolds is a fundamental concern with government. While, generally, this includes both male and female government, the greater concern resided with male governing capabilities. The anxiety which critics have addressed in relation to early modern masculinity thus is not so much directed at women and their unruly nature as rather at masculine failure. The issues of cuckoldry and jealousy hence might not be based primarily on fears of female transgressive sexuality, but on male misgovernment and the usurpation of husbandly power by male rivals rather than wives. What is more, the ideal of wifely subjection was similarly ambiguous as the alleged ideal of female enclosure, not only in popular practice, but even in didactic texts.

Household government was inseparably linked to economic aspects.<sup>5</sup> In economic respects, however, marital house-keeping, at least in middling and lower-sort families, was, in actual fact, a joint venture rather than a markedly hierarchical enterprise such as a master-servant relationship between husband and wife would have been. On the one hand, economic failure seriously threatened the existence conjugal union, for instance, as poorer couples

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<sup>3</sup> Fletcher (1995: 101).

<sup>4</sup> Cf., for instance, classically, Underdown (1985), cf. also Thomas (1977: 77).

<sup>5</sup> It should be remembered that economy in its original Greek meaning more generally denotes the management of a house or household, and this meaning was still current in early modern times. The editors of the first English edition of William Perkins' manual *Christian Oeconomie, or, A Short Survey of the Right Manner of Erecting and Ordering a Familie According to the Scripture*, for instance, make this clear by choosing as abbreviated and modified title on top of each double page inside the book *Of Christian Oeconomie, or Household Government*. Consequently, analogies were also easily made between the (economic) ordering of the family and the kingdom at large. Cf. OED entry for *economy*, I; William Perkins, *Christian Oeconomie, or, A Short Survey of the Right Manner of Erecting and Ordering a Familie According to the Scripture* (London, 1609), Latin original 1590.

would be compelled to go their separate ways in search for paid labour,<sup>6</sup> and even the severe 1650 ‘Adultery Act’ recognized mitigating circumstances for wives whose husbands had been absent from home for more than three years.<sup>7</sup> On the other hand, adultery had important economic repercussions. Ideologically, the husband was the head of the conjugal joint venture, and this generated expectations and responsibilities. As Alexandra Shepard has propounded, “[h]eading a household was associated not only with the mastery of the man’s self, but of his subordinates and his resources.”<sup>8</sup> The good husband managed himself, his household and household resources wisely and profitably. The same applies, however, to the wife who was, after all, the mistress of the house. The adulterer or adulteress, conversely, takes away from his own spouse and kin by lavishing emotional and material resources on persons outside his or her own family.<sup>9</sup>

The economic necessities of marriage and housekeeping alone made it vital that the individual household was firmly embedded within the larger economic and social structures of the neighbourhood.<sup>10</sup> Yet just as social exchange, economic exchange also constitutes, as we shall see, a certain hazard to marriage by providing structures which facilitate adultery. In correspondence to the economy of marriage, then, there is an economy of adultery. This can be conceptualised as the unlawful acquisition of resources rightfully belonging to someone else. But the adulterous person may not only take away from his own spouse, but also, as moralists like John Downname pointed out, from his or her own neighbour.<sup>11</sup> Adultery, conversely, can also be a means of gaining resources for the household. These different facets of the economy of adultery will be discussed in more detail below. Laura Gowing, as cited in the epigraph above, has stressed the economic and domestic significance of adultery and categorised it in gendered terms: adulterous women usurped their husbands’ domestic power, while adulterous men squandered household resources. Can this gendered perception withhold our examination of the double standard?

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<sup>6</sup> Cf. Ingram (1987: 131 & 148f.), however, even among the poor, where marriages were generally more unstable, this only affected a minority of couples (ibid.). For the seventeenth century, Susan Amussen (1988: 26) attests an increase in the dependency of people on wage labour, with wage labourer’s incomes often being inadequate to maintain a family.

<sup>7</sup> Cf. England and Wales, *An Act for Suppressing the Detestable Sins of Incest, Adultery, and Fornication* (London, 1650), 828f.

<sup>8</sup> Shepard (2003: 70), cf. also Foyster (1999: 4).

<sup>9</sup> See John Downname, *A Treatise Against Fornication and Adulterie, in Foure Treatises Tending to Disswade All Christians From Foure No Lesse Hainous Then Common Sinnes; Namely, the Abuses of Swearing, Drunkenesse, Whoredome, and Briberie* (London, 1609), 182-184. Interestingly, for Downname, there is a close connection between adultery and a far more weighty sin, namely, murder, the ultimate theft of another’s life. Cf. also Ingram (1987: 154).

<sup>10</sup> Wrightson (2003: 107).

<sup>11</sup> Downname, *A Treatise Against Fornication and Adultery*, 182.

After some remarks on the theoretical conception of normative marital power relations and their practical application, this chapter will proceed to explore how adultery could be related to husbandly misgovernment and waste of economic resources, and what roles both husband and wife could play in setting right the domestic imbalances of which adultery was symptomatic.

## **6.1. Domestic Hierarchies**

In early modern England we are dealing with “a society suffused with personal relationships of dominance and submission.”<sup>12</sup> In their analysis of early modern power relations, Michael Braddick and John Walter assert that “discussions of early modern social order frequently took the form of a discussion of the behaviour appropriate to particular roles.”<sup>13</sup> This means that social order was conceived as *interaction* order and inherently linked to performance issues.<sup>14</sup> The way men and women carried themselves in their marital role thus was a great, yet non-exclusive, part of their performed gender identity.<sup>15</sup> Marriage also was a crucial prerequisite to power. It created new social and financial hierarchies which individuals had to live up to in their daily performances.

Just like most forms of early modern social relations, marital relationships were conceptualised as hierarchical. Especially in moral-didactic discourse, great efforts were made to cement them as such. Conjugal order was modelled on other forms of social order. Scholars almost habitually point out the micro-/ macrocosm relationship which was thought to exist between the order of the family and the order of the state. Both were dependent on hierarchical government. Someone *had* to take the role of the master, the head of the social/marital body, or society as a whole would not function.<sup>16</sup> The general ideological message was that women could expect provision and wise government, but not equality, and that only fools would allow their wives to rule over them. The extent of wifely submission,

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<sup>12</sup> Fletcher (1995: 193).

<sup>13</sup> Cf. Braddick & Walter (2001: 13). This also applied to political government; as Braddick and Walter observe, “the acceptance of the naturalness of the landed classes’ right to rule depended upon the routine reproduction of the gestural and linguistic code demanded of their inferiors under the social grammar of deference.”

<sup>14</sup> Cf. Braddick & Walter (2001: 25).

<sup>15</sup> Again, a number of critics have made this observation. Cf. Gowing (2003: 7ff.). Yet Gowing (2003: 9f.) cautions against overstraining the link between gender identity and marriage. Stating that, indeed, “women and men were more than wives and husbands, and gender relations did not only happen in the household,” she calls for the consideration of the importance of homo-social relationships for early modern gender identities.

<sup>16</sup> This confers, for instance, to the Hobbesian brand of social and political theory.

however, certainly remained a point of contention and negotiation in everyday life and the practical solutions it necessitated. And, as we shall see shortly, even texts of moral-religious instruction, which one might expect to be particularly clear about the respective roles and positions of husbands and wives, often were at pains to smooth over the tensions between their patriarchal-authoritative message and more companionate notions of marriage.<sup>17</sup>

Court records, conduct books, plays and more ‘popular’ literary texts like broadside ballads and jests were all heavily occupied with matters of gender relationships, specifically marital gender relationships and hierarchies. One may even speak of a “widespread sense of anxiety about gender relations among Tudor and Stuart Englishmen.”<sup>18</sup> I would thus emphasise the significance of Mark Breitenberg’s thesis of ‘anxious masculinity,’ yet my approach departs from a different, less psychoanalytically informed, angle.<sup>19</sup> The issue on which this masculine anxiety turned, in which it materialised, was the *performance of both* husbandly and wifely status, the conscious roles spouses played, inside the household and outside. Masculine anxiety here aimed at *masculine* failure more than female unruliness.

Crucial questions were explored across genres. For instance, how was the husband to govern his household, how was he to keep or assert his authority? What was the wife’s position in the household, and what were her tasks in its management? What could she do either to trouble and ridicule her husband or to strengthen his position? Considering the great emphasis which, in what might be considered dominant prescriptive discourse, was placed on husbandly authority, it is striking that in other, more popular texts, marriage should often have been portrayed as confining *men* to a life of servitude and toil.<sup>20</sup> The status gained by becoming married householders, of course, also brought with it the heavy burden of being responsible for the well-being of all household members. In order to explore marital fault lines such as adultery, it is important to comprehend how the household ideally functioned. Indeed, adultery could be conceptualised as connected to the non-adherence of normative

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<sup>17</sup> Although critics such as Johnson (1970 & 1971) have identified the “covenant idea of marriage,” i.e. the notion of the wife as the husband’s fellow helper as specifically Puritan, subsequent research quickly drew attention to the fact that there are great tensions in contemporary prescriptive discourse between the proliferation of a companionate marriage ideal and the texts’ patriarchal-authoritative verve. Cf. Davies (1981: 63). Susan Amussen (1988: 41-7) has reiterated this notion in her appraisal of the “double messages” of conduct books, while Fletcher (1995) sets out to refute the alleged contradictions in these tracts, at least from a viewpoint of their early modern authors. Solutions such as offered by Sara Mendelson and Patricia Crawford (1998: 135) who suggest that while male writers underlined subjection, female authors, albeit rather hopelessly, argued for companionate models of marriage seem too stereotypical and simplistic to be of much help in resolving this question.

<sup>18</sup> Capp (2003: 21), cf. Fletcher (1995: 27f.), who has also suggested that this anxiety may have been particularly more widespread and deeper in London, where women’s social activities were particularly expanding.

<sup>19</sup> Cf. Breitenberg (1996). For another, slightly different perspective on anxiety see Traub (1992).

<sup>20</sup> Cf. Bruster (1992: 59).

marital ideals. Therefore, the following two sections will shortly outline moral-didactic conceptions of marital/domestic hierarchies and the discourse of husbandly responsibility which was connected to them.

### 6.1.1. Marriage: Equality v. Hierarchy

*“As we shall see, in the seventeenth century the key to male power in the household was thought to be sexual control of women as well as the self.”*

Elizabeth Foyster<sup>21</sup>

In moral-didactic *theory* the husband was the manager, the “master” of the household,<sup>22</sup> while the wife was at best its “mistress,” and at worst “but the best of Servants,”<sup>23</sup> or “in some sort a seruant for profite.”<sup>24</sup> In one of the major conduct books of the period,<sup>25</sup> the Puritan divine Robert Cleaver, for instance, with reference to Ephesians 5:33, emphasised that wives “ought euermore to reuerence [their husbands], and to endeouour with true obedience and loue to serue them; to be loth in any wise to offend them.”<sup>26</sup> This hierarchical state of conjugal affairs was ritually, *performatively* generated in the official marriage ceremony of the Anglican Church, where the groom vowed to love, honour, and comfort his wife, as well as to keep her in sickness and in health and to forsake all other women, and the bride promised first to obey

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<sup>21</sup> Foyster (1999: 4).

<sup>22</sup> Etymologically, connotations of the very word “husband” included “master of a house, the male head of household” (now obsolete), “manager of household or establishment” (now obsolete except in special applications). OED, *husband*, n., I.1., II.4.a; cf. also 5.a: “husband” used with a qualifying epithet, “One who manages his household, or his affairs or business in general, well or ill, profitably or wastefully, etc.”

<sup>23</sup> Edward Chamberlayne, *Angliae Noticia, or The Present State of England* (London, 1669), 452f.. While Chamberlayne points out that wives are *de jure* really only a husband’s servant, he hastens to add (famously) that the condition of English wives *de facto* really “is the best in the world; for such is the good nature of Englishmen towards their wives, such is their tenderness and respect, giving them the uppermost place at Table and elsewhere, the right hand every where, and putting them upon no drudgery and hardship; that if there were a Bridge over into England as aforesaid, it is thought all women in Europe would run thither.” Moreover, he argued, English wives were legally really quite favourably served since their husbands were required to be a father to any offspring sired and born in their absence provided they (the fathers) had not dwelled abroad.

<sup>24</sup> Alexander Niccholes, *A Discourse of Marriage and Wiving* (London, 1615), 5. As Johnson (1971: 110) has noted, by using the term “seruant,” Niccholes in fact goes further than most of his Puritan contemporaries. Ideas of wifely servitude had been expressed in late medieval texts such as the didactic poem *How The Goode Man Taght Hys Sone*, for which the earliest manuscript dates from the first half of the fifteenth century: “Thogh she be sirvunt in degree, / In some degre she fellowe ys.” (131f.) Anonymous, *How The Goode Man Taght Hys Sone* (Salisbury, E., ed., 2002), ll.131f.

<sup>25</sup> The text went through nine editions between 1598 and 1624, cf. Davis (1998: 183f.).

<sup>26</sup> Robert Cleaver, *A Godlie Forme of Householde Gouvernment* (London, 1598), 219. This is the second edition of this text; the first one having been published the same year.

and serve her husband, and then proceeded to reiterate the husband's pentologue.<sup>27</sup> While the man swore to love and cherish his future wife, she had to swear that she would love, cherish and obey her husband.<sup>28</sup> We should not forget, however, that it was the groom who would make an additional pledge to worship his wife with his body and endow her with all his worldly goods,<sup>29</sup> which stressed his duty of economic provision. Obedience, one could thus say, was promised in return for provision and care.

The *Homily of the State of Matrimony*, probably the most influential and most-performed contemporary text on the ordering of marriage,<sup>30</sup> which was often read at weddings, cited 1 Peter 3:1, "Ye wives, be ye in subjection to obey your own husbands."<sup>31</sup> Another frequently used passage was Ephesians 5:22, "Wives submit yourselves unto your husbands as to the Lord." Both of these Biblical quotations are used in the short text which the early Stuart Anglican marriage ceremony stipulated for cases in which no sermon like the homily on matrimony would be read. Here, husbandly love is stressed as the respective masculine duty.<sup>32</sup>

Significantly, as far as the rituals surrounding marriage-making are concerned, it should be noted that once church was over, it was customary that at wedding dinner the bridegroom served his bride.<sup>33</sup> Arguably, this may have been an isolated incident, yet it served to demonstrate the husband's general devotion to his wife, which, in connection with the wife's earlier vows, points to an ideal of mutual supportiveness. There is evidence, moreover, that ecclesiastical jurisdiction in marriage issues acknowledged "mutual servitude" of husband and wife.<sup>34</sup> Finally, even though a moralist Puritan author such as Cleaver noted that wives should serve their husbands lovingly, he also asserted that "the husband is not to commaund his wife, in manner, as the Master his servant, but as the soule doth the bodie, as

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<sup>27</sup> Church of England, *The Booke of Common Prayer, and Administration of the Sacraments and Other Rites and Ceremonies of the Church of England* (London, 1604), S5.

<sup>28</sup> Church of England, *The Book of Common Prayer*, S5<sup>v</sup>.

<sup>29</sup> Church of England, *The Book of Common Prayer*, S5<sup>v</sup>.

<sup>30</sup> Cf. Capp (2003: 11). As Lloyd Davis (1998: 5) points out, it is not known for certain who penned the sermons which were published in the contemporary editions of the Book of Homilies, "though doubtless they were written by leading figures of the Reformation." While no author for the *Homily of the State of Matrimony* is specified, two sources for this text have been identified: a homily by St Chrysostom (fourth and fifth centuries) – interestingly, an author favoured by Puritans – and an address of the German Lutheran minister Veit Dietrich.

<sup>31</sup> Church of England, *A Homily of the State of Matrimony* (Davis, L., ed., 1998), 27. This notion is echoed in numerous marriage sermons of the time. It can thus be no question that Rüdiger Schnell (1997b: 174) is mistaken when he – in a generalising gesture – suggests that early modern marriage sermons generate a non-hierarchical concept of gender relations within marriage.

<sup>32</sup> Church of England, *The Book of Common Prayer*, [S8-S9].

<sup>33</sup> Cressy (1997: 370).

<sup>34</sup> For late fourteenth-century evidence of this, see Helmholz (1974: 101).



being conioyned in like affection and good will.”<sup>35</sup>

This suggests that the actual *performance* of marital hierarchies was much more complex than simple dichotomies of mastery and servitude, dominance and subjection would allow. Feminist scholars remain sceptical about what forms the gender equality often associated with Puritan marriage ideology could and did take in practice. Judith Bennett, for instance, has critically remarked that if marital egalitarianism was practised, it was purely on a voluntary basis, and that, in any case, the economic superiority rested securely with the husband. If a wife was unlucky, Bennett points out, she might very well “find herself a sort of servant to her husband or even cast aside altogether,”<sup>36</sup> without being able to do much about it. Others, however, have voiced concern that such a reading, legitimate though it may generally be, fails to take into account the expansive anecdotal evidence we have which indicates that many couples actually achieved mutual happiness in their married state.<sup>37</sup>

At the most basic level, to resist a husband’s authority, for instance, by committing adultery, could be considered a subversion of divinely ordained order.<sup>38</sup> These notions were echoed almost unanimously in prescriptive discourse. Moreover, the hierarchical make-up of the marital union was codified legally, for instance in the fact that a husband’s murder of his wife was classified as manslaughter whereas a wife’s murder of her husband, just as a servant’s murder of a master, was classified much more severely as petty treason.<sup>39</sup> It is therefore easy for feminist critics to point to the anti-feminist bias at the ideological root of this society. Yet propositions such as these tend to convey an unequivocally absolutist model which occludes the tensions and oppositions with which these ideas were met.

Conduct books, fascinating in the lucidity of their style and argument, for example, lend themselves very well for use as evidence of this straightforward *social* gender inequality. Yet when we read these texts intently, we will recognise how even the – mostly Puritan – writers of such prescriptive<sup>40</sup> texts struggled to legitimise this claim. As Alexandra Shepard

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<sup>35</sup> Cleaver, *A Godly Form of Household Government*, 207f.

<sup>36</sup> Bennett (1992: 154).

<sup>37</sup> Cf. Fletcher (1995: 190).

<sup>38</sup> In his exegesis of Ephesians 5:22, Robert Cleaver stresses that “wives cannot be disobedient to their husbands but they must resist God also, who is the author of this subjection.” Quite conventionally, grounds women’s duty to submit to their husbands in the instance of their original sin. Husbandly authority is therefore a post-lapsarian institution. Cf. Robert Cleaver, *A Godly Form of Household Government*, 234.

<sup>39</sup> Of course, this fact has sparked feminist commentary. Cf. Betty Travitsky’s article on *Husband-Murder and Petty Treason in English Renaissance Tragedy* (1990).

<sup>40</sup> Though Kathleen Davies’ (1981: 77) has suggested that texts such as Protestant conduct books and household manuals were not so much prescriptive as descriptive, “written by authors who were not advocating new ideas about marriage, but were describing the best form of bourgeois marriage as they knew it,” I have chosen to maintain the term prescriptive. Davies has a very important point in stressing that these ideas were neither new nor revolutionary, the problem with her phrasing, in my opinion, lies in the fact that she makes ‘descriptive’ sound as if it referred to actual, lived conjugal practice: “They were describing behaviour by

attentively notes, “[w]hen addressing women, or women’s roles, advice writers upheld the patriarchal basis of order in terms of men’s almost unlimited authority; when addressing the beneficiaries of this system they emphasized that claiming unlimited authority would be little short of disastrous. This suggests that there were as many internal contradictions *within* prescriptive accounts of male authority as between prescription and practice.”<sup>41</sup> In the foreword to his much discussed *Of Domesticall Duties* William Gouge, for example, suggests that the marital hierarchy he envisaged in his sermons, which formed the basis of this treatise, met with heavy criticism on the part of his congregation. He is at pains to counteract accusations of his unfairness towards women, and, in allusion to contemporary *querelles*, stresses that he is forced to make this “apology” so that he might “not euer be iudged (as some haue censured me) an hater of women.” He even commences to point out that all the hardships of the wife’s inferior position derive from the husband’s *abuse* of authority.<sup>42</sup> Thus the bulk of responsibility is laid on the husband’s shoulders. This is a point to which we shall return repeatedly in this chapter. Many wives, Gouge asserts in a later passage, “cannot endure to heare of *subiection*: they imagine that they are made slaues thereby.”<sup>43</sup> Gouge, however, insists that it is his aim to appease his critics by demonstrating that “*subiection* is no seruitude,” which he hopes to achieve in particular by outlining all the duties of the husband.<sup>44</sup> Indeed, *both* husband and wife have important responsibilities, even though they have different roles. Elsewhere, Gouge addresses “a fond conceit,” allegedly nursed by “many wiues,” that “husband and wife are equal” or that “in all things there ought to be a mutuall equalitie.”<sup>45</sup> That Gouge rejects this notion in this way indicates, importantly, that there must have existed a discourse of conjugal equality against which Puritan writers had to position themselves. On the other hand, Gouge later concedes that although the wife is the husband’s inferior, she is “yet the neerest to equality that may be.”<sup>46</sup> No male household member is as close to being equal to the master as the mistress of the house. The borderline between equality and submission is blurry indeed. Gouge’s work is often used to support

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husbands and wives which had in fact changed very little.” Though I agree that marital practices were probably very consistent, in fact, one might better say that these authors carried on a discursive tradition which dealt in *ideals* about marital relationships rather than describing the marital practices of their contemporaries.

<sup>41</sup> Shepard (2003: 73), cf. Orgel (1996: 124).

<sup>42</sup> William Gouge, *Of Domesticall Duties Eight Treatises* (London, 1622), *Epistle Dedicatory*, [4].

<sup>43</sup> Gouge, *Of Domesticall Duties*, 269. Cf. also 286f. Cf. also William Whately, *A Bride-Bush, or, A Direction for Married Persons* (London, 1623), 114: “I know this [reverence of wives] is not customable among the greater number of women; yea they scarce esteeme it a seemly or a needfull thing that it should bee so: yea, they care as little for their husbands, as their husbands for them.”

<sup>44</sup> Gouge, *Of Domesticall Duties*, 269.

<sup>45</sup> Gouge, *Of Domesticall Duties*, 271.

<sup>46</sup> Gouge, *Of Domesticall Duties*, 356.

argumentations of an early modern ideology of gender inequality, yet, considered in its entirety, it is one of the most finely tuned, psychologically sensitive tracts on gender relationships, which effects as near an equality as seems possible. In fact, Gouge and many of his fellow conduct authors, rather than charting the advantages of a position of power, highlighted the great responsibility of the husband's position.

The husband whose household did not conform to accepted ideas of order and morals would be deemed unsuitable for public offices which required 'government' on another, yet, as was thought, comparable level. William Gouge's view on the subject, though religiously coloured, can be considered as paradigmatic:

“Besides, a familie is a little Church, and a little commonwealth, at least a liuely representation thereof, whereby triall may be made of such as are fit for any place of authoritie, or of subiection in Church or common-wealth. Or rather it is as a schoole wherein the first principles and grounds of gouernment and subiection are learned: whereby men are fitted to greater matters in Church or commonwealth.”<sup>47</sup>

The family is thus conceptualised as a training ground for government and subjection *per se*.<sup>48</sup> This also suggests that marriage, and the family which is built on its basis, can be perceived as a didactic institution, where every member helps the other members train and refine their respective roles. The workings within a family, therefore, have repercussions in the larger social sphere, and hence proper performance of conjugal roles is of crucial importance. To quote Elizabeth Foyster, “[f]rom day one of marriage, it seems, men's anxiety about how their wives might affect their honour and manhood could lead to suspicion and distrust.”<sup>49</sup> Even a husband's sexual performance was deemed a vital element of his authority, and if he failed to “rule” his wife, for instance if she did not remain faithful to him, it could easily be assumed that he had failed to satisfy her sexually. This, in turn, could question his masculine ability not only in sexual terms, but also on a larger social level.

There was a strong discursive current which suggested that husbands enjoyed a higher (nominal) status as wives, and too often it has been simply concluded that this gave them more rights, greater freedom and similar advantages compared to women. However, another consequence of this hierarchical conceptualisation was that men were considered as carrying greater responsibility for the proper functioning of both their household and their marriage.

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<sup>47</sup> Gouge, *Of Domesticall Duties*, 18.

<sup>48</sup> Cf., for instance, Robert Cleaver, *A Godly Form of Household Government*, 16.

<sup>49</sup> Foyster (1999: 48).

## 6.1.2. Husbandly Authority: Duties Before Privileges

*“As the goodman saith, so say we,  
But as the good woman saith, so it must be.”*

Proverb<sup>50</sup>

Making a marriage work was not easy, whether in theory or in practice. The author of the *Homily on the State of Matrimony*<sup>51</sup> conceded that marriages were really quite conflict-prone, that there were “few Matrimonies [...] without chidings, brawlings, tauntings, repentings, bitter cursings, and fightings.”<sup>52</sup> One of the reasons for this, as William Whately saw it, was that husbands and wives pointed to the other’s shortcomings rather than reflect their own duties and mistakes.<sup>53</sup> It was the husband to whom the Homily and conduct authors alike assigned greater responsibility in this matter, sometimes justifying this responsibility by reference to the nature of the female sex:

“For he ought to be the leader and author of love in cherishing and increasing concord, which then shall take place if he will use moderation and not tyranny and if he yield something to the woman. For the woman is a weak creature, not endued with like strength of mind.”<sup>54</sup>

It is the husband’s duty to love his wife, and it is his part to kindle his wife’s affection and to care for marital harmony.<sup>55</sup> What the above excerpt from the homily on marriage also exemplifies is that wifely obedience was not conceived of in absolute terms. Ironically, it was women’s claimed inferiority which provided the basis for this concession. As the weaker sex, women were here considered to be “more prone to all weak affectations and dispositions of mind” and “with a word soon stirred to wrath,” which was why, the homily advised, the husband should not be “too stiff, so that he ought to wink at some things and must gently

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<sup>50</sup> Ray, *A Collection of English Proverbs* (London, 1670), 51.

<sup>51</sup> As Lloyd Davis (1998: 5) points out, it is not known for certain who penned the sermons which were published in the contemporary editions of the Book of Homilies, “though doubtless they were written by leading figures of the Reformation.” While no author for the *Homily of the State of Matrimony* is specified, two sources for this text have been identified: a homily by St Chrysostom (fourth and fifth centuries) – interestingly, an author favoured by Puritans – and an address of the German Lutheran minister Veit Dietrich.

<sup>52</sup> Church of England, *A Homily of the State of Matrimony*, 25.

<sup>53</sup> Cf. William Whately, *A Bride-Bush, or, A Direction for Married Persons*, 218: “And that makes husbands and wiuies such ill paymaster one to another, because they looke often what is owing to them, not what they owe.”

<sup>54</sup> Church of England, *A Homily of the State of Matrimony*, 26. That similar notions were reiterated by puritan moralists can be seen in Gouge’s tract, where he contends that “the loue and mildness required of an husband should make him so to tender her as to remit something of his power [...]. A husband may sinne in pressing that too much vpon his wife, which she vpon his pressing may without sinne yeeld vnto.” Gouge, *Of Domesticall Duties*, 375. Cf. also Robert Cleaver, *A Godly Form of Household Government*, 162.

<sup>55</sup> On the other hand, as Shepard (2003: 77) notes, masculine love was not unproblematic since it could be seen as hazarding effemination.

expound all things to forebear.”<sup>56</sup> In other words, by their nature, women were not even considered capable of perfect obedience and subjection, which was exactly why governing them was such a daunting task.<sup>57</sup> The good husband should not let himself be provoked by his wife’s actions into violence.<sup>58</sup> Moreover, strict adherence to some abstract codes of government and subjection will not create a satisfactory conjugal relationship. While perfect obedience is practically impossible, wise leadership is not tyrannical, but skilful. Indeed, it can be observed that love here serves as a corrective against tyrannical authority,<sup>59</sup> while the idea of “moderation” points to another such corrective: reason, which can be described as the very essence of contemporary concepts of normative manhood.<sup>60</sup>

A biblical reference point which, importantly, relates the wifely virtue of obedience with the husbandly duty of love is Colossians 3:18f., which clergymen such as Thomas Gataker and Nathanael Hardy used as an epigraph in their didactic tracts and sermons on marriage, “wiues, submit your selues unto your Husbands; as it is comely in the Lord. Husbands, loue your wiues; and bee not bitter to them.”<sup>61</sup> That husbandly love was of prime importance was stressed, for instance, by William Gouge, who, in following the homily’s train of argumentation, reasoned that it was a husband’s responsibility to incite his wife’s love by his own. It was up to a husband to lead his wife to love and wifely behaviour, and it would be a shame to the husband if, conversely, his wife had to induce his love by “wiue-like carriage.”<sup>62</sup> Similarly, the Puritan Robert Cleaver cited Colossians 3:19 and asserted that “[f]irst and aboue all things, the husband must bee circumspect to keepe the band of loue, and beware that there neuer spring vp the roote of bitternes betwixt him and his wife.” If there were disagreements or conflicts, it was the husband’s duty to work towards their solution “with all lenitie, gentlenes and patience, and neuer suffer himselfe nor his wife to sleepe in displeasure.”<sup>63</sup> Thus, husbands were not only advised what they should do, but also *how* they

<sup>56</sup> Church of England, *A Homily of the State of Matrimony*, 26.

<sup>57</sup> These notions are not restricted to moral-didactic-religious discourses. With Jonathan Sawday (1995: 221f.) we may note that numerous incidents of an “ungovernable female principle” conquering male figures can be discerned in classical myth and narrative, which were so popular in Renaissance culture. This is a principle whose mechanisms Renaissance anatomists assiduously sought to discover and thus master. Gail Kern Paster (1993) has sketched tropes of the uncontrollability of the female body from another angle.

<sup>58</sup> Church of England, *A Homily of the State of Matrimony*, 31.

<sup>59</sup> Cf. William Heale, *An Apologie for Women* (Oxford, 1609), 66.

<sup>60</sup> Cf. Foyster (1996: 223): “But the check on male power which was intended to prevent patriarchal rule becoming tyrannical was the use of the reason seen as the essence of manhood.”

<sup>61</sup> Thomas Gataker, *Marriage Duties Briefely Couched Together out of Colossians 3.18,19* (London, 1620), Nathaniel Hardy, *Love and Fear, The Inseparable Twins of a Blest Matrimony, Characterized in a Sermon* (London, 1653), the direct quotation here is taken from Gataker’s epigraph.

<sup>62</sup> Gouge, *Of Domestical Duties*, 413.

<sup>63</sup> Cleaver, *A Godly Form of Household Government*, 164, cf. also 94, 118. This passage, for instance, is not included in in Davis’ (1998) selection of Cleaver. Robert Cleaver’s text is a good example of the one-cited focus of critics, as it is most often employed to evince the distribution of gender roles which from today’s

should do it. It did not serve to provide for one's family, the wife in particular, but one should do it with the proper sort of attitude, William Whately argued in his *Bride-Bush*, the most famous of seventeenth-century conduct books besides Gouge's *Of Domesticall Duties*.<sup>64</sup> The good husband should provide for his wife "most willingly, chearefully, readily; before she asketh, he must answer; and offer before she request."<sup>65</sup> Of course, this also had economic implications as it meant that the husband must first labour to reap all the profits necessary for maintaining his wife properly. The authority of the husband was not only a privilege, but a huge responsibility, and it was linked to his thriftiness and his success in providing for his family.<sup>66</sup>

Authority, 'properly' understood, moreover, had little to do with mistreating wives or forcing them to obey a husband's each and every command, however fanciful. In return for her performed script of submission the wife could expect considerate treatment: Gouge, the "Arch-Puritan" champion of Calvinist orthodoxy,<sup>67</sup> recommends,

"As a wiues *reuerence* so also her *obedience* must be answered with her husbands courtesie. In testimony whereof, *An husband must be ready to accept that wherein his wife sheweth her selfe willing to obey him*. He ought to be sparing in exacting too much of her: in this case he ought so to frame his cariage towards her, as that obedience which she performeth, may rather come from her owne voluntary disposition, from a free conscience to God-wards, euen because God hath placed her in a place of subiection, and from a wiue-like love [which, as we have noted, also is the husband's responsibility, V.P.], then from any exaction on her husbands part, and as it were by force."<sup>68</sup>

Authority thus consisted in carefully studying the needs of the wife (and other household members) and acting accordingly, effecting contentedness and harmony. In the ideal cosmos of early modern English marriage counsellors, loving husbands would only

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vantage appears unjust (cf. Shepard 2000: 75, Davis 1998: 184). However, one of the most important focal points of Cleaver's tract is actually the loving and harmonious relationship between husband and wife and its preservation. This tendency seems to influence even editorial practice. Davis (1998), for instance, appears to have omitted from his edition of excerpts of the text exactly those passages most insistently arguing for husbandly love and care.

<sup>64</sup> Cf. Davies (1998: 245).

<sup>65</sup> Whately, *A Bride-Bush, or, A Direction for Married Persons*, 182.

<sup>66</sup> Cf., for instance, Whately, *A Bride-Bush, or, A Direction for Married Persons*, 174-189, which is ch. 13, "Of maintaining ones wife;" Cleaver, *A Godly Form of Household Government*, 171, Dudley Fenner, *The Order of Household* (in Davis, L., ed., 1998), 176.

<sup>67</sup> Cf. Usher (2008: unpag.).

<sup>68</sup> Gouge, *Of Domesticall Duties*, 366. The passage continues: "Husbands ought not to exact of their wiues, whatsoever wiues ought to yeeld vnto if it be exacted. They must obserue what is lawfull, needfull, conuenient, expedient, fit for their wiues to doe, yea and what they are most willing to doe before they be too peremptorie in exacting it."

(have to) ask of their devoted wives what they would most willingly do anyway. In actual fact, effectual household government took great effort. Moreover, a husband was definitely not above accepting a wife's advice. "Husbands," Gouge asserted, "also are oft an hinderance to that good government which their wiues would helpe forward, when they scoffe and scorne at the good counsell which their wiues giue them for that purpose."<sup>69</sup> The wife's envisaged role is thus much more complex than one of simple and absolute submission.<sup>70</sup>

A conception of reciprocity or mutuality is embedded in these marital gender norms and duties which insists that obedience and subordination be required or rather, *incited* by care, protection and wise leadership.<sup>71</sup> By his elevated position the husband was, despite this mutuality, made much more vulnerable to the consequences of failure. If he was the head of the household, as was so unanimously maintained, he must be prepared to take the blame if anything at all went wrong.<sup>72</sup> The authors of conduct books emphasised this point, though criticism tends to overlook it, favouring a discussion of wifely (dis)obedience and wifely blame instead.<sup>73</sup> William Gouge, for example, insisted that while the man gained the most if a family was well-ordered and running smoothly, he also was the target of criticism whenever something went wrong:

"as the man carrieth away the greatest reputation and honour when a family is well gouerned (though it be by the ioynt care and wisdome of his wife) so lieth he most open to the iudgement of God if the gouernment thereof be neglected [...] for it is presupposed that all which doe any good are instruments of the highest gouernor: if any euill or mischiefe fall out, that it is through his negligence."<sup>74</sup>

Unruly women, according to Robert Cleaver, were, in fact, the product of their husbands' incapability.

"But if wiues bee not so dutiful, seruiceable, and subiect to their husbands, as in conscience they ought; the onely cause thereof, for the most part, is through the want

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<sup>69</sup> Gouge, *Of Domesticall Duties*, 261.

<sup>70</sup> Cf. Gouge, *Of Domesticall Duties*, 256-260.

<sup>71</sup> Amussen (1988: 30 & 38), Wrightson (2003: 99f.). This notion of reciprocity was also applied in more straightforwardly political settings, for instance between local communities and higher officials. Cf. Kent (1981: 44).

<sup>72</sup> Cf. Foyster (1999: 66), Shepard (2003: 73).

<sup>73</sup> It seems that scholars are often hesitant to consider the evidence which emphasises masculine responsibility for domestic failures. Take for example, Alexandra Shepard's (2003: 73). assertion that "[c]onduct writers were as concerned with directing men's behaviour as that of women's – if not more so – since they were far from confident that men would pay the price of privilege and perform the roles expected of them." However, a few pages further on, even she notes that "[c]onduct manuals frequently deflected attention from men's failings by blaming women for many of the dangers posed to patriarchal manhood by marriage" (79), without pointing to the divers passages where husbands are blamed for the their wives' disobedience.

<sup>74</sup> Gouge, *Of Domesticall Duties*, 260.

and neglect of the wise, discreet, and good government that should be in the husbands, besides the want of good example that they should give unto their wives both in word and deed. For as the common saying is: Such a husband such a wife: a good lacke maketh a good Gill.”<sup>75</sup>

William Whately has a little more to say on the subject in the audience-engaging style typical of his writing. He underlines the need for a hierarchical ordering of the household by employing the metaphor of the hunch-backed house which we have already encountered<sup>76</sup> and proceeds to address the problem of unruly wives who usurp husbandly authority in the following fashion:

“But here perhaps, some weake spirited man may interrupt me, and say: the thing you speake is reasonable, and happy wert it, if a man could doe it: but experience shews, it is sooner said than done, vnlesse you can give vs some good direction how to doe it: but for himselfe, he hath met with such a virago, that will be gouernour, or will ouerturne all; and against such a disordered, froward and sturdy-spirited dame, who can preserue his authoritie? To such obiector I answer: That most men doe falsely cast the blame (of loosing their authoritie) vpon their wives, when in very truth it is wholly and onely due vnto themselues: for it is not extorted from them by the wives violence, but lost, and cast away by their owne folly and indiscretion. It is not indeede in any mans power, to restraints a violent spirited woman from assailing his authoritie, but from winning it. Whether she shall breake forth into carriages of contempt, he cannot chuse: but whether he will prostitute himself vnto contempt yea or no, that he may, and must chuse. Many a citie is fiercely assaulted, and not taken. Many a woman striues to breake the yoke, but is not able. So long as the husbands behauiour is such, that the wives soule (after that she hath recouered her selfe out of the drunkenesse of passion), is inforced to blame her owne rudeness and rebelliousness, and in her conscience to acknowledge him worthy the better place: so long hath hee duly preserued his authoritie against all her rude and disloyall resistance. Know yee therefore all yee husbands, that the way to maintaine authoritie in this societie, is not to vse violence, but skill. Not by maine force and by strong hand must an husband hold his owne, against his wives vnditifulnesse: but by a more milde, and wise proceeding.”<sup>77</sup>

The maintenance of patriarchal authority, at least in the domestic context, depends on constant

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<sup>75</sup> Robert Cleaver, *A Godly Form of Household Government*, 231 [duties of wives], cf. 102 [duties of husbands].

<sup>76</sup> Cf. above, 166.

<sup>77</sup> Whately, *A Bride-Bush, or, A Direction for Married Persons*, 99f.



hard work which consists first and foremost in performing one's own role as master correctly, i.e. fashioning one's own behaviour wisely rather than directing all attention and blame at the wife. Authority is a skill, a performance technique, rather than a static possession which can be defended with brute force. The emphasis which Whately places on husbandly responsibility is enormous, and it includes economic implications: Even the wife's lack of enthusiasm where household tasks are concerned is attributable to husbandly failure, as Whately asserts in another chapter of his book. The "hoggish" husband who unwisely overburdens his wife and wears her out must not be surprised at her "not ouer-huswifely" attitude and complaints. Rather than lament her "idleness" and his hardship, the husband should pull himself together and start by considering his own shortcomings.<sup>78</sup> Finally, Whately, whom modern critics have described as one of the most misogynist of conduct book authors,<sup>79</sup> in his wedding sermon, consents that it is wife's "ende of her creation to bee an helper." Yet, as he notes, this does not imply that she is alone in that role, as the husband's eternal servant and helpmeet. True to the idea of conjugal reciprocity, the husband is a helper, too, and, according to Whately, "hee must be a greater helper to her, and doe more good, by how much his place is better."<sup>80</sup> Binarily distributed gender roles are thus, to a certain extent, deflated.

Not all conduct book authors even insisted on wifely obedience. Joseph Hall's *The Anathomy of Sinne*, first published in 1603, is remarkable in this respect.<sup>81</sup> Hall, at the time of publication rector of Hawstead (Suffolk), later bishop of Exeter and Norwich,<sup>82</sup> a man of Calvinist leanings, which, however, blended with neo-Stoicist tendencies,<sup>83</sup> lists nine husbandly as opposed to fifteen wifely duties.<sup>84</sup> Loving one's wife is mentioned first as the top husbandly priority, followed by governing her "graciously" and persuade her "more by reason than authoritie," i.e. with patience, restraint and good common sense. He must also provide well for his wife and thus be a thrifty, industrious, yet not miserly husband. Lastly, male – and

<sup>78</sup> Whately, *A Bride-Bush, or, A Direction for Married Persons*, 179. "God will neuer brooke these wicked and hard proceedings of an husband towards a wife," Whately promises, "and thou shalt not wind thy selfe out of his hand, by giuing out such trifling excuses."

<sup>79</sup> Dubrow (1990: 11).

