The Rise of Female Testimony on the Early Modern Stage

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Submitted in partial fulfilment of the requirements for the award of Doctor of Philosophy

2018

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Abstract

This thesis explores the rise of female testimony on the early modern stage. Focusing on plays dating from the 1580s to the early 1620s, my research considers how the phenomenon of women's testimony contributed to broader developments in early modern theatrical culture – particularly through complex engagement with audience response. I focus especially on the emergence of domestic tragedy as a mode uniquely equipped to facilitate the expression of female confessional voices, and to challenge popular beliefs about what such voices should be and do. I begin with Robert Wilson's *The Three Ladies of London* (1584), a play that fuses morality drama with city comedy. Wilson offers the testimonies of three allegorised women – Conscience, Love, and Lucre – each of which reflects, in different ways, on how women experienced the workings of the law. I regard this play as a transitional work with an important place in the subsequent development of early modern domestic tragedy. My second chapter explores Alice Arden's unconventional use of testimonial confession in the anonymous *Arden of Faversham* (1591) and considers how this responds to the testimonial styles found in popular printed literature. My third chapter, on *A Warning for Fair Women* (1599), demonstrates how its likely author, Thomas Heywood, requires his audience to respond emotionally to on-stage events – but also to take a more detached, forensic approach as 'witnesses'. My final chapter discusses *The Witch of Edmonton* (1621), exploring how John Ford, Thomas Dekker and William Rowley challenge audiences to reflect upon the credibility of accounts offered in popular literature – and, in so doing, to reflect more generally on problems of narrative reliability. Throughout the thesis, I explore these plays' source materials, some of which survive from records of contemporary trials. These materials reveal the popular cultural understanding of women's testimony which, I argue, domestic tragedy was placing under particular scrutiny.

Acknowledgements

Lots of people have, directly and indirectly, supported this thesis to completion and I would like to thank them for the help they have given me throughout the process. I have been lucky to study within the outstanding English department at Oxford Brookes University, with the immense fortune to have been fully funded by a John Henry Brookes studentship, without which I could not have supported this research. Many of the team at Brookes have supported me in various ways throughout doctoral study, in addition to my earlier undergraduate and master's degrees; however, there are a few without whom this project would not have come into being. Most of all, my thanks must go to the brilliant Dr Katharine Craik, whose unfailing support, incredible attention to detail, and encouragement has brought me to this stage. I could not have hoped for a more enthusiastic and kind supervisor, and I am grateful, not only for the huge amount of work she has put into supporting this project, but also for encouraging my nervous undergraduate self to apply, firstly for the MA course, and later for the doctoral studentship. I could not be more appreciative of her guidance and expertise, and it has been a privilege and pleasure to work with her on this project. Dr Eleanor Lowe, Professor Nicole Pohl, and Dr Laura Higgins have also offered me fantastic and encouraging feedback at various stages of the doctoral process. Their kindness and enthusiasm have been invaluable in encouraging my research, certainly, but also as I have begun teaching and considering future options. I have appreciated the further support of Professor Simon Kövesi, Professor Daniel Lea, Dr Niall Munro, and the amazing Charmian Hearne, the latter of whom has organised the most wonderful symposia at Brookes, where many of my initial ideas were first aired to generous and responsive auditors. The annual BritGrad conference, too, convened at The Shakespeare Institute, has provided many unexpected sources of inspiration and encouragement.

Without doubt, the other doctoral students in the department have made my PhD programme all the more enjoyable. Sarah Waters, Jill Buttery,

Hester Bradley, and Rachel Egloff, especially, have provided much encouragement, laughter, and general camaraderie as we have embarked on our respective academic ventures. Sarah, particularly, has always been on hand for pep talks and advice, often accompanied by the results of her fabulous baking skills.

Outside of Brookes, I have received a huge amount of support from Horizon Rangers and Nette Clarke, who have been incredibly understanding when study had to come before my Girlguiding commitments. Working with Siege Theatre since 2015 has also been hugely encouraging, and I would like to thank the cast members of our summer Shakespeare productions and our director, Michael Speight, for humouring my attempts to integrate elements of my research into our interpretations of Shakespeare's plays. Others who deserve mention are the wonderful Annabel Gubbins, Clare Richmond, Laura Spence, Lisa Sudiro, Kyran Pritchard, Duncan Saunders, Simon Gilbane, Dr Andrea Antoniazzi, Charlotte Whitlam, Sophie Baker, Laura Porter, and Layla Claridge for their unwavering confidence and friendship throughout.

Last, but certainly not least, thanks must go to my parents, Alan and Sue Birdseye, and my partner, Joseph Hartshorn. All three have dealt with my excitement and enthusiasm for all things early modern – Joe in particular frequently joining me at RSC productions and events – but also the times when the thesis has seemed impossible. Their continued patience and belief in me has been crucial to this project's completion, particularly Mum's altruistic reading through a huge amount of the text for rogue commas, whilst their strength and resilience regarding several unexpected life events over the last four years have provided constant sources of pride and inspiration.

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Conventions and Texts Cited

Except where otherwise stated, quotations and references to the central plays considered herein have been taken from the following editions:

Anonymous, '*A Warning for Fair Women': A Critical Edition*, ed. by Charles D. Cannon (Boston: De Gruyter, 1975)

Anonymous, *Arden of Faversham*, ed. by Tom Lockwood and Martin White, *New Mermaids*, 2nd edn, (London: Bloomsbury Methuen Drama, 1982; 2nd edn, 2007; repr. 2013)

Ford, John, *The Lady's Trial*, ed. by Lisa Hopkins, The Revels Plays (Manchester: Manchester University Press, 2011)

Ford, John, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, ed. by Lucy Munro, Arden Early Modern Drama (London: Bloomsbury, 2016)

Wilson, Robert, *The Three Ladies of London*, in *Three Renaissance Usury Plays*, ed. by Lloyd Edward Kermode, The Revels Plays Companion Library (Manchester: Manchester University Press, 2009)

Introduction

This thesis explores the rise of female testimony on the early modern stage from the late sixteenth and through to the early seventeenth centuries. Testimony is here considered in relation to contemporary developments in dramatic genre, especially domestic tragedy – an experimental and transitional mode of theatre which was uniquely equipped to reimagine notorious crimes, and which offered audiences a new, visceral, opportunity to witness the perpetrators they knew from popular literature. I propose that this phenomenon arose partly out of audience demand for new ways of approaching prominent, complex, female characters beyond the treatment possible within the norms of established dramatic genres. As Henry Hitch Adams noted in his pioneering study of domestic tragedy: 'dramatists through the ages followed the example of classical tragedy in presenting only kings and princes as heroes.'[1] The 'common' citizen hero necessitated citizen conflicts, and, subsequently, dramatists began to merge the subject matter of tragedy with the more colloquial and humble associations of comedy.[2] My thesis considers how early modern theatre evolved as a result, paying particular attention to the role played by testimony in this transformation. I argue that playwrights explored the capacity for female testimony to engage audiences in new ways, raising important questions about female voice, authenticity, and confession which reflected problems at the heart of early modern culture.

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[1] Henry Hitch Adams, *English Domestic Or, Homiletic Tragedy: 1575-1642* (New York: Columbia University Press, 1943), p. 2.

[2] Adams includes J. E. Spingarn's list of distinctions between tragedy and comedy at the end of the fifteenth century, featuring items i and iv: 'The characters in tragedy are kings, princes, or great leaders; those in comedy, humble persons and private citizens' and 'The style and diction of tragedy are elevated and sublime; while those of comedy are humble and colloquial', respectively. See J. E. Spingarn, *A History of Literary Criticism in the Renaissance*, 2nd edn (New York: Columbia University Press, 1899; 2nd edn, 1912), pp. 66-67, in Henry Adams, *English Domestic Or, Homiletic Tragedy: 1575-1642*, p. 3.

The four plays I have selected together record a shift in the depiction and reception of female testimony on the Renaissance stage. *The Three Ladies of London* offers an exciting hybrid of morality theatre with city comedy that demonstrates this period's fascination not only with generic experimentation, but also with the complexity and flexibility of women's testimonial voices. *Arden of Faversham* and *A Warning for Fair Women* both present seemingly conventional female confessions, whilst radically destabilising women's integrity as testifiers through cynically evaluating their sincerity. My final play, *The Witch of Edmonton*, addresses more directly the problem of authenticity. I argue that the play's authors interrogate the assumption that singular, authoritative narrative is possible in testimonial contexts. Here I place the play alongside popular texts in which men ventriloquise women's confessions – often with commercial gains in mind.

Notably, the female protagonists in the plays selected for this study are not required to be heroic; rather, the plays took interest in vilified female figures – whether fictitious, or pulled from the pages of historical annals and pamphleture.[3] I argue that their shared interest in female testimony reflects

[3] Early modern female figures of rebellion and transgression have rekindled theatrical attention in recent years: in 2014, the Royal Shakespeare Company produced the 'Roaring Girls' season – dedicated to putting on early modern plays that presented female roles. Consequently, a large window for female protagonists to express, and testify, opened at the Swan Theatre in Stratford-upon-Avon. *Arden of Faversham* was featured within this season, alongside Thomas Dekker and Thomas Middleton's *The Roaring Girl* and John Webster's *The White Devil*. A month after the season finished, the RSC also put on a production of John Ford, Thomas Dekker, and William Rowley's *The Witch of Edmonton*. Other recent productions of plays considered by this thesis have included Brave Spirits theatre company's *Arden of Faversham* in New York in 2015, and – in the same year – a revival of *The Three Ladies of London* at McMaster University in Canada as part of a Research through Performance conference. Details for the RSC productions can be found here: 'Arden of Faversham' in *The Royal Shakespeare Company* (2018) <https://www.rsc.org.uk/arden-of-faversham> [accessed 18 September 2018]; and 'The Witch of Edmonton', in *The Royal Shakespeare Company* (2018) <https://www.rsc.org.uk/the-witch-of-edmonton> [accessed 18 September 2018]; production details for Brave Spirits Theatre can be seen here: 'Introducing Arden of Faversham', in *Brave Spirits Theatre* (2016) <http://www.bravespiritstheatre.com/introducing-arden-of-faversham/> [accessed 18 September 2018]; and details for the McMaster conference here: '*The Three Ladies of London* in Context', in *Performance as Research in Early English Theatre Studies: 'The Three Ladies of London' in Context* (2015)

the changing conditions of the early modern theatre: indoor performance venues were gaining popularity, the number of female auditors at performances was increasing, and strategies used to engage audiences in performances were developing.[4] Whilst female testimony appears in a wide variety of early modern plays, the four selected texts allow us a particularly vivid glimpse into the early modern theatrical culture of experimentation. This is not to suggest that these four should be read as textual or dramatic successors to one another in chronological terms. Nevertheless, the questions raised in each of these four plays, I propose, demonstrate that female testimony provided a platform for radical experiments with staging, venue, voice, and audience response. The following chapters trace these experiments accordingly.

A major component of this research relies on determining a secure definition of what constitutes 'testimony' and 'evidence' within the plays and, also importantly, on measuring or defining 'authenticity' as a gauge of testimonial value. Interpreting authorial guarantees of accuracy, such as Henry Goodcole's assurance that his 1621 report of Elizabeth Sawyer's trial and confession was 'Published by Authority', has been an altogether more difficult task.[5] Much of this thesis will tackle the problematic nature of determining authenticity, particularly between conflicting accounts. Indeed, as will be shown, this 'crisis of testimony' pervades the plays themselves, and informs some of the major plot events. Assurances such as Henry Goodcole's hint towards the idea that an authentic text was necessarily one produced by, or with, 'authority', and this inherent hierarchy of accounts offers a rare

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<http://threeladiesoflondon.mcmaster.ca/> [accessed 18 September 2018]. Much of the limited scholarship available for *The Three Ladies of London* came about for, and as a result of, this event and all conference papers can be viewed on the conference website.

[4] Will Tosh's *Playing Indoors: Staging Early Modern Drama in the Sam Wanamaker Playhouse*, The Arden Shakespeare (London: Bloomsbury, 2018) offers further insight into the transition from amphitheatre to indoor performance spaces.

[5] Henry Goodcole, 'Title Page', in *The wonderfull discouerie of Elizabeth Sawyer a Witch, late of Edmonton, her conuiction and condemnation and Death* (London, 1621), in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-99852787e> [accessed 18 September 2018], p. 1.

opportunity to explore contemporary understandings of what makes a narrative 'accurate'. Authenticity appears to vary between plays, writers, and context and, as such, part of this work exposes the instability of this term – particularly in testimony's legal (as well as theatrical) contexts.

'Testimony' raises questions about gender through its very etymology, stemming from its Latin origin in *testis* for 'witness.'[6] The word's close association with masculinity was very much still in play at the end of the sixteenth century, and early modern readers often encountered female testimony and confession through the intercession of men. News pamphlets, broadside ballads, and plays tended to be written by men, even when they directly assumed a female voice – furthering what this thesis will explore as a crisis of authenticity. Confession proves throughout these plays to be the most common style of testimony, rather than more varied examples of persuasive defensive speeches which, in nearly all cases, accompany a situation of life or death. Moreover, the confessions are often spiritually-charged and self-deprecating in their phrasing, with a focus not on justifying the female perpetrator's wrongdoing but rather on contextualising her fall. For the plays that were sourced by genuine crimes, the influence of surviving pamphleture can be seen in these confessions, often through borrowed or similar phrasing; however, the 'sincerity' (or otherwise) of such speeches presents opportunities for critical reflection. This focus of this thesis on female testimony, specifically, reflects the increased interest in female expression at this moment in theatrical history. From the late 1580s onwards, we can witness a shift in the complexity of on-stage female protagonists. Wilson's three ladies, Alice Arden, Anne Sanders, and Elizabeth Sawyer all become, through their testimonies, complex and nuanced dramatic creations – offering, when read

[6] 'Testimony, n.', in *OED Online* (Oxford: Oxford University Press, 2018) <http://www.oed.com.oxfordbrookes.idm.oclc.org/view/Entry/199748?result=1&rskey=FUrtl7&> [accessed 18 September 2018]; and 'testimonium, n.', *in OED Online* (Oxford: Oxford University Press, 2018) <http://www.oed.com.oxfordbrookes.idm.oclc.org/view/Entry/199747> [accessed 18 September 2018]. See below for continued discussion on defining 'testimony'.

together, a fascinating opportunity to explore how playwrights used testimonial speech acts to experiment with female voices on-stage.[7]

The form in which an audience receives, or witnesses, testimony proves an important element for analysis in all of the plays considered below. I have adopted a broad understanding of what constitutes 'testimony,' following the current definition of the term as any '[p]ersonal or documentary evidence or attestation in support of a fact or statement; hence, any form of evidence or proof'.[8] I have treated less conventional forms of testimony within the plays as examples, instead, of witnessing and confessing more broadly. These include gestured as well as spoken testimony, such as the 'dumb shows' of *A Warning for Fair Women*. I also consider false confessions as examples of duplicitous testimony, intended to fool on-stage audiences, whilst keeping off-stage auditors informed. Crucially, throughout this thesis, I will draw attention to these two layers of audience: those on-stage, existing as characters within the story and witnessing the actions of the protagonists, and those off-stage as the paying audience who attend the performance. These two strands of auditing will be of especial importance within the third and fourth chapters but are kept in mind throughout. The playwrights can be seen in all four texts to tackle conventions and expectations surrounding the delivery and reception of testimonial speeches, and – as we will see – it matters very much who witnesses the presented evidence, confessions, or accusations. All of the playwrights considered in this thesis make use of off-stage auditors as well as on-stage witnesses for this purpose, and I propose that the decisions made by the playwrights as to which (if not both) of these audiences are privy to testimonial moments are crucial to their experiments with female voice and

[7] Work on early modern female voices has been pioneered in the last thirty years in the research of Gina Bloom, *Voice in Motion: Staging Gender, Shaping Sound in Early Modern England*, Material Texts (Philadelphia: University of Pennsylvania Press, 2007); Elizabeth D. Harvey, *Ventriloquized Voices: Feminist Theory and English Renaissance Texts* (New York: Routledge, 1992); and John Kerrigan, *Motives of Woe: Shakespeare and the 'Female Complaint': A Critical Anthology* (Oxford: Oxford University Press, 1991).
[8] 'Testimony, n.', in *OED Online* (Oxford: Oxford University Press, 2018) <http://www.oed.com.oxfordbrookes.idm.oclc.org/view/Entry/199748?result=1&rskey=FUrtl7&> [accessed 18 September 2018].

depictions of shame. In all four plays considered, it is apparent that their playwrights were interested in the limited options available to early modern women who wished to testify. The following section outlines some important critical trends that have informed this study, and sets out the contributions this thesis aims to make to continuing scholarship.

Critical Trends

This project draws in particular from two critical trends: scholarship on the history of early modern theatre and performance, and scholarship on the history of crime. Whilst these strands of criticism have previously been read together, they have never before been considered as complementary fields through the particular lens of female testimony. Bridging these two areas in this way offers a new approach to understanding how law and the theatre interacted in early modern England. The increasing attention to feminist approaches to Renaissance drama, especially domestic plays, and the rising interest in how women interacted with legal proceedings in the sixteenth and seventeenth centuries, suggest the urgent need for an interdisciplinary view of how law and literature informed and reflected upon one another. Recent critical work in the interpretation of historical texts has been particularly useful for finding a way of approaching source materials which acknowledges authorial bias towards the cultural structures and popular beliefs that surrounded early modern female confession. As such, my work aims to contribute to a live debate about how theatre, criminality, and the law spoke to and informed one another in early modern England, and to demonstrate how these discussions might be further facilitated by the consideration of testimony – particularly when spoken by female characters. I aim to show that reflection by playwrights upon women's testimonial and confessional speeches might be seen as part of a movement in the late sixteenth and early seventeenth centuries to experiment with genre in radical ways, fusing

traditional elements of older theatre such as morality drama with contemporary developments in urban and city drama.[9] This section explains how these various strands of research into crime and early modern theatre might come together in a new way, focusing on how women's testimony has been understood, shaped, and received in legal, literary, and theatrical contexts.

The late twentieth century witnessed a rapid increase in research into the history of crime, focusing on criminality itself as a behaviour in addition to specific crimes and the legal proceedings that governed them. From the 1980s onwards there has been a steady stream of scholarship outlining the perception and handling of crime and punishment in early modern England, covering the structure and roles of courts, as well as the categorisation of crimes and the gendered allocation of severity to individual offences – such as the discrepancy between domestic homicide and petty treason.[10] Some of the earliest research in this period, conducted by James Sharpe and Malcolm Gaskill in the 1980s and 1990s, respectively, offers valuable quantitative insight into crime rates and legislative response.[11] The work of Sharpe and Gaskill provides a rich contextual view of crime and society in early modern England, with Sharpe's work, in particular, utilising exhaustive statistical analysis to trace specific trends in domestic homicide and outlining the

[9] Lucy Munro's book, *Archaic Style in English Literature, 1590-1674* (Cambridge: Cambridge University Press, 2013), considers the influence of literary tradition upon early modern written and theatrical texts, reflecting on how writers utilised tradition and history through memory and senses of identity.
[10] Whilst the murder of a spouse committed by a husband would be charged either as murder or, upon evidence of provocation, might be mitigated to manslaughter or accidental killing, a wife could only be charged with petty treason for the murder of her husband, irrespective of circumstances. See Chapter Two for detailed discussion and definition of petty treason charges and also Frances E. Dolan, *Dangerous Familiars: Representations of Domestic Crime in England, 1550-1700* (New York: Cornell University Press, 1994).
[11] James A. Sharpe, 'Domestic Homicide in Early Modern England', *The Historical Journal*, 24.1 (March 1981), 29-48; and *Crime in Early Modern England, 1550-1750*, 2nd edn (Essex: Peason Educational Ltd., 1999); Malcolm Gaskill, *Crime and Mentalities in Early Modern England*, Cambridge Studies in Early Modern British History (Cambridge: Cambridge University Press, 2000), and 'Witchcraft, Politics, and Memory in Seventeenth-Century England', *The Historical Journal*, 50.2 (June 2007), 289-308.

implications for familial conflicts. His study cross-analyses the frequency of domestic homicides alongside marital records and trends, noting the correlation between spousal-murder rates and the constraints and freedom of choice in marriage. Sharpe's findings suggest that the rate of domestic homicide increased correspondingly with the level of emotional investment involved in marriage – as confirmed by William Gouge, a seventeenth-century writer, who observed: 'the nearer and dearere any persons be, the more violent will be that hatred which is fastened on them'.[12] These findings pose interesting questions for the role of emotion in marriage and criminality, providing a strong basis for scholarship on early modern emotions which has emerged more recently, particularly on female anger.[13]

Gaskill's prolific body of work provides a detailed insight into social and cultural aspects of early modern England and their relationship with crime, informed largely by textual historical sources and records. In 1998, Gaskill's methodological reflections on how best to approach historical sources paved the way for several more recent scholars to engage with issues of authorial bias and ventriloquism, as discussed below.[14] Critical interest in early modern cultures of criminality has continued into the twenty-first century, with scholars such as Bernard Capp and Joanne Bailey providing valuable insights into how communities responded to transgression, and the social responsibilities and networks that contributed to the revelation of crimes.[15]

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[12] William Gouge, 'Of domestical duties, eight treatises', in *Workes* (London, I626), p. 203, quoted in Sharpe, 'Domestic Homicide in Early Modern England', p. 35.
[13] Bridget Escolme's work on early modern passions and emotions has been highly influential for modern theatre criticism – see *Emotional Excess on the Shakespearean Stage: Passion's Slaves*, The Arden Shakespeare (London: Bloomsbury, 2013). For work specifically concerning female anger, see Gwynne Kennedy, *Just Anger: Representing Women's Anger in Early Modern England* (Carbondale: Southern Illinois University, 2000), and Linda Pollock, 'Anger and the Negotiation of Relationships in Early Modern England', *The Historical Journal*, 47.3 (September 2004) 567-590.
[14] Malcolm Gaskill, 'Reporting Murder: Fiction in the Archives in Early Modern England', *Social History*, 23.1 (January 1998), 1-30. See also, Malcolm Gaskill, 'Witchcraft and Evidence in Early Modern England', *Past and Present*, 128.1 (February 2008), 33-70.
[15] Bernard Capp, *When Gossips Meet: Women, Family, and Neighbourhood in Early Modern England*, Oxford Studies in Social History (Oxford: Oxford University Press,

Research such as Bailey's, examining seventeenth-century marital relations, exposes the private experience of early modern marriages and marital deterioration, offering a more intimate perspective on domestic structures – especially their capacity for, and contemporary response towards, dysfunction. Twenty-first century criticism on the early modern theatre, which has built on feminist approaches of scholars in the 1980s and 1990s – such as Jean Howard and Phyllis Rackin – has utilised this increased knowledge of domestic experience to analyse depictions of the home and familial transgression upon the stage.[16] In the past decade, marital hierarchies and household management have been explored by researchers such as Catherine Richardson who has revealed how domestic tragedy, especially, engages with contemporary understanding of marital and legal conflict.[17] Richardson's earlier monograph, *Domestic Life and Domestic Tragedy: The Material Life of the Household*, too, presented an urgent investigation into the significance of domestic spaces as locations of tragedy – on and off of the stage. The politics of marital structures and the consequences when these hierarchies are overturned are suggestive precisely because 'household relations were to be modelled on more complex systems of social organisation', with the home likened to its own commonwealth, positing the husband as ruler.[18] Richardson notes the ambiguity of marital advice literature at the time which acknowledged that '[a]lthough the husband was supreme head of the household, he was also an equal before God with his wife.'[19] Richardson's

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2003); and Joanne Bailey, *Unquiet Lives: Marriage and Marriage Breakdown in England 1660-1800* (Cambridge: Cambridge University Press, 2003).

[16] Phyllis Rackin, *Shakespeare and Women* (Oxford: Oxford University Press, 2005); and Jean E. Howard and Phyllis Rackin, *Engendering a Nation: A Feminist Account of Shakespeare's English Histories* (London: Routledge, 1997).

[17] Catherine Richardson, 'Tragedy, Family and Household', in *The Cambridge Companion to English Renaissance Tragedy*, ed. by Emma Smith and Garrett A. Sullivan, Jr., Cambridge Companions to Literature (Cambridge: Cambridge University Press, 2010), pp. 17-29.

[18] Catherine Richardson, *Domestic Life and Domestic Tragedy in Early Modern England: The Material Life of the Household* (Manchester: Manchester University Press, 2006), p. 27.

[19] Catherine Richardson, *Domestic Life and Domestic Tragedy in Early Modern England*, p. 27.

interest in the significance of domestic space and its unique hierarchical demands offered much of the pioneering work into early modern domesticity and, moreover, the role of domestic tragedy in interrogating contradictory marital ideals (whilst exploiting anxieties surrounding transgressive and rebellious wives), upon the Renaissance stage.

Scholars such as Bernard Capp focus on the more public nature of the law, including the practical aspects of how accusations were used and interpreted by the authorities, highlighting the role of rural networks in identifying suspected witches in the seventeenth century and the credulity afforded to accounts based on quantitative, rather than necessarily qualitative, witnessing. Capp's work, especially, builds on Gaskill's earlier explorations of witness motivations and evidence credibility and its influence can be seen in recent historical approaches to witchcraft accusations. I have applied these findings to my own analysis, below, of how early modern playwrights were challenging the problem of audience credulity in the face of questionable testimony. Much of the above research has indeed provided crucial groundwork within this thesis, as has other examples of theatre criticism which seeks to reconcile historical context with on-stage legal depiction.[20] Historical perspectives on the prevalence and perception of varying crimes, factoring in their popular associations and beliefs have, in recent years, been increasingly incorporated by theatre historians to develop understanding of the cultural and legal environment that early modern playwrights were responding to within their plays. Dramatic reflections on crime, as this thesis will address, were inextricably linked to contemporary values – and the ways in which they were challenged. Work by David Nash and Anne-Marie Kilday, in 2010, highlighted the inherent link between perceptions of criminality and established moral structures, exploring a culture of shame linked with

[20] See, especially, Lorna Hutson's *The Invention of Suspicion: Law and Mimesis in Shakespeare and Renaissance Drama* (Oxford: Oxford University Press, 2007), discussed below, and her recent publication, *The Oxford Handbook of English Law and Literature, 1500-1700*, Oxford Handbooks (Oxford: Oxford University Press, 2017).

transgression.[21] As studies of the history of crime and early modern theatre have increasingly informed one another, the role of shame has remained prevalent, with recent theatre criticism exploring the complex dilemmas of justice and morality that Renaissance playwrights were challenging their audiences to negotiate.[22]

The rising attention from theatre critics to on-stage depictions of legal scenarios has demanded interdisciplinary analyses of how sixteenth- and seventeenth-century courts and proceedings were structured, in addition to how playwrights reimagined them for theatres. The start of the twenty-first century has seen several studies into the interrelation of law and literature on the Renaissance stage. Lorna Hutson's pioneering research, *The Invention of Suspicion: Law and Mimesis in Shakespeare and Renaissance Drama*, in 2007, illustrates the close contemporary relationship between the two. Hutson provides a 'forensic' examination of early modern schooling, and demonstrates the way in which Renaissance schoolboys were educated in 'making a [literary] sequence of events appear both naturally ordered and, at the same time, more intensely motivated and vividly intelligible than a sequence would be in real life.'[23] Hutson's work also considers the role of on-stage evidence, further indicating the desire of legal scholars, as much as playwrights, to create tangible and persuasive narratives. Her research incorporates the work of Subha Mukherji who, the year before, published *Law and Representation in Early Modern Drama*.[24] A chapter of Mukherji's work is afforded to *A Warning for Fair Women*, offering detailed debate regarding realism in dramatic representation – evaluating the evidence and questions of realism, as well as

[21] David Nash and Anne-Marie Kilday, *Cultures of Shame: Exploring Crime and Morality in Britain 1600-1900* (Basingstoke: Palgrave Macmillan, 2010).
[22] Chapter One of this thesis will discuss some of the critical work conducted in response to Robert Wilson's *The Three Ladies of London*, particularly the inherently moral judgements cast upon the eponymous ladies, instead of the more conventional legislative format used during a trial between two male characters.
[23] Lorna Hutson, *The Invention of Suspicion: Law and Mimesis in Shakespeare and Renaissance Drama*, p. 7.
[24] Subha Mukherji, *Law and Representation in Early Modern Drama* (Cambridge: Cambridge University Press, 2006; repr. 2009).

how the play must 'negotiate the problems of its use of the theatrical medium at the same time as it exploits its opportunities.'[25] Mukherji identifies within *A Warning for Fair Women* the emergence of 'a theatre of judgement premised on a self-consciously transparent dramaturgy,' and notes the play's experiments with genre as a preoccupation with 'related issues, including privacy, discovery and "domesticity"; and how the status of evidence radically differs according to these investments.'[26] Much of my work on *A Warning for Fair Women* considers the generic experimentation of the play's Prologue, Epilogue, and Dumb Shows alongside its more familiar domestic tragic features. In exploring how Heywood challenged audiences to reconcile their emotional responses to on-stage events with a more forensic detachment to them, I intend to utilise the methodological precedent of Mukherji's work to analyse the versatility of domestic tragedy as a form especially suited to the depiction of female testimony. Moreover, Mukherji's work also attends to the lost domestic play *The Late Murder in Whitechapel, or Keep the Widow Waking*, which John Ford, Thomas Dekker, and William Rowley (collaborators on *The Witch of Edmonton*) also worked on together in the early 1620s.[27] Whilst the text of the play itself is lost, Mukherji's discussion of surviving evidence, such as Star Chamber records and the notorious contemporary ballad, offers further opportunities to acknowledge how this particular network of playwrights were interrogating women's defensive voices for the stage. Importantly, her discussion of *Keep the Widow Waking* is suggestive of the environment in which domestic tragedy found itself flourishing, with Mukherji noting the possibility of 'playwrights jostling with ballad-makers at sensational trials', leading to 'a sense of theatrical cum cheap-print collaboration ... evok[ing] a news-hungry market, waiting to snap up any

[25] Subha Mukherji, 'Evidence and Representation on "The Theatre of God's Judgements": *A Warning for Fair Women*', in *Law and Representation in Early Modern Drama* (Cambridge: Cambridge University Press, 2006; repr. 2009), pp. 95-104 (p. 97).
[26] Subha Mukherji, *Law and Representation in Early Modern Drama*, p. 97.
[27] Subha Mukherji, 'Locations of Law: Spaces, People, Play', in *Law and Representation in Early Modern Drama*, pp. 174-205. See especially the chapter section '"*Keep the Widow Waking*": An Example for Yong Men that are Poor', pp. 186-92.

lucrative trifles emerging from scandalous legal events.'[28] It is the 'elusive issues' that Mukherji notes, 'of court audience, the transmission of information from law court to yellow press, and the role of drama in all of this' that I intend to interrogate, contending that female testimony serves a pivotal role in furthering our understanding of how the theatre, popular print, and legal arenas interacted within early modern England.[29]

Dennis Kezar's edited collection *Solon and Thepsis: Law and Theater in the English Renaissance* also worked to demonstrate the inter-reliance of the worlds of early modern courtrooms and theatres.[30] This critical acknowledgement of the mutual interaction of law and literature has since presented new opportunities to interrogate popular engagement with contemporary legal proceedings, demonstrating – through research into early modern law and the history of crime – the common appeal of theatrical trials and testimony to the early modern imagination.

Contemporarily to the theatre historians mentioned above, John Langbein's book, *The Origins of Adversary Criminal Trials,* published in 2003, offers a detailed insight into the history of legal proceedings, focusing on the earliest examples of criminal trials and tracing their subsequent developments.[31] His work outlines the evolving processes of adversarial criminal trials, noting the limited options for many defendants to seek advice following their arrest unless their personal circumstances afforded them what Langbein coined the benefit of 'wealth effect'. He explains this privilege as: 'the enormous advantage that adversary procedure bestows upon persons who can afford to hire skilled trial counsel … the wealth effect is a profound

[28] Subha Mukherji, *Law and Representation in Early Modern Drama*, p. 192.
[29] Subha Mukherji, *Law and Representation in Early Modern Drama*, p. 192.
[30] *Solon and Thepsis: Law and Theater in the English Renaissance*, ed. by Dennis Kezar (Notre Dame: University of Notre Dame Press, 2007).
[31] John H. Langbein, *The Origins of Adversary Criminal Trials* (Oxford: Oxford University Press, 2003). See also Andrea Frisch's book, *The Invention of the Eyewitness: Witnessing and Testimony in Early Modern France* (Chapel Hill: University of North Carolina Press, 2004), for extensive research into the history of evidence-giving in contemporary French courts, much of which bears resemblance to Langbein's findings of the English legal system.

structural flaw in adversary criminal procedure.'[32] Langbein highlights the dilemma facing the accused when tasked with providing defensive testimony without counsel, and the emphasis from many presiding judges in early modern English courts to secure a not-guilty plea from defendants, 'even in cases in which conviction was certain'.[33] Langbein advises that '[t]rial judges actively discouraged criminal defendants from tendering guilty pleas', in order that conditions qualifying for mitigating circumstances might be considered in place of the court simply recording the accused's confession.[34] Whilst the majority of the plays considered by this thesis have been treated as homiletic texts at various moments in their critical history, I will argue that the historical context of the crimes inspiring these plays perhaps offers an alternate view. Playwrights were, in fact, challenging not only various aspects of the criminal justice system – exposing the flaws in evidence giving, for example – but also the very ways in which female testimony, specifically, was received. Earlier work by George Keeton in 1987, predating Hutson, Mukherji, Kezar, and Langbein's studies, explored the on-stage utilisation of legal proceedings.[35] Keeton examines how the nature of justice is interpreted in Shakespeare's works, considering how the playwright viewed the judicial system of his own time as well as the processes of earlier civilizations. In particular, the Roman plays – rife with legal turmoil and the presence of uncomfortable moral judgements – are analysed by Keeton for the ethical dilemmas they present. The study demonstrates the need for greater study into not just what Shakespeare believed, but moreover, what he felt his role was in depicting these crises to theatrical audiences. Certainly, the resolutions presented in many of Shakespeare's plays are, at best, described as problematic, and it is rare to encounter conventional forms of justice for his antagonists. Keeton affords significant discussion to Shakespeare's depictions of local justice, as well the playwright's clear familiarity with Holinshed's

[32] John H. Langbein, *The Origins of Adversary Criminal Trials*, pp. 1-2.
[33] John H. Langbein, *The Origins of Adversary Criminal Trials*, p. 20.
[34] John H. Langbein, *The Origins of Adversary Criminal Trials*, p. 19.
[35] George W. Keeton, *Shakespeare's Legal and Political Background* (London: Pitman, 1967).

Chronicles of England, Scotlande and Irelande.[36] This study demonstrates the excitement that surrounded the depiction of historical events, and specifically crimes, by popular culture, with Keeton's research considering the patterns of litigation and politics in Shakespeare's work exclusively. I therefore intend to look at how other playwrights were adapting legal frameworks to analyse domestic crimes and interrogate 'satisfactory' justice. Many of the sentences passed in domestic tragedies, I will argue, seem tempered with suggestions of innocence or, at the very least, an acknowledgement that sanctions may be disproportionately punitive. Their dramatists are acutely interested in and informed about the laws their plays explore. Keeton's focus on the interrelation of early modern law courts and literature had also been interrogated by Barbara Shapiro in *Probability and Certainty in Seventeenth-Century England*, published in 1983, through a lens of examining authenticity within the contexts of law, witchcraft, and literature.[37] Shapiro notes that English courts were becoming increasingly sceptical regarding witness testimony, and were encouraging juries to consider the 'credibility' of a witness before accepting their testimony.[38] Once again, the issue of determining credible testimony – disentangling truth from a performance of authenticity – presents a crisis point in approaching the defensive and confessional speeches of the female protagonists in this thesis.

As scholars increasingly considered the interrelation of law and literature towards the end of the twentieth century, Frances Dolan published *Dangerous Familiars: Representations of Domestic Crime in England, 1550-1700*, in 1994, introducing a full-scale focus on literature dramatising specifically domestic crimes and transgressions.[39] Whilst collaborative studies of early modern theatre and legal history had largely offered overviews of legal

[36] Holinshed, Raphael, *The firste volume of the chronicles of England, Scotlande, and Irelande* (London, 1577), in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-ocm34382662e> [accessed 13 September 2018].
[37] Barbara Shapiro, *Probability and Certainty in Seventeenth-Century England* (Princeton: Princeton University Press, 1983).
[38] Barbara Shapiro, *Probability and Certainty in Seventeenth-Century England*, p. 184.
[39] Frances Dolan, *Dangerous Familiars*.

proceedings, rather than focusing on particular offences or perpetrators, Dolan identified the unique fascination Renaissance theatrical and reading audiences felt for depictions of violence within the home. The eponymous 'dangerous familiar' is defined as an always rebellious and, usually, subordinate figure, who works as a catalyst for social and cultural anxieties within their home or community. Dolan introduces her study by asserting her approach to the topic from a feminist perspective, positioning *Dangerous Familiars* as one of the earliest scholarly texts in what would become a rapidly expanding field of feminist interest in domestic drama over the next two decades.[40] Dolan does not insist that domestic tragedy or, indeed, any other method of depicting domestic crimes (such as pamphlets and broadside ballads) was intended purely didactically. Instead she explores the idea that playwrights were making their perpetrators empathetic, and capable (as in the case of Alice Arden) of 'enacting the abused wife in order to secure sympathy and avoid blame for her adultery, her open defiance of her husband, and, eventually, her act of murder'.[41] In this respect, Dolan's findings support my exploration of female testimony – in domestic tragedy as well as other genres – as a challenge to cultural norms and popular beliefs, breaking away from the didactic structure of the earlier morality plays. Moreover, I will argue that not only were early modern playwrights rejecting the expectation that their texts might deliver a homiletic 'message' to their audiences, they were also utilising existing narrative templates, such as those found in printed confessions and

[40] Work of particular influence in this field has been developed by Ariane Balizet and Laura Gowing – both acknowledged below, in addition to Julie Schutzman, whose work on Alice's character and delaying tactics in *Arden of Faversham* has been particularly useful in considering how audience response might be engaged: Julie Schutzman, 'Alice Arden's Freedom and the Suspended Moment of *Arden of Faversham*', *Studies in English Literature, 1500-1900*, 36.2: Tudor and Stuart Drama (Spring 1996), 289-314.

[41] Frances Dolan, *Dangerous Familiars*, p. 52. Dolan's work supports my argument against Adam's insistence on domestic tragedy as singularly homiletic genre, the influence of which can be traced through more recent scholarship, such as Annabel Patterson's *Shakespeare and the Popular Voice* (Oxford: Basil Blackwell, 1989), which explores the influence of popular culture as an instruction to the 'common' man, positing the theatre as a place and symbol of political and social unrest.

pamphleture, to demand that audiences reflect upon their willingness to believe popular accounts of women's testimony.

Issues regarding evidential and testimonial credibility were further discussed by Dolan's later book, *True Relations: Reading Literature, and Evidence in Seventeenth-Century England*, published in 2013, which offers a framework with which to approach contemporary printed materials, such as court documentation and pamphleture, in addition to popular literature.[42] Dolan separates her study into sections that explore 'Crises' and 'Genres' of evidence. The latter section includes a chapter devoted to plays, examining the 'facts' playwrights were privy to, and how the process of both writing and producing plays would determine how evidence was treated on-stage.[43] Her study considers similar problems to those addressed by Gaskill's research on witnessing and evidence (mentioned above), and thus further develops the work of legal historians interested in the nature of testimony.[44] Dolan addresses the problem of authenticity within her work, interrogating the motivations behind such authorial assurances, and the desires behind the work of popular seventeenth-century writers, such as Henry Goodcole, who wished to present their own narratives as superior to common knowledge and gossip. Gaskill's studies had focused on three core groups of archival documentation, through which three respective levels of representation are explored: '[N]ormative sources', including statutes, sermons, and proclamations, which '[reflect] cherished ideals of political and religious orthodoxy – the way things were *supposed* to be,' whilst 'impressionistic sources', such as broadside ballads, diaries, literary accounts, and news-sheets, suggest 'how things *seemed* to contemporaries.' His final category is largely comprised of 'administrative sources, which best reflect the input of ordinary

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[42] Frances E. Dolan, *True Relations: Reading Literature, and Evidence in Seventeenth-Century England* (Philadelphia: Pennsylvania University Press, 2013).
[43] Frances Dolan, 'Relational Truths: Dramatic Evidence, *All is True*, and *Double Falsehood*', in *True Relations*, pp. 202-46.
[44] Malcolm Gaskill, *Crime and Mentalities in Early Modern England*.

people, and perhaps the way things really *were*.'[45] Focusing on pre-trial procedures, rather than the more formulaic statements produced by witnesses and defendants in courtrooms and at the gallows, Gaskill analyses language he perceives as less distorted by formal procedures. Dolan, just over a decade later, built upon this work with her own methodologies for approaching historical texts and documents – which stress the importance of maintaining a critical awareness of the cultural attitudes and prejudices which have informed such documents.

Issues of bias and authorial intent present important areas for debate across this thesis, largely due to my focus on how women specifically were engaging with early modern laws and legal proceedings.[46] Dolan's work, in particular, recognises the importance of acknowledging male ventriloquism of women's testimony and confession, and I intend to further her findings by exploring how early modern (male) playwrights were engaging with depictions of transgressive women upon the stage. Whilst Dolan's work in *True Relations*, like Gaskill's, had referred predominantly to historical records and literary documents – with little attention paid to plays, unlike her earlier *Dangerous Familiars* study – I propose that a gender-conscious reading of plays alongside these non-dramatic texts offers a useful view of how theatres challenged

[45] Malcolm Gaskill, *Crime and Mentalities in Early Modern England*, p. 21. I have retained Gaskill's italicization. A clear example of these multivalent source materials for my research has been the exhaustive work conducted by Patricia Hyde on the case of Thomas Arden's murder in Faversham. Her book compiles testimonies, witness statements, narratives, and accounts of the town – some of which offer conflicting statements, which Hyde has diligently worked through in order to acknowledge discrepancies and account for potential reasons for variations, in addition to noting potential instances of clear misinformation: Patricia Hyde, *Thomas Arden in Faversham: The Man Behind the Myth* (Faversham: Faversham Society, 1996).
[46] Tim Stretton has written on how early modern women were accessing the courts, for marital litigation against spouses as well as in defamation and slander cases against other women. See *Marital Litigation in the Court of Requests 1542-1642*, ed. by Tim Stretton (Cambridge: Cambridge University Press, 2008), and Tim Stretton, *Women Waging War in Elizabethan England*, Cambridge Studies in Early Modern British History (Cambridge: Cambridge University Press, 1998). See also work by J. S. Cockburn on the interpretation of recorded testimony and evidence in historical records, 'Early-Modern Assize Records as Historical Evidence', *Journal of the Society of Archivists*, 5.4 (1975), 215-231.

audiences to consider the sources of their news, and to reflect upon the reliability of such accounts.

The role of popular literature and pamphleture in communicating trial details and opinions surrounding notorious murderesses was explored by Randall Martin in *Women, Murder, and Equity in Early Modern England*, published in 2008. Martin's work explored several such cases – many of which were not turned into plays – alongside one another.[47] Whilst Dolan's research on domestic crime and, later, the interpretation of source materials covered a broad spectrum of committable offences in early modern England, Martin's study focused specifically on female murderers, and developed the earlier work of Shapiro and Karen Cunningham.[48] Martin interrogates the language and biases used within pamphlets in order to appeal to the interests of readers as well as the demands of the authorities, noting that:

> [M]ost English news about women murderers published before the Restoration and much of it afterwards … made no conscious effort to represent the defendant's perspective or offer possible justifications for her actions. The narrative point of view was squarely that of the prosecution, epitomized during the trial by the allegations of the Crown indictment.[49]

An exception to this practice, Randall notes, was Henry Goodcole – who was also of interest to Dolan and is a figure of vital importance to my own research. Martin draws attention to Goodcole's depiction of the trial against Elizabeth Sawyer in 1621 during which her motivations for practising witchcraft and consorting with the devil are discussed, commenting: '[Goodcole's] unprecedented half-dozen news pamphlets were among the

[47] Randall Martin, *Women, Murder, and Equity in Early Modern England* (Abingdon: Routledge, 2008).
[48] Karen Cunningham, *Imaginary Betrayals: Subjectivity and the Discourses of Treason in Early Modern England* (Philadelphia: University of Pennsylvania Press, 2002); and 'Robert Wilson's Legal Imaginary', *Performance as Research in Early English Theatre Studies: 'The Three Ladies of London' in Context* (June, 2015) <http://threeladiesoflondon.mcmaster.ca/contexts/KarenCunningham.htm> [accessed 17 September 2018].
[49] Randall Martin, *Women, Murder, and Equity in Early Modern England*, p. 2.

most innovative and visually arresting of their kind and established him as England's first professional real-crime writer.'[50] Whilst the final chapter of this thesis will argue that Goodcole had his own motivations for appearing unbiased and 'authenticall', Martin's overview of Goodcole's revolutionary form of reporting crime, and of presenting the views of their perpetrators, reveals the contemporary fascination with (particularly female) crime. This alternate narrative, the "villain's" perspective, irrespective of the pamphleteer's ulterior aims, is remarkable in two ways. Firstly, it can be seen as an early attempt to apply modern criminal psychology to a prisoner – exploring motivation and personal circumstances such as isolation and poverty, in addition to analysing the desire for vengeance or deviance. Secondly, it favours – or seems to favour – uncensored reporting of the perpetrator's experiences, which (as in the case of Sawyer) may well present a condemnatory view of the abuses perpetrated by a community against its more vulnerable members.[51]

Women's access to and engagement with the early modern justice system is illuminated by the depictions of transgressive women found within Renaissance domestic tragedies. The significance of female testimony within the genre has however thus far not been addressed by critics, despite the widespread and longstanding critical interest in female criminality. This is an area which my research expands, anticipating that the representation or, indeed, the silencing of witnesses and defendants within plays will reveal much about the social, legal, and gendered dynamics of early modern domestic crime. Addressing the verbal and body language of women in the early modern period, Laura Gowing's *Domestic Dangers: Women, Words, and Sex in Early Modern London* and *Common Bodies: Women, Touch and Power in Seventeenth-Century England*, written in 1998 and 2003 respectively,

[50] Randall Martin, *Women, Murder, and Equity in Early Modern England*, p. 12.
[51] Katherine Larson has studied the process of gossip and accusations made by a community, observing particularly the significance of female-on-female witnessing, noting how the 'subversive' power of women's words might be used as threats and supports within and by female networks. See Katherine Rebecca Larson, 'Bewitching Words: Language, Witchcraft, and Female Agency in Early Modern Drama' (unpublished master's thesis, Oxford University, 2002).

interrogate female relationships, identifying the ways in which early modern women were finding new ways to define their identities and sense of agency, often through a process of devaluing those who interfered in their lives and communities.[52] The familiar image of the sexually immoral villainess is common in early modern domestic drama, and Gowing's study illustrates its historical context. The trials detailed within her research show the public condemnation of adulteresses, and Gowing's discussion of literary depictions, including Alice in *Arden of Faversham* and the lost play *Page of Plymouth*, demonstrates how these contemporary attitudes found their way onto the early modern stage. Moreover, her work suggests the ambiguous position of female testimony in the early modern courts – whether presented for defensive or prosecution purposes – due to the authority it potentially offered to the woman offering her account. Women's testimony, Gowing notes, nearly always implicated a wider network of women as proof of credibility. Attention to testimony is therefore a recent phenomenon, with little work dating before the turn of the century.[53]

Richard Serjeantson's article on the construction and language of testimony within law and natural philosophy, 'Testimony and Proof in Early Modern England,' in 1999, approaches testimony by understanding it as a catalyst for anxiety more generally in the early modern world.[54] Serjeantson engages with the question of why, 'in a particular culture and at a particular time, trust in testimony should have become such a pressing issue; and how indeed this itself is directly related to the rise of the notion of "fact."'[55] Peter Brooks published *Troubling Confessions: Speaking Guilt in Law and Literature* a decade later, again interrogating the role of confession as an act falling

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[52] Laura Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford: Oxford University Press, 1998), and *Common Bodies: Women, Touch and Power in Seventeenth-Century England* (London: Yale University Press, 2003).
[53] Much of the work discussed above including Langbein's study on early modern legal proceedings, Stretton's research into female legal engagement, and Frisch's work on eye-witnessing was also published at the turn of the twenty-first century.
[54] R. W. Serjeantson, 'Testimony and Proof in Early Modern England', in *Studies of History and Philosophy of Science*, 30.2 (1999), 195-236.
[55] R. W. Serjeantson, 'Testimony and Proof in Early Modern England', p. 224.

within both spiritual and legal frameworks, despite serving initially very different purposes.[56] The conflicting purposes of testimony in early modern England demonstrate the complex opportunities presented by these speeches – juggling the opposing demands of confession as a spiritual act of redemption, supposedly providing comfort to the guilty party, against the more pragmatic, legal understanding of confession as an act intended to bring resolution to courts and communities.

Scholars have pointed out that testimony has often been regarded as authentic, even though it was often demonstrably open to manipulation – by the testifiers themselves, but also by witnessing audiences. Holger Schott Syme's analysis of mediation in early modern England, *Theatre and Testimony in Shakespeare's England: A Culture of Mediation*, from 2012, is one of the most recent analyses of theatre and testimony's interrelation.[57] Syme interrogates the issues that arise when testimony and speech are delivered in a voice other than the author's, elaborating on the concerns raised in the early 2010s by Dolan and Gaskill about the phenomenon of male ventriloquism over female testimony and confession. Syme's study considers political figures and speeches rather than plays based on contemporary trials. My research will therefore expand his findings into this new area, exploring how playwrights, specifically, were engaging with these problems.

Critical approaches to testimony, as noted, are limited – and so it is perhaps not surprising that the use of these speeches by early modern playwrights, and the particular ways in which they engage audiences, has remained neglected. Work regarding the experiential aspects of early modern theatre, however – through emotions and synesthetic response – has seen a notable rise in interest over recent years. Vital groundwork by Andrew Gurr's *Playgoing in Shakespeare's London* and *The Shakespearean Stage 1574-1642*, first published in 1987 and 1970, respectively, evidences the possibilities

[56] Peter Brooks, *Troubling Confessions: Speaking Guilt in Law and Literature* (Chicago: University of Chicago Press, 2000).
[57] Holger Schott Syme, *Theatre and Testimony in Shakespeare's England: A Culture of Mediation* (Cambridge: Cambridge University Press, 2012).

promised by indoor theatrical venues in the sixteenth and seventeenth centuries, as well as the developing demographics that domestic tragedies were catering to - particularly a notable increase in female audience members.[58] Not dissimilarly, Jeremy Lopez's *Theatrical Convention and Audience Response in Early Modern Drama*, published in 2006, shortly after the third edition of Gurr's work on playgoing, also provides a recent exploration of how dramatic traditions were used and developed in order to prompt audience responses in the Renaissance theatre.[59] Lopez was part of a widening field of scholarship in the early 2000s, which concentrated on audience experience and response. Katharine Craik and Tanya Pollard's edited collection *Shakespearean Sensations: Experiencing Literature in Early Modern England*, in 2003, suggests that '[n]ow, as in the early modern period, people seek out plays, poems, and other literary forms in large part for the intensity of feeling that they produce: the involuntary flush, pang, or shiver.'[60] The ability of plays 'to seduce, entice, tickle, anger, frighten, please, and soothe' was under intense discussion during the early modern period, and the implications of theatre as an either 'therapeutic' or 'dangerous' medium are significant. Theatre that utilised testimony, and which therefore required its audiences to sit as witnesses, justices, and juries, often elicited extreme emotional responses. This was particularly so when these narratives referenced contemporary figures and memorable events – even and especially when these narratives differed in important ways from the popular accounts circulating by other means. This engagement offered audiences an immersive experience that worked upon multiple sensory levels. In the same year, Farah Karim-Cooper and Tiffany Stern published their edited collection on *Shakespeare's*

[58] Andrew Gurr, *Playgoing in Shakespeare's London*, 3rd edn (Cambridge: Cambridge University Press, 1987; 3rd edn, 2004); and *The Shakespearean Stage 1574-1642*, 4th edn (Cambridge: Cambridge University Press, 1970; 4th edn, 2009; repr. 2010).
[59] Jeremy Lopez, *Theatrical Convention and Audience Response in Early Modern Drama* (Cambridge: Cambridge University Press, 2003).
[60] *Shakespearean Sensations: Experiencing Literature in Early Modern England*, ed. by Katharine A. Craik and Tanya Pollard (Cambridge: Cambridge University Press, 2013), p. 4.

Theatres and the Effects of Performance.[61] Continuing the recent academic focus on the experience of early modern theatre-goers, Karim-Cooper and Stern investigate the influence of plays, as well as the overall atmosphere of a theatre, upon the 'assembly'.[62] This recent wave of critical attention to how playwrights were actively approaching auditors has been useful for my analysis of how playwrights made effective theatrical capital out of the voices of female defendants and – importantly – the modes in which they chose to testify or, more commonly, confess.

The impression made by testimony and confession upon early modern theatrical audiences is linked in important ways to the generic experimentation which is such an important feature of late sixteenth- and early seventeenth- century dramatic practice. My work traces how and why early modern playwrights' experiments with genre correlate with their fascination with women's testimony and confession. The critical history of domestic tragedy itself can be traced back to the early to mid-twentieth century, in the pioneering work of Henry Hitch Adams whose *English Domestic Or, Homiletic Tragedy: 1575-1642* was published in 1943.[63] Adams was one of the earliest writers to distinguish the category of 'domestic' tragedy, moving away from traditions inherited from Greek and Roman tragedy, and therefore from 'aristocratic' or 'high' Tudor tragedy.[64] Adams' study identifies domestic tragedy's exploration of the 'lowly vale of common man' and English rural living.[65] Providing a foundational text from which later critics would approach the genre – the impact of which may still be found in recent scholarship – Adams categorised domestic tragedy as a didactic form of

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[61] *Shakespeare's Theatres and the Effects of Performance*, ed. by Farah Karim-Cooper and Tiffany Stern, The Arden Shakespeare Library (London: Bloomsbury, 2013).
[62] Farah Karim-Cooper, 'Taste and Touch in Shakespeare's Theatres', in *Shakespeare's Theatres and the Effects of Performance*, pp. 214-236 (p. 215). Karim-Cooper uses the term 'assembly' as an alternate to 'audience' or 'spectator' in this chapter in order to acknowledge the theatre's appeal to all senses, rather than exclusively sight and hearing.
[63] Henry Adams, *English Domestic Or, Homiletic Tragedy: 1575-1642*.
[64] See Adams' opening chapter 'Critical Backgrounds' in *English Domestic Or, Homiletic Tragedy, 1575-1642*, pp. 1-5.
[65] Henry Adams, *English Domestic Or, Homiletic Tragedy: 1575-1642*, p. 4.

literature within the early modern period.[66] Much of his work is devoted to arguing that these texts were inspired jointly by contemporary trials and contemporary theology. Their particular aim, Adams suggests, was to develop their audiences' morals by continuing Christian instruction beyond the pulpit. Adams argues for the genre as an instructional tool, encouraging the continued study of domestic tragedy's homiletic nature and asserting that 'the murder plays and other domestic tragedies took over the didactic mission of the moralists and applied the religious message directly to life.'[67] Leonore Leet Brodwin's study of *The Witch of Edmonton*, two decades later, also considered the moralistic lessons that might be presented to audiences of domestic tragedy.[68] Her conclusion that Dekker and Ford's collaboration on the Frank Thorney plotline used, at least in part, the 'spiritual guidance' of Dekker in order to create 'the most brilliant study of erotic irresponsibility in the whole literature of domestic drama' is suggestive of the pulpit-like teachings of domestic tragedy that Adams argues for throughout his work and that can also be found in Thomas Heywood's defence of the theatre, *An Apology for Actors*.[69] My research acknowledges the contributions of Adams and Brodwin to critical knowledge of the domestic tragic genre; however, I intend to demonstrate how, by analysing early modern playwrights' use of testimony and confession, we might better understand the genre as a destabilising and cynical theatrical mode, rather than one of singularly didactic intentions. Here I have benefited from the work of Ariane Balizet – the most recent critic to consider the domestic tragic genre in detail – who, like Dolan, approaches the genre from a feminist perspective, considering the aesthetic impact of the

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[66] Annabel Patterson's *Shakespeare and the Popular Voice* also explores the influence of popular culture as an instruction to the 'common' man, positing the theatre as a place and symbol of political and social unrest and echoing many of Adams' thoughts on the didactic potential of theatre.
[67] Henry Adams, *English Domestic Or, Homiletic Tragedy: 1575-1642*, p. 74.
[68] Leonore Leet Brodwin, 'The Domestic Tragedy of Frank Thorney in *The Witch of Edmonton*', *Studies in English Literature, 1500-1900*, 7.2: Elizabethan and Jacobean Drama (Spring 1967), 311-28 (p. 328).
[69] Thomas Heywood, *An Apology for Actors* (London, 1612), in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-99841838e> [accessed 10 September 2018]. See particularly Heywood's third treatise: 'Of Actors, and the True Use of Their Quality', pp. 51-63.

genre's frequent use of blood as a visual stimulant upon the early modern stage.[70] Balizet's work, and Dolan's discussion of material evidence, particularly informs the second and third chapters of this thesis, which are coupled for their specific attention to confession. It supports my approach to domestic tragedy not as a homiletic genre, but rather as a form that makes particular demands on the audience as a body of witnesses by deploying a combination of highly sensory and emotional techniques alongside an encouragement towards more detached reflection. This builds in particular on Balizet's attention to 'somatic' domestic structures within these plays. These are hierarchies within the home that necessarily rely upon and contradict one another, such as the accepted patriarchal structure that insisted upon the male head of the household's complete authority over the home, whilst acknowledging the significant fiscal autonomy afforded to women in order to allow good household management. This conflict between women's power and submission offers a new approach to the more thoroughly explored problem of gendered relations in early modern England – interestingly, with a focus on private, rather than public, spaces.

The importance and, indeed, politics of space within domestic plays and early modern concepts of domesticity can be read in the earlier influential work of Viviana Comensoli's *'Household Business': Domestic Plays of Early Modern England* and Catherine Belsey's article 'Alice Arden's Crime'.[71] Comensoli and Belsey consider what it is specifically about domestic transgression that made a theatrical reimagining of characters such as Alice Arden so enticing for playwrights and audiences alike. Belsey notes the long-lasting notoriety of Alice's crime, which was 'cited, presented and re-presented, problematized and reproblematized, during a period of at least

[70] Ariane Balizet, *Blood and Home in Early Modern Drama: Domestic Identity on the Renaissance Stage*, Routledge Studies in Renaissance Literature and Culture (Abingdon: Routledge, 2014).
[71] Viviana Comensoli, *'Household Business': Domestic Plays of Early Modern England*, Mental and Cultural World of Tudor and Stuart England (Toronto: University of Toronto Press, 1996; repr. 1999); and Catherine Belsey, 'Alice Arden's Crime', *Renaissance Drama*, 13 (January 1982), 83-102.

eighty years after it was committed.'[72] Belsey contends that the crime gained its place in history and, moreover, its inclusion in Holinshed's *Chronicles of England, Scotlande, and Irelande* not because of the gory nature of the murder, nor even the number of assailants involved but rather due to the 'scandal' she identifies in 'Alice Arden's challenge to the institution of marriage, itself publicly in crisis in the period.'[73] Comensoli's work affords significant attention to the early modern ideals and anxieties surrounding marriage that are revealed through the phenomenon of domestic tragedy; she contends that the 'tragic suffering', seen within domestic tragedy plotlines, 'stems from the protagonists' inability to abide by the ideologies of civility and private life.'[74] Belsey and Comensoli's studies demonstrate the unique cultural moment that fed from and informed the plots of domestic tragedy. I intend to further interrogate what female testimony, specifically, might contribute to our understanding of early modern domestic strife, and the subsequent public appetite for this emerging genre.

The attention throughout this thesis to audience response and engagement is supported by recent critical editions of domestic plays. Martin Wiggins' 2008 anthology *'A Woman Killed with Kindness' and Other Domestic Plays* discusses the emotive dilemma posed by plays that refuse to provide a fully-resolved and satisfactory ending.[75] Wiggins agrees with Adams' 1943 definition of domestic tragedies as plays depicting the 'common' man, yet disagrees that the genre is homiletic, instead arguing that domestic tragedy, far from intending to provide a moral ending to immoral acts, instead highlights the impossibility of exercising moral judgement upon such crimes: 'There is never an uncomplicated, all-inclusive moral ending in which the good end happily and the bad unhappily; that, after all, is what tragedy

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[72] Catherine Belsey, 'Alice Arden's Crime', p. 83.
[73] Catherine Belsey, 'Alice Arden's Crime', p. 84.
[74] Viviana Comensoli, 'Domestic Tragedy and Private Life', in *'Household Business': Domestic Plays of Early Modern England*, pp. 65-109 (p. 67).
[75] *'A Woman Killed with Kindness' and Other Domestic Plays*, ed. by Martin Wiggins, Oxford World's Classics (Oxford: Oxford University Press, 2008).

means.'[76] Wiggins pursues the study of marital hierarchy and relations within domestic drama, interrogating the fiscal themes that link marriage with economy and business. Wiggins concludes his introduction by identifying morally problematic endings as a further characteristic of domestic tragedy. Far from warning Renaissance audiences away from wickedness through demonstrations of transgression's consequences, domestic tragedy instead presents the impossibility of applying justice. As such, it explores less reassuring yet perhaps more realistic outcomes for the perpetrators and victims of domestic crime. These dramatised outcomes may however still stir up cultural anxiety because of the cultural uncertainty and irresolution they expose. It is this approach that I am interested in developing as I explore the work of the playwrights considered in the coming chapters.

Further to his work specifically on domestic tragedy, Martin Wiggins' collaborative research with Catherine Richardson on the ground-breaking *British Drama 1533-1642: A Catalogue* provides invaluable access to otherwise disparate details relating to all genres of drama in early modern Britain.[77] The catalogue, which considers lost as well as surviving plays, collates notes on synopsis, character, and plot, alongside details such as a text's performance and print history, in addition to practical matters including, when available, the cost of props and costume for the first performances. The catalogue is useful not only for what Wiggins and Richardson have been able to compile in detail, but also for its inclusion of minor documents, including those that survive only as a title, with the text itself being lost. Some of the plays within this thesis are believed to have been informed or inspired by pamphlets, plays, and other documents that are no longer available; however, the confirmation of their contemporary existence nevertheless offers vital clues as to what they may have contained, as well as the sources that were potentially available to playwrights and audiences. The vastly improved access to these kinds of

[76] Martin Wiggins, 'Introduction', in *'A Woman Killed with Kindness' and Other Domestic Plays*, pp. vii-xxxiv (p. xxxiv).
[77] Martin Wiggins and Catherine Richardson, *British Drama 1533-1642: A Catalogue*, 8- vols (Oxford: Oxford University Press, 2011-17).

details in Wiggins and Richardson's *Catalogue* presents new opportunities to understand the performative and printed environment that the playwrights considered in this thesis were working in, affording increased possibilities to interrogate how they were sustaining or challenging popular opinion surrounding notorious women and their testimonies at the time.

Lucy Munro's recent critical edition of *The Witch of Edmonton* engages with the critical view of the play as a sympathetic portrayal of Elizabeth Sawyer, demonstrating how playwrights actively demand that auditors reflect upon commonly held assurances and beliefs.[78] Munro's edition discusses the contemporary pamphlet of Sawyer's trial, written by Henry Goodcole, noting this additional collaboration by an already collaborative group of playwrights who were 'working closely with the materials provided to them by Jacobean London's printers and publishers.'[79] Munro outlines the chronological proximity of the texts, highlighting the entry of Goodcole's pamphlet in the Stationer's Register on April 27 1621, and observing that '[t]he dramatists seem to have been at work on the play within weeks.'[80] Munro observes that the play offers a version of Sawyer's case that 'is more ambivalent than that of Goodcole, but … also asserts more vividly both her vulnerability to demonic possession and her culpability for the crimes of her familiar'. This observation informs my own approach to the play as one that directly addresses problems of authorial bias and authenticity.[81]

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[78] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, ed. by Lucy Munro, Arden Early Modern Drama (London: Bloomsbury, 2016). See also earlier editions of the play by Douglas Corbin and Peter Sedge, which draw comparisons between the play and contemporary sources such as Reginald Scot's *The Discovery of Witchcraft*: John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, ed. by Peter Corbin and Douglas Sedge, Revels Student Editions (Manchester: Manchester University Press, 1997).
[79] Lucy Munro, 'Introduction' in John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, pp. 1-104 (p. 25).
[80] Lucy Munro, 'Introduction', in Ford, Dekker, and Rowley, *The Witch of Edmonton*, p. 26.
[81] Lucy Munro, 'Introduction', in Ford, Dekker, and Rowley, *The Witch of Edmonton*, p. 34.

Much current scholarship on domestic tragedy however retains its basis in the work of Adams in the 1940s, reiterating that the genre has a predominantly (if not exclusively) homiletic purpose. Work on female characters such as Alice Arden and Elizabeth Sawyer has considered the charismatic, compelling, and sometimes sympathetic portrayals of these women. Accounts which focus on the play's didacticism compare the persecution and execution of Sawyer to that of Frank Thorney, who goes to death forgiven and grieved as an '[u]ntimely lost young man' by the community.[82] These studies have not, however, considered the more sophisticated and experimental approach to audience response enabled by testimony and confession, nor the particular kinds of social reflection that such speech acts enable. Where interest exists, it tends to prioritise crimes that were retold through pamphleture rather than those that were reimagined for the stage.[83] My aim here is to move critical thinking further away from the residual notion that domestic tragedy was intended solely as an educational form of drama. I seek to demonstrate the urgent and innovative ways in which playwrights were utilising female testimony as a culturally destabilising tool, facilitated by transitional and experimental approaches to genre including domestic tragedy. Together these plays challenge the social and legal status quo, engaging audiences by encouraging them to reflect on their own interiority and potential guilt. Acknowledging the key foundational work of the scholarship outlined above, I intend to look specifically at the role of female testimony within early modern theatres – as venues uniquely equipped to reimagine women's experiences of the law. I argue that theatrical occasions demanded audiences to reflect on their own appetite for narratives that supported popular beliefs without necessarily proving their reliability.

[82] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, V. 2. 93.
[83] Such as Frances Dolan's *Dangerous Familiars* and Randall Martin in *Women, Murder and Equity* as well as his earlier collection: *Women and Murder in Early Modern News Pamphlets and Broadside Ballads, 1573-1697*, The Early Modern Englishwoman: A Facsimile Library of Essential Works, Series III: Essential Works for the Study of Early Modern Women: Part 1, vol. 7 (Surrey: Ashgate, 2005).

The following section sets out in more detail the aims of this thesis, and outlines how early modern playwrights were exploring the potential of female testimony as a catalyst for social unrest. Expanding on the current critical trends described above, I propose that playwrights and audiences were seizing the unique, and underexplored, power of female confession to reflect upon societal responsibilities – as well as the anxieties that underpinned contemporary fascination with female transgression.

Aims of the Thesis

My thesis begins by considering how domestic tragedy came into being, and explores the specific questions and challenges that playwrights such as Thomas Heywood, John Ford, Thomas Dekker, and William Rowley were dramatising. Robert Wilson's hybrid play, *The Three Ladies of London* (1584), which fuses aspects of the morality tradition with city comedy, reveals some of the early groundwork for the cultural interest in female voice and testimony which peaked around the end of the sixteenth century. It also offers perhaps the earliest example of a playwright actively experimenting with female speech in order to interrogate problems of authenticity, and to confront the inherent cultural biases that accompanied certain modes of expression. The play presents three female testimonial voices on-stage, all of which speak in defence of and against one another. This opening chapter argues that Wilson was revisiting the traditions of morality theatre in order to experiment with how female voices could be re-conceptualised for the stage. I argue for *The Three Ladies of London* as a transitional play at the dawn of domestic tragedy's development.

Following the opening chapter's investigation into the challenges and concerns which gave rise to domestic tragedy, the second chapter considers one of the most famous examples of the genre – the anonymous *Arden of Faversham* (1592). The playwright(s) captured the interest of their late

sixteenth-century audiences by promising an authentic account of the real-life murder of Thomas Arden by his wife, Alice, which had taken place some four decades earlier. This chapter explores the play alongside its source crime, interrogating how Alice's testimony reflects contemporary accounts in trial pamphlets, ballads, and other plays of the period. The focus of the chapter is to identify these differences and similarities in the first instance, and then further to analyse the female voice within the play. One important question is whether audiences should consider Alice's confession as a sincere expression of remorse or, rather, as a celebration of her accomplishments. A key aim of the chapter is to interrogate the masterful manipulation of testimonial style achieved by Alice throughout the play – using confession as an unconventional form of proactive denial, for example – and to assess whether her highly stylised and shame-filled confession at the play's conclusion, which echoes the printed confession within the anonymous ballad, *The complaint and lamentation of Mistresse Arden of Feversham in Kent*, can be reconciled with the otherwise remorseless Alice seen throughout the play.[84] This provides the groundwork for the following chapters which also engage, in various ways, with the problem of determining motive in confessional narrative.

Building on the discussion of *Arden of Faversham*, the third chapter again considers confessional sincerity, bringing in further examples of contemporary testimony from female defendants and further exploring questions of shame and culpability.[85] Attributed to Thomas Heywood, *A Warning for Fair Women* (1599) dates from less than a decade after *Arden of Faversham* and deals with a slightly more recent murder – that of George Sanders (again, recorded as having been committed, or consented to, by his wife) – in the 1570s.[86] The chapter explores the play's ambivalence regarding

[84] Anonymous, *The complaint and lamentation of Mistresse Arden of Feversham in Kent who for the loue of one Mosbie, hired certaine ruffians and villaines most cruelly to murder her husband; with the fatall end of her and her associats. To the tune of, Fortune my foe.* (London, c.1633) in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-99851083e> [accessed 26 January 2018].
[85] See David Nash and Anne-Marie Kilday, *Cultures of Shame*, discussed above.
[86] See Chapter 3 for notes regarding Heywood's attribution as playwright.

Anne Sanders' guilt, considering Heywood's determination to neither confirm nor deny her active consent to, or participation in, her husband's murder. This chapter therefore explores the sudden change in Anne's plea when, at the end of the play, she is persuaded by her alleged co-conspirator Drury to repent her actions. A significant part of this chapter is dedicated to the surprisingly competitive confessions between Anne and Drury at the play's conclusion. Seeking to outdo each other's admissions, Anne and Drury's confessions become increasingly separate from their characters and voices as these have emerged throughout the rest of the play. This returns us to the debate about testimonial reliability as Anne's actual guilt is never determined. Drury's testimony is also considered, in addition to the untrustworthy testimony and changes in reports given by other characters. The chapter is very much engaged with the idea of reliable evidence and witnesses – especially in the context of the play's incorporation of classically inspired 'dumb shows' in which the central characters are accompanied by allegorical figures, such as Chastity and Justice. I argue that Heywood obliged his audiences to balance their emotional response to the play's events with an equal degree of forensic detachment in order to evaluate the evidence presented. In the end, however, Heywood deprives his audiences of absolute proof of Anne's innocence or guilt.

The final chapter focuses on a later domestic tragedy – John Ford, Thomas Dekker, and William Rowley's *The Witch of Edmonton* (1621), which was also based on historical events, this time the trial and execution of Elizabeth Sawyer who was hanged for witchcraft earlier in the same year that the play and trial pamphlet (by Henry Goodcole) were published. Sawyer's story is told through an exploration of the community of Edmonton, which takes in characters from all social strata, focusing on the relationships that bind the neighbours together. The 'docu-drama' features of the play, in addition to the panoptical sense of surveillance that appears to surround Sawyer, makes this play a useful final focal point in understanding how theatrical spaces and text could be used together to dramatise female

testimony. I argue that Sawyer's story is compelling precisely because of its *lack* of magic and sorcery. A play that promises to tell the 'known true story' of a convicted witch deliberately omits proof of her powers, instead casting doubt on her abilities for *maleficia* altogether.[87] As a result, this chapter deals instead with the role of community in creating and confirming testimony, and explores what happens to individual agency when communal consensus becomes the means of conviction as well as defence. The chapter also engages with how domestic tragedy, as an emerging genre, made the most of opportunities presented by the evolving theatrical landscape to represent testimony in new ways. The development of indoor playhouses, and *The Witch of Edmonton*'s initial performances within the Cockpit on Drury Lane, present a final opportunity to see how the genre had developed over three decades. As we will see, this expansion was mirrored and refracted in interesting ways by new methods of conceiving and receiving female voices on-stage.

The four plays selected for this thesis, as discussed, offer a unique perspective on the rise of female testimony on the early modern stage. Their authors' development of the on-stage representation of confession – including its intrinsic relationship to feminine shame – is revealed as a radical method of challenging social norms and popular beliefs. In continuing this research, other plays that would warrant attention include *A Woman Killed with Kindness* (1607), by Thomas Heywood, praised as the 'pinnacle of domestic tragedy on the early modern English stage' by Allison Hobgood in 2014; *The White Devil* (1612), by John Webster; and *The Lady's Trial* (1639), by John Ford.[88] Each of these plays contributes, in different ways, to a phenomenon in Renaissance playhouses that utilised female testimony upon the early modern stage as part of a social and cultural movement to address social responsibility. The spread of this phenomenon across domestic and revenge tragedies, as well as Ford's later comedy, demonstrates the multivalent ways in which

[87] This guarantee can be read on the title page of the play and is replicated in John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, p. 105.
[88] Allison P. Hobgood, *Passionate Playgoing in Early Modern England* (Cambridge: Cambridge University Press, 2014), p. 98.

playwrights were interpreting women's testimony to challenge their auditors. It should be noted that *A Woman Killed with Kindness* and *The White Devil* have already received significant levels of academic attention, and do not therefore present the same opportunities for new research as those plays that were selected.[89] *The Lady's Trial*, a more neglected work, certainly merits consideration – not least for its demonstration of how female testimony continued to be utilised beyond the flourishing of domestic tragedy. This play reveals how dramatic tastes were changing: now the testimony of a wrongly accused woman, such as Spinella, could provide a resolution more familiar to comedy. I offer a brief discussion of *The Lady's Trial* in my Conclusion to demonstrate its suitability for further study.

The first chapter below considers the rise of female testimony on the early modern stage, noting the contribution of domestic tragedy as a genre uniquely interested in female voices, legal subject matter, and the reception of testimony by audiences. In *The Three Ladies of London*, when Lucre remarks that 'The deputy, constable and spiteful neighbours do spy, pry and eye about my house', her observation foreshadows the increasingly public nature of the private affairs and locations dramatised within domestic tragedies.[90] As this thesis will now explore, consequent to the genre's development, formerly impenetrable domestic walls became permeable as playwrights experimented with new theatrical technologies in order to interrogate the relationships, emotions, and crimes that could now be witnessed for the first time. As a

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[89] John Webster, *The White Devil*, ed. by Christina Luckj, 3rd edn, New Mermaids (London: Bloomsbury Methuen Drama, 2008; repr. 2014). Luckj's introduction to the play devotes a section to Vittoria's trial specifically, and the later Arden Critical Reader of the play focuses on the theological aspects of the play, including the significance of confession: *The White Devil: A Critical Reader*, ed. by Paul Frazer and Adam Hansen, Arden Early Modern Drama Guides (London: Bloomsbury, 2016). *A Woman Killed with Kindness* is discussed at length in Wiggins' anthology of domestic drama and has also received a recent critical edition: Thomas Heywood, *A Woman Killed with Kindness*, ed. by Margaret Jane Kidnie, Arden Early Modern Drama (London: Bloomsbury, 2017).

[90] Robert Wilson, '*The Three Ladies of London*', in *Three Renaissance Usury Plays*, ed. by Lloyd Edward Kermode, The Revels Companion Library (Manchester: Manchester University Press, 2009), 10. 79.

radical tool for social unrest, female testimony emerges – as we will see – as an important new phenomenon on the early modern stage.