<sup>80</sup> William Whately, *A Bride-Bush, or, A Wedding Sermon Compendiously Describing the Duties of Married Persons*: (London, 1617), [B4].

<sup>81</sup> Subsequent references are taken from the 1604 edition of this text, where it was published together with another tract, *The Genealogy of Vertue*, as *Two Guides to a Good Life*, albeit with individual pagination. Joseph Hall, *Two Guides to a Good Life* (London, 1604).

<sup>82</sup> Interestingly, Hall's cousin Samuel Burton was archdeacon of Gloucester from 1607 to 1634. Burton seems to have supported Hall's career in the ministry. Cf. Horn (1996a).

<sup>83</sup> Cf. Chew (1950), McCabe (2008).

<sup>84</sup> Hall, *Anatomy of Sin*, [D5-D6<sup>v</sup>].

female!<sup>85</sup> – readers are reminded that the husband’s authority is not absolute, as he must not only share it, but share it “louingly” with his wife, “especially in matters which concerne her sex.”<sup>86</sup> Hall’s general focus here is obviously on the careful guidance and instruction of the wife by the husband. How is the wife to reciprocate the husband’s care according to Hall? Notably, not by obedience. In fact, subjection is mentioned in none of the wife’s fifteen duties. She is urged to love her husband *exclusively*.<sup>87</sup> Hall, later in his list, specifies that she is never to forsake the marital bed and never give cause to suspicions regarding her sexual continence, so sexual fidelity is of prime importance. She is to be considerate, mild, modest, and industrious, and she is to display integrity towards her husband. She should labour to balance out her husband’s moods, patiently take his mistakes and cover his “imperfections,” just as she should not disclose the internal affairs of the household. While Hall discourages gadding abroad, kindness towards neighbours is advisable. A friendly, considerate carriage, however, does not yet make for obedience. Hall closes his list with the directive that the wife never ought to leave her husband for any kind of “casual affliction,” which, of course, tightens the bond between the two spouses, yet, on the other hand, leaves the loop-hole of ‘non-casual’ afflictions, which lessens the sense of finality with which the wife is tied to the husband.

The focus on marital sexuality in the section outlining the wife’s duties is quite striking, as is the fact it is the wife who is imagined as developing a desire to leave her husband, who is apparently full of imperfections and bad moods. Furthermore, in what appears to be slightly at odds with the often-proclaimed social role of the husband, each of his duties in Hall’s tract specifically relates to the wife only, whereas, in contrast, the wife’s responsibilities are clearly not restricted to her husband, as her social and devotional duties are emphasised, too. While the husband is taught that prudent government of and provision for his wife must be his top priority, achievable by way of particular behavioural codes (loving, non-injurious, patient demeanour), he is constantly reminded that his power is not absolute, but that, on the contrary, his success as household governor depends on the quality of his performance in that role. Although the husband’s role as governor of his wife is highlighted, the reciprocal duty of wifely obedience and subjection is not insisted upon, and

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<sup>85</sup> Of course, conduct books importantly served to acquaint female readers (however large this female readership or group of listeners may have been) with the duties of their husbands, of which husbands could then, if need be, be reminded by reference to particular paragraphs. Ingrid Hotz-Davies has suggested that William Gouge’s *Domestical Duties*, in particular, rendered themselves to such an approach as the book is furnished with cross-references which guide male and female readers to the respective duties of the other sex. Cf. Hotz-Davies (1997: 202).

<sup>86</sup> Hall, *Anatomy of Sin*, [D5-D5<sup>v</sup>].

<sup>87</sup> Interestingly, this exclusivity only affects the wife. While the husband is only told to love his wife “about other women,” she should explicitly love “none other but him,” her husband. Hall, *Anatomy of Sin*, [D5-D5<sup>v</sup>].

temperance and sexually continent behaviour tied with an active participation in household affairs are favoured instead.<sup>88</sup> In conclusion, then, it can be said that Hall's *Anatomy of Sinne* stresses the duty of husbandly government as opposed to wifely obedience. As concerns the contemporary appraisal of Hall's views on wifely obedience, the least we can say is that, apparently, they were not considered scandalous enough to halt his career in the Anglican church.<sup>89</sup>

Dominance and subjection are inter-reliant roles. One partner alone cannot play "dominant," his performance will only be successful if the other partner plays along. In fact, the difference in terminology occludes the fact that, actually, both players are operating on the very same script. In effect, both play dominance and both play subjection.<sup>90</sup> This is to say that submissive partner performs the other's dominance just as the dominant partner performs the other's subjection. This is a dialectical, or rather, *synthetical* twist of which early modern moralists appear to have had an astonishingly good grasp.

As Michael Braddick and John Walter have argued, the power derived from an individual's superior position in early modern English society at large was *conditional*, which allowed nominal inferiors to negotiate the terms of their subjection.<sup>91</sup> As we have seen, this applies to marital power structures, too. Absolute notions of masculine authority proved difficult to vindicate, even in theory; and there is a tension in these prescriptive tracts, insurmountable, and possibly consciously employed, between an egalitarian<sup>92</sup> and a hierarchical conception of marital relations. Consequently, the norm of wifely subjection posited vehemently, yet not unambiguously in prescriptive texts was neither ubiquitously accepted nor adhered to. Moralists would not have needed to advance their models so insistently had they been universally followed. On the other hand, this insistent propagation of certain kinds of marital order may not solely be attributed to the authors' anxieties about the (in)stability of domestic relations, but could be indicative of a broader impetus for social reform.<sup>93</sup> Moreover, we must also consider the aim of these texts, which was not to *describe* social practice, but to *generate* a specific, new religious (Protestant-Puritan), gendered

<sup>88</sup> While this, at first look, may appear like the classical opposition – which a number of critics have advanced – between female virtue as based on chastity and male virtue as based on good government and social recognition, I do not wish to suggest such a simplistic model. Clearly, the husband's social affairs are neglected by Hall just as the wife's role in the neighbourhood, and her economic contribution are stressed.

<sup>89</sup> For some, such as the staunch critic of theatre, William Prynne, Hall even was a custodian of exemplary Elizabethan values. Cf. Lamont (2006).

<sup>90</sup> This understanding, by the way, is lacking from James C. Scott's (1990) analysis of *Domination and the Art of Resistance*.

<sup>91</sup> Cf. Braddick & Walter (2001: 15).

<sup>92</sup> Critics have argued that the idea of the wife as "helpmeet" and fellow governor was specifically Puritan. Cf. Johnson (1970).

<sup>93</sup> Cf. Harrington (1998: 1162).

identity through the advancement of particular codes of (marital) behaviour – which in certain respects clashed with the economic requirements of the addresses' lives.<sup>94</sup> “The reality of gender relations,” Susan Amussen has cautioned, “rarely conformed to theory.”<sup>95</sup> Elsewhere she suggests,

“The confusion surrounding marriage shows that the clarity of definition sought by household manuals never existed. [...] It was the everyday behaviour of women and men that undermined the theoretical definitions of household order. Those who clung too firmly to the image of sermons, household manuals and social theory had nothing but disappointment waiting for them.”<sup>96</sup>

“Women’s independence and autonomy were critical to their success as wives and mothers. But the contradictions between women’s economic roles and their expected subordination were so severe that they posed a challenge to the most carefully conforming wife.”<sup>97</sup>

There simply was no homogeneous code of wifely behaviour which was applicable in each and every situation. Relationships between husbands and wives were more complex than that.<sup>98</sup> The economic demands of co-heading a household, for instance, might clash harshly with the wifely ideal of demure quietness, since an economically successful mistress of the house needed to be assertive when dealing with business partners.<sup>99</sup> On the other hand, as Steven Ozment has maintained, it is highly unlikely that this huge didactic moralist venture of Protestant preachers and conduct writers should not have produced practical reverberations.<sup>100</sup> Still, we should heed Keith Wrightson’s reminder that “it is important to recognize [the] element of individual evolution in marriage, allowing for the play of particular personalities,

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<sup>94</sup> Cf. Braddick & Walter (2001: 28): “This was a literature which did not so much reflect social reality as actively seek to construct it.” Similarly, Heather Dubrow has suggested that Puritan conduct books stressed wifely subjection so insistently because ‘reality’ looked different. Cf. Dubrow (1990: 15f., 22f. & 26).

<sup>95</sup> Amussen (1985: 210), cf. also Wrightson (2003: 100-112), Fletcher (1995: esp. ch. 8), O’Day (1994: 63), Gowing (1996: 188), Shepard (2000: 76). However, Hull (1996) maintains that most women accepted the subordinate position laid out for them in prescriptive texts, and Wrightson (2003: 102f.) notes that class distinctions in this respect are identifiable; female submissiveness appears to have been practised to a greater extent in aristocratic marriages.

<sup>96</sup> Amussen (1988: 111), cf. also Amussen (1988: 47).

<sup>97</sup> Amussen (1988: 121).

<sup>98</sup> Cf. Foyster (1999: 65).

<sup>99</sup> Cf. Amussen (1988: 119). Susan Amussen (1988: 212) has further argued that it was only due to the subsequent decline of the economic involvement of “wealthier women” that they could be more easily be expected to conform to the notions of passive subordination.

<sup>100</sup> Ozment (1983: 55). Significantly, Ozment emphasises such authors’ ideal of *companionate* conjugal relations. As he puts it, “it would defy experience to believe that an age that wrote and taught so much about companionable marriage and the sharing of domestic responsibility utterly failed to practice what it preached.” Since the texts in question, as we shall see, managed to explore the tensions between hierarchical and more egalitarian-companionate conceptions of marriage, it must be inferred that *both* discourses, those of hierarchical and of companionate gender relations, must have reflected on practised social reality.

as a counter-balance to the simple moralistic-legal stereotype of marital relations.”<sup>101</sup>

Generalisations of any sort about conjugal relationships cannot do justice to the kaleidoscopic facets of lived existence.

Of course, husbands were not only considered responsible for their wives’ transgressions, but also for their own ones, and their own adulterous affairs were far from inconsequential. This is a fact which is very rarely acknowledged in critical discussions of the subject, Liz Foyster being a notable exception: “Yet whether a man or his wife committed adultery,” she asserts, “the effects on household order could be catastrophic and widespread, affecting all other facets of male honour, with the finger of blame always pointing back to the man as household head.”<sup>102</sup> These observations are crucial for understanding the contemporary fascination and preoccupation with adultery and cuckolding in both prescriptive and popular contexts. It is thus much too simplistic to merely reiterate that wives were habitually blamed for their transgression while the husband was charted as the hapless victim and the male lover remained on the periphery, blameless.<sup>103</sup> In prescriptive texts, but not only there, one can identify more complex structures of responsibility, and they cannot only be attributed to the companionate ideas of Puritan marital advice.

The apparent prominence of the idea of responsible husbandly government, of duties connected to husbandly authority,<sup>104</sup> is not particular to works with primarily didactic intent. In jokes, for instance, though they obviously operated on common stereotypes of woman’s indomitable sexual appetite, the adulterous wife is almost never punished, focusing the ridicule – and hence the blame – on the cuckolded husband.<sup>105</sup> The discourse of husbandly responsibility is also inherent in complaints of husbands of the burden of matrimony in texts as early as Lydgate,<sup>106</sup> and in seventeenth century broadside ballads such as *The Lamentation of a New Married Man, Briefely Declaring the Sorrow and Grief that Comes by Marrying a*

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<sup>101</sup> Wrightson (2003: 101).

<sup>102</sup> Foyster (1999: 66).

<sup>103</sup> Cf. Williamson (1986: 42).

<sup>104</sup> Cf. Shepard (2003: 73).

<sup>105</sup> Cf. Williamson (1986: 43).

<sup>106</sup> John Lydgate, *Payne and Sorowe of Evyll Maryage* (Salisbury, E., ed., 2002), ll. 57f., 64-67, 71-84. The earliest manuscript which imparts this text dates from the first half of the fifteenth century. The speaker complains, for example, that “who takith a wyf receyveth a grete charge, / In whiche he is like to have a fall” (ll.57f.), “the husbond ever abideth in travaile” (l.64), “thus wedlok is an endles penaunce, / Husbondes knowe that have experience, / A martirdome and a contynuaunce / Of sorowe ay lastyng, a deedly violence” (ll.71-74), and that if the household is running smoothely, the wife will take credit for it, whereas if the household does not thrive she will blame it on the husband’s migovernance (ll.78-84).

*Young Wanton Wife*.<sup>107</sup> Husbands who did not recognise or accept their responsibilities<sup>108</sup> or who were incapable of fulfilling their role, of maintaining harmonious relationships with their abusive or adulterous wives were presented as ridiculous.<sup>109</sup>

The ballad *Well Met Neighbour* portrays “a dainty discourse betwixt Nell and Sisse, / Of men that doe use their wives amisse,” and hits on the theme of men’s abuse of their wives, i.e. of men neglecting their responsibilities.<sup>110</sup> The ballad is like a catalogue of men’s transgressions such as violence,<sup>111</sup> drinking,<sup>112</sup> refusal to provide for their wives,<sup>113</sup> abandonment,<sup>114</sup> and adultery.<sup>115</sup> The section of adulterous, unloving men, includes Frank the glover who has a concubine whose advice he follows rather than his wife’s, and thus “is led by a queanes perswasion / to bring his poore wife in subiection.”<sup>116</sup> The ideal of wifely subjection here serves to make the wife quietly bear the husband’s adultery, possibly even to make the wife serve the husband’s new mistress – an attitude which Nell and Sisse, free-spirited English lasses that they are, cannot condone. They agree that they would not simply accept their husbands’ adultery, but would rather go and cut their female rival’s nose, nose-cutting, or *denasatio* being a common and traditional imagery linked to (female) sexual transgression.<sup>117</sup> While making this inventory of deficient husbands, Nell and Sisse argue strongly against wife-beating and suggest that they would hit back if their husbands resorted to violence. This was a course of action which, eight years before the publication of this ballad, had been suggested to wives in Thomas Edgar’s legal treatise *The Law’s Resolutions of Women’s Rights, or, The Law’s Provision for Women*, a document definitely not meant to be

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<sup>107</sup> Anonymous, *The Lamentation of a New Married Man, Briefely Declaring the Sorrow and Grief that Comes by Marrying a Young Wanton Wife* (London, 1629).

<sup>108</sup> The wife who answers the *The Lamentation of a New Married Man* in the ballad’s second part points out that the husband will make himself “a mocking stock” if he does not adjust his behaviour to his new role and keeps on complaining. Anonymous, *The Lamentation of a New Married Man*, 17,5.

<sup>109</sup> Cf., for instance, Anonymous, *Anything for a Quiet Life, Or the Married Mans Bondage to a Curst Wife* (London, c. 1620), Anonymous, *Advice to Batchelors, Or The Married Mans Lamentation* (London, 1685), Anonymous, *The Cuckold’s Complaint, Or the Turbulent Wives Severe Cruelty* (London, date unknown), Anonymous, *My Wife Will be My Master; Or the Married Mans Complaint Against his Unruly Wife* (London, c. 1674-79), Anonymous, *She is Bound But Won’t Obey* (London, c. 1674-79).

<sup>110</sup> M[artin] P[arker], *Well Met Neighbour, or, A Dainty Discourse Betwixt Nell and Sisse, of Men that Doe Use Their Wives Amisse* (London, 1640), caption.

<sup>111</sup> M. P., *Well Met Neighbour*, 1,9-11, 2,9-11, 5,9-11, 9,9-11.

<sup>112</sup> M. P., *Well Met Neighbour*, 7,9-11.

<sup>113</sup> M. P., *Well Met Neighbour*, 5,9-11, 9,9-11.

<sup>114</sup> M. P., *Well Met Neighbour*, 3,9-11, 4,9-11. Another member of this group who is not married but rather refuses to marry the girl he has seduced is Stephen the weaver who has “beguild” Sisse’s maid Nan (8,9-11 & 9,1f.).

<sup>115</sup> M. P., *Well Met Neighbour*, 4,9-11.

<sup>116</sup> M. P., *Well Met Neighbour*, 6,9-11 & 7,1-4.

<sup>117</sup> Cf. Thomas (1978: 265 & 268), Groebner (1995), Walker (2003: 92f., 107), see also Gowing (2001: 56). While scholars such as Valentin Groebner have connected this mutilation purely to implications of sexual deviance, Garthine Walker (2003: 92) and Amussen (1995: 6-8) have drawn attention to the broader applicability and hence more complex nature of this punishment.

humorously provocative.<sup>118</sup> Nell and Sisse even assert that shrewish behaviour of wives is no excuse for husbandly violence, but, rather, it is a justified reaction to their husbands' deficiencies. Unconditional subjection to husbands, they proclaim, is unwise: "To love them that love not us / is folly in my opinion."<sup>119</sup> It would be too rash to discount the two women in this "dainty discourse" simply as satirical representations of shrewish and unruly wives who keep their hen-pecked husbands tame, and not to take their concerns of male government deficiencies seriously.

Correspondingly, other broadside ballads in which hen-pecked husbands, who chanced on a "virago" such as envisaged by Gouge, elaborate on the details of their marital misery should not be read as *singularly* preoccupied with *female* insubordination. Rather, quite the contrary, shrewish wives are a *symptom* of husbandly mismanagement.<sup>120</sup> In *The Married Mans Complaint Who Took a Shrow Instead of a Saint*, for example, the male speaker complains about being abused by his shrewish, unruly wife. Yet, read against the conduct book authors' assertions about the responsibilities of heads of households, the very normativity of the speaker himself is undermined by the misdeeds with which he charges his wife. The shrew is clearly not the ballad's only focus, which is made plain in the text itself. In the verses comprising the ballad's subheading it is stated very clearly: "Here in this Song is set forth to the life / A Hen-peckt Husband and a Head-strong wife / He is as much to blame to let her wear, / The Breeches as she is to domineer," thus setting the reading instruction for the whole piece.<sup>121</sup>

Similar concerns are voiced in the "water-poet" John Taylor's "jocularly misogynist collection"<sup>122</sup> of *Divers Crabtree Lectures, Expressing the Severall Languages that Shrews*

<sup>118</sup> Thomas Edgar, *The Lawes Resolutions of Womens Rights, or, The Lawes Provision for Woemen* (London, 1632), 128.

<sup>119</sup> M. P., *Well Met Neighbour*, 7,7f.

<sup>120</sup> In a discussion of a proposed bill in 1601 which intended to make husbands responsible for the absence from church of their wives and servants the proverb was used by one MP in a slightly different way. "Every man can tame a shrew but he that hath her; perhaps she will not come; and for her wilfulness no reason the husband should be punished" (cited in Fletcher, 1995: 220). Here, of course, the use of the proverb implies that no man can actually tame a shrew. All men may claim to know how to tame shrews; they may give other men 'good' advice on this and may even boast about their capabilities, but when faced with an recalcitrant wife, all this theoretical knowledge will turn out to be ineffectual.

<sup>121</sup> Anonymous, *The Married Mans Complaint Who Took a Shrow Instead of a Saint* (London, c. 1641-1674). Similarly, for instance, the late 17<sup>th</sup> century ballad *The Cuckold's Complaint, Or the Turbulent Wifes Severe Cruelty*, in which a husband relates his wife's transgressions, is answered by another ballad entitled *The Scolding Wives Vindication, Or an Answer to the Cuckold's Complaint*, "wherein she shows what just Reasons she had to exercise Severity over her insufficient Husband." Naturally, the husband's insufficiency is of a sexual nature, and the female speaker, a "young Buxome Dame" (8,1), after years of patiently waiting for her husband to fulfil his marital duty, considers her revolt justified. Anonymous, *The Cuckold's Complaint, Or the Turbulent Wifes Severe Cruelty* (London, date unknown), Anonymous, *The Scolding Wives Vindication, Or an Answer to the Cuckold's Complaint* (London, 1689).

<sup>122</sup> Bernard Capp (2008).

*Read to Their Husbands, Either at Morning, Noone, or Night*,<sup>123</sup> where a glazier's wife delivers the following educational verses to a female neighbour who is at odds with her husband:

“Ill fares the haplesse family that shows  
A Cocke that's silent, and a Hen that crowes.  
I know not which live more unnaturall lives,  
Obedient Husbands, or commanding Wives.”<sup>124</sup>

A woman, the glazier's wife admonishes, should only rule her household and her passion, i.e. not her husband, and she should show obedience as long as the husband is not dead or unreasonable.<sup>125</sup> A wife, moreover, “whether it be better or worse, [...] must be ruled by him that beares the purse.”<sup>126</sup> Economic power here is attributed to the husband, and it is conflated with domestic authority in general. The plot of this little narrative subsequently shows not how the shrewish wife relents and learns obedience from her female neighbour, but how her husband manages to resolve their marital conflicts through thoughtful and patient behaviour, which is finally praised by a neighbour as the right course of action in dealing with difficult wives. David Underdown has drawn on this lecture as an example of “masculine worries” about female (sexual) aggression and subversion.<sup>127</sup> Yet, even more substantially, this narrative clearly evinces worries about appropriate masculine household government. Admittedly, in the previous two examples it is the *reciprocity* of husbands' and wives' duties which is advocated rather than the sole responsibility of the male head of household. However, the notion of reciprocity never annuls the husband's (ultimate) responsibility.

In a comedy jointly penned by John Taylor's friend Thomas Heywood and Richard Brome, *The Late Lancashire Witches* (1634), the household of the Seely family is thrown into disorder and all hierarchies are subverted: the husband obeys his son, the wife her daughter, while the children subject themselves to their servants. All eyes turn to the household head, Old Seely. As his nephew, Arthur, suggests in a talk with Master Generous, Old Seely has

“late become the sole discourse

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<sup>123</sup> John Taylor, *Divers Crabtree Lectures, Expressing the Severall Languages that Shrewes Read to Their Husbands, Either at Morning, Noone, or Night* (London, 1639). Interestingly, shrewish unruliness is related to carnivalesque transgressions in Taylor's adulteration of Shrovetide into “Shrewes Monday and Shrewes Tuesday” (1ff.). The *Crabtree Lectures* and a similar piece from 1640 (*A Juniper Lecture*), also authored by Taylor, were quickly answered by a counterblast, *The Women's Sharp Revenge* (1640), which, though allegedly “performed” by “Mary Tattle-Well and Ioane Hit-Him-Home, Spinsters,” betrays Taylor's own ductus. Cf. Capp (2004).

<sup>124</sup> Taylor, *Divers Crabtree Lectures*, 73.

<sup>125</sup> Taylor, *Divers Crabtree Lectures*, 73.

<sup>126</sup> Taylor, *Divers Crabtree Lectures*, 78.

<sup>127</sup> Underdown (1985: 118).



Of all the country, for, of a man respected  
For his discretion and known gravity,  
A master of a govern'd family,  
The house – as if the ridge were fix'd below  
And groundsills lifted up to make the roof –  
All now turn'd topsy-turvy.”<sup>128</sup>

Though everybody in his household is affected, it is Old Seely on whom the apparently enormous public interest and speculation focuses. It is from him that disorder seems to radiate.<sup>129</sup> While some, like his nephew, pity the man who has thus lost his authority, others marvel at the development, but most react with derisive laughter at “such rare disorder.”<sup>130</sup> The cause of such an outrageous confusion of hierarchies, popular opinion agrees, must be witchcraft. Impossible to think that a man who was such a good “master of a govern'd family” should suddenly fail so thoroughly. Master Generous claims not to believe in such things.<sup>131</sup> Yet, the Seely household has been bewitched indeed, and, ironically, quite unbeknownst to Master Generous, his wife is the chief witch. Generous' ignorance about his wife's doings, of course, suggests that this household, too, is seriously disordered. Thus, though the ostensible cause of the Seely family's subversion is witchcraft, the underlying breeding ground of witchcraft itself is a malfunctioning of domestic order, more precisely, the lack of appropriate husbandly government. Therefore, though its title suggests a preoccupation with the female transgression of witchcraft, husbandly household government emerges as an equally important subject in this play, which, as an epigraph, bears a reference to the Horatian formula of “Prodesse solent et delectare,” and therefore proposes not only to entertain, but also to teach its audience a valuable lesson.

A wife's insubordinate behaviour, from a contemporary vantage point, deserved to be criticised, not the least because it set a bad example, e.g. for inferiors within the household, over whom the wife, on her part, had a superior position as their *mistress*. Yet as the husband was conceived of as the wife's “head,” in effect, wherever something was amiss in the order of the household, the liability is likely to fall on the husband. Being able to keep order in one's household by instruction and guidance, by curbing inappropriate behaviour of

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<sup>128</sup> Thomas Heywood and Richard Brome, *The Witches of Lancashire* (Egan, G., ed., 2002), 1.1.245-251. The play was originally produced and published under the name of *The Late Lancashire Witches* in 1634. The authors relied heavily on court records of a contemporary witchcraft case. Cf. Hirshfield (2000).

<sup>129</sup> Interestingly, in the Seely household the reversal of hierarchies affects the relationships between parents and children and children and servants. The play thus does not only focus on marital or even patriarchal hierarchies, but presents a more differentiated picture of hierarchies and their reversal.

<sup>130</sup> Cf. Heywood & Brome, *The Witches of Lancashire* 1.1.266f.

<sup>131</sup> Cf. Heywood & Brome, *The Witches of Lancashire*, 1.1.269-271.

subordinates, but also, importantly, by setting a good example for all the other members of the family, was essential for a man's social reputation, his honour, his masculinity. Patriarchal authority and normative masculinity were interdependent concepts, at the very least for the kind of middling sort context in which this study is situated. Moreover, domestic order had more far-reaching implications. The household, if we recall, could be conceptualised as both an educational "theatre" within the neighbourhood and a training ground for more elevated social offices. As Anthony Fletcher has observed,

"The household was the arena above all in which a man displayed his masculinity, and his performance in this respect was under constant surveillance from the community in which he lived. He had to show control, over his children and servants as well as over his wife."<sup>132</sup>

Hence, the notion was widely articulated that men of authority and status did not only enjoy privileges, but had great responsibilities. William Gouge made a very similar observation when he remarked that although

"wiues may most complaine of their burden, because it is a *Subiection* whereunto by nature we are all loath to yeeld: yet I am sure the heaviest burden is laid vpon the husbands shoulders: and much more easie it is to performe the part of a good wife, then a good husband."<sup>133</sup>

While he generously acknowledges that subjection is difficult for both sexes, Gouge implicitly makes another important point: husbands, though theoretically superior to wives, were themselves inferior in other relations, for instance to men - and women! - of higher social status.<sup>134</sup>

As husbandly authority and responsibility were emphasised, the abuse of authority emerges as a matter of particular concern in moral-didactic contemplations<sup>135</sup> and legal practice,<sup>136</sup> but also in popular literature and drama.<sup>137</sup> Abuse of authority could be prevented if the husband acted in a rational, restrained and overall exemplary manner.<sup>138</sup> The key to government and good household management, therefore, was self-government and

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<sup>132</sup> Fletcher (1999: 275).

<sup>133</sup> Gouge, *Of Domesticall Duties*, 419.

<sup>134</sup> Cf. Amussen (1988: 7).

<sup>135</sup> Cf. Shepard (2003: 86).

<sup>136</sup> For example, in the above-mentioned case of Elizabeth Flan who was accused by her master to have fornicated with a fellow servant. GDR 109, Flan *c.* Wood, 29 January 1609 [1610], depositions of Henry Tony and George Roberts, see also GDR/B4/1/224.

<sup>137</sup> Molly Smith (1998: 109), examining contemporary tragedies, has noted that "the sexual transgression staged in many Renaissance tragedies draw their impetus from the abuse of authority by patriarchal figures."

<sup>138</sup> Cf. Elizabeth Foyster (1996: 215) who has argued that in order to gain honour, early modern Englishmen were encouraged to rely on behaviour which emphasised the two gender characteristics of strength and reason.

(self-)mastery of one's desires and impulses, which was basically a humanist, i.e. neo-stoic, idea.<sup>139</sup> This particularly highlighted in domestic conduct literature. "To the point then; a man in governing his wife, must governe himselfe," William Whately, for instance, stated.<sup>140</sup> It was because of this line of reasoning that William Gouge, echoing Augustine,<sup>141</sup> could claim that, if a difference was to be made between male and female adultery, a husband's adultery deserved to be punished more severely, as it appertained to husbands "to excell in vertue, and to governe their wiues by example."<sup>142</sup> The ideal of exemplary self-government also was behind John Featley's admonition that a husband should not plead "the unchast allurements of lascivious women which tempt thee for an excuse."<sup>143</sup> Far from being inconsequential, male adultery was frequently conceptualised in economic terms as involving an irrational, dangerous squandering of household resources. William Whately, for instance, warned, "the ungratious whore-master is ouer-franke to the lewd woman that pleaseth his eye: she may command his money, to the consumption of his estate, that he may the better command her body, to the destruction of both their soules."<sup>144</sup> A husband's infidelity could thus signify his loss of control in a rather general sense. To be openly identified as the father of a bastard child and being convicted to pay alimony, as Laura Gowing has remarked, "undermined a master's principal identity as a man: his self-government."<sup>145</sup> Yet female adultery, too, could be ultimately attributed to husbandly failure or lack of proper government (not to speak of sexual inability).<sup>146</sup> A husband who was tyrannical, i.e. overly dominant or abusive, for instance,

<sup>139</sup> Cf. Hodgkin (1990: 21), Shepard (2003: 70-73, 77f., 85), Gowing (2001: 59). This is a characteristic of good government which was effective already in ancient Greece. Cf. Foucault (1992: e.g. 75ff., 81f., 172, 182).

<sup>140</sup> Whately, *A Bride-Bush, or, A Direction of Married Persons*, 112.

<sup>141</sup> Cf. Thomas (1978: 262).

<sup>142</sup> Gouge, *Of Domestical Duties*, 219. Cf. also Griffith, *Bethel, or, A Forme for Families* (London, 1633), 299-301. Griffith, who, it should be remarked, was no Puritan, attempts to strike a balance between husbandly and wifely responsibility, rhetorically distinguishing between the *sin* itself (which he maintained was greater in the adulteress) and the *sinner* (here the adulterous husband is the greater sinner as his lapse from superiority sets a bad example).

<sup>143</sup> John Featley, *The Honour of Chastity, A Sermon* (London, 1632), 23. Interestingly for our subject of subjection, four years later, Featley, who was not a Puritan, but a leading defender of *Laudianism*, was to deliver and publish a visitation sermon entitled *Obedience and Submission*. Being primarily concerned with political and religious authority, Featley begins his sermon "Authority is the *basis* of regularity; and this of peace: for confusion raves in disobedience; and the want of submission is the ground of contention." John Featley, *Obedience and Submission* (London, 1636), 3.

<sup>144</sup> Whately, *A Bride-Bush, or, A Direction for Married Persons*, 183.

<sup>145</sup> Gowing (2001: 59). Bastardy was an offence not only punishable in ecclesiastical courts, but also in common law courts, where possible punishments were fines and whipping. As Macfarlane (1980: 73) notes, a Jacobean statute even ordered mothers of bastards who would have to be maintained by the parish to be sent to the house of correction (7 James capt. 4 (1610)), yet where the father could be identified (and proved willing and able to pay for the child), the offence would not concern the civil courts. As Dave Postles (2004: 57) has noted, punishments imposed by civil authorities in bastardy cases might be conducted in church. For a detailed study of early modern English illegitimacy see Adair (1996).

<sup>146</sup> Cf. Capp (1996: 133).

might be held responsible for his wife's adultery.<sup>147</sup>

In this light it is problematical to uphold the commonly encountered feminist argument that by focussing primarily on female (sexual) deviance, a household's reputation rested solely in the hands of women, while husband's (sexual) transgressions were commonly ignored.<sup>148</sup> If anything, Puritan authors of conduct books, we might even say moral-didactic discourse in general, stressed husbandly duties more than wifely ones and were, as has been suggested, greatly concerned with the abuses and, consequently, the *limits* of authority.<sup>149</sup> Clearly, a husband's adultery was no matter to be brushed off lightly, as is often suggested. Sexual reputation was a crucial source of social credit for married heads of middling sort households.<sup>150</sup> And it was vulnerable. As Elizabeth Foyster has shown, "men's sexual activities, or the lack of them, were central to notions of honourable and dishonourable manhood," moreover, "without the core of a worthy sexual reputation, all other facets contributing to male reputation could be meaningless."<sup>151</sup> We know of many cases in which men showed themselves very much aware that their personal sexual behaviour could profoundly influence their reputation,<sup>152</sup> or their business affairs.<sup>153</sup> An institutional conviction of a sexual transgression, moreover, could not only cost a man his reputation, but also certain kinds of political rights. A man known to be a "notorious cuckold," as the musician Thomas

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<sup>147</sup> Cf. for instance Stefano Guazzo, *The Court of Good Counsell, Wherein Is Set Downe, the True Rules, How a Man Should Choose a Good Wife from a Bad, and the Woman a Good Husband from a Bad* (London, 1607), C2. Though the edition does not acknowledge it, it actually represents an adaptation of the third book of a translation of) the author's most renowned work *La Civil Conversatione* (1579).

<sup>148</sup> Cf. Shepard (2003: 83).

<sup>149</sup> Cf. the contemporary debate about wife-beating which was carried out between conduct book authors such as Gouge and Heale who argued fervently against wife-beating and Whately, who endorsed it. We may take into consideration whether the fact that Heale's treatise was dedicated to a female patron was connected to the direction of his argument, on the other hand, Heale was perfectly congruent with the *Homily of the State of Matrimony*, which also condemned wife-beating as irrational. Thomas Edgar's legal treatise *The Law's Resolutions* suggested that "lawful and reasonable correction" of the wife by the husband was tolerable – a stance which seems to have been widely accepted. But if the wife chanced upon a violent husband who could beat her lawfully simply because she was unable take legal action for it (although there was the opportunity to do so), he asserted that the wife who was thus legally disabled "hath retaliation left to beat him again if she dare." The same argument was advanced by Sisse and Nell, the protagonists of the broadside ballad *Well Met Neighbour*. Edgar, *The Law's Resolutions of Women's Rights*, 128, M. P., *Well Met Neighbour*.

<sup>150</sup> Braddick & Walter (2001: 19), cf. Ingram (1987: 125 & 165), Hodgkin (1990: 35). Amussen (1988: 102f.) points out that men's reputation rested on "the complex combination of sexual behaviour, familial relations and relations with their neighbours." Fletcher (1995: 103) argues that "[m]en's sexual reputations mattered to them as well as women's and their behaviour in this respect was part of their honour code," yet he distinguishes this from female honour concepts by maintaining that while sexual reputation was the very centrepiece of women's concept of honour it was not of men's. Joanne Bailey (2000: 78-80 & 150), on the other hand, maintains that women's reputations were multi-faceted and not solely determined by their chastity.

<sup>151</sup> Foyster (1999: 10).

<sup>152</sup> Cf. Capp (1996), also Bailey (2003: 147).

<sup>153</sup> Bailey (2003: 149).

Whythorne noted in the 1570s, was “barred of divers functions and callings of estimation in the commonwealth as a man defamed.”<sup>154</sup> In early modern Colchester ordinances prohibited freemen who had been convicted of adultery, fornication, drunkenness or swearing from voting for town councils.<sup>155</sup> Whether in the shape of female disorderliness or male adultery, masculine lack of (self-) mastery was a subject of huge contemporary concern.

Matters are complicated by the fact that not all legitimate government was codified as masculine and submission was not *per se* codified as feminine. Such a simple dichotomy simply did not exist. While husbands, as we have learned, were themselves inferiors to other men, and, possibly, women, wives had legitimate authority, too. They theoretically were ascribed the status as joint governors of families with their husbands. As William Heale, for instance, pointed out,

“the name of a wife is a name of dignity. The law stiles her thy familiar friend: thine equal associate: the Mistresse of thy house: to speake at once, the same person and Individuum (as it were) together with thee. If therefore she beare the name of dignity, shee is to be respected: If thy familiar friend shee is to be imbraced: if thy equal associat, shee is equally to be regarded: If thy Mistresse, she is to be honoured: if thy verie selfe, she is dearelie to be beloued. All which duties of an husband are necessarily intended by the law; and are as contrarie to the rough and vnkinde vsage of a wife, as fire vnto water, heaven vnto earth.”<sup>156</sup>

In practice, wives conducted numerous activities which were substantial to the economic well-being of the household.<sup>157</sup> As mistresses of their households, wives wielded authority over children, servants, possibly neighbours. For most women this meant that they, in some form or other, had authority over members of the male sex.<sup>158</sup> Moreover, the premise of self-government applied to forms of female authority, too.<sup>159</sup>

Hence the performance normative married femininity was envisaged as resting on a

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<sup>154</sup> Cited in Hodgkin (1990: 35).

<sup>155</sup> Men convicted of felony, those who were not householders, or who were victuallers – such as butchers, brewers, or bakers – were equally excluded. Respective ordinances had been passed in 1587. These restrictions in Colchester remained valid at least into the eighteenth century. Cf. Cooper & Elrington (1994a), and Cooper & Elrington (1994b).

<sup>156</sup> Heale, *An Apology for Women*, 48. Cf., also Gouge, *Of Domestical Duties*, 256-60. Cleaver, *A Godly Form of Household Government*, 15.

<sup>157</sup> Cf. Amussen (1985: 203), Tilly & Scott (1989: 43-61), Capp (1996: 127), Whittle (2005). With regard to female paid labour, scholars have argued that, for agricultural areas, the increasing commercialisation of farming from the 16<sup>th</sup> and 17<sup>th</sup> centuries and connected technological developments served to marginalise the position of women. Cf. Hudson & Lee (1990: 8).

<sup>158</sup> Amussen (1988: 3).

<sup>159</sup> For example, consider again the verses of Taylor’s above-quoted farrier’s wife: “A womans rule should be in such a fashion, / Onely to guide her household, and her passion.”

very fine balance between two rather contradictory roles,<sup>160</sup> which related to pre-lapsarian and post-lapsarian conceptualisations of marital relations: that of man's "equal associate," or fellow governor of the household and that of his inferior.<sup>161</sup> Conduct book authors, whether Puritan or not, worked to mediate between these contradictory positions, but by doing so clearly kept both viewpoints firmly in focus.<sup>162</sup>

From husbands' and wives' joint care of the household tensions might arise regarding the particular competencies and the exact borderlines between the spheres of authority of both spouses.<sup>163</sup> Many of the texts surveyed here address this issue. Positions of male and female authority seem to have been far from clearly demarcated, and thus it is little wonder that, even if all parties were willing to follow moralist guidelines, negotiations were necessary in order to work out a practicable *modus vivendi*. Thus, Bernard Capp suggests, we should shift our focus from submission and defiance as responses to male authority towards the mechanisms of "accommodation" and "negotiation" of basically complementary yet sometimes contradictory roles.<sup>164</sup> "All conduct books," he notes, "reveal a tension between the ideal of loving, companionate marriage and their insistence on authority and hierarchy."<sup>165</sup> With regard to William Gouge's *Of Domestic Duties*, Susan Amussen observes that "[i]n spite of the initial apology [that he is no woman-hater, etc., V.P.], the tension between equality and subjection recurs throughout the treatise."<sup>166</sup>

Importantly, however, Gouge, and most of his fellow advice authors, never insinuate that there are no tensions between these two duties. On the contrary, it is possible to regard precisely this tension, which necessitates processes of negotiation and accommodation, as the very basis of early modern concept of marriage. In a sense then, the image of marriage as a struggle for the breeches, as a battle of sexes, which was especially prevalent in popular texts,<sup>167</sup> points to the tensions on which the normative conception of the marital union was founded. Adultery may be understood as a medium to highlight these strains.

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<sup>160</sup> Frances Dolan (1999) has taken the observation of this contradictory position of the wife, "the sharp dichotomy between the dominant and the subordinate," (205) as a starting point for her analysis of early modern domestic violence. Mary Beth Rose (1988: 32) has asserted that Puritan tracts constitute a "complex expression of double-mindedness."

<sup>161</sup> As Pollock (1989: 233) has termed it, women had to perform a dual role of subordination and competence – in which they were not generally dissimilar to men.

<sup>162</sup> Matthew Griffith's treatise, for example, is only one among many which, at closer inspection, discloses contradictory messages: While in one passage he stresses that woman was not made of man's foot and thus the wife should not be an underling to her husband, he elsewhere insists on wifely subjection. Griffith, *Bethel*, 289 & 322ff.

<sup>163</sup> Shepard (2000: 94).

<sup>164</sup> Cf. Capp (1996: 125).

<sup>165</sup> Capp (2003: 31).

<sup>166</sup> Amussen (1985: 202).

<sup>167</sup> Cf. Wiltenburg (1992: 95).

To sum up, what all the previous reflections on the domestic power structures within the early modern English context have shown is that the household was not – not even theoretically – a continuously stable entity within which hierarchies remained unassailable.<sup>168</sup> As authority was constructed in social interaction, it rested on the successful performance of specific behavioural codes.<sup>169</sup> Prescriptive texts, too, shared this contention, as can be seen in William Heale's assertion that the "happy government" of a commonwealth, including that of a family, was "in nothing more eminentlie seene then in the decent conformitie of manners, and orderlie behaviour in al estates."<sup>170</sup>

Government thus emerges as the practised performance of authority, both by the governor(s) and by the governed. 'Good government,' thus, relies not only on the master and mistresses own performance, but is reliant on the appropriate behaviour of 'inferiors' as well.<sup>171</sup> To assure that everybody involved plays by the same script of 'good government,' however, is problematical. Correspondingly, a husband's domestic authority, and masculinity itself, were always somewhat provisional. As Bernard Capp has put it, "[m]en sensed that domestic authority was at best precarious;"<sup>172</sup> so, as Elizabeth Foyster has shown, was normative manhood.<sup>173</sup> The same, of course, applies to normative femininity and female authority, although my aim here has been to point out the limits of husbandly power in particular. The ideal of domestic harmony, which was the central moral-political objective not only in religious-didactic discourse, but also in the most diverse kinds of literary genres,<sup>174</sup> as on the plains of local government and order, could not be transferred into practice by the simple application of authoritative force. Instead, this required a balancing of reciprocal duties and, at times, conflicting interests. In the next sections we shall trace fictional examples which explore these negotiations of marital power relations through the medium of sexual transgression.

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<sup>168</sup> Cf. Fletcher (1994: 162): "Patriarchy was a scheme of gender relations that men found, though they probably never thought of it quite like this, was in constant need of repair."

<sup>169</sup> Cf. Amussen (1985: 187), Braddick & Walter (2001: 25 & 38).

<sup>170</sup> Heale, *An Apology for Women*, 49.

<sup>171</sup> This is an idea, for example, explored in tragedies, where the tyrannical or in other ways inappropriate (self-)government of political rulers is shown to affect (moral) disorder in the households of subjects.

<sup>172</sup> Capp (1996: 119).

<sup>173</sup> Cf. Foyster (1999). Cf. also Fletcher (1999: 420).

<sup>174</sup> Cf. Bailey (2003: 9).

## 6.2. Wife-Taming

“Marriage is honourable, but house keeping’s a shrew.”

Proverb<sup>175</sup>

The comedy which will be the focus of this section presents (the threat of) fornication and adultery as causally inked to medical concerns of youthful, overburgeoning sexuality, but also, significantly, to lacking moral guidance and lacking husbandly government and care. From the perspective of the new husband, it demonstrates the possibility of handling the threat of cuckoldry by wise and considerate government of both the wife and household space.

*Rule a Wife, and Have a Wife* (1624), by John Fletcher, specifically refers to the practice of husbandly authority in its title.<sup>176</sup> Allegedly, this was the most popular of Fletcher’s comedies, the play which kept the stage longest.<sup>177</sup> The action is set in Spain, and the prologue rejects any relation to English attitudes and habits. Of course, this rejection of didacticism is ironic, and the audience can be certain that the characters which will be displayed, “wanton and free” ladies and all kinds of deviant male characters, in fact, represent the (mostly) English viewers’ own weaknesses.<sup>178</sup> In a sense, this is a play about what happens after the ‘happily ever after’ conventional ending of many romantic comedies. The two primary plots, which are both modelled on Spanish prose sources, focus on couples who marry quickly (during the first two acts), and whose marriages are based on lies and deceit. Both male characters marry for wealth and status, while the female characters have their own agenda. Michael Perez hopes to enrich himself and make a good living by marrying Estifania, a beautiful girl trickster who pretends to be a rich heiress.<sup>179</sup> The rich maiden heiress Margarita marries a seemingly foolish, yet handsome young man, Leon, who turns out to be anything but the easily manipulated contented cuckold she had envisaged.<sup>180</sup> In the course of the

<sup>175</sup> Ray, *A Collection of English Proverbs* (London, 1670), 48.

<sup>176</sup> The comedy *Rule a Wife, and Have a Wife* was licensed in 1624, and only published in the second folio of Beaumont and Fletcher’s collected works, *Fifty Comedies and Tragedies Written by Francis Beaumont and John Fletcher, Gentlemen* (London, 1679), 279-296. It is now generally attributed solely to John Fletcher. Further references to the text are based on the second folio edition.

<sup>177</sup> Ward, Trent, et al. (1907-21).

<sup>178</sup> Fletcher, *Rule a Wife, and Have a Wife*, 296 (prologue).

<sup>179</sup> Taken from a French translation of Cervantes’ *Exemplary Novel* “El Casamiento Engañoso” (“The Deceitful Marriage,” 1613), this plot is nearly prominent enough to be considered a second main plot. Cf. Wilson (1948: 189).

<sup>180</sup> Wilson (1948) has suggested that the main plot of *Rule a Wife and Have a Wife* is derived from Alonso Jerónimo de Salas Barbadillo’s novel *El Sagaz Estacio Marido Examinado* (licensed in 1613, published in 1620). Wilson is able to show some persuasive similarities between the texts, yet as there is no English translation of the Spanish text in the seventeenth century and a French translation did not appear until 1634,



dramatic action, all four characters will (have to) learn how to be good spouses and make their marriages work.

The following discussion will centre on the Margarita and Leon plot. As Sandra Clark has argued, the “comedy of the main plot derives from a straightforward account of gender relations in the correction of a disorderly woman by a man whom she expects to master.”<sup>181</sup> By depicting the correction of this “imbalance in power relations between Leon and Margarita,” she contends, the play proposes an “orthodox morality of marriage.”<sup>182</sup> Reading Clark’s appraisal, one might expect a shrew-taming scenario, and, really, the plot is modelled on this tradition.<sup>183</sup> However, I would like to differentiate this image of the ‘taming’ of Margarita and the ‘orthodox’ marriage which is presented in this comedy. While Margarita is undeniably taught a lesson during the course of the action, the aim of her correction is not simply wifely subjection.

Similarly, Margarita, the beautiful heiress, is not simply a “disorderly woman,” as Clark would suggest. Her weakness, broached in the very first scene of the play, is that she is proud, which, as a reluctant suitor recognises, “comes seldome without wantonness.”<sup>184</sup> Sins tend to be interconnected. Consequently, “he that shall marry her, must have a rare hand,” i.e. he needs wisdom and sensitivity in order to make the marriage work.<sup>185</sup> Yet despite Margarita’s assertiveness, she is not a typical shrew.<sup>186</sup> Another female stereotype seems to be more pronounced in this character: the lustful maiden whose blossoming sexuality will run amok or turn pathological if she is not quickly directed into the legitimate haven of marriage. Margarita stresses “I desire my pleasure, / And pleasure I must have.”<sup>187</sup> However, as she is not willing to commit to one man only for this pleasure, she fears for her reputation. Or, more precisely, she fears to be legally convicted of incontinence and stripped of her financial resources.<sup>188</sup> She thus needs “a shadow, an umbrella / To keep the scorching worlds opinion /

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his argument hinges on the question of whether Fletcher was able to read Spanish.

<sup>181</sup> Clark (1994: 148).

<sup>182</sup> Clark (1994: 150).

<sup>183</sup> Cf. Shakespeare’s *The Taming of the Shrew* and its alternative version *The Taming of a Shrew*. The shrew-taming plot apparently has a rich history in folk tale – Leah Scragg (2000: 93) estimates that over four hundred versions of it are extant. There are also a number of popular contemporary shrew-taming or -punishing ballads.

<sup>184</sup> Fletcher, *Rule a Wife, and Have a Wife*, 279 (act 1).

<sup>185</sup> Fletcher, *Rule a Wife, and Have a Wife*, 279 (act 2).

<sup>186</sup> Frances Dolan (2000: 57) has defined a shrew as a verbally powerful woman who is, above all, characterised by her refusal to submit to a man’s authority and by her aggressive assertion of her independence.

<sup>187</sup> Fletcher, *Rule a Wife, and Have a Wife*, 282 (act 2).

<sup>188</sup> Margarita: “Credit I can redeem, mony will imp it, / But when my monie’s gone, when the law shall / Seize that, and for incontinency strip me of all.” Fletcher, *Rule a Wife, and Have a Wife*, 282 (act 2). To my knowledge, comparable court orders did not exist in England. People could be enjoined to do penance in church courts, they could be made to pay fines and be whipped as the result of secular court action, but I have not encountered cases in which the courts confiscated the whole of a person’s legal estate for incontinent

From [her] fair credit.”<sup>189</sup> The status of a married woman is imagined as serving to disperse suspicions of sexual immorality; possible pregnancies will have the cover of legitimacy. A foolish man must be found who will make a good wittol: “One though he see himself become a monster, / Shall hold the door, and entertain the maker,” as Altea, one of her women, puts it.<sup>190</sup> The prospective husband should both enable and cover his wife’s transgressions, socially, by “entertaining” other men, and spatially, by “holding” the door – open to let in the rival, and closed while his wife enjoys the other man.

The seemingly ideal candidate to become the comic butt of the play is Leon. A poor, foolish, shy man who professes to have no conception of honour.<sup>191</sup> However, there are indicators that there is more to Leon than his comportment suggests. In dissonance with his rather effeminate, ignorant demeanour, he is very handsome and even “kisses wondrous manly,”<sup>192</sup> which sparks Margarita’s interest even further, as she had insisted that she wanted someone “lusty” as a husband. Still, Leon, who promises to “doe any thing to serve your ladyship,”<sup>193</sup> appears more like a youthful apprentice applying for a position in a rich lady’s household. Margarita tries to ascertain his ability to obediently follow her orders and promises he shall be generously rewarded in material as well as sexual terms if he serves her according to her wishes.<sup>194</sup> Leon, she stipulates, will not to be Margarita’s “Master,” but meek and respectful, coming and leaving at her command. Most of all, he must not be jealous. As the young man agrees to these terms and conditions, it seems that the ‘monster’ Margarita had sought is found, and the wedding is quickly brought under way.

While negotiations of marriage settlements, for instance, of dowries, were common, the problem here appears to be that the relationship of master and servant is transposed to the context of marriage. The rhetoric of male servitude was quite a standard component of certain conventional (literary) models of courtship,<sup>195</sup> yet its application to the actual marital relationship, this comedy indicates, is not functional since it breeds transgression. Margarita

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living.

<sup>189</sup> Fletcher, *Rule a Wife, and Have a Wife*, 285 (act 3).

<sup>190</sup> Fletcher, *Rule a Wife, and Have a Wife*, 282 (act 2).

<sup>191</sup> For young men bashfulness and social diffidence was considered shameful. Cf. Pollock (1989: 245)

<sup>192</sup> Fletcher, *Rule a Wife, and Have a Wife*, 283 (act 2).

<sup>193</sup> Fletcher, *Rule a Wife, and Have a Wife*, 283 (act 2).

<sup>194</sup> “Can you,” Margarita asks, “as handsomely when you are sent for back, come with obedience, And doe your dutie to the Lady loves you?” Of course, there is a ring of sexual connotation in the phrase “doing his duty” which recalls the concept of ‘due benevolence’ discussed above. Fletcher, *Rule a Wife, and Have a Wife*, 283 (act 2).

<sup>195</sup> Cf. Schnell (2002: 111). Cf. also the concern voiced in numerous contemporary texts that love (and wooing) made a man effeminate. In a sense, Leon, at this point could, be viewed as a variation of “the foolish inamorates, who spend their ages, their spirits, nay themselves, on the servile and ridiculous employments of their Misstresses” whom, according to Heywood, comedy set out to deride. Thomas Heywood, *An Apology for Actors* Containing Three Briefe Treatises (London, 1612), [F4].

can exert power over her husband by her greater wealth, her apparently greater wit, and the clever use of her lusty sexuality. From the onset, this marriage is conceptualised as transgressive, as the wife's authority and her cuckoldry are part of the deal. It was not without cause, the play seems to suggest, that conduct book authors would strongly caution against marriages between poorer men and wealthy women.<sup>196</sup> Margarita is thus both a lusty young maiden and a rich, powerful mistress who may legitimately command her male subordinates. The problem arises once these power structures are transposed into a marital relationship where different gender hierarchies are the norm.

Leon's subsequent "correction" of his new wife, similarly, is not such "straightforward" subjection as Clark has suggested. Both partners have to negotiate a workable *status quo* of their conjugal relationship. Initially, Margarita marital lifestyle is marked by a conclusive disregard of household issues. She indulges in a life of luxury – *luxuria*, spending great sums of money on decorations and entertainments such as feasts, banquets and masques, preparing to receive her lovers.<sup>197</sup> It does not take long for Leon to show the first signs of defiance and to be sent packing for the country-side. Margarita fervently declares, "The next rebellion I'll be rid of him, / I'll have no needy Rascal I tie to me, / Dispute my life."<sup>198</sup> Soon afterwards, however, when Margarita entertains her suitors, who are already fantasising about taking control over her and her money, Leon makes another entrance. Stating, "I am her Husband / And pray take notice that I claim that honour, / And will maintain it,"<sup>199</sup> he now takes control of the entertainment of the guests, and of household affairs in general. Margarita is shocked and demands an instant divorce, but Leon announces that he plans to be Margarita's "Lord" and promises to be fair. Margarita does not give in, and practically tries to interpellate his former persona by commanding him to leave and by calling him a "poor fellow" and a "cozen'd Fool," but her husband remains calmly aloof: "I will not be commanded: I am above ye."<sup>200</sup> Once more, Margarita tries to assert her authority through spatial references, "I am braved thus in mine own house?"<sup>201</sup> But again, her attempt is dismissed by Leon's reminder that he now legally owns everything:

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<sup>196</sup> Cf., for instance, Gouge, *Of Domestical Duties*, 189-191, Cleaver, *A Godly Form of Household Government*, 148. In practice, as Martin Ingram (1987: 141) has noted, social mobility through marriage was rather uncommon, as "on the whole the various economic groupings tended to be endogamous: marriage thus served to reinforce and perpetuate the distinctions of the social order."

<sup>197</sup> In this she greatly resembles Maria from John Fletcher's comedy *The Woman's Prize, Or The Tamer Tamed* (1611?, first published in the first folio 1647), who, as part of her scheme of "taming" her overly authoritative husband spends a lot of his money on clothes, decoration and entertainments.

<sup>198</sup> Fletcher, *Rule a Wife, and Have a Wife*, 286 (act 3).

<sup>199</sup> Fletcher, *Rule a Wife, and Have a Wife*, 288 (act 3).

<sup>200</sup> Fletcher, *Rule a Wife, and Have a Wife*, 288 (act 3).

<sup>201</sup> Fletcher, *Rule a Wife, and Have a Wife*, 288 (act 3).

“’Tis mine, Madam,  
You are deceiv’d, I am Lord of it, I rule it and all that’s in it  
You have nothing to do here, Madam;  
But as a Servant to sweep clean the Lodgings,  
And at my farther will to do me service,  
And so I’ll keep it.”<sup>202</sup>

The position to which Leon assigns his wife in order to thwart her adulterous designs and clear himself of the ridicule of a cuckold is that of a servant, not a fellow governor.<sup>203</sup>

Margarita has not really proven herself capable of responsible government, and hence her first lesson is subjection. Yet this educational programme is more than a mere degradation of the wife in order to teach her that she must be like a servant to her husband and obey him.

Instead, one could argue that the path to responsible government and non-abusive authority which Leon charts here is through experiencing the other end, the servant’s position, through learning to perform humility, even if only in act. In fact, it is a path which Leon himself has travelled since arriving at Margarita’s house. But Margarita resists. Her last resort is an appeal to Leon’s love, which is quite evocative of the motif of male servitude in courtship: “As you love me, give way.”<sup>204</sup> But in contrast to a hopeful suitor, a husband does not show his love by simply granting his wife what she wants. He considers his honour and hers. To such effect runs Leon’s response:

“It shall be better,  
I will give none, Madam,  
I stand upon the ground of mine own Honour,  
And will maintain it, you shall know me now  
To be an understanding feeling man,  
And sensible of what a Woman aims at,  
A young proud Woman that has Will to fail with,  
An itching Woman, that her blood provokes too,  
I cast my Cloud off, and appear my self,  
The master of this little piece of mischief,  
And I will put a Spell about your feet, Lady,  
They shall not wander but where I give way now.”<sup>205</sup>

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<sup>202</sup> Fletcher, *Rule a Wife, and Have a Wife*, 288 (act 3).

<sup>203</sup> As he says a few lines further down, “wives are reckon’d in the rank of Servants” (288).

<sup>204</sup> Fletcher, *Rule a Wife, and Have a Wife*, 288 (act 3).

<sup>205</sup> Fletcher, *Rule a Wife, and Have a Wife*, 288 (act 3).

Leon, shedding his disguise, confesses that his foolish, servile demeanour was only a role, and that he is, in fact, the master manipulator behind the scenes. He now announces that he will take over the government of this household, but he will be a considerate, understanding husband. Margarita must acknowledge that whether she likes it or not, her husband plans to profit from the wealth and status he gained through this marriage, and to take his marital duties seriously.

The didactics behind this character and plot development find striking resonance in marital advice literature. Daniel Rogers, for example, in his tract on *Matrimonial Honour* (1642), advises that a husband's first duty is

“to walke as a man of understanding with and before his wife: that is, so to abeare himselfe, that he may sweetly strike into his wyves spirit a due reverentiall love and esteeme of his person and Headship [...] That her heart may tell her in secret, myne husband is indeed a man of understanding.”<sup>206</sup>

To be a man of understanding, Rogers explains, it is vital that the husband be not vain or proud, misjudging his own capabilities. Self-knowledge, self-control and the ability to be critical of oneself are the basic ingredients of husbandly virtue.<sup>207</sup> The husband should not only be concerned with maintaining outward appearances of leading an honourable marriage, but he should seek to grasp the inner workings of matrimony, i.e. try to understand his wife and her needs.<sup>208</sup> As the person responsible for initiating marital love,<sup>209</sup> he must *earn* his wife's “due acknowledgement of him in his place.”<sup>210</sup> *Rule a Wife and Have a Wife* shows Leon not as a tyrannical husband, but as being motivated by notions very similar to the ones Rogers outlines. From the point of view of both husbandly and wifely honour, it is a matter of responsibility to dissuade one's wife from her lewd life-style. The (sexual) *double entendre* behind the phrase “you shall know me now,” moreover, indicates that Leon will be attentive to his wife's physical needs and possibly attempt to instigate marital love and commitment through shared sexual experiences and pleasure.

Margarita, skilled in manipulating men and women for her pleasure, has met her match. When she starts to cry and the other male characters present protest that they cannot allow his “fury” to make the lady weep, Leon defends his rights even against the Duke of Medina, much above him in status. “In mine own house to brave me,” he challenges, “is this

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<sup>206</sup> D[aniel] R[ogers], *Matrimoniall Honour , Or the Mutuall Crown and Comfort of Godly, Loyall and Chaste Marriage* (London, 1642), 203f.

<sup>207</sup> Rogers, *Matrimonial Honour*, 204.

<sup>208</sup> Rogers, *Matrimonial Honour*, 207.

<sup>209</sup> Rogers, *Matrimonial Honour*, 236.

<sup>210</sup> Rogers, *Matrimonial Honour*, 216.

princely?” Then he continues to elaborate.

“He that dares strike against the husbands freedom,  
The Husbands Curse stick to him, a tam’d Cuckold,  
His Wife be fair and young, but most dishonest,  
Most impudent, and have no feeling of it,  
No conscience to reclaim her from a Monster,  
Let her lye by him like a flattering ruine,  
And at one instant kill both Name and Honour,  
Let him be lost, no eye to weep his end,  
Nor find no earth that’s base enough to bury him.  
Now Sir, fall on, I am ready to oppose ye.”<sup>211</sup>

Within the domestic sphere the husband’s “freedom,” his authority (as conceptualised by Leon) is absolute and defended even against the authority of the Duke – who, as he is reminded, has failed to conform to the conventional codes of hospitality.<sup>212</sup> Social status is thus made subject to the performance of corresponding (moral) codes of behaviour, and the virtuous husband emerges as “the Prince of the household, the domesticall King,”<sup>213</sup> as William Whately called him. He has the right – and duty – to oppose anyone who threatens his honour and his wife’s chastity. Margarita, the unchaste wife, now emerges as the true “monster.”

The duke is not easily discouraged, however. Neither is Margarita willing to accept the situation. She and her suitor(s) devise a number of ploys to dispose of the unwanted husband. But none of them are successful as Leon remains staunchly unshaken, and continuously displays a concern for economic household matters, which sets an example for Margarita, who has so far neglected these issues, and appears increasingly childish and ridiculous in her attempts to evade her husband’s authority. Finally, she proclaims her total obedience at the height of the plot development, in the fifth act: Wherever he goes, she will “wait upon [his]

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<sup>211</sup> Fletcher, *Rule a Wife, and Have a Wife*, 289 (act 3).

<sup>212</sup> The tensions arising from aristocratic rulers’ desires for or their transgressive designs on the wives of their subjects are explored in numerous contemporary plays, mainly tragedies. To name but some examples: Dekker’s *Match me in London* (Cordolente is robbed of his wife by the King of Spain), Beaumont & Fletcher’s *The Maid’s Tragedy* (the King marries his mistress Evadne off to one of his promising young courtiers who has to break his engagement for the marriage; after their wedding, the King still expects Evadne to continue the affair), Beaumont & Fletcher’s *The Double Marriage* (Ferrand, the “libidinous tyrant” of Naples takes Virolet’s “matchless wife” Juliana prisoner and tortures her while Virolet falls in love with an amazon at sea), Middleton’s *Women Beware Women* (Leantio’s young wife Bianca is wooed by the Duke of Florence in her husband’s absence). Consider also Webster’s *The White Devil*, where the Duke of Brachiano’s violent passion for Vittoria fuels the plot in which his wife and her husband are murdered.

<sup>213</sup> Whately, *A Bride-Bush, or, A Direction for Married Persons*, 204.

pleasure,” even live in a hollow tree with him.<sup>214</sup> Whether truthful or just an act, her husband regards this declaration as a sign of her recognition of wifely duties, and, consequently, the marital hierarchy is once more reversed.

“*Leon*. I, now you strike a harmony, a true one,  
When your obedience waits upon your Husband,  
And your sick will aims at the care for honour,  
Why now I dote upon ye, love ye dearly,  
And my rough nature falls like roaring streams,  
Clearly and sweetly into your embraces.  
O what a Jewel is a woman excellent,  
A wise, a vertuous and a noble woman.  
When we meet such, we bear our stamps on both sides,  
And through the world we hold our currant virtues,  
Alone we are single medals, only faces,  
And wear our fortunes out in useless shadows,  
Command you now, and ease me of that trouble,  
I’le be as humble to you as a servant,  
Bid whom you please, invite your noble friends,  
They shall be welcome all, visit acquaintance,  
Goe at your pleasure, now experience  
Has link’t you fast unto the chain of goodness”<sup>215</sup>

Once more Leon’s earlier authoritative demeanour is revealed as a strategy to arrive at a certain end. Leon’s goal in his former attempts to correct his wife, as it is presented here, is not rough subjection. Instead, he draws on an image of marital harmony, loving care, and trust marked by the mutual acceptance of domestic responsibilities. He treats his wife with utter respect, and is even willing to hand the “trouble” of authority back to Margarita. This, then, is the suitable way to prevent wifely adultery: not to subject a wife totally, but to instil in her a sense of honour, responsibility for the common good of marriage, and then grant her more authority, not less.

Again, there are parallels to be found in this passage to Daniel Rogers’ marriage tract, which pointed out that it was prudent that a man sometimes willingly resign his manly authority,<sup>216</sup> that it was “the honour of a man sometimes to be under himselfe, to forget his

<sup>214</sup> Fletcher, *Rule a Wife, and Have a Wife*, 293 (act 5).

<sup>215</sup> Fletcher, *Rule a Wife, and Have a Wife*, 293 (act 5).

<sup>216</sup> Rogers, *Matrimonial Honour*, 238.

strength that there might be a vertuous and more generous forbearance of authority” over the wife, or, as Rogers did not fail to call her, especially after having made this point, “over the weak vessel.”<sup>217</sup>

Authority or authoritative behaviour, both in Fletcher’s comedy and in Rogers’ conduct book is thus a conscious act performed with special intentions in mind rather than the unreflected execution of a natural right. Correspondingly, obedience is taken as a performative marker of the wife’s normative frame of mind, a sign that she would refrain from adultery and vain excesses, a sign that she cares for her honour – a kind of honour which only fully enfolds not in single persons individually, but through their marital union. A loving, harmonious marriage in which both partners take responsibility for their reputations and public credit is thus presented as preferable to a relationship in which the husband has to restrict his wife at every step.

The vulnerability of this equilibrium is indicated directly after Leon’s declaration, when news arrive that the Duke has been wounded outside Leon’s and Margarita’s house and is now brought in to be attended to. Leon suspects that this is “some new device, / some trick upon [his] credit,”<sup>218</sup> and he fears that his wife is involved in the scheme. He asserts that wife-governing is a daunting task, more taxing than “guid[ing] a ship Imperial / Alone, and in a storm.” On the verge of exasperation, he demands of his “sweet wife” why she puts him “to these daily pastimes on [his] patience,” why she still has need of other men when he has done everything to satisfy her sexually.<sup>219</sup>

“What doest thou see in me, that I should suffer thus,  
Have not I done my part like a true Husband,  
And paid some desperate debts you never look’d for? [...]  
Have I not kept thee waking like a hawk?<sup>220</sup>  
And watcht thee with delights to satisfy thee?  
The very tithes of which had won a Widow.”<sup>221</sup>

His manly performance cannot be lacking, Leon argues. A mere percentage of his efforts

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<sup>217</sup> Rogers, *Matrimonial Honour*, 239.

<sup>218</sup> Fletcher, *Rule a Wife, and Have a Wife*, 294 (act 5).

<sup>219</sup> Fletcher, *Rule a Wife, and Have a Wife*, 294 (act 5).

<sup>220</sup> Petruchio, the wife-tamer of Shakespeare’s *The Taming of the Shrew* similarly refers to his new shrewish wife Katharine as a “falcon.” Like Margarita, Katharine is deprived of sleep by her husband, only without the strong implications of sexual intercourse and pleasure which characterise this passage from Fletcher’s play. Cf. William Shakespeare, *The Taming of the Shrew* (Thomson, Ann, ed., 2003), 4.1.161-178. Significantly, in her commentary to her edition of *The Taming*, Ann Thompson (2003: 126) points out “it is worth noting that the purpose of training a falcon is not to break the bird’s spirit.” Correspondingly, it has already been suggested that it is not Leon’s aim to break Margarita’s spirit.

<sup>221</sup> Fletcher, *Rule a Wife, and Have a Wife*, 294 (act 5).



would have been sufficient to satisfy a widow, a sexually sophisticated, stereotypically voracious woman. Adultery, or the threat of it, here is understood as caused by female desires unsatisfied in marriage. Margarita agrees, Leon has “done handsomely” in this respect, but delivers a counter-allegation: he has not let go of his initial anger and mistrust. Though her husband protests, she insists: “You carry a kind of bedlam still about ye.”<sup>222</sup>

The lesson is that they *both* have to learn and to accommodate each other if they want to live peacefully. Yet again, this reflects a thought expressed by Daniel Rogers a few decades later, who argues that the “man of understanding [...] had need of such a woman as to his cost, may teach him to understand himself better”<sup>223</sup> which will ultimately enable him to understand his wife.<sup>224</sup> Marriage thus is an ongoing process of learning about oneself and about one’s spouse. Consequently, Leon, is driven to *aporia*, to the limit of his capabilities, of his self-assurance, before he will be assured of Margarita’s commitment to him. But Leon refuses to surrender. Instead, he makes a renewed, forceful assertion of his authority over the normativity of both mind and body of his wife.

“I’le have thee let blood in all the veins about thee,  
I’le have thy thoughts sound too, and have them open’d,  
Thy spirits purg’d, for those are they that fire ye,  
Thy maid shall be thy Mistris, thou the maid,  
And all those servile labours that she reach at,  
And goe through cheerfully, or else sleep empty,  
That maid shall lye by me to teach you duty,  
You in a pallet by to humble ye,  
And grieve for what you lose.”<sup>225</sup>

If his wife, indeed, cannot be brought to care for their honour by love and attention, if one man is not enough for her, Leon will take more drastic measures to ‘purge’ her. The severity of his proposed measures mirrors the transgressiveness of what he presumes to be her intended line of action. Indeed, the climactic pathos used here is more tragic than comic: this is surely a point where marital discord ceases to be comical, where the play could drift into catastrophe rather than a happy ending.

Leon threatens another reversal of hierarchies, reiterating the image of the wife as servant, this time elaborating, explicitly delineating the consequences. She will change places

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<sup>222</sup> Fletcher, *Rule a Wife, and Have a Wife*, 294 (act 5).

<sup>223</sup> Rogers, *Matrimonial Honour*, 205.

<sup>224</sup> Cf. Rogers, *Matrimonial Honour*, 204.

<sup>225</sup> Fletcher, *Rule a Wife, and Have a Wife*, 294 (act 5).

with her maid, serving her and going hungry if she shows a bad attitude.<sup>226</sup> This changing of places in *Rule a Wife and Have a Wife* has a dramatic function, too, as it reiterates the other important plot of the play in which a trickster servant girl presents herself as the mistress of Margarita's house in order to snag a husband. Again, according to Leon's threat, Margarita will be made to experience a role which she had originally designed for her husband: patiently bearing, even watching how he sleeps with other women. Adultery, or rather, the threat of adultery, here serves as a didactic measure. The prospect of being forced to witness her husband's sexual intimacies with other women is delivered at a strategically perfect time, namely, immediately after Margarita has been reminded of how pleasurable lovemaking with her husband can be, and hence she can appreciate exactly what she herself will lose.

Ultimately, Leon's speech may also be read as an appeal to the emotional bond which has been created between the spouses through the physical consummation of their marriage. Thus, if, as Anthony Fletcher has argued, *The Taming of the Shrew* "is about the delay of sexual pleasure until the relationship is right,"<sup>227</sup> *Rule a Wife and Have a Wife* shows how sexual pleasure may be actively employed as a didactic measure in order to set the marital relationship right. This is especially important as the 'flaw' in Margarita's character, from the start, has been her youthful overabundance of sexual energy. But not only from a medical point of view, but also from the perspective of marital advice literature Leon may be quite justified in establishing a sexual relationship with his wife. This emotional-sexual bond of marital sexuality, encapsulated in the traditional, reciprocal concept of "due benevolence," William Gouge and his fellow marriage advice authors fiercely insisted, was crucial ingredient of successful marriage as well as an essential preservative against adultery.<sup>228</sup> Significantly, already the play's title can be interpreted as alluding to the link between conjugal sex: "*have a wife.*"

In the end, Leon's strategy is successful as Margarita concedes,  
 "I have lost my self Sir,  
 And all that was my base self, disobedience, [kneels]  
 My wantonness, my stubbornness I have lost too,  
 And now by that pure faith good wives are crown'd with,  
 By your own nobleness."<sup>229</sup>

<sup>226</sup> This motive of switching places within the domestic hierarchy for educational purposes apparently has a history in folk-tale treatments of shrew-taming plot. Cf. Scragg (2000: 94).

<sup>227</sup> Fletcher (1995: 107).

<sup>228</sup> Cf. Gouge, *Of Domestic Duties*, 221-224. Fletcher (1995: 113) & Fletcher (1994: 176f.), Dubrow (1990: 25).

<sup>229</sup> Fletcher, *Rule a Wife, and Have a Wife*, 295 (act 5).

Margarita's words and her 'kneeling for peace,'<sup>230</sup> avow her conversion in a demonstration of obedience. Margarita has "lost her self," she has now cast off her identity as a carefree single young girl and accepts a new identity: that of a married woman. Leon accepts her declaration and immediately relents: "I take ye up, and wear ye next my heart," which again elevates her spatially and once more evoke the harmonious, egalitarian union he had earlier advanced. However, as with Shakespeare's Katherine, we might ask, is Margarita's obedience only an act (in an act)? Margarita's hint at Leon's "madness" is significant in this respect: her demonstration of obedience, just as pronouncedly dramatic as his threat, may be viewed as a de-escalation strategy to cool her husband's temper. More generally, one might argue that by performing the *role* of the ideally obedient wife, Margarita has indeed discovered the tool to finally manage her husband in such a way as to make him grant her a relatively equal position within their marriage – next to his heart. As long as she maintains this (outward) performance through the reiteration of certain acts demonstrating a sense of honour and duty, she will be able to ensure her husband's trust and thus enjoy a greater degree of independence and have more say in household matters, as Leon had promised earlier.

Margarita is given her chance to win Leon's trust by scaring and ridiculing the trapped Duke, and chiding him for his foolishness to attempt to seduce her into adultery. No doubt remains, the ultimate fool in this whole scenario is the unsuccessful suitor, the would-be adulterer. Importantly, it is Margarita, not Leon, who now asserts her authority to finally put the Duke in his place and discourage any further advances. This authority, however, is backed up by the husband. As Margarita declares, she "now stand[s] in a circle and secure" so that the duke's "spells nor power can never reach [her] body."<sup>231</sup> The spell which Leon had pledged to cast about Margarita's feet,<sup>232</sup> thus emerges as not as some sort of fetters, but as a magically protective circle against the advances of anyone who would test Margarita's chastity. Finally, the discourse of male servitude is revisited as the Duke, having recognised his mistakes, vows to be Margarita's true, chaste and virtuous servant. Leon generously forgives his rival and proclaims the virtuousness of his wife as established: "wife, you are a right one / And now with unknown nations I dare trust ye."<sup>233</sup> Wives make themselves servants to their good

<sup>230</sup> Cf. Katherine in *The Taming of the Shrew*, 5.2.162. Kneeling is a central gesture of female subjection to male authority in the theatrical context. Cf. also, for instance, the repentant Evadne's prolonged prostration to her husband Amintor in Beaumont & Fletcher's *The Maid's Tragedy*, 4.1.189-263. Katherine, the reformed shrew, ultimately also affects to put her hands under her husband's foot as a sign of total obedience (5.2.177-179). Francis Beaumont & John Fletcher, *The Maid's Tragedy*, in *Four Jacobean Sex Tragedies* (Wiggins, M., ed., 1998), 75-160.

<sup>231</sup> Fletcher, *Rule a Wife, and Have a Wife*, 295 (act 5).

<sup>232</sup> Fletcher, *Rule a Wife, and Have a Wife*, 288 (act 3), see above, 271. Cf. also Proverbs 7.11, describing the characteristics of a harlot: "She is loud and stubborn, her feet abide not in the house."

<sup>233</sup> Fletcher, *Rule a Wife, and Have a Wife*, 296 (act 5).

husbands, good husbands make themselves servants to their reformed wives, reformed suitors make themselves servants to chaste wives, in the end, as one character summarises, everybody should make the best out of their situation and be a servant to one thing: virtue.<sup>234</sup>

This ‘virtue,’ of course, coincides with the performance of certain, normative gender roles which, moreover, can only be fully credible if it holds up against temptations and trials. Fletcher’s play demonstrates that manliness and marital government are based on the conscious performance of certain roles and on making decisions in the best interest of all involved. With the right sort of performance the husband can guide his wife towards a responsible, active, self-assertive form of virtue, by which normative femininity is encompassed here. But such virtuous wives then can educate men, too. They can fulfil the role of a guide towards virtue, just as Margarita finally instructs the Duke. Ultimately, the hierarchies in this play are reconfirmed not according to social rank or wealth, but on the basis of virtue.

I would suggest that the play was so popular because the issues herein portrayed, the questions of male authority (Leon) in relation to female authority (Margarita) and other men’s authority (Duke) were of central concern to early modern English audiences, and not only the stuff of Spain, as the prologue claims ironically. Critics such as Sandra Clark are certainly right to stress the focus of the plot on female education. However, I would argue that the preoccupation with male responsibilities is equally – if not more – prominent. The imperative of the play’s title already puts a stress on male agency. Alternatively it may be read as a “how to” instruction, which similarly addresses male viewers.

Moreover, the example of Margarita suggests that wives cannot be subdued if they are to withstand suitors. Had Margarita been mild and timid from the start she might not have been able to tackle the determined advances of the Duke in the end and teach him his lesson in virtue. An originally “proud” woman who has learned to love just one particular man and to accept only his wise and well-directed authority – and share it – may be less in danger of succumbing to the authority of just any other man than a woman who is generally meek and obedient. This is a crucial observation which will be revisited repeatedly in the following sections.

In a sense, it is justified to speak of a ‘correction’ of power relations in this comedy. However, power relations are not simply corrected in such a way as to reverse the initial hierarchy between Margarita and Leon. Rather, marriage is presented as a (continuous)

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<sup>234</sup> Juan de Casto: “Your colours you must wear, and wear ‘em proudly, / Wear them before the bullet, and in bloud too, / And all the world shall know / We are Vertues servants.” Fletcher, *Rule a Wife, and Have a Wife*, 296 (act 5).

process of negotiation of hierarchies which aims at an equilibrium, a (near) power balance between the two spouses, and which, as we have seen, is concurrent with what many conduct authors envisaged. Leon's assertion of husbandly authority emerges as a special kind of performance for didactic means which serves to ingrain an awareness in the wife of her marital role and duties, but as soon as this is established, husbandly force must recede in order to guarantee a harmonious cohabitation. Considering this balanced take on the conjugal relationship, I find it difficult to concur with Sandra Clark that this play presents an "orthodox morality of marriage."<sup>235</sup>

Finally, if we consider that Margarita's initial desiderata in marriage were the ability to have lots of sex and to salvage her reputation at the same time, we must concede that her wishes apparently have been met – only in a way she has not foreseen. Thus, the play reinforces a notion of a strong feminine sexuality which may sway towards illegitimate, boundary-breaking forms of expression, but, like prescriptive texts, it relocates and contains this sexuality firmly within the normative context of legitimately governed marriage. Considering Leon's vigour and the ardour of Margarita's other suitors, the same apparently applies to masculine sexuality. The end of this comedy, then, is not the formation of marriage itself, but the establishment of legitimacy within marriage; in other words, getting newly-formed marriages on the right track. Adultery, again, is symptomatic of a discordance in marital power relations. *Rule a Wife and Have a Wife* highlights the husband's role in working towards a conventional, i.e. chaste and economically successful kind of marriage. This role, of course, could also be highlighted negatively, if husbands were portrayed as irresponsible or too authoritative. These husbands, then, did not educate or govern their wives correctly, they themselves needed to be educated, to be trained. And who better to do this than their wives? Literary criticism tends to focus on shrew- or wife-taming, but other dramatic plots existed which revolved around the education, even the 'taming,' of husbands in order to establish a mutually satisfactory marital harmony, to prevent or even rectify adultery. Examples of these plots will be scrutinised in the next section.

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<sup>235</sup> Clark (1994: 150).

### 6.3. Husband-Taming

“Wedding and ill wintering, tame both man and beast.”

Proverb<sup>236</sup>

“They [husband and wife] must shunne, as a monstrous treacherie, the publishing of one anothers faults and frailties, or the discovering of one anothers secrets; I meane those things, which, in hope of priuacie, they haue communicated one to another.”

William Whately<sup>237</sup>

As we have seen, adultery, or the threat of adultery, appears as a marker of a dysfunctional conjugal equilibrium. But adultery can also be a functional (educational or pressurising) element in couples’ negotiations of practicable marital hierarchies. Moreover, since marriage had an important economic basis, adultery, as a disturbance of marital functionality, was also closely connected to issues of domestic economy. This link will be explored more thoroughly in the following two sections. First, however, I shall examine an example of ‘husband-taming’ which will complement my discussion of Fletcher’s *Rule a Wife and Have a Wife*.

The education of an overly authoritative husband is precisely the theme of another of John Fletcher’s comedies, *The Woman’s Prize, or the Tamer Tamed*.<sup>238</sup> This comedy, which takes husband-taming as its eponymous focal point, presents itself as a sequel to Shakespeare’s *The Taming of the Shrew*. Petruchio has married a second time: Maria, who is modest and tender and not shrewish or ‘untamable’ at all, as some cursory criticism has suggested.<sup>239</sup> There is an almost ubiquitous concern at the beginning of the play that Petruchio’s temper, which has been provoked by his first wife, will now undeservedly target his second wife, who will be totally controlled in each of her movements and suffer greatly from this, maybe even lose her life – after all, the much more sturdy Katharine is already dead. Maria resolves to be a new woman, to stand up against her new husband in order to

<sup>236</sup> Ray, *A Collection of English Proverbs*, 47.

<sup>237</sup> Whately, *A Bride Bush, or, A Wedding Sermon Compendiously Describing the Duties of Married Persons* (London, 1617), C.

<sup>238</sup> The date of the play is contested. It was first published in the first folio edition of Beaumont’s and Fletcher’s plays (1647), but is now attributed solely to John Fletcher. All following quotations refer to the first folio edition. It should probably be noted that a revival of the play in 1633 by the King’s Men at court was halted by Sir Henry Herbert, the Master of Revels, who apparently considered it too offensive for performance until it had been cleared of “oaths, prophaness and ribaldrye.” Whether this refers specifically to the female insubordination staged in the play remains in the dark. Cf. Bergeron (1996: 146), Smith (1995: 39).