Chapter One – Robert Wilson's Theatrical Laboratory and the Testimonies of *The Three Ladies of London*

> [I]t is but folly to make many words.[1]

So concludes the Turkish Judge at the end of the swift, if ineffectual, trial of Mercadorus in Robert Wilson's *The Three Ladies of London* (1584).[2] In a play that offers not just one, but two, opportunities to witness legal proceedings on the stage, it is perhaps surprising to note the willingness of a court authority to consider lengthy discussion as 'folly'. This chapter explores the credibility of the female voice within Wilson's play, considering his experimental approach to dramatic structure as a means of exploring female testimony and personhood upon the stage. Wilson engaged in precise ways with the reliability of testimonial evidence by interrogating the treatment of three women – Conscience, Love, and Lucre, who all appear to stand for the virtues or vice they are named after – who are brought before court for their crimes and transgressions. Each of the ladies has a different role within London, and

[1] Robert Wilson, '*The Three Ladies of London*', in *Three Renaissance Usury Plays*, ed. by Lloyd Edward Kermode, The Revels Plays Companion Library (Manchester: Manchester University Press, 2009), 14. 21.

[2] There is some residual doubt regarding the authorship of *The Three Ladies of London*; however, the work of Lloyd Edward Kermode, and H. S. D. Mithal's critical edition, explore the problem of dating the play using various records (including the lists of players in Leicester's Men and the Queen's Men, as well as accounts by the antiquarian John Stow), which highlights the volume of evidence to support Wilson's attribution and, moreover, the need for further research into his theatrical influence across his career. See Lloyd Edward Kermode, 'Introduction' in *Three Renaissance Usury Plays*, pp. 1-78; and *An Edition of Robert Wilson's 'The Three Ladies of London' and 'The Three Lords and Ladies of London'* ed. by H. S. D. Mithal (doctoral thesis, University of Birmingham, 1959; London: Garland, 1988). Martin Wiggins attributes the play to Wilson, noting that it was likely written in 1581, three years before it was printed: Martin Wiggins and Catherine Richardson, '*The Three Ladies of London*', in *British Drama 1533-1642: A Catalogue*, 8- vols (Oxford: Oxford University Press, 2011-17) II: 1567-89 (2012), pp. 265-69 (p. 266).

Love and Conscience find themselves persecuted by Lady Lucre who, at the start of the play, has assembled a team of male vices, including Fraud, Usury, and Dissimulation, in order to corrupt London and bring the city to its knees. Despite their attempts to remain untainted, Love and Conscience eventually submit to Lucre's will, and it is in their altercations with Lucre and their subsequent formal trial that Wilson experiments with different forms of female testimonial speech. Far from freely condemning the ladies, Wilson instead demands that his audience reflect upon the experiences of each woman as she attempts to plead her case before the ambiguous Judge Nemo. In so doing, Wilson exposes the 'folly' of courtrooms in their handling female testimony, and the inadequacy of 'many words' in defence – when only confession, not denial or explanation, served as a valuable approach for women obliged to negotiate such hostile masculine arenas.

The Three Ladies of London is the earliest play to be considered by this thesis and is the only one not categorised as a domestic tragedy. Wilson's play however has many similarities to the later plays, most notably its interest in the testimonies of the eponymous ladies, and also demonstrates some shared impulses towards the development of domestic drama. *The Three Ladies of London* interrogates issues regarding testimonial authenticity and female shame which will continue as running themes in later chapters. Wilson's play is perhaps best described as a hybrid form lying somewhere between morality drama and city comedy. In this way it differs from the later tragedies considered in this thesis. However Wilson's preoccupation with the cultural phenomenon of women's testimony, particularly confession, reveals how he – like many other early modern playwrights – navigated London's rapidly changing theatrical scene. I will argue that *The Three Ladies of London* is an important transitional text, laying groundwork for later domestic tragedies which would draw repeatedly on contemporary trials for their source materials. The later chapters will engage with plays as well as source documentation, such as printed confessions; and this chapter, too, will explore the relationship between female shame and culpability and prose confessional

tracts. In *The Three Ladies of London*, Wilson directly engages with this debate by demanding his audiences to consider their own willingness to believe self-deprecating confessional speeches rather than impassioned defensive testimonies. In so doing, Wilson challenges his audiences to consider the value of testimony, and to recognise when its delivery is manipulated in order to comply with cultural expectations.

With legal scenarios of increasing interest to Renaissance audiences, theatres were experiencing what Paul Raffield describes as 'the emergence of the law from the formal arena of the legal institution into the imagistic and non-reverential sphere of the social and the public.'[3] As public interest in the law grew, demonstrated by the rising popularity of trial pamphlets, so too did London's playhouses begin to explore inside the courtrooms of the city. The role of the city in the continued interrogation of female testimony is important as its theatres served as popular entertainment venues for the Inns of Court's law students, of which 'there was no shortage' at performances according to contemporaries such as Thomas Nashe and Edward Heath.[4] *The Three Ladies of London*'s original performance space is not known with certainty; however, it is believed that Wilson wrote it for Leicester's Men, who are thought to have performed at the Theatre.[5] If written instead for The Queen's Men, who Wilson joined at some point in the 1580s, the performance may still have been at the Theatre, or potentially at the Bull or Bell Inns – both of which had outdoor playing yards and were situated closer to the Inns of Court. The urbanity of Wilson's play allowed the playwright to evidence his

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[3] Paul Raffield, *Shakespeare's Imaginary Constitution* (Oxford: Oxford University Press, 2010), pp. 7-8.
[4] Subha Mukherji, *Law and Representation in Early Modern Drama* (Cambridge: Cambridge University Press, 2006), p. 179. See Chapter Five, 'Locations of Law: Spaces, People, Play', pp. 174-205, for further discussion of the popularity of the theatre with law students; and the close proximity of the legal and theatrical venues. Mukherji includes a map of the Inns of Court in relation to the indoor playhouses, p. 176.
[5] See Lloyd Edward Kermode, 'Introduction' in *Three Renaissance Usury Plays*, ed. by Lloyd Edward Kermode, The Revels Companions Library (Manchester: Manchester University Press, 2009), pp. 1-78 (p. 33). Martin Wiggins agrees that the play was probably first performed by Leicester's Men – see Wiggins and Richardson, '*The Three Ladies of London*', in *British Drama 1533-1642: A Catalogue*, p. 266.

not insubstantial legal knowledge as well as his familiarity with elements of city comedy. Whilst later domestic tragedies move away from such urbanity, and towards domestic environments, the influence of city life and business can nevertheless still be seen within all of them. The bustling metropolis is often figured as a place of unknowns and danger in order to engage cultural anxieties, but the home is then revealed as the real location of threat.[6] Wilson's interest in urbanity, including his attention to London tradesmen and citizenry, offered *The Three Ladies of London*, and the play's sequel, *The Three Lords and Ladies of London*, a place to explore the cultural phenomenon of the female voice upon the stage. As we will see, Wilson's dramatisation of female testimony offered some early resistance, too, to the idea of singular, fixed character types.[7] This is another impulse which Wilson's play shares with later domestic tragedies, offering radical new ways to represent women, and female agency, on the early modern stage.

The Three Ladies of London provided a landmark theatrical experience by offering a privileged view of two imagined trials. One was conventional, and depicted two men settling an economic dispute; the other featured the unprecedented opportunity to witness three female testimonies on the stage. Whilst legal drama that presented female defendants was not uncommon at the time, the act of depicting a woman within a courtroom was unheard of.[8]

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[6] London's rapid increase in population, and the threat and anonymity afforded by crowds, is discussed in depth by Ian Munro in *The Figure of the Crowd in Early Modern London: The City and its Double*, Early Modern Cultural Studies (Basingstoke: Palgrave Macmillan, 2005). Frances Dolan's *Dangerous Familiars: Representations of Domestic Crime in England, 1550-1700* (New York: Cornell University Press, 1994), demonstrates the cultural fascination with domestic, rather than urban, spaces as locations of danger.

[7] See Brian Vickers, 'Introduction', in *English Renaissance Literary Criticism*, ed. by Brian Vickers (Oxford: Oxford University Press, 2003), pp. 1-56, for discussion on the established standards of character speech and decorum, based on status and generic classification, as well as the attempts by some early modern writers to push against these norms.

[8] As the following chapters will show, plays sourced by real trials would substitute the courtroom events with an epilogue or exposition. Other notable examples of women engaging with law on the Renaissance stage tend to be mitigated either by locating the 'trial' or confession out of the courtroom, such as the bitter street altercations of Henry Porter's *The Two Angry Women of Abington* (1599), or Hermione's public

As Subha Mukherji explains, '[c]ommon law allowed women very limited legal capacities', which the theatre replicated. Married women were afforded particularly few options, as '*femmes covert* – covered, that is, by their husbands, unable to contract, sue or be sued in their own person.'[9] The case that would most demand a woman's presence in court – on-stage or in the actual courts – was petty-treason. Despite this, other plays of the period told the story of their villainesses' misdemeanours and spousal murder, but favoured an epilogue to cover the trial and punishment as this was generally information already circulated through court pamphlets.[10] Wilson's play offered a new, broader, and far more nuanced understanding of the difficulty of weighing female crimes upon the same scales of justice designed to resolve legal affairs pertaining to business transactions and the economy. Jenny Kermode notes that some women, generally those with independent financial security, were eager to study the law and understand how to defend their interests. The female experience of the courtroom, whilst not therefore always one of intimidation, was nevertheless usually one of 'institutional exclusion'.[11] The courts far more regularly dealt with commercial issues than even defamation cases and Wilson reflects upon this by paralleling the men's usury trial with the ladies'.

Recent work on the play by Karen Cunningham and Fatima Ebrahim has commented on the extent to which Wilson's play draws from contemporary legal practice.[12] Cunningham describes Wilson's education in

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defence in Shakespeare's *The Winter's Tale* (1611). If a woman must appear in a court on-stage, this could be combatted by putting her in disguise – most famously as in the case of Portia in Shakespeare's *The Merchant of Venice* (1597), who is further mitigated by the fact that she is not herself on trial but there in another capacity.

[9] Subha Mukherji, *Law and Representation in Early Modern Drama*, p. 209.

[10] Two of the plays discussed later in this thesis, *Arden of Faversham* and *The Witch of Edmonton*, provide clear examples of this, with the fates of both of their female transgressors told in retrospect through epilogues.

[11] *Women, Crime, and the Courts in Early Modern England*, ed. by Jenny Kermode and Garthine Walker (London: University College London Press), p. 12.

[12] Karen Cunningham, 'Robert Wilson's Legal Imaginary', *Performance as Research in Early English Theatre Studies: 'The Three Ladies of London' in Context*, <http://threeladiesoflondon.mcmaster.ca/contexts/KarenCunningham.htm> [accessed 24 January 2018], and Fatima Ebrahim, 'Baubles for Bell-Metal: English

the ‘training grounds’ of the Inns of Court, demonstrating their influence upon him as spaces which saw ‘writing of all kinds [as] centres of legal literary production.’[13] Wilson combined the legal concepts he encountered during this training with the traditional structure of morality drama, thereby interweaving contemporary interest in the law with more traditional allegorical approaches. H. S. D. Mithal describes Wilson as ‘a writer who stands like a sign post, as it were, on the crossroads of the times.’[14] The hybrid nature of Wilson’s experiments, which signal back to the allegory of the morality genre, as well as forward to the ‘complex relational dramaturgy’ that Lloyd Edward Kermode finds in plays of the 1590s, evidences his pioneering approach to legal drama. Despite the varied natures of their misdemeanours, and the differing ways in which each woman presents her case, all three are left with the difficult task of atoning for their moral transgressions in addition to their earthly crimes.[15]

Injecting the popular morality play with realism, Wilson borrowed some of the conventions of the genre in order to probe difficult questions concerning testimonial authenticity. The ladies retain or reject certain traits of their own characters in order to present themselves in more favourable or persuasive ways. Wilson subsequently exposes a problematic situation where it is not the accuracy of a woman’s testimony that is judged, but rather the perceived character of the testifier. Clarity does not guarantee truthfulness in Wilson’s play; rather, it opens the possibility for either providing accurate testimony or risking deceit as a result of each character’s heightened awareness of the prejudices against them. Wilson explored what it meant for a character to be considered credible – focusing in particular on the development of female characters away from their singularly didactic,

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Anxieties about Trade and Traffic in *The Three Ladies of London*’ *Performance as Research in Early English Theatre Studies: ‘The Three Ladies of London’ in Context* <http://threeladiesoflondon.mcmaster.ca/contexts/FatimaEbrahim.htm> [accessed 24 January 2018], p. 4.

[13] Karen Cunningham, ‘Robert Wilson’s Legal Imaginary’, p. 1.

[14] H. S. D. Mithal, *An Edition of Robert Wilson’s ‘The Three Ladies of London’ and ‘Three Lords and Ladies of London’*, p. ii.

[15] Lloyd Kermode, ‘Introduction’, in *Three Renaissance Usury Plays*, p. 29.

allegorical dramatic precursors.[16] This dramatic development allowed for the testimonies of the characters, male or female, to reflect internal dilemmas, whilst also empowering them with the ability to deceive. Despite the suggestive and allegorical names of the characters (Love, Lucre, Conscience, Fraud, Simplicity, Sincerity, Usury, Dissimulation, and Simony), the audience must work increasingly hard to identify where their true intentions lie, interrogating any changes in temperament which might reveal the authenticity (or otherwise) of their confessions both inside and outside the courtroom. With female confession so inherently linked with cultural assumptions of feminine shame and culpability, *The Three Ladies of London*'s three approaches to female testimony challenges, in particular, the believability of formulaic confession.

Perhaps the most important and abrupt changes in characters' temperaments are signalled by the occasional outbursts of anger from Conscience, and the more frequent outbursts from Lucre – both of which take place during their formal trials. Gwynne Kennedy's study of early modern perceptions of female anger introduces important questions relating to authentic depiction of female voice, exposing the problematic relationship which existed between early modern women and the passions they exhibited:

> Anger is a constant reminder of women's presumed inferiority with repercussions beyond the emotional realm for it also reinforces assumptions about their moral, physical, and intellectual limitations. An angry woman must defend both her character and her anger at the same time, since one implicates the other.[17]

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[16] Examples of homiletic female characters in earlier morality plays include Penance, Chastity, and Patience in *The Castle of Perseverance* (c. 1405); and Good Deeds, Knowledge, and Beauty in *Everyman* (c. 1530). See Anonymous, *The Castle of Perseverance*, ed. by David N. Klausner, TEAMS Middle English Text Series (Michigan: Medieval Institute Publications, 2010); and '*Everyman' and Medieval Miracle Plays*, ed. by A. C. Cawley, The Everyman Library, 3rd edn (London: Orion, 1956; 3rd edn 1993; repr. 2004).

[17] Gwynne Kennedy, *Just Anger: Representing Women's Anger in Early Modern England* (Carbondale: Southern Illinois University, 2000), p. 4.

Anger was therefore considered a sign of female inferiority, and evidence of a lack of control. Emotional expression seems key to Wilson's conceptualisation of his female defendants and, indeed, their (in)authentic speech. As we will see, the role of the passions in delivering testimony will prove important throughout this thesis. As Bridget Escolme argues:

> … much of the advice available to the early modern reader on the subject of emotion concerns its restraint and control. The reader is either advised against indulging the passions at all, or told that their expression should be moderated … Yet people regularly came to the theatre to watch people laugh inappropriately, get murderously angry, fall madly in love and grieve inconsolably.[18]

Escolme notes that, unlike today, where medical advice suggests that emotional expression is healthy, those living in early modern London were likely to believe that restraining emotional outpouring was beneficial to their reputation as well as their physical and spiritual well-being. It is perhaps not surprising then that the theatre became such a popular outlet 'where audiences went to watch extremes of emotion and to consider when those extremes became excesses.'[19] This idea was surely crucial to Wilson's experimentation within this play. The ladies of London – in particular Love and Conscience – fall victim to the persecution of Lucre and her vices; and the extremes of emotion they experience, as a result of the degrading tasks forced upon them after succumbing to Lucre's temptations, fuel some of the play's most energetic altercations. Indeed, Wilson even challenges the nature of 'testimony' itself. Throughout this thesis there will be examples of women who testify 'informally' and in private, often in anger – Elizabeth Sawyer, for example, is accused of cursing her abusive neighbours, and Anne Sanders is incriminated through her frustrated conversations with her neighbour, Anne Drury. I contend that out-of-court-appearances and interactions are as important as women's trial appearances, and that their speeches, whether in dialogue or soliloquy, should also be considered as instances of testimony. As

[18] Bridget Escolme, 'Introduction', in *Emotional Excess on the Shakespearean Stage: Passion's Slaves*, The Arden Shakespeare (London: Bloomsbury, 2013), pp. xiii-xvi.
[19] Bridget Escolme, *Emotional Excess on the Shakespearean Stage*, p. xvi.

such, I will argue that *The Three Ladies of London* commenced a trend in unconventional, informal testimonial narratives upon the stage which would continue in the later domestic tragedies.

This chapter begins by considering the two trials of *The Three Ladies of London* – firstly, the case between Gerontus the Jewish moneylender and Mercadorus the merchant; and secondly, the trial against the three ladies. Within these courtroom scenes I will consider the presence (or absence) of emotion, and how Wilson experimented with its ability to affect audiences on-stage and off-stage. I will also attend to the informal testimonies given outside of the courtroom. Understanding how the ladies manipulate their testimonies to appeal to Nemo will be important – even as this appeal is complicated by Nemo's name which literally translates as 'Nobody'. This chapter seeks to understand to what extent specifically female testimony is shaped by its relation to shame and culpability. As such, the chapter will first consider the conventional male trial between Mercadorus and Gerontus, followed by an examination of the formal and informal testimonies offered by Lucre, Conscience and Love. I will conclude by reflecting on the differences between these various testimonies, and on Wilson's interrogation of gender bias in legal environments. I intend to extrapolate the cultural importance of authentic female testimony within courtrooms, whether such spaces are imagined on-stage or off-stage – and, in so doing, to demonstrate Wilson's pivotal contribution to the rise of domestic tragedy.

Male Testimony in the Trial of Mercadorus and Gerontus

The first of the two trials within Wilson's play is exclusively attended by male participants: the Judge of Turkey, Gerontus the moneylender, and Mercadorus (Lucre's exploitative merchant) play three conventional courtroom roles as judge, plaintiff, and defendant, respectively. The trial's location, in Turkey where Mercadorus has dealt falsely with Gerontus, should be noted for the

parallels it allowed Wilson to draw with Nemo's London court. Its distance from England, in addition to the differing religious environment, allow for Lucre and Mercadorus' full abuse of English commercial and trade interests to be exposed, with the corrupt merchant devaluing English exports at the same time as financially harming the Turkish trades that deal with him. Moving the male trial, dealing with trade and economy, to Turkey, allowed the English court, presided by 'Nobody,' to consider the moral transgressions of the ladies of London. This subtle suggestion of the city's lapsing governance presents an urban crisis which will be seen again in the later domestic tragedies that consider the dangers posed by women at home – who, in *A Warning for Fair Women* and *Arden of Faversham*, are implicitly inspired by (or have conspired with) outside urban influences.[20] Dramatising the first trial in an orthodox manner, Wilson used his legal knowledge to create a 'regular' trial for his manipulative merchant, before breaking away from conventionality with his female defendants to explore the more complex obstacles that interfered with women's ability to testify and, moreover, their ability to be believed. Despite Wilson's allusions to the earlier morality plays, Mercadorus' trial challenges the didactic potential of the usury trial, questioning the authority of the Turkish court. Mercadorus' release from debt, which he scorns by dismissing his obligation to 'turn Turk' as collateral, indicates that greed has ultimately trumped justice's power. For all the legal conventions followed within this trial, Wilson still chose to show the ineffectuality of the court to protect possibly the only compassionate Jewish moneylender (described by Lisa Hopkins as 'extraordinary') on the contemporary stage.[21]

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[20] Chapter Two will discuss Alice's collaborative plans made with residents of Faversham as well as the two hired London ruffians, Black Will and Shakebag, in *Arden of Faversham*. *A Warning for Fair Women*, similarly, is suggestive of city dangers – Sanders is particularly aware of dangers to his safety when travelling between the Exchange and home, and Browne attempts to use the city as his location for Sanders' murder precisely for this reason. Browne's arrivals at the Sanders' home will be considered in Chapter Three for the symbolic events that accompany them, highlighting him to audience members as a danger to the household.

[21] Lisa Hopkins, 'Gerontus and Early Modern Dramatic Representations of Jews', *Performance as Research in Early English Theatre Studies*: *'The Three Ladies of London'*

Emotion, noticeable by its absence, is key to the Turkish trial. Neither Mercadorus nor Gerontus express shock, anger, or even a sense of grievance, and Wilson utilised this void to demonstrate a fundamental difference between the play's male and female testimonies. The Turkish Judge invites Gerontus to state the charges against Mercadorus:

> JUDGE OF TURKEY
> Sir Gerontus, because you are the plaintiff, you first your mind shall say:
> Declare the cause you did arrest this merchant yesterday.
> GERONTUS
> Then, learned judge, attend. This Mercadorus, whom you see in place,
> Did borrow two thousands ducats of me but for a five weeks' space.
> Then, sir, before the day came, by his flattery he obtained one thousand more,
> And promised me at two months' end I should receive my store.
> But before the time expired, he was closely fled away,
> So that I never heard of him at least this two years' day;
> Till at last I met with him, and my money did demand,
> Who sware to me at five days' end he would pay me out of hand.
> The five days came, and three days more, then one day he requested;
> I, perceiving that he flouted me, have got him thus arrested.
> And now he comes in Turkish weeds to defeat me of my money,
> But, I trow, he will not forsake his faith, I deem he hath more honesty.[22]

Responding to the allegations, the Italian Mercadorus calmly acknowledges, 'My lord judge, de matter and de circumstance be true, me know well; / But me will be a Turk, and for dat cause me came here.'[23] This admission is important for presenting one important variance of this trial away from contemporary court procedure. John Langbein, commenting on contemporary legal practice, contends that courts 'militated strongly against guilty pleas, even in cases in which conviction was certain. Unless he pleaded not guilty, the accused would lose all opportunity for the court to consider evidence of

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in Context, <http://threeladiesoflondon.mcmaster.ca/contexts/LisaHopkins.htm> [accessed 26 January 2018], p. 6.

[22] Robert Wilson, *The Three Ladies of London*, 14. 1-14.

[23] Robert Wilson, *The Three Ladies of London*, 14. 19-20.

mitigating factors.'[24] By confessing to the charges stated by his creditor, Mercadorus forfeits any right to the court's leniency, and relies entirely on the generosity (or exasperation) of the man who has brought him to trial. The Turkish Judge's acceptance of the guilty plea is curious, particularly as he also refuses to intervene during Gerontus' bargaining with the merchant later in the scene. This will remain of interest throughout the chapter, particularly when Judge Nemo expressly prohibits Lucre from completing her testimony.

Gerontus is confident at the scene's opening that Mercadorus would not dare forsake his Christianity over a debt. Mercadorus, meanwhile, is aware of his ability to fool his creditor and judge, and confident that he can preserve both his financial gains and his faith. Gerontus controls his anger towards the merchant's long-overdue payment, whilst Mercadorus revels in the knowledge that, irrespective of the moneylender's mercy or fortitude in the matter, his debt will be written off following the trial.[25] With this in mind, Gerontus' forgiveness of the debt demands attention. Brett Hirsch has questioned the moneylender's motives behind such self-injuring charity, noting that Gerontus' decision to stop Mercadorus' oath is more about saving his own reputation than spiritual idealism:

> Conversion to one faith means apostasy from another, and, as Nabil Matar reports, "the punishment for apostasy in Islam, as it was in Christianity, was death". Death – even the threat of death – is not good for business, and, given that his clientele include Christian merchants, Gerontus's fears of being blamed for Mercadorus's apostasy may easily be read in an economic light.[26]

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[24] John H. Langbein, *The Origins of the Adversary Criminal Trial* (Oxford: Oxford University Press, 2003), p. 20.

[25] Discussed by Anders Ingram in 'Turks, Trade, and Turning', *Performance as Research in Early English Theatre Studies: 'The Three Ladies of London' in Context*, <http://threeladiesoflondon.mcmaster.ca/contexts/AndersIngram.htm> [accessed 26 January 2018].

[26] Brett Hirsch, 'Much Ado About Gerontus, or *The Three Ladies of London* and the Jews', *Performance as Research in Early English Theatre Studies: 'The Three Ladies of London' in Context*, <http://threeladiesoflondon.mcmaster.ca/contexts/BrettHirsch.htm> [accessed 27 January 2018], p. 9.

If Gerontus' aim in forgiving Mercadorus' debt might be read as an attempt to protect his reputation amongst Christian traders, the altruism of his apparent mercy in the courtroom loses credibility. Certainly, during his interaction with Mercadorus in the street prior to the merchant's arrest, Gerontus dismisses Mercadorus' request to delay collection by 'tree or four days', commenting, 'Tush, this is not my matter', and assuring that 'I have officers stand watching for you, so that you cannot pass by, / Therefore you were best to pay me, or else in prison you shall lie.'[27] Whilst the moneylender has certainly been abused by Mercadorus, his words are irreconcilable with those of the anxious plaintiff in the courtroom just two scenes later who (conceding that Mercadorus is intent on taking the Turkish oath instead of repaying his debt) will remark: 'Well, seeing it is so, I would be loath to hear the people say it was 'long of me / Thou forsakest thy faith, wherefore I forgive thee frank and free'.[28] Comparing these interactions, it is possible to see Gerontus less as the virtuous and morally-guided moneylender, and more as the calculating businessman – aware of the religious discriminations already obstructing his progression and keen to mitigate further risks. This awareness, and indeed the ability to use the courtroom to his advantage in this way, is a privilege unavailable to the ladies in the concluding trial. Wilson uses this scene to experiment with the extent to which the court's environment allowed male participants – for the defence and prosecution – to project a favourable view of themselves. This opportunity starkly contrasts with the limited self-representation achieved by the three ladies, and also exposes the credulity more readily afforded to testimony offered by socially elite individuals, particularly men.

If Gerontus is guilty of manipulating his court appearance, however, then Mercadorus must also be culpable. Upon his arrest by Gerontus, Mercadorus reveals his less cheerful and comedic side to his creditor:

Arrest me, dou scald knave? Marry, do, an if thou dare,

[27] Robert Wilson, *The Three Ladies of London*, 12. 5-10.
[28] Robert Wilson, *The Three Ladies of London*, 14. 38-39.

Me will not pay de one penny; arrest me, do, me do not care.
[...]
Marry, farewell and be hanged, sitten, scald, drunken Jew![29]

Mercadorus is undoubtedly one of the most ambiguous characters within the play – more so even than characters such as Dissimulation and Fraud, whose very names suggest multiplicity. The merchant's accent is increasingly curious in the above altercation with Gerontus, as he employs several insults, including the pronoun 'thou,' which he does not use elsewhere within the play. Dropping the formal address of 'you' that he has afforded to Gerontus so far, Mercadorus offers not only direct insult, but confirms to the audience his intent to 'cozen' the money-lender. Mercadorus repositions himself as the superior of Gerontus, and the change of pronoun therefore signifies this turning point in their relationship. Whilst this slip-up may pass unnoticed, the next time Mercadorus appears on-stage, something far more remarkable will occur with his voice.

Mercadorus' decision to turn Turk reflects an opportunity for him to exploit the law, something that Lucre had encouraged earlier in the play:

I know you merchants have many a sleight and subtle cast,
So that you will by stealth bring over great store,
And say it was in the realm a long time before.
[...]
And do but give the searcher an odd bribe in his hand,
I warrant you, he will let you 'scape roundly with such things in and out the land.[30]

Whilst familiar to the characters of the play, Mercadorus' means of forfeiting the debt is certainly not recommended by the Judge or Gerontus, who recognised the severity of ordering the merchant to 'come away' from Christianity by swearing an oath of allegiance to a new nationality and faith.[31]

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[29] Robert Wilson, *The Three Ladies of London*, 12. 11-19.
[30] Robert Wilson, *The Three Ladies of London*, 3. 67-73.
[31] Robert Wilson, *The Three Ladies of London*, 14. 37.

Unhindered by such struggles of conscience, Mercadorus insists on his conversion:

> MERCADORUS
> With a goodwill, my lord judge; me be all ready.
> […]
> JUDGE OF TURKEY
> Say: I, Mercadorus do utterly renounce before all the world my dutyto my Prince, my honour to my parents, and my goodwill to my country.
> MERCADORUS
> Furthermore, I protest and swear to be true to this country during life,
> and thereupon I forsake my Christian faith [.][32]

As boldly as he has projected his Italian accent throughout the play, the merchant drops it during his oath to the judge. Not only is Mercadorus changeable in his faith, and in his trading practices, but even his accent is inauthentic. This temporary Anglicisation is jarring in the character's change of voice, but additionally as one of only two moments in the play where the text switches from verse to prose.[33] Coupled with his discarded accent, the oath emphasises Mercadorus' lack of sincerity and questions the Turkish court's authority far more than enforcing the judge's command of the case, or indeed the feeling that justice has been served for either litigant. Mercadorus proudly earns his living by trading quality English goods for inexpensive foreign 'trifles' on behalf of Lady Lucre, and it appears that he can exchange nationality and allegiance with similar ease. Mercadorus' assurances, in a voice other than his own, foreshadows his imminent revelation that he will remain Christian. His oath is a potentially comic example of an individual willing to say and do whatever is required to escape the law and get rich; yet, the fact that his inauthentic speech is successful reveals Wilson's exposure of the varying cultural acceptability of testimony when spoken by men or women.

[32] Robert Wilson, *The Three Ladies of London*, 14. 23-29.
[33] The only other example is the guest list for Love and Dissimulation's wedding, read by Cogging, in Robert Wilson, *The Three Ladies of London*, 11. 9-15.

Gerontus loses a great deal of money, despite his mercy, and Mercadorus' inauthenticity is even acknowledged by the Judge as he departs the scene: 'Why, then, it is as Sir Gerontus said: you did more for the greediness of the money / Than for any zeal or goodwill you bear to Turkey.'[34] Despite this, the Judge is powerless to rescind the trial's conclusion – offering perhaps another hint from Wilson that, not only would the court favour male litigants more readily, but only the wealthiest and most socially desirable amongst them. The court curiously places its trust in the Christian converting to Islam, rather than the merciful Jewish moneylender, only to be shown the former's dishonesty. Nevertheless, Gerontus is left to suffer the financial burden of this abuse whilst Mercadorus is free to return to England in order to acquaint 'my Lady Lucre [with] de whole matter'.[35] This illogical prejudice against Gerontus foreshadows the lack of justice that will be seen within the ladies' trial – in which performances of spirituality also feature prominently. Despite the involvement of the male vices, in particular their violent assaults upon the city, the ladies are held accountable – largely it would seem through their guilt and willingness to confess. Only through lamenting that 'I am afraid there is no spark left for me of Gods mercy' does Conscience convince Nemo that she has some hope of redemption, whist the vices are reported to be wandering London freely, protected largely by their indifferent spiritual patrons. As Diligence advises, '[Simony] was seen this day walking in Paul's, having conference and very great familiarity with some of the Clergy'.[36] Doubt is cast upon the authenticity of the ladies' morality and spirituality, in contrast to their male counterparts', due to their religious alignment or less affluent status. The Turkish court's decision to believe the testimony of Mercadorus, a Christian openly admitting his rejection of one faith for another, is an extraordinary case of injustice against an abused local – and the fate of Gerontus offers the audience a glimpse into the biases that will be faced by the ladies during their later trial.

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[34] Robert Wilson, *The Three Ladies of London*, 14. 44-45.
[35] Robert Wilson, *The Three Ladies of London*, 14. 55.
[36] Robert Wilson, *The Three Ladies of London,* 17. 12.

Both Gerontus and Mercadorus use their legal knowledge to alter their character within court, subduing their internal emotions in order to conform to the court's expectations and secure a clean judgement – at least until Mercadorus reveals that his true intent had always been to 'cozen' Gerontus.[37] Furthermore, whilst Mercadorus is ultimately betrayed by Lucre upon his return to England, and is robbed by Fraud and the beggars, he is spared from any legal consequences in London. As such, his exploitative trade practices continue – selling England's valuable resources abroad for great personal profits and returning with cheap trinkets to sell on to the wealthy gentlewomen of the city.[38] Fraud and the beggars also evade capture, allowing Simplicity (who has served Love during the play) to take their whipping instead. The differing treatments of the vices and the ladies again demonstrate the glaring contrast between the experiences of the male and female litigants. The play reveals Wilson establishing his own view of how the contemporary legal system favoured male litigants, thanks partly to the substantially greater knowledge available to men prior to entering a courtroom. Now the audience, too, will have in mind a direct parallel trial when they witness the ladies of London testifying before Judge Nemo shortly afterwards. In the concluding trial, which I explore below, it is clear that the three female defendants presented Wilson, as much as Judge Nemo, with a dilemma. As their transgressions fell outside of typical legal proceedings, relating instead to societal and moral expectations of femininity, how might their voices be conceptualised on-stage? With what authority might a judge assess their credibility during their respective cases?

Mercadorus offers perhaps the most clear acknowledgement of the differences between the male and female trials, sarcastically advising the Judge of Turkey: 'O sir, you make a great offence: / You must not judge-a my conscience', and indirectly confirming that it is only Conscience – his female counterpart – rather than his own conscience, that will suffer scrutiny within

[37] Robert Wilson, *The Three Ladies of London*, 14. 54.
[38] Robert Wilson, *The Three Ladies of London*, 3. 38-57. Mercadorus and Lucre meet and discuss their trading secrets and plans.

courts of law.[39] Mercadorus' conscience may not be judged, but Conscience herself will be tried only two scenes later for crimes of an allegorical rather than tangible nature. Indeed, as I will now discuss, the ladies have their very morality scrutinised before their audiences by Judge Nemo.

Female Testimony in the Trial of Lucre, Conscience, and Love

As seen, the Turkish trial between two male litigants demonstrated conventional legal proceedings, relating to economic and commercial affairs of usury between two men. Whilst this trial, in itself, exposed the exploitation of less desirable litigants, such as the devoutly Jewish Gerontus, it nevertheless offered a template with which we might compare Nemo's treatment of the three female defendants. Lucre, Conscience, and Love are all required to testify before Judge Nemo, and Wilson equipped each woman with her own distinctive form of testimony. Whether presenting her case passionately, or shamefully, or restraining from comment altogether, each woman approaches Nemo's bench uniquely, enabling Wilson to challenge his audience and their perceptions of how the female voice might be received within a contemporary court. At stake is how readily the three ladies may first access Nemo's attention, let alone any mercy he might offer them. Engaging with complex questions of personhood and authenticity, Wilson explores the female voice through three distinct approaches, examining the prejudices and obstacles that the ladies face. Moreover, by interrogating the significance of Christian piety and modesty as a measure of a defendant's credibility, Wilson challenges the success of Mercadorus, whilst testing whether one of his ladies – Conscience – may, without the experience and legal training available to her male peers, also appeal to the court's mercy through her remarkable manipulation of voice. But what were Wilson's intentions in introducing the

[39] Robert Wilson, *The Three Ladies of London*, 14. 42-46.

curiously named Judge Nemo to oversee this trial? In contrast to the nameless Judge of Turkey who manages the proceedings between Mercadorus and Gerontus, Nemo presents an altogether stranger type of anonymity; with a name that literally translates as 'Nobody,' how should an audience interpret his unconventional punishments that concern themselves more with the ladies' spiritual health than the earthly ramifications for their crimes?

In the section that follows, I will analyse the three testimonies offered by Wilson's ladies of London. I will explore how we might decipher testimonial authenticity, considering how Wilson makes it difficult to determine which defensive or confessional statements should be believed. Crucially, Wilson queries why the reliability of the ladies' testimonies varies so greatly; and locates this reliability in their decisions either to defend themselves or to confess, rather than in the content of their speeches. Love and Lucre, particularly, pose an issue from a sentencing standpoint – their testimonies could not be more different from one another and yet, as we will see, their fates are not altogether dissimilar. Judge Nemo seems a formidable foe for the women, making his prejudgement of the ladies clear from the outset: 'Canst thou deny deeds so manifestly known?'[40] Appraising Nemo's name, however, his authority becomes less convincing: if 'Nobody' doubts the ladies' innocence, Wilson was, in fact, allowing his audience (and, indeed, himself) a unique chance to address the biases that forced the women into their respective crimes, in addition to testing the opportunities they have for defending themselves. Whilst the outcomes for the women, as I will discuss, are not optimistic, the unorthodox nature of the trial allowed Wilson freedom to experiment with female voice. The punishments for the women are passed by an ambiguously named judge, who operates within the world of allegory. Torn between realism and allegory, Nemo's judgement suggests that morality and justice exist on more than one level; and that, more importantly, it may be impossible to contain either within a single identity conflicted between fiercely realistic or allegorical impulses.

[40] Robert Wilson, *The Three Ladies of London*, 17. 20-24.

Lady Lucre

Kennedy notes that 'an angry person of either sex surrenders to passions that are usually kept in check, but what for men is a momentary lack of self-restraint is for women a more serious character flaw.'[41] In a play that draws so heavily from the morality tradition, expressions of anger – particularly from the ladies – is highly significant. This is perhaps most clearly demonstrated in Lucre – an antagonist who thrives on the sensual and fiscal self-indulgence of humanity, and who relies on aggressive language to exercise dominance over her victims. Her name alone places her ambiguously by separating her from the financial vulnerability and commercial barriers noted by Kermode. Unlike ladies Love and Conscience, Lucre does not amend her voice or character upon her entrance to Nemo's court. On the contrary, she enforces the already angry characteristics witnessed by the audience throughout the play: 'I warrant you, none comes, nor dare, to discredit my name. / In despite of the teeth of them that dare I speak in disdain.'[42] Lucre's aggression has been an important tool employed within interactions with other characters and, in particular, with Conscience. Not even considering recruiting her rivals through an offer of sorority, Lucre resolves to wear them down through assault and oppression. Seven scenes earlier, the audience observed Lucre scathingly patronising Conscience's poverty, communicating her anger at her rival's resistance by diminishing her attempt at virtuous living:

> LADY LUCRE
> Alas, Conscience, art thou become a poor broom-wife?
> LADY CONSCIENCE
> Alas, Lucre, wilt thou continue a harlot all days of thy life?
> LADY LUCRE
> Alas, I think it is a grief to see that thou art so poor.
> LADY CONSCIENCE

[41] Gwynne Kennedy, *Just Anger: Representing Women's Anger in Early Modern England*, p. 4.
[42] Robert Wilson, *The Three Ladies of London*, 17. 22-23.