<sup>239</sup> E.g. Boose (1991: 179).

teach him a lesson. A woman, Maria argues, “[t]hat lives a prisoner to her husbands pleasure, / Has lost her making, and becomes a beast, / Created for his use, not fellowship.”<sup>240</sup> Again, marriage will breed a ‘monster’ if not conducted correctly. Husbandly authority must not be exaggerated.

On closer inspection, Maria’s ultimate aim, thus, is not total rebellion for rebellion’s sake as might be rashly suggested, but a more reciprocal allocation of marital duties, *fellowship*. As Maria consciously makes a decision on how to behave in the future, and deliberately orchestrates the following events, it is clear that she puts on an act in order to educate, or “tame” her husband. The most important means to convey her message, rather contrary to *Rule a Wife and Have a Wife*, is a Lysistrata-like refusal of sex, in this case, of the very consummation of marriage.<sup>241</sup> In certain respects, this is only logical since the sexual gratification encapsulated in the concept of ‘due benevolence’ is based on reciprocity – a reciprocity which cannot exist where a husband uncharitably pulls all the strings.

Faced with his wife’s refusal, Petruchio is advised by his friends to just seek his pleasure elsewhere,<sup>242</sup> yet he initially does not make any respective moves. Through the battle which follows Petruchio makes several concessions to his wife and eventually moves back into his house. However, when his wife still refuses sexual intimacies, he threatens to seduce Maria’s chambermaid – a manoeuvre quite similar to Leon’s final warning to Margarita. The evocation of adultery here is used as a marker of the escalation of the marital conflict, but also as a pressurising moment in the negotiation of marital power relations. Maria remains unperturbed and stirs Petruchio’s jealousy by calmly answering his threat in kind, “that there was one cal’d *Iaques*, a poor butler, / One that might well content a single woman.”<sup>243</sup> If Petruchio fails to comply to his role as a husband (and is consequently further denied the consummation of their marriage), Maria, according to her reasoning, may count herself a single woman and seek her pleasure elsewhere.

The conflict drags on and intensifies, still, Maria always maintains that she loves Petruchio and will be happy to be with him if he shapes up. Petruchio devises the ultimate test of his wife’s commitment. Pretending to be dead, he is carried onto the stage in a coffin.

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<sup>240</sup> Fletcher, *The Woman’s Prize*, in *Comedies and Tragedies Written by Francis Beaumont and John Fletcher, Gentlemen* (London, 1647), 97-123, cit. 98 (1.2.).

<sup>241</sup> As Molly Smith (1995: 52) has rightly pointed out, “Maria begins her rebellion by withholding sex, but moves well beyond such monolithic interpretations of male-female relationships.” The point remains, however, that the refusal of sexual intercourse is constructed in the play as the central determiner of Maria’s power over Petruchio. Combined with recurrent professions of wifely love, it contributes greatly to Petruchio’s increasing desperation and remains crucial until the very end of the play. In this respect, consider, for example, also Maria’s statement “I know you love me, / Mad till you have enjoy’d me” (115 (4.1.)).

<sup>242</sup> Fletcher, *The Woman’s Prize*, 102 (1.3.).

<sup>243</sup> Fletcher, *The Woman’s Prize*, 110 (3.3.).

Maria's performance now reaches its climax. She weeps not for the man who has passed away, but for the life he has thrown away while he still lived: "His poore unmanly wretched foolish life, / Is that my full eyes pity, there's my mourning."<sup>244</sup> Maria contends her husband was "far below a man, [...] far from reason, / From common understanding, and all Gentry," who only lived to "[beget] more follies," in other words, another 'monster' of a spouse.<sup>245</sup> Rationality and self-government again emerge as the central components of normative husbandly identity. It was her concern for his reputation, Maria declares, which made her deny her husband the means to raise his follies.<sup>246</sup> Maria's ostensible aim thus corresponds to Leon's in *Rule a Wife and Have a Wife*.

It is at this very point that Petruchio rises from his coffin, apparently shocked by Maria's words, stumbling, confused. Maria, obviously satisfied with his reaction, relents.

"Mar. I have done my worst, and have my end, forgive me;  
 From this houre make me what you please: I have tam'd ye  
 And now am vowed your servant: Look not strangly  
 Nor fear what I say to you. Dare you kisse me?  
 Thus I begin my new love."<sup>247</sup>

The worst Maria has been able to do has been to drive her husband to symbolically kill himself, only to have him rise again a different and reformed man.<sup>248</sup> Maria has driven out Petruchio's irrationality, she has 'tamed' the beast by making him human, sensible. In a fashion which is again quite similar to Leon's pledge to serve his wife, Maria makes a vow to serve her husband, which suspends her earlier-voiced fears of being subdued.<sup>249</sup> Maria's whole performance is aimed at fostering the recognition that good household government takes more skill and careful assessment of a wife's needs than Petruchio has hitherto displayed. Maria's measures in educating her husband are surely designed to be entertaining to her audience, possibly outrageous in their forwardness, but the bottom line of her argument is in correspondence with the advice given by conduct book authors. In short, her means may be unconventional, but her goal is not.

If we compare those two Fletcherian plays, *Rule a Wife and Have a Wife* and *The Tamer Tamed*, the following scenario emerges: The aim of taming a spouse is not to gain full control over him or her, but to establish a marital equilibrium. This equilibrium is by nature

<sup>244</sup> Fletcher, *The Woman's Prize*, 122 (5.4.).

<sup>245</sup> Fletcher, *The Woman's Prize*, 122 (5.4.).

<sup>246</sup> Fletcher, *The Woman's Prize*, 122 (5.4.).

<sup>247</sup> Fletcher, *The Woman's Prize*, 122 (5.4.).

<sup>248</sup> Petruchio himself states "I am born again." Fletcher, *The Woman's Prize*, 122 (5.4.).

<sup>249</sup> Fletcher, *The Woman's Prize*, 122 (5.4.).



precarious, yet this does not justify the ceaseless application of authoritative didactic pressure. The epilogue of *The Woman's Prize*, finally, stresses the importance of this marital mutuality:

“The Tamer’s tam’d, but so, as nor the men  
Can finde one just cause to complaine of, when  
They fitly do consider in their lives,  
They should not raign as Tyrants o’r their wives.  
Nor can the women from this president  
Insult, or triumph: it being aptly meant,  
To teach both Sexes due equality;  
And as they stand bound, to love mutually.”<sup>250</sup>

Thus, echoing the concerns of advice authors, comedies apparently focused on husbandly duties, evoking an ideal of an ‘understanding man,’ a caring husband who could govern himself and others wisely, whereas a man who treated his wife roughly and violently was portrayed as irrational and tyrannical.<sup>251</sup> “Equality” as advanced in *The Tamer’s* epilogue, however, does not necessarily mean that both partners should be exactly equal in position, but that they should show an equal care for their respective responsibilities, their reputations, and consider each other’s needs.<sup>252</sup> Thus, at the very core of both plays discussed above is the *reciprocity* of marital duties, not a simple inversion of supposedly unassailable hierarchies. What is foregrounded is the performance quality of marital roles, and the instability of both the marital hierarchy and harmony which rest on a very delicate balance. Marital sex plays an important role in both working towards and signifying this harmony,<sup>253</sup> adultery, of course, signifies its breakdown.

While *The Tamer Tamed* and *Rule a Wife and Have a Wife* emphasise problems of marital authority, economic issues are not especially pronounced. Still, there are recurrent suggestions that a disbalance of conjugal relations had negative consequences for the economic integrity of the household. Both Maria and Margarita, for instance, to spite their husbands, have feasts and squander household resources. The economic connotations of adultery are foregrounded more distinctively in other plays, for instance in Richard Brome’s *A Mad Couple Well Match’d*, which has already been shortly discussed above.<sup>254</sup> This comedy,

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<sup>250</sup> Fletcher, *The Woman's Prize*, 123 (Epilogue). There is controversy about the authorship of the prologue and epilogue, however. Cf. Smith (1995: 45n7).

<sup>251</sup> Conduct authors explicitly warned against husbandly tyranny. Connected to this is also their caution against husbandly bitterness. Both are fused in the ‘bitter tyrant’ stereotype. Cf. Shepard (2003: 81f. & 84).

<sup>252</sup> This fact is not generally recognised, see for instance Molly Smith’s (1995: 52) appraisal.

<sup>253</sup> In fact, it is used as in Shakespeare’s *Taming of the Shrew* as well, in Petruchio’s closing exclamation “Come Kate, we’ll to bed,” upon which – after a few words to Lucentio – he exits with his wife (5.2.184).

<sup>254</sup> Richard Brome, *A Mad Couple Well Match’d*, in *Five New Plays* (London, 1653), B-H2. The play may have

according to Algernon Swinburne's verdict, is "very clever, very coarse, and rather worse than dubious in the bias of its morality," yet artistically Swinburne found nothing wrong with it.<sup>255</sup> Even 21<sup>st</sup> century commentators marvel at the play's licentiousness. "The extent of extra-marital promiscuity in this play," Matthew Steggle, for instance, has noted, "is remarkable."<sup>256</sup> Indeed, in its presentation of sexual transgressions, or debauchery *A Mad Couple* may be considered a forerunner of Restoration style comedy.<sup>257</sup> Yet, I want to argue, on closer inspection, the play's morals do not seem all this dubious. In *A Mad Couple Well Match'd* adultery is used to explore both the wife's role in household government and the husband's responsibility in this respect. This is done from two different angles which both highlight the economic dimension of adultery – and hence household government. In one plot, Lady Thrivewell manages the financial and emotional strain which has been put on her marriage by her husband's infidelity with one Mrs Saleware. She also educates her husband about the emotional dimension of (sexual) betrayal and tames her rakish nephew. Another, interlinked plot relates the shopkeeper's wife Alicia Saleware's attempts to increase her wealth and social status by having adulterous affairs, while keeping her cuckold husband 'tame' by suggesting they treat each other as 'friends' rather than as husband and wife.

Already in its opening, the play firmly establishes a focus on male sexual transgression and economy when it presents the central character of Carelesse who has obviously squandered all his money by gambling, whoring, siring illegitimate children and other bachelor delights,<sup>258</sup> and now, comically, seems to have no options left except setting up a "Male bawdy house"<sup>259</sup> and becoming a "He whore"<sup>260</sup> or having himself killed somehow. Even Carelesse's uncle, Sir Valentine<sup>261</sup> Thrivewell, who, as a bachelor, had once intended to make Carelesse his heir, has now married and withdrawn his support from his young relative. This uncle, however, is not introduced as a glorious role-model of masculine responsibility or

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been staged as early as 1639.

<sup>255</sup> Swinburne (1926: 329). Swinburne observes, "there is no fault to be found with the writing or the movement of the play; both style and action are vivid and effective throughout." He goes on to compare Brome to Wycherley and to point out the Jonsonian qualities of Brome's style (300).

<sup>256</sup> Steggle (2005: 143). Not only promiscuity, but also 'masochism' and female homoeroticism have been identified in this play. See Steggle (2005: 145), also Steggle (2006: 114), in a review of Panek's (2004) study of *Widows and Suitors* on the early modern (comedy) stage, and Poulsen (2005).

<sup>257</sup> Bonamy Dobree as cited in Steggle (2005: 142).

<sup>258</sup> Carelesse's "undecent hair" and "garish apparel" contribute to his rakish air. Cf. Brome, *A Mad Couple Well Match'd*, 1.1., [B5]. Generally, this opening is another parallel to Restoration comedies as, for instance, Congreve's *Love for Love* (1695). This play, moreover, shares with *A Mad Couple* an interest in the problem of generational conflict between a rich father figure and a financially dependent or disadvantaged (adoptive) son.

<sup>259</sup> Brome, *A Mad Couple Well Match'd*, B2<sup>v</sup> (act 1).

<sup>260</sup> Brome, *A Mad Couple Well Match'd*, B2<sup>v</sup> (act 1).

<sup>261</sup> In the *dramatis personae* section he is introduced as "Sir Val. Thrivewell," but is also variously called "Sir Oliver" and "Sir Anthony," D7, E3<sup>v</sup> (act 3) & [G5<sup>v</sup>] (5.2.).

capability, either. As Carelesse asserts, “I vex’d him into Wed-lock, for before he valud not a Wife at a batchelors Button.”<sup>262</sup> On top of that, Sir Thrivewell has so far failed to produce an heir. This, in turn, may be to Carelesse’s advantage. But then his mistress Phebe turns up, professes to be pregnant (in contrast to his uncle Carelesse seems to have no problems fathering children), demands satisfaction and threatens legal action for breech of promise.<sup>263</sup> Needless to say that a bastardy-fine plus alimony would be a severe strain on Carelesse’s already compromised financial situation, yet, on the other hand, marriage to a whore is likely to sever the improving relationship with Thrivewell. In connection to Phebe, the last dubious male character of the play is introduced: her kinsman Master Saleware, who, being one of Carelesse’s debtors, is willing to back up her cause morally and financially, but happens to have the reputation of being a cuckold, which clearly diminishes his standing in this negotiation, as well as his social status in general. Not a single heterosexual relationship, it seems, is in order at the beginning of this play. In the following, we shall examine the marriages of the Thrivewells and Salewares more closely.

The play introduces the Thrivewells in the middle of an intimate conversation which conveys the impression that they care for each other and respect each other. Lady Thrivewell remarks that her husband has lately been melancholy and has acted strangely towards her, but Sir Thrivewell is reluctant to disclose the reason for his behaviour. Appealing to an ideal of companionate marriage in which the wife is the husband’s friend and ‘helpmeet,’ she claims “[there] has beene many examples of discreet women that have not onely kept their husbands concells, but adivse and help ‘em in extremities, and deliver’d them out of dangers.”<sup>264</sup> After much gentle pressing, and her promise to forgive whatever he might have done, Sir Thrivewell finally considers coming clean, musing that his wife might be trusted for basically two reasons: since she has exceptional qualities (she is “discreet” and has “a fortitude / Above the boast of women”), and since he is “enough above her” to cope with her reaction should she be unable to keep her promise to forgive him.<sup>265</sup> What is outlined here is a concept of marriage very concurrent to those advanced by conduct writers, who stressed both equality and difference. Sir Thrivewell is willing to consider his wife equal enough for him to trust and confide in her, yet he maintains that there still exists an ultimate hierarchy between them, which will protect him from her possible revenge. Nevertheless, before he discloses his secret, he has his wife renew her pledge to forgive him twice, and although he confesses to have

<sup>262</sup> Brome, *A Mad Couple Well Match’d*, B4 (act 1).

<sup>263</sup> This passage has already been quoted above, 79n194.

<sup>264</sup> Brome, *A Mad Couple Well Match’d*, [B7<sup>v</sup>]f. (act 1).

<sup>265</sup> Brome, *A Mad Couple Well Match’d*, [B8] (act 1).

wronged her, to have “prophaned” the “Altar” of their marital bond, he shies from specifying this wrong. Finally, Lady Thrivewell becomes impatient:

“*La.* Leave these perambulations; to the point:

You have unlawfully lyen with some woman!

*Thr.* ’Tis said; and now your doome.”<sup>266</sup>

Although, later in the action, Lady Thrivewell will assert that she has been severely hurt by her husband’s adultery,<sup>267</sup> she now stays true to her promise not to show anger and makes light of her husband’s offence, stating that few husbands are faithful, that “of five hundred / That now might overheare us<sup>268</sup> [...] / Could be pick’d out a twelve good men and true.”<sup>269</sup>

Importantly, the audience here are called upon as witnesses to this intimate conversation between husband and wife, and as judges of Sir Thrivewell’s transgression. Yet, according to Lady Thrivewell, male adultery is ubiquitous so there is hardly anyone who might legitimately accuse and judge Sir Valentine, and hence Lady Thrivewell’s own verdict is adjourned. While prescriptive discourse might argue that women by nature were incapable of perfect normativity, wherefore husbands should be patient with them, in Lady Thrivewell’s argument matters are reversed.<sup>270</sup> Accordingly, Lady Thrivewell proves a patient wife, but just as husbands would have been excessively patient had they become contented cuckolds, so this wife does not take her husband’s adultery too lightly.

Lady Thrivewell conjures up the – not too uncommon – image of a female cuckold<sup>271</sup> by stating that she has felt “an ache upon these browes” since her husband had last been to town, thus admitting that she had suspicions of her husband’s infidelity, and endeavours to uncover the exact details of Sir Valentine’s transgression. Her husband relates his lover’s name “as faithfully as to [his] confessor”: it is “*Light Weight Saleware*,” the wife of the “Silke-man.”<sup>272</sup> Of course, this whole scenario again appeals to the stereotypical notion that citizen’s wives have illegitimate affairs with aristocratic gentlemen, which was already at the heart of Sir Timothy Troublesome’s suspicions of his wife’s visitors in *Cupid’s Whirligig*, and

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<sup>266</sup> Brome, *A Mad Couple Well Match’d*, [B8<sup>v</sup>] (act 1).

<sup>267</sup> Cf. Brome, *A Mad Couple Well Match’d*, [F8] (4.4.).

<sup>268</sup> This constitutes a reference to the audience. “Gallants” and “substantial gentlemen” were members of the upper sections of society, which constituted the main part of the target groups of private theatres like the Cockpit/Phoenix for which this piece was probably produced. Such houses were big enough, moreover, the accept an audience of five hundred men – plus, of course, women who were prominent in private theatres. It has been estimated that the Cockpit, in its 1616 design at least, had a capacity of less than 700 people. Cf., for instance, Gurr (2004: 7, 26, 32, 72, 88, 93). For the play’s production at the Cockpit cf. Butler (2007: unpag.).

<sup>269</sup> Brome, *A Mad Couple Well Match’d*, [B8<sup>v</sup>] (act 1).

<sup>270</sup> Cf. above, 248.

<sup>271</sup> The term “cuckold” was apparently not entirely restricted to men. Cf. Capp (2003: 198).

<sup>272</sup> Brome, *A Mad Couple Well Match’d*, [B8<sup>v</sup>] (act 1).

which is repeatedly alluded to in *A Mad Couple*.<sup>273</sup> Her husband's confession verifies Lady Thrivewell's suspicions, who had noted that her husband had displayed great interest in the Saleware's shop lately, for instance, advertising the shop among his friends. From other clues, the clever wife can even pinpoint the date of her husband's adultery,<sup>274</sup> but what interests her most is on what terms Mistress Saleware has agreed to sleep with him. On this issue she is most insistent, repeating the phrase "on what condition," while prodding "Come this is merry talke,"<sup>275</sup> and demonstrating a certain level of understanding for her husband's reaction to the other woman by acknowledging that "[t]roth, shee's a handsome one."<sup>276</sup> Thus, the economic dimension of this adultery comes into focus. As Sir Thrivewell finally explains, Mrs Saleware subjected him to an expensive and long-winded courting procedure, in which she managed to raise her price by repeatedly rejecting him and – apparently falsely – claiming that she was "no such Woman."<sup>277</sup> Ironically, honesty only serves as a guise to raise the woman's price.

Mrs Saleware's price is at the root of Sir Thrivewell's recent problem. In the end, he paid the enormous sum of one hundred pounds, for which he enjoyed Mrs Saleware's services "last Terme," probably more than a month ago,<sup>278</sup> and for which he expected to be accommodated "Rent-free" henceforth.<sup>279</sup> Although Sir Valentine appreciates the weightiness of his adultery and asserts that "the hid knowledge" of his misdeed would have troubled him greatly,<sup>280</sup> he appears to have made another attempt at sleeping with his paramour only the previous day, upon which he was informed that he would have to pay the same "rate" of one hundred pounds for every individual 'meeting.' Hence the catalyst for his current uneasiness is not so much his bad conscience, but his anger at "foule dealing" of Mistress Saleware, which causes him to "hate her now."<sup>281</sup> This adultery is a business deal, which, to Sir

<sup>273</sup> Lady Thrivewell, for instance, exclaims, "How rich would Citizens be, if their wives were all so paid [as Mrs Saleware demanded to be paid], and how poore the Court and Country!" Brome, *A Mad Couple Well Match'd*, C (act 1), cf. also [B8<sup>v</sup>] (act 1). The fine irony of Lady Thrivewell's remark, of course, consists in the fact that this was a time in which many citizens *did* see an increase in wealth and status, and thus Lady Thrivewell's remark throws a very dubious light on their economic success – and its roots. Cf., for instance, Muldrew (1998: 51-59). For the utterances of concern about merchants' (lack of) business ethics and desire for wealth see Dixon (1999).

<sup>274</sup> "Last Terme" when he did not come home at night and told his wife he "sat up with the three Lady Gamesters." Brome, *A Mad Couple Well Match'd*, C (act 1).

<sup>275</sup> Brome, *A Mad Couple Well Match'd*, [B8<sup>v</sup>]f. (act 1).

<sup>276</sup> Brome, *A Mad Couple Well Match'd*, C (act 1).

<sup>277</sup> Brome, *A Mad Couple Well Match'd*, C (act 1).

<sup>278</sup> "Terme" here most probably refers to the segments of the English legal year (Michaelmas, Hilarly, Easter, and Trinity). This connotation corresponds to Lady Thrivewell's earlier reference to the legal institution of juries. Elsewhere she mentions the time-frame of "a quarter of a year" in close connection to "last Terme." See C3f. (act 2).

<sup>279</sup> Brome, *A Mad Couple Well Match'd*, 1.1., C. In a way, this echoes Master Exhibition's suit to make a long-term "lease" of Lady Troublesome in *Cupid's Whirligig*. Sharpham, *Cupid's Whirligig*, H2 (5.2.). See also above, 192.

<sup>280</sup> Brome, *A Mad Couple Well Match'd*, [B8<sup>v</sup>] (act 1).

<sup>281</sup> Brome, *A Mad Couple Well Match'd*, C (act 1).

Thrivewell's chagrin, has gone sour. Lady Thrivewell, confronted with the fact that her husband has been diverting household resources for his amorous pursuits, agrees that "a hundred pound a time" is an "unreasonable" sum.<sup>282</sup>

Why are citizens' wives so well-suited to be exemplary adulteresses? Because they do business. Courtship, whether legitimate or illegitimate, traditionally has an economic flair since it involves the exchange of gifts and tokens.<sup>283</sup> As economic transactions are part of a merchant's daily business, it may thus be very difficult to discern everyday business from transgressive courtship. This applies to gentlemen's wives and citizens, too, as aristocratic ladies also need to shop for clothes and wares and thus come in close contact with aspiring merchants. These observations suggest that, generally, the line between legitimate and illegitimate business practices is precariously shady.

As the Thrivewell plot demonstrates, the problem is not only to located with the 'disorderly' citizens' wives, but also with the (married) men who are willing to go through great lengths and expenses to seduce these women. Thus, the didacticism of this play, and similar plots in popular literature, even in prescriptive texts, goes well beyond the simple assertion of heterosexual hierarchies, of subduing 'disorderly' women. It is directed at educating men how to be responsible household governors, how to govern not only their wives, but *themselves*. It is also directed at showing women what they could actively do to keep their marriages and households intact. *A Mad Couple Well Match'd* does so through the positive example of Lady Thrivewell.

Lady Thrivewell is a very reliable business associate and she is adept at conflict solving. The aim of her subsequent endeavours is twofold: she rights the economic imbalance caused by her husband's 'investment,' and then proceeds to correct the emotional imbalance in her marriage caused by Sir Thrivewell's adultery, by teaching her husband a lesson in empathy, about how it feels to be cuckolded. But first, in the next scene, Lady Thrivewell goes shopping for silks and laces – and confronts her rival in the Salewares' shop.<sup>284</sup> Of course, this confrontation between the two female rivals has great entertaining potential. Lady Thrivewell maintains her superiority, keeps up the act of innocent customer, yet makes her design clear through numerous comic *double entendres*. Here again, laughter is directed at the sexual rival.

When the Lady has selected a number of items from the shop, she wishes to get down

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<sup>282</sup> Brome, *A Mad Couple Well Match'd*, C (act 1).

<sup>283</sup> Cf. Gowing (1996: 139-179), who devotes a whole chapter to *The Economy of Courtship*.

<sup>284</sup> On the importance of shop-scenes and merchant women in shops in early modern drama see Thomson (2003).

to business.

“But now the price Mistris *Saleware*. I grant your Commodity is good, The Gold and Silver laces, and the Frienges are rich, and I hope well wrought. Has your Man made a note of the particulars, and their prices, at the rate of ready money (for I buy so) and not as you would booke ’em [on credit]. I come with *Here is one for tother*.”<sup>285</sup>

The biting pun on “good commodity,” which directly refers to the woman’s genitals,<sup>286</sup> and the book-keeping of the “particulars and their prices” correlates economic exchange and sexual relations. From another perspective it can be argued that adultery here becomes a tool to expose the concerns relating the authenticity of commodities and related issues of ownership which Douglas Bruster has highlighted in the burgeoning economy at the heart of early Stuart city culture and plays.<sup>287</sup> By outlining her ‘tit for tat’ approach, Lady Thrivewell makes clear that she has come for a fair business transaction, more specifically, as the audience can deduct, for recompense. All in all, the wares she has chosen amount to the price of “an hundred pound eight shillings foure pence, halfe penny,”<sup>288</sup> as Lady Thrivewell herself finally calculates. “I am no good Arithmetician,” the shrewd woman understates, “but if any be overcast, and overpaid, you must allow restitution.”<sup>289</sup> Thus, when the *Saleware*’s servant has left the stage, and it comes to paying, Lady Thrivewell only offers eight shillings, four pence and halfe a penny in coin, explaining:

“I’le tell you that which I thought fit to conceale from your servant; And from your husband too had hee been here, perhaps he knowes not on’t. My husband left with you, or lent you the last Terme a hundred pound, which hee assign’d to me: and now I have it in Commodity. Had you forgot it, when it was to do you a good turne, when your absent husband faild you, and you wanted it.”<sup>290</sup>

The lady’s speech once more is ripe with *double entendre*: the “good turn,” the inability of a significantly *absent* husband to accommodate his wife, and the “it” *Saleware*’s wife wants – all point towards sexual intercourse and female desire. But both the money and the sexual attention are rightfully Lady Thrivewell’s. She dares her rival to contradict her narrative, i.e. that Alicia had been allowed the use of the money “for a whole quarter of a year, through a dead vacation” and that it had been agreed that the Thrivewells would afterwards take out the

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<sup>285</sup> Brome, *A Mad Couple Well Match’d*, C2 (act 2).

<sup>286</sup> The pun on “commodity” signifying a woman’s genitals can be encountered quite frequently in early modern popular texts.

<sup>287</sup> See Bruster (1992: esp. 38-42).

<sup>288</sup> Brome, *A Mad Couple Well Match’d*, C2<sup>v</sup> (act 2).

<sup>289</sup> Brome, *A Mad Couple Well Match’d*, C3 (act 2).

<sup>290</sup> Brome, *A Mad Couple Well Match’d*, C3 (act 2).

sum in wares. She threatens,

“take heed you do not by your sullenness make me suspect another kind of good turne, or that you did my husband any to my injury, nor deny the receipt of his money, lest I take up a violence that will not become mee, nor you be able to beare.”<sup>291</sup>

Thus, if Mistress Saleware does not, through her performance, legitimate Lady Thrivewell’s own script (as the combination of narrative and performance), the Lady will resort to brutal measures which may be unladylike, but will surely harm the other woman or at least her reputation. Not only between husband and wife, but also between female rivals, it seems, the threat of violence can be used in order to establish or restore more normative power structures. Alicia Saleware, apparently, has no choice but to yield. Their mutual understanding, their business deal is sealed in a ritualised form by drinking healths with the bear the apprentice has returned to bring.<sup>292</sup> That they both share acute economic instincts becomes clear when Mistress Saleware, regardless of the current difficulties between them, applies what appears to be a standard rhetorical formula of politeness, expressing her hope that madam will “vouchsafe always to know the Shop.”<sup>293</sup> The Lady’s response is conditional, but equally polite: “Ever upon the like occasion,” which has a threatening undertone to it. She will be ready to confront the other woman whenever she should meddle with her husband. In the end, both women, heedful of the watching apprentice, part on most congenial terms. Lady Thrivewell offers “most kindly farwell sweet Mistris Saleware,” and the shopkeeper’s wife replies with a demure gesture: “The humblest of your servants Madam.”<sup>294</sup> The rhetoric of servitude and mastery not only denotes the actual social hierarchy between them, but in this instance also illustrates who has won this battle. In this interaction, Lady Thrivewell has actually managed, in a certain way, to *disperform* her husband’s adultery; through the manipulations of the economic structures at the basis of her husband’s adultery, she has enforced a performative code which negates, and, to some extent, reverses this transgression.

The masculine adultery in this plot clearly foregrounds the economic dimension of adultery; it highlights both the wife’s agency and the husband’s responsibility in the prudent handling of economic household affairs. Also emphasised in the previous scene are female

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<sup>291</sup> Brome, *A Mad Couple Well Match’d*, C3<sup>v</sup> (act 2).

<sup>292</sup> “Drinking healths,” i.e. consuming wine or ale together was common ritualised gesture which signified mutual good will and was used enact the closure of business deals well as the settlement of interpersonal conflicts. The ritualised use of alcohol also marked certain rites of passage such as, importantly, marriage, in the context of which a lot of alcohol might be drunk, either ceremonially in church or during the secular celebrations surrounding the wedding, for instance so-called bride-ales. Cf. Martin (2001: 3 & 51-57), Amussen (1995: 24), Bennett (1992: 31), Walz (1992: 225), Cressy (1997: 273, 350f., 358).

<sup>293</sup> Brome, *A Mad Couple Well Match’d*, C3<sup>v</sup> (act 2).

<sup>294</sup> Brome, *A Mad Couple Well Match’d*, C3<sup>v</sup> (act 2).



power relations and the way they are affected by the husband's adultery. Admittedly, Lady Thrivewell's social status gives her an advantage over her rival, but as has already been suggested, hierarchies between women are subject to fluctuation in the context of adultery, for instance, through the husband's delegating his wife's rights to his mistress.<sup>295</sup> It is the Lady's resolute performance of both her marital and social status (and the economic privileges it engenders) in front of the shopkeeper, her refusal to openly acknowledge her husband's adultery and hence the women's rivalry which denies the other woman the right to perform the part of Sir Thrivewell's mistress and appeal to the (both emotional and economic) power a mistress might obtain.

Now that this affair is settled, Sir Thrivewell still needs to be taught his lesson. However, only at the conclusion of the play are Lady Thrivewell's following actions finally revealed as being part of a specific plan, as "a shew / To startle you [Sir Thrivewell], or try your manly temper," i.e. a strategic performance with didactic intent.<sup>296</sup> Shortly after Sir Valentine's confession, his wife kisses his prodigal and newly reinstated nephew Carelesse with particular kindness, urging him not to be bashful. Carelesse, true to his character, immediately reads a sexual connotation into this, observing that his aunt kisses like "an old mans wife,"<sup>297</sup> a woman who has long been starved of sex. This suggests that Sir Thrivewell's misdirected attentions might not only have resulted in an economic deficit, but also in an emotional one. Now, Sir Thrivewell does not appear as the libidinous philander, but as the elderly husband who does not manage to satisfy his wife, let alone to produce an heir, even though his wife's old nurse assiduously supplies him with such remedies as special "Cawdells and Cock broaths,"<sup>298</sup> and "many other good strengthening things."<sup>299</sup> Both failing to procreate and failing to satisfy his wife – which were connected in the idea that a woman needed an orgasm in order to successfully conceive<sup>300</sup> – were factors causally associated with a husband's being cuckolded.<sup>301</sup> The cliché of sexually incompetent old men being cuckolded

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<sup>295</sup> Cf., for instance, Leon's threat to give Margarita's place to her servant; see above, 276.

<sup>296</sup> Brome, *A Mad Couple Well Match'd*, [F8] (4.4.).

<sup>297</sup> Brome, *A Mad Couple Well Match'd*, C<sup>v</sup> (act 1). "Shee Kisses like an old mans wife, That is, as a Child late sterv'd at Nurse, sucks a fresh flowing breast."

<sup>298</sup> Brome, *A Mad Couple Well Match'd*, E (act 3).

<sup>299</sup> Brome, *A Mad Couple Well Match'd*, D2<sup>v</sup> (act 2).

<sup>300</sup> The notion that both man and woman need an orgasm in order to procreate relates back to the Hippocratic two seed theory (also purported by Galen), which, despite the medieval rediscovery of the Aristotelian one seed model, still dominated early modern medical and judicial discourses (the latter e.g. with respect to case of rape) and thus persisted into the eighteenth century. Cf. Breuer (1990: 326f.), Laqueur (1986: 5-7) & (1990: 46), Hitchcock (1996: 78); see also Fissell (1995: 435). Cf. also Sarah Toulalan's (2006) recent article, which stresses the link between the representation of conception and sexual pleasure in seventeenth-century pornographic literature.

<sup>301</sup> Cf., for instance, Foyster (1999: 68).

by their dissatisfied young wives thus serves to fuel the plot.<sup>302</sup> Carelesse sees his chance to seduce, and possibly impregnate, his uncle's wife and, consequently, to secure a position of power and influence in the quest for his money. Lady Thrivewell will subsequently have to ward off numerous attempts of seduction by her nephew, who has only recently moved in with his uncle and aunt. By doing so, she can both teach her husband what it feels like to be betrayed, and try to instil a sense of (sexual) morals in her nephew.

Carelesse, whose interest is fuelled by too much drink,<sup>303</sup> and by having been informed by her old nurse that the Lady desired him,<sup>304</sup> appears very determined, his speech is littered with innuendo. He vows he shall be her "truest, faithful'st servant," and also "the ablest" as she will find out, he predicts, if she "tries" him, "and't be but hourelly for a month together."<sup>305</sup> Although he promises to "live soberly" henceforth, what he actually means is that he will abandon all his mistresses and be faithful in an adulterous relationship with Lady Thrivewell, which he pictures in vibrant colours.

"And with such pleasure, with such safety, secrecy, and fulness, I will so constantly supply you, that you shall not have time to dream of the defects of your old man."<sup>306</sup>

Carelesse's argument is that a wife's adultery is justified by her husband's misdeeds or deficiencies. Thrivewell, he claims, is too old and old men are only interested in generating more money, not children.<sup>307</sup> Carelesse maintains it is common practice that nephews 'serve' their aunts in this way – to the knowledge and acceptance of their uncles. Later in the play this is even reconfirmed by another character who suggests that old men who accept that their young wives have young lovers are not ridiculous "wittols" but quite clever "wisealls," and that this is "a thing in much request among landed men, when old and wanting issue of their owne, to keepe out riotous Kindred from inheritance, who else would turne the Land out of

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<sup>302</sup> This cliché was quite universally explored in contemporary humorous discourse, for instance in broadside ballads, but it also reverberates in moralists' caution against such May-December marriages. Cf. Tobriner (1991: 165-168), Foyster (1999: 68), Toulalan (2006: 527), Gouge, *Of Domesticall Duties*, 191. In fact, prejudices against mismatched unions were nothing new; they were firmly rooted in medieval culture. In medieval French troubadour lyrics, for example, a whole sub-genre devoted to the stereotypical figure of "la malmariée" – a woman married to an unsuitable husband. As other examples could be named the two characters in Chaucer's *Canterbury Tales* who have young wives who cuckold them (January in *The Merchant's Tale*, and John the Carpenter in *The Miller's Tale*), and *The Prohemy of a Mariage Betwixt an Olde Man and a Yonge Wife*, and *the Counsail*, attributed to John Lydgate (in Salisbury, E., ed., 2002).

<sup>303</sup> Brome, *A Mad Couple Well Match'd*, D7" (act 3). As his mistress Phebe later points out, liquor makes Carelesse rather "more vehement till his desire be over." F3" (4.2.).

<sup>304</sup> Brome, *A Mad Couple Well Match'd*, D3f. (act 2).

<sup>305</sup> Brome, *A Mad Couple Well Match'd*, E (act 3).

<sup>306</sup> Brome, *A Mad Couple Well Match'd*, E (act 3).

<sup>307</sup> Brome, *A Mad Couple Well Match'd*, E (act 3). The idea that husbands are too wrapped up in their business pursuits than in taking care of their wives will gain momentum in Restoration comedies, for instance, in the character of Sir Jasper Fidget in Wycherley's *The Country Wife* (1675). Cf. also Dawson (2005: ch. 1).

the Name.”<sup>308</sup> Young lovers, according to Carelesse, do not only ensure the mere continuation of the bloodline, but will also bring forth healthy children who are not “degenerate.”<sup>309</sup> Obviously, in old men, the mechanisms of generation and degeneration go hand in hand.

Here, the possible degeneration of the physical body of the children is, ironically, weighed against the deformation of the conjugal household which, as moralists argued, a transgression such as adultery would bring about. Carelesse presents this specific form of (nephew-aunt) adultery, which, in effect, would even constitute incest,<sup>310</sup> a far weightier offence, as legitimised by common practice, economic as well as medical considerations – as compared to a theoretical code of marital chastity. Being a close, young relation to Sir Valentine, argues Carelesse, makes him the best candidate to father the child Lady Thrivewell longs for. “No man living Madam can do it for him, more naturally and lesse sinfully,” he maintains.<sup>311</sup> In this scenario, adultery is polemically presented as the economically reasonable solution to husbandly deficiency; in certain instances, for example in mismatched marriages, morality can be costly.<sup>312</sup>

Carelesse, of course, has his own agenda in persuading his aunt, which throws a doubtful light on his line of reasoning. Lady Thrivewell, in any case, cannot be moved to consent either by his arguments, or by his subsequent display of physical virility, which consists in picking her up and carrying her to his bedroom. Carelesse’s last resort is to ‘play dirty’ and make his aunt jealous of her husband in order to get her to sleep with him as an act of revenge. Thrivewell, Carelesse now reveals, did not only cheat on his wife, but even employed a pimp and, on the whole, spent more on whores than the irresponsible Carelesse ever did “in all [his] whole debauches.”<sup>313</sup> That this statement totally contradicts Carelesse’s earlier allegation that Sir Thrivewell was only interested in accumulating money, not in making children, indicates that Carelesse, far from being truthful, has only switched strategies to achieve his goal. When Lady Thrivewell inquires into the particular circumstances of her husband’s affairs, Careless suddenly makes their “inward acquaintance,”<sup>314</sup> i.e. her sexual yielding, the price for his disclosure of more details.

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<sup>308</sup> Brome, *A Mad Couple Well Match’d*, E7<sup>v</sup> (4.1.).

<sup>309</sup> “I cannot thinke but many Unkles know it, and give way to it, because stranger bloods shall not inherit their Lands,” says Carelesse, Brome, *A Mad Couple Well Match’d*, E (act 3).

<sup>310</sup> Lady Thrivewell herself thematises this, asking her nephew whether he intends to repay her kindness by making her “an incestuous Whore.” Brome, *A Mad Couple Well Match’d*, E2 (act 3).

<sup>311</sup> Brome, *A Mad Couple Well Match’d*, E (act 3).

<sup>312</sup> Cf. Thomas (1959: 204).

<sup>313</sup> Brome, *A Mad Couple Well Match’d*, E2 (act 3).

<sup>314</sup> Brome, *A Mad Couple Well Match’d*, E2 (act 3).

Lady Thrivewell remains unmoved and censures her nephew for his abusiveness. Carelesse, however, muses that he simply must have taken the wrong approach with his aunt. For comical effects, both characters do not appear to listen to each other,<sup>315</sup> so in the end, seemingly out of nowhere, Lady Thrivewell claims to see that her nephew regrets his advances, and on the grounds of his ‘contrition’ promises to “winke at [his] transgression,” i.e. his attempt to deduce her, “especially before others.”<sup>316</sup> Of course, dramatically, she still needs to preserve her nephew’s interest in order to achieve her goal to teach her husband a lesson. Nevertheless, she utters a final warning for Carelesse not to overstep his bounds: “but tempt me so again, and i’le undoe you.”<sup>317</sup> As in the conversation with Mistress Saleware, the lady delivers a performance of intimidating superiority which is designed to give her a position of (moral) power over her dialogue partner.

Again, the problem which is emphasised in this scenario is not female transgression, not the ‘unruly wife,’ but rather male transgression, occurring in the shape of what Lady Thrivewell calls an “unruly Nephew,”<sup>318</sup> who shies manly, grown-up responsibilities,<sup>319</sup> and an old, philandering husband who fails both to get his wife with child and to get his young relative into gear. While Carelesse displays the stereotypical overabundance of transgressive energy of youth, the greater fault, it may be argued, resides with the older man. It is his generative failure which makes Sir Thrivewell depend on his rakish nephew as an heir, and which ultimately puts Lady Thrivewell’s chastity and her abilities as household manageress to a test.

Carelesse remains ardent, or, as Lady Thrivewell puts it, “so barbarously lustfull,” and so she decides to play a (bed) trick on him for “his rude unnaturall presumption in attempting” her.<sup>320</sup> Carelesse’s pregnant mistress, who still pursues him for marriage, will await him in bed in the dark instead of his aunt. As it happens, Sir Thrivewell, who is again on intimate terms with his wife, addressing her as “my good Girle” and “Sweet heart,”<sup>321</sup> will absent himself

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<sup>315</sup> At one point, her question whether he would repay her kindness by making her “an incestuous Whore” is followed by his affirmative “Yes, yes,” which then continues into farther musings of his suit having been “right enough,” but advanced at a bad time. Brome, *A Mad Couple Well Match’d*, E2 (act 3).

<sup>316</sup> Brome, *A Mad Couple Well Match’d*, E2 (act 3).

<sup>317</sup> Brome, *A Mad Couple Well Match’d*, E2 (act 3).

<sup>318</sup> Brome, *A Mad Couple Well Match’d*, F3<sup>v</sup> (4.2.).

<sup>319</sup> Carelesse professes to Lady Thrivewell’s nurse that he does not really wish to inherit his uncle’s wealth and estates because of the responsibilities which are connected to them, but prefers his comfortable position as a rich heir, which grants him access to money without the burden of managing the larger estate. Brome, *A Mad Couple Well Match’d*, D3 (act 2).

<sup>320</sup> Brome, *A Mad Couple Well Match’d*, F3 (4.2.). Again, discourses of monstrosity are used to connote a character’s transgression.

<sup>321</sup> Brome, *A Mad Couple Well Match’d*, F3<sup>v</sup> (4.2.).

from the house that very night,<sup>322</sup> but his wife has laid her suspicions to rest, reasoning that “as long as [he has] good and substantiall Made-worke at home, [he will not] seeke abroad for any more slight sale-ware,”<sup>323</sup> which reiterates her superiority over the other woman.

Thrivewell agrees with her and promises amicably “No more o’that Sweet heart, expect me early in the morning,” which carries a hint of a sexual promise.<sup>324</sup> Once more, the intimate tone between husband and wife is quite remarkable. Apparently, the emotional bond between the two spouses has survived the husband’s extramarital adventures.

The next scene in this plot sees Phebe passing over the stage “in night attire,” Carelesse believing her to be his aunt, follows her “as in the darke,”<sup>325</sup> looks for her door, begging her to return, claiming there is still time before daybreak. When Lady Thrivewell enters with a light<sup>326</sup> and derides him for his “beastly” insatiability, “somebody knocks mainly at the gate,” leading Carelesse to believe his “Master” has returned early.<sup>327</sup> Thus, the familiar elements of door and gate are used in *A Mad Couple*, too, to codify sexual transgression spatially. Instead of being discouraged by the prospect of Sir Thrivewell’s return, Carelesse pressurizes the Lady, using the rhetorical codes of male superiority. He may do so, he argues, since she has been his “whore.”<sup>328</sup> His earlier rhetoric of male servitude in the context of courtship has been dramatically reversed through the sexual intercourse which he presumes has taken place.

His new position as his aunt’s lover, Carelesse suggests, gives him the right and the power to put her in a subordinate position. According to him, Lady Thrivewell has two options, namely to have sex with him again, or to give him money to leave the country. Adultery, earlier advanced by Carelesse as the glorious win-win solution for everybody involved, is now turns out to be sufficiently transgressive to become the grounds of blackmail. “I’le make you fetch me hundred after hundred Huswife,” Carelesse boasts in clear abuse of his assumed authority, “when I want it, or shall be pleas’d to call for’t.”<sup>329</sup> The codes of (wifely) obedience are thus called upon by the adulterous lover, which means that the codes of

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<sup>322</sup> This is something that he frequently does. The incentive which is given for this, however, is not amorous, but inherently political; namely he is to accompany Master Saveall “to bring a deare friend on his way to Gravesend to night, who is sodainly to depart the Land.” These departures of friends, Lady Thrivewell comments, are so frequent that she does not consider them feigned excuses. This may constitute a reference to increasing dissent and prosecutions on the advent of the civil war. Brome, *A Mad Couple Well Match’d*, F3<sup>v</sup> (4.2.).

<sup>323</sup> Brome, *A Mad Couple Well Match’d*, F3<sup>v</sup> (4.2.).

<sup>324</sup> Brome, *A Mad Couple Well Match’d*, F3<sup>v</sup> (4.2.).

<sup>325</sup> Brome, *A Mad Couple Well Match’d*, stage directions, [F6<sup>v</sup>] (4.4.).

<sup>326</sup> On lighting and night attire as contemporary theatrical conventions see Dessen (1980: 3).

<sup>327</sup> Brome, *A Mad Couple Well Match’d*, [F7] (4.4.).

<sup>328</sup> Brome, *A Mad Couple Well Match’d*, [F7<sup>v</sup>] (4.4.).

<sup>329</sup> Brome, *A Mad Couple Well Match’d*, [F7<sup>v</sup>] (4.4.).

a normative marital hierarchy are translated into the transgressive relationship of adultery. “Huswife” in this speech, moreover, occurs as a denigration not far above that of “whore.” This speech makes it particularly obvious that subjection *per se* cannot be regarded as the normative female behavioural gender code as masculine authority may be abused.

Carelesse does more than simply demand obedience, he uses their alleged transgression and the threat of spreading word about it to actively coerce his aunt into the ‘normative’ role of subjection – to him. In terms of the economy of transgression, Carelesse’s reference to the one hundred “peeces” clearly mirrors the price of one hundred pounds which Thrivewell had paid for his adultery and which had been salvaged by his wife. Like Mistress Saleware, Carelesse makes clear that he will demand further instalments of his presumed lover. Obviously, male and female adultery are paralleled here. For both husband and wife extramarital pursuits can be rather costly, as their lovers, male or female, are shown to exploit them. By aspiring to profit financially from the sexual services he is sure to have performed, Carelesse actually comes very close to putting his man’s earlier business proposal of selling sex for money (the “He-Whore”) into practice. It will be his aunt’s reputation, he threatens which will be destroyed if she does not relent.

Lady Thrivewell counters with a reminder that, in fact, her nephew’s reputation as a respectable gentleman is also hazarded by exposing their indecent encounter. Carelesse, who obviously does not aspire to acquire such a respectable reputation anyway, now claims that reputation depends on the specific social (and local) context. In the company he keeps abroad (apparently bachelors), he suggests, he will, in fact, gain reputation for actively cuckolding his uncle.<sup>330</sup> In contrast, if his uncle should get wind of the whole affair, Carelesse will deny his active role and instead employ stereotypes of sexually insatiable women by swearing that his aunt “lustfully tempted” him.<sup>331</sup> When the Lady finally declares that he has “undone her,” Careless backs off and shows himself – comically – benevolent: “Come, i’le doe you agen,

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<sup>330</sup> This alludes to the existence of different codes of normative masculinity which are contextually motivated, to which Shepard (2003: 16, 120-23 & 126) has drawn attention. That Carelesse’s standards are not everywhere embraced is further evinced in *The Courtiers Academie*, an Italian tract which was translated and published in England in 1598. Here a group of noblemen debates the subject of male honour and weightiness of male adultery. Does it diminish a man’s honour? One knight alleges that a man, whether bachelor or married, who compromises another man’s wife irretrievably loses his honour because this adulterous act makes him “a greuous iniurier or destroyer of an other mans honour; the which [...] of all other goods externall, is the most pretious.” In this speech, then, the existence of a separate code of honour for bachelors is contested. In this particular context of noble, honourable masculinity which originates in a foreign cultural setting, Carelesse’s actions would thus not improve his reputation. Sir Thrivewell apparently adheres to the same codes of masculinity as he, being informed about his nephew’s attempts to seduce Lady Thrivewell, depicts this as a most serious offence with which Carelesse has brought shame and disgrace on himself. Annibale Romei, *The Courtiers Academie* (London, 1598), 96. Brome, *A Mad Couple Well Match’d*, G4 (5.2.).

<sup>331</sup> Brome, *A Mad Couple Well Match’d*, [F7<sup>v</sup>] (4.4.).

and then all's whole agen."<sup>332</sup> At this point, Sir Thrivewell, who has apparently overheard part of their conversation enters – to make a scene, notably in verse, which increases dramatic pathos.<sup>333</sup>

Their adultery, he declares, has made him a monster, his manhood is lost. He threatens to kill them and then himself, but the noble, and aptly-named character Saveall (in accordance with contemporary advice literature) points out that Thrivewell should preserve his humanity and let the matter be handled by the law and its practitioners. Saveall says

“Sir, you resume the temper of humanity,  
And let the Law distinguish you from them,  
You neither are to be their Executioner,  
Nor to fall with them.”<sup>334</sup>

Ira Clark has suggested that Saveall's words constitute a “reminder that a wronged husband has the power to have the wife arraigned and executed.”<sup>335</sup> To my mind, this reading seems slightly misguided. Saveall's words echo Heale's (above-quoted) admonition that the prosecution of a wife's adultery “lieth in the husbands power not the execution. For that must be consummate in lawful manner: the fact proved by lawful witsnesse: the verdict given by a lawful iudge.”<sup>336</sup> Husbands, in fact, did not have the right to simply have adulterous wives detained, they could not even serve as witnesses for their wife's adultery, and female adultery was not a felony when the play was first performed around 1639. It was a felony, however, when the play was first printed in 1653, the *Adultery Act* having been passed in 1650, which opened new possibilities of reading. Yet, even then, husbands could not stand as witnesses against their wives.<sup>337</sup> In fact, if anything, the *Adultery Act* had made Sir Thrivewell's situation much more perilous than his wife's.<sup>338</sup> In contrast to his wife, this character has actually committed adultery with a married woman, on which the punishment for both parties was death. The implication, under these (new) circumstances, is that Sir Thrivewell could not publicly accuse his wife without drawing attention to his own transgression and thus putting his own life in danger. Lady Thrivewell highlights her husband's culpability. At his

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<sup>332</sup> Brome, *A Mad Couple Well Match'd*, [F7<sup>v</sup>] (4.4.).

<sup>333</sup> The stage directions only note his entrance *after* the following speech, which is attributed to Carelesse, yet its content suggests that it only can be spoken by Sir Thrivewell himself: “Y<sup>e</sup> are both undone, O you prodigious monsters / That have betwixt you made me monster too! / What's to be done, but that I kill you both, / Then fall upon my sword.” [F7<sup>v</sup>] (4.4.).

<sup>334</sup> Brome, *A Mad Couple Well Match'd*, [F7<sup>v</sup>] (4.4.).

<sup>335</sup> Clark (1997: 34) .

<sup>336</sup> Heale, *An Apology for Women*, 33. See above, 250.

<sup>337</sup> Cf. England and Wales, *An Act for Suppressing the Detestable Sins of Incest, Adultery, and Fornication* (London, 1650), 831.

<sup>338</sup> Cf. England and Wales, *An Act for Suppressing the Detestable Sins of Incest, Adultery, and Fornication*, 828.

exclamation of how this discovery torments and shames him, she answers,

“What shame did you, or what affliction I  
Suffer, when you discoverd onto me  
Your bargaine of a hundred pound in *Saleware*,  
You understand me. How was life a torment  
To me then think you?”<sup>339</sup>

This suggests that the (emotional) effects of male and female adultery on the spouse are comparable, but also that a husband’s adultery is just as shameful as a wife’s, especially if it is connected to economic/domestic mismanagement. This meaning is emphasised by the parallel construction of the first verse, which stresses “you” and “I” respectively. It should be noted that Sir Thrivewell takes the news of his wife’s alleged infidelity with much less grace, i.e., much less irrationally, than his wife took his. His frenzied, violent reaction, moreover, suggests that he is precisely *not* ‘above’ his wife’s revenge as he had originally assumed.<sup>340</sup> Only when he laments his fate does she admit to the fact that she suffered from his adultery.

What she has done, Lady Thrivewell now explains, has not been for revenge (which she had promised not to exert), but only for didactic purposes, to make him aware of the full scope of his actions.<sup>341</sup> In effect, Lady Thrivewell has made her husband aware of her feelings not by verbalising them, but by putting him into her position, by showing him “what some wife might perhaps ha’ done being so mov’d.”<sup>342</sup> She has orchestrated a credible performance of hers and Carelesse’s adultery for her husband’s sake without actually committing the deed. This show is designed to educate her husband both emotionally and rationally as it illustrates how easily one spouse’s betrayal can trigger the other one’s; to what extent, in fact, husbands are responsible for their wives’ adulteries, especially since (which is another part of the lesson) rival men will seek to profit from any weakness he shows.

Ira Clark has interpreted *A Mad Couple* from the vantage of a social marital double standard in which a husband’s adultery was considered relatively harmless whereas the wife’s adultery was harshly judged; and hence (cuckolded) women had to quietly endure “an inequitable distribution of hurt.”<sup>343</sup> He has suggested that the Thrivewell plot presents a sort of alternative to social reality, viewing drama in general as a site for “allowing some release

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<sup>339</sup> Brome, *A Mad Couple Well Match’d*, [F8] (4.4.).

<sup>340</sup> This is one of the issues which Clark’s (1997: esp. 51) discussion fails to take into account.

<sup>341</sup> Brome, *A Mad Couple Well Match’d*, [F8] (4.4.). I have quoted this passage above, see 292.

<sup>342</sup> Brome, *A Mad Couple Well Match’d*, [F8] (4.4.). In this didactic intention Lady Thrivewell resembles earlier characters like Infelice of Dekker’s *The Honest Whore, Part Two* (1604), and Adriana of Shakespeare’s *The Comedy of Errors* (1594?, first published 1623). Cf. Parten (1985: 12).

<sup>343</sup> Clark (1997: 35). Steggle (2005: 148) agrees that this play shows the sexual double standard at work.



from oppression and some prosecution of reform.”<sup>344</sup> Indeed, this comedy consistently undermines any notion of a sexual double standard from the very beginning. It is nowhere suggested that a wife should take her husband’s infidelity more lightly than the husband should take his wife’s, and the *Thrivewell* plot demonstrates that both spouses suffer emotionally from being being cheated upon. My discussion so far has been aimed at showing that the double standard was less self-evident, undifferentiated and less all-encompassing culturally than feminist critics would assume. Thus, to my mind, comedies such as *A Mad Couple*, which do not convey straightforward notions of a double standard, should not be read as completely opposite to social practice outside the theatre. Instead of continually reiterating women’s “oppression,”<sup>345</sup> I think it does more justice to these texts to examine discourses of real and legitimate wifely authority, and husbandly responsibility.

“At the same time” as it sketches and criticises the injustice of the female position, Clark continues to suggest, the scene in which Lady Thrivewell confronts her husband, now suddenly in *concurrency* with supposed social practice, “demonstrates a general acknowledgement of a consistent and so (by their practices) just masculine dominance by reinforcing the traditional gender hierarchy.”<sup>346</sup> These traditional hierarchies, according to Clark, are reinforced because Sir Thrivewell is ‘allowed’ to actually commit adultery in the play, yet Lady Thrivewell is not and instead adheres to the patriarchal norm of female chastity. From everything which has been said above it can be deduced that it is clearly much too simplistic to just state that this scene acknowledges masculine dominance and reinforces a unidimensional concept of “traditional gender hierarchy.” This is a domestic setting in which Lady Thrivewell is the mastermind.<sup>347</sup> She stages the whole encounter to educate men. Sir Thrivewell is taught a lesson in the reciprocity of marital duties and transgressions. In contrast to what Clark has intimated, Carelesse does not wield authority over his aunt.<sup>348</sup> He has been duped into participating in the “shew” for Thrivewell, and will learn eventually that his aunt cannot be seduced and commanded as he thought she could be, although he remains stubbornly unreformed and continues to manipulate and blackmail the people around him to his greatest advantage until the end of the play.<sup>349</sup> One problem with Clark’s argument is that

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<sup>344</sup> Clark (1997: 41).

<sup>345</sup> Clark (1997: 36 & 41).

<sup>346</sup> Clark (1997: 35).

<sup>347</sup> In this she resembles other female characters examined in the earlier chapters, for instance, Lady Troublesome.

<sup>348</sup> Clark (1997: 44).

<sup>349</sup> When admonished by his uncle for trying Lady Thrivewell’s chastity, he makes good his threat to pull down his aunt with him unless she pays him one hundred pounds, and accuses her of adultery with Bellamy, who, unbeknownst to Carelesse, is a maid in disguise. It is also revealed that Carelesse once staged an assassination on his uncle in order to endear himself to Thrivewell by rescuing him. At the very end of the

while the actions of Lady Thrivewell are interpreted as an alternative to an oppressive social reality (who finally submits to these old suppressive norms), the characters of Carelesse and Sir Thrivewell are taken to represent a socially ‘real’ acceptance of masculine transgression (as compared to female transgression).<sup>350</sup>

One interpretive key to this comedy is household government, or the abilities of male and female characters in this regard. Lady Thrivewell successfully manages household affairs, educates her philandering husband and teaches her rakish nephew a lesson. Nowhere in the play is it suggested that Lady Thrivewell comes by her considerable power over other male characters illegitimately. In another plot, Mrs Saleware, Thrivewell’s (ex-)mistress, also manages household affairs, but her regime, as has been intimated above, threatens conjugal harmony and ends in deviance. While the Thrivewells, for instance, through their intimate conversations and caring gestures, are presented as a companionable couple, which serves to save their marriage in the face of adultery, the Salewares take this companionship to another level by treating each other as ‘friends’ free of conjugal commitments and responsibilities – with dramatic results. Different models of conjugal hierarchies and conjugal intimacy are tested here. Sir Thrivewell thinks he is (too) much above his wife (for revenge), but it turns out he is not. Master Saleware thinks he is his wife’s equal, or even below her as she becomes more and more ‘gallant,’ but this does not prove a workable approach either.

Another key to the plots and transgressions in this comedy, to me, seems the economic dimension of both marriage and adultery; in other words, the link between economy, status and sexuality. Just as male characters rival for women and money, female characters rival over the emotional and economic resources of men. This is a skill which is over-exaggerated in Mistress Saleware, who, as her telling name indicates, keeps selling herself to the highest bidder in a quest for upward social mobility, and thus reflects contemporary negative preconceptions of merchants’ lack of temperance in aiming at unlimited profit at the expense of moral standards.<sup>351</sup>

According to Leslie Thomson, in early modern plays the “the wife who shares the running of a shop with her husband is depicted not only as an object of desire – put on display like a commodity for sale – but also a figure whose role in running the shop gives her a

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play, now comfortably married to a rather wealthy widow, Carelesse still insists that he will be Thrivewell’s heir. Brome, *A Mad Couple Well Match’d*, G4-[G5<sup>v</sup>] & H<sup>v</sup> (5.2.).

<sup>350</sup> Cf. Clark (1997: 36 & 43). Similarly, evidence from (humorous, satiric) tracts in which women complain of a double standard is taken at face value, but evidence from comedies from which a double standard is conspicuously absent is not.

<sup>351</sup> Cf. Dixon (1999: 155f.).

significant degree of freedom and authority.”<sup>352</sup> The character of Mistress Saleware fits neatly into this paradigm. She paints a rather disillusioned picture of the function of a shopkeeper’s wife. Husbands, she argues, pretend that women should be in the shop only to exert authority and oversee the servants, yet their real intention is that the wife should serve as a bait to lure in customers. By underestimating their wives’ cleverness and capabilities, however, merchants run a great risk of being made redundant and losing their own authority.<sup>353</sup> As Alicia suggests, if husbands wish to use their wives as passive (yet unsellable) commodities to attract customers, they misjudge the women’s capacity to actively trade in their own interest – including their bodies.<sup>354</sup> Women may gain control over their commodification and shape it to their own advantage.<sup>355</sup>

Hence, according to Mrs Saleware, shopkeepers’ wives lack neither economic skill, industriousness, nor ambition and a husband who puts his wife to work yet fails to recognize her true potential (in terms of industriousness as well as transgression) will be easily dismissed, as is illustrated by Alicia’s own husband. In the character of Alicia Saleware, the potentially legitimate authority and mercantile industriousness of a wife are evidently exaggerated. Her husband, as has been pointed out above, is “a gentleman born,”<sup>356</sup> and as a merchant of luxurious cloths would be a member of a highly elite group of merchants. Yet, in Mrs Saleware’s view, he can only offer her an unsatisfactory kind of middling-sort lifestyle. The ultimate aim of her ambitious industriousness is the improvement of her social status and the corresponding life of leisure, both of which her husband is unable to provide. Female adultery here is presented as a means of earning financial profit and as effecting social advancement. The cuckolded husband, in this case, is kept acquiescent by his wife’s version of marital ‘friendship,’ which annihilates all forms of husbandly authority and rights, and gives the wife the freedom to do as she pleases.

As the title of this comedy suggests, this is a play about matching couples well, i.e., about finding the right partner, but also about finding the right, functional emotional and economic basis of marriage. It is not, as Ira Clark has criticised, about disclaiming marriage as

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<sup>352</sup> Thomson (2003: 145).

<sup>353</sup> Brome, *A Mad Couple Well Match’d*, C4 (act 2).

<sup>354</sup> Cf. also Natasha Korda’s (1996: esp. 118) argumentation on this issue with reference to *The Taming of the Shrew*.

<sup>355</sup> It seems that shopkeeper’s wives were rather stereotypically associated with adultery. A passage in Thomas Middleton’s *The Family of Love* (London, 1608, first performed 1602) has a very similar ring: Entering his shop in the morning, Master Purge, the jealous apothecary, muses, “The gray ey’d morning Braues me to my face, and calls me sluggard, tis tyme for Tradesmen to be in their shoppes, for he that tends well his shop, and hath an alluring wife, with a gracefull *what de lack*, shall be sure to haue good dooings, and good doings is that, that crownes so many Citizens, with the hornes of abundance” (B3<sup>v</sup>f. ( 2.1.)).

<sup>356</sup> Brome, *A Mad Couple Well Match’d*, E3<sup>v</sup> (act 3).

a patriarchal institution,<sup>357</sup> but about more practical concerns of making marriage work, economically and emotionally. It presents a functional marriage – especially against the play-world’s background of wide-spread sexual depravity – as a reciprocal institution in which both partners have authority and take their responsibilities seriously. The two complementary plot-lines of the Thrivewells and the Salewares suggest that male and female forms of adultery have different consequences, for instance, in economic terms. Thrivewell’s affair is depicted as a squandering of household resources, while Mrs Saleware’s affairs increase her wealth. Both male and female adultery, however, threaten conjugal harmony, and have similar emotional consequences for the betrayed partner. Correspondingly, responsibility for ensuring the functionality of marriage appears to be evenly distributed.

By demonstrating that both the Thrivewells’ and the Salewares’ marriages, in the end, persist, this comedy makes a strong claim for the variety of roles which the institution of marriage in practice could, even if only temporarily, encompass without dissolving. The ultimate ideal which is implicitly advanced here, however, is a marriage characterised by harmonious, companionate, faithful cohabitation, and good (e.g. emotionally and economically viable) household government by both husband and wife.

In its presentation of female household government in the face of husbandly adultery and abuse, *The Mad Couple Well Match’d* appears to differ significantly from other comedies which employed *patient Grissel* plots in which the wives were not resolute and resourceful like Lady Thrivewell, but patiently suffered the wrongs done to them by their husbands. It has been argued that in plays such as *How a Man May Chuse a Good Wife from a Bad* (1601/2), *The London Prodigal* (1604), the *Fair Maid of Bristow* (1603/4), but also *The Comedy of Errors* (1592/94) husbandly adultery, often in connection with other male transgressions, is used to present female chastity and submission, even in the face of mistreatment, as a praiseworthy ideal.<sup>358</sup> For instance, Thomas Heywood’s *Pleasant Conceited Comedie, Wherein is Shewed how a Man May Chuse a Good Wife from a Bad*,<sup>359</sup> depicts a husband whose final atrocity is attempting to murder his loving, patient wife in order to marry a whore. On closer inspection, however, one may argue, the ultimate focus of this play is precisely *not*

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<sup>357</sup> Clark (1997: 35).

<sup>358</sup> Cf. Parten (1985: 12), Manheim (1965: 365). The youth who is enamoured with and courts the virtuous wife, like as Carelesse in *A Mad Couple*, seems to have been a regular figure in these settings. Cf. Manheim (1965: 365).

<sup>359</sup> Thomas Heywood, *A Pleasant Conceited Comedie, Wherein Is Shewed, How a Man May Chuse a Good Wife from a Bad* (London, 1602). Although this play is often cited as having been penned by an anonymous author, it has actually been attributed to Thomas Heywood and a “Joshua Cooke” who may be identical with John Cooke. The play was apparently produced and performed by the Earl of Worcester’s Men around 1601. Cf. Kathman (2004b).

the submissive wife. The good, patient wife is praised in contrast to the abusive, irresponsible husband. Yet her patience, much like Lady Thriwell's scheme, has largely didactic functions. Surely, part of the didacticism of this play is directed at wives, and may suggest that as long as a wife is chaste, and patient, her husband will someday see the light and change for the better. However, the strongest dramatic effects are produced by the husband's cruelty towards his sweet, caring wife, which casts a didactic spotlight on the husband's transgression. What this comedy and others like it present as commendable, therefore, is not so much the submission of a subservient wife to a tyrannical husband, but precisely the education and betterment of the husband through the example of the wife.<sup>360</sup> The ultimate stress is on good household government on the part of the husband. While the patient Grissel wife is a clearly recognisable type, and the revengeful wife is another, characters such as Lady Thriwell demonstrate that there is a practicable ground somewhere between these two stereotypical extremes.

Is the treatment of male adultery in *A Mad Couple* really so antithetical to 'real-life' contexts as Ira Clark has argued? Let us consider some evidence from court records and sermons. In October 1608, William Holder of the parish of Thornbury was cited *ex officio*<sup>361</sup> before the Gloucester consistory court. He was accused of "crimen adulterii sine incontinentie"<sup>362</sup> with his former servant Jane Taylor. This case, therefore, is classified as an action for adultery, however, the crux of the matter seems to be an allegation of bastardy: apparently, William Holder had "begot [Jane Taylor] with childe"<sup>363</sup> during the time she worked in his household. The libel detailing the charges against Holder states that he had "very suspitiously both in [his] house and els where vsed and frequented the companie" of his servant, that he had been seen "dalyinge kissinge and playeing" with Jane and using "other vnseemely carriage and ouer familiar behavior" towards her.<sup>364</sup> In addition, Holder allegedly had displayed "[his] extraordinary loue and affection" for his servant through money and

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<sup>360</sup> Jeremy Lopez (2003: 184) has criticised *How a Man May Chuse* for its alleged lack of motivation where the two main characters are concerned, to which, he argues, contemporary audiences would have been sensitive. However, as both husband and wife would thus be recognisable as *types* (discontented newly married man and patient Grissel wife), it is questionable whether any form of individual (psychological) motivation would have been necessary to render their on-stage behaviour plausible.

<sup>361</sup> The proceedings in this case were thus not mere office case (*ex officio mero*) promoted only by a judge, but another kind of office case promoted by a third party. These latter cases, as Ingram (1987: 43) has suggested, were more complex procedurally and thus allowed a more thorough investigation. However, such office cases were also far less common.

<sup>362</sup> GDR/B4/1/2571. 8 October 1608.

<sup>363</sup> GDR 106, Office *c.* William Holder, 2 December 1608, deposition of Henry Withers.

<sup>364</sup> GDR/B4/1/2571. 8 October 1608, article 2.

gifts.<sup>365</sup> Here, again, economic structures of exchange which in themselves are legitimate (a master paying his servant), are recodified as transgressive. Moreover, Holder's behaviour had drawn the attention of his wife and friends, who had apparently urged him to "forsake and leave [the girl's] Company,"<sup>366</sup> but to no avail. The action of which Holder is here accused thus comprises the diversion of (emotional and economic) household resources, possibly in abuse of his superior position as head of household, and his resistance to social pressure.

The witnesses in Holder's case<sup>367</sup> asserted that there had been widespread suspicions and rumours that William Holder and Jane Taylor had a sexual relationship and that he was her unborn child's father. A significant number of people appear to have spread the word and were involved in the negotiations. Some neighbours recounted that Jane Taylor allegedly confirmed that Holder was the child's father.<sup>368</sup> Others approached a local churchwarden, claiming that William Holder's wife wanted her husband to be "called in question for it and cited to appeare to answere the matter," yet she preferred that his presentment "might not be knowne to come by her meanes."<sup>369</sup> Still others allegedly acted as intermediaries to negotiate financial compensation and the conditions under which Jane Taylor and her parents might be willing to let the matter drop. Jane Taylor's mother apparently spread the word that Holder's intermediaries (among them Holder's uncle) had offered her twenty and forty pounds respectively so that Holder's "name might not come in question."<sup>370</sup>

One witness who deposed in Holder's defence, however, held that, according to Holder, John Taylor (Jane's father) owed him ten pounds, and that he suspected that Jane's bastardy allegation might only be a plot to pressurise him to abate this debt.<sup>371</sup> Holder himself tried to negotiate with the Taylors, but John Taylor maintained, "William, thou hast spoyled and vndon my daughter,"<sup>372</sup> while Jane herself, even against William's open denial, affirmed, "Yes William [...] it is youre childe and now mans els."<sup>373</sup> When Holder sent an intermediary to inform the Taylors that he would be willing to cancel their debt of ten pounds, John Taylor

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<sup>365</sup> Among the gifts are listed a hat, a cuff, a gown, a petticoat, a smock, a pair of shoes, gloves, purses, knives, linen and woollen cloth. GDR/B4/1/2571. 8 October 1608, article 3.

<sup>366</sup> GDR/B4/1/2571. 8 October 1608, article 5.

<sup>367</sup> One of the witnesses in Holder's case was a churchwarden of Thornbury, which seems to substantiate Martin Ingram's (1987: 261) observation that "[o]f all forms of sexual immorality, liaisons involving bastardy were the least likely to be passed over by churchwardens." Yet while, in most cases, Ingram (1987: 262) found churchwardens to have been rather circumspect in nominating the father of the illegitimate child, this apparently was no problem in Holder's case.

<sup>368</sup> GDR 106, Office v. William Holder, 4 November 1608, depositions of Edward Fayer, Henry Withers, Edward Marshe, Anthony Holder.

<sup>369</sup> GDR 106, Office c. William Holder, 4 November 1608, deposition of Thomas Lydyat.

<sup>370</sup> GDR 106, Office c. William Holder, 4 November 1608, deposition of Thomas Lydyat.

<sup>371</sup> GDR 106, Office c. William Holder, 4 November 1608, deposition of Thomas Barton.

<sup>372</sup> GDR 106, Office c. William Holder, 4 November 1608, deposition of Thomas Barton.

<sup>373</sup> GDR 106, Office c. William Holder, 4 November 1608, deposition of Thomas Barton.

allegedly answered that unless Holder gave him forty pounds to make his daughter amends, he would “have the extreamtye of lawe against him.”<sup>374</sup> Holder’s middle man made one more offer of twenty pounds, which Taylor again refused, insisting on the higher sum. The deposition of another witness, in all probability an uncle of William Holder, suggests that Holder and Jane Taylor may have been related. John Taylor may have been Holder’s maternal uncle, Jane Taylor his cousin.<sup>375</sup> This, then, would give the whole affair an aura of incest on top of everything else, making its legal prosecution even more pressing. Significantly, incest is nowhere mentioned in the court records, which may suggest that the focus in this case was on Holder’s adultery, and his siring of an illegitimate child.<sup>376</sup> Yet even if the degrees of kinship between Jane Taylor and William Holder were in fact further removed, this case indicates how closely such allegations of sexual incontinence may be connected to the power politics of larger family groups, as well as the economic concerns inherent in negotiations of local hierarchies. This case also indicates just how socially significant male adultery could be, particularly if there were bastard children involved.

The moral integrity of servants was a highly sensitive issue; it seems that mere allegations of servants’ sexual misbehaviour, and pregnancy in particular, could lead to dismissal.<sup>377</sup> “Any sexual impropriety of a maidservant,” Elizabeth Foyster asserts, “could reflect back unfavourably on her master.”<sup>378</sup> However, female servants appear to have been very vulnerable to sexual advances and abuse.<sup>379</sup> An unmarried woman’s ‘great belly’ was one of the few definite markers that a sexual transgression of some sort had indeed occurred; yet since neither this belly nor the child subsequently born could provide definite answers on the subject of paternity, the details, the story behind this transgression was open to a high degree

<sup>374</sup> GDR 106, Office *c.* William Holder, 4 November 1608, deposition of Thomas Barton.

<sup>375</sup> Anthony Taylor from Itchington, presumably the uncle of William Holder who, according to Taylor’s witnesses, had offered the Taylors money to let the matter rest, states that he has two brothers, both of whom are married to John Taylor’s sisters. Thus, John Taylor’s sister could be William Holder’s mother.

<sup>376</sup> Cf. Ingram (1987: 148) who suggests that although incest, once discovered, was considered a serious offence, “it does not seem to have loomed large in the minds of the inhabitants of early modern England.” Prosecutions were relatively rare (145).

<sup>377</sup> Cf. Sharpe (1998: 158), Foyster (1999: 88).

<sup>378</sup> Foyster (1999: 88).

<sup>379</sup> Cf. Ingram (1987: 265), Crawford & Gowing (2000: 146), Griffiths (1996a: 277), Fletcher (1995: 219); Quaipe (1979: 72f.) also gives examples. Bernard Capp (2003: 164) emphasises that female servants were sexually threatened not only by masters, but also by fellow male servants. On the whole, this sexual vulnerability of female servants is a phenomenon which is neither restricted temporally nor geographically cf. Hill (1996: ch. 3) for eighteenth-century England, for nineteenth-century Paris Fuchs & Moch (2002: esp. 160). For early modern Spain see Barahona (2003: 81), who asserts that female servants were particularly vulnerable to sexual attacks when the mistress of the house was absent. In this case, then, it is the wife’s absence which encourages masculine sexual transgression. However, it was not only heterosexual hierarchies which need to be considered here. Laura Gowing (1997: 92) has drawn attention to the important role of mistresses in detecting the sexual transgressions of their female servants, exercising their spatial authority by searching both their servants’ rooms and bodies.

of manipulation. There seems to have been enormous pressure on young, unmarried women to name a person as the father of their bastard child so that it would not fall to the parish to pay for the child's expenses.<sup>380</sup> This (hostile) pressure and sensitivity towards bastardy cases even appears to have increased in the late sixteenth, early seventeenth century, possibly in connection to increasing poverty and the resulting strain on parish funds for poor relief.<sup>381</sup> Well-situated, influential men appear to have been particularly likely to be named as fathers<sup>382</sup> – whether they were so in actual fact was often difficult to determine.

Thus, although bastardy has often been described as an inherently gendered, i.e. female, crime, communal concern in bastardy cases targeted not only female disorder, but, importantly, male transgression, too. John Holder's case bears evidence to the great interest in the identity of the illegitimate child's father. Martin Ingram notes that a woman's 'great belly' "not only provided proof positive of sexual immorality but also crystallised a sense of moral outrage."<sup>383</sup> In this case the moral outrage seems to have been successfully (re)directed towards the father of the child. That William Holder was questioned by the ecclesiastical court for an adulterous affair which resulted in the impregnation of his former servant, and that witnesses detailed Holder's (alleged) efforts to hush up this matter demonstrates that male adultery, especially in connection to illegitimate children, was no light feat. Most generally, being lawfully convicted of having produced a bastard, as Laura Gowing has noted, questioned a man's ability of self-government which was so central to a successful master's masculine identity.<sup>384</sup> Bastardy thus, crucially, is a matter of male responsibility which had a very pronounced economic element (both for the male and female party involved).<sup>385</sup> Interesting, too, is Mrs Holder's role in this scenario, who, if we may take the witnesses' depositions at face value, campaigned behind the scenes to have her husband – not her husband's lover – officially reprimanded.

The following case further accentuates the significance and economic implications of masculine adultery. In April 1631, Richard Wilkes, curate and schoolmaster of Tewkesbury, was suspected of incontinence and adultery.<sup>386</sup> As in the Holder case, however, the actual point

<sup>380</sup> Mendelson & Crawford (1998: 148), Macfarlane (1980: 73f.), cf. also Gowing (2001: esp. 54), Amussen (1988: 102).

<sup>381</sup> Ingram (1987: 261f.).

<sup>382</sup> Cf. Ingram (1987: 262).

<sup>383</sup> Ingram (1987: 261).

<sup>384</sup> Gowing (2001: 59).

<sup>385</sup> William Naphy (2004: 45) in his monograph on *Sex Crimes*, which caters to a popular rather than scholarly readership, suggests that English ecclesiastical courts punished male adultery with servants more harshly than adultery with other partners of single or married status, because "such lewdness should be kept out of the home."

<sup>386</sup> GDR/B4/1/2489. The term "et adulterii" has been (belatedly) added to the (Latin) original by insertion. Even though adultery and fornication are quite commonly connected in legal formulae, the explicit insertion of



was that he had impregnated Anna Cole, of whose status we know nothing. Again, it was the male party who was officially held responsible.<sup>387</sup> Richard Wilkes, according to the surviving documents, “utterly denied” the charges. Yet being faced with some “stronge suspicions of incontinency” by the Bishop, Godfrey Goodman, himself, Wilkes showed himself very penitent: “which he testifieth with many teares and promises amendment and reformation of his life hereafter, desiring not to be put to any open shame for the honour of his callinge and profession.”<sup>388</sup> In a sense, despite his claims to be innocent, Richard Wilkes, through his tears and promises, delivered an anticipatory, or rather, substitutional performance of penance. He attempted to justify this substitution by reference to the shame which an open conviction would cause him. The “very fame and reporte” of his public penance, it was argued, “might much disparedge him in his credit, being Scholemaster and teaching gentlemen’s sonnes of good worth, and having bread vpp many young gentlemen heretofore, who do therefore much esteeme and reverence him.”<sup>389</sup> Again, male adultery, or at least the public conviction and punishment thereof, was constructed as a weighty offence.

Clearing oneself of charges of adultery or fornication in court was never a bargain, even if one could prove one’s innocence. As Christopher Hill has calculated, at the beginning of the seventeenth century, “a man charged with lying with a neighbour’s wife, acquitted after compurgation, still had to pay the costs of 1 pound 3 shillings 4 pence on pain of excommunication.”<sup>390</sup> In Richard Wilke’s case, compurgation obviously was not an option, but his plea for commutation was granted. He was ordered to perform a more private form of penance within a week, “in some private place,” before a committee of church officials who were to represent the larger congregation. Although the alleged crime had transpired before he had taken holy orders, Wilkes was dismissed from his current cure, though he was still allowed to take up other cures in other dioceses. In addition to his private penance, or rather, as a precondition of it, Richard Wilkes was enjoined to give the not insubstantial sum of ten pounds “to charitable vses,”<sup>391</sup> of which one half was to be spent in Tewkesbury, his home parish, the other upon three scholars in Oxford. One half of the five pounds for Tewkesbury, i.e. fifty shillings (two pound fifty), were to be “laid out”<sup>392</sup> by the curate of Tewkesbury and

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“adultery” in the Wilkes document emphasises the significance of this particular term in the context of this case.

<sup>387</sup> In any case, I have not been able to find evidence that Anne Cole was questioned for this offence by the ecclesiastical court.

<sup>388</sup> GDR/B4/1/2489.

<sup>389</sup> GDR/B4/1/2489.

<sup>390</sup> Christopher Hill (1991: 298).

<sup>391</sup> GDR/B4/1/2489.

<sup>392</sup> GDR/B4/1/2489.

the aforementioned committee. The remaining fifty shillings, significantly, were awarded to Richard Wilke's own wife. Although the particular reasons for this decision are not specified, it was apparently deemed that the wife should not quietly bear her husband's transgression, but deserved *personal* and *economic* compensation for his inappropriate behaviour and its consequences.

A man who, unlike Wilkes, did have to do public penance for his adultery was the obstinate sinner whom Richard Cooke's sermon *A White Sheete* (1629), addressed.<sup>393</sup> The title describes the man's crime as "*fornication, continued more then two yeares, with his Maide-servant.*"<sup>394</sup> In the following, however, adultery is repeatedly referred to, for instance, in the refrain-like use of Hebrews 13:4, "Whoremongers and Adulterers, God will judge,"<sup>395</sup> which Cooke also uses as a motto for his sermon, and eventually, the congregation as well as the sermon's subsequent readership are informed that the penitent addressee is, in fact, married. Not only has the "blacke soule in a white sheete"<sup>396</sup> maintained his extra-marital affair for nearly three years<sup>397</sup> and has obviously done penance before in St Paul's Cathedral, possibly for the same offence, or a similar one. But, "which is worst," Cooke contends, he has kept "an whore under [his] wiues nose."<sup>398</sup> The offender has clearly abused his authority within the household and violated his conjugal relationship. As it will turn out shortly, his sins are even greater.

Again, adultery is conceptualised as a drain on household resources. Economic issues are quite pressing: "you haue run your selfe mightily in debt by this your sin, and vnto diuers," Cooke reminds the offender.<sup>399</sup> The adulterous husband apparently had already been committed by secular authorities to various prisons for old debts which are now cleared. But as rumours spread of this new offence, "some other Creditors haue entered actions" against the penitent, and those have to be paid before he can now be "discharged."<sup>400</sup> Sexual 'credit,' it is here suggested, was of great importance for masculine reputation and financial solvency.<sup>401</sup>

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<sup>393</sup> Richard Cooke, *A White Sheete, or, A Warning for Whoremongers* (London, 1629).