> Alas, Lucre, I think it is no pain to thee, that thou still playest the whore.[43]

Conscience gives her fair share of anger back to Lucre. Away from the expectations and prejudices of the courtroom, the women battle evenly, insulting the other's lifestyle as well as employing language inadmissible in the courthouse: Conscience calls her oppressor 'whore' twice during their on-street altercations, yet is notably more demure under Nemo's scrutiny.[44] Nevertheless, Lucre's attack on Conscience's self-esteem, and even livelihood, is relentless. Lucre's final, and winning, jibe is to undermine Conscience physically: 'Now to you, little mouse.'[45] Conscience finally concedes to her demands, defending her decision by asserting: 'I think you lead the world in a string, for everybody follows you, / And sith every one doth it, why may not I do it too?'[46]

Constructing an informal opportunity for Lucre and Conscience to combat one another prior to their trial in Nemo's courtroom, Wilson engages with female anger whilst testing the popular views of female passions. Allowing the women to freely condemn one another, released from concern about on-stage witnesses, Wilson experiments with testimonies presented through altercation. Curiously, these interactions may be seen as more incriminating than their later courtroom appearances, particularly for Conscience whose informal and scathing criticisms of Lucre bear little resemblance to the carefully crafted narrative she provides to Judge Nemo. It is apparent that Wilson recognised the vast differences in voice required when depicting his female rivals in each scenario. This raises the question of whether the courtroom offered the opportunity for women authentically to communicate their concerns, or (perhaps more crucially) to justify their transgressions without bias or ridicule. If quarrelling in the streets offered more flexibility for female authenticity, with each party holding the other

[43] Robert Wilson, *The Three Ladies of London*, 10. 53-56.
[44] Robert Wilson, *The Three Ladies of London*, 8. 53, and 10. 56.
[45] Robert Wilson, *The Three Ladies of London*, 8. 108.
[46] Robert Wilson, *The Three Ladies of London*, 10. 69-70.

accountable and disputing inaccuracies, then what might this suggest, not just about Judge Nemo's lack of authority but also the power of the contemporary justice system to serve all of its dependents efficiently and equally? If Nemo's courtroom will only offer favourable justice to the lady of London who is able to manipulate her voice to fit a particular frame and male expectations, then Wilson raises the possibility that the capacity to deceive may have been valued more highly than authenticity when it came to female testimony.

Returning to Lucre's courtroom entrance, her approach to Nemo's bench is markedly assertive in comparison to her rivals. Whilst Conscience and Love accede to the charges against them, and say as little as is required to fulfil Nemo's interrogation, Lucre dismisses the accusations and attempts to display legal knowledge as a further means of intimidating those around her: 'In denial stands trial. I shame not; let them be shown.'[47] Recalling Langbein's study of courts, which 'militated strongly against guilty pleas,' Lucre exercises her right to appeal to Nemo's mercy and the mitigating circumstances available through trial.[48] Although Nemo will later encourage Love and Conscience to defend themselves, Lucre is granted no opportunity during the trial to support her claim.[49] Arguably, it is her attitude in doing so that forfeits her right to fair cross-examination. Nemo dismisses Lucre's arrogant approach to the bench, labelling her '[i]mpudent' and demanding: 'Canst thou deny deeds so manifestly known?'[50] His hasty judgement certainly casts doubt upon the justice of the trial that not only Lucre, but also her victims, will receive. A full trial, and therefore the ability to speak openly to the court, is the only opportunity for the ladies to officially testify; silencing Lucre not only highlights a systematic prejudice against female defendants but, more worryingly, suggests that women's narratives cannot be accepted as authentic accounts of their actions unless coupled with shame. Mercadorus benefits from his abuse of this system, yet Lucre is removed from the proceedings

[47] Robert Wilson, *The Three Ladies of London*, 17. 25.
[48] John Langbein, *The Origins of the Adversary Criminal Trial*, p. 20.
[49] Robert Wilson, *The Three Ladies of London*, 17. 88.
[50] Robert Wilson, *The Three Ladies of London*, 17. 24.

almost instantaneously; leaving only her appeal to Conscience to 'say nothing' as a form of defence for them both.[51] This plea reflects not merely the latter's ability to condemn Lucre but, moreover, a resignation by Lucre that a woman's testimony will not be accepted without the inclusion of a shame-filled confession; all hopes of defence for any of the ladies have been reduced to 'nothing.'

This silent and defiant defence that Lucre seeks to enforce upon Conscience is the final act to condemn her. It is indeed her unspoken confession which takes the form of a letter – which, as Conscience explains, was 'put into my bosom by Lucre, / Willing me to keep secret our lascivious living', demonstrating irrefutably Lucre's attempts to control the other ladies.[52] After she is denied the opportunity to testify in an official capacity, Wilson equips Lucre with an awareness that the ladies do not have a chance of defending themselves within Nemo's court – they may only access a platform, such as the street altercations we see between Conscience and Lucre, with which to incriminate one another. Nevertheless, Lucre's appeals to 'Good Conscience,' by entreating her to a network of mutual protection, have come all too late.[53] The letter's concealed location is a vivid symbol of female intimacy in itself. Lucre's decision to place it there serves as a last attempt, once she has been silenced by Nemo, to communicate her orders to Conscience.[54] Laid over Conscience's heart, the letter itself is a symbol of inauthenticity. Attempting to remedy the persecution she has inflicted, Lucre presents an insincere application for sisterhood and loyalty. As Alan Dessen observes,

> [The] stage action highlights the role of Lucre's own conscience in her downfall (literally putting incriminating evidence in Lady Conscience's bosom) so that Lucre's final line in the play: "O, Conscience, thou hast

[51] Robert Wilson, *The Three Ladies of London*, 17. 35.
[52] Robert Wilson, *The Three Ladies of London*, 17. 47-48.
[53] Robert Wilson, *The Three Ladies of London*, 17. 35.
[54] Robert Wilson, *The Three Ladies of London*, 17. 37.

> killed me! By thee I am overthrown" can be heard as addressed to both the onstage figure and her own inner voice.[55]

The ladies cannot win, of course, and Wilson demonstrates their inescapable dilemma: their solidarity unites them in villainy, whilst their attempt at salvation evidences a discordance in female friendship. This is perhaps the clearest example of what Jowitt identifies as not merely 'a battle between the sexes', but also 'one between the women.'[56] Although convinced of their guilt prior to the trial's commencement, Nemo encourages the ladies' testimony as it ensures a full destruction of their remaining allegiance to one another. The ladies' fate is thereby contrasted to that of the vices who have used their networks within London's male-dominated institutions (the exchange, the church) to retain their liberty.

Problematically, however, as will be seen, Lucre's condemnation for speaking out, and for attempting to access a fair trial for the charges against her, also has implications for the other ladies. Love and Conscience's interrogations follow Lucre's, and their far more passionless approaches to Nemo's bench lends them, if not Nemo's credulity, then certainly more patience than is afforded to Lucre. Their behaviour unites them in a sorority that, although unable to fully save themselves from Nemo's judgements, does ensure that their oppressor is convicted. Lucre's dramatic appearance and removal from the court reflects the disdain held for women unable to contain themselves from demonstrating excessive emotion. Again, her dismissal by Nemo highlights the disparity between the reception of her misdemeanours within the courtroom against Mercadorus' full contempt of court at his own trial. Nevertheless, Wilson's mirroring of Lucre's treatment, followed by that

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[55] Alan C. Dessen, 'Staging Allegory in *The Three Ladies of London*', *Performance as Research in Early English Theatre Studies: 'The Three Ladies of London' in Context*, <http://threeladiesoflondon.mcmaster.ca/contexts/AlanDessen.htm> [accessed 26 January 2018], p. 7.

[56] Claire Jowitt, 'Performing Gender in Robert Wilson's *The Three Ladies of London*', *Performance as Research in Early English Theatre Studies: 'The Three Ladies of London' in Context* <http://threeladiesoflondon.mcmaster.ca/contexts/ClaireJowitt.htm> [accessed 26 January 2018], p. 3.

of Conscience and Love, presents a stark warning that, irrespective of behaviour, the courtroom was an inhospitable environment for women. Despite the villainies committed or plotted by Lucre, her victims are also held culpable by the court because of their gender. Wilson was able to explore the female experience within legal environments in this play by using three differing forms of testimony for his women. Despite these varied approaches to Nemo's bench, none of the ladies successfully appeal to the court, and each is punished as though they had displayed the arrogance and vindictiveness of Lucre. Wilson's depictions of Conscience and Love, as I will now discuss, present important differences from Lucre's testimony. Nemo's almost generic reception of each woman will therefore expose a major problem identified by Wilson: the problem of apportioning appropriately varied degrees of blame to female defendants. Wilson's decision to identify the ladies allegorically, through the vice or virtue they were expected to represent, whilst Mercadorus and Gerontus were instead named for their occupation and appearance, furthers the playwright's attention to the problematics of testimony.[57] Conscience may only confess to her misdemeanours, whilst Love and Lucre have no obvious means of appealing to Nemo's mercy. Mercadorus and Gerontus, however, are free to testify within the conventional trial set-up. As such, Mercadorus is able to manipulate his sentence into freedom, not being tied to an idea of authenticity that stems from a requirement to maintain consistency of character. This opportunity is however unavailable to the ladies whose characters are allegorically pre-determined.

Lady Conscience

During her scenes prior to the formal trial, Conscience, like Lucre, makes very public displays of emotion. Angry voices are familiar in altercations between

[57] Mercadorus originates from the Latin translation of 'merchant': 'Mercator,' whilst Gerontus is believed to stem from the Greek *gerōn* meaning 'old man'. See *Three Renaissance Usury Plays*, ed. by Lloyd Edward Kermode, pp. 65 and 80, respectively, for notes on Wilson's selection of names.

the two rivals, and Conscience is in no way a lesser opponent than Lucre in their verbal warfare:

> LADY LUCRE
> What, Conscience, thou lookest like a poor pigeon, pulled of late.
> LADY CONSCIENCE
> What, Lucre, thou lookest like a whore, full of deadly hate.
> LADY LUCRE
> Alas! Conscience, I am sorry for thee, but I cannot weep.
> LADY CONSCIENCE
> Alas! Lucre, I am sorry for thee that thou canst no honesty keep[.][58]

Conscience mimics Lucre, replacing the insult directed at her for one more reflective of her rival. It is in her passionate outbursts and open acknowledgement of Lucre's whoredom that her first character inconsistencies begin to show. Their fast-paced conflict is littered with judgements upon the others' values; indeed, Jowitt comments that the ladies 'suffer repeated moral evaluation (by both male and female characters) concerning their sexual continence.' It is indeed in this matter that Conscience finds Lucre most at fault, and this is the means by which Lucre constructs her rival's downfall.[59] Conscience despises the lascivious lifestyle that Lucre has created for herself, whilst the latter sees Conscience's poverty-stricken existence as a humiliating situation worthy of scorn. Unable to compromise for a mutually beneficial network within the divided city, the ladies are fuelled against one another by anger and use public spaces to air their grievances. Wilson therefore situates both women, regardless of their respective vices or virtue, in the same category as scolding women – an image that would become increasingly familiar among female litigants within Renaissance playhouses.[60]

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[58] Robert Wilson, *The Three Ladies of London*, 8. 52-55.
[59] Jowitt, 'Performing Gender in Robert Wilson's *The Three Ladies of London*', pp. 3-4.
[60] The two-sided response to gossip within rural villages, as both a source of interest, but also a sign of being a busybody, is discussed by Bernard Capp in his book, *When Gossips Meet: Women, Family, and Neighbourhood in Early Modern England*, Oxford Studies in Social History (Oxford: Oxford University Press, 2003). Katherine Larson discusses the role of female rumour-spreading in false accusations against other

It is the character of bitter scold that Conscience seeks to avoid during her interrogation, following Lucre's display of angry retorts and denial that see her held with contempt by Nemo before her sentence is even pronounced. Her sudden change in temperament and voice, however, is impossible to reconcile with her earlier public encounters with Lucre:

> My good lord, I have no way to excuse myself,
> She hath corrupted me by flattery and her accursed pelf.
> [...]
> Such terror doth affright me, that living, I wish to die;
> I am afraid there is no spark left for me of God's mercy.[61]

Whilst maintaining Lucre's role in her downfall, Conscience's testimony is void of any prior resentment aimed towards her oppressor. Her apparent timidity reinforces the grief she displays at her loss of virtue, enabling her to appeal to Nemo's empathy, and even to his sympathy. Yet Conscience has offered no prior instances of this voice to the audience; her repentance is grafted on to her. This transformation must therefore cast doubt upon her character authenticity as well raise implications for her testimony as a whole.

Wilson presented three differing forms of female testimony in order to experiment with the social and legal obstacles that prevented women from seeking to condemn others or defend themselves within the contemporary courts. Conscience's inconsistent voice queries her own authenticity, as well as the nature of the courts themselves. Her testimonial persona recalls Mercadorus' temporary Anglicisation during the Turkish trial, with both scenes sending up the conventional workings of a trial, demonstrating the differing outcomes depending on who is speaking. In the case of the male trial, Mercadorus' inconsistent testimony does not depend on his consistent or authentically realised character. This works to Mercadorus' advantage and, by adapting his approach to the court to fulfil all its requirements and

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women upon the early modern stage within her thesis 'Bewitching Words: Language, Witchcraft, and Female Agency in Early Modern Drama' (unpublished master's thesis, Oxford University, 2002).

[61] Robert Wilson, *The Three Ladies of London*, 17. 40-45.

expectations, he sails away from Turkey as a free and considerably richer man. Without Mercadorus' experience within the courts, Conscience nevertheless attempts a remarkably similar manipulation of Nemo's judgement. Transforming her voice from the unabashed documenter of her rival's transgressions into a solemn and repentant sinner, and lamenting her distance from God, Conscience may not have access to the precise legal vocabulary that would ensure her release from all charges, yet she still exercises a great deal of skill by mitigating her own punishment from the severe sentence passed upon Love and Lucre.

To achieve this, Wilson demonstrates Conscience's awareness of the limitations of her voice prior to entering the courtroom. Her initial response to Nemo's interrogation is to express her reservations: 'What should I say; nay, what would I say in this[?]'[62] Mindful of the prejudices that will prevent her from evidencing her case against Lucre's oppression – necessitating her angry observations from earlier in the play – Conscience debates which narrative she should present to Nemo. Wilson once again emphasises the ladies' perception of their situation, with Conscience affirming her decision to confess by following her doubtful 'should' with a far more assertive 'would' in preparation for admitting to all charges against her. Conscience accepts that it is easier to appeal to Nemo's empathy by recognising her inherent female frailty as cause of her actions instead of demonstrating the full extent of Lucre's abuses, which would demand justifying her anger.

Conscience's adopted timidity within the formal trial bears resemblance to the typical confessional speeches found within contemporary news pamphlets. In Henry Goodcole's account of the murder of Fortune Clarke by his wife, Alice, for example, he notes that, following confession: '[Alice] thus replyed with harty thankefulnesse unto God, that shee had better resolutions unto death, then formerly she had, and … surrenderd her soule into the hands of the Lord Iesu, who will have mercy on whom he will have

[62] Robert Wilson, *The Three Ladies of London*, 17. 34.

mercy, unto whom wee all stand and fall.'[63] Presenting Conscience as doubtful of her salvation and worthiness of God's mercy, Wilson challenges his audience to consider the justice of this situation whilst more culpable – indeed, murderous characters, such as Usury - remain 'at large' within London. Consciously manipulated though Conscience's self-deprecation may be, Wilson utilises this expectation of discredited women to expose the differing requirements of male and female testimony; neither Gerontus nor Mercadorus were expected to make such declamations. Later chapters will show that, whilst domestic tragedy developed in many ways over the succeeding decades, its focus on the societal expectation of female shame in confession remained at the forefront of criminal proceedings dramatised on-stage.

Even Wilson's crafting of the testimony, however, reflects the fact that contemporary 'villainesses' were well aware of the bias opposing them. Just prior to triumphantly recording Alice Clarke's self-effacing confession, Goodcole admits to the difficulty of securing this singular narrative:

> That at the first and second times of my visiting of her, little or no Repentance I found in her, or her heart to be touched for her most horrid clamorous crimes. This is apparant, if you compare her first confession unto this, how different in truth, how improbable the one are unto the other; nay what she confessed on Munday, shee was so far off to proceede in a further revealing of her selfe, that what touched her home, concerning her husbands death, she would have denied, though formerly confessed by her most confidently true. I was thereuppon inforced to hold her unto it, and to extract the truth, and trye her spirit, called two of the Keepers of the Goale[.][64]

In order to seem authentic through the eyes of the patriarchal court, Conscience must assume an inauthentic new voice. There are striking similarities between this voice and the inconsistent narratives of Alice Clarke,

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[63] Henry Goodcole, *The adultresses funerall day in flaming, scorching, and consuming Fire* (London, 1635), in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-ocm24507671e> [accessed 22 January 2018], p. 18.

[64] Henry Goodcole, *The adultresses funerall day*, pp. 15-16.

which only achieve 'consistency' following the intervention of Goodcole and two additional Keepers. As such, Wilson presents a female testifier with clear knowledge of the language and narrative style expected of female transgressors. Entering Nemo's courtroom, Conscience is thereby able to exploit these expectations, standing before the bench as the repentant, spiritually conscious confessor who could so easily have been depicted within the 'true' accounts of Goodcole's pamphlets.[65]

Her meticulously crafted confession aside, Conscience nonetheless regrets her decision to follow Lucre. Her skin spotted, Conscience is the physical embodiment of 'naughty living,' and Lucre's metamorphosis of Conscience and Love ensures that neither can confidently present their cases against her: 'Where are mine accusers? / They may shame to show their faces.'[66] Conscience faces a battle between the evidence of her transgressions that exist upon her face as well as her internal conscience, all the while proclaiming her repentance to God. The spots on her face are particularly suggestive alongside her constructed subordinate female tongue, itself a 'spotting' of her authentic earlier narrative. Wilson's decision to make the character of Conscience – traditionally a one-dimensional figure – a victim of her own conscience provides a radical exploration into the complexities of Lucre's assault on London, and the lack of credibility afforded to women who attempted to testify to their experiences.[67] Contrary to Langbein's findings in

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[65] Goodcole's pamphlets feature frequent references to being truthful accounts of events; whether in the case of Alice Clarke, where the pamphlet concludes 'Heere is nothing contained in her confession, but that which true, and what she uttered with her owne mouth', p. 18, or in his documentation of the trial of Elizabeth Sawyer, which will be considered later in this thesis, where he assures the reader: 'For my part I meddle hearewith nothing but matter of fact': Henry Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch, late of Edmonton, her conuiction and condemnation and Death* (London, 1621), in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-99852787e> [accessed 22 January 2018], p. 4.
[66] Robert Wilson, *The Three Ladies of London*, 17. 34 and 21.
[67] Morality plays such as *The Castle of Perseverance* and *Everyman*, mentioned above, very much make the use of the singular nature of characters such as Chastity and Patience to reinforce their didactic purposes through the explicit display of successful virtues. Lady Conscience, and Wilson's play more generally, pushes back against these ideas to show that more nuanced female characters were required if the theatre

contemporary trials, which expected that a defendant should at least be willing to explain their misdemeanours, and unlike his Turkish counterpart who welcomes testimonies from both litigants of the usury trial, Nemo's courtroom condemns Lucre's 'impudence' for seeking to defend herself, offering the greatest leniency instead to Conscience following her confession of all charges.

Wilson presents Conscience as a defendant all too aware of the expectations upon her narrative. If she is to succeed in gaining Nemo's mercy, then she must earn it by constructing a confession that assures the court that her crimes arose out of an inability to endure suffering and persecution. Ordinarily, within an adversary trial, this might be suffering that the defendant could claim resulted from the actions of the plaintiff; yet, in the ladies' trial, Conscience must condemn a co-defendant as the orchestrator of all three ladies' sins. Unlike the Turkish trial, in which Mercadorus is held accountable (and ultimately evades punishment for) crimes of his own making, the ladies are never presented as singular and authentic individuals – they are always shown to be plural and composite figures, indistinguishable from one another, as Wilson demonstrated the impossibility of maintaining the one-dimensionality of their allegorical foundation. As such, the ladies are held as mutually culpable unless willing and able to demonstrate that others in the group are more responsible. Mercadorus' crimes may be wiped away upon swearing to change his lifestyle – an oath he quickly reneges upon – but the ladies will not escape punishment, with Conscience only able to lessen her sentence by contextualising her failings as a result of another woman's crimes.

Lady Love

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was ever to truly interrogate women's criminality and the specific experiences of women attempting to access the courts.

Prior to her trial, Love's honesty has been tainted by her marriage to Dissimulation, leading to her dramatic transformation into Lust. Wilson uses this opportunity as another challenge to the very notion of 'authentic' testimony through Love's newly fractured self. When pressed by Nemo to 'answer for thyself, speak in thy defence,' Love simply admits to the charges but offers no further explanation as to the nature of her fall: 'I cannot choose but yield, confounded by Conscience.'[68] Although maintaining Love's shame, how might Lust defend or confess to the errors made by her former (but no less separate) identity? Her quick admission to the charges, coupled with her inability to provide adequate defence, demonstrates the shame that has consumed her, her new 'visage' merely a veil for the unsullied, yet mortified, face that lies beneath.[69] Lucre's denial of all charges reflected the contemporary practice of only offering leniency to defendants who pleaded not guilty to their crimes. Consequently, Love's refusal to testify denies her any mercy that may be exercised by Nemo, leaving her to the same fate as her oppressor, Lucre. Conscience's testimony, whilst also a confession, does feature some physical evidence of Lucre's manipulation – the letter – and it is this abuse which allows Nemo to convict Lucre and reduce Conscience's punishment. Love's two meagre lines of confession present a far harder case for clemency.

Langbein notes that, due to the preference for defendants to plead their own case to the court, there were some judges, but by no means a majority, who would:

> ... intervene episodically to help the defendant in the realm of fact, for example by cross-examining suspicious accusers when the defendant appeared ineffectual, or by emphasizing shortcomings of the prosecution case when instructing the jury. Indeed, the judges sometimes appear to have felt a deepened responsibility to assist defendants in this way[.][70]

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[68] Robert Wilson, *The Three Ladies of London*, 17. 88-89.
[69] Robert Wilson, *The Three Ladies of London*, 15. sd.
[70] John Langbein, *The Origins of Adversary Criminal Trial*, pp. 30-31.

Nemo's determination to hear Love's defence is surprising, and his prompts to Love for her testimony reflect Wilson's interest in a very particular responsibility of the justice system. Wilson evidences legal knowledge through Mercadorus' exploitation of the courtroom as well as Lucre's appeal for a lesser sentence through denial, and his attention to this somewhat rare intervention shows an intricate understanding of the capabilities of court which could be exercised at a judge's discretion. Certainly, Langbein advises that '[n]o accused could ever rely on the trial judge taking such initiatives,' and, subsequently, if Wilson was indeed demonstrating an example of such a judge, it must have been to explore the problematic situation faced by ministers of the law when forced to pass sentence on transgressors they knew to be a victim of circumstance.[71] By encouraging Love to testify, through methods as extreme as provocation – 'Did Lucre choke thee so, that thou gavest thyself over unto Lust? / And did prodigal expenses cause thee in Dissimulation to trust?'[72] – Nemo gives Love as many opportunities as he can to appeal to the mercies of the law. Her rejection of (or inability to utilise) these opportunities leaves him with no option but to serve the harshest sentence.

Nevertheless, Love's decision not to present a defence does, in itself, testify to a greater issue present within the play, as well as the wider London community. Wilson's decision to mix allegory with realism allows for theatrical experimentation, but also challenges the stringent virtues the ladies of the play are expected, right down to their names, to uphold. The fracturing of Love's very being casts doubt over the accessibility of Nemo's court to a female defendant whose identity exists on more than simply one allegorical level. Love's inability to testify sheds light on the fact that authentic testimony could only stem from a singular, consistent character. Her conflicted self (and splintered voice) flout the moral binaries of good and evil, and necessitate a more nuanced approach to female voice. Love's transgressions are not without shame, in the same way that her goodness is not without taint following her

[71] John Langbein, *The Origins of Adversary Criminal Trial*, p. 31.
[72] Robert Wilson, *The Three Ladies of London*, 17. 84-85.

contamination by Dissimulation. As such, her decision to remain silent does not signify a refusal to defend her actions, but an inability to do so within the confines placed upon 'love' as a concept. Love, without Lust, is incapable of the harm Lucre manipulates her into committing, yet love, without lust, is an unrealistic concept for the vibrant and passionate city of London. Consequently, Nemo's reflection upon her mutation into Lust – 'Thou wast pure, Love, and art thou become a monster,' – suggests that Nemo recognises that in her fall, London, too, is lost.[73] This contributes in important ways to Wilson's portrait of London in crisis. In *The Three Ladies of London*, and the plays considered in the following chapters, London is integral as a seat of legal learning and of news-sharing, on-stage and through popular literature. Love commends her virtue as the city's cause of 'wealth and peace' and something that 'pleaseth God Almighty'; in her destruction so too dies London's fiscal, sexual, and moral health, along with God's pleasure.[74] Love's damnation represents the fall of the entire city to sin.

Wilson's observations on these varying stereotypes of women expose the double standards that defined femininity, and reveal aspects of the conflicted female self which had hitherto been ignored on the Renaissance stage. The boy actor playing Love and Lust would reflect two opposing views of femininity: the insubordinate transgressor, and the shame-filled fallen woman. Wilson's exploration of these two versions of femininity as interactive is what makes Love's final silence so remarkably telling. Nemo's court is equipped for the legally trained male voice and the formal proceedings seen within the trial of Mercadorus and Gerontus. It is, however, utterly unprepared for the complexity of an authentic female testimony – and this proves Love's downfall as her fractured self fails finally to express the causes of its transgressions.

This is not to say that Love altogether denies her audience of testimony. Two scenes before the trial she is revealed in her new split-

[73] Robert Wilson, *The Three Ladies of London*, 17. 86.
[74] Robert Wilson, *The Three Ladies of London*, 1. 29.

existence; her horror and remorse are paramount, in the same way that Lucre's glee-filled mockery confirms her victory over London: 'Is your head then swollen, good Mistress Love? I pray you let me see. / Of troth it is! Behold a face that seems to smile on me.'[75] Nothing remains of the self-assured Love who appears in the first scene, praising the virtues of herself and Conscience above the vices of Lucre and her male recruits by praying: 'And grant, O God, that Love be found in city, town, and country, / Which causeth wealth and peace abound, and pleaseth God Almighty.'[76] Her confidence extends further to protecting the honour of her title by rejecting Simplicity's proposal – 'Love may not marry in any case with Simplicity' – foreshadowing her later disastrous surrender to the advances of Dissimulation.[77] By the time Love appears on-stage corrupted into Lust, this self-confidence is all but gone. She laments to the audience, and an overjoyed Lucre:

> My grief, alas, I shame to show, because my bad intent
> Hath brought on me a just reward, and eke a strange event!
> Shall I be counted Love? Nay, rather lascivious Lust,
> Because unto Dissimulation I did repose my trust.[78]

Acknowledging her own role in misplacing her trust, Love despairs of her obedience to Lucre. This confession, out of Nemo's court, is notable. Although Love would appear to be explaining her shame to her oppressor, and although Lucre responds with joyful observations of her transformation, Love does not engage in conversation with her. Rather, her confession bears more resemblance to a soliloquy that has simply been overheard by another character. Love's admission bears similarity to a spiritual confession, differing from the various examples of testimony seen throughout the play which had attempted to defend or justify the speaker's actions.[79] Her shame known, Love

[75] Robert Wilson, *The Three Ladies of London*, 15. 13-14.
[76] Robert Wilson, *The Three Ladies of London*, 1. 3-4, and 1. 28-29.
[77] Robert Wilson, *The Three Ladies of London*, 2. 165.
[78] Robert Wilson, *The Three Ladies of London*, 15. 7-10.
[79] The relationship between spiritual and criminal confession has been noted by Peter Brooks in his study on confessional acts: Peter Brooks, *Troubling Confessions: Speaking Guilt in Law and Literature* (Chicago: University of Chicago Press, 2000).

has perhaps no need of a courtroom testimony as she is already prepared for her inevitable spiritual fate.

This raises the question of the effectiveness of Love's act of testimony. In his study of literary speech acts, J. Hillis Miller proposes that: 'A soliloquy is like a private language. There is no point in saying "I promise you" or "I bet you" *sotto voce*. A speaker and a hearer must be present, also a third, *terstis*, testifier, unbiased witness.'[80] What consequences does this have for Love's main testimonial speech of the play? Is her confession more inherently valuable because it has been overheard by her oppressor – one who is hardly likely to aid her in the courtroom – and an audience who exist beyond her scripted and rehearsed fate? Outside the allegorical confines of Nemo's court, Love is (for the only time in the play) able to truly reflect on the splintering of self that follows her fall to desperation. Lucre's presence on the stage becomes almost secondary to Love's internal turmoil as she comes to terms with not merely the physical, but also the moral and spiritual implications of Lucre's assault on her character. This confession may be one of the only authentic moments of character reflection we see within the play, and Wilson's fracturing of Love's very self exposes the inadequacy of patterns of confession, didactically styled, such as those identified within news pamphlets by Randall Martin. Unlike Nemo, the audience witnesses Lucre's oppression of Love and Conscience – and this lonely confession allows for a summary of their suffering, whilst obliging the audience to reflect on whether Love is truly as monstrous as her swollen face suggests. If she is, then audiences would perhaps be exasperated over Nemo's repeated efforts to encourage her testimony. If she is not, Love's testimony – albeit out of the courtroom – may perhaps provide one of the most authentic revelations of character and virtue on the early modern stage.

Nemo's sentencing of the three ladies is the final event of the play, and Wilson's final commentary on the complications faced by his three ladies in

[80] J. Hillis Miller, *Speech Acts in Literature* (Stanford: Stanford University Press, 2001), p. 35.

the courtroom. Lucre is banished to 'the lowest hell' by Nemo, where there is no hope of redemption or relief.[81] It is perhaps surprising that the significantly less culpable Love is also sent there as 'her reward'.[82] Love and Lucre's testimonies could not have been more different, yet they are punished with the same fate. The mirroring of punishments for these two seemingly opposed characters further enforces the problems arising from the two opposing views of femininity mentioned earlier. Lucre's insubordinate tongue, which relishes her transgressions and control over others, is repulsive to the court; yet Love's silence and shame-filled reluctance to testify also fails to justify her failings to Nemo. Both women, irrespective of intent and capability, are punished equally. Problematically perhaps, it is Conscience, the woman who shows the greatest skill in manipulating her voice, who is rewarded with the greatest degree of mercy. Wilson's depiction of Conscience as a less exploitative, but nonetheless conscious manipulator of the court, demands investigation. Why is it that only the defendant who speaks in a voice other than her own is able to present her testimony, whilst Lucre (who uses a consistent voice throughout) and Love (who is scared or shamed into silence) are discarded? If mercy is only available to women able to find a place within masculine legal proceedings, whilst timidly approaching the bench through self-deprecation – what real justice is offered? Conscience is evidently prepared not to receive the justice she could expect as a male defendant faced with the same charges (indeed, the vices have all managed to evade Nemo's presence entirely). Her prison sentence, 'there to remain until the day of the general session', appears at first glance to be the most lenient of Nemo's punishments for the ladies.[83] But how much hope does it truly offer – not just to Conscience, but to women off-stage – if Wilson's attempts to conceptualise a truly persuasive female testimony can, at best, still only offer an indefinite sentence which in itself offers no complete promise of salvation? Modelled on the play's allegorical roots, the conclusion lacks the merry resolution of the morality play. Evil has

[81] Robert Wilson, *The Three Ladies of London*, 17. 60.
[82] Robert Wilson, *The Three Ladies of London,* 17. 96.
[83] Robert Wilson, *The Three Ladies of London*, 17. 99.

been banished, but at the cost of the once virtuous ladies who are now contaminated and sharing in the fate of their oppressor. The best the ladies of London can hope for is to adopt an inauthentic voice with which to present themselves as honest women. The irony of this reality is not missed by Wilson. It is noted too by his audiences who, experiencing his mix of allegory and realism, were forced to acknowledge the impossible moral standards women were measured against in a less than virtuous city.

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The Three Ladies of London provided Robert Wilson with a theatrical laboratory in which he could experiment with female testimonial voices to address contentious contemporary issues, particularly the differing experiences of male and female litigants. Cunningham notes that the play 'remains from start to finish remarkably aware of contemporary English legal practices', and Wilson's analysis of testimony develops through his investigation of contemporary values and expectations that focus on female transgression.[84] The three ladies and their male counterparts interact with a London familiar to Wilson's audiences, encountering the same privileges and prejudices that Wilson had witnessed off-stage. As we will see in the chapters which follow, early modern playwrights' awareness of the city's legal practices, and the increasing popularity of metropolitan playhouses, together allowed the development of new forms of drama capable of exploring female testimony with an increasing degree of nuance and sophistication.

Wilson's investigative approach meant that each of the testimonies he created in *The Three Ladies of London* represented aspects of early modern London and its dominant attitudes. The almost unnatural calm of Mercadorus and Gerontus within their conventional trial provides an introduction to typical court proceedings – preparing audiences for the ladies' trial later in the

[84] Karen Cunningham, 'Robert Wilson's Legal Imaginary', p. 3.

play. Moreover, Wilson utilises this first trial to hint at the inauthenticity and ulterior motives of each of the male litigants, and their readiness to challenge the audience's perception of justice against the ladies who are altogether less equipped to manipulate (or even fully access) Nemo's court. Wilson's collaboration of allegory and realism, bringing together the up-and-coming city comedy genre with the more traditional morality play, presented a unique opportunity to experiment with three differing female voices on the stage. Remarkable for featuring three female testimonial voices, *The Three Ladies of London* is of interest as an early example of proto-feminist drama that actively engaged female voice and character to challenge contemporary anxieties and injustices that targeted women. As such, the emotional outpouring of his female characters, particularly in Love's confessional monologue, exposes the uncomfortable association between female testimony and shame. Irrespective of their testimonial voices, Love, Conscience, and Lucre are perceived as guilty before their trial has even commenced. Wilson demonstrates the dangers of prejudging female transgressions through moral frameworks instead of factual evidence and compassion, demonstrating that the most that any of the women can hope to achieve is to contextualise their failings, as Conscience does, rather than justify their decisions. The reality of their plight is contrasted with the escape of the vices, and Mercadorus' lack of punishment. Wilson shows that the success of a testimonial speech relied more upon the gender of its speaker than on the authenticity with which it was built. The dishonest practices of Mercadorus, Fraud, Usury, Dissimulation, and Simony ensure their protection within London, and their silver tongues continue to charm their victims. The ladies meanwhile, irrespective of their degree of repentance, are condemned to eternal (or, at the very least, indefinite) punishment, with no hope of appeal or relief.

The transgressions of Lucre, Love, and Conscience provoke anxieties regarding the sexual, physical, and moral health of the city. Ultimately, Nemo's sentencing focuses predominantly on the ladies' spiritual failings - a troubling scenario which Wilson used to highlight the short-sighted and

unattainable contemporary expectations placed upon feminine virtue. These expectations were concerned with the role of women in the upholding or destruction of morality within the home, rather than the societal and economic hardships that required women to fall to less desirable trades. Judging the ladies on an allegorical level, Nemo measures the women through their respective transgressions, instead of assessing their character and circumstances more generally. The less than satisfactory conclusion to the play, where the women are more or less uniformly condemned, suggests Wilson's hesitation in attributing more value to societal expectations of a woman's morality than to her own words and experiences.

Following *The Three Ladies of London*, playwrights began to attract further audience interest by incorporating notorious historical crimes, and adopting realism to a startling new level. Recreating real-life crime stories upon the stage, playwrights invited their audiences to experience the events of the case for themselves, encouraging them to form their own judgements of alleged female perpetrators. Unlike Wilson's play, domestic tragedies acknowledged the fates of their protagonists prior to the performance commencing; however, as I will explore below, their playwrights often offered more nuanced views of their villainesses than simply the guilty categorisations offered in their source pamphleture. As will be seen in plays such as *Arden of Faversham*, *A Warning for Fair Women*, and *The Witch of Edmonton*, playwrights were keen to reimagine conventional views of female transgressors, not by presenting these women as flawless but rather by experimenting, through testimony, with authentic modes of female communication. In what follows, we will see how and why the female testimonial voice entranced theatre audiences for more than three decades. Domestic tragedies developed specifically female voices by removing the action from the largely anonymous urban backdrop of the city, and by placing it instead into private settings that dealt with increasingly intimate relationships. But it was Wilson's 'legal imaginary' which paved the way for

later playwrights to develop the female testimonial voice through such increasingly daring theatrical experiments.[85]

[85] Karen Cunningham, 'Robert Wilson's Legal Imaginary', p. 4.

Chapter Two – 'You were best to say I would have poisoned you': Manipulated Testimonies in *Arden of Faversham*[1]

ALICE
But did you mark me then how I brake off?
MOSBY
Ay, Alice, and it was cunningly performed.[2]

A decade after Wilson had written *The Three Ladies of London*, experimenting with a mix of confessional monologues and street altercations to facilitate much of the ladies' testimony, the anonymous play *Arden of Faversham* (1592) was first published. The play drew its inspiration from a forty-year-old murder that had occurred in Faversham, Kent, in 1551, and had stirred up many concerns regarding adultery and a woman's drive to murder. An early example of domestic drama, *Arden of Faversham*, like Wilson's *The Three Ladies of London*, built on emerging cultural trends. Both plays were exploring similar questions regarding testimonial reliability which were gaining critical currency at the time, and which responded well to investigation through the theatre. The female voices found within *Arden of Faversham* reflect a similar understanding of testimony to that found in Wilson's play, including the notion that testimony can be offered in any environment – whether the public realm of legal environments, or the altogether more ambiguous private and domestic sphere. Whilst the play's authorship cannot be resolved with any great certainty, it is speculated that *Arden of Faversham* was in the repertory of Pembroke's Men until around 1594 when it was acquired by the Chamberlain's Men. Both of these companies performed at the Theatre, with

[1] Anonymous, *Arden of Faversham*, ed. by Tom Lockwood and Martin White *New Mermaids,* 2nd edn (London: Bloomsbury Methuen Drama, 1982; 2nd edn, 2007; repr. 2013), 1. 369.
[2] Anonymous, *Arden of Faversham*, 1. 18-19.

the latter also using the Curtain, Globe, and the playhouse at Newington Butts, all of which were outdoor venues.[3]

This chapter will focus on *Arden of Faversham*; however, its findings should be read alongside those of the next chapter, on Thomas Heywood's *A Warning for Fair Women*. Both plays offer significant interrogations into testimonial credibility, as well as the traditions and popular beliefs surrounding female confessional speeches. Alice Arden and the protagonist of Heywood's play, Anne Sanders, were both convicted for petty-treason. Together these two plays offer a unique insight into how domestic tragedy developed through the 1590s, exploring ways of engaging audiences with topical issues which would have been familiar to them before their arrival at the playhouse. As such, this chapter will lay out the majority of the thesis' groundwork on contemporary news pamphlets and broadside ballads, some of which will be referenced within the following chapter.

Dramatising Alice was a guaranteed method of capturing attention. The petty-traitor was a source of fascination in contemporary popular literature, such as news pamphlets and broadside ballads, due to her remarkable measures of plotting her husband's death.[4] Sentenced alongside seven accomplices, Alice had not only ended her husband's life in order to pursue her illicit affair, she had also actively worked to engage several members of the local community to assist her. The play outwardly mirrored the practice of

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[3] See Tom Lockwood, 'Introduction' in *Arden of Faversham*, ed. by Tom Lockwood and Martin White, New Mermaids, 2nd edn (London: Bloomsbury Methuen, 1982; 2nd edn, 2007; repr. 2013), pp. vii-xxx (p. xxiii); and Julian Bowsher, *Shakespeare's London Theatreland: Archaeology, History, and Drama* (London: Museum of London Archaeology, 2012), p. 39. Martin Wiggins does not comment on the likely venues of early performances; however, does suggest that the play may date between 1587-92: Martin Wiggins and Catherine Richardson, '*Master Arden of Faversham in Kent*', in *British Drama 1533-1642: A Catalogue*, 8- vols (Oxford: Oxford University Press, 2011-17) III: 1590-97 (2013), pp. 9-12 (p. 9).

[4] See Randall Martin's facsimile collection for an extensive collection of literary documents that record the accounts, trials, and confessions of murderous women in early modern England: Randall Martin, *Women and Murder in Early Modern News Pamphlets and Broadside Ballads, 1573-1697*, The Early Modern Englishwoman: A Facsimile Library of Essential Works, Series III: Essential Works for the Study of Early Modern Women: Part 1, vol. 7 (Surrey: Ashgate, 2005).

literary accounts, promising to present 'the great malice and discimulation of a wicked woman, the vnsatiable desire of filthie lust and the shamefull end of all murderers'.[5] Multiple accounts of the murder and Alice's motivations are believed to have been in circulation at the time, and these will be explored in the first section of this chapter. Another important task is to consider the testimonial narratives and voices adopted by Alice in order to explore how the playwright was experimenting with, and ultimately challenging, audience expectations of, and credulity in, the authenticity of women's confessional speeches.

Authenticity had been of key importance to Robert Wilson's theatrical experiments; however, the playwright of *Arden of Faversham* would use the development of the new genre of domestic tragedy to destabilise further long-held dramatic conventions, including the fundamental notion that dramatic characters required consistency. Concerns regarding theatre's erosion of didactic purpose were already under debate as domestic tragedy began to emerge. Brian Vickers notes the dismissive opinions of several contemporary literary critics who were left unconvinced by these plays' resistance to established conventions; Vickers comments on George Whetstone's criticism of 'the average English writer of comedies for being "out of order"' in 1578, and E. K.'s praise of Spenser, in 1579, 'for his due observing of decorum everywhere, in personages, in seasons, in matters, in speech.' Vickers further reports Philip Sidney's 'attack on English writers for "mingling comedy and tragedy"' in 1595, three years after *Arden of Faversham's* publication.[6] Domestic tragedy already embodied radical progress by using non-aristocratic protagonists, inherently challenging conventions regarding stations of life, and presenting topical events rather than those inspired by classical tales or the life of famed individuals. Furthering these experiments to include a woman who rejected the passive, shame-filled, female figure, the playwright was

[5] The title page material from the first edition of the play, where this quote is taken from, is included in Anonymous, *Arden of Faversham*, p. 1.
[6] All quotations can be found in Brian Vickers, 'Introduction', in *English Renaissance Literary Criticism*, ed. by Brian Vickers (Oxford: Oxford University Press, 2003), pp.1-56 (p. 45).

proposing a new approach to dramatising female testimonial voices – an approach that thrived on resisting consistency and re-evaluating the rules. Much of the existing criticism on *Arden of Faversham* has focused on Alice as a charismatic figure, such as Julie Schutzman's investigation into the achievements of the play's delayed murder plot and Frances Dolan's view of Alice as 'a skillful performer who manipulates possible versions of the murderous wife narrative'. [7] Breaking away from this critical tendency to respond to Alice as a psychologically plausible character, my argument will instead focus on Alice as a radical figure of resistance, revealing her capacity as a destabilising catalyst for social and theatrical unrest.

Firstly, I will trace the history of the play by identifying some of the historical accounts of Arden's murder that may have inspired the playwright, including contemporary pamphlets and a possible early draft of the play. I intend to provide some indication of the culture in which the playwright was depicting Alice, thereby offering some suggestion of the assumptions and conventions he was challenging through this reimagining of a notorious historical figure, and through Alice's misappropriation of contemporary women. The texts that I will discuss include *The history of Murderous Mychaell*, a now lost play, believed to have been an early draft of *Arden of Faversham*; the news pamphlet *A Cruell Murder Done in Kent*, also now lost but believed to have been in circulation alongside Raphael Holinshed's *The firste laste volume of the chronicles of England, Scotlande, and Irelande* (1577), with both texts considered sources for the playwright. John Stow's undated account of the murder will also be discussed. I will further consider several contemporary news pamphlets and printed confessions to explore how Alice's

[7] Julie R. Schutzman, 'Alice Arden's Freedom and the Suspended Moment of *Arden of Faversham*', *Studies in English Literature, 1500-1900*, 36.2: Tudor and Stuart Drama (Spring 1996), 289-314; and Frances Dolan, *Dangerous Familiars: Representations of Domestic Crime in England, 1550-1700* (New York: Cornell University Press, 1994), p. 52. For further work on Alice's charisma and agency, see Martin Wiener, 'Alice Arden to Bill Sikes: Changing Nightmares of Intimate Violence in England, 1558-1869', *Journal of British Studies*, 40.2 (April 2001), 184-212; and Cheryl Dudgeon, 'Forensic Performances: Evidentiary Narrative in *Arden of Faversham*', in *Justice, Women, and Power in English Renaissance Drama*, ed. by Andrew Majeske and Emily Detmer-Goebel (Madison: Fairleigh Dickinson University Press, 2009), pp. 98-117.

testimony deliberately misappropriates the defences and confessions of other women in order to engender support from her on-stage audience and, in doing so, engaging her off-stage audience in a debate regarding their tendency to believe too readily in popular narratives. The pamphlets I will be looking at concern the murder trials and confessions of Mistress Page (1592), Anne Wallen (1616), Margaret Ferne-seede (1608), Alice Arden's broadside ballad confession (1633), and Alice Clarke (1635). Whilst some of the pamphlets and laments date after *Arden of Faversham*, this section of the chapter demonstrates a pattern in the structure of confessional tracts, and some trends in the types of language and imagery that the playwright incorporates into Alice's on-stage testimonies.[8]

Following this survey of contemporary documentation, I will analyse the Epilogue and Alice's confession. I intend to show the similarities between the content of the Epilogue and public knowledge of the trial through referencing the sources mentioned above. This will highlight the playwright's scepticism regarding Alice's altogether too conventional confession and Franklin's repeated affirmations of the play's truthfulness – particularly his inclusion of an unconvincing 'gothic' account of the aftermath of Arden's murder. This section shows how the final scenes of the play challenge the audience's willingness to believe Alice's testimonies, as well as the accounts of the murder available to them prior to entering the playhouse, offering a more general challenge to the cultural climate in which popular accounts of such trials were flourishing.

The remainder of the chapter will consider Alice's altercations with her husband, Arden, and her lover, Mosby. Throughout the study of female testimonies within this thesis, I will be considering narratives and confessions that are presented outside of formal legal arenas as well as within them. This is to ensure the inclusion of a full range of testimonies from women – not simply

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[8] See the following section on Historical and Literary Sources for full discussion. *The history of Murderous Mychaell* is hereafter referred to as *Murderous Michael*, whilst the news pamphlet *A Cruell Murder Donne in Kent* has been modernised and abbreviated to *A Cruel Murder*.

the accounts that satisfy the masculine realms of courtrooms. I am interested in a much broader definition of 'testimony' that interrogates the politics of space, which will continue to be of interest in the following chapter on *A Warning for Fair Women*. As we have already seen, this definition includes testimonies presented in the domestic sphere, and those that cross the perimeter of public and private expression. *Arden of Faversham*'s playwright frequently employs quasi-legal vernacular – particularly during informal altercations between characters. As such, it seems crucial to respond to the 'casual' examples of Alice's testimony. With this in mind, I will explore a style of Alice's defence which I have identified as 'confessional denials', a paradoxical method through which Alice draws attention to her misdemeanours whilst dismissing suspicions of her guilt. This will consider the level of success achieved by her flamboyant displays of anger and apparent hurt, questioning who these performances are really for, and subsequently what assumptions audiences are tasked to reconsider. A further technique used by Alice, as will be shown, is her rejection of audience sympathy by consciously borrowing from, and subsequently manipulating, other narratives – effectively ridiculing the very possibility of her own voice being singular and authentic.[9] The case for the chapter therefore is to see how Alice's playwright aimed to satirise not the narratives themselves but, rather, the theatrical assumption of sustained (and therefore contained) dramatic character.

Historical and Literary Accounts of the Murder

A number of accounts of Thomas Arden's murder are known to have existed in journalistic, literary, and antiquarian forms. Not all of these documents survive; however, references to lost papers evidence that contemporaries were discussing cases such as the Faversham murder, thereby giving some indication of what kind of source materials were available to the playwright.

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[9] Elizabeth Harvey's, *Ventriloquised Voices: Feminist Theory and English Renaissance Texts* (London: Routledge, 1992), will be intrinsic to exploring the ethics and credibility of conceptualising Alice's voice through a male playwright and actor.

This section will lay out the current knowledge of *Arden of Faversham's* source materials in order that the rest of the chapter may consider the playwright's interest in the credibility of confessions from a woman who was already well-documented as a petty-traitor. As with the other female confessors discussed within this thesis, Alice's guilt or innocence is not a central concern for her playwright, nor is her fate at stake when audiences were already familiar with her case. Instead, attention is afforded to the sincerity and, indeed, the reliability of her confession, presenting a challenge instead to the apparent resolution offered by this form of testimony. The sheer number of source materials available to the playwright will evidence the crisis of measuring testimonial authenticity which faced the playwright of *Arden of Faversham*, as well as those considered in later chapters of this thesis.

The most commonly cited source for the Faversham murder is Raphael Holinshed's *Chronicles of England, Scotland, and Ireland*.[10] Here the murder is noted:

> … for the horribleness thereof (although otherwise it may seem to be but a private matter, and therefore, as it were, impertinent to this history), I have thought good to set it forth somewhat at large, having the instructions delivered to me by them that used some diligence to gather the true understanding of the circumstances.[11]

Richard Bradshaw observes that it has 'been accepted … that the author [of *Arden of Faversham*] took his inspiration solely from the account in Holinshed's Chronicle … [and that] postulating any other sources has been

[10] Holinshed's account of the murder is largely accepted as one of the leading sources for the play's conception: Raphael Holinshed, *The firste volume of the chronicles of England, Scotlande, and Irelande* (London, 1577), in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-ocm34382662e> [accessed 13 September 2018], pp. 2699-704.
[11] Raphael Holinshed, 'Chronicles of England, Scotland and Ireland', 2nd edn, 3 vols in 2, Vol. III, 1062-1066, (London, 1577; 2nd edn, 1588), reproduced in Anonymous, *Arden of Faversham*), pp. 113-23 (p. 113).

thought to be unnecessary.'[12] The above statement does however suggest Holinshed's debt to at least one other account. Bradshaw's research offers some possibilities, including suggestions of documents now lost to us, which are outlined below. These findings, in particular the insight they offer into the construction of accounts, provide a useful grounding for the work in this chapter and the next – on *A Warning for Fair Women* – which explores how these plays deliberated the authenticity of reports when approaching the confessions of notorious women.

Holinshed's account is certainly a potential source of inspiration for those interested in the murder although, as noted by Bradshaw, Holinshed's enormous tomes 'must have been very expensive and thus destined for the library of a wealthy man.'[13] Philip Henslowe was lending out books to playwrights by the 1610s, and so may well have been doing so even earlier, certainly given the use of Holinshed's *Chronicles* in contemporary history plays. Nevertheless, it is perhaps more likely, however, that the sources available to Holinshed were also available to a playwright, or at least the bookseller known to have claimed copyright for *Arden of Faversham*. Edward White, who in 1592 successfully won a dispute against Abel Jeffes for the printing rights to *Arden of Faversham*, does appear to boast an in-depth knowledge of the case and, indeed, several earlier documents can be linked to his bookstall.[14] The Stationer's Register records the entry of a news pamphlet, now lost, named *A Cruel Murder done in Kent* in 1577 – a year earlier than Holinshed's *Chronicles* was entered.[15] Whilst the Ardens are not mentioned in the title, so much notoriety surrounded their case by this year that the link

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[12] Richard Bradshaw, 'Appendix 21: Edward White, Bookseller of London, his Associates, and the First Printing of the Play *Arden of Faversham*', in Patricia Hyde *Thomas Arden in Faversham: The Man Behind the Myth* (Faversham: The Faversham Society, 1996), pp. 517-531 (pp. 517-18).
[13] Richard Bradshaw, 'Works Entered by Edward White, in Hyde, *Thomas Arden in Faversham*, p. 519.
[14] Richard Bradshaw, 'Works Entered by Edward White', in Hyde, *Thomas Arden in Faversham*, pp. 525-28.
[15] Richard Bradshaw, 'Works Entered by Edward White', in Hyde, *Thomas Arden in Faversham*, p. 525.

seems reasonable. Furthermore, White is an interesting figure in the play's literary history as he is also associated with a possible early draft of the play, *Murderous Michael*, that Bradshaw suggests was penned by White's brother-in-law, Thomas Lodge.[16] White's publication rights to *A Cruel Murder* and *Murderous Michael* appear to have contributed significantly to his claim over *Arden of Faversham* in 1592 (despite the absence of its own entry on the register) as the play appears to contain similar, if not identical, content to that of his earlier entries.[17]

Bradshaw suggests that '[it] was not difficult for Edward White, Thomas Lodge, and Thomas Blagrave [Master of the Revels] to gain intimate knowledge of the Arden story; knowledge independent of the Wardmote book or Holinshed's account.'[18] Bradshaw explains that:

> [White] had only to ask old Sir Thomas Lodge [his father-in-law] to tell the story. He was a lifelong member of the Grocers' Company and Warden in 1548 … He would have known his fellow London grocers Cole and Pryme who were at Arden's house on the night of the murder … Pryme the grocer discovered Arden's body. Sir John Lion, another grocer, was the Sheriff of London who saw to the execution of Mosbie and Pounders in Smithfield. No doubt Sir Thomas witnessed the public event. There was plenty of time for Sir Thomas to tell the story. He

[16] Richard Bradshaw, 'Works Entered by Edward White', in Hyde, *Thomas Arden in Faversham*, p. 518.
[17] Richard Bradshaw, 'Works Entered by Edward White', in Hyde, *Thomas Arden in Faversham*, pp. 528-530.
[18] Richard Bradshaw, 'Works Entered by Edward White', in Hyde, *Thomas Arden in Faversham*, p. 518. A Wardmote was an assembly of the liverymen or citizens of a ward to discuss varying local matters, which would include recent legal events. Books were kept as records of these events. The Wardmote Book for Faversham that contains details regarding the Arden case offers some variations to other accounts of the crime, largely perhaps due to its proximity to Alice's trial – it does not for instance note the innocence of Bradshaw as his pardon was only awarded some years later. Martin Wine provides a transcript of the Wardmote account in his edition of the play: Anonymous, *Arden of Faversham*, The Revels Plays, ed. by M. L. Wine (London: Methuen and Company, 1973).

> lived until 1584. Perhaps he only asked that his friends Cole and Pryme be left out of the story. It was Holinshed who revealed their names.[19]

As such, whilst the content of *A Cruel Murder* and *Murderous Michael* cannot be conclusively determined, it is certainly plausible to suggest that White's interest in the Arden case was significant.[20]

Little information, other than the title, survives of *Murderous Michael*; however, its name alone provokes interest. In *Arden of Faversham* and Holinshed and Stow's records, Michael is one of the least culpable assassins. Drawn in through Black Will's threats ('should you deceive us, 'twould go wrong with you'), and Alice's guarantee of his marriage to Susan ('On that condition, Michael, here is my hand: / None shall have Mosby's sister but thyself'), Michael is reeled in rather forcibly.[21] Dramatising his 'murderous' nature is therefore unexpected, suggesting potentially another reason for reworking the familiar historical crime – perhaps acknowledging court sensitivities regarding the case. Frederick Fleay suggests the first public performance of *Arden of Faversham* was in 1585 – seven years prior to its publication in 1592.[22] Earlier still is the first recorded performance of *Murderous Michael* in 1579.[23] Both plays were performed amidst political and social scandals; Fleay observes that the 1585 performance of *Arden of Faversham* may have benefited from the fact that 'the name Arden was just then unpopular ... Edward Arden had been executed 20th December 1583 for some treason'.[24] Bradshaw also surmises that *Murderous Michael* was likely

[19] Richard Bradshaw, 'Works Entered by Edward White', in Hyde, *Thomas Arden in Faversham*, p. 518.
[20] Martin Wiggins is much more sceptical of the possible links between *Murderous Michael* and *Arden of Faversham*. See Martin Wiggins and Catherine Richardson, '*Murderous Michael*', in *British Drama 1533-1642: A Catalogue*, 8- vols (Oxford: Oxford University Press, 2011-17) II: 1567-89 (2012), pp. 222-23.
[21] Anonymous, *Arden of Faversham*, 3. 180, and 1. 147-48.
[22] F. G. Fleay, 'A Chronicle of the English Drama' Vol. II, quoted in Richard Bradshaw, 'Works Entered by Edward White', in Hyde, *Thomas Arden in Faversham*, p. 522.
[23] Richard Bradshaw, 'Works Entered by Edward White', in Hyde, *Thomas Arden in Faversham*, p. 520.
[24] F. G. Fleay, quoted in Richard Bradshaw, 'Works Entered by Edward White', in Hyde, *Thomas Arden in Faversham*, p. 522.

performed at court for Elizabeth I, yet underwent strict editing (including perhaps the unusual title) in order to ensure subtlety – Roger North (Alice Arden's half-brother) was popular with the Queen, hosting her at his Kirtling home only a year before the first performance of *Murderous Michael*.[25] Irrespective of Roger North's own feelings towards Alice, as Bradshaw observes, '[his] half-sister could hardly have been presented as the most murderous character in a play presented at Queen Elizabeth's court'.[26] *Murderous Michael* may supply an empathetic view of Alice – the title would certainly suggest Michael as ringleader, with Alice as a lesser participant – or may have been used to disguise the real focus of the play until the performance; as noted by Ernest Oliphant, 'the title did not always reflect the content.'[27] Even so, the mere suggestion of an individual more culpable than Alice is fascinating, and perhaps explains why the playwright of *Arden of Faversham* – who may or may not have been involved with *A Cruel Murder* or *Murderous Michael* – was so interested in the credibility of Alice's narratives.

This interest in the reliability of Alice's testimony and, indeed, the possibility of further culpable conspirators, is reflected in an additional account of Arden's murder, recorded by the antiquarian John Stow.[28] Stow's manuscript account exists as loose leaves, bound into the British Library's copy of a folio of works dated 1605, and bears striking similarities to Holinshed's report. Whilst it is likely that Stow's Faversham narrative was written earlier than the 1605 date for the full folio, no definitive date for this record alone exists.[29] Stow's account is interesting for its focus on merging multiple accounts of the case and, thus, considering the testimony of a

[25] Richard Bradshaw, 'Works Entered by Edward White', in Hyde, *Thomas Arden in Faversham*, p. 519.
[26] Richard Bradshaw, 'Works Entered by Edward White', in Hyde, *Thomas Arden in Faversham*, pp. 518-19.
[27] Richard Bradshaw, 'Works Entered by Edward White', in Hyde, *Thomas Arden in Faversham*, p. 518.
[28] Stow's record is reproduced as 'Appendix 3: John Stow's Account of the Murder', in Hyde, *Thomas Arden in Faversham*, pp. 117-24).
[29] Through discussion with the archivists at the British Library we narrowed the date down to the late 1570s-1605 due to some of the references made by Stow regarding particular individuals; however, anything more specific may not be possible.

broader range of individuals, including some that provide the context for Alice and her marriage prior to the murder taking place. It is possible, albeit unlikely, that Stow's account predates Holinshed's – Stow had the acquaintances necessary to gather first-hand witness statements, rather than needing to reassemble the details years later.[30] Whilst this does not tell us Stow's definitive source, it does suggest his proximity to the case as he was creating detailed contemporary accounts of the murder, and that he likely knew people with information pertaining to the charges against Alice and her accomplices. Whilst Stow and Holinshed agree on the matters of the murder, Stow is, as noted by Martin Wine, 'occasionally clearer on point'.[31] He certainly provides more detail than Holinshed, excluding the latter's inclusion of Pryme and Cole (the grocers). Stow introduces his account, for instance, with a unique description of Arden's mother. This section provides the main evidence for the tentative date of Stow's account, as it mentions the lifestyle of Arden's mother for the 19 years following his murder, including a report of 'the maior [identified as 'Mastar Aldriche'] with others came to her howse'.[32] Stow's account, Patricia Hyde suggests, seems an attempt 'to reconcile various accounts.'[33] His report of the executions apparently came from 'Master Robert Cole of Bow' who Hyde speculates was also Robert Cole of Faversham, and his more informative account of the case is also suggested to have been a less discrete version of Holinshed's narrative, the latter of whom may have, '[p]robably for political reasons … edited out some interesting details.'[34]

Despite the difficulty in placing these sources chronologically – particularly those that are now lost – evidence of their existence alone is illuminating. Not only were contemporaries discussing Alice's trial: they were responding to it, through journalistic, literary, theatrical, and historical

[30] Stow was friends with William Lambarde, for instance, author of the *Perambulation of Kent* (1576). Patricia Hyde, *Thomas Arden in Faversham*, p. 13.
[31] Patricia Hyde, *Thomas Arden in Faversham*, p. 12.
[32] John Stow, 'Appendix 3,' in Patricia Hyde, *Thomas Arden in Faversham*, pp. 117-24, p. 117.
[33] Patricia Hyde, *Thomas Arden in Faversham*, p. 13.
[34] Patricia Hyde, *Thomas Arden in Faversham*, pp. 12-13.

publications. As such, we should not assume the playwright relied exclusively upon Holinshed's account. The existence of at least two earlier documents (*A Cruel Murder* and *Murderous Michael*) which apparently recorded the murder, also suggests that the idea of exploring Alice's perspective was of increasing interest when Wilson, too, was experimenting through drama with female voice.[35] Renaissance playhouses were breaking away from traditionally one-dimensional allegorical female figures. *Arden of Faversham* offers reflection on the multiplicity of sources available to its playwright and audiences and, in doing so, as we will see, it pulls against any attempt to create a clear and singular character 'type,' particularly for Alice.[36] The sources that predate *Arden of Faversham* suggest that attitudes surrounding female transgressors were being re-evaluated, and that the notorious figure of Alice Arden presented an exciting opportunity for playwrights to engage with female insubordination and criminality. Regardless of how much influence the playwright drew from the earlier play and news-pamphlet (or even his potential involvement with them), and irrespective – to some degree – of his access to Holinshed or Stow's accounts of the trial, several versions of events were in circulation, demonstrating that Alice's story, and particularly her testimony, were of rising interest.

Indeed, some contemporary accounts include graphic additions to Alice's execution that were supposedly allowed at the discretion of the Canterbury officials. Hyde notes an account by John Ponet, the Bishop of Rochester, who draws a parallel between Alice's execution and that of Romilda, the widow of a Duke defeated by the German king, Cacanus:

[35] *The Three Ladies of London* was first performed in 1584 – one year before Fleay suggests *Arden of Faversham* was first presented.
[36] The playwright's resistance of a singular character 'typology' for Alice can be usefully read alongside Christy Desmet's introduction to *Reading Shakespeare's Characters: Rhetoric, Ethics and Identity*, Massachusetts Studies in Early Modern Culture (Amherst: The University of Massachusetts Press, 1992), pp. 1-9. Desmet discusses Aristotlean arguments for consistency, noting Aristotle's advice that 'as tragedy is an imitation of personages better than the ordinary man, we should follow the example of good portrait-painters,' which poses an interesting debate as to the residual importance of this consistency when dealing with domestic tragedies which, by their very nature, featured protagonists of the middling sorts (p. 6).

> … as some, God forgive them grace to repent in time, did to the wicked woman of Feuersham in Kent, that not long since killed her husbande … he gave every man liberty that wolde, to offer his devotion in to her corporess … he caused her to be thrust on a stake naked, that all men might see these ugli parts, which to satisfie she was content to betraye her natural countreie: and that it should be an example to others.[37]

Whilst Hyde expresses her 'doubt that there would have been judicial rape', she does not dismiss the claim entirely. Ponet seems a credible witness – 'he knew the area well. Born in Kent about 1514, he was educated at Queen's College, Cambridge,' – whilst accounts of Alice's death within the diary of Henry Machyn state that 'she was decauled and she was burned at Canterbury'.[38] Irrespective of the likelihood of any of these reports, the very fact that multiple narratives exist of such a public event reinforces the dilemma of gauging testimonial authenticity. The Epilogue and Alice's interrogation therefore engage with a continued critical dilemma surrounding reconciling accounts from differing perspectives: the playwright and audience face a collaborative challenge to negotiate the bias of witnesses and testifiers.[39] By the same token, theatrical audiences were challenged to approach Alice's confessions by weighing up the reliability of the impressionistic sources (to use Gaskill's terminology) familiar to them, alongside the testimony presented before them on-stage. The playwright offered no redeeming evidence for Alice,

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[37] Quoted in Patricia Hyde, *Thomas Arden in Faversham*, p. 95.
[38] Quoted in Patricia Hyde, *Thomas Arden in Faversham*, pp. 95 and 98. Machyn lived c. 1498-1563, and the diary spans the period of July 1550-August 1563. The word 'decauled' is no longer used, but Hyde suggests that its most likely meaning is that Alice was strangled before burning as an act of mercy, but that, taken literally, it could mean anything as horrendous as 'her entrails were ripped out and burned for her adultery … Or, alternatively, she was pregnant by Morsby [*sic*] and the foetus was being torn from her and burned.' Both seem unlikely, particularly given a woman's ability to plead 'her belly' and be offered mercy until the child's delivery, but Hyde does meditate that because 'feelings ran so high' in the case, nothing should be discounted unless more evidence is found.
[39] Recent scholarship on the challenges of interpreting various source materials can be found in Malcolm Gaskill, *Crime and Mentalities in Early Modern England*, Cambridge Studies in Early Modern British History (Cambridge: Cambridge University Press, 2000), especially p. 21; and also in Frances Dolan, *True Relations: Reading Literature, and Evidence in Seventeenth-Century England* (Philadelphia: Pennsylvania University Press, 2013).

opening a new debate not about the accuracy of the judgement cast against her but, rather, the credibility of her admission.

Responses to Alice's trial were not confined to journalistic and theatrical formats. Following *Arden of Faversham*'s early performances and publication, a ballad entitled *The complaint and lamentation of Mistresse Arden of Feversham* (c. 1633) presented Alice's confession from a first-person perspective.[40] The ballad largely reiterates the structure of the play and Holinshed and Stow's accounts, with the exception of Pryme, Cole, and Arden's mother. Unlike the play, the ballad highlights Alice's fall from grace, and her moral ramifications, presented through defences of Arden:

> Vnto a Gentleman of wealth and fame,
> (One Master Arden, he was call'd by name)
> I wedded was with ioy and great content,
> Liuing at Feuersham in famous Kent.
> In loue we liu'd, and great tranquility,
> Vntill I came in Mosb[i]es company.[41]

Emphasising Alice's lack of cause for wishing Arden dead, the ballad warns women against temptation, rather than investigating the crime. The late publication of the ballad, within living memory of the first audiences of *Arden of Faversham*, but presumably not the contemporaries of the crime itself, itself bears witness to the enormity of Alice's transgression, as well as the continuing fascination she held among the audiences of popular print. The ballad demonstrates that Alice's guilt was still open to debate – indeed, whilst she describes herself as 'vile wretch,' heavy emphasis remains on Mosby's corruptive power.[42] Unlike the play and earlier accounts, however, the ballad reflects a more didactic approach, with Alice's closing remarks emphasising her hopes of redemption.

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[40] Although the first surviving copy of the ballad dates to the 1630s, it is possible that it was in circulation earlier than this time.
[41] Anonymous, *The complaint and lamentation of Mistresse Arden of Feversham in Kent who for the loue of one Mosbie, hired certaine ruffians and villaines most cruelly to murder her husband; with the fatall end of her and her associats. To the tune of, Fortune my foe.* (London, c.1633), in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-99851083e> [accessed 26 January 2018].
[42] Anonymous, *The complaint and lamentation of Mistresse Arden*.

The ballad's variations from the play are interesting when considering the interrelation between the play and contemporary trial pamphlets that documented other petty-traitors. Throughout this chapter I will draw attention to several contemporary documents which mirror aspects of Alice's case, demonstrating a cultural interest (or even paranoia) regarding the testimonies of husband-killers. The popularity of journalistic, literary, and theatrical reimagining of trials is evidenced, despite the loss of many examples, through the Stationers Register – as noted above in regards to *A Cruel Murder*. I wish to introduce four surviving cases that demonstrate the continued fascination with petty-traitors. All of these sources contribute to an understanding of stylistic expectations of confessional tracts and offer interesting comparisons to the on-stage depiction of Alice, as well as the record of her confession presented in the seventeenth-century ballad. The patterns of style and content within these documents offer an insight into the kinds of cultural resources that appealed to writers at the time, as well as a view of the continued dilemma of gauging the authenticity of testimonial – and, particularly, confessional – claims. It is to these documents, in addition to those identified by Richard Bradshaw, outlined above, that I will refer as the chapter progresses.

I shall return shortly to the earliest of these documents, *Sundrye strange and inhumaine murthers* (1591), as there are numerous factors surrounding the Page of Plymouth murder that require comparison with the Arden trial.[43] The remaining three are (chronologically): *The araignement & burning of Margaret Ferne-seede* (1608), *Anne Wallen's Lamentation* (1616),

[43] Anonymous, *Sundrye strange and inhumaine murthers, lately committed the first of a father that hired a man to kill three of his children neere to Ashford in Kent, the second of Master Page of Plymouth, murthered by the consent of his owne wife: with the strange discouerie of sundrie other murthers, wherein is described the odiousnesse of murther, with the vengeance which God inflicteth on murtherers.* (London, 1591), in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-ocm23188809e> [accessed 18 September 2018]. Whilst the play itself does not appear to have been published, records do survive to verify its existence and dating of 1599; see 'Page of Plymouth', in *Lost Plays Database* (Folger, 2018) <https://lostplays.folger.edu/Page_of_Plymouth> [accessed 18 September 2018].

and *The adultresses funerall day … or, The burning downe to ashes of Alice Clarke* (1635).[44]

The pamphlet recording Margaret Ferne-seede's trial, attributed only to the initials 'I. T.,' depicts another totally unrepentant sinner.[45] As I will discuss in more detail within the following section, Ferne-seede's lack of remorse has close similarities to the apparent transformation of Alice at the end of *Arden of Faversham*, raising the same challenges regarding the credibility of testimony. Ferne-seede, 'a *woman* that euen from her time of knowledge (if the generall report of the world … may be taken for an Oracle) was giuen to all the loosenesse & lewdnesse of life, which either vnlawfull lust, or abhominable prostitution could violently cast vppon her,' was found guilty of the murder of her husband, and for having attempted (unsuccessfully) to poison him previously.[46]

T. Platte's *The Lamentation of Anne Wallen* (1616) reimagined Wallen's petty-treason confession after stabbing her husband with a chisel. The ballad is presented in two parts, the first describing her fall from grace, warning wives 'be to your husbands kinde'. The second part details her 'outragious' 'rayling' followed by the murder itself: 'And on his body gave a wicked stroake

[44] I. T., *The araignement & burning of Margaret Ferne-seede for the murther of her late husband Anthony Ferne-seede, found deade in Peckham Field neere Lambeth, hauing once before attempted to poyson him with broth, being executed in S. Georges-field the last of Februarie. 1608* (London, 1608), in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-99848310e> [accessed 26 January 2018]; T. Platte, *The Lamentation of Anne Wallen* (London, 1616), in *EBBA* <https://ebba.english.ucsb.edu/ballad/20053/xml> [accessed 9 December 2017]; and Henry Goodcole, *The adultresses funerall day in flaming, scorching, and consuming fire, or, The burning downe to ashes of Alice Clarke, late of Vxbridge in the county of Middlesex, in West-smith-field on Wensday the 20 of May, 1635 for the unnaturall poisoning of Fortune Clarke her husband a breviary of whose confession taken from her owne mouth is here unto annexed, as also what she sayd at the place of her execution* (London, 1635), in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-ocm24507671e> [accessed 23 January 2018].
[45] I. T. is noted at the bottom of the title page of *The araignement & burning of Margaret Ferne-seede*.
[46] I. T., *The araignement & burning of Margaret Ferne-seede*. Italicization provided for transcribing of abbreviated letters. p. 3.

/ Amongst his intrailes I this Chissel threw'.[47] The ballad is heavily condemnatory and focuses on Wallen's lack of provocation. This goes undisputed by any surviving published documents; however, in a letter from John Chamberlain, written shortly after Wallen's execution, evidence emerges that the ballad bears little resemblance to Wallen's courtroom testimony and, indeed, starkly contrasts the attitude towards Wallen that was felt by some who were following the case:

> That morning early there was a joyners wife burnt in Smithfeild [*sic*] for killing her husband. Yf the case were no otherwise that I can learn yet, she had *summum jus*, for her husband having brawld, and beaten her, she took up a chesill or such other instrument and flung it at him, which cut him into the bellie, whereof he died.[48]

Discussing Chamberlain's letter, Randall Martin observes that 'Chamberlain emphasized the husband's threat to Anne's life and her lack of premeditation'. Chamberlain's voice is significant as a contemporary who recognised the problem of aligning all petty-treason charges with premeditated murder. Martin continues: '[Chamberlain's] interpretation implicitly mitigated her actions to manslaughter or accidental killing, and his Latin formula pointedly criticized the court's lack of equitable justice in privileging the husband's legal rights over the wife's.'[49] This posthumous defence of Wallen highlights precisely the crisis of assessing the reliability of sources labelled by Gaskill as 'impressionistic.' The ballad depiction of Wallen offers no compassion or empathy for the cruel petty-traitor it presents, whilst Chamberlain's dismay at her execution following review of her testimony and, potentially, that of others who could vouch for her character and experiences, revealed an altogether different account of events. Indeed, as Martin highlights, Chamberlain's outrage places especial focus on the court's decision to devalue a woman's testimony in favour of the evidence of a dead husband, irrespective of the context offered to them.

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[47] T. Platte, *The Lamentation of Anne Wallen*.
[48] Quoted in Martin, *Women, Murder, and Equity in Early Modern England*, p. 20. Martin defines '*summum jus*' as 'extreme right, or excessive rigor of the law'.
[49] Randall Martin, *Women, Murder, and Equity in Early Modern England*, p. 20.

Not dissimilarly, in the record of Alice Clarke's trial (1635), a repentant and shame-filled confessor is described; however, as with Anne Wallen's case, Clarke's pamphleteer – Henry Goodcole – was forced to reflect upon some of the petty-traitor's causes for poisoning her husband, Fortune Clarke. [50] Like the Wallen case, Clarke's confession and testimony details graphically the volatile and abusive marriage that Goodcole suggests may have led to her decision to end her husband's life. We will later return to this testimony to examine its similarities with the on-stage persuasions by Alice Arden in recruiting conspirators to Arden's murder. Strikingly, Goodcole wrestles with his apparent sympathy for Clarke's situation, noting the 'harsh and unmanly usage' she had been subjected to and the 'great clog unto such a man's conscience' of those responsible.[51] This is quickly countered, however, as Goodcole asserts 'But enough, if not too much of that', before outlining her method of poisoning her husband, an adulterous relationship she was rumoured to be involved in, and her shame at being impregnated by her master.[52] Goodcole also makes the significant decision to offer other cases, including that of 'Mistresse Arden, who caused her Husband to bee murdered in her owne House at Feversham in Kent,' as comparisons to Clarke's crime.[53] Whilst the experiences of Clarke and Alice Arden were markedly different, their crimes remained linked through association, despite their forty-year separation: both are remembered as transgressive wives who took lovers before killing their husbands, with their respective executions by burning graphically documented by their peers. Even more striking than the Clarke case in relation to Alice, however, is the Page trial of 1591.[54] The proximity of

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[50] Henry Goodcole will be considered in greater depth for his own crises of authenticating testimonial reliability within the final chapter of this thesis as he also wrote a pamphlet on his interrogation of Elizabeth Sawyer – the inspiration behind Ford, Dekker, and Rowley's *The Witch of Edmonton* (1621). See Chapter Four for this discussion.
[51] Henry Goodcole, *The adultresses funerall day,* pp. 9 and 12.
[52] Henry Goodcole, *The adultresses funerall day,* pp. 10-11.
[53] Henry Goodcole, *The adultresses funerall day*, p. 8.
[54] Anonymous, *Sundrye strange and inhumaine murthers, lately committed the first of a father that hired a man to kill three of his children neere to Ashford in Kent, the second of Master Page of Plymouth, murthered by the consent of his owne wife: with the*

publication between *Arden of Faversham* and the Plymouth murder pamphlet is only one of several similarities between the cases; *Page of Plymouth* was a contemporary play (now lost) recording Page's crime. The fact that two plays dealing with these very similar petty-treason cases were performed within a year of each other demonstrates the notoriety of women such as Alice and Page, and the attraction they had for audiences fascinated by the testimonies of murderous wives. Like Alice, Page also recruits the help of her lover, George Strangwich, and bribes the complicity of two servants. It seems crucial therefore to bear this text in mind, as well as the three aforementioned, during the study of *Arden of Faversham*.