<sup>394</sup> Italics original. For better orientation, the full title runs as follows: *A White Sheete, or, A Warning for Whoremongers. A Sermon Preached in the Parish-Church of St Swithins by London-stone, the 19th of July Anno Domini 1629, the Day Appointed by Honorable Authoritie for Penance to be Done by an Inhabitant there, for Fornication, Continued More then Two Yeares, with His Maid-Servant.*

<sup>395</sup> Quotation as given in Cooke, *A White Sheet*, 1.

<sup>396</sup> Cooke, *A White Sheet*, 1.

<sup>397</sup> Cooke points out, however, that this is merely the time frame to which the sinner has confessed, adding "[h]ow longe you haue loved and lived in this sinne, your owne conscience can tell you best." (32).

<sup>398</sup> Cooke, *A White Sheet*, 32.

<sup>399</sup> Cooke, *A White Sheet*, 33.

<sup>400</sup> Cooke, *A White Sheet*, 34.

<sup>401</sup> Cf. Bernard Capp (2003: 77), who points out that the loss of personal reputation might backlash on a person's

Cooke's penitent has incurred a sort of social debt with the people of his parish, to which he had moved a while ago, who welcomed him, and tried to integrate him into their community, for instance by inviting him to public feasts, granting him access to public offices.<sup>402</sup> For his abuse of the credit in trust and acceptance which the local community had granted him, Cooke eventually declares the offender a *persona non grata*, excluding him from said community. Significantly, this also indicates that the man will not be able, through his performance of this very penance, to purge himself completely.

Moreover, the adulterer, Cooke argues, has run up a *spiritual* debt with God, all people who honour religion and moral codes, his congregation in particular and last, but not least, with the woman with whom he has committed this transgression. This is a particularly weighty issue. "What satisfaction can you ever make," asks Cooke, "to that servant of yours, who by your base and beastly fornication with her, came to a shameful and vntimely death?"<sup>403</sup> Significantly, again, the focus rests solely on male agency, the master's abuse of authority. As it turns out, the unwed mother had killed her illegitimate newborn child and, if we understand Cooke's insinuations correctly, was sentenced to death for doing so by a secular court, while the adulterer was acquitted.<sup>404</sup> Cooke, however, stresses the man's responsibility for those deaths by insinuating that the ultimate, divine judge might pass a different verdict: "God grant that you may come off as faire with God."<sup>405</sup> Cooke may be right to remain sceptical about the acuteness of the verdict. As historians have shown, only a very small number of men were questioned for their involvement in the murders of (their) bastard infants, and of those who were prosecuted, the overwhelming majority appears to have been acquitted.<sup>406</sup> It has been suggested that new-born child murder was culturally coded as a female crime,<sup>407</sup> which was, significantly, directly connected to a woman's sexual

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economic situation.

<sup>402</sup> Cooke, *A White Sheet*, 35.

<sup>403</sup> Cooke, *A White Sheet*, 34f.

<sup>404</sup> The punishment for infanticide had been severely tightened only five years prior to Cooke's sermon by the 1624 *Act to Prevent the Destroying and Murthering of Bastard Children* (21 Jac. I c. 27). As Mark Jackson (1996) has argued, in the late 16<sup>th</sup>, early 17<sup>th</sup> centuries there emerged a concept of new born child murder, which was much more specific than the often ill-defined and anachronistic term 'infanticide' would suggest. In this respect it is noteworthy that this "Infanticide Act" actually only applies itself to bastard children and thus to mainly poor, unmarried mothers as perpetrators. As Garthine Walker (2003: 149f.) has suggested that prosecutions for infanticide did not occur very often that and the application of death penalty varied geographically. But while many women convicted of infanticide actually received death penalty (instead of 'merely' being branded or condemned), even under the stricter post-1624 statutes, new-born child murder was the only homicide for which women were likely to be pardoned (137, 152 & 155). As Laura Gowing (1997: 89) has shown, most of the women accused for infanticide in the Northern Circuit Assizes between 1642 and 1680 were servants, thus sharing the position of the servant relevant for Richard Cooke's sermon.

<sup>405</sup> Cooke, *A White Sheet*, 35.

<sup>406</sup> Cf. Walker (2003: 153f.).

<sup>407</sup> Walker (2003: 4, 148-158), cf. Shoemaker (2004: 1).

immorality.<sup>408</sup> Yet Cooke's sermon indicates that this is a too uni-dimensional perspective. Though possibly in other ways than women, men were held accountable for their adultery and the predicament of their bastard children.

Surveying these examples, it appears that, in its critical view of male adultery, *A Mad Couple* does not present an inverse picture of 'social reality.' Clearly, male adultery, whether with married or single women, socially as well as economically, was not in principle some sort of peccadillo. It could damage the reputation of both husband and wife.<sup>409</sup> Married men who were suspected of adultery could face social ostracism.<sup>410</sup> In the Thrivewell plot of *A Mad Couple*, as in the above documents, husbandly adultery is presented as compromising economic household integrity. The comedy, however, suggests that social ostracism and financial loss may be avoided if husband and wife manage to have an amiable, balanced relationship, and, ultimately, if the wife is able enough to help correct her husband's mistakes, possibly even to 'tame' him to avoid future mistakes. In the end, by stressing husbandly responsibility (in Thrivewell, but also in Mr Saleware), but simultaneously highlighting wifely agency in matters of household government and economy, her ability of ensuring (or destroying) domestic morality and stability, the play presents an idea of a practical sort of companionable marriage rather similar to the one encountered in prescriptive discourse.

Economic concerns are at the heart of marriage. Mistress Saleware's example propounds the close affinity of legitimate and illegitimate economic relations. The next section will follow this thought in more detail. So far, adultery has been described as a failure – of a marital equilibrium, of orderly husbandly or wifely household government, of issues of household economy. The following section will focus on adultery as success, as a conscious strategy of house-holding.

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<sup>408</sup> Walker (2003: 148).

<sup>409</sup> Cf. Turner, D. (2002: 86).

<sup>410</sup> Foyster, D. (1999: 116).

## 6.4. Adulterous Business: Horn of Plenty or Horn of Cuckoldry?

“*ALLWIT: Now, sirs, Sir Walter’s come.  
SERVANT 1: Is our master come?  
ALLWIT: Your master? What am I?  
SERVANT 1: Do not you know, sir?  
ALLWIT: Pray, am I not your master?  
FIRST SERVANT: O, you are but our mistress’ husband.*”

Middleton, *A Chaste Maid in Cheapside*<sup>411</sup>

This section will consider adultery as being situated between scandalous ridicule, symbolised by the horn of the cuckold, and business success, symbolised by the horn of plenty. Adultery could erode the economic foundation of the conjugal union.<sup>412</sup> Above, we have shown that a husband’s adultery could be conceptualised as involving a misuse of emotional and financial household resources. As regards female adultery, there appear to have been two major stereotypes. One stereotype held that the adulterous wife compromised household resources, by spending money on her lover and other ‘vain’ entertainments.<sup>413</sup> This sort of female transgression seems to be (causally) connected to husbandly inability – in emotional, sexual, economic, and social terms. These elements, the inability to govern his wife and his financial impoverishment through her adultery, were part of the conventional make-up of the cuckold in contemporary popular culture.<sup>414</sup> Separation suits for female adultery before the church courts also frequently stressed the economic loss and the damage to a husband’s social status associated with female adultery.<sup>415</sup> Laura Gowing thus concludes, “women’s adultery violates the conjugal bond, imperils men’s honour, and disrupts the domestic economy.”<sup>416</sup>

Another female stereotype, however, concerned wives who were earning money through adultery – with their husband’s consent. These husbands, then, are special

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<sup>411</sup> Thomas Middleton, *A Chaste Maid in Cheapside*, in *Thomas Middleton: Five Plays* (Loughrey, B. & Taylor, N., eds., 1988), 161-238, cit. 1.2.59-64.

<sup>412</sup> Cf. Foyster (1999: 116), Roper (1994: 56).

<sup>413</sup> To name but two examples: In the ballad *Cuckold’s Haven*, the adulterous wife is shown to be indulging in vain and expensive pastimes. Similarly, in Percy’s *The Cuck-Queanes and Cuckolds Errants* Doucebella entertains her lover generously with banquets and shows and thus accumulates large debts. When her husband Claribel returns from his own lengthy adulterous detour, he is pressurised heavily by creditors. Even after his return, however, Claribel proves unable to ‘handle’ his wife and the results of her escapades because he feels he lacks the social status to openly confront her whereas she has wealthy and influential friends. As a consequence, he is openly ridiculed.

<sup>414</sup> Cf. Panek (2001: 70), also Foyster (1999: 116).

<sup>415</sup> Cf. Foyster (1999: 116). Elizabeth Foyster (*ibid.*) simultaneously cautions that husbands may have emphasised their debts in order to avoid having to pay large sums of alimony in case the separation was granted.

<sup>416</sup> Gowing (1996: 187).

representatives of the category of contented cuckold, which is frequently encountered in satiric contexts. William Fennor, in his *Cornu-Copiae, Pasquils Night-Cap, or An Antidot for the Head-ache*, for instance, noted that “Cuckolds often are the wealthiest men” and that “howsoeuer fooles their fortune scorne, Profit and pleasure both spring from the Horne.”<sup>417</sup> Three decades later, in John Taylor’s *Cornu-Copia or Roome for a Ram-Head*, a husband informs his astonished wife of the advantages of horns. Horns are not only “a goodly ornament,” but also “so serviceable and usefull that no man almost can live without them.”<sup>418</sup> They are “a great commodity,” and many men in England and abroad owe their comfortable lives to them.<sup>419</sup> It seems to have been a common stereotype, as we have noted, that merchant’s wives were potentially unfaithful and thus helped their husband’s business along. If the cuckold “be a Trader, and his Wife be pretty,” held the anonymous *Law Against Cuckoldom*, for instance, “he’s sure to have a good Trade, for he has one Commodity that helps off with the rest.”<sup>420</sup> In a contemporary broadside ballad, the *Cooper of Norfolk* persuades his wife’s lover to pay him a compensation so hefty that the cooper can afford to stop working.<sup>421</sup>

This ironic positive (re)evaluation of cuckoldry may be understood as a mirror image of the sort of cuckold anxiety and jealousy which, according to psychoanalytically oriented scholars such as Mark Breitenberg and Katharine Eisaman Maus, was ubiquitous in and a formative influence on early modern culture.<sup>422</sup> Yet even though this positive evaluation is clearly satirical, there clearly was a discursive tradition which associated cuckoldry with profit and upward social mobility. In other words, motives of adultery and contented cuckoldry were employed to cast a critical light on (exaggerated) middling-sort industriousness and upward social mobility. Significantly, this sort of economically viable adultery can be closely associated not, as in Mr Saleware’s case, with a husband’s ridiculousness, but with his (positive) ability to govern his household. An examination of Middleton’s *A Chaste Maid in Cheapside* will demonstrate this in more detail.

*A Chaste Maid in Cheapside* (1613)<sup>423</sup> is a comedy which revolves around economy,

<sup>417</sup> William Fennor, *Cornu-Copiae, Pasquils Night-Cap, or An Antidot for the Head-ache* (London, 1612), 43 & 49. The text was formerly attributed to Nicolas Breton.

<sup>418</sup> John Taylor, *Cornu-Copia or Roome for a Ram-Head* (London, 1642), A2.

<sup>419</sup> Taylor, *Cornu-Copia*, A3.

<sup>420</sup> Anonymous, *A Law Against Cuckoldom, Or the Tryal of Adultery* (London, 1600), “A Cuckold,” attachment to unpag. preface.

<sup>421</sup> M[artin] P[arker], *The Cooper of Norfolk, Or, a Pretty Jest of a Brewer and the Coopers Wife and how the Cooper Served the Brewer in his Kinde* (London, 1627).

<sup>422</sup> Cf. Maus (1987) and Breitenberg (1996).

<sup>423</sup> The play was apparently written by Thomas Middleton between 1611 and 1613, and first performed at the Swan in the spring of 1613 by Lady Elizabeth’s amalgamated company. For a city comedy, this venue of a public theatre was quite unusual. Cf. Loughrey & Taylor (1988: xxix), Griswold (1986: 15f.), Taylor (2008).

property, generation and marital relations. Already its setting is saturated with economic and moral connotations, the prize promenade of Cheapside being “a ceremonial and commercial centre point, London’s ‘shopping street’ and ‘first and absolutest place’”<sup>424</sup> which catered to thousands of passers-by each day who went there to shop, talk, or look at the sights.

Goldsmith Row, situated at the south side of Cheapside, with its unusually expensive, fashionable houses and shops, was a place of particular attraction.<sup>425</sup> These houses and the people who inhabited them generated an atmosphere of wealth and fashionable taste, boosting Cheapside’s high status. However, at the time Thomas Middleton created this comedy, there seem to have been signs of a decay in style and status in Cheapside as the goldsmiths gradually migrated to other parts of the town, lower castes of vendors took over the trade, and the general condition of the street and buildings declined.<sup>426</sup> In juxtaposing “a chaste maid” and “Cheapside,” a place associated with commerce (and prostitution) in what appears to be a (near) paradox, the title of the play already opens up a tension between chastity, morality and economic conditions and interests. In Janelle Jenstad’s words, “as its title suggests, *A Chaste Maid in Cheapside* brings together the twin obsessions of city comedy, the marketplace and female sexuality.”<sup>427</sup> In the end, the chaste maid will choose love over title, status and (presumed) wealth and thus affirm that moral integrity is possible in the mercenary environment of central London, at least within the context of a comedy.

In terms of plot construction, there are number of parallels to Brome’s *Mad Couple*, composed nearly three decades later. Where Brome’s play introduces the Thrivewells, one of Middleton’s sub-plots presents the Kixs, an aristocratic, rich couple who has failed to reproduce so far. Unlike the faithful Lady Thrivewell, Lady Kix will finally find a man who, under the guise of a quack doctor, will sire a Kix heir. Middleton’s Allwits resemble the Salewares. They are a married couple who live on the financial benefits they reap from the wife’s extramarital affair with the gentile Sir Walter Whorehound. Whereas the Saleware plot revolves around Master Saleware’s forbearance and the effects of his wife’s ambitions and transgressions, the Allwit plot, for the most part, focuses on the relationship between John Allwit and his aristocratic cuckold-patron. Having spent most of his resources on his lover and his illegitimate children, Sir Walter needs money. He can inherit a large fortune if he marries and sires legitimate children. His woman of choice is Moll, “chaste maid” of the play’s title, and the daughter of the wealthy, and socially ambitious goldsmith Yellowhammer.

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<sup>424</sup> Griffiths (2000: 176).

<sup>425</sup> Cf. Griffiths (2000: 176f.).

<sup>426</sup> Cf. Griffiths (2000: 177).

<sup>427</sup> Jenstad (2002: 17).

The Yellowhammers are looking for titled spouses for their two children and are willing to provide a large dowry for their daughter. Moll, however, is in love with Touchwood Jr., a young man who has neither money nor title. Touchwood's brother, Touchwood Sr., is so immensely, almost ungovernably potent that the number of children he sires both with his wife and with other women exceeds the couple's financial capabilities. After he has lived apart from his wife for while, to keep from generating even more offspring, Touchwood Sr. finally finds his outcome by siring Lady Kix's child and becoming something like an 'adulterer in waiting' in the Kix household – a mirror image, of course, of Whorehound's relationship with the Allwits. Despite the title's focus on female sexuality, therefore, matters of male sexuality in this play are almost more prominent.

To continue our examination of male sexuality and the economic dimension of female adultery, the following discussion will focus on the Allwits, most importantly, Mr Allwit's role in the whole scenario. My thesis here is that Allwit, though he may first appear a ridiculous "wit-all," i.e., wittol,<sup>428</sup> is actually "all wit" in the literal sense, i.e., he is the trickster, the con man, another stock figure of (city) comedy. In John Allwit's first monologue we learn that Sir Walter, "the right worshipful founder" has "maintained" the Allwit household for ten years, including wife, children, and even John himself.<sup>429</sup> For the privilege of cohabiting with Mrs Allwit, Whorehound covers all the expenses for which Allwit normally would have to provide.<sup>430</sup> In Allwit's case, the cuckold's horn is thus the horn of plenty. Instead of defending his household against the intruder, he seeks to facilitate his illicit business, assuming a subservient pose *vis-à-vis* the other man: "I say nothing, / But smile and pin the door,"<sup>431</sup> he claims. Thus, judging from appearances, Allwit is a complacent husband "[o]ne though he see himself become a monster, / Shall hold the door, and entertain the maker,"<sup>432</sup> as Fletcher's *Rule a Wife and Have a Wife* phrased it. Unlike Fletcher's Leon, however, Allwit is not troubled by notions of his 'monstrosity.' Allwit indicates that he has all the advantages of being a married man, yet does not shoulder any of the hardships. He "live[s] at ease," in a life of "[mere] recreation" without "constraint."<sup>433</sup> It is Whorehound who has all

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<sup>428</sup> The same pun is made by Saleware. Brome, *A Mad Couple Well Match'd*, [C8] (act 2).

<sup>429</sup> Bruster (1992: 60). Because of the strong thematic emphasis in this speech on the economic issues on which this triangle relationship is based Douglas Bruster has characterised it as "a dramatic thesaurus of the Renaissance theater's commercial mythology"; a mythology which, Bruster adds, centred precisely upon the horn of plenty.

<sup>430</sup> Middleton, *A Chaste Maid in Cheapside*, 1.2.10-20.

<sup>431</sup> Middleton, *A Chaste Maid in Cheapside*, 1.2.28f.

<sup>432</sup> Fletcher, *Rule a Wife, and Have a Wife*, 282 (act 2).

<sup>433</sup> Middleton, *A Chaste Maid in Cheapside*, 2.2.5f. Allwit: "I'll go bid gossips presently myself, / That's all the work I'll do; nor need I stir, / But that it is my pleasure to walk forth / And air myself a little; / I am tied to nothing / In this business, what I do is merely recreation, / Not constraint." (2.2.1-6).



the care and expenses, “cost and torment,”<sup>434</sup> assuming the responsibilities of a husband, providing for a woman and children, yet enjoying none of the public privileges – apart from being able to command Allwit’s servants to fetch his slippers as if he were the lord of the house.<sup>435</sup> The only benefit Whorehound is granted is sexual access to Allwit’s wife, and he guards this privilege jealously. Where Allwit does not (have to) work and enjoys his life, Sir Whorehound “Watches [Mrs Allwit’s] steps, sets spies,”<sup>436</sup> to assure that no man but him touches her, or threatening to marry should Allwit sleep with his wife,<sup>437</sup> even though Mrs Allwit is not his only lover.<sup>438</sup> While the citizen who “would not have [Whorehound’s] toil for all [his] pleasure,”<sup>439</sup> lives in leisure like an aristocrat, the knight, according to Allwit, is always up and about and “has not an hour’s leisure,” and thus resembles an industrious (if unsuccessful) merchant.<sup>440</sup> Still, Whorehound is no glorious example of husbandly responsibility. Like Carelesse in *A Mad Couple*, he also represents the stereotype of the aristocratic bachelor who spends all his money on illegitimate sexual pursuits.

Critics have harshly judged Allwit’s complacency. They have taken the fact that he proposes to enjoy his position as a sign of his delusion and inability, arguing that he was the prototypical idiotic cuckold ridiculed by satiric comedy. Rick Bowers, for instance, has characterised Allwit as “an idiotic killjoy totally lacking in assertive power.”<sup>441</sup> Gary Kuchar has maintained that Allwit is fully given over to “infantile, and second hand pleasures,” who is in “complete awareness of his perverse desires and his total lack of shame.”<sup>442</sup> Allwit’s lack of manliness, according to his critics, can also be inferred from his alleged “absolute lack of sexual interest or appetite.”<sup>443</sup> As I do not agree that Allwit is best appraised when he is described as something totally ridiculous, outrageously fantastic, subversive,<sup>444</sup> or carnivalesque,<sup>445</sup> I suggest that Allwit is a con man who, intent on his greatest possible

<sup>434</sup> Middleton, *A Chaste Maid in Cheapside*, 1.2.53f., also 1.2.144f., Allwit: “Thus do I rid myself of fear, / Lie soft, sleep hard, drink wine, and eat good cheer” (1.2.144f.). Cf. also Panek (2001: 68).

<sup>435</sup> See Middleton, *A Chaste Maid in Cheapside*, 1.2.79.

<sup>436</sup> Middleton, *A Chaste Maid in Cheapside*, 1.2.52f.

<sup>437</sup> See Middleton, *A Chaste Maid in Cheapside*, 1.2.106.

<sup>438</sup> Whorehound manages to have another mistress married to the Yellowhammers’ son under the pretence that she was a rich Welsh gentlewoman.

<sup>439</sup> Middleton, *A Chaste Maid in Cheapside*, 2.2.56f.

<sup>440</sup> Cf. Jenstad (2002) who persistently argues that Sir Walter adopts mercantile modes of thinking in his dealings with the Yellowhammers.

<sup>441</sup> Bowers (2003: 11).

<sup>442</sup> Kuchar (2001: 25).

<sup>443</sup> Boehrer (2001: 180); a similar implication can be found in Kuchar (2001: 25) and Brissenden (2004: 38).

<sup>444</sup> Cf. Panek (2001: 68).

<sup>445</sup> Cf. Chakravorty (1996: 96-106); Bowers (2003: 21); see also Miller (1996) who employs a gendered perspective of the carnivalesque by focusing on the grotesque bodies of women and their relation to an “increasingly carnivalesque market” (84), yet fails to consider the significance of men, Allwit in particular, in this respect.

advantage, plays different roles to manipulate and trick others – ultimately even his modern critics.

The characters of this play, as in many satiric comedies of the time, inhabit a world in which economic and status concerns take precedence over morality. Thus, the marriage of the Touchwoods, which is presented as rather affectionate, is not primarily threatened by the emotional effects of Touchwood Sr.'s affairs, but by the economic effects of his sexual potency. Similarly, the Kixs will rather have a bastard child than to lose their inheritance. The Yellowhammers intend to marry their daughter to a known philander as long as he has a title, and they give their son in marriage to a woman with whom he cannot even communicate, but who they presume to be exceedingly rich. In such a context of general moral depravity, Allwit's 'business plan' is not outstandingly ridiculous.

Certainly, as Allwit presents himself in the beginning of the play, one could assume that he was a passive, contented cuckold who has given over his domestic authority to another man and hides his incapability by positively re-evaluating his situation, which he would be unable to change anyway. The comments of other characters support this impression. Allwit's servants, for instance, do not hold him in high esteem. One of them claims that Allwit is "but [their] mistress' husband," while Sir Walter Whorehound is their actual master. Allwit openly repudiates his man, but the servant maintains (in an aside) that Allwit's servile, complacent attitude towards Whorehound makes him closer to the servants in status than to a master. He is "but one peep above a servingman, and so much his horns make him."<sup>446</sup> Mrs Allwit's lifestyle, notably, has not affected her authority within the household. She is recognised as the mistress of the house.

Yet is Allwit really a foolish, ridiculous cuckold or is he rather a sly manipulator? Allwit himself presents his relationship with Whorehound as a game<sup>447</sup> in which he sees himself at an advantage. He does not consider his general reputation as impaired, but smugly maintains: "I pay for none at all, yet fools think's mine; / I have the name and in his gold I shine."<sup>448</sup> We may be sceptical about the husband's claim that his social position has not been negatively but rather positively affected by his wittolry, but in actual fact he is not really "an object of general contempt among the play's other characters,"<sup>449</sup> as Bruce Boehrer has maintained. Indeed, the negotiation of Allwit's exact position does not appear to extend beyond the boundaries of this household. To argue that "[e]ven his servants recognize that he

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<sup>446</sup> Middleton, *A Chaste Maid in Cheapside*, 1.2.67f.

<sup>447</sup> Middleton, *A Chaste Maid in Cheapside*, 1.2.80.

<sup>448</sup> Middleton, *A Chaste Maid in Cheapside*, 1.2.39f.

<sup>449</sup> Boehrer (2001: 179).

is not the master,” is thus beside the point.<sup>450</sup> *Only* the servants, the wet nurse,<sup>451</sup> and Whorehound’s poor kinsman/servant Davy<sup>452</sup> seem to have this level of insight. That the knowledge of transgressions is restricted to certain (less influential) individuals is symptomatic of the world of this fictionalised Cheapside where appearances are kept, but morality does not reach beneath the surface. Dramaturgically, the servants’ derisive comments certainly serve as some form of guideline on how to read Allwit’s character, and thus offer a counterbalance in case Allwit’s leisured life-style should appear either too absurd or too appealing. On the other hand, the servants’ remarks are rather too paradigmatic of a certain prototype of mouthy servant which is often used to enhance comic effects. This raises the quite crucial question of whether those servants are reliable judges/informants of their masters and mistress’ characters. And even more interesting is the observation that their judgement should be so easily trusted by modern commentators. Those characters who are non-members of the Allwit household treat Allwit with respect. The neighbours at the gossiping of the new Allwit baby certainly remark on Sir Whorehound’s much more genteel air, compared to which Allwit appears unrefined. On the other hand, one of the gossips (un-ironically) wishes she had a husband for her daughter who could provide as well as Allwit.<sup>453</sup> Moreover, the fact that a disguised Allwit, to discourage the Yellowhammers’ marriage plans, goes to enlighten Yellowhammer about Whorehound’s immoral character and his affair with Mrs Allwit suggests that this affair is not common knowledge.

This indicates that Allwit has apparently succeeded in disguising the actual source of his wealth, and thus in managing public opinion to his advantage and. Jennifer Panek is one of the few critics to agree on this point. “Far from being the community laughing-stock,” she contends, “Allwit is [...] shown controlling the dissemination of knowledge about his domestic situation.”<sup>454</sup> Luckily, Sir Walter is equally interested in “prevent[ing] suspicion” at all cost, and agrees that “’Tis good to play with rumour at all weapons.”<sup>455</sup> It is Allwit himself who dictates the terms of this gossiping about his wife’s ‘business.’ He trades pieces of information for his own biggest possible profit, for instance when he assumes a disguise to tell Yellowhammer that his prospective son-in-law is actually “an arrant whoremaster,” who “consumes his time and state.”<sup>456</sup> Importantly, though Yellowhammer pretends to be shocked

<sup>450</sup> McLuskie & Bevington (1999: 47), my italics.

<sup>451</sup> Cf., for example, Middleton, *A Chaste Maid in Cheapside*, 2.2.32.

<sup>452</sup> Cf. Middleton, *A Chaste Maid in Cheapside*, 2.1.1., 5.1.160f.

<sup>453</sup> Middleton, *A Chaste Maid in Cheapside*, 3.2.30f. & 93f.

<sup>454</sup> Panek (2001: 83).

<sup>455</sup> Middleton, *A Chaste Maid in Cheapside*, 2.2.36f.

<sup>456</sup> Middleton, *A Chaste Maid in Cheapside*, 4.1.227.

(about Whorehound's debauchery, not Mr Allwit's cuckoldry, that is), he does not spread the word about Mrs Allwit's affair. We do not see Allwit gossiped about or ostracised in the following scenes. Thus, during the course of action, Allwit becomes less and less the butt of the play.

Unlike Master Saleware, who lets himself be governed by his wife (for whatever reasons), Allwit is not the passive victim of his transgressive spouse. In fact, we initially learn very little about the relationship between the Allwits as the play centres on the homosocial connection between Allwit and Whorehound. While Whorehound seeks to dominate over Allwit and intimidate him into complacency through his jealous display of ownership rights and his threat to marry,<sup>457</sup> Allwit has been pursuing his own agenda. Instead of passively bearing the other man's actions, he has manipulated the knight and his private life. For instance, Allwit contends that he has managed to interfere in the gentleman's personal life in such a way as to thwart Whorehound's marriage plans on a number of previous occasions.<sup>458</sup> As has been indicated, Allwit describes his (and his family's) interaction with Whorehound as a "game," in which he "observes [the other man's] humour" and then has "him by the nose."<sup>459</sup> "For Allwit," as Bruce Boehrer puts it, "wittolry is a wonderful confidence-game, a supremely clever ploy through which the cuckold absorbs both the economic well-being and the honour [...] of his wife's seducer."<sup>460</sup> Boehrer basically considers this a self-delusion of the cuckold, but I hesitate to share this view. Allwit's behaviour in all directions is a very cleverly calculated performance designed to maximize profit. Although not all his moves may be successful, and he may be slightly overestimating his own capabilities, Allwit is shown to be ready and willing to act in his own economic interest, and not only to passively enjoy all the comforts of wittolry. When first confronted with the news that Sir Walter plans to marry, Allwit even describes his manipulation of the knight as "work" and immediately jumps into action: "I have no time to stay, nor scarce can speak; / I'll stop those wheels, or all the work will break."<sup>461</sup> His leisured existence is thus reconfigured as the return for his earlier efforts.

There is one further piece of evidence that Allwit's manipulative exploitation of Sir

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<sup>457</sup> Cf. Middleton, *A Chaste Maid in Cheapside*, 1.2.108, Whorehound in an aside: "That wakes the slave, and keeps his flesh in awe."

<sup>458</sup> Allwit, in an aside: "I'll stop that gap / Where e'er I find it open; I have poisoned / His hopes in marriage already - / Some old rich widows, and some landed virgins, / And I'll fall to work still before I'll lose him." 1.2.109-114.

<sup>459</sup> Middleton, *A Chaste Maid in Cheapside*, 1.2.80 & 83f. In fact, the emphasis on 'game' and 'play' and manipulation in Allwit's first monologue, I would argue, is at least as strong as the similarities to the themes and phrasing of the psalms which Douglas Bruster (1990: 209) has drawn attention to.

<sup>460</sup> Boehrer (2001: 191). Interestingly, Richard Waswo (2004: 73) has described economy *per se* as "a 'confidence' game in all senses."

<sup>461</sup> Middleton, *A Chaste Maid in Cheapside*, 3.3.223f. Cf. also 1.2.109-114.

Walter may be even greater still. It is Allwit and not Whorehound whom the Allwit children address as their father.<sup>462</sup> Apparently, “they do not know [the real identity of] the gentleman” who visits their house.<sup>463</sup> We may view this simply as part of Allwit’s efforts to sustain his public performance of respectability. Critics, as has been pointed out, have tended to diagnose an “absolute lack of sexual interest or appetite” in Allwit,<sup>464</sup> yet the children’s ignorance, as it is presented here, opens up the distinct possibility that Allwit, despite his declaration that he “would not have [Whorehound’s] toil for all [his] pleasure”<sup>465</sup> is, in fact, their biological father. Quite possibly, Allwit has found a way to have the “pleasure” without the “toil.” When he appears in one of Sir Walter’s suits for the christening of the newest addition to the Allwit family this interpretation is reinforced. Whorehound’s poor kinsman, Davy, remarks (not without irony): “my master’s things were ever fit for you, sir, e’en to a hair, you know.” Allwit agrees, “Thou hast hit it right, Davy, / We ever jump’d in one, this ten years, Davy,”<sup>466</sup> implying that it is may actually the knight who is the exploited, ignorant cuckold here. This is a fine point which is easily overlooked by most critics,<sup>467</sup> Jennifer Panek being a notable exception.<sup>468</sup> Even though Davy, a character as shady as Whorehound and Allwit, remains unconvinced,<sup>469</sup> the possibility of Allwit’s fatherhood is clearly imputed by the text. Thus, Allwit’s traits do not so easily conform to the sexual passivity or impotence which is such an important markers of the ridiculous cuckold. Ultimately, it is precisely the tension between these two alternatives, rather than the exact solution of the puzzle, on which the plot gathers momentum.

Allwit’s “sitting still” and “playing” does not, as we learn in the course of the play, imply the kind of passivity or subjection classically associated with the cuckold worthy of ridicule. Allwit is never dominated by his wife; he is not a ‘slave’ to his wife and her passions, does not *fail* to prevent his wife’s adultery out of ineptitude.<sup>470</sup> He manages it. He orchestrates family life, manipulates Sir Walter and public opinion. He partakes in social functions in order to keep his position in the neighbourhood. His general commitment is also evinced by

<sup>462</sup> Cf. Middleton, *A Chaste Maid in Cheapside*, 1.2.115 & 117.

<sup>463</sup> Middleton, *A Chaste Maid in Cheapside*, 1.2.119f.

<sup>464</sup> Boehrer (2001: 179f.); a similar implication can be found in Kuchar (2001: 25) and Brissenden (2004: 38).

<sup>465</sup> Middleton, *A Chaste Maid in Cheapside*, 2.2.57.

<sup>466</sup> Middleton, *A Chaste Maid in Cheapside*, 2.3.6-9.

<sup>467</sup> Chakravorty (1996: 96f.) and Brissenden (2004: 35) are just two of the latest examples.

<sup>468</sup> Cf. Panek (2001: 83f.).

<sup>469</sup> Cf. his aside in 2.3.35f.

<sup>470</sup> Dawson (2005: 30), with reference to Restoration comedies, notes that here the social ineptitude of the citizen is indicated most clearly by their inability to establish and maintain well-ordered households, a major part of which is their inability to prevent their wife’s adultery. This is not the case in the Allwit scenario, although it captures the essence of the Salewares plot in *The Mad Couple Well Match’d* - until the final reorganisation of their household.

Mistress Allwit's comment that her husband's "nose must be in everything."<sup>471</sup> Allwit actually manages his household very well: by giving Whorehound access to his wife and thus both (co-)controlling the female body,<sup>472</sup> and ensuring the material well-being of his household. This extends to aspects such as the good education of the children and health-care. During child-birth, a most critical time, for instance, Mrs Allwit is provided not only with the greatest physical comfort, but also with the best medical care.<sup>473</sup> While other wittols deal irrationally with their newly-gained wealth, for example, *The Merry Cuckold* of the broadside ballad,<sup>474</sup> the more rational and calculated Allwit does not squander the financial assets accumulated through his and his wife's 'business.' Allwit provides for his family on a much grander scale, even, than he would be able to by means of more conventional occupations. And he does so with much less effort, which makes the profit even greater. "Some merchants," Allwit claims, would do everything to ensure a good living for their wives; they "would in soul kiss hell / To buy a paradise" for them, and then spend lavishly too on their mistresses, thus cheating their potential heirs of their inheritance.<sup>475</sup> Those other merchants, it seems, have to work very hard to make the money they need, whereas Allwit does not have to do so. This is exactly the aspect which is frequently used to account for the complacency of the contented cuckolds. *The Merry Cuckold*, for example, claims "While for small gaines: / My neighbours worke hard / I liue (by her meanes) / And neuer regard."<sup>476</sup> Similarly, the *Cooper of Norfolk*, in another broadside ballad, discovers his wife with a brewer. He calls his wife a whore, but clearly focuses his wrath on the adulterous intruder, violently threatening the other man until he offers to hand over his savings. The cooper is contented and agrees to forgive both his wife and the brewer. After being reimbursed by his wife's lover, he is so rich that he can stop working and spends his life in leisure, "neuer after [finding] fault with his wife."<sup>477</sup> Thanking his wife, even, he asserts that he would not have made this much money under conventional circumstances, even if he had worked very hard.

"And in his merry mood, oft he would say  
If that I had hoopt twenty tubs in one day,  
I should not haue got so much wealth, by my say,

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<sup>471</sup> Middleton, *A Chaste Maid in Cheapside*, 5.1.177.

<sup>472</sup> Cf. Chakravorty (1996: 99).

<sup>473</sup> Cf. Middleton, *A Chaste Maid in Cheapside*, 1.2.29-37.

<sup>474</sup> Cf. Anonymous, *The Merry Cuckold Who Frolickly Taking What Chance Doth Befall, Is Very Well Pleased with Wife, Hornes and All* (London, 1629), esp. stanza 4.

<sup>475</sup> The latter aspect is exactly what Whorehound has done all these years.

<sup>476</sup> Anonymous, *The Merry Cuckold*, 6,1-4.

<sup>477</sup> M[artin] P[arker], *The Cooper of Norfolk or, A Pretty Jest of a Brewer and the Coopers Wife and how the Cooper Served the Brewer in His Kinde* (London, 1627), 24,2.

Gramercy kind wife, for they wit found the way,  
to make a rich man of Iohn Cooper,  
oh what a good wife has Iohn Cooper.<sup>478</sup>

The problem with pimping one's wife, as it is portrayed in these texts, then, is not only that it is morally wrong, but, more importantly, that it can seriously be such a lucrative business.

This implies that in order to ensure the highest degree of financial profit, and hence *security*, possibly also status, the moral aspects of governing a household have to be compromised. Sir Whorehound's bitter remark that "[t]he fat of ease o'erthrows the eyes of shame" relates to this issue.<sup>479</sup> This "ease," however, is not to be confused with slovenliness; it is the result of an industriousness employed in certain areas and carried to certain extremes. This is why the roles between leisured aristocrat and mercenary citizen here are only ostensibly reversed. The central problem, then, are social aspirations. Janelle Jenstad, examining the 'grand style' of Mrs Allwit's lying-in, has tried to capture the complexity of this affair as follows: "In *A Chaste Maid in Cheapside*, Middleton presents not a merchant and his wife with social aspirations, but a merchant and his wife who imitate an aristocratic family who behave like merchants."<sup>480</sup> I would hesitate to employ the term 'imitation' as it seems rather too passive for the degree of manipulation the Allwits engage in. What is conspicuous is that both merchants and aristocrats in this framework busy themselves in mercantile exploits as a result of which social, economic, and moral hierarchies appear to have become fluid. In handling this "universally mercantile structure,"<sup>481</sup> the citizens, in the end, prove more successful.<sup>482</sup>

Allwit's is not an alternative mode of lifestyle in terms of choosing something completely different, but rather in carrying something to its ultimate consequence. What the character of Allwit presents, thereby transcending simple stereotypical prescripts of the citizen cuckold, is a radicalization of the dominant codes of household government and the mercantile logic behind it.<sup>483</sup> The relation between the normative and the transgressive, again, is not that of a total antithesis (as in 'world upside down'), but of a fine gradation which is, to an extent, negotiable. Since the Allwit – Whorehound relationship (including *both* the Allwits) is thus modelled on legitimate structures between merchants and their customers, I would not

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<sup>478</sup> M. P., *The Cooper of Norfolk*, 25.

<sup>479</sup> Middleton, *A Chaste Maid in Cheapside*, 2.2.41.

<sup>480</sup> Jenstad (2004: 394).

<sup>481</sup> Jenstad (2004: 394).

<sup>482</sup> From this perspective, then, it is obvious that Leonard Tennenhouse's (1986: 170) earlier argument that *A Chaste Maid of Cheapside*, in its conclusion, reasserts aristocratic values is put into question. See also Bowers (2003: 3f.)

<sup>483</sup> Cf. Chakravorty (1996: 98).

consider the term “parasitic,” which has been used in connection with Allwit, appropriate.<sup>484</sup> What the frequency with which (cuckolded) merchants and aristocratic cuckolders appear in early Stuart comedies does point to, however, is how easily these potentially legitimate relations might be turned transgressive.

Finally, as in *Rule a Wife and Have a Wife*, the aristocratic male rival is brought into the married couple’s house, in a wounded state, for a final confrontational showdown which the husband and wife will win. When it becomes clear that there will be no more to gain from Sir Walter and that the knight will be in trouble with the law, from one minute to the next, Allwit sheds his subservient demeanour and becomes most assertive, denying Whorehound access to the Allwit household and everything in it: “Not in my house, sir, / I’ll harbour no such persons as man-slayers, / Lock yourself where you will.”<sup>485</sup> Once the business contract is off, Allwit assumes the role of the respectful, masterful householder, the public persona he had been reiterating outside the household all along, and recasts Sir Walter as the exploitative rival and moral deviant:

“I wonder what he makes here with his consorts?  
Cannot our house be private to ourselves,  
But must we have such guests? [...]  
I must tell you, sir,  
You have been somewhat bolder in my house  
Than I could well like of; I suff’red you  
Till it stuck here at my heart; I tell you truly  
I thought you had been familiar with my wife once.”<sup>486</sup>

Naturally, Mrs Allwit is quick to contest this allegation emphatically: “With me? I’ll see him hang’d first: I defy him / And all such gentlemen in the like extremity.”<sup>487</sup> Taking into consideration the wife’s slightly earlier assertion that she “must obey [her] husband,”<sup>488</sup> the Allwits now present themselves as the picture-book married couple, with Master Allwit as the reputable head of the household. Of course, the general context of moral depravity in this city comedy suggests that this display of, or ‘conversion’ to morality is not to be taken seriously. But, ultimately, neither is Allwit’s earlier role of ignorant cuckold. Both are just calculated performances in which the characters engage for their greatest benefit.<sup>489</sup> The passive, patient

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<sup>484</sup> For instance by Kuchar (2001: 25).

<sup>485</sup> Middleton, *A Chaste Maid in Cheapside*, 5.1.120-22.

<sup>486</sup> Middleton, *A Chaste Maid in Cheapside*, 5.1.144-46 & 151-55.