Whilst we cannot know which sources the playwright had access to, we can ascertain that multiple accounts of the murder were circulated – in print and on the stage. Moreover, the trial pamphlets that surrounded the play, immortalising other women who, like Alice, attempted to usurp the accepted domestic hierarchy, evidence a clear fascination with the voices of insubordinate women, including the motives for their transgressions. The rest of this chapter will draw from these sources as informative documents; either as direct sources for *Arden of Faversham*, or as indicators of the cultural and social significance of a figure such as Alice Arden upon the stage. Our particular focus will be what these texts can reveal about female testimony and confession.

Franklin's Epilogue and Alice's Confession

Thus have you seen the truth of Arden's death.[55]

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strange discouerie of sundrie other murthers, wherein is described the odiousnesse of murther, with the vengeance which God inflicteth on murtherers. (London, 1591) in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-ocm23188809e> [accessed 18 September 2018].

[55] Anonymous, *Arden of Faversham*, Epilogue. 1.

So begins Franklin's Epilogue, proclaiming the play's authority in depicting Arden's murder, not unlike contemporary trial pamphlets, which often promoted their authenticity through assurances of 'true relations' of crimes.[56] His closing remarks remind the audience of Alice's notoriety, and of her prominence in national news, as well as local gossip. Consequently, the closing scenes, particularly the Epilogue, collate existing public knowledge: the fates of Alice, her accomplices, and Faversham itself, including accounts that verge on supernatural regarding the physical scars Alice's crime left on the town. Analysing the play's conclusion in advance of the rest of the play, I intend to expose the challenges raised within the Epilogue, in order that the preceding scenes might be considered as an exploration of, and social commentary on, the credibility (or lack thereof) of female testimony at this particular cultural moment. Whilst pamphleteers advertised truthful reports, the playwright queried such assurances of accuracy, thereby engaging with the central crisis of testimony within a play which itself seems keenly aware of its own position of authority over the Arden case. By interrogating Alice's sense of self, and her options for expressing or concealing herself from her audience and other characters, the playwright explored the complexity of female confessional testimony. At the same time, the playwright contributed in important ways to new developments in theatrical character that were resisting the singular 'type' prevalent in older, allegorical dramas. Alice's character opens a discussion regarding more than simply what constitutes testimony but, rather, the difficulties in assessing its authenticity. As such, the willingness of Alice's on-stage accomplices and off-stage audience to believe the information placed before them, irrespective of its reliability, is highlighted. Unquestioningly accepting claims of authenticity has complex and damaging consequences – whether such claims are made textually in a pamphlet, visually on the stage, or

[56] Pamphlets printed by Edward White, John Charlewood, and Henry Kirkham are particularly notable for their promises of truthfulness in the 1570s and 1580s. Henry Goodcole typically authenticated his accounts by vouching for his credibility – as with the trial of Elizabeth Sawyer, considered later in this thesis.

verbally through the local grapevine or directly from the mouth of an individual with much to lose.[57]

Information provided within the Epilogue and Alice's interrogation largely reiterates the material found within Holinshed and Stow's accounts of the murder, as well as the records within Faversham's Wardmote book. Franklin summarises the fates of Black Will, Shakebag, and the Painter, whilst the informal trial of Alice concludes with the Mayor's order:

> Bear Mistress Arden unto Canterbury,
> Where her sentence is she must be burnt;
> Michael and Bradshaw in Faversham must suffer death.[58]

Knowledge of the executions was widespread, yet some discrepancies remain between Franklin's summary and those of various contemporary sources.[59] According to the play, Susan would be executed alongside Alice – historically, Mosby was executed alongside his sister, Cecily, whilst Alice's maid, Elizabeth Stafford, was executed with Michael.[60] Moreover, Alice's death also received its fair share of variations. The play's Mayor orders that she must be burned – the expected punishment for petty-traitors – however, as seen in the previous section, alternative accounts of the execution (which vary from acts of mercy to gratuitous violence) exist nonetheless.

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[57] This credulity of a two-stranded approach to audience – witnesses on-stage and those auditing within the off-stage physical playhouse will form a central thread of the following chapter on *A Warning for Fair Women*. The implications of this credulity are challenged within both plays, presenting significant crises for the confessions of Alice Arden and Anne Sanders.

[58] Anonymous, *Arden of Faversham*, 18. 29-32. Interestingly, the Mayor is not described as entering with any other authorities and so the intended recipient of his order is unclear. Whether the auditors themselves are intended as the bearers of Alice to her execution, based on their fore-knowledge of her sentencing, is something to consider.

[59] Hyde suggests that Alice and Bradshaw may have been sent to Canterbury due to the infamy of the trial and the expected crowds so as 'to make an example of them.' Patricia Hyde, *Thomas Arden in Faversham*, p. 93.

[60] Stow notes Cecily's fate, quoted in 'Appendix 3,' in Patricia Hyde, *Thomas Arden in Faversham*, p. 122. Stafford's death is ordered in a letter to the Kent justices of the peace that is now held in the Canterbury City Chamberlains' Accounts 1546-53 and is quoted in Patricia Hyde, *Thomas Arden in Faversham*, p. 93.

Records of Alice Arden's full confession no longer survive, other than that put to music for the ballad, apart from a brief account within Stow's record that states her response was to plead: 'O the blowde of God helpe me, for this blowde have I shede.'[61] The spiritual focus of this speech – a conventional tool of confession, seen in numerous trial pamphlets of the period – is important; utilising heavily spiritual language in her confession, she emphasises her temptation from others. This is not dissimilar to Alice's final argument with Mosby:

MOSBY
How long shall I live in this hell of grief?
Convey me from the presence of that strumpet.
ALICE
Ah, but for thee I had never been strumpet.
What cannot oaths and protestations do
When men have opportunity to woo?
I was too young to sound thy villainies,
But now I find it, and repent too late.[62]

Alice's penultimate speech emphasises her position as victim, exploited by Mosby's 'villainies': 'Ah, but for thee I had never been strumpet' – 'I was too young'.[63] But this confession bears little resemblance to the words of the self-assured Alice who offered confident reassurance to Mosby and the other conspirators earlier in the play: 'Tush, Mosby. Oaths are words, and words is wind, / And wind is mutable'.[64] Alice's closing on-stage speeches, which subscribe to a more singular strain of character and redemption, would be repeated in the seventeenth-century ballad. The ballad also utilises the spiritual undertones of the on-stage confession of Alice throughout, although with no overt question of her sincerity. It should be considered, however, that the ballad would almost certainly have been penned by a male author, unknown to Alice, which naturally calls into question the reliability of a text claiming authenticity as a female confession. In the ballad, Alice concludes:

[61] John Stow, quoted in Patricia Hyde, *Thomas Arden in Faversham*, p. 122.
[62] Anonymous, *Arden of Faversham*, 18. 12-18.
[63] Anonymous, *Arden of Faversham*, 18. 14 and 17.
[64] Anonymous, *Arden of Faversham*, 1. 436-37.

> Praying the Lord that he his grace will send
> Vpon vs all, and keepe vs all from ill.
> Amen say all, if't be thy blessed will.[65]

Accepting that Alice's confession delivered within the play is not easily reconcilable with her earlier speeches and manipulations, the dilemma of whether any of her testimonies should be trusted is brought to its height. The playwright experiments by appropriating a variety of conventional testimonial styles in order that Alice's credibility is diminished, in addition to overturning the expectation that dramatic constructs of character stability should be maintained.

If Alice's confession appears insincere, what other examples exist of women who were unwilling to confess? The petty-treason trials of Margaret Ferne-seede and Alice Clarke also engage urgently with testimonial authenticity. Of interest are the remarkable introductions to these two confessions provided by their authors – 'I.T.' and Henry Goodcole, respectively. Ferne-seede's speeches and behaviours are well documented throughout the pamphlet, and are used to demonstrate her lack of remorse and indifference to the loss of her husband. Following a neighbour's enquiry as to her well-being, I.T. notes: 'she as carelesse as before, gaue him (by the neglect of her words) true testimonye how far sorrow was from her heart,' before scolding his surprise at her lack of tears: 'tut six, mine eyes are ill alreadye and I must now preserue them to mend my cloathes not to mourne for a husband'.[66] Goodcole recalls a similar encounter with Alice Clarke, where a heartfelt confession seems unlikely:

> [M]ultitudes of people … conferred with her, but little good they did on her, for shee was of a stout angry disposition, suddainly inraged, if you began to touch her to the quicke of her husband poysoning.[67]

Both Ferne-seede and Clarke are presented in their pamphlets as unrepentant for murdering their husbands, bearing no intention to confess – rather like Alice Arden who, both historically and in the play, initially defies attempts to

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[65] Anonymous, *The complaint and lamentation of Mistresse Arden of Feversham*, p. 2.
[66] I.T., *The araignement & burning of Margaret Ferne-seede*, pp. 6-7.
[67] Henry Goodcole, *The adultresses funeral day*, p. 16.

convict her. Their reluctance to confess may well be emphasised within the pamphlets for cultural reasons, particularly to reinforce the popular negative view of the women whilst supporting the public belief in their guilt. Stow's Alice refutes the allegations against her by stating, 'I would yow shuld know I am no suche woman', whilst the theatrical Alice rejoices in believing she is beyond discovery: 'Now let the judge and juries do their worst; / My house is clear and I fear them not.'[68] Despite each woman's acknowledgement of her guilt, and determination not to repent, each of them does present a traditional confession before execution. Alice presents her plea for God's mercy, whilst the pamphlets by I.T. and Goodcole present some startling revelations in the measures taken to extract confessions. I.T. records how, following Ferne-seede's unrepentant arrival in prison, she was approached by:

> [T]hree Gentlemen who likewise were condemned … hauing heard how ill her life past had bene, and that her countenance was as resolute, importuned the keeper that they might haue her company … partly to instruct her, but especially [that] she might see them, & by the reformation of their liues she might learne to amend her owne and as they did, to prepare her selfe fit for death … as also with threatning her with the terrible Iudgements of Hell which are prepared for them that perish through lacke of grace, they so wrought in her, she was at last drawne to make a confession of her former life past, and to repent her of the same.[69]

Ferne-seede's confession appears to have been prompted by the advice of similarly-fated prisoners who likely knew the mercy and relative leniency offered to those who fulfilled their expected role of showing remorse; Hyde notes, for example, that before being burned female petty-traitors might well be 'strangled first as an act of mercy', suggesting that there were potential benefits, however limited, to satisfying contemporary ideologies surrounding female confession.[70] Whilst the three men are not identified, it does seem significant that they 'likewise were condemned', and that it is their interaction with Ferne-seede, of which no direct transcript is recorded, rather than the

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[68] John Stow, quoted in Patricia Hyde, *Thomas Arden in Faversham*, p. 122, and *Arden of Faversham*, 14. 352-53.
[69] I.T., *The araignement & burning of Margaret Ferne-seede*, p. 10.
[70] Patricia Hyde, *Thomas Arden in Faversham*, p. 94.

persuasions of a prison visitor or priest, that ultimately extracts her confession. A similar scepticism arises in reading Goodcole's account of Clarke's confession:

> That at the first and second times of my visiting of her, little or no Repentance I found in her … I was thereuppon inforced to hold her unto it, and to extract the truth, and trye her spirit, called two of the Keepers of the Goale, to her unknowne, whom I appoynted to obserue and remember the speeches that passed betweene us, to verifie them unto her face, which attestation both of my selfe, and of them, shee would out-face, but could not.[71]

The potential therefore for these confessions to have been coerced, forcibly or otherwise, suggests that by creating a confession for Alice Arden with questionable credibility, the playwright was directly engaging, and experimenting with, the ethics of ventriloquism through delivering conventional speeches from an apparently uncooperative source.

If the playwright was warning against the expectation of petty-traitors to provide spiritually-charged confessions, what challenge might this have presented to an audience? What responsibility does an audience have in receiving testimony, and what might the playwright have been warning against? The playwright uses Alice's varied testimonial styles to exploit her accomplices' willingness to believe her narratives. Their unquestioning cooperation is, ultimately, how she is able to recruit them (differing greatly from Hyde's view that 'She must have had charisma to attract such a loyal band').[72] Does this also apply to a playhouse audience? What responsibility do they have to question the testimonies laid before them, particularly as Alice is not simply a fictional character but, rather, the dramatisation of an historical figure?

Alice's closing confession certainly plays into the idea of redemptive storytelling; her final line, 'Let death make amends for all my sins', fulfils didactic theatrical conventions that required reconciliation between a sinner

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[71] Henry Goodcole, *The adultresses funerall day*, pp. 16-17.
[72] Patricia Hyde, *Thomas Arden in Faversham*, p. 82.

and God – as long as we believe it to be sincere.[73] But, I would suggest, the playwright intended to rouse suspicion through her confession – which seems almost too familiar to achieve true credibility. Alice's repentance may reflect a cynical perception of the justice system that suggests confession benefits its audience more than its speaker – soothing local anxieties, rather than engaging with the altogether less comforting challenge of understanding what provoked women into killing their husbands and why, therefore, they may not feel remorse. It is therefore important to consider whether the closing scenes and Epilogue are intended to warn audiences against willingly believing the narrative that they deem most satisfactory, in favour of questioning the evidence with which they are presented.

Alice's guilt may not be challenged, but the playwright nonetheless appears insistent on challenging the ethics of presenting her as repentant simply to appease the sensitivities of the public. The play actively engages with a critical debate which continues to be addressed, recently by Elizabeth Harvey who argues that this ventriloquism of women's narratives 'is an appropriation of the feminine voice, and that it reflects and contributes to a larger cultural silencing of women.'[74] As such, in *Arden of Faversham*, we can see the development of Wilson's earlier interests, in *The Three Ladies of London*, through the relationship between authenticity and female testimony as it became a theme that would continue to permeate later domestic tragedies. Moreover, *Arden of Faversham*'s playwright continues to experiment with the responsibilities of off- and on-stage audiences receiving testimonies from socially and legally oppressed individuals; guilty though Alice is, the playwright challenges journalistic accounts of petty-treason, in which expected confessions – women's redemptive storytelling – are written from an empowered male perspective.

If doubts regarding the credibility of Alice's confession have already arisen from its thoroughly conventional structure, then Franklin's Epilogue

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[73] Anonymous, *Arden of Faversham*, 18. 33.
[74] Elizabeth Harvey, *Ventriloquized Voices: Feminist Theory and English Renaissance Texts* (New York: Routledge, 1992), p. 12.

does little to allay them. Between the opening and closing assurances of truthfulness, the playwright inserts a rather odd description of the aftermath in Faversham:

> Arden lay murdered in that plot of ground
> [...]
> And in the grass his body's print was seen
> Two years and more after the deed was done.[75]

Following his factual summary of the convictions, Franklin also informs the audience of this sensational local rumour. The play is not the only account to mention this remarkable occurrence – Stow and Holinshed both comment on reports of Arden's lingering presence:

> And this is mavelylows that his picture was to be sene in the place above ij yeres aftar so playne as coulde be for the grasse dyd not grow where his bodye his heade his armes and lengs dyd lye, but betwene his armes and his body and the holoues of his necke and rownd about his body it dyd grow[.][76]

This type of supernatural tale is not an altogether unusual accompaniment to the more didactic accounts of murders; the Page of Plymouth pamphlet concludes with the following sombre story:

> Also in Plimouth the same weeke in the presence of sundry honest persons, was visibly seene a Rauen which did alight upon the head of a Ships mast, sunk at the end of the towne: this Rauen standing upon the top of the maine mast, did with her talents pluck up certaine rope yarns that hung downe from the head of the mast, and fastned them about her necke, and often turnde them about her neck with all her force, which doone, she plunged her selfe right down, clapping her wings close to her body, and neuer left until she had hanged her self.[77]

Such tales of unnatural occurrences in the aftermath of horrendous crimes have clear intentions as moral imagery; however, the playwright's conformity to such fantastical didactic convention is curious. Breaking away from the details of their respective cases, the anonymous pamphlet author and Franklin embellish their accounts with details provided by local rumour. This inclusion, clearly intended to shore up the moral instruction of the preceding story,

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[75] Anonoymous, *Arden of Faversham*, Epilogue. 10-13.
[76] John Stow, quoted in Patricia Hyde, *Thomas Arden in Faversham*, p. 124.
[77] Anonymous, *Sundrye strange and inhumaine murthers*, p. 9.

therefore invites scepticism of Franklin's reliability and, subsequently, a more cynical reading of the Epilogue itself. This is complicated further by Franklin's problematic final assertion of the play's 'simple truth', which offers an audience its final opportunity to question their belief in the events they have just witnessed:

> Gentlemen, we hope you'll pardon this naked tragedy,
> Wherein no filed points are foisted in
> To make it gracious to the ear or eye;
> For simple truth is gracious enough,
> And needs no other points of glozing stuff.[78]

Franklin's defence of authenticity, coupled with local gossip, largely discredits any claim to his authority surrounding the trial, and the hitherto factual approach he has displayed. The playwright uses his closing speech to adorn the 'facts' of the case with rumour, challenging an audience to separate the two.

Confessional Denials

To fully balance Franklin's assurances of authenticity in the Epilogue we must reflect upon the nature of truth-telling throughout the preceding scenes. Alice testifies in various forms throughout *Arden*, and the playwright employed oaths and quasi-legal language in order to scrutinise conventional 'proofs' of credibility. By examining Alice's radical testimonial styles alongside contemporary sources, as well as looking at the Epilogue, we can further our understanding of her trial, as well as the expectations of shame-filled apologetic confessions that the playwright contests.

Oaths and quasi-legal language form a large part of Alice's vernacular – even before the murder takes place. She adopts a seemingly paradoxical form of testimony during interactions with social superiors (Arden, the Mayor, and Franklin): that of confession through denial, drawing attention to her underlying intentions, whilst simultaneously dismissing accusations before

[78] Anonymous, *Arden of Faversham*, Epilogue. 14-18.

they are voiced. Infusing these denials with legal conventions, the playwright clarifies that all of her speeches should be considered as testimony, supporting the notion that testimony may be received outside of formal court settings alone.[79]

Alice's first confessional denial occurs at breakfast when she joins Arden, Franklin, and Mosby at the table. Presenting her husband with a poisoned broth, Alice responds to her husband's concern by acknowledging her guilt in an accusatory manner through which she may evade suspicion:

> ALICE
> Husband, why pause ye? Why eat you not?
> ARDEN
> I am not well; there's something in this broth
> That is not wholesome. Didst thou make it, Alice?[80]

Whilst her language is calculated, some of her speeches could suggest feelings of guilt – Mosby's horror at her seeming self-incrimination aids the comedy of the scene, whilst demonstrating Alice's nerve in defying the panic and emotional stress we might expect following a failed poisoning: 'You wrong yourself and me to cast these doubts; / Your loving husband is not jealous.'[81] This moment foreshadows Alice's behaviour after the murder when she directs attention to Arden's absence – alarming her accomplices who attempt to avert suspicion. Arden's query offers Alice her remarkable diversion: not by denying

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[79] Cynthia Herrup has written on the different levels of criminal proceedings, from formal courts, through local sessions, and ecclesiastical jurisdiction in Cynthia B. Herrup, 'Judicial Power and Cooperation', in *The Common Peace: Participation and the Criminal Law in Seventeenth-Century England*, Cambridge Studies in Early Modern British History (Cambridge: Cambridge University Press, 1987), pp. 42-66. The role of ecclesiastical hearings and powers is discussed in Martin Ingram, *Church Courts, Sex and Marriage in England, 1570-1640* (Cambridge: Cambridge University Press, 1987; repr. 1994). For testimony, particularly between women, exchanged outside of any recognised legal environment, see Bernard Capp's discussion on slander and public altercations in Bernard Capp, 'Women and Neighbours: Female Disputes', in *When Gossips Meet: Women, Family, and Neighbourhood in Early Modern England*, Oxford Studies in Social History (Oxford: Oxford University Press, 2003), pp. 185-224 (especially the sections 'Quarrels: The Language of Insult' and 'Insults as Street Theatre', pp. 189-99).
[80] Anonymous, *Arden of Faversham*, 1. 364-66.
[81] Anonymous, *Arden of Faversham*, 1. 378-79.

her involvement in preparing the broth but, rather, by accepting responsibility for all charges, even those that have not been made:

> I did, and that's the cause it likes not you.
> *Then she throws down the broth on the ground*
> There's nothing that I do can please your taste.
> You were best to say I would have poisoned you.
> [...]
> I charge thee speak to this mistrustful man,
> Thou that wouldst see me hang, thou, Mosby, thou,
> What favour hast thou had more than a kiss
> At coming or departing from the town?[82]

Alice feigns offence, deflecting Arden's perceived accusation. Such an extreme response excuses Alice from answering what she and the audience (many of who would remember the historical trial, or have read pamphlets such as *A Cruel Murder*) identify as the real question behind 'Didst thou make it, Alice?' (Have you poisoned me, Alice?) by reversing the question to her intended victim. Charging Alice's response with such a brazen confession, the playwright confirms her guilt through demanding that Arden acknowledge the implications of his question: 'You were best to say I would have poisoned you.'[83] Alice's outrage drowns out Arden's denials as she voices the suspicions he has been harbouring. This comic display of Alice's guilty conscience, presents Arden's anxieties within the play's opening scene – as such, Alice's 'confessional denial' confirms her guilt to the audience.

Alice's admission also introduces the audience to the charges facing her; she will not be arrested for Arden's murder but, rather, for petty-treason, as explained by Frances Dolan in *Dangerous Familiars*: 'killing one's husband, defined as petty treason, was carefully distinguished from other forms of murder and pronounced analogous to high treason – any threat to or assault on the monarch and his or her government.'[84] This distinction developed from an understanding 'that the one is in subjection and oweth obedience, and not

[82] Anonymous, *Arden of Faversham*, 1. 367-77.
[83] Anonymous, *Arden of Faversham*, 1. 368.
[84] Frances Dolan, *Dangerous Familiars*, p. 21.

the other.'[85] The alignment of husband-murder as synonymous with treason affords it an altogether different dynamic than that of wife-killing; whilst a husband could credibly claim that he had killed his wife following provocation (perhaps in an argument), and subsequently plead for the lesser verdict of manslaughter, a wife could only be charged as a petty-traitor – a term that connotes premeditation and, therefore, guilt before the crime has even been committed, as well as an anarchic desire to usurp domestic hierarchy.[86] Alice's use of confessional denials enables her effectively to defend herself before any formal charge is issued. This is particularly significant in the broth scene, wherein Alice must defend herself against accusations of poisoning – a crime which was strongly associated with female killers, largely due to its reliance on cunning rather than physical advantage, and that required premeditation. Indeed, Margaret Ferne-seede was condemned for the murder of her husband on the grounds that she had attempted to poison him in the past, rather than on any material evidence from his actual death, a detail noted by the extended title of the pamphlet: *The araignement & burning of Margaret Ferne-seede for the murther of her late husband Anthony Ferne-seede … hauing once before attempted to poyson him with broth.*[87] Previous allegations suggested premeditation and condemned Ferne-seede. It is therefore of great importance that the playwright depicts Alice refuting a poisoning charge at the opening of *Arden of Faversham* – the audience is challenged from the outset to respond to

[85] Frances Dolan, *Dangerous Familiars*, p. 22.
[86] The Old Bailey Online explains the reduction of murder charges to manslaughter when responding to particular (male) circumstances: 'Deaths which occurred in the course of fights, or during legitimate activities such as physically disciplining one's wife or servant, or driving, were typically tried as manslaughter.' Compare this to the definition of petty-treason as, 'an aggravated form of murder defined by the Treason Act of 1351 as the killing of a master by a servant, a husband by his wife, or an ecclesiastical superior by his inferior. Because such crimes subverted normal hierarchies, the punishment was more severe'. Clive Emsley, Tim Hitchcock and Robert Shoemaker, 'Crime and Justice - Crimes Tried at the Old Bailey', v. 7.2, *Old Bailey Proceedings Online* <https://www.oldbaileyonline.org/static/Crimes.jsp#killing> [accessed 17 September 2018].
[87] I. T., *The araignement & burning of Margaret Ferne-seede*, p. 1.

the testimonies of a woman whose guilt has been predetermined by widely circulated contemporary accounts.

Unsatisfied with Arden's assurances - 'Be patient, sweet love, I mistrust not thee' – Alice resorts to another remarkable defensive display:[88]

> ALICE
> God will revenge it, Arden, if thou dost,
> For never woman loved her husband better
> Than I do thee.
> ARDEN
> I know it, sweet Alice; cease to complain,
> Lest that in tears I answer thee again.[89]

Alice's statement of love for Arden is an oath – a speech act used frequently by the playwright – and serves an urgent warning for the audience to question her integrity. Just as her private marriage vows to Arden prove void of sincerity, the audience must determine the validity of her on-stage (public) promises. Moreover, Alice's assurance to her husband of God's vengeance if he should doubt her seems at odds in a declaration of love. Her insincere oath-taking reflects Jonathon Michael Gray's view of modern attitudes towards these guarantees; he suggests that, today, oaths 'provide a legal incentive to tell the truth, an incentive that is absent in unsworn testimony or everyday conversation, whether confirmed with an oath (the common expletive of "God" is a derivative of oath-taking) or not.' Alice's disinterest in keeping her pledge pre-empts Gray's opinion that, 'Outside of court, oaths today have no power.'[90] It is important to note that during her formal interactions with Franklin and the Mayor – where the legal incentive and threat of perjury charges existed – Alice makes no oaths. Instead, all are made to Arden and her social inferiors who cannot hold her accountable for disloyalty. The playwright experiments with Alice's testimony in the formal, masculine environment of legal inquiry as well as the informal, domestic sphere – a much more

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[88] Anonymous, *Arden of Faversham*, 1. 390.
[89] Anonymous, *Arden of Faversham*, 1. 391.
[90] Jonathon Michael Gray, *Oaths and the English Reformation* (Cambridge: Cambridge University Press, 1979), p. 8.

ambiguous location for determining hierarchy, as discussed by Ariane Balizet: 'The husband ruled *all* things, except everything to do with cooking, cleaning, maintaining the home, disciplining female servants, and buying and selling goods … The housewife's responsibilities, when enumerated, sound like a great deal of domestic authority.'[91] Whilst Alice's formal confession and testimony mirrored the familiar spiritual, shame-filled confessions of contemporary trials, her private testimonies are far more persuasive to surrounding characters, yet present a cynical view on the reliance of oath-taking and the quasi-legal language required by courtrooms. Whilst this acknowledgement does not increase audience sympathy (or condemnation) for Alice, it demonstrates the playwright's opportunity to experiment with the specifically female experience of formal courts. Why is Alice's private testimony and confession so much more credible to other characters than her final public appearance? The playwright utilised the tools of the formal courthouse to explore Alice as a figure tied to no particular typology. Within the more ambiguous domestic sphere (which was not weighted clearly as a fully masculine or feminine space), the play could exploit the expectations upon female testimony so that the eventual, questionable, credibility of Alice's closing confession would present a real challenge to audiences about the usefulness of repentant confessions as way of providing social, spiritual or legal closure.

Following Arden's departure, Mosby is initially bound by another oath – one made earlier to Alice's husband:

> MOSBY
> It is unpossible, for I have sworn
> Never hereafter to solicit thee
> Or, whilst he lives, once more importune thee.
> ALICE
> […]
> 'Tis childishness to stand upon an oath.
> MOSBY

[91] Ariane Balizet, *Blood and Home in Early Modern Drama: Domestic Identity on the Renaissance Stage*, Routledge Studies in Renaissance Literature and Culture (Abingdon: Routledge, 2014), p. 58.

> Well proved, Mistress Alice; yet, by your leave,
> I'll keep mine unbroken whilst he lives.[92]

Mosby's pledge to keep his oath with Arden 'whilst he lives' alerts the audience to several upcoming issues. The quasi-legal language throughout this debate maintains focus on the lovers' eventual fate, and Alice's dismissal of an oath's importance should remain in the audience's mind – particularly in the lead-up to her interrogation. If ''Tis childishness to stand upon an oath', what can be said of her promises of remorse at the play's conclusion? The lovers' dispute builds upon Arden's earlier use of quasi-legal vernacular, through which he highlights his own part in their plans: 'Why, gentle Mistress Alice, cannot I be ill / But you'll accuse yourself?' [93] Seeking to soothe the situation, Arden's use of the word 'accuse' points towards the ultimate apprehension of Alice, whilst isolating Arden as the only one unaware of his wife's deceit.

Alice's confessional denials achieve a great deal within the first scene – something noted by Lockwood in his introduction to the play:

> [B]y its close, Alice has canvassed at least four candidates for [Arden's] murder. The scene establishes the desires and grievances that will animate the play … and Alice's supreme command over these (generally) masculine emotions in the domestic sphere.[94]

The playwright depicted these achievements as preparation for Alice's later testimonial successes, and to foreshadow her eventual downfall stemming from the increasing number of conspirators and, therefore, testifiers, implicated in the plot against Arden. Directly following Arden's murder, Alice attempts to replicate her successful confessional denials by drawing attention to his absence – unsurprisingly causing concern to her accomplices:

> ALICE
> My husband's being forth torments my mind.
> I know something's amiss; he is not well,
> Or else I should have heard of him ere now.
> MOSBY

[92] Anonymous, *Arden of Faversham*, 1.429-40.
[93] Anonymous, *Arden of Faversham*, 1. 380-81.
[94] Tom Lockwood, 'Introduction' in Anonymous, *Arden of Faversham*, pp. vii-xxx (p. viii).

[*Aside*] She will undo us through her foolishness.[95]

Alice's behaviour in this scene is comparable with Holinshed's account, which reports that she 'began to make an outcry and said, "Never woman had suche neighbowrs as I have," and wept. So much so that her neighbours found her making great lamentation.'[96] By raising the alarm to Arden's late return, Alice shamelessly adopts the role of the distressed wife – a performance that her accomplices believe has been triggered by guilt.[97] Loyalty amongst the group is questioned throughout the play, and Alice's feigned pleas to locate Arden even lead Michael to suggest 'I'll buy some ratsbane … for I fear she'll tell'.[98]

Whilst the conspirators are unconvinced by Alice's private performance of grief, Alice is forced to switch to more formal and public testimonial approach during her interrogation by Franklin and the Mayor:

ALICE
But wherefore stay you? Find out the murderers.
MAYOR
I fear me you'll prove one of them yourself.
ALICE
I one of them? What mean such questions?[99]

Alice's repetition of the question instigates more challenging tests of her abilities:

MAYOR
See, see! His blood! It is too manifest.
ALICE
It is a cup of wine that Michael shed.[100]

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[95] Anonymous, *Arden of Faversham*, 14. 300-3.
[96] Patricia Hyde, *Thomas Arden in Faversham*, p. 86.
[97] Hyde notes that the 'modern equivalent to [the historical] Alice's behaviour is when people appear on television today, apparently under great strain, asking for help in finding a close relative whom it later transpires that they themselves have murdered.' p. 86.
[98] Anonymous, *Arden of Faversham*, 14. 289-294.
[99] Anonymous, *Arden of Faversham*, 14. 387-89.
[100] Anonymous, *Arden of Faversham*, 14. 399-400.

Although her testimony in the broth scene yielded great success, the interrogation by Franklin and the Mayor demonstrates Alice's difficulties when testifying within a more formal scenario. The 'private' Alice, charming her husband, lover, and accomplices, seems irreconcilable with the silenced, 'public,' murderess who seems unable to offer convincing defence. Interestingly, Alice's formal trials offer no oaths or promises of truth – these are reserved exclusively for her informal and private testimonies – suggesting the differing ways her playwright saw testimony working in multiple and varied environments. Like Wilson, the playwright had identified obstacles in conceptualising female voices that could be dramatised effectively to explore how women testified in the highly politicised arenas of both public and private space.

From the play's opening, Alice's testimonies challenge cultural expectations of her character – and perhaps the conventions of 'singular' theatrical characters more generally. Her first interactions with Arden are performances of innocence, communicated radically, and riskily, through outraged confessions made in response to unspoken accusations. It is by implementing such radical testimonial styles that the playwright fully conceptualises what a resourceful and formidable foe Alice is to Arden and, furthermore, the power of her testimony for manipulating a large group of accomplices to do her bidding. The playwright's aim is never to make Alice sympathetic and, as such, authentic denial is unnecessary – his achievement lies instead in Alice's brazen testimonies which dispel suspicion by actively drawing attention to it. In the following section I will explore how the skills developed within her first 'confessional denials' enable Alice to later experiment with manipulating testimony. Combining these unconventional defensive narratives, I will demonstrate how Alice's playwright reimagined her inauthentic voice. At the same time, I argue, the playwright was experimenting with the conventions for assigning typology (and individual personhood) to particular characters in domestic drama, a genre often

recognised as explicitly didactic. As we will see, Alice's defensive testimony begins long before the play's concluding trial.

Manipulated Narratives

Recruiting accomplices allows Alice to present her remarkable testimonial skill, marking her as a figure seemingly resistant in equal measure to sympathy, condemnation, and consistency. The play offers an insight into Alice's notoriety forty years after the murder, whilst some memories could still be recalled, contrasting interestingly with the later ballad adaptation of Alice, as Christa Jansohn notes:

> … it needs stressing that the anonymous play, apart from its subtitle, refrains from an explicit moral … within the play itself the individual characters are presented altogether in a much less prejudiced and one-dimensional manner … The reader (not necessarily the audience in the theatre) is offered a much more ambiguous and many-facetted view of the events than in most other contemporary accounts.[101]

I would however counter Jansohn's claim that '[her] behaviour and her moral depravation are deeply rooted in her desire for emancipation, which makes her totally blind to the social reality: all she can actually have hoped to gain is the exchange of one kind of dependence for another.'[102] Suggesting that Alice's desire to murder Arden stems from a misconception of her prospects ignores the experiments of the playwright; throughout the play, far from constricting Alice to a single quest for emancipation, the playwright instead destabilises the assumption that Alice needed to embody a motivated or impassioned character at all. The theatrical Alice does not subscribe to such simplistic (or, at least, forgivable) excuses – as seen in Wilson's empathetic portrayals of Love and Conscience – rather, she defies convention and understanding altogether,

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[101] Christa Jansohn, 'From Private to Public Evil: or From the "Wicked Woman" in *Arden of Faversham* to Alexander Goehr's Opera *Arden Must Die*', *Actes des congrès de la Société française Shakespeare*, Vol. 15 (1997), 59-76 (p. 64).
[102] Christa Jansohn, 'From Private to Public Evil', p. 62.

evidencing a development from earlier experiments in authentic female voice and experience, such as those seen in *The Three Ladies of London*.

In the introduction to his edition of the play, Tom Lockwood queries whether 'Alice represents not a dissident and destabilising perspective within the text and its society, but rather an instance of what scholars have called ventriloquism, a feminine voice within the text actually mouthing lines and positions created by a male author?'[103] Certainly, the playwright and contemporary actors were male; however, the skill of Alice's manipulated testimonies suggests the playwright's genuine interest in the incompatibility of existing perceptions of petty-traitors with Alice, and a desire to destabilise the binary of being fully villainous or victimised. The playwright sought to exploit the cultural impulse behind existing narratives presented in the voices of petty-traitors who were made to atone for their violent acts through expressions of shame. The speeches offered by Alice utilise her gender in a different way, exploiting the prejudices that would ordinarily have oppressed her. In exploring these achievements by the playwright, the focus should not rest on understanding Alice as a consistent character but, rather, on recognising the playwright's invitation to audiences to re-evaluate their interpretation of testimonial narratives – particularly their willingness to believe in them.

Following the poisoning attempt, Alice's team consists of several members: herself, Mosby, Clarke, Michael, and, to a lesser degree, Adam. Hyde comments: 'She obviously had no confidence in her fellow accomplices for she then turned to John Grene [*sic*],' and indeed, Alice recruits Greene as a further (and far more instrumental) conspirator to the plot by the middle of the opening scene.[104] Her complacency in involving the locals is dreaded by Mosby who, horrified at yet another individual being made complicit,

[103] Tom Lockwood, 'Introduction', in *Arden of Faversham*, p. xxii.
[104] Patricia Hyde, *Thomas Arden in Faversham*, p. 82. Note the differing spellings of Greene's name in source materials. For the purpose of this study I am using the spelling seen within Lockwood's edition of the play ('Greene') for clarity and consistency.

exclaims: 'What! to acquaint each stranger with our drifts, / Chiefly in case of murder!'[105] Nevertheless, Alice's conversation with Greene enables the playwright to experiment with her appropriation of existing narratives for the first time. Alice not only utilises Arden's abuses of his dependants to secure their trust; the playwright also exposes the power of local gossip and resentment as essential to Alice's success.

Upon Greene's complaint, 'Your husband doth me wrong', Alice aligns herself as his ally, exploiting his distress in order to unite their desires.[106] Her initial tactic is to assure Greene: 'God knows, 'tis not my fault.'[107] Immediately excusing herself, Alice wins Greene's trust so that, within only a couple of lines, he is focused on her dissatisfaction: 'Ah, Master Greene, God knows how I am used!'[108] Relying on her husband's widespread unpopularity – which she calls God as witness to – Alice exploits her subordinate domestic role to fabricate claims of Arden's excessive control and punishment:

> When he is at home, then have I froward looks,
> Hard words, and blows to mend the match withal.
> [...]
> He revels it among such filthy ones
> As counsels him to make away his wife.
> Thus live I daily in continual fear,
> In sorrow, so despairing of redress
> As every day I wish with hearty prayer
> That he or I were taken forth the world.[109]

Alice becomes the undeservingly beaten wife, a familiar defence put forward by women facing petty-treason trials who argued the need for self-defence against violent husbands. Anne Wallen and Alice Clarke were two such examples. Dolan observes that Clarke 'is described as having visible bruises at the time she is apprehended and examined for killing her husband. Even Henry Goodcole ... sees a connection between those bruises and her actions.'[110]

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[105] Anonymous, *Arden of Faversham*, 1. 578-79.
[106] Anonymous, *Arden of Faversham*, 1. 470.
[107] Anonymous, *Arden of Faversham*, 1. 485.
[108] Anonymous, *Arden of Faversham*, 1. 487.
[109] Anonymous, *Arden of Faversham*, 1. 494-505.
[110] Frances Dolan, *Dangerous Familiars*, p. 32.

Nevertheless, the fact that Clarke's bruises are never fully explained (even if their cause is inferred), demonstrates the potential risks involved in trusting testimony that has been received second-hand, through an intermediary such as a pamphlet. Randall Martin identifies the 'official anxiety' prevalent in certain news pamphlets, such as Ferne-seede's, that betray concern regarding 'how the public would judge the trial and outcome' through lengthy anecdotal record of second-hand narratives from magistrates.[111] This dilemma of determining reliability not only of the testimony, but also of the intermediary, can be traced through domestic tragedies, and the fourth chapter of this thesis, in particular, will offer some reflection on this. Whilst Greene's personal grievance had not incited him to murder Arden, Alice recognises that little further persuasion is needed; appropriating this alternative narrative, she constructs what Julie Schutzman describes as a 'fictional "private life" [which she] neatly exposes … to public view.'[112] Further blackening Arden's reputation swiftly convinces Greene to pledge: 'I shall be the man / Shall set you free from all this discontent'.[113] Alice therefore appeals to his empathy through claims that would have been familiar to audiences, although their inherent inauthenticity would have caused concern, as noted by Dolan:

> While some pamphlet narratives evoke sympathy for a murderous wife by displacing responsibility onto her abusive husband, *Arden of Faversham* presents Alice as self-consciously employing the same strategy. Offering no evidence that Arden mistreats Alice, the play in effect portrays her as enacting the abused wife in order to secure sympathy and avoid blame for her adultery, her open defiance of her husband, and eventually, her act of murder.[114]

Alice's willingness to manipulate such a familiar defence allows the playwright to create a sophisticated voice which succeeds precisely because her character is inconsistent. Far from suggesting that Alice's exploitation of biases intended to oppress women made *Arden of Faversham* an antifeminist tract, I propose

[111] Randall Martin, *Women, Murder, and Equity in Early Modern England*, p. 4.
[112] Julie Schutzman, 'Alice Arden's Freedom and the Suspended Moment of Arden of Faversham', p. 300.
[113] Anonymous, *Arden of Faversham*, 1. 511-12.
[114] Frances Dolan, *Dangerous Familiars*, p. 52.

that its playwright was identifying the measures necessary for women to access the same legal opportunities as their male accomplices. Whilst *The Three Ladies of London* sought to conceptualise authentic female testimony, from a variety of different perspectives, *Arden of Faversham* instead considers the opportunities lost to women whose voices are deemed 'authentic' by prejudiced others.

The argument between Alice and Mosby presents an altogether different dynamic than Alice's appeals for sympathy. The volatility of their relationship, and the skill with which Alice can rescind upon comments and provide justification for even her most outrageous remarks, demonstrate her command upon Mosby's loyalty – and entirely contrasts with the persona of the fearful wife discussed above. Tensions increase between the lovers prior to the argument and Alice's entrance is accompanied by an immediate test of Mosby's resolve:

> MOSBY
> It is not love that loves to anger love.
> ALICE
> It is not love that loves to murder love.
> MOSBY
> How mean you that?
> ALICE
> Thou knowest how dearly Arden loved me.
> MOSBY
> And then?
> ALICE
> And then – conceal the rest, for 'tis too bad
> [...]
> Forget, I pray thee, what hath passed betwixt us,
> For now I blush and tremble at the thoughts.[115]

Alice renews her technique of reversing suspicion, reflecting Mosby's complaint about her behaviour back upon himself; his accusation that she unfairly seeks to anger his love is rebuffed by an apparent revelation that she is no longer willing to abuse her husband nor, literally, to murder his love. Her language of shame, particularly the assurances that their relationship has

[115] Anonymous, *Arden of Faversham*, 8. 58-69.

caused her to ‘blush and tremble’, presents Alice’s ability to enact yet another familiar petty-treason confession, this time speaking as a repentant adulteress. Alice’s feigned remorse is not dissimilar to Wallen’s confession, wherein she expresses the fear that accompanies her transgressions: ‘Forgive my fact before my life is ended. / Ah me the shame unto all women kinde.’[116] Much like her performance of the abused wife to Greene, Alice consciously adopts a language typically associated with remorseful female transgressors within older didactic theatre, claiming that she will return:[117]

> Ay, to my former happy life again;
> [...]
> Ha, Mosby, ’tis thou hast rifled me of that,
> And made me sland’rous to all my kin.[118]

Alice exploits the association between female testimony and shame, persuading Mosby of the near-unbelievable; despite her promises of discontinuing their affair, she employs flattery to re-convince Mosby of her loyalty. Within only two speeches, the lovers are reconciled:

> ALICE
>
> I will do penance for offending thee
> And burn this prayerbook, where I here use
> The holy word that had converted me.
> See, Mosby, I will tear away the leaves, and in this golden cover
> Shall thy sweet phrases and thy letters dwell,
> And thereon will I chiefly meditate
> And hold no other sect but such devotion.
> [...]

[116] T. Platte, *The Lamentation of Anne Wallen*.

[117] Greg Walker notes the pattern of morality drama in ‘Part II Religion and Conscience: The Moral Plays: Introduction’, in *Medieval Drama: An Anthology*, Blackwell Anthologies (Oxford: Blackwell, 2000), pp. 209-12. This focus on repentance leading to redemption can be seen in various examples, such as the elaborate transition following Mankind’s deathbed remorse in *The Castle of Perseverance*, as the character of Soul emerges to represent the final judgement upon his eternal fate, Mankind laments: ‘Sore mankind may rue / God keep me from despair ... To Hell I shall both go and flee / Unless God grant me of his grace.’ Anonymous, *The Castle of Perseverance* (e-edition), ed. by Alexandra F. Johnstone, Medieval English Drama: Modernized Performance Texts (Toronto: *Poculi Ludique Societas*, University of Toronto, 1998) <http://homes.chass.utoronto.ca/~ajohnsto/cascomp.html> [accessed 27 January 2018], ll. 2833-46.

[118] Anonymous, *Arden of Faversham*, 8. 71-75.

MOSBY
Ah, how you women can insinuate,
And clear a trespass with your sweet-set tongue.[119]

Alice's manipulation once again confirms her power over Mosby, in addition to reminding her on- and off-stage audience not to rely on the oaths she has made. Vowing to destroy her 'prayerbook' – an object that an oath might be made upon, and promising to 'do penance' for wounding Mosby – Alice blasphemously promises to fill her book instead with her love tokens from Mosby. The playwright challenges the credulity afforded to oaths, particularly informal ones, by offering a literal depiction of a defiled book of promises.[120]

If Alice's manipulation of Mosby is impressive, then her ability to appease Arden following his sighting of the lovers kissing, arm-in-arm, is nothing short of a triumph:

ALICE
Ah, Arden, what folly blinded thee?
Ah, jealous harebrain man what hast thou done?
When we, to welcome thee, intended sport,
[...]
ARDEN
But is it for truth that neither thou nor he
Intendedst malice in your misdemeanour?[121]

Remarkably, Alice convinces her husband that he is the 'harebrain[ed]' man at fault, insisting that it is his jealousy that has ruined the jest. In lines which are reminiscent of her earlier success with the broth, she utilises spiritual imagery to vow her honesty ('The heavens can witness of our harmless thoughts') and

[119] Anonymous, *Arden of Faversham*, 8. 115-48.
[120] Hannah Rosefield, 'A Brief History of Oaths and Books' (2014), *The New Yorker* <http://www.newyorker.com/books/page-turner/a-brief-history-of-oaths-and-books> [accessed 28 January 2018]: '... English courts adopted the practice, requiring jury members and individuals in particular trials to take an oath on the Bible. An unnamed thirteenth-century Latin manuscript, now held in the library of Trinity College, Cambridge, sets out the method and the significance of the act. By placing a hand on the book and then kissing it, the oath-taker is acknowledging that, should he lie under oath, neither the words in the Bible nor his good deeds nor his prayers will bring him any earthly or spiritual profit. In time, this became standard legal procedure—all witnesses swearing to tell the truth, the whole truth, and nothing but the truth'.
[121] Anonymous, *Arden of Faversham*, 13. 88-115.

escalates the argument by highlighting Arden's further failings as a husband, including her mistreatment: [122]

> Henceforth I'll be thy slave, no more thy wife;
> For with that name I never shall content thee.
> If I be merry, thou straightaways thinks me light;
> If sad, thou sayest the sullens trouble me;
> If well attired, thou thinks I will be gadding;
> If homely, I seem sluttish in thine eye.
> Thus am I still, and shall be while I die,
> Poor wench abused by thy misgovernment.[123]

Alice may be bound to 'obey' by marital and social structures; however, in practice, the playwright arms her with coercive language that Arden is no match for. Certainly, her reprimands ensure that he finally succumbs, dismissing advice from his one remaining ally: 'I pray thee, gentle Franklin, hold thy peace; / I know my wife counsels me for the best.' Challenging Franklin, Alice again employs quasi-legal vernacular: 'Why, canst thou prove I have been disloyal? … A fault confessed is more than half amends,' daring him to make public his suspicions.[124] This moment reasserts the events shortly to follow, in particular Alice's imminent need to deny or confess. The delaying of Arden's murder adds tension and a sense of impossibility to his death; however, his dismissal of Franklin threatens his demise and is further confirmed by Franklin's closing regret:

> Poor gentleman, how soon he is bewitched.
> And yet, because his wife is the instrument,
> His friends must not be lavish in their speech.[125]

Unconventionally, one female voice has overpowered Arden's trusted male friends. The power of Alice's voice echoes the anxieties surrounding private, domestic spaces which is often explored in early modern domestic drama more generally. Alice's voice may be ineffectual within public, legal, spaces, yet the insidious damage inflicted within their home outweighs any protection

[122] Anonymous, *Arden of Faversham*, 13. 116.
[123] Anonymous, *Arden of Faversham*, 13. 106-13.
[124] Anonymous, *Arden of Faversham*, 13. 137-145.
[125] Anonymous, *Arden of Faversham*, 13. 148-155.

offered by the economic circles Arden operates within. Alice therefore represents the dangerous insubordinate whose power lies in the inconsistency of her testimonies, but also in the cultural anxieties she can evoke – particularly the threat of the cuckolded husband. Again, Alice bears some resemblance to Margaret Ferne-seede, who seemingly relished cuckolding her husband within their own home:

> At last Maister Ferneseede heard these Barge-men cough, & wondring to haue strangers lodged in his house … demanded of them what they were? who asked of him also wherefore hee questioned them? […] I am (quoth he) the maister of this house (if I had my right) but I am bard of the possession and commande thereof, by a deuilish woman, who makes a stewes of it to excersice her sinnefull practises[.][126]

Mosby and Arden fall victim to the same trap as Greene and the remaining accomplices; their willingness to believe Alice's testimonies overrides their capacity to identify or challenge her inconsistencies. Just as Ferne-seede's husband laments his command 'by a deuilish woman,' so too is Arden unwittingly presented as Faversham's cuckold, familiar to theatrical and literary audiences.

Alice's final persuasive display targets the audience directly. As with her earlier on-stage manipulations, this informal confession is riddled with misappropriated language and style. Alice playfully challenges the judgements of her spectators – her jury – upon her. Adopting classical mythology, Alice aligns herself with Diana, the goddess of chastity, simultaneously daring condemnation or forgiveness:

> Had chaste Diana kissed [Mosby], she like me
> Would grow love-sick, and from her wat'ry bower
> Fling down Endymion and snatch him up.
> Then blame not me that slay a silly man
> Not half so lovely as Endymion.[127]

Alice's confession is strikingly self-conscious, and adopts Ovidian tradition to reflect upon her intentions and the complex relationship she has developed

[126] I. T., *The araignement & burning of Margaret Ferne-seede*, pp. 13-14.
[127] Anonymous, *Arden of Faversham*, 14. 146-50.

with the audience. Just as her earlier testimonies are unconvincing replications of other's experiences, Alice's claim that Mosby would exceed Endymion's appeal, causing the fall even of Diana, offers a final narrative parody – aimed now on traditional tragedy's convention of echoing classical stories, such as the prevalence of Ovidian references throughout Shakespeare's tragedies, perhaps most overtly in *Titus Andronicus* as Lavinia's rape is revealed through her use of Young Lucius' copy of *Metamorphosis*.[128] Just as Alice's appropriation of Diana is a corrupted version of the goddess, the playwright includes a striking moment of self-awareness, wherein the play – in its own developmental genre of *domestic* tragedy – speaks back to its roots in high aristocratic tragedy.

In addition to Alice's mimicry of familiar court defences from abused or battered wives, the playwright manipulated the 'female complaint' form to present Alice's confession. The playwright demonstrates Alice's refusal to subscribe to the shame-filled typology of female confessional speeches, and her address speaks instead, on a wider scale, towards contemporary familiarity with the complaint tradition. The issue of male ventriloquism within female complaints is prevalent within the very name of the genre, as Laura Berlant notes: '[I]t is not the woman who calls her self-articulation a complaint, a whine, a plea: rather the patriarchal social context in which she makes her utterance hystericizes it for her, even before she speaks.'[129] John Kerrigan agrees, noting that in 'A Lover's Complaint', 'Shakespeare indicates that the "context" of the maid's "utterance" pre-emptively endangers what is said. The

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[128] William Shakespeare, *Titus Andronicus*, ed. by Eugene M. Waith, Oxford World's Classics (Oxford: Oxford University Press, 2008), IV. 1. 41-49. Colin Burrow has written on classical references throughout Shakespeare's works, including particular attention to how Ovid's influence can be read in Shakespeare's inclusion of rape within tragedies: Colin Burrow, 'Ovid', in *Shakespeare and Classical Antiquity*, Oxford Shakespeare Topics (Oxford: Oxford University Press, 2013), pp. 92-132 (pp. 105-18). See also Jonathan Bate, *Shakespeare and Ovid* (Oxford: Oxford University Press, 1993; repr. 2001) for a focused work on the influence of Ovid on Shakespeare across all theatrical genres, including a dedicated chapter on 'Tragedy and *Metamorphosis*' (pp. 171-214), in addition to his poetry.

[129] Laura Berlant, quoted in John Kerrigan, 'Introduction', *Motives of Woe: Shakespeare and 'Female Complaint': A Critical Anthology*, ed. by John Kerrigan (Oxford: Oxford University Press, 1991), pp. 1-84 (p. 44).

received landscape of complaint … takes a "voyce" and makes it "doble", generating pathos but exposing "woman's" grievance to dismissal as "babling Gossip".'[130] Alice's confession adopts these conventions of complaints, whilst radically altering the content. Shakespeare's speaker in 'A Lover's Complaint' faces a moral conflict – balancing the shame of her fall to her lover against the affection she retains for the man who abandoned her. But Alice dismisses shame altogether, directly commanding her audience-jury to 'blame not me.'[131] As such, the playwright's experiments with classical references and a familiar form of female articulation alerts the audience to the dangers of unquestioning acceptance, and it is this scepticism that carries forward into not only Alice's formal interrogation, but also (as we have seen) Franklin's attempt at authoritatively concluding the play.

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Alice's testimonies demonstrate the playwright's experimentation with multiple petty-treason defences. The transgressive wife – found within the records of Alice Arden, certainly, but also in the narratives surrounding Alice Clarke, Mistress Page, Margaret Ferne-seede, and Anne Wallen – was fascinating to early modern audiences, captivating their imagination as an unpredictable insubordinate. *Arden of Faversham* offered audiences an opportunity to hear the voice of one of these petty-traitors, with the play itself serving as canvas upon which the playwright could experiment with disassembling the societal perceptions of female defendants found within contemporary pamphlets and confessions. The result destabilises the notion of an authentic voice and character for Alice, thus challenging the contemporary demand for the kind of true-crime voyeurism that sought to categorise female transgressors within one-dimensional examples of moral depravity or failings. In the process, Alice presents three distinct testimonial styles – confessional

[130] John Kerrigan, *Motives of Woe*, p. 44.
[131] Anonymous, *Arden of Faversham*, 14.149, p. 93.

denial, manipulated narration, and misappropriated conventional confession – to her accomplices, accusers, and audience. Each style contributes in its own way to complicate any straightforward, over-familiar identification of Alice as a repentant, criminal character 'type'.

Alice's 'confessional denials' introduced many of the traits that accompanied her testimonial delivery throughout the play. By drawing attention to her own indiscretions, Alice showcases her unconventional authority within the domestic sphere to challenge her servants, lover, and even her husband. Through this process, Alice's even more surprising, and increasingly unconventional authority within the theatre as an unreliable narrator – presenting serious challenges to the audience's willingness to believe – is also revealed. Alice consistently resists accusations, and casts these back upon the very individuals attempting to hold her accountable. Even her opening discourse evidences her manipulation of other characters, accosting her husband for his early rising to meet with Franklin: 'Had I been wake you had not risen so soon.'[132] Alice is a formidable force; far from the oppressed and pitiable wife found in the ballad adaptation, she is used by the playwright to address concerns surrounding ventriloquising female testimony through the very act of depicting a murderess who adopts and manipulates these cultural expectations to resist conforming to a singular 'type'. I suggest that understanding Alice not as a figure deserving of sympathy but, rather, of anxious fascination, is vital to fully appreciating her reimagined narratives right up until Arden's murder.

The playwright's decision to re-write the conventional features of narratives concerning women such as Alice Clarke and Mistress Page is perhaps the most important feature of Alice's testimony throughout the play. Whilst her exploitation of narratives used by other woman charged with petty-treason suggests that her defensive testimonies are not intended to construct a consistent, credible, voice, her command of these accepted narratives enables her to resist convention and develop a fluid sense of character that is

[132] Anonymous, *Arden of Faversham*, 1. 59.

knowingly inauthentic. In so doing, *Arden of Faversham* challenges the very possibility of conceptualising a stable female voice for testimony. Once again, the anonymous playwright does not attempt to redeem Alice. Her culmination of voices, in effect, adopts the story of all women who wished to kill their husbands, hauntingly performing the types of defence expected of a woman convicted of petty-treason. These narratives were altogether different from those expected of Alice's male accomplices. Alice's manipulation of these voices demonstrates an integral issue in contemporary law: the requirement that female criminals develop their own language and narrative style in order to reflect the differing severity between a murder of a husband by a wife, and vice versa.[133] Unable to access the conventional masculine defence narratives presented within courts (that cited provocation), women adopted voices of oppression and remorse – whether based in truth or exaggerated – in order to engage the court's attention. As a result, many of these narratives sought empathy for the female transgressor by demonstrating that she had erred only as consequence of male misgovernment.

By contesting typical domestic hierarchy, which assumed masculine dominance, *Arden of Faversham* demonstrated a radical development in domestic tragedy. The playwright exposed the difficulties faced by women who found themselves obliged to testify in public arenas. Alice's testimonies work from an internal reflection (confession) to outwards public displays. Ultimately, the informal testimonies which take place in private, closed quarters are far more successful. But the playwright's innovative approach to Alice's fragmented voice, in both the public and the private spheres, explores issues integral to testimonial credibility, and the politics of space. If Alice may convincingly testify within domestic spaces, exploiting the biases intended to oppress women, yet is less successful within the masculine dominated legal

[133] Krista Kesselring notes this differentiation between husband-killing and wife-killing, advising that the event of a wife killing her husband was perceived as 'an offense so heinous it was typically deemed not murder but petty treason and dealt with by burning at the stake.' Krista J. Kesselring, 'No Greater Provocation? Adultery and the Mitigation of Murder in English Law', *Law and History Review*, 34.1 (February 2016), 199-226 (p. 213).

centres, what sorts of dilemmas were faced by men and women engaging in legal altercations? *Arden of Faversham* may not have been intended as a proto-feminist play, but the playwright's experiments in Alice's defensive voice nonetheless highlight the crisis of testimony that domestic drama would subsequently seek to address. The following chapter will build upon these ideas, delving further into the politics of testimonial environments by exploring the contexts of testimony delivered formally (in public), or privately (in the domestic sphere) – where, arguably, more was really at stake for men.

Chapter Three – Finding Her Conscience: Auditing Female Confession in *A Warning for Fair Women*

> Ile tell you (sir) one more to quite your tale,
> A woman that had made away her husband,
> And sitting to behold a tragedy
> At Linne a town in Norffolke,
> Acted by Players travelling that way,
> Wherein a woman that had murtherd hers
> Was ever haunted with her husbands ghost:
> […]
> She was so mooved with the sight thereof,
> As she cryed out, the Play was made by her,
> And openly confesst her husbands murder.[1]

This revelation is presented to audiences during the penultimate act of *A Warning for Fair Women*. The play dates from the late sixteenth century and was based on the real murder of George Sanders by George Browne (who was in love with Sanders' wife, Anne) in 1573.[2] The anecdote is shared on-stage by Master James with John Barnes and the Mayor of Rochester as they await the execution of Anne Sanders, and tells of a woman so moved by a theatrical

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[1] Anonymous, *A Warning for Fair Women: A Critical Edition*, ed. by Charles D. Cannon (Netherlands: Mouton & Co., 1975), 15. 2036-48. All quotations from *A Warning for Fair Women* are taken from Cannon's critical edition unless otherwise stated. Spelling throughout this edition, including character names, has not been standardised and I have retained the same spelling and punctuation as Cannon.
[2] The 1599 quarto advises that it had been '"lately" acted by "the right Honorable, the Lord Chamberlaine, his Servantes"' and we can therefore draw on the playing-company's association with the Theatre, Curtain, and the Globe playhouses. Precise performance history is unclear; however, contemporary performances to London audiences can be assumed. Gemma Leggott suggests that the play was first performed at the Globe by the Admiral's Men but, alternatively, may have toured the country on the same company's summer tour of 1597 in 'Faversham, Rye, Dover, Bristol, Bath and Marlborough.' See Gemma Leggott's introduction to her unpublished edition of the play: Anonymous, *A Warning for Fair Women*, ed. by Gemma Leggott, *Early Modern Literary Studies: iEMLS Hosted Resources* (2011), <https://extra.shu.ac.uk/emls/iemls/renplays/A%20Warning%20for%20Fair%20Women%20With%20Introduction%20Edited%20by%20Gemma%20Leggott%201.doc> [accessed 18 September 2018], pp. 2-19.

murder that she was compelled to disturb the performance to confess to the murder of her own husband. It sits within a play that was, itself, inherently focused on audience response and, particularly, the experience of women – those on-stage as well as the spectators – and demonstrates a preoccupation of its playwright, Thomas Heywood, with the reliability of (particularly female) confession. As established in the previous chapter, theatrical experiments with female testimonial voices at the end of the sixteenth century were increasingly focusing on the dilemma of confessional speeches by women: the shame-filled admissions of Alice Arden, and the testimony of Lady Conscience in Wilson's *The Three Ladies of London*, may have conformed stylistically to the conventional confessional templates of ballads and pamphleture – but both plays work, in other ways, to dramatise important cultural questions about the sincerity and reliability of female testimony. This chapter will explore Heywood's character of Anne Sanders, investigating his rejection of homily as the singular role of theatre and highlighting instead his focus on confessional reliability, audience response, and legal matters within this play and his other works. This attention to confession, together with the ambiguity that Heywood creates for his audience, will also help to establish some of the key issues surrounding the treatment and conviction of Elizabeth Sawyer in the following chapter.

The play inhabits an unusual position within the critical history of domestic tragedy. Whilst it is commonly referred to by critics considering the genre or related themes, critical editions of the text – edited by Arthur Frederick Hopkinson (1904) and Charles Dale Cannon (1975) – are few and far between.[3] Frances Dolan has considered character agency and genre within *A Warning for Fair Women*, and it is upon her work, alongside recent critical attention paid by Ariane Balizet in her study of the home and Lorna Hutson's research into quasi-legal theatre, that I wish to build by looking beyond the

[3] Anonymous, *A Warning for Fair Women*, ed. by A. F. Hopkinson (London, 1904).

agency of those on-stage, and into that of the audience.[4] I will also refer to the work of Alison Deutermann to examine affective response and the significance of on-stage confession, in addition to crucial work on female anger and on-stage passions by Gwynne Kennedy and Bridget Escolme, respectively.[5] My work also builds upon recent research into audience response and theatrical experience by Katharine Craik and Tanya Pollard, as well as Tiffany Stern and Farah Karim-Cooper, but suggests that emotional response is only one aspect of audience experience.[6] The aim will be to establish how Heywood's theatrical experiments offered a unique acknowledgment of the women within his audience, inviting them to engage with the performance emotionally when prompted – but also strategically to detach themselves, during interrogative scenes, in order to perform an investigative role. Although the debate regarding *A Warning for Fair Women*'s authorship continues, Gemma Leggott suggests that, following the assurance on the title page of the 1599 quarto that it had been 'recently performed' by the Chamberlain's Men, it is likely to have been performed at the Globe.[7] The implications of an open-air amphitheatre

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[4] Frances E. Dolan, 'Gender, Moral Agency, and Dramatic Form in *A Warning for Fair Women*', *Studies in English Literature*, 29 (1989), 201-18; Ariane Balizet, *Blood and Home in Early Modern Domestic Drama: Domestic Identity on the Renaissance Stage*, Routledge Studies in Renaissance Literature and Culture (Abingdon: Routledge, 2014); Lorna Hutson, *The Invention of Suspicion: Law and Mimesis in Shakespeare and Renaissance Drama* (Oxford: Oxford University Press, 2007).

[5] Alison Deutermann, 'Hearing Iago's Withheld Confession' and Tanya Pollard, 'Conceiving Tragedy' in *Shakespearean Sensations: Experiencing Literature in Early Modern England*, ed. by Katharine Craik and Tanya Pollard (Cambridge: Cambridge University Press, 2013), pp. 47-63, and 85-100; Gwynne Kennedy, *Just Anger: Representing Women's Anger in Early Modern England* (Carbondale: Southern Illinois University, 2000); Bridget Escolme, *Emotional Excess on the Shakespearean Stage: Passion's Slaves*, The Arden Shakespeare (London: Bloomsbury, 2014).

[6] *Shakespearean Sensations*, ed. by Katharine Craik and Tanya Pollard; Tiffany Stern, *Documents of Performance in Early Modern England* (Cambridge: Cambridge University Press, 2009); and *Shakespeare's Theatres and the Effects of Performance*, ed. by Farah Karim-Cooper and Tiffany Stern, The Arden Shakespeare (London: Bloomsbury, 2013).

[7] See Gemma Leggott, 'Introduction' in Anonymous, *A Warning for Fair Women*, ed. by Gemma Leggott, *Early Modern Literary Studies: iEMLS Hosted Resources* (2011), <https://extra.shu.ac.uk/emls/iemls/renplays/A%20Warning%20for%20Fair%20Women%20With%20Introduction%20Edited%20by%20Gemma%20Leggott%201.doc> [accessed 18 September 2018], pp. 2-19 (p. 6). Leggott discusses the authorship of the play, citing the work of Joseph Quincy Adams Jr., who outlined the recognisable

space for the involvement of audiences in the interrogation of and response to on-stage figures should be considered throughout this chapter in order to compliment discussions of the following chapter on the significance of *The Witch of Edmonton*'s indoor performance venue. Emotional responses are therefore revealed by Heywood as only one of several ways in which women reveal themselves, or respond to others. *A Warning for Fair Women* therefore becomes much more than a homiletic work by rejecting the assumption that women will expose their guilt (and that of others) by watching theatre.

Details surrounding the real murder of George Sanders were recorded in a pamphlet by Arthur Golding, *A briefe discourse of the late murther of master George Saunders, a worshipfull Citizen of London* (1576), which documented material from the trial, in addition to the confession and scaffold prayer of Anne Sanders who was found guilty of conspiring with George Browne.[8] In addition to the pamphlet, at least one ballad was created to retell Anne's story, *The wofull lamentacon of mrs. Anne Saunders*, which focuses on her confession and desire for forgiveness.[9] *A Warning for Fair Women* presents an interesting variation from these accounts, reflecting the ambiguity surrounding Anne's guilt that Golding noted at the start of his pamphlet: 'some were brought in a blinde beliefe, that either she was not giltie at al, or

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features of Heywood's writing within *A Warning for Fair Women* with other plays confidently attributed to the writer. These features included 'characterization, staging and language' and, coupled with my own analysis of Heywood's interest in female testimony and response to on-stage confession and revelation, I suggest that enough evidence exists to attribute partial, if not sole, authorship to Heywood. See Joseph Quincy Adams, Jr., 'The Authorship of *A Warning for Fair Women*', *PMLA*, 28.4 (1913), 594-620.

[8] Arthur Golding, *A briefe discourse of the late murther of master George Sanders, a worshipfull citizen of London : and of the apprehension, arreignement, and execution of the principall accessaries of the same*, in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-99854949e> [accessed 24 January 2018].

[9] Anonymous, *The wofull lamentacon of mrs. Anne Saunders, which she wrote with her own hand, being prisoner in newgare, Justly condemned to death*, in *Old English Ballads, 1553-1625*, ed. by Hyder Rollins (Cambridge: Cambridge University Press, 1920), pp. 340-48. The ballad was lost until its discovery and publication by Hyder Rollins, who notes that the ballad is likely to have been written from the events dramatised in *A Warning for Fair Women*. There was certainly a ballad pertaining to Anne Sanders in circulation in 1576; however, we cannot confirm that this was *The wofull lamentacon of Anne Saunders* and so the date remains unknown.

else had but brought hir selfe in danger of lawe through ignorance, and not through pretenced malice.'[10] Heywood would have been aware of this contemporary debate and it is therefore crucial to acknowledge that he constructed the entirety of *A Warning for Fair Women* without a single spoken confirmation of Anne's consent to her husband's murder. Anne's confession, as we will see, is instead depicted by Heywood as a deliberate challenge to audiences who have witnessed the unfolding of Anne's story. Rather than simply condemning Anne and focusing on her guilt, Heywood's play instead interrogates the very act of female confession, opening up a far more difficult dialogue about what constituted sincere confession. The closing scenes offer a double, competitive, confession between Anne and Drury – the curious widow who oversaw the plans for the murder as they unfolded. Her role in the murder is fundamental, but she inhabits an ambiguous position of power at all times throughout the play, not least through her unconventional education: Browne and the audience are advised early on by her servant, Roger, to 'sticke close to my mistris, she is studying the law'.[11] I intend to demonstrate that Heywood included these competing confessions to interrogate what was at stake for women who either attempted to testify or chose to confess. For the former, there was a necessary challenge to validate her anger and cause for complaint whilst, for the latter, the end goal could only be to remedy her reputation following death.[12] Whilst Anne's confession may therefore appear as little more than damage mitigation, Heywood uses her speeches to challenge his audience to determine the truth, through fostering their forensic detachment from the very words spoken before them. He does so, even as he withholds the possibility of reaching an accurate conclusion by supplying several different versions of the 'truth'. Anne's change of heart from adamant denial to eloquent confession offered Heywood an important opportunity to

[10] Arthur Golding, *A briefe discourse*, p. 11.
[11] Anonymous, *A Warning for Fair Women*, I. 1. 261-62.
[12] See Gwynne Kennedy's *Just Anger* for her distinctions of male and female anger in the Renaissance, particularly the double-layer of women's anger that required justification to avoid being discarded as a sign of her inherent physical and mental inferiority.

examine the limited options for women accused of domestic crimes, contributing to an urgent contemporary debate about determining the sincerity of confessional testimony. This chapter will explore how these experiments challenged theatrical audiences to reflect on whether women were always confessing for the 'right' reasons.

My opening anecdote will be discussed in the following section alongside another retelling of the same tale by Heywood in his 'An Apology for Actors.' This anecdote might initially be read as a reiteration of theatre's homiletic purpose – an event that reveals women's compulsive, spontaneous, and unwilled response to theatre, therefore marking their shame and culpability – but I wish to suggest that Heywood issued a more complex challenge to female audiences, tasking them to remain detached even as they found themselves emotionally engaged with the action on-stage. In her study of early modern depictions of domestic crime, Frances Dolan notes Heywood's solution to the 'troubling possibility of women's identification with petty traitors', observing that: 'In his account, female spectators identify with remorse, not with the desire to kill.'[13] I intend to go beyond Dolan's view by questioning her suggestions that female spectators only feel remorse; rather, I propose, Heywood allows that women are capable of both affective and reasoned responses to depicted evidence and events – although he determines finally to withhold any possibility of women determining 'the truth' of the matter.

The following section will introduce the play in the context of Heywood's theatre, further establishing the playwright's interest in audience response, and particularly that of female auditors. This work will foreground how Heywood utilised naturalistic and allegorical figures as part of his hybridised experiment with emotional engagement and forensic detachment, whilst also exposing the constraints of categorising complex events, such as those surrounding the Sanders case, within traditional dramatic genres.

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[13] Frances E. Dolan, *Dangerous Familiars: Representations of Domestic Crime in England, 1550-1700* (New York: Cornell University Press, 1994), p. 50.

Heywood's interrogation of genre and contribution to the development of domestic tragedy will, in turn, contribute to discussion in the following sections which will firstly consider the role and experience of *A Warning for Fair Women*'s audiences. This section will explore the ways in which Heywood challenged audiences to balance their judgements through a rationale of emotional impulse combined with a more detached investigative role. Moving on from the work of the previous chapters in examining voice as a testimonial tool, this chapter will consider how Heywood utilised testimony in all forms – verbal or otherwise – to engage audiences as witnesses and jury. Moreover, it will examine Heywood's especial attention to anger as a complex female expression, demanding audiences to reflect upon their own responses to on-stage female anger, using the ambiguity of Anne's circumstances to deny spectators the opportunity to make a verifiable judgement. The final part of this chapter will further this discussion by exploring the added crisis of testimony that follows the competitive confessions of Anne and Drury towards the play's conclusion. Analysing the ways in which the confessions of both women seek to emphasise their own shame and culpability above those of their rivals, I will demonstrate how Heywood utilised the seemingly homiletic template of confessional tracts to challenge the reliability of the women's testimonies, making the most of his own knowledge of legal affairs. At stake is Heywood's demand for reflection on the reliance on confession as irrefutably authentic testimony. *A Warning for Fair Women* offers Anne and Drury unspoken benefits for confessing to the murder of George Sanders, despite the doubt surrounding Anne's conviction. Whilst Anne's attempts to provide defensive testimony are rejected on the basis of her angry expression, her transformation to penitent confessor at the play's conclusion – whether a sincere and accurate reflection of her culpability or not – affords her a final meeting with her children and the opportunity to be lamented and forgiven on a public scale, thus preserving some of her reputation posthumously. As such, Heywood not only challenged audiences to respond with both emotion and detachment in an impossible attempt to cast reasoned judgement, but also

contributed to the ongoing cultural debate regarding the reliability of female confession.

Heywood's Theatre

Heywood's 'An Apology for Actors' (1612), although dated just over a decade after *A Warning for Fair Women*, presents some of the most compelling evidence of the dramatist's involvement in the play (if not sole authorship).[14] Heywood's defence of the theatre emphasises its capacity for pedagogy. His claim is accompanied by a curious list of supporting examples and role models: 'Our scenes afford thee store of men to shape your liues by … Women likewise, that are chaste, are by us extolled, and encouraged in their vertues, being instanced by Diana, Belphebe, Matilda, Lucrece, and the Countesse of Salisbury.'[15] Heywood values the ability of the playhouse to provide examples of behaviours, noting the power of tragic performances: 'attaching the consciences of the spectators, finding themselues toucht in presenting the vices of others.'[16] In *Metropolitan Tragedy: Genre, Justice, and the City in Early Modern England*, Marissa Greenberg expands upon this observation, advising that: 'In early modern English usage, "attach" could denote arrest and indictment and "touch" a kind of trial, such that Heywood's language underscores the legalistic quality of early modern English catharsis.'[17] For Heywood, the theatre and the courthouse are semantically entwined, with

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[14] Thomas Heywood, *An Apology for Actors* (London, 1612), in *EEBO* < https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-99841838e/eebo-99841838e-6452-59> [accessed 17 September 2018]. It is worth noting that *An Apology for Actors* may actually date closer to 1608, but debate remains regarding its precise dating.
[15] Thomas Heywood, *An Apology for Actors*, pp. 58-59. Mowbray Velte attributes the Countess of Salisbury to the character of the same name in *Edward III*, believed to have been co-authored by Thomas Kyd and William Shakespeare. The Countess is a character of virtue with whom King Edward is infatuated. See Mowbray Velte, *The Bourgeois Elements in the Dramas of Thomas Heywood* (New York: Haskell House, 1966), p. 23.
[16] Thomas Heywood, *An Apology for Actors*, p. 55.
[17] Marissa Greenberg, *Metropolitan Tragedy: Genre, Justice, and the City in Early Modern England* (London: University of Toronto Press, 2015), p. 86.

audiences expected to consider the space around them quite literally as a platform upon which the actions of those resembling themselves will be put on trial, whilst their own consciences are scrutinised. Far from a corrupted venue that incited and tempted its guests to sin, Heywood argued for the theatre as a source of revelation for the soul. As such, in reading *A Warning for Fair Women*, we should be aware not only of the historical significance of the play – its place in the popular imagination by depicting such a well-known crime – but also of Heywood's interest in the revelation of guilt, and his preoccupation with the reliability of confession. Anne Sanders' trial gained a degree of notoriety for the anxiety surrounding her guilty verdict; it is therefore important to acknowledge the multiple devices implemented by Heywood that allow his audience not merely to witness the murder of her husband, but also the interactions and motivations of each character as the plan is developed – including, and perhaps particularly, through what is left unsaid.