<sup>487</sup> Middleton, *A Chaste Maid in Cheapside*, 5.1.156f.

<sup>488</sup> Middleton, *A Chaste Maid in Cheapside*, 5.1.130.

<sup>489</sup> Griswold (1986: 24) points out that even Sir Walter’s final, “quasi-deathbed conversion to virtue” is not



cuckold may seem ridiculous as long as he remains hierarchically inferior to his male rival; the wittol who runs his house actively (if even in the background), manipulates his rival, and is economically successful, on the other hand, may be regarded as morally depraved, but he is not funny or ridiculous.<sup>490</sup>

It is the male rival, the adulterer, who becomes the target of ridicule and derision once the cuckolded husband takes control. It is Whorehound who ends up in a rather precarious situation, wounded, nearly accused of murder, and imprisoned for his debts.<sup>491</sup> The Allwits, richly furnished with Sir Walter's endowments, emerge from this affair unscathed and move on to set up house in the Strand, an environment marked by aristocratic grandeur,<sup>492</sup> possibly to perform some (other) form of profitable high-class prostitution.<sup>493</sup> As Rick Bowers notes, "Middleton's play enacts an urban Darwinism to illustrate survival of the fittest complete with necessary social mutations to ensure that survival."<sup>494</sup> The Allwits, 'mutated' in their digression from prescribed morality, are such fit survivors, social ascendants. As such they stand as contrastive figures to the central romantic couple of the play who choose love before money, creating and maintaining a moral tension till the very end of the action.

The Allwits' companionate interaction at the end of the play discloses that the whole business is a companionate joint venture of both spouses, and that the couple have been collaboratively plotting to skim the knight for resources.<sup>495</sup> At the very least, this adultery is not attributable to the husband's disinterest in or incapability of controlling his wife's sexuality – something which most of Allwit's critics fail to recognize. It is the result of both the husband's and wife's conscious and purposeful employment of the wife's sexuality. In any case, their adulterous trade has so far progressed that it remains unclear where the first

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morally convincing.

<sup>490</sup> Cf. Williamson (1986: 43): "the [early modern cuckoldry] jokes depend on the fact that the men will fail, that the wives prove that they are not the property of their husbands." Allwit may not succeed in all his designs, but he is not a general failure.

<sup>491</sup> And, like in the old testament, it is not the Abram-figure, who pandered his wife (admittedly, to save his life) and profited from it, who is punished for his sin, but the Pharaoh-figure, the rich, aristocratic cuckold. Cf. Gen. 12.11-20; cf. also Wilputte (1998: 448).

<sup>492</sup> Cf. Archer (2005: 71).

<sup>493</sup> Cf. Bowers (2003: 5), Jenstad (2004: 395), Brissenden (2004: 37).

<sup>494</sup> Bowers (2003: 6).

<sup>495</sup> Here my reading of the Allwits differs markedly from Jennifer Panek (2001: 82) and others who emphasise that Allwit treats his wife as chattel. This interpretation which rests largely on a comment made by Allwit in disguise, that "one Allwit" treated cuckoldry as a profession like others who "sell[...] flesh" or "vent[...] conies" (4.1.35f.). Of course, this is a bawdy titbit for the audience's amusement, constructed on the commodification of the woman's body. Yet this remark is made in a context when Allwit takes the role of an advocate of morality, and, somewhat hyperbolically, tries to outline Whorehound's moral corruption and his disreputable associations (such as outrageous wittols) to Yellowhammer. He clearly tries to appeal to his listener's moral conscience by emphasising the scandalousness of the wittol's trade and Whorehound's involvement in it. His parallelisation of wittols and honourable merchants, therefore, is highly polemic and cannot be taken as an unmarked, simple affirmative statement about himself – and his relationship with his wife.

initiative originated. Thus, Allwit's adulterous performances are presented as being based on a notion of marriage as a (emotionally) companionate economic joint venture. According to Jennifer Panek, this is the crucial reason why Allwit can escape a secure placement in the – negatively connoted – “‘pandering husband’ category.”<sup>496</sup> With *Whorehound*, one could argue, the Allwits engage in a process of a mutual exploitation,<sup>497</sup> in which those who are the better negotiators or ‘game masters’ will be able to reap the highest profit. Ultimately, Allwit, for all his enjoyment of leisure, stays a merchant, and *Whorehound*, for all his industriousness, is not merchant enough to outwit him.

Allwit is the trickster, the ‘con man’ figure which has been described as central to the disputed genre of *city comedy*.<sup>498</sup> He is so in more respects than one. In society, he plays the honourable citizen, at home he plays the foolish wittol. When questioned by two promoters seeking to discover infringements against the prohibitions of Lent, he acts the naïve innocent, professing to be “a stranger both unto the City / And to her carnal strictness.”<sup>499</sup> Gary Kuchar, for instance, has taken this contention literally, to stress Allwit's “failed interpellation into the sexual mores of the city,” his unsuccessful social integration.<sup>500</sup> Yet, on the contrary, Allwit is a skilled adept of the ways and sexual transgressions of the city, and constantly strives to draw the strings behind the scenes. He is too witty to become a social outcast, and he operates from within the social structures. Interestingly, despite their awareness of the tendency of *city comedy* to present con men, critics tend to read Allwit one-dimensionally as a ridiculous wittol. It is this ambiguity of characters such as Allwit, moreover, which defies a clear moral ‘message,’ not only in ‘city comedies.’<sup>501</sup>

The idea of the family expressed in *A Chaste Maid*, which may be described as mercantilistic, is not completely ‘subversive’ as Alan Brissenden asserts, who describes the Allwits as what he calls “the antithesis of a loving family,” namely, “a successful business enterprise.”<sup>502</sup> In early modern England, however, a loving marriage was no antithesis of economic success. What the play does is to highlight – through hyperbole and satire – the economic core on which *every* family was based. It does, however ironically, highlight the close connection between a ‘successful’ marriage and economic achievement. Middleton's play, I would argue, is not about a simple opposition between love and mercantilism, but

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<sup>496</sup> Panek (2001: 82).

<sup>497</sup> Cf. Mary Beth Rose (1988: 48), who points out that the upper and middle class are engaged in a process of mutual exploitation.

<sup>498</sup> Cf. Waswo (2004: 59), Leinwand (1986: 53).

<sup>499</sup> Middleton, *A Chaste Maid in Cheapside*, 2.2.76f.

<sup>500</sup> Kuchar (2001: 12).

<sup>501</sup> Cf. Griswold (1986: 24).

<sup>502</sup> Brissenden (2004: 37).

about finding the right balance between those two – and other – necessary ingredients. Moreover, in the Allwits, but also in the Touchwoods and Kixs, *A Chaste Maid* presents us with the deeply ironic, yet potentially ‘realistic’ observation that adultery, in fact, may serve not to destroy but to maintain the conjugal union and thus household integrity.

In addition, it should be noted that the play does not only focus on the commodification of women in this respect, but also of men. Allwit’s example already shows that he makes himself a servant to Whorehound for money. Similarly, Touchwood Sr. ends up earning a living by selling his potency, and thus makes himself a kind of “he-whore” such as imagined by Carelesse in *A Mad Couple*. Finally, while Moll Yellowhammer manages to cross her parents’ wedding plans for her, her brother, who is under the same pressure to make a good match, is not that lucky. The picture which is presented here is one in which characters strive for financial gains and social advancement, whether by marriage or by adultery.

Early modern comedies explore different motivations for adultery, of which economic profit is one of the most prominent. The Allwits in *A Chaste Maid* operate companionably and are most successful. Mrs Saleware in *A Mad Couple* is more ambitious and more ruthless than her husband, and her scheme is thwarted. Yet are chaste, demure wives a guarantee against adultery? In Ben Jonson’s *Volpone* (1606), adultery is not based on a companionate business deal either. Corvino, an overly dominant husband, tries to pressurise his wife Celia into adultery in the hope of being rewarded with an inheritance by the man who desires her, Volpone. Corvino presents Celia’s adultery as an ultimate confirmation of her wifely obedience (and his authority).<sup>503</sup> Celia is a model of a perfectly submissive wife, who, although clearly plagued by her moral conscience, is not able to stand up either against her husband or her intended lover. This serves to give the whole scenario a nearly tragic air. Celia needs to be saved from the sexual advances of Volpone by another male character. She is not even able to defend herself when a judicial committee (the *Scrutineo*) inquires into the whole affair and her husband makes horribly false accusations against her. In *Volpone*’s presentation of Corvino and Celia, husbandly over-determination and a wife’s strict adherence to the codes of obedience are shown to bear the threat of moral transgression.<sup>504</sup> It takes an active, self-assured wife to withstand an erring husband and guide him back to normativity, thus preventing an escalation as we find it here. An example of this, however, equally overdrawn

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<sup>503</sup> Ben Jonson, *Volpone, or The Fox* (Pache, W. & Perry, R.C. eds. & transl., 1974), 3.7.30f.

<sup>504</sup> This is why Kuchar (2001: 3) is not justified in describing Corvino as an “acquiescent cuckold.” This is a term which implies female agency – of which Celia has none. Jennifer Panek (2001) has made an important contribution in unravelling the complexities of cuckold terminology here.

as Celia, can be found in the character of the outspoken Lady Wouldbe, who immediately jumps into action when she suspects her husband of cavorting with other women. It is not only Corvino's misguided authority, but also Celia's continuous passivity which makes this matter escalate so that only the male-governed jury of the *Scrutineo* will be able to aid Celia and put moral guidelines back in place by punishing her abusers and granting her financial compensation. Corvino is to be ridiculed and paraded around Venice, and his marriage is effectively dissolved as Celia is sent home to her father with her dowry trebled.<sup>505</sup>

Consequently, the crime against her is repaid, but Celia, unable to fend for herself, is yet again placed under the authority of another man. While critics usually interpret Celia's kind of chaste, wifely passivity as praiseworthy and exemplary, I have my doubts. As *Volpone* clearly highlights males sexual transgressions, and husbandly responsibilities, this comedy also negotiates the boundaries of wifely obedience. Moreover, like *A Chaste Maid*, *Volpone* also emphasises the responsibility of the cuckold, the male rival.

The different examples of cuckolds we have examined so far indicate that the term 'cuckold' may falsely suggest a homogeneity which did not exist. Certainly, all cuckolds, in one way or another, deviated from prescribed morals. Yet not all cuckolds were ludicrously funny or ridiculous; some were dangerously mad, some were dangerous because they were highly capable manipulators. The roles of adulterous wives are as varied. Similarly, the male rivals are an important part of the picture, not generally "blameless" and "frequently nameless" as critics have suggested.<sup>506</sup> In order to present a more differentiated picture of husbands' roles in relation to adultery, Jennifer Panek has charted what she calls "a dynamic continuum of wittols." At the one end of this continuum she situates "the degraded arch-cuckold"<sup>507</sup> whose wife is adulterous because he is too impotent and powerless to prevent it. This inability, according to Panek, provided the central impetus for social mockery of the cuckold.<sup>508</sup> "What truly makes a cuckold, with the word's full freight of contempt," Panek contends, "is not the mere fact of a wife's adultery, but a husband's inability to govern her."<sup>509</sup> At the other end of this continuum, however, resides the *wittol* – the terminological distinction is important here, even though it does probably not reflect contemporary usage. The epitome of this powerful wittol, to Panek, is Allwit. The powerful wittol is able to avoid social stigma; he has mastered his jealousy, having shaken off the futile emotional need to watch his wife.<sup>510</sup>

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<sup>505</sup> Cf. Craig Muldrew's (2001: 81) observation that a woman's dowry was symbolic of her chastity.

<sup>506</sup> Williamson (1986: 42), drawing on Kahn (1981).

<sup>507</sup> Panek (2001: 67), my italics.

<sup>508</sup> Panek (2001: 70).

<sup>509</sup> Panek (2001: 80).

<sup>510</sup> Panek (2001: 71).

This ultimately enables him to profit financially from his wife's liaisons.<sup>511</sup> Most importantly, according to Panek, it is not the wittol's inability or lack of domestic control which causes his wife's adultery, but rather the a "particularly secure kind of power" which he holds over his wife.<sup>512</sup> Of course, between wittol and cuckold there existed a whole wealth of gradations and different characters.

While I consider Jennifer Panek's observations most useful, I have two objections. My first, smaller objection is that Panek claims that Allwit manages to escape patriarchal responsibilities.<sup>513</sup> However, as we have seen, it can be argued that Allwit does, in fact, take his domestic responsibilities quite seriously as he ensures that his family is well provided for.<sup>514</sup> Secondly, I do not agree that Allwit has a "particularly secure kind of power" over his wife. I would rather stress their companionable relationship. A wittol who has a very secure, almost tyrannical kind of power over his wife is Corvino, yet he is not nearly as successful as Allwit, and he ends up being publicly ostracised for his transgression. One might thus suggest that adultery will be most profitable where the wittol cooperates with his wife. It appears that, in order for the husband not to appear ridiculous and to profit from his his wife's affair, it is necessary that marital hierarchies are not inverted, as the examples of the Salewares indicates. But that does not mean that the husband should be particularly dominant – with his wife. The person, however, over whom the successful wittol should indeed have a particularly secure kind of power is his rival. The examples of Allwit's and the *Cooper of Norfolk* attest to this. In connection with cases like Corvino's, moreover, one might suggest that what makes a successful wittol, and what prevents public mockery, is a husband's skilful manipulation of public opinion, and, even more importantly, his ability to triumph over his rival.

Those powerful, successful wittols are still scandalously transgressive – neither *A Chaste Maid in Cheapside* nor *The Cooper of Norfolk* leave any doubt about the fact that to sell out morals for money is condemnable.<sup>515</sup> Yet they are not ridiculous. Correspondingly, perhaps another remark concerning the ridiculous cuckold is called for. It is not only a husband's inability to govern a wayward wife which makes a cuckold the subject of mockery. As in *The Coxcomb*'s case, it may be a general disregard for household government, but also,

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<sup>511</sup> Panek (2001: 73).

<sup>512</sup> Panek (2001: 67).

<sup>513</sup> Panek (2001: 77).

<sup>514</sup> Although is maintains that "Allwit evades his responsibility to provide for his household," Panek herself, somewhat contradictorily, recognises that "the man who controls his wife's sexuality by trading it out to another man ensures that his household is comfortably provided for." See Panek (2001: 84).

<sup>515</sup> Cf. also the "eight degrees of Cuckolds" described in the anonymous jestbook *The Cobbler of Canterbury*, where the "cuckold by consent," who has "one of light conversation" (i.e. a light wife) and "fosteres his wife vp in her follies" is described as the "most infamous" of all other cuckolds. Anonymous, *The Cobler of Canterburie* (London, 1608), C3<sup>v</sup>f.

crucially, his inability or unwillingness to keep his male rivals in their place. Cuckolding, we may conclude, is not always symptomatic of disturbed hierarchies between spouses, but also serves to foreground unstable hierarchies between *men*.

Adultery and cuckoldry thus provided a medium in which not only heterosexual, but also homosocial relations and hierarchies could be negotiated. As cuckolding is connected to violating another man's sphere of government, adultery may be used to explore the limits and the precise boundaries of both men's authority. In the texts studied above, these masculine homosocial relations were dealt with rather extensively, substantiating Jonathan Dollimore's claim that "[w]ithin masculine sexuality the most significant other is the male – but it is a significance which presupposes, and is rehearsed in relation to, the female."<sup>516</sup> Confrontations between wives and their husbands' mistresses, such as between Lady Thrivewell and Alicia Saleware, however, indicate that similar structures are at work where female gender identities are concerned. In other words, that *female* homosocial hierarchies are negotiated through the medium of adultery, too.<sup>517</sup>

Generally, as we have seen, adultery for material and social benefits was a recurring subject in early Stuart popular dramatic performances. In fact, both marriage and adultery could be used by the characters of these plays as a means to secure material or social advantages. Yet while marriage provides a legitimising cloak for such ambitions, adultery unambiguously marks them as excessive. Again, the question remains how these findings relate to 'real-life' contexts. Social historians have argued that in early modern England, a lot of profit-oriented extra-marital sexual relations occurred on a more occasional, less professionalised basis than in modern Western culture. Especially for poor women, these occasional business engagements might often be a vital method to make ends meet.<sup>518</sup> It was not uncommon that married women "calculatedly provided sexual favours to advance the social or economic status of their husbands,"<sup>519</sup> which, once more, is suggestive of cooperative business structures within marriage. Of course, we can also identify more hedonistic aims in female adultery such as gaining access to various leisure entertainments.<sup>520</sup>

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<sup>516</sup> Dollimore (1991: 302).

<sup>517</sup> In this context, consider the examples in popular ballads, but also in court records, of wives making replica dildos and vaginas and presenting their husbands' mistresses with them, which have been discussed above. See above, 115.

<sup>518</sup> Cf. Shoemaker (1998: 76). G.R. Quaipe (1979: 146) even (in)famously claimed that wives, widows and "experienced spinsters" in early modern rural England quite regularly provided sexual services in return for money, but also for everyday necessities, and that these activities were "regarded with much less opprobrium than Puritan publicists would like us to believe."

<sup>519</sup> Bailey (2003: 151).

<sup>520</sup> Bailey (2003: 151).

However, at least for the period after 1660, Joanne Bailey's examination of court records and newspaper reports proposes that in the majority of these cases, namely sixty two per cent, women had affairs with men of *lower* status than their husbands. Of course, this suggests that the majority of adulterous wives were not motivated by economic or social ambitions.<sup>521</sup> Yet the point here may be that those husbands who found their wives consorted with men of higher status than themselves might simply have had less incentive to have these transgressions publicised and punished – possibly exactly because those affairs were profitable or because they found themselves unable or unwilling to publicly confront those rivals of higher social standing. Still, there is another side to Bailey's figures, one which has already been pointed out above: What about all the men who engage in sexual relations with the wives of men of higher status than themselves?

Critics, especially of the feminist orientation, tend to focus on what is called the commodification of women. Yet, the commodification, or, one might say *prostitution*, of men for money and preferment is an important aspect which deserves closer attention.<sup>522</sup> Although Bailey remains sceptical on this point and suggests that “there is little evidence that lower-status lovers exploited their married mistresses,”<sup>523</sup> it would be naïve to assume that the motivation of these men was always only of a purely emotional-sexual nature, especially since romantic and economic interests, for many contemporaries, did not constitute a fundamental antithesis. Provided the situation prior to 1660 was remotely comparable to what Joanne Bailey's post-1660 figures indicate, cases of male commodification which we encounter in comedies (for instance as in *Touchwood Sr.*) apparently related to and commented on a trend in contemporary cultural practice.

Another important point which has been mentioned is the connection between the provision of sexual services and legitimate structures of social interaction. Faramerz Dabhoiwala's investigation into the “pattern of sexual immorality in seventeenth- and eighteenth-century London” suggests that “for most women of lower rank, as for those higher up the social scale, sexual trade simply grew out of, and fitted into their existing social and economic circumstances: it did not constitute a radical break with them.”<sup>524</sup> Similarly, Joanne

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<sup>521</sup> Bailey (2003: 152): “Husbands were of lower status than their wives' lovers in only 16 per cent of these cases and of similar status in 19 per cent, whereas 62 per cent were of higher status than their wives' lovers.”

Bailey (2003: 152fn66) further indicates that Laura Gowing's findings suggest that “earlier London separation suits show the same difference in rank between lover and wife,” yet, unfortunately, the reference to Gowing's monograph provided by Bailey does not evince the alleged information.

<sup>522</sup> So far, social historians, looking at male prostitution *proper*, have suggested that there are no records of male prostitutes, but only some accounts of contemporary ‘male stews.’ Griffith (1993: 43).

<sup>523</sup> Bailey (2003: 153).

<sup>524</sup> Dabhoiwala (2000: 98).

Bailey has observed that married women's relations to their (lower status) lovers resulted from *legitimate* kinds of close social contact which occurred, for instance, in work or social situations.<sup>525</sup> For the most part, and irrespectively of distinctions of social status, as Dabhoiwala concludes, women who engaged in sexual activity for material or social profit, rather than constituting a distinctive social group, were part of respectable society, and so were not only their clients, but their husbands and friends, too; "even their sexual behaviour," Dabhoiwala contends, "was not always easily distinguishable from that of the men and women around them."<sup>526</sup> The Allwits clearly are a prime comic example of these structures. Adultery, prostitution and other forms of sexual transgression were thus structurally interrelated, part of the same pattern,<sup>527</sup> just as the line between acceptable behaviour and transgression was not always distinctive and incontestable.

### **6.5. Conjugal Hierarchies, Household Economy, and Adultery: Conclusions**

In this chapter, I have stressed the notion of a marital power equilibrium and the connected idea of marital responsibility, which served as an important guideline for the wife, but even more important for the husband. Establishing and maintaining this ideal of marital harmony in practice, however, was shown to be connected to a lot of work, to negotiations, and possibly, even, luck. What emerges from the didactics of prescriptive discourse as well as popular, comic texts is a concept of patriarchal family authority in which adequate government was situated somewhere between the excessive use of authority and a husband's lack of authority.<sup>528</sup> The ideal was thus based on the old virtue of temperance, and oscillations to either end of the scale could be regarded as misuse of authority. This also means that, while male vigilance was tolerated and indeed, as I have argued elsewhere, a normative code,<sup>529</sup> too much government was just as bad as too little; adultery could be the result of both. Reasonable punishment of inferiors appeared good and respectable, whereas excessive wife-beating, just as excessive jealousy was considered discreditable.<sup>530</sup> But the other extreme of

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<sup>525</sup> Bailey (2003: 153).

<sup>526</sup> Dabhoiwala (2000: 101).

<sup>527</sup> This leads Dabhoiwala (2000: 101) to conclude that "adultery, prostitution and other forms of sexual immorality [...] cannot properly be understood in isolation."

<sup>528</sup> Cf. Foyster (1996: 216), who mentions the awareness of conduct book writers of the dangers deriving from men's either too excessive or too feebly use of power.

<sup>529</sup> Cf. Pohlig (2007).

<sup>530</sup> Cf. Foyster (1996: 221 & 224).



total permissiveness and lack of vigilance and care for one's household was deemed equally disgraceful. Thus, Elizabeth Foyster has pointed out that "[o]bserved all the time by friends and neighbours, men walked a tightrope between losing control of their wives, and showing excessive concern for their chastity which could be labelled as jealousy."<sup>531</sup> The jealously over-protective husband is just as objectionable as the passive cuckold, and *both* are the potential targets of ridicule.

Critics are certainly justified to claim that if cuckolds remained passive and contented, "the collapse of *sexual* difference [threatened]."<sup>532</sup> Yet our attempts at differentiation have evinced that incapable cuckolds rather than contented wittols are threatened by such a collapse of sexual difference. Indeed, as we have seen, contented wittolry could be conceptualised as successfully practicable, to a certain extent, in the context of companionate, economically cooperative marriage. Moreover, though comedy presents this as a negative indicator of exaggerated social and economic ambitions, many poorer couples may not have seen much choice but to augment their income through illicit means of some kind. Most importantly, as the Allwit scenario shows, what collapses if wittols are not passive but clever and exploitative will be social or even class (or rank) differences.<sup>533</sup> As we have seen, a specific element of successful wittols in popular, comic texts was that they could afford to stop working in their original profession,<sup>534</sup> which, of course, is symbolic of social ascent.<sup>535</sup> By presenting successful wittols, ambitious wives such as Mrs Saleware, and other individuals who earned money through dubious business exploits, comic texts thus comment ironically on upward social mobility. Through the subjects of cuckoldry and adultery they explore a landscape of social relations which had become increasingly fluid in the budding market economy.<sup>536</sup>

I would suggest that these comedies satirise – and hence criticise – not so much the mercantile structures and resulting the socio-emotional relations on which marriage was based,<sup>537</sup> as the *excessive* application of these structures. "Marriage," as Theodore Leinwand has argued, "was always a serious business, and Elizabethan and Jacobean drama that made much of the sex-money equation was only exaggerating the assumptions that underpinned

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<sup>531</sup> Foyster (1999: 136).

<sup>532</sup> Williamson (1986: 45), my italics.

<sup>533</sup> Consider, for example, Allwit's appearance "in one of Sir Walter's suits" at the beginning of 2.3.

<sup>534</sup> Cf. also Panek (2001: 79).

<sup>535</sup> As Jean Howard (2003: 308) confirms, "[t]o be a gentleman meant, precisely, not having to labour with one's hands." John Allwit and John Cooper (of the broadside ballad *The Cooper of Norfolk*) are only two notable examples here who make this transition.

<sup>536</sup> Cf. Turner, D. (2002: 101), Marchitell (1991: 289).

<sup>537</sup> Earla Wilputte (1998: 448), in her examination of 18<sup>th</sup> century plays with wife-pandering plots, suggests that these plays satirise the mercantile basis supporting marriage and the laws by which it was governed.

marriage in every social class.”<sup>538</sup> Economic and moral interests in marriage could therefore coexist and even reinforce each other. These plays, then, do not censure domestic economic interests *per se* as much as criticise the exaggeration of these interests at the expense of morality. Correspondingly, they do not satirize either companionate or hierarchical conceptions of marriage; what they present as condemnable is the excessive application of both these conceptions. Aspects of patriarchal authority, cooperative companionship, and economic integrity of the household were of vital significance here. Comic stagings of adultery highlight the importance of cooperative companionship, of prudent household government which ensures the economic and moral integrity of the household; and they negotiate the point where legitimate economic concerns and justified displays of husbandly or wifely authority turn transgressive. Importantly, not just in the fictional world of comedy, negotiations within marriage obviously were possible, even *necessary* in cultural environment which, as Keith Wrightson has put it, “accepted both the primacy of male authority and the ideal of marriage as a practical and emotional partnership.”<sup>539</sup> As we have seen, this room for personal adaptation is even palpable in supposedly most straightforward, prescriptive conceptualisations of ideal partnership. In terms of actual conjugal practice, this meant that there existed a whole variety, an “enduring continuum of marital relations”<sup>540</sup> in which individual couples, while aware of prescriptive norms, were able to adjust those norms according to their needs.<sup>541</sup> Comedies, ballads and jokes, but also court records such as those examined above, albeit from different perspectives, present a little glimpse of these negotiations. They paint a complex picture of marital responsibilities and the problems arising from them, for instance in terms of government/authority, chastity, economy, but also generation, and they show a multiplicity of possible roles and scenarios (within marriage) which often defies simple contrastive stereotypes. Anthony Fletcher concludes his case study of nine elite married couples by stressing that, although these husbands and wives were clearly aware of official prescriptions on gender norms, those marriages “were only in certain limited ways patriarchal in practice.” The wives in these cases “were mostly not docile and

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<sup>538</sup> Leinwand (1986: 145).

<sup>539</sup> Wrightson (2003: 112).

<sup>540</sup> Wrightson (2003: 112).

<sup>541</sup> Margaret Hunt (2000: 123), for instance, contends that “[e]arly modern marriages often show a gap between law and practice, between supposedly normative ideals (often enshrined in the common law) and the ways people actually behaved and accounted for their actions. [...] Finally, despite their protests to the contrary, many London women were neither dutiful nor obedient, and they were very willing to use the authority and prestige of the courts to alter the balance of power between themselves and their husbands. A good wife was supposed to bend herself, body and spirit, to her husband’s will. But many women could not stomach the indignity and the loss of control that this implied, and some of them did not even try.”

passive,” Fletcher maintains and suggests that his findings can be generalised.<sup>542</sup> Not only in fictional texts, strong, active, able wives were often prized, especially in their relevance for household economy.<sup>543</sup> A practical kind of active, capable female virtue thus emerges alongside other stereotypes of passive female chastity. Similarly, the understanding, caring husband stands beside more domineering conceptions of married masculinity. That many couples, ultimately, must have been successful in finding practicable, individual roles and solutions is indicated by Keith Wrightson’s observation that “the strongest surviving evidence” suggests that strong mutual affection and respect was the norm in lived marital practice.<sup>544</sup>

Where marital relationships are concerned it is thus highly problematic to conjecture a simple model of a clearly defined hierarchy. Pre-lapsarian (equality) and post-lapsarian (subjection) notions of gender relations co-occurred and clashed at the very basis of contemporary prescriptive, normative conceptualisations of marriage.<sup>545</sup> Moreover, older notions of marriage as a contract between two parties, whose conditions were subject to negotiating and bargaining, were still current.<sup>546</sup> These tensions are palpable also in the dramatic texts examined above which show the negotiation of conjugal relations in performance. Adultery gave these conflicts a material shape.

In practice, early modern marital hierarchies were never ultimately fixed and uncontested. Within the family, as Susan Amussen has noted, “the lines of authority were never as clearly drawn as commentators would have wished.”<sup>547</sup> Women shared responsibilities, and had powers in their own right. What was open to discussion was the borderline of legitimate authority and care for both husbands and wives. Adultery negotiated these limits of individual authority, but also the limits of companionable and hierarchical models of marriage.

Surprisingly, in this light, early modern English marriages were generally very stable in the late sixteenth and early seventeenth centuries, as Martin Ingram has suggested.<sup>548</sup> Maybe their success rested exactly on their actual flexibility rather than on the rigidity which

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<sup>542</sup> Fletcher (1995: 172).

<sup>543</sup> Ingram (1985b: 176).

<sup>544</sup> Wrightson (2003: 109). Of course, Wrightson here is positioning himself against Lawrence Stone’s (1977) rather pessimistic view in this respect.

<sup>545</sup> Turner (1987: 106), discussing early modern theological conceptions of marriage, notes: “The desire to enforce male authority clashes, sometimes conspicuously, with the desire to make holy matrimony a restitution of Paradise, founded on mutual respect and delight.” For an examination of the tensions and limits of patriarchy see Fletcher (1995: part II), cf. also Shepard (2003: 86).

<sup>546</sup> For the origins of the contractual view of marriage in Roman and Germanic legal understanding cf. Helmholz (1974: 72 & 138).

<sup>547</sup> Amussen (1988: 54).

<sup>548</sup> Cf. Ingram (1987: 149, 181, 186, 188).

is so often attributed to them. Just as many contemporary marriages, early modern patriarchy itself, Anthony Fletcher has argued, was characterised by a great degree of flexibility, by “a capacity, as a gender system, to sustain modifications, cushioning and mitigation” which ultimately was the basis of its whole success.<sup>549</sup>

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<sup>549</sup> Fletcher (1995: 191).

## 7. Staging Adultery in Early Stuart England: Conclusions

*More 'longs to adultery than four bare legs in a bed.*

### 7.1. Adultery and Domestic (Gender) Hierarchies

In questioning common notions of a double sexual or rather *marital* standard, a lot of what I have suggested may sound conciliatory, as if, despite a nominal ideology of subjection, the situation of married women in early modern England was actually not unsatisfactory. This notion also has a long discursive tradition, as is evidenced, for instance by the proverb which designated England as the “Paradise of Women.”<sup>1</sup> Interestingly, John Ray, who records the proverb in 1670, also adds a note contending that “in no contrey of the world, the men are so fond of, so much governed by, so wedded to their wives.”<sup>2</sup> But, Ray observes, there seems to be a strange, paradoxical discord between actual marital practice and popular stereotypes since “no Language [hath] so many Proverbial invectives against women.”<sup>3</sup> Maybe another proverb, which has been cited above, may help to explain this peculiar observation. “As the goodman saith, so say we, But as the good woman saith, so it must be.”<sup>4</sup> Men, this proverb suggests, in their talks and interactions, will present themselves as superior, and encourage each other in this performance, yet women ultimately hold the strings. Women, on the other hand, would let men act superior while silently making the best use of their own power. This seems to give some substance to Susan Rogers’ contention that male dominance, at least in peasant societies, was a myth. Both men and women, Rogers maintains, were quite aware that men were not actually dominant, but both gender groups acted publicly as if they were, because, this way, the members of each group could sustain their own, specific form of power.<sup>5</sup> While patriarchy surely is more than a myth, it is, however, a concept which may encourage uni-dimensional readings of power relations.

In early modern England, positions of authority were far from stable and unchallenged. Performances which alleged marital transgressions could be used as a tool to negotiate the legitimacy of individual authority. Furthermore, what “lamentations” of newly

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<sup>1</sup> Ray, *A Collection of English Proverbs* (London, 1670), 54.

<sup>2</sup> Ray, *A Collection of English Proverbs*, 54.

<sup>3</sup> Ray, *A Collection of English Proverbs*, 54.

<sup>4</sup> Ray, *A Collection of English Proverbs*, 51.

<sup>5</sup> Rogers (1975: 746).

wed or hen-pecked husbands in ballads and other fictional texts serve to remind us is that although the principle of husbandly authority was the standard nominal code of marital relationships, uncertainties persisted with regard to the actual practice of authority.

We may discern certain tendencies of how men and women lived together; yet these tendencies are surely abstractions from lived reality. Individual cases might have strongly diverged from the general picture. From documents and texts we can mould an idea of how marriage, in its ideal and less ideal variants, was imagined in theory and expressed in (inter)actions. What we can say is that there appears to have been a strong cultural current, enhanced by Protestant marriage ideology but not totally dependent on it, to define marriage as a commitment which should not be entered lightly, an emotionally, socially, as economically important and serious institution, something which took a lot of effort from both parties to make it work. The way adultery is presented in this context serves to highlight the seriousness, but also the problematic nature of marriage.

Marriage gave men and women a new, elevated social position, but this entailed many hazards, especially, it seems, for men. Adultery epitomises these hazards as it affects all areas of importance to smooth household running: marital hierarchies, (spatial) government, economy, social neighbourhood issues, distinction between domestic intimacy and social integration, and, last but not least, the emotional foundation of marriage. Adultery, in the examples discussed above, was, in one way or another, connected to the materiality of the household, which is not surprising since marriage itself was founded on the institution of the household, too.

As has been shown, women had legitimate claims to authority and were definitely able to fight for their interests, whether within the household, in the neighbourhood, or even in judicial institutions. “Ordinary women in early modern England,” notes Bernard Capp, “were not the helpless passive victims of male authority, despite the barrage of patriarchal teaching fired at them throughout the period.”<sup>6</sup> Our findings support this observation. Consequently, in their active agency the female characters in the comedies discussed above did not represent scandalous anomalies, but, even if occasionally exaggerated, reflected women’s power and competency in everyday contexts. This agency, literary examples indicate, may keep suitors at bay and thus prevent adulterous affairs. A woman’s adultery, on the other hand, may be the result if her agency is wrongly directed or too ambitious, as in the case of Alicia Saleware (*A Mad Couple Well Match’d*), and Margarita (*Rule a Wife and Have a Wife*).

Correspondingly, female adultery is stereotypically associated with (or caused by) a

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<sup>6</sup> Capp (1996: 139).

lack of husbandly agency, i.e. because of disinterest or contention, or, alternatively, by an exaggeration of husbandly agency, for instance in jealousy and excessively strict household government. The respective normative ideal which emerges here both in prescriptive as well as fictional texts is a rather conventional one of husbandly temperance and wise government in the best interest of all household members. That the absence of husbands should be so closely connected to female adultery also fits into this paradigm. If a husband is absent, he cannot as effectively reiterate his marital status and demonstrate his husbandly agency, which causes disturbances and invites disturbers. While there appears to have been a deep-rooted emphasis of husbandly responsibility for female adultery, not one of the texts discussed above held wives accountable for their husbands' adultery. This is not to say, of course, that wives could not, and did not take actions to counteract their husbands' philandering. This is not to say, either, that male rivals would not have been considered responsible for their liaisons with married wives. The general tendency, however, accentuated by advice authors, was that men would face the blame for both their own and their wives' adultery. The concept of (ridiculous) cuckoldry, too, constructs female adultery ultimately as a male transgression: it is the *husband* who fails to meet the social expectations put in him, particularly if he remains ignorant of or complaisant about his wife's liaisons. The previous chapters have examined the homosocial dimension of cuckoldry, i.e. cuckoldry as based on (mis)conceptions of male friendship and male rivalry, but also the heterosocial dimension of cuckoldry, i.e. cuckoldry as based on problems, on concepts of friendship and rivalry, between spouses. Susan Amussen has suggested that "[t]o be a cuckold – or to cuckold another – threatened household order."<sup>7</sup> Importantly, however, cuckoldry affected more than the internal hierarchy between husband and wife and between husband and rival, or the hierarchy of the household. It had an impact on the hierarchical ordering of social relations of all three parties in their larger social environment. In addition, not every husband whose wife had affairs with other men fit into the ridiculous cuckold category. Those powerful, contented (non-ridiculous) wittols are something like a blind spot, under-represented in cultural discourse, possibly because of the normative pressures which presented sexual exclusiveness as the only form of successful, workable marriage.

The transgression of adultery, whether in potentiality or actuality, helped to negotiate a notion of household order and household integrity whose relevance transcended the individual household. Adultery highlighted, but also negotiated the boundaries between the individual marriage and the larger social sphere of which it was a part. These tensions between

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<sup>7</sup> Amussen (1988: 102).

withdrawal, intimacy and sociability, as well as openness were at the heart of the domestic sphere, and it is here that the conflicts which adultery epitomises originate. In early modern England, even though the majority of women were not confined to the narrowly domestic sphere, but enjoyed a lively public life, we can discern an ideological trend, most forcefully headed by moralist authors, to bind women to their households.<sup>8</sup> We might, therefore, expect female adultery to be something like a pressure valve, a break with domesticity in opposition to these ideological currents. On the contrary, however, in the texts examined above female adultery was conceptualised as firmly connected to the household. What it did was precisely to accentuate the boundaries of domestic intimacy and neighbourliness and openness. It foregrounded both the tendency of intrusion by outsiders such as neighbours and friends, and the possibility to establish secretive, illegitimate spaces within the household. Aggressive male rivals, for instance, might (ab)use the neighbourly openness of households in order to put marital chastity to a test. In the many instances of female adultery discussed above, the spatiality of the household was highlighted, most specifically its boundaries. These scenarios of adultery serve to indicate that the boundaries of domestic space, such as walls and doors, both in normative discourse and, it seems, in practice, were marked by both permeability and closure. Closure ideally restrained undesirable outside influences. Permeability ensured neighbourly supervision and social inclusion, and closure fostered domestic intimacy, and social exclusion. In both closure and permeability, however, domestic boundaries could be imagined as a safeguard as much as threat to marital integrity. Doors let in potential lovers and then could be closed to establish spaces of illegitimate intimacy. Instances of (potential) female adultery, especially as presented in the comedies examined, call attention to the problematic nature of male household government by suggesting that domestic space is impossible to be governed fully. Possibly in reaction to moralist arguments, these plays, then, seem to propound that female enclosure within the domestic sphere is not an appropriate means to assure marital chastity.

While male adultery, too, was connected to the household, it was so in less spatial terms. From everything we know about the precarious situation of early modern female servants, it does not appear to have been uncommon that married masters would engage in illicit affairs with subordinates within the domestic context. Certainly, the cliché existed, and evidence from court records, such as the case of William Holder of Thornbury, suggests that it was not unfounded.<sup>9</sup> In the comedies discussed above, no character is shown as actually

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<sup>8</sup> Capp (1996: 139).

<sup>9</sup> Cf. Davis (1998: 38). The same structure applies, though to a lesser extent, to mistresses and male servants, and of course this relationships were less hazardous for male servants as they couldn't get pregnant.



pursuing their servants. Sir and Lady Troublesome (in *Cupid's Whirligig*), who both accuse each other of having made illegitimate advances on servants, do so in order to display jealousy, and express mutual demands of marital chastity. Similarly, the threat of sleeping with servants or maids, by both husbands (Leon in *Rule a Wife and Have a Wife* and Petruchio of *The Tamer Tamed*) and wives (Maria in *The Tamer Tamed*) serves as a means of pressurising the other spouse into compliance. In the cases of Maria and Leon this threat of adultery has didactic purposes since the ultimate aim of these characters is a harmonious marriage. Accusations or threats of adultery (or adulterous intentions) with servants are thus an instrument in negotiations of domestic power relationships. Male and female adultery both affected those hierarchies, but a master's adultery with a servant was more weighty as it connoted a more serious abuse of his authority and his responsibility to ensure the integrity of all those who were in his care. In contrast to the cuckold who is mocked for his (passive) inability, this (active) abuse, i.e. the seduction and moral destruction, of innocent dependants has great tragic potential and may even take precedence over the hurt done to the wife. To enhance this element of exploitation, a tragedy like Beaumont and Fletcher's *The Maid's Tragedy* (1619), for example, solely focuses on the King's sexual debauchery and his corruption of a young gentlewoman while totally disregarding the monarch's own marital background. That male adultery was a potentially tragic affair is also indicated by the fact that cheated wives, although they might sometimes also be referred to as 'cuckolds,' were not publicly mocked. I would suggest that this was precisely because male adultery was related to the misuse of authority which makes the wife deserving of pity, not scorn. Cheated wives are not 'funny,' duped men are. In the *Mad Couple Well Match'd*, for instance, Sir Thrivewell is presented as an adulterer, but what makes him a fitting subject for comedy is that he is an incapable one, who has been gulled by his mercenary mistress, and that he needs 'rescuing' from his wife. Subsequently, the roles are even switched as Sir Thrivewell is cast in the position of the (potential) cuckold, again, the butt of the joke. It appears that, generally, mockery would either befall the cuckold or the (unsuccessful) rival. If a husband managed to guide his wife wisely, and, if worse came to worst, to manage her adultery prudently, he could triumph over his rival and escape public mockery himself. In the case of male adultery, female rivals were not so much (depicted as) ridiculous, but worthy of neighbourly contempt or perhaps even sympathy, as in the case of the young servant girl of Richard Cooke's sermon who killed her newly born child.

The domestic facet of male adultery which we have seen foregrounded most demonstrably in the above texts mostly from comic contexts, was the economic and also

emotional deprivation which the household suffered. This aspect, however, is not peculiar to male adultery since women's adultery, too, might be associated with decadent, illegitimate spending of household resources, which always also demonstrated their husbands' weak position of authority. Economic extravagance thus always tends to ultimately threaten *masculine*, i.e. husbandly reputation. This also means that, in this moral universe, forms of opulent and extravagant living, i.e. prototypically *aristocratic* forms of living, were generally morally suspicious.

Notwithstanding the variety in actual cultural practice, the resulting social ideal which is advanced here through the medium of adultery is one in which domesticity and authority (both male and female) are based on thriftiness, self-government, and on the carefully weighed performance of both domestic seclusion and social integration. It is basically a profit-oriented ideal of an emerging middle class. Even though it allows for a certain degree of individual flexibility, it is an essentially conformist ideal. This is why characters like Antonio, the *Coxcomb*, who endeavours to perform an extravagant act of friendship, remain unsuccessful when trying to strive against these middle class moral standards. In a way, it is not surprising that, if one sets out to study specifically lower and middling-sort cultural settings, one should find middling-sort values particularly pronounced. Consequently, even when comedies present characters of (lower) gentry status, they are characterised by rather conventional, middling-sort values of marriage and household government which emphasised companionship and economic responsibilities.

Whether through positive or negative didactics, the plays, ballads, and conduct books advanced an ideal of monogamous marriage, yet they did not idealise marriage so as to insinuate that it would always be easy and untroubled. A marriage could work, these texts asserted, if everybody knew their role, and if both partners were willing to adjust these (abstract) models to the requirements of their individual circumstances. Contrary to what might easily be suggested from the vantage point of the double standard, they did not claim that all marriages would work best if husbands ruled with unbending authority over their meek and subjugated wives. While the basic idea of husbandly superiority was emphasised, hierarchies in workable marriages were not presented as overly strict or inflexible. If they were, households headed by incapable husbands – a possibility examined over and over in a whole wealth of different contexts – would be doomed to failure as submissive wives would be incapable of contributing to household stability in such cases. Jealousy, also in the broader sense of vigilance, was a watershed figure where husbandly capability was concerned. A certain amount of vigilance was legitimate and vital to ensure the safety and chastity of

household members. However, too little or too much jealousy, it was argued time and again in various genres, marked the husband as incompetent. This performative incompetence caused domestic troubles as an incapable master's authority was bound to be questioned by his nominal subordinates; it also made the overly or insufficiently jealous husband a potential figure of public mockery. Finding just the right degree of jealousy thus appears as one of the most daunting tasks of early modern male householders.

Adultery, or its possibility, here does not only stand for itself, but it exemplifies the general challenges of legitimate, acceptable authority. While husbandly adultery symbolised both an abuse of authority and a lack of self-government, and thus questioned a man's government capabilities in general, female adultery epitomised a husband's failure to display the right measure of care and attention for his household in general and his wife in particular. On the other hand, both female and male adultery could be, at least satirically, reassessed as the ultimate expression of domestic responsibility – as a means of generating wealth and, possibly, status as in the case of the Allwits and Touchwood Sr. of a *Chaste Maid in Cheapside*.

## **7.2. What Motivated Adultery?**

Both male and female adultery, or at least the prospect of it, could be used in plays and ballads, but also in conduct books, sermons, and court proceedings, to highlight the necessity of considerate, preferably companionable household government. Interestingly, adultery in the comedies discussed above was motivated not by love, but by other concerns: economic issues, social rivalries, sometimes lust. The same tendency applies to comic broadside ballads, and the sample of court records examined above. Love simply does not play a great role in adultery here. In the comedies, love is reserved to romantic plots, to marriage-making rather than marriage-breaking. Hence comedies lodge love firmly within marriage (or, more specifically, courtship), not in adultery. In presenting love as a precondition for marriage, they have much in common with conduct books. Tragedy, on the other hand, one might hypothesise, may have better suited than comedy to explore the possible interrelations between love and adultery because of the potential for (tragic) pathos which lies in the presentation of deep emotional upheaval and conflict.

Adultery in our contexts thus did not appear as a form of escapist alternative to loveless marriages. Nonetheless, adultery did appear as an alternative to *sexually*

unsatisfactory unions, at least for women. This is why ‘mismarriages,’ e.g. between young, clever women and elderly, foolish husbands, were stereotypically presented as potentially unstable in this respect. Female adultery was also portrayed as a means to improve on or even transcend an *economically* unsatisfying union. Adulterous relationships could be constructed in ways similar to marriage, as marked by the same concerns. Male adultery, too, highlighted men’s domestic shortcomings rather than being conceptualised as a clear break from everything domestic. Through adultery, then, the centrality of marriage for heterosexual unions and social frameworks was reconfirmed. However, the ways in which adultery was handled also served to emphasise the flexibility and endurance of the concept of marriage.

Particularly in the context of domestic hierarchies which have been explored in chapter six, both male and female fictional characters who transgressed marital norms were repeatedly characterised through references to monstrosity, which are closely related to the transgression of physical and moral boundaries. Questions of how the (potentially) adulterous male and female body was constructed, and how medical discourses influenced this construction would be a worthwhile point of departure for further investigations into the subject of early modern adultery. For instance, male impotence and female excesses of youthful passion would be of relevance here, and connections between the spatial construction of the domestic sphere, the house, and the male and female body could be explored. From our investigations so far it may be concluded that although stereotypical notions of women’s more irrational, more passion-prone nature often played a role in constructing female adultery, the underlying cause were men’s inabilities – in exercising exemplary self-control, in providing for a wife, in governing a household wisely, in judging friends and neighbours correctly, but also, crucially, in satisfying a wife sexually. Conversely, a husband’s adultery was not so tightly connected to his wife’s physical or behavioural shortcomings. It was, again, associated with his own lack of rational judgement, self-control, and responsible household management, therefore ultimately his own fault.

### **7.3. Damage Repair - ‘Unmaking’ Adultery?**

Importantly, punishments such as appointed by the ecclesiastical courts were geared at repairing the damage done by adultery, the white sheets of the pennant even suggesting an act of cleansing, of wiping the sinner’s slate clean in an institutionally sanctioned ritual. Fictional texts, plays in particular, even more persuasively than the conduct books which were rather

geared at conflict prevention than conflict management, presented possible ways to deal with adultery once it occurred, and even indicated how it might be ‘unmade’ or ‘disperformed.’ This aspect has been repeatedly broached in passing, but it deserves a little more attention here, at the closing point of my discussion. In *A Mad Couple Well Match’d* Lady Thriwell destroys the material evidence of her husband’s adultery and discourages future acts of revelation by her rival. When Allwit, of *A Chaste Maid in Cheapside*, stands up to Sir Walter Whorehound, he puts on a performance of legitimate marriage which effectively unmakes Mrs Allwit’s adultery and disqualifies Whorehound’s claims to Allwit’s wife and the Allwit household. In *Cupid’s Whirligig*, the Troublesomes are ‘divorced’ through the husband’s abnegation of his wife and remarried through the powers of cupid in the last act. Old marital conflicts, such as Sir Troublesome’s jealousy and his intentions to break his marriage, are eliminated and repaired by new rituals. While the Troublesomes submit to the power of ritual, the seaman Compass of *A Cure for a Cuckold* (1624) by John Webster and William Rowley<sup>10</sup> creatively uses the power of ritual for his own ends. Compass accepts the child which his wife conceived during his absence as his own, even defends his fatherhood against the claims of the child’s ‘biological’ father, Franckford. When a neighbour suggests he has heard sounds of sexual activity in the seaman’s home during the husband’s absence, Compass attempts to disclaim this act of witness by spinning a short yarn of how he came home for quick visits from the sea in the middle of the night without anyone ever seeing him. Finally, Compass devises a plan to unmake his wife’s adultery through a number of steps, all related to ritual, and all witnessed by friends and neighbours. He and his wife stage each other’s death, which serves to clean all slates. Meeting as widower and widow, they are then free to start over and marry. This plot emphasises that acts of witness, and even more complex ritual forms are highly manipulable since they are performed by human agents. Of course, this is a rather fantastic scenario, which in its level of peculiarity may be compared to *The Coxcomb* Antonio’s efforts to court his own wife on behalf of his ‘friend’ Mercury.

A large number of texts from all kinds of genres portrayed adultery as critically important to both the emotional and socio-economic integrity of the family. Yet not all agents chose the same path as Humfry Phillpott of Gloucester and Master Ford of *The Merry Wives of Windsor*, seeking to uncover and publicise specific instances of adultery. By the example of a “discreet Capricorne,” Brathwaite’s “Boulster Lecture” *Ar’t Asleep Husband*,<sup>11</sup> outlines

<sup>10</sup> The play was licensed in 1624, apart from William Rowley, who is credited with the subplot featuring Compass and his wife, John Heywood has been suggested as the play’s co-author. The only edition of the play dates from 1661. Cf. Gunby (2004: unpag.).

<sup>11</sup> Brathwaite, *Ar’t Asleepe Husband? A Boulster Lecture* (London, 1640), 49f.

another course of action. A husband is informed by a servant of his wife's infidelity. He decides to investigate on his own, without witnesses. At the time intimated by the servant, by means of a private passageway, he enters his bedchamber, indeed discovering his wife and her lover in the act. Yet he confronts his rival coolly, displaying his superiority by locking the other man in a closet, then calls his servant to admonish him for making him jealous without cause, disqualifying the servant's act of witness as slander. To confirm this meaning the servant is dismissed and banned from the household. By manipulating both witnesses and evidence of his wife's adultery, the husband thus manages to 'unmake' his wife's adultery, saving his and his wife's (public) reputation. Yet while, publicly, the husband acts as if his wife's adultery had never occurred, treating her as his loyal and beloved mate, his private performance, in contrast, marks her transgression after all: he thereafter abstains from their marital bed, affecting a sort of private, unofficial separation. While the outside façade of the household remains intact, the fracture of the marital union is recognisable by the spatial and emotional separation of the spouses at the most intimate centre of their marriage. In contrast to Webster's and Rowley's *Cure for a Cuckold*, Brathwaite's text remains sceptical about the possibility – and desirability – of repairing the damage done by adultery.

In conclusion, the possibilities presented in various texts of dealing with adultery and repairing the possible damage done by it, were diverse, but a moralistic undertone is often perceivable. The possible economic and social effects of adultery were often shown to be grievous. They could also be presented as manageable through certain codes of (especially male) conduct. In other words, mockery and social ostracism could be prevented through wise conflict management, and morally ruthless characters might even profit from adulterous arrangements. Yet even in these cases, the emotional consequences of adultery, it was indicated, might prove difficult to handle. On a larger social and cultural level, however, the engagement with marital transgressions served to negotiate the specific contours of marriage, its practicable and ideal variants. Thus, while adultery might symbolise the destabilisation of the individual marriage/household, it was central to the institution of matrimony itself.

#### 7.4. (Why) Was Adultery Funny?

In summary, fictional and non-fictional interactions focussing on adultery had didactic functions, whether through negative or positive example. They provided ideas and directions on how to recognize and handle adultery and related complications such as incapable or abusive husbands and headstrong wives. They even presented possibilities to ‘unmake’ adultery. Ultimately, they offered orientation on how to achieve the sort of successful marriage which took shape behind and *through* these disturbances. Yet there was more to the popularity of this subject than its educational qualities. The characters who represented those burdened, troubled husbands struggling to fill their position at the top spot of the domestic hierarchy and the women challenging them were a source of profound entertainment. ‘Real-life’ marital transgressions certainly caused greater scandal, greater social concerns, even real apprehension. However, the public or semi-public generation and circulation of adultery and cuckoldry in gossip, and even in court proceedings, in sermons and penances, was not only an expression of moral censure, but also an important source of entertainment, whether humorous, gratifying, disturbing or cathartically stirring, and what is more, of erotic titillation.

Why should adultery, cuckoldry in particular, be so amusing? For one thing, derision was part of the law enforcement process, and hence laughter had conservative functions.<sup>12</sup> This sort of laughter, which I would consider paradigmatic for the comic contexts examined above, signifies that an agent or a character has failed to meet certain social expectations. Laughter here confirms normative values, or may even serve to expose underlying, implicit norms. As Keith Thomas has put it, jest book authors and comic dramatists “mocked not the rules but the delinquents.”<sup>13</sup> On the other hand, laughter has disruptive potential. It connotes delight in pushing at or even transgressing boundaries.<sup>14</sup> Laughing at a cuckold in a play or making horn signs at a cuckold in the neighbourhood, however, was primarily conservative, as it did not undermine the idea of marriage, or the ideal of the marital equilibrium, or of male household government. This sort of laughter (whether of the collective or of the single variety) was directed very clearly at human weaknesses, i.e. at personal and, most importantly, *masculine* incapability. It did not celebrate the transgressor. With regard to adultery and marriage, mockery and laughter in the contexts scrutinized above did not (in the Bakhtinian sense) ridicule those in power, but those incapable of wielding power

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<sup>12</sup> Cf. Thomas (1977: 77f.).

<sup>13</sup> Thomas (1977: 79).

<sup>14</sup> Cf. Thomas (1977: 79).

‘appropriately.’ There are indicators that (middling-sort) sensitivities in this respect changed towards the end of the seventeenth century and cuckolds gradually ceased to be funny and became more and more sentimentally tragic figures.<sup>15</sup> Nonetheless, as has been shown, cuckoldry, even in the first half of the seventeenth century was not always funny as the figure of the powerful wittol indicates, and as tragic versions of the theme, for instance in the anonymous *Arden of Faversham* or Shakespeare’s (tragicomic) *The Winter’s Tale*, evince.

However, by emphasising this rather conservative (i.e. *conservational*) form of laughter in comic presentations of adultery, I do not wish to suggest that the performance of popular, fictional texts like plays, jests and broadside ballads only reinforced conservative marital norms and values. Catering to the demands of a heterogeneous, rather progressive group of customers they would, in one way or other, have to reflect the most current social trends or even themselves introduce new and interesting variants of romance, love, and marriage which might then find resonance in people’s everyday lives. Plays in particular might even be innovative by actively influencing the generation of certain (social) groups within their audience. Thus, certain clues and markers in the play’s text and performance might foster the generation of certain groups in the audience, or buttress their sense of group identity.<sup>16</sup>

### **7.5. Neighbourhood – Theatre?**

If contemporaries likened the neighbourhood to a theatre (or their world to a stage, as it were) this was more than a metaphor. This becomes particularly obvious if one contemplates audience involvement in generating the notion of transgression, i.e. the role of the audience as witnesses. I would fully concur with Pamela Allen Brown who suggests that “neighbours acted as witnesses and allies in plays and jesting texts as they did on the streets and yards of the neighbourhood.”<sup>17</sup> Yet I wish to take this argument further. People would bring their neighbourhood observation skills to the theatre and apply them to interpreting the plays which were presented to them. On the other hand, the theatre functioned as a training ground for neighbourly acts of witnessing. By watching characters interact on stage, and by watching

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<sup>15</sup> Cf. Thomas (1977: 81), Turner, D. (2002: ch. 3).

<sup>16</sup> Mary Bly’s analysis of the repertory of the first Whitefriars’ company, for instance, suggests that bawdy puns in general and homoerotic puns in particular seem to have been employed at large quantities in the company’s plays because they were catering for, or rather, attempting to *generate*, particular (in this case, homosexual) groups in their audience. Cf. Bly (2000: esp. 85-87).

<sup>17</sup> Brown (2003: 16).



(other members of) the audience react to and interact with the characters on stage, theatregoers could refine and modify their existing observation skills, or even learn new techniques which might then be reapplied to neighbourhood surveillance. This, of course, also gives an important new dimension to the performances on stage, which, in Mary Crane's words, at the very least "offered the possibility that the act of 'performance' itself constituted an exercise that effected material change in the real world."<sup>18</sup> Even stage space contributed to this as it was ideally suited architecturally to represent neighbourhood contexts as well as the insides of houses. Particularly noteworthy here are the double doors which were a distinctive feature in both private and public theatres. Additional features like a stage gallery or balcony, galleries for the audience which resembled the stories of a house and the windows therein, and a roofed structure on the very top reinforced this impression of a neighbourhood context.

There were boundaries to performances, to what could be shown and witnessed, both in the neighbourhood and in the theatre. On stage, adultery was largely constructed through references in dialogue, allusions and more subtle non-verbal cues like states of (un)dress. Live sex acts could not be observed on the theatrical stage, but only in non-fictional contexts. Even where sexual encounters were only alluded to, certain scenarios which we have encountered in court records, such as sex in the street or in a church, do not appear to have been used in theatrical productions. Thus, while both 'real-life' and theatrical performances were marked by certain rules and restrictions, some of which, e.g. those marking social status and hierarchies, even overlapped, dramatic performance codes were more constrictive. On the other hand, the audience's interpretative attitude towards transgressions such as adultery may even have been more permissive in the theatre. In the theatre, the audience anticipates being presented with human weaknesses, follies, transgressions, one expects characters to fall out of line, to misbehave. This is an accepted part of the entertainment one pays for. In one's own neighbourhood, conversely, the basic expectation is that everybody will behave according to accepted standards and norms even if there is, as we have noted, a strong element of underlying suspicion that one's neighbours might be up to no good.

Marriage was a serious business, and the comedies discussed above highlight the link between sex, marriage, money and property – but also (didactic) government. To introduce another perspective on this, one could draw attention to the way the economy of marriage and adultery as represented in these plays intersects with the economy of the theatrical business venture. This was a material theatre which revolved around profit and was "closely connected

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<sup>18</sup> Crane (2002: 184).

with a dynamic market and the exigencies of urban life.”<sup>19</sup> This economic basis was highlighted by the notion that the theatre itself was basically a market, “selling wares as short-lived as fresh milk and infinitely less tangible.”<sup>20</sup> Plays were designed to cater to the demands of the market, and then as now sex and love seem to have been especially marketable subjects. This even affected the very composition of the plays, such as the utilisation of bawdy puns, or themes involving romance or adultery. Furthermore, just as plays, ballads and conduct books, too, were part of an economic market which was geared towards catching the customers’ attention and making profit. In a sense, then, the issues of romance, marriage and sex may have served as an audience teaser even under the moralistic cover of the conduct book. Marriage provided a perfect legitimising cover for presenting these issues. It may be justified to argue that in comedy, marriages and reaffirmations of marriage typically “signal the channelling of desire into socially acceptable forms,”<sup>21</sup> yet from another vantage point, it needs to be stressed that the final focus on marriage in comedy allows and makes possible the performance of desire, and sexual transgression on stage.

## **7.6. Adultery and Neighbourhood Hierarchies**

Marriage was a social affair which affected not only the couple involved. Correspondingly, so was adultery. As neighbours and friends, possibly even more so than the immediate family, were important agents in bringing about matches and constituting marriage, they also had a crucial role in its transgression which was not limited to mocking and deriding offenders. By studying adultery, therefore, one may learn a lot about the social structures which generate it.

Adultery does not only serve to negotiate the structure of acceptable marriage and domestic relations. It also helps to mark the outer edges of group life and give a special character to its inner structure.<sup>22</sup> While other forms of transgression work similarly, I would suggest that adultery (in early modern England) occupies a particularly significant position among these socially productive kinds of deviance. If we concede that, as suggested above, social groups derive certain benefits from marking transgressive behaviour, we may ask whether early Stuart neighbourhoods were possibly even organised in such a way as to promote adultery. To a certain extent, as has been shown, this was clearly the case. The socio-

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<sup>19</sup> Bruster (1992: 29).

<sup>20</sup> Bly (2000: 43).

<sup>21</sup> Howard (2000: 22).

<sup>22</sup> Erikson (2000: 14).

economic relationships which were necessary for the stability of marriage, for instance, certainly provided ample opportunities for adultery. To which ever degree these structures actually encouraged adultery, however, neighbourhoods strongly promoted the registration of such offences. We may presume that many lovers managed to keep a low profile, that many couples worked out their own arrangements with no or only little neighbourhood interference. As I have argued, it was only when the social environment chose to act upon an affair, to make it public knowledge, to circulate censorious gossip, to gather pieces of evidence, to mock or admonish involved parties, and, finally, to instigate legal proceedings, that the transgression of adultery in its full social significance was constituted. Consequently, neighbours were a substantial element of early modern adultery.

Depositions in court records convey an impression of continuous, legitimate social surveillance of both men and women by both men and women, particularly with regard to certain markers of domestic instability such as husbandly absence. Thus the social dimension of adultery was emphasised. Of course, this must partly be attributed to the demands of the genre, the requirements of proof in the context of ecclesiastical jurisdiction. However, the general interactional structures which these court records evoke, i.e. the notion of neighbourhood surveillance, of legitimate witnessing of other people's transgression, may also be traced in other genres. Even though there were obviously limits to neighbourhood observation in practice, not to speak of the possibilities of (mis)interpretation and thus manipulation of the things one might witness, there is a strong discourse at work here which associates openness with morality and innocence, and which works towards establishing and continuously restating the legitimacy, the necessity of witness. In consequence, not only are witnesses vital to generate adultery; many times, contentions or neighbourly interactions ostensibly focussing on adultery are really concerned with the witnesses, their social position and the legitimacy of their acts of witnessing. This also pertains to the audience's position in theatrical performances of adultery.

If the legitimacy of witnessing was continually negotiated, so was the position of the observed subject. Secrecy appears to have been one of the most prominent markers of adultery, and other social transgressions, for that matter. Why would one mind one's neighbour overhearing a conversation or witnessing a meeting if one had nothing to hide? This also suggests that suspicion was as much the putty of sociability and neighbourliness as charitable benevolence. While secrecy thus bred suspicion, the flaunting of immoral acts in public openness was more immediately scandalous, but not less subject to manipulation by gossip and other forms of reiteration. The majority of both fictional and non-fictional texts

examined above, however, evince a fascination with, a preference for gestures of exposure. For instance, as I have shown in chapter five, in many cases of witnessing adultery an impression of illegitimate secrecy was first created, only to be followed by a gesture of opening and revelation. We may assume that adultery was presented this way in neighbourly (inter)actions, whether fictional or not, in order to promote an impression of its manageability.

This notion of manageability was especially vital since adultery was perceived as something modern sociologists call ‘signal crime,’ i.e. an offence which was perceived as evidence that a certain locale was threatened by social deterioration and destabilisation, in contrast to other forms of social disorder which were regarded as much less threatening.<sup>23</sup> From this perspective, the horn-signs on houses, the gestures and verbal comments connoting adultery are the markers of threatening neighbourhood disintegration. They serve to both expose and exclude – and hence *control* – the elements endangering social stability. It is thus not the single adulterous act which is most relevant from a social perspective, but the reiteration of adultery in the community.

Although a dichotomy between honest and dishonest society underpinned the wider discourse of crime and social order in early modern England, many transgressions emerged not from a radical break with the legitimate, but grew out of legitimate everyday-life situations and interactional structures. The ultimate parameters as to when neighbours and friends would choose to become active in this way or when they might be willing to overlook adulterous transgressions are difficult to determine. They were highly dependent on the individual setting. Neighbours, I would argue, were most likely to become involved if they could use a particular instance of adultery to negotiate their position in the social hierarchy; they could question persons of local authority, and they could mark the weaker links in the social fabric, such as newcomers to a locality. Adultery thus concerned much more than simple sexual transgression, it was also used to signify social deviation. The contentions and neighbourly interactions surrounding adultery could thus serve as a medium to express and negotiate deep-rooted social tensions and community concerns. They were a part of the “turmoil of [communities’ constant] refashioning,”<sup>24</sup> which may be considered as constitutive of the very institution of community itself. Neighbours ‘made’ adultery, but on the other hand adultery was also part of the processes which ‘made’ the neighbourhood.

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<sup>23</sup> Cf. Innes (2004).

<sup>24</sup> Withington & Shepard (2000: 7).

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# Appendix

## 1. Deutsche Zusammenfassung

Noch bevor es im Libertinismus der Restorationszeit zu einer wahren Explosion sexueller Themen kam, lässt sich in der ersten Hälfte des siebzehnten Jahrhunderts auf verschiedensten kulturellen Ebenen eine zunehmende Sensibilisierung für Fragen von sexueller Moral, Ehe und Geschlechterordnung verzeichnen. Diese fand quasi ihren Höhepunkt im sogenannten ‚Adultery Act‘, einem Gesetz, das im Zuge politisch-moralischer Reformbestrebungen des Commonwealth 1650 den Ehebruch unter Todesstrafe stellte. Diese Studie untersucht die kulturelle Relevanz des Ehebruchs in dem Zeitraum von fünfzig Jahren, der diesem Gesetz vorausging. Ein Ehebruch, so eine zentrale These, war in dieser Zeit keine private, primär emotionell-sexuell konnotierte Angelegenheit, sondern ein Verstoß gegen die soziale Ordnung. Jedoch stellten Ehebrüche nicht einfach ein festes Idealbild ehelicher und sozialer Hierarchien in Frage. Vielmehr, so zeigt diese Dissertation, diente die öffentliche Auseinandersetzung mit Ehebruchsdelikten dazu, neben Fragen der Geschlechterordnung auch zentrale Begriffe sozialer Ordnung wie Nachbarschaftlichkeit, Freundschaft und Nächstenliebe zu diskutieren und so zu schärfen.

Diesen Beobachtungen folgend, stellt diese Arbeit Ehebruch im Spannungsfeld zwischen seiner sozialen und häuslichen Bedingtheit dar. Kapitel drei und vier erschließen die soziale Dimension des Ehebruchs über die Rolle der Nachbarn, Freunde und Gäste. Kapitel fünf und sechs nähern sich der häuslichen Bedingtheit des Ehebruchs unter dem Aspekt seiner räumlichen Codierung und über die Rolle des (nominellen) Haushaltsoberhauptes, des Ehemannes. Diese Untersuchung geht nicht nur der Frage nach, was Ehebruch für Menschen der mittleren und unteren Gesellschaftsschichten bedeutete, sondern wie der Sinngehalt des Ehebruchs in diesem sozialen Umfeld erzeugt werden konnte. Was genau Ehebruch darstellte und welche Implikationen er im Einzelfall hatte, so eine weitere These, wurde in letzter Instanz nicht von Texten (wie Gesetzestexten, Ehelehren oder Predigten) diktiert, sondern in Interaktionen auf lokaler, nachbarschaftlicher Ebene verhandelt, zum Beispiel durch Klatsch, Gerüchte, sowie Praktiken des Verlachens und Schmähens. Untersuchungsgegenstand dieser Studie sind demzufolge Texte, welche diese Interaktionen nachvollziehen, ja sogar als Bestandteile dieser Interaktionen gelten können; Texte, die durch einen gewissen Aufführungs- oder Rollencharakter geprägt sind. Dies sind Gerichtsakten, Dramen, Straßenballaden, Witze, aber auch Predig-

ten und die häufig auf ihnen beruhenden Haushaltstraktate und Ehelehren, welche die frühe Neuzeit prägten. Diese Verhandlungen der ehelichen Ordnung, des Ehebruchs und seiner sozialen Implikationen wurden, wie sich hier zeigt, über die Gattungsgrenzen der sie uns überliefernden Texte hinweg geführt.

In einem einführenden Kapitel werden zunächst die Textsorten vorgestellt, die die Grundlage dieser Arbeit bilden. Im Einzelnen sind das also (Kirchen-)Gerichtsakten, präskriptive Texte und fiktionale Texte. Des Weiteren werden die methodischen Grundüberlegungen, auf denen diese Studie fußt, umrissen. Diese sind besonders von der anglo-amerikanischen sozialgeschichtlichen Geschlechterforschung (hier besonders neuerer Männlichkeitsforschung), vom *New Historicism* sowie von den *Performance Studies* geprägt.

Ein erstes thematisches Kapitel stellt einige Spezifika der frühneuzeitlichen Ehe dar, die besonders darin bestehen, dass der eheliche Status durch diverse Ungewissheiten geprägt war. Diese betrafen beispielsweise den Anfangs- und Endpunkt der Ehe. Sie spiegeln sich aber auch in terminologischen Abgrenzungsschwierigkeiten zwischen Unzucht und Ehebruch wider. Der eheliche Status des einzelnen Paares, so die These, war im kulturellen Kontext des frühneuzeitlichen Englands keine gesicherte, unanfechtbare Größe. Er wurde primär darüber gefestigt, dass sich Ehemann und Ehefrau Tag für Tag als solche präsentierten, dabei bestimmte Verhaltenscodes einhielten und die von ihnen erwarteten Rollen im Haushalt und in der Gemeinschaft einnahmen. Nachbarn und Freuden fiel hier die wichtige Aufgabe zu, die Ordnungsmäßigkeit oder auch -widrigkeit dieses Verhaltens, dieser Eheführung, kontinuierlich zu bezeugen.

Ausgehend von der Zentralität der Zeugenschaft für den Problemkomplex von Ehe und Ehebruch widmet sich das dritte Kapitel eingehend der Rolle der Nachbarn als Zeugen. Wir können hier von einer Kultur sozialer Kontrolle sprechen, in der Zeugenschaft durchaus positiv besetzt war und institutionell, z.B. durch kirchliche Verordnungen und Amtsträger, gefördert wurde, und in der sich derjenige, der Zeugenschaft unterließ oder verweigerte, theoretisch der Mithilfe strafbar machte. Zunächst maßgeblich auf der Grundlage von Gerichtsakten, dann auch in anderen Genres wird an beispielhaften Fällen analysiert, wie Nachbarn den Bedeutungsgehalt des Ehebruchs im alltäglichen Informationsaustausch (in Klatsch und Gerüchten) und durch öffentliche Spottpraktiken aufrufen oder reiterieren konnten. Was sich uns hier darstellt, ist keine passive Zeugenschaft im Sinne eines bloßen Aufnehmens und Wiedergebens eines verdächtigen Geschehens. Vielmehr zeigen die Beispiele, wie durch die Handlungen der Zeugen der Tatbestand des Ehebruchs erst ins Leben gerufen wird. Die (halb-)öffentliche Auseinandersetzung mit, oder besser, die Inszenierung von Ehebrüchen war, wie hier gezeigt

wird, auf der einen Seite gemeinschaftsstiftend, auf der anderen Seite jedoch umriss sie die Grenzen von sozialer Zugehörigkeit und Nachbarschaftlichkeit. Letzteres verdeutlicht sich beispielsweise in der verlachenden oder anfeindenden Aussonderung von verschiedenen in das Ehebruchsgeschehen involvierten Personen, hauptsächlich von betrogenen Ehemännern und betrügerische Ehefrauen, aber auch in der Ausgrenzung von Personen, deren Akte der Zeugenschaft oder Versuche der Informationsübermittlung fehlschlügen und als sexuelle Verleumdung gewertet wurden. Sexuelle Verleumdungen waren besonders heikel, da sie einen Kernpunkt weiblichen aber auch, wie hier dargelegt wird, männlichen Ansehens trafen. Obwohl, wie sich am Beispiel des Ehebruchs verdeutlichen lässt, Zeugenschaft in gewisser Weise obligatorisch und der Handel mit Informationen zur Pflege sozialer Bindungen notwendig war, bargen diese Praktiken also Risiken, da sie das Ansehen des Zeugen bzw. Informationshändlers, seine Position in der Gemeinschaft, auf den Prüfstand stellten. In diesem Kapitel hat auch die Figur des verspotteten bzw. lächerlichen Ehemannes ihren ersten Auftritt, die in den folgenden Teilen von verschiedenen Seiten beleuchtet wird. Spott, so wird hier dargestellt, kann den Ehemann treffen, wenn er entweder zu viel oder zu wenig Interesse für und Kontrolle über seine Frau, seinen Haushalt, aber auch seine potentiellen Rivalen zeigt. Ersteres wird durch (unbegründete) Eifersucht versinnbildlicht, letzteres durch weiblichen Ehebruch.

Im vierten Kapitel dieser Arbeit treten Nachbarn (im Sinne der ‚Nächsten‘) nicht mehr primär als Zeugen, sondern als Gäste und Freunde auf. Es wird nun skizziert, wie durch Inszenierungen von Ehebruch die Grenzen sozialer Kernkategorien wie Gastfreundlichkeit, Nächstenliebe und Freundschaft markiert wurden. Ehebruch signalisierte hier sowohl einen Mangel als auch einen Überschuss an Gastfreundlichkeit, Nächstenliebe und Freundschaft. Im Falle des Überschusses wird in den hier betrachteten (maßgeblich literarischen) Texten der Ehebruch als aus der wörtlichen Umsetzung bestimmter Idealvorstellungen (von Freundschaft etc.) resultierend dargestellt und dient somit dazu, die Praktikabilität dieser abstrakten Begriffe zu hinterfragen. Während Freundschaft beispielsweise in präskriptiven Texten als Modell der ehelichen Beziehung verwendet wird, zeigen fiktionale Texte, wie diese Vorstellung missbraucht werden kann, so dass sie die eheliche Gemeinschaft nicht fördert, sondern zerstört, indem sie Ehebruch erleichtert. Während die übermäßige Eifersucht des Ehegatten als nicht nur die Ehe, sondern auch die soziale Harmonie gefährdendes Element erscheint, wird eine völlige Aufgabe der Wachsamkeit und der Autorität des Ehemannes (z.B. unter dem Banner der Freundschaft) als ebenso gefährlich angesehen. Die analysierten Texte umkreisen das Problem, wie sich hier, auch in Auseinandersetzung mit den Bedürfnissen der Ehefrau, die richtige Balance

finden lässt. Gleichzeitig wird hier deutlich, dass die Ehe nicht nur als Grundbaustein sozialer Ordnung und sozialer Beziehungen begriffen wurde, sondern dass offensichtlich auch ein Spannungsverhältnis zwischen den Anforderungen von Ehelichkeit/ Haushaltsführung und Nachbarschaftlichkeit/ Nächstenliebe bestand.

Das Kapitel fünf nähert sich weiter dem einzelnen Haushalt an, gewisse Fragen von Zeugenschaft bleiben jedoch weiter relevant. Es wird gezeigt, wie Ehebrüche in räumlicher Hinsicht konstruiert wurden und dass dabei häusliche Räume eine zentrale Rolle einnahmen. Die frühmoderne Häuslichkeit ist nicht mit modernen Konzepten von ‚Privatheit‘ gleichzusetzen. Der häusliche Raum ist vielmehr durch diverse Schnittstellen zwischen Öffentlichkeit/ Zurschaustellung und Rückzug/ Intimität geprägt. Dieses Strukturmerkmal begünstigt die Inszenierung von Ehebrüchen in diesem Kontext. Dies belegt auch die Tatsache, dass Schwellen, als Schnittstellen zwischen ‚innen‘ und ‚außen‘, für die Konstruktion von Ehebruch im häuslichen Raum eine zentrale Rolle spielten. Generell wurden Offenheit und Einsichtigkeit des ehelichen Haushalts als normativ betrachtet, so dass Zurückgezogenheit und Heimlichkeit selbst im häuslich-familiären Raum prinzipiell verdächtig waren. Dies relativiert auch die in der Forschung geäußerte Annahme, dass für diese Zeit eine Art häusliche ‚Einhegung‘ der Frau als gesellschaftliches Ideal angesehen wurde. Ein enthüllendes Moment ist für die Art, wie Ehebrüche generiert werden, prägend. Es wird zunächst die Impression eines geschlossenen Raumes aufgerufen, der auf eine verdächtige, geheime Absicht hinweist, und der dann in einem nächsten Schritt geöffnet wird, um Akte der Zeugenschaft zu ermöglichen. Interessanterweise, so legt ein letztes Teilkapitel dieses Abschnitts dar, funktionierte die Konstruktion von Ehebrüchen auch im Freien bzw. im öffentlichen Raum ganz ähnlich wie im häuslichen Kontext.

Es zeigt sich in diesem, fünften Kapitel aber auch, dass der häusliche Raum ein potentiell unkontrollierbarer, d.h. nicht vollständig durch den Ehemann allein beherrschbarer Raum ist. Beschreiben die vorangegangenen Kapitel die Verantwortlichkeit der Nachbarn, Gäste und Freunde im Rahmen der Generierung von Ehebrüchen, so stehen in diesem und im folgenden Kapitel die Interaktionen der Eheleute untereinander, sowie zwischen Eheleuten und Nebenbuhlern im Vordergrund. In den Analysen zeichnet sich nunmehr ein weiterer Schwerpunkt dieser Arbeit ab: die Verantwortlichkeit des Ehemannes. Diese rückt im folgenden, letzten thematischen Kapitel in den Mittelpunkt des Interesses.

Das sechste Kapitel dringt in die inneren Machtstrukturen des Haushalts vor, welche durch den Ehebruch quasi offengelegt bzw. zur Verhandlung gestellt wurden. Hier wird Ehebruch nun im Verhältnis zu Haushaltsführung und häuslicher Ökonomie betrachtet. Es besteht hier,

so zeigt sich zunächst, ein (produktives) Spannungsverhältnis zwischen Vorstellungen ehelicher Gleichrangigkeit und Unterordnung, welche im Einzelfall, also in der individuellen Ehe, harmonisiert werden mussten. War der Ehemann nominell Herr des Hauses, so bedeutete dies nicht nur Privilegien, sondern vielmehr größere Verantwortung für Störungen und Fehler aller Mitglieder des Haushalts. Das bedeutet, er trug größere Risiken, die durch den Ehebruch versinnbildlicht werden. Weiblicher Ehebruch stellt sich aus dieser Perspektive beispielsweise als Folge falscher bzw. dilettantischer Haushaltsführung von Seiten des Mannes dar, als Zeichen seiner mangelnden oder fehlgeleiteten Autorität. Männlicher wie weiblicher Ehebruch wiederum kann als Veruntreuung wirtschaftlicher und emotionaler Haushaltsressourcen beschrieben werden. Der weibliche Ehebruch erscheint hier nicht nur als ein Konflikt zwischen Ehemann und Ehefrau, sondern, und vielleicht viel wichtiger, als ein Machtkampf zwischen Ehemann und Rivalen, in dem entweder der eine oder der andere der Verhöhnung preisgegeben wird. Der Ehemann kann hier durch kluges Krisenmanagement den Spott von sich abwenden. Aber auch die Ehefrau ist, wie dargestellt wird, dem Ehebruch ihres Mannes nicht hilflos ausgeliefert. Der Tatbestand des Ehebruchs diente hier unter anderem dazu, die Grenzen nicht nur zwischen sozial akzeptabler und inakzeptabler Ehe- und Haushaltsführung, sondern auch zwischen legitimer und illegitimer Autoritätsausübung generell (besonders des Mannes aber auch der Ehefrau) auszuloten. Während Ehebruch in diesem Kapitel also zunächst als Figur männlichen Scheiterns auftritt, untersucht das letzte Unterkapitel dieses sechsten Teils ihn als Figur ökonomischen Erfolgs. In diesem Zusammenhang erscheint der betrogene Ehemann nicht als unfähig und lächerlich, sondern als geschickter Manipulator, der die weibliche Sexualität, und zwar bestenfalls sogar im Einvernehmen mit seiner Frau, als Mittel zum Erwerb von Geld und Macht einsetzt.

Kapitelübergreifend stellt diese Dissertation wiederholt die in der Forschung geäußerte Annahme der Existenz eines zwischengeschlechtlichen ‚double standard‘, der sich besonders im Umgang mit ehelichen Verfehlungen zeige, in Frage. Es wird erörtert, inwiefern männlicher Ehebruch sozial relevant war und nicht, wie in der Forschung gelegentlich unterstellt, prinzipiell als Kavaliersdelikt betrachtet wurde. Im Gegenzug kann aufgezeigt werden, dass eine starke diskursive Stoßrichtung existierte, die den weiblichen Ehebruch eben nicht primär einer misogyn gefassten unbezähmbaren Weiblichkeit anlastete, sondern männlicher Unfähigkeit. Dies ist auch der Schlüssel zu der Frage, warum gehörnte Ehemänner im Gegensatz zu betrogenen Ehefrauen eine Zielscheibe des Spottes waren, oder mit anderen Worten, so unterhaltsam, dass sie Gegenstand unzähliger Witze, Straßenballaden und Komödien werden konnten.

## **2. Erklärung**

Ich versichere hiermit, dass ich diese Arbeit eigenständig verfasst habe und alle hierzu benutzten Hilfsmittel nach bestem Wissen und Gewissen angegeben habe.



### **3. Lebenslauf**

Mein Lebenslauf wird aus Datenschutzgründen in der elektronischen Version meiner Arbeit nicht mit veröffentlicht.