In *An Apology for Actors*, Heywood includes several descriptions of how performances have exposed the perpetrators of forgotten crimes. Describing a performance in Lynn, Norfolk, wherein 'a woman who, insatiately doting on a yong gentleman, had (the more securely to enjoy his affection) mischieuously and secretly murdered her husband,' Heywood describes the strange effect of the performance upon a particular member of the audience: 'a townes-woman (till then of good estimation and report) finding her conscience (at this presenment) extremely troubled, suddenly skritched and cryd out Oh my husband, my husband! I see the ghost of my husband fiercely threatning and menacing me.'[18] Heywood continues to explain that as those presented attended the affected woman, asking the reason for her distress, auditors nearby heard her admit that 'seuen years ago she, to be possesst of such a Gentleman (meaning him) had poysoned her husband, whose fearefull image personated it selfe in the shape of that ghost: whereupon the murdresse was

[18] Thomas Heywood, *An Apology for Actors*, p. 59.

apprehended'.[19] Heywood's account of the incident is notable for several reasons, not least because it focuses on the immediate experience of those around the woman at the time – rather than providing, for example, any detail about her subsequent trial (other than the fact that she was 'after condemned').[20] The attention is focused entirely on the surprise of other playgoers, and their role in enquiring after the reason for her response. Heywood describes the incident as a 'home-born truth,' a phrase reminiscent of Tragedy's Epilogue in *A Warning for Fair Women*: 'Beare with this true and home-borne Tragedie'.[21] During the play at Lynn, and within his own earlier play, Heywood observes the immersion of audiences, noting compulsions to confess to old crimes, awakenings of conscience, and the requirement of auditors to stand as witnesses to on- and off-stage events. Heywood imagined the early modern playhouse as a far less static environment than we are perhaps familiar with today, and one that demanded far more of those who paid to go inside.

Heywood provides a further example regarding another murderess being 'touched' by a theatrical performance – this time in Amsterdam during a play which depicted the murder of a penitent labourer, by means of a nail being driven through his skull:

> As the Actors handled this, the audience might on a sodaine understand an out-cry, and loud shrike in a remote gallery, and pressing about the place, they might perceiue a woman of great grauity, strangely amazed, who with a distracted & troubled braine oft sighed out these words: Oh my husband, my husband! The play, without further interruption, proceeded; the woman was to her own house conducted, without any apparent suspition, euery one coniecturing as their fancies led them. In this agony she some few dayes languished, and on a time, as certaine of her well disposed neighbors came to comfort her, one amongst the rest being Church-warden, to him the Sexton posts, to tell them of a strange thing happening him in the ripping up of a graue: see here (quoth he) what I haue found, and shewes them a faire skull, with a great nayle pierst quite through the

[19] Thomas Heywood, *An Apology for Actors*, pp. 59-60.
[20] Thomas Heywood, *An Apology for Actors*, p. 60.
[21] Anonymous, *A Warning for Fair Women*, Epilogue. 2729.

braine-pan, but we cannot coniecture to whom it should belong, nor how long it hath laine in the earth, the graue being confused, and the flesh consumed. At the report of this accident, the woman, out of the trouble of her afflicted conscience, discouered a former murder. For 12 yeares ago, by driuing that nayle into that skull, being the head of her husband, she had trecherously slaine him. This being publickly confest, she was arraigned, condemned, adiudged, and burned.[22]

From Heywood's account, it is not only apparent that the performance evoked a strong sense of guilt within the woman, but that she was so affected by the reminder of her husband's murder that 'she some few days languished'. Notably, once again, the responsibility falls to the 'conjecturing' audience members to ascertain the cause of her distress and remove her from the playhouse; the performance itself continued, 'without any further interruption'. Heywood's inclusion of the aftermath of the scene at the playhouse demonstrates not only how an audience member might be affected emotionally (responding with an impassioned reflection of conscience), but also how they might attempt to balance this with a more forensic reasoning of the situation. Whilst judgement and emotion are generally assumed to be separate, *A Warning for Fair Women* is a fascinating experiment into the opportunities presented by theatre with which they may instead be brought together. This is something that extends across the development of domestic tragedy, and is central to this thesis' understanding of how early modern playwrights were conceptualising the complexities of female testimony.

The susceptibility of women is integral to exploring Heywood's utilisation of the passions as plot devices within *A Warning for Fair Women*. Anne is not the stereotypically ideal wife; indeed, as Gemma Leggott notes, a key indication of Heywood's authorship can be traced to his less than flattering depiction of Anne which, in turn, bears much similarity to some of the other wives depicted by Heywood in his later plays. Leggott explains:

> Anne is shown in a very negative light very early on as both her manner and disposition are contemptible … [she] shows that she is not only disobedient and unruly but also shows how selfish she is and indicates

[22] Thomas Heywood, *An Apology for Actors*, p. 61.

> that perhaps Anne has been treated too kindly by her husband like Anne Frankford in *A Woman Killed with Kindness* whose gravestone will eventually bear the epitaph "Here lies she whom her husband's kindness kill'd."[23]

As an angry woman, Anne introduced complexities to an audience's interpretation of her case. Heywood declined to provide his auditors with the sole piece of evidence that would ensure they could be assured of her guilt, subsequently challenging contemporary prejudices against female expression of emotion. Part of this chapter's work is to consider Heywood's preoccupation with audiences – particularly female spectators – and his attention to the conflict between the emotional engagement of audiences and their ability to weigh up reasoned judgment by balancing passion against forensic detachment. Anne's unlikable character nevertheless presents her audience with no tangible proof of her guilt, and Heywood utilises this ambiguity to engage with the impossibility of judgement, taking issue with the idea, which would be defended much later by Henry Adams, that the new genre of domestic tragedy must have a singularly homiletic purpose.[24] As such, Heywood's theatre became a unique space in which to deliberate, rather than one in which solutions might be sought.

Heywood's evident interest in the discursive potential of domestic tragedy contributes to an ongoing debate which the two previous chapters have traced. Expanding his audiences' experience of generic conventions – and explicitly challenging, as we will see, the constricting requirements of traditional tragic, comic, and historical plays – Heywood implemented a range of dramatic conventions that can ultimately be seen as an ancestral tissue of theatrical traditions. Far from conflicting in style from one another, these devices work collaboratively to ensure that witnessing in the playhouse became an immersive experience for audiences as an unwilled, synesthetic

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[23] Gemma Leggott, 'Introduction', in Anonymous, *A Warning for Fair Women* (e-edition), p. 9. Leggott draws from O. Cromwell's research into Heywood's work in the authorship section of her introduction, pp. 7-13.
[24] See Henry Hitch Adams, *English Domestic Or, Homiletic Tragedy 1575-1642: Being an Account of the Development of the Tragedy* (New York: Columbia University Press, 1943), p. 6.

opportunity to engage with characters and their circumstances, whilst also necessitating forensic detachment to respond to all available evidence and testimony.

The play commences with a striking self-awareness of its experimental nature as the classical muses of the theatre struggle to determine which of them should hold authority over the performance. Entering the stage, the abstract characters of Tragedy, Comedy, and History find fault with one another: History identifies Tragedy as a 'common executioner', whilst she in turn berates History for the 'brawling sheepeskin' that is his drum.[25] All three characters are identified by traditional symbolism in their stage directions and Comedy enters the stage carrying a fiddle, marking his arrival with a scathing review of Tragedy's appearance. Addressing Tragedy as 'Madame Melpomene', Comedy mocks: 'Gup mistris buskins with a whirligig, are you so tuchie?'[26] Identifying Tragedy with Melapomene, the Greek muse of tragedy who is usually depicted bearing a knife, Comedy highlights the dramatic conventions which Tragedy has been born from, whilst also highlighting her gender, particularly through the reference to a 'whirligig' – a type of early modern punishment which Leggott notes was 'a large moveable cage that could be spun violently; a person would be placed inside the whirligig and spun until they vomited or fell unconscious.'[27] Crucially, Leggott explains that this punishment was 'considered ideal for the chastisement of women'.[28] Heywood shaped the introduction of the play to foreground Tragedy's gender through her confrontation with the male figurations of History and Comedy, rather than their respective Greek female muses, Clio and Thalia. The play's interest in female experience – both through dramatising women's testimony upon the stage, and by paying attention to the likely responses among female auditors – demanded the attention of a female muse as its patron. Tragedy's claim to the play wins when her rivals note that '[t]he stage is hung with blacke; and I

[25] Anonymous, *A Warning for Fair Women*, Induction, ll. 10 and 8.
[26] Anonymous, *A Warning for Fair Women*, Induction, ll. 19-20.
[27] Anonymous, *A Warning for Fair Women* (e-edition), I. 1, note 69.
[28] Anonymous, *A Warning for Fair Women* (e-edition), I. 1, note 71.

perceive / The Auditors preparde for Tragedie.'[29] Whilst the arguments of History and Comedy remain unresolved, it is important that Tragedy's victory is cited as the result of the audience's preparation for a tragic play: the auditors are thereby held directly responsibility for the shaping of the performance. Heywood is not only experimenting with genre but, moreover, challenging his audience to question their own expectations of a play based on real events within their locality, readying them for an immersive experience in which they must actively respond to the evidence and testimony presented.

The difficulty in deciding which of the genres may claim rights to the stage would surely have struck a chord with contemporary audiences. The term 'domestic tragedy' was not in use in 1599 and, as such, the play's resistance to an established format would not have gone unnoticed, even without the interactions of Tragedy, History, and Comedy. This opening altercation is fully utilised by Heywood to introduce many of *A Warning for Fair Women*'s key themes. Tragedy, the only woman of the three, is labelled as a 'scould' by Comedy and, indeed, she offers a clear display of female anger which pervades the rest of the play through Anne's outbursts.[30] History and Comedy pair up to mock her angry outbursts, criticising tragic conventions:

> And then a Chorus too comes howling in,
> And tels us of the worrying of a cat,
> Then of a filthie whining ghost [.][31]

The use of a Chorus is integral to Tragedy's telling of the play, and her claim to the performance is therefore heavily criticised by History and Comedy.

Heywood's experimentation continued beyond references to Greek Tragedy, Comedy, and History. The Chorus scenes also feature figures familiar to audiences of morality drama such as *Everyman* (c. 1475) – popular in the late fifteenth and early sixteenth centuries, with the eponymous character representing all mankind whilst the play tracked his fall and redemption - through his interactions with vices and virtues, including Material Goods,

[29] Anonymous, *A Warning for Fair Women*, Induction. 82-83.
[30] Anonymous, *A Warning for Fair Women*, Induction. 66.
[31] Anonymous, *A Warning for Fair Women*, Induction. 52-54.

Fellowship, and Good Deeds – in preparation for his encounter with the abstract character Death, sent by God.[32] The double confession of Anne and Drury in the final scene, which will be discussed in more detail in the next section, is used by Heywood to demand that audiences consider what was really at stake for women who chose to testify or confess to a crime. The symbolism of each allegorical character is easily identified through Heywood's stage directions, such as when 'wronged Chastitie' is required to enter the stage dressed 'all in white,' only to be ruined throughout the play, later re-emerging 'with haire disheveled … wringing her hands, in teares'.[33] These allegorical figures share similar names and traits – whether virtuous or vices – with the ladies of Wilson's *The Three Ladies of London*. Lady Conscience and Lady Love's depictions bear particular similarities to the progressive deterioration of Chastity within *A Warning for Fair Women*. Whilst Conscience and Love's falls are figured graphically through mutations in Wilson's play, such as Conscience's spotted face and Love's second head when she transforms into Lust, Chastity suffers a more naturalistic demise, which is figured through the dishevelling of her hair and clothing and is reflective, perhaps, of the more private, interior, crimes of petty treason and adultery considered by Heywood's play, rather than Love and Conscience's public fall to societal shame. Nevertheless, all three women, constructed through virtuous ideals, are shown to physically fall victim to the corruptive abstract vices. The popular symbolism of the morality characters, intermingled with the other echoes to theatrical tradition – particularly their appearance within the Greek-style Chorus scenes – creates an expectation for the audience that the non-allegorical figures (Anne, Drury, Browne, and Roger) will ultimately be made to see the error of their ways and seek for grace. Certainly, the double confession, on the surface, replicates the pedagogic teaching of these

[32] Anonymous, '*Everyman*', in *Everyman and Medieval Miracle Plays,* ed. A. C. Cawley (London: Orion Publishing Group, 1956; 3rd edn, 1993; repr. 2004), pp. 195-225.
[33] Leggott notes Heywood's fondness of 'dumb shows' in his plays in: Gemma Leggott, 'Introduction', in Anonymous, *A Warning for Fair Women* (e-edition), p.12. Stage directions taken from the text of Anonymous, *A Warning for Fair Women*, 4. Dumb Show I. 807, and 7. Dumb Show II. 1274-78.

allegorical tales; however, as we will see, Heywood breaks away from the expectations of these genres, peeling away the abstractions to reveal composite characters that reject any attempt to brand them as straightforwardly homiletic figures.

Heywood turned to theatrical tradition to address the limitations and opportunities of established dramatic genres. The allegorical Chorus scenes, narrated by Tragedy, are a key form of testimony for each of the characters. Many of the discussions hinted at within Anne and Drury's confessions are not featured in the play, such as the revelation that Anne has approved her husband's murder by signing a letter brought to her by Roger:

> LORD JUSTICE
> Roger what saist thou to this letter?
> Who gave it thee to carrie unto Browne?
> ROGER
> My mistris gave it me,
> And she did write it on our Ladies Eve.
> LORD JUSTICE
> Did mistris Sanders know thereof or no?
> ROGER
> She read it twise before the same was seald.[34]

This event, along with other discussions between the characters, must occur during Tragedy's 'dumb shows'. The role of the audience is therefore emphasised by presenting different opportunities to observe events and character motivations. The most important example of this is Anne's consent to the murder. The crux of her trial is balanced on her knowledge of Browne, Drury, and Roger's plot to kill Sanders, yet she never vocally agrees to the crime, only acceding that she might reluctantly consider Browne as a second husband if Sanders were to die:

> If it be so, I must submit my selfe,
> To that which God and destenie sets downe:
> But yet I can assure you mistres Drurie,
> I do not find me any way inclinde
> To change or new affection, nor God willing
> Will I be false to Sanders whilest I live.[35]

[34] Anonymous, *A Warning for Fair Women*, 17. 2301-6.

If the Chorus scenes do therefore represent the undramatised conversations of the characters, including Anne's consent, they are as important in the consideration of testimony as any of the spoken lines. The silent shows require audiences to respond to visible, as well as auditory, testimonial evidence, noting movements, gestures, and symbolism. Heywood's mix of traditional dramatic formats with a contemporary development in genre offered a radical new approach to reimagining such a topical event. Audience members quite literally became the witnesses and jury for the trial, notably, for instance, during Chastity's appeal to the figures of Mercy and Justice, the latter of whom sleeps through her initial complaint, whilst Mercy disregards her concerns: 'Then enters wronged Chastity, and in dumb action uttering her grief to Mercy is put away. Whereon she wakens Justice'.[36] The introduction of allegorical figures consequently presented familiar values against which the conspirators' crimes could be measured. Not only did the play offer a representation of the crime itself, it also fully involved its audiences in the complexities of the legal process that surrounded the perpetrators, requiring them to resist over-familiar conclusions such as those promoted within popular ballads and trial pamphleture. As such, it is not only the testimony of Anne and Drury that is called into question, but the witnessing of the audience themselves too.

Audiences

Further to his work with genre, Heywood also looked to recent domestic drama, such as *Arden of Faversham*, to explore the politics of the home. Unlike the masculine-dominated areas of court and finance, the home offered Heywood a testing-ground for the responsibilities and expectations of men and women – specifically, husband and wife. In *Blood and Home in Early Modern Domestic Drama*, Ariane Balizet introduces the struggle of 'somatic

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[35] Anonymous, *A Warning for Fair Women*, 4. 755-60.
[36] Anonymous, *A Warning for Fair Women*, 13. Dumb Show III. 1800-2.

domesticity,' a paradoxical structure within the home in which the roles of husband and wife, and their respective territories, are in conflict. Balizet explains that whilst a somatic order

> … at first glance could not be clearer in the gendered nature of the household order, [it] falters under its own ideological priorities. It produces two importantly divergent models of authority: one that imagined a female housewife-governor presiding over all household business, and another in which the husband and his household were analogous to a king and his commonwealth.[37]

Heywood utilised the opportunities presented by the historical case of Anne Sanders to engage more directly with his female spectators in ways which would not have been possible within conventional tragedy. Heywood's 'warning', focused specifically on the 'fair wom[a]n' of the play, is linked inherently with the ambiguous roles of women within the urban, civic, and – crucially – domestic spheres of early modern England. Whilst Balizet's definition of somatic domesticity is limited to the marital household, I wish to expand this by incorporating the varied female influences seen throughout *A Warning for Fair Women*, including the allegorical figures of Chastity, Tragedy, and Lust. These women, whether based on historical figures or more abstract characters, prioritise how women respond to events that occur or are depicted before them, and experiment with spoken and silent expression in order to examine authority in the playhouse, as well as the interaction of emotional response and forensic detachment among audiences to the scenes upon the stage.

Accepting Bridget Escolme's suggestion that man's 'sovereign reason' was a strong factor in his humanity, Heywood's play, which is so dependent on anger, reflects critically on responses to women, addressing the belief that they were considered more susceptible to emotional outbursts. Escolme's study of the passions upon the stage, whilst not touching directly on masculinity and femininity, explores the complex emotional relationship between Renaissance audiences and the playhouses, particularly the

[37] Ariane Balizet, *Blood and Home in Early Modern Domestic Drama,* p. 59.

opportunity to witness extremes of emotions which directly conflicted with contemporary advice regarding the restraint of passions.[38] This view of the theatre is enlightening as it suggests that for more than just the playwrights, Renaissance theatres were experimental spaces for audiences too. Escolme's argument speaks to Heywood's experimentation, inviting audiences to become emotionally embroiled in the action in front of them. Whilst I intend to build on recent research on emotional involvement, such as that conducted by Escolme, I also wish to propose a further line of enquiry regarding the importance of audience detachment within Heywood's play.

To fully appreciate Anne's confession in the following section, we must consider her depiction earlier in the play. Claiming, '[e]ven at this instant I am strangely changed', Anne's self-deprecating confession offers a stark comparison to the angry woman we observe managing the Sanders' household throughout the majority of *A Warning for Fair Women*.[39] The somatic structure of the Sanders' home is demonstrated through several early scenes, including areas of tension, as Anne gives way to rage. In her study on early modern female anger, Gwynne Kennedy explains that:

> [W]omen are believed to get angry more often and more easily than men because of their physiological, intellectual, and moral inferiority to men … Anger is a constant reminder of women's presumed inferiority with repercussions beyond the emotional realm for it also reinforces assumptions about their moral, physical, and intellectual limitations.[40]

Anne's submission to anger, then, should not be surprising to early modern audiences; however, Heywood utilises her displays of passion not merely as a comic reflection on female weakness. Rather, he explores the way in which Anne's emotions upon the stage may in turn engage the spectators in the pit and in the viewing galleries, questioning whether female auditors must also be compelled to respond, with anger, to the anger of others. Whilst Kennedy's argument outlines the widespread and misogynistic early modern

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[38] Bridget Escolme, *Emotional Excess on the Shakespearean Stage*, p. xiii.
[39] Anonymous, *A Warning for Fair Women*, 21. 2606.
[40] Gwynne Kennedy, *Just Anger*, pp. 3-4.

understanding of anger, it does not engage with the problem of audience. Anne's frustrations may have spoken to women within the audience – some of whom, perhaps, may have been more sympathetic than her on-stage witnesses. Much of *A Warning for Fair Women* works to affect audiences emotionally – whether by representing extreme passions such as anger or weeping upon the stage, or through the highly emotive crime and betrayal plotted by the conspirators. Heywood implements various means of prompting audience reflection, including the touching scenes between Anne and her eldest son, Young Sanders – where the unwelcome and unexpected arrival of Browne foreshadows future tragedy.[41] The increased depiction of domestic spaces on-stage offered Heywood an opportunity to engage the female members of his audience in different ways from the male-dominant settings of traditional histories and tragedies.

As part of *A Warning for Fair Women*'s refusal to confirm Anne's consent to her husband's murder, Heywood uses her moments of anger to explore the potential evidence for her guilt. Understanding how and why Anne might have become the 'dangerous familiar,' in Frances Dolan's term, is a journey Heywood invites the audience to join him in, and it is through exploring a fuller range of his titular 'fair wom[a]n' that he examines audience response.[42] An early example presents Anne's love of luxury items as the audience discovers her, accompanied by Drury, in the midst of a grossly extravagant spending spree: 'I do like your linnen, and you shall have your price: but you my friend, the gloves you shewed me, and the Italian purse are both well made, and I doe like the fashion, but trust me, the perfume I afraide will not continue, yet upon your worde Ile have them too.'[43] The order in total, as Anne accepts, totals 'thirtie pound', a sum of around £4,000 in today's

[41] Leggott comments on Browne's arrival in these scenes marking him 'like the devil disguised … threaten[ing] the order and stability of the household.' Leggott, 'Introduction', in Anonymous, *A Warning for Fair Women* (e-edition), p. 14.
[42] See Frances Dolan, *Dangerous Familiars*.
[43] Anonymous, *A Warning for Fair Women*, 4. 592-97.

money.[44] Anne appears to be surprised when her husband withholds this money to clear his own business debts, communicating his intention to do so through one of their servants. Her response is full of rage; however, she explains her fury to Drury delicately:

> I am a woman, and in that respect,
> Am well content my husband shal controule me,
> But that my man should over-awe me too,
> And in the sight of strangers, mistris Drurie,
> I tell you true, do's grieve me to the heart.[45]

Anne's complaint, it would seem, is not with the financial authority that Sanders has exerted, but rather that his vehicle for communicating it has been a servant. This justification correlates with Kennedy's findings that '[a]n angry woman must defend both her character and her anger at the same time, since one implicates the other … [a]n angry woman consequently must be prepared to negotiate the challenge to male authority that her anger implicitly presents, whether or not she intends such a challenge.'[46] This is not the only occasion in which the audience witnesses Anne's anger towards her husband. Prior to the above scene, Anne waits for Sanders' return, commenting upon his arrival, 'Ye have stayed late sir at th'Exchange tonight.'[47] Upon Sanders' attempts to engage her in conversation about dinner, Anne responds with brief answers – 'An hour ago' – before warning him: 'If your meat be marred, blame yourself not the cook.'[48] In a play so centred on audience immersion, anger serves as a powerful means of eliciting affective responses from the audience, whilst the nature of the plot demands audience scrutiny and detachment in ascertaining, as Kennedy notes, the reason for Anne's rage.

According to contemporary humoral theory, Anne's anger might stem from a choleric disposition, caused by an excess of yellow bile in the body. Certainly, there is some evidence of this argument within the play – Anne

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[44] Anonymous, *A Warning for Fair Women*, 4. 605. Leggott details the conversion in Anonymous, *A Warning for Fair Women* (e-edition), II. 1. Note 138.
[45] Anonymous, *A Warning for Fair Women*, 4. 655-59.
[46] Gwynne Kennedy, *Just Anger*, p. 4.
[47] Anonymous, *A Warning for Fair Women*, 1.3.76, p. 41.
[48] Anonymous, *A Warning for Fair Women*, 1.3.78 and 1.3.82, p. 41.

herself comments on her need to remain 'chaste', informing Drury that she was worried that anger would overtake her, due to a discolouration of her hands:[49]

> Why by these yellow spots upon my fingers,
> They never come to me, but I am sure
> To hear of anger ere I go to bed.[50]

Although Drury takes advantage of the situation to spin her claims of palmistry, informing Anne that yellow discolouration signifies 'a dissolution' and that she will be 'a widow shortly', the colour yellow would certainly have been understood by some of the audience as a sign of choler, and a physiological explanation for her rage.[51] Nevertheless, there is another theory we can apply to ascertain the importance of Anne's presentation as an angry woman.

As noted by Karl Enenkel and Anita Traninger in their study on early modern anger, spiritual ramifications for vexation were contradictory at best, with 'the question of where just anger ends and excessive rage begins … never definitively solved.'[52] Anne becomes an avatar for anger, incapable of balancing her impulses as her anger only increases upon itself; indeed,

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[49] Anonymous, *A Warning for Fair Women*, 2.1.100, p. 50.
[50] Anonymous, *A Warning for Fair Women*, 2.1.103-5, p. 50.
[51] Anonymous, *A Warning for Fair Women*, 2.1.114-15, p. 51.
[52] Karl A. E. Enenkel and Anita Traninger, 'Introduction' in *Discourses of Anger in the Early Modern Period*, ed. by Karl A. E. Enenkel and Anita Traninger (Leiden: Brill, 2015), pp. 1-15 (p. 4). Thomist theology had, despite its Catholic basis, continued to filter down through the sixteenth century. Its approach to the passions was to identify each of the passions, ordering them as part of a mutually interactional structure, with each one possessing an association with good and evil. Notably, anger is the one passion left without a mutual, or opposing, partner in this structure, with its anomalous position attributed to its causation: 'by contrary passions, i.e. by hope, which is of good, and by sorrow, which is of evil, it includes in itself contrariety: and consequently it has no contrary outside itself.' Thomas Aquinas, *Summa Theologica Part I-II*, trans. by the Fathers of the English Dominican Republic (Altenmünster: Jazzybee Verlag, 2016), p. 239. If all other passions may be rationalised by their opposite, indeed, reversed altogether, anger remains a dangerous and fascinating extremity. There is no alternative emotion that can calm an angry individual, and anger therefore serves as its own catalyst, becoming a particularly volatile and unwieldy emotion in playhouses. See also, Gail Kern Paster, Katherine Rowe, and Mary Floyd-Wilson, eds, *Reading the Early Modern Passions: Essays in the Cultural History of Emotion* (Philadelphia: University of Pennsylvania Press, 2004).

consider the desperate plea of the servant who is the target of her rage: 'Feede not my mistris anger, mistris Drewry'.[53] Whilst anger that is exercised without any restraint naturally raises concerns, Thomist theory also considers the release and pleasurable side of the passion, which – when considered in the character of Anne Sanders – presents a figure of intimidating force as well as irresistible momentum. As such, the passions become an integral part of understanding Anne's character, particularly the irresistible draw she holds over her on- and off-stage observers.

This control extends to the list of her would-be suitors who despite, or perhaps due to, her unchecked momentum, express their love for her throughout the play. Browne may construct the murder plot to enable his own marriage to Anne; however, Heywood shows that he is not the only man interested in becoming her second husband. Old John reports to his maid, Joan, and John Bean, that:

> JOHN BARNES
>
> I dreamed my selfe last night that I heard the bels of Barking as plaine to our towne of Wolwich as if I had line in the steeple. And that I should be married and to whom trowest thou? but to the fine gentl-woman of London that was at your masters last summer?
>
> BEAN
>
> Who? mistres Sanders?[54]

Even before Sanders is dead, Browne and Old John have advised the audience and other characters of their thoughts of marriage to Anne. Her third admirer emerges following the murder, whilst she is incarcerated at Newgate. This minor plotline is important in reflecting a report from Golding's trial pamphlet of a prison minister named George Mell who, out of his love for Anne, attempted to persuade Drury to accept all blame and clear Anne of guilt. Whilst not identified as Mell within the play, the theatrical minister attempts the same plan as his historical counterpart, and is also punished in a pillory. Golding describes how Mell:

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[53] Anonymous, *A Warning for Fair Women*, 4. 626.
[54] Anonymous, *A Warning for Fair Women*, 6. 1041-48.

…perswaded himselfe that [Anne] was vtterly cléere, and thereuppon falling in loue with hir, dealte with mistresse [Drury] to take the whole guilt vpon hir selfe, vndertaking to sue for mistresse Saunders pardon. And so what by his terrifying of hir, with the horroure of mischarging and ca […]ing away of an innocent, what with his promising of certayne money to the mariage of hir daughter, and with other perswasions: she was so wholly woonne that way, that … she vtterly cléered mistresse Saunders of the facte[.][55]

The Mell of Golding's pamphlet sounds somewhat more forceful than that of Heywood's play – there is certainly no indication that the theatrical Drury has been 'terrif[ied]' by anyone, and it is she that decides to rescind her offer of clearing Anne's name, rather than any obvious interference by the prison authorities themselves. Nevertheless, the minister is confronted in *A Warning for Fair Women*, by Master James, who demands:

Do not I know, that if you could prevaile,
By this far fetcht insinuation,
And mistris Sanders pardon thus obtainde,
That your intent is then to marry her?[56]

The minister's plot revealed, James sends him to stand 'upon a pillorie' as an example 'for such impietie.'[57] If anger was indeed considered a 'serious character flaw' for women in the early modern period, as Kennedy persuasively argues, how does this bias transform into men's lust towards Anne?[58]

Anne, as anger, is unpredictable, and this unknown and uncontrolled experience is fascinating for a play so interested in audience response, where spectators were simultaneously compelled to scrutinise Anne's reactions, whilst also ascertaining the 'facts' of the case. Anne is not only irresistible to Browne, Old John, and Bean: Heywood raises the possibility that the audience, too, might lose control and fall in love with her. The quasi-legal experience of the audience demands a combination of detachment and emotional investment to interpret the highly-varied forms of testimony witnessed

[55] Arthur Golding, *A briefe discourse*, p. 13. The eclipsed word is unclear within the pamphlet; however, it appears to read 'casting away.'
[56] Anonymous, *A Warning for Fair Women*, 19. 2509-12.
[57] Anonymous, *A Warning for Fair Women*, 19. 2518-20.
[58] Gwynne Kennedy, *Just Anger*, p. 4.

throughout the play, and Heywood reminds his audience that they will fail as it is impossible, due to the available evidence, to make the 'right' decision. Marissa Greenberg, in her summary of domestic tragedy, offers a somewhat dismissive view of the genre, noting its success in 'transform[ing] London's discomfiting conditions and infamous crimes into sources of theatrical pleasure', whilst simultaneously criticising the 'the brief heyday of domestic tragedy [which] suggests that this vision of the metropolis fell short of reconciling formal innovation to ongoing urban change.'[59] Conversely, I suggest instead that Anne presented an exciting and complex composite character who demanded that, with the development of theatre, a change in the perception of women, their passions, and their ability to testify to them was due. Heywood achieved this through formal innovation, incorporating Anne's anger and her competing confessions with Drury, ultimately challenging audiences to consider their responsibility as witnesses to on-stage events. Returning to the idea of audiences being familiar to one another, this responsibility matters: Heywood's audiences were social peers, equipped to pass judgement outside the courtroom as an improvised theatrical community. Whilst this authority can only be seen as partial, due to the heavily contradictory nature of the case, this 'community' remains culturally significant at a time when some forms of contemporary justice were passed within more familiar environments. Multiple 'true' and 'authenticall' accounts of a trial might be circulated for informal, yet no less binding, judgements.[60]

Anne cannot remain the angry woman following her arrest. Upon their meeting with Drury in Newgate, she resorts to a kind of competitive confession, in which both women work not to mutually condemn one another

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[59] Marissa Greenberg, *Metropolitan Tragedy: Genre, Justice, and the City in Early Modern England*, pp. 22 and 17.
[60] See Frances E. Dolan, *True Relations: Reading Literature, and Evidence in Seventeenth-Century England* (Philadelphia: Pennsylvania University Press, 2013) for recent work on claims of authenticity within early modern trial documentation. For discussion of disputes resolved through arbitration or within less formal, community-led, court environments, see James Sharpe, 'Measuring Crime, Measuring Punishment', in *Crime in Early Modern England, 1550-1750*, Themes in British Social History, 2nd edn (London: Longman, 1984; 2nd edn, 1999), pp. 59- 101 (pp. 63-69).

but, rather, offer a double confession that directs as much blame upon themselves as possible. The reasons for such a radical change of heart will be discussed below; however, it is important first to acknowledge the spatial implications for both Anne's expressions of anger, and for her apparently remorse-filled confessions. Just as somatic structures may be used to read the hierarchy of a household, it is important to note where Anne is when she is angry and when she is penitent. Whilst within the 'private' realm of her marital home, as Balizet notes, a woman could exercise 'a great deal of domestic authority' (including 'cooking, cleaning, maintaining the home, disciplining female servants, and buying and selling goods').[61] Her authority within the home allows Anne to express her rage with less fear of repercussions; the masculine-dominated public spheres of law, commerce, and politics, however, did not present the same opportunities. It is also whilst she is in domestic safety that Anne is at her most attractive to the men around her. She herself comments on her familiarity with the tactics Browne employs to engage her in conversation:

> These arrand-making Gallants are good men,
> That cannot passe and see a woman sit
> Of any sort, alone at any doore,
> But they will find a scuse to stand and prate,
> Fooles that they are to bite at every baite.[62]

Conversely, in the public sphere, Anne's authority is diminished. Whilst Browne was on her doorstep, Heywood armed Anne with blunt retorts to his fruitless approaches: 'If ye have business with my husband sir, / Y'are welcome, otherwise Ile take my leave.'[63] Once she has been apprehended by the authorities, however, Anne's responses are monitored, with any hint of anger checked. During her trial, Anne counters a claim by Roger that she was privy to a letter regarding the murder of her husband:

ANNE

[61] Ariane Balizet, *Blood and Home in Early Modern Domestic Drama,* p. 58.
[62] Anonymous, *A Warning for Fair Women*, 2 .394-98.
[63] Anonymous, *A Warning for Fair Women*, 2. 372-73.

Did I, thou wicked man?
This man is hired to betray my life.

2 LORD

Fie Mistress Sanders, you do not well
To use such speeches when ye see the case
Is too, too manifest.[64]

Although she continues to deny her involvement in the crime, defending herself against Roger's allegation that she contributed plate to fund Browne's flight ('Indeede I grant I misse some of my plate / And now am glad I know the theefe that stole it'), Anne's pleas are disregarded by the Lords, as her guilt is perceived as 'too, too manifest', whilst Drury's submissive admission is accepted fully, with the Lords even prompting her for further speech.[65] The public arena of the court strips Anne of the authority she has exercised within the home. Consequently, her impassioned pleas of innocence are less persuasive in a predominantly male environment. As a result, Anne also adopts a submissive tone. Her confession, placed alongside Drury's, echoes a familiar Renaissance trope for female auditors: that women, in lieu of being able to *prove* innocence in a legal arena must instead *become* proof of repentance by transmuting confession from a legal act to a spectacle of spiritual shame before going to death.

Competing Confessions

Whilst the emotional displays of characters found ways to kindle the interest and affective response of auditors, Heywood was also interested in experimenting with the forensic detachment required by audience members in witnessing the events on-stage. As such, the play is punctuated with Tragedy's allegorical 'dumb shows,' and multiple trial and interrogation scenes, the combination of which provides much of the play's spoken and gestured evidence. In addition to its already unusual genre, *A Warning for Fair Women*

[64] Anonymous, *A Warning for Fair Women*, 17. 2311.
[65] Anonymous, *A Warning for Fair Women*, 17. 2321-22.

becomes increasingly radical by obliging the audience to gather clues themselves – combining empathy with objective interrogation. Heywood further deviates from conventional form by making his female confessions, usually the most emotive and didactic method of resolution, instead present an extra layer of conflict as the two confessional speeches offered compete against one another. Just as the rest of the play incorporates alternate narratives throughout, from which the audience may acquire specific pieces of evidence, Anne and Drury's concluding confessions must also be considered forensically by auditors who must, additionally, manage their own emotional response to on-stage proceedings. Heywood's decision to have the women competing once again frustrates the possibility of ascertaining the 'true' version of the Sanders case, as both women seek to foreground their own guilt above their rival's.

These confessions centre on the dramatic conflict of one woman's word against another's. Although Anne's earliest testimonies in the play conflict with Drury's, as she attempted to prove her innocence, by the play's conclusion both women are united in their mutual acknowledgement of guilt for Sanders' death. Nevertheless, they pursue a contest as to whose confession may be most persuasive. Heywood's inclusion of Drury's testimony is notable as little of its documentation in the historical trial records remains, save a note towards the end of Arthur Golding's trial pamphlet, wherein Drury confesses to her part in Sanders' murder but goes on to deny the further rumours that were circulating: 'that she had poisoned hir late husbande Master Drewrie, and dealt with witchcraft and sorcerie'.[66] Analysing the play's double confessions demonstrates domestic tragedy's opportunities to disengage from allegorical characters, instead exploring the possibilities presented by composite figures. It is key that Heywood declines to show Anne's offer or refusal of consent to her husband's murder, presenting evidence that is difficult for audiences to assess precisely because it contradicts itself. The job of arbitrating, as such, becomes impossibly hard.

[66] Arthur Golding, *A briefe discourse*, p, 20.

This is evidenced through the change of attitude we witness in Anne at the end of the play. For the majority of her interrogation, Anne – unlike Drury – denies the claims against her: 'O God (my Lords) he [Roger] openly belies me.'[67] Ultimately, however, she is persuaded to confess by Drury, resulting in the surprising event of both women competing to produce the most compelling admission of guilt, presenting increasingly impassioned accounts of the same events, using self-deprecation as a tool of self-incrimination. Alison Deutermann outlines the transitory nature of confession as an act that:

> gradually transitioned from "a private and individual to a public and collective" experience outlined in the Tudor Books of Common Prayer. Such changes to confessional practice, coupled with the lack of any clear semantic distinction between strictly religious and secular acts of "confessing," would have had profound effects on early modern thought.[68]

If we consider confession as an increasingly performative experience, rather than the more private affair of prayer or conversation with a priest, it is perhaps not surprising that such scenes were of interest to playwrights. Indeed, Deutermann describes the 'affective release' of confession upon an audience, commenting on the 'semantic and epistemic pressures being placed on the concept of "confession" in this period with attention to the lived, bodily experience of hearing and speaking'.[69] Returning to the biases faced by female litigators in early modern courts, we must again consider the impossibility of Anne Sanders proving her innocence, despite Heywood's deliberate omission of conclusive evidence of her guilt. The sudden consolidation during these confessions, shown below through the way Anne and Drury are inspired by,

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[67] Anonymous, *A Warning for Fair Women*, 17. 2343.
[68] Alison Deutermann, 'Hearing Iago's Withheld Confession', in *Shakespearean Sensations*, p. 49. Deutermann's argument references Ramie Targoff's *Common Prayer: The Language of Public Devotion in Early Modern England*, Literary Criticism (Chicago: University of Chicago Press, 2001), p. 30, which is also useful for tracing developing understandings of confession as both an act and concept.
[69] Alison Deutermann, 'Hearing Iago's Withheld Confession', in *Shakespearean Sensations*, p. 48. See also Bruce Smith's study on early modern acoustics, which emphasises the early modern educational focus on oratory as 'the proposition that *all* human speech is a form of persuasion'. Bruce R. Smith, 'Circling the Subject', in *The Acoustic World of Early Modern England: Attending to the O-Factor* (Chicago: University of Chicago, 1999), pp. 246-285 (p. 248).

and respond to, their opponent's words and sentiments, confirms the thoroughly public affair of their admissions; Heywood's final scene does not seek to offer the audience closure on the Sanders case but, rather, to fully expose what was at stake for women who testified and confessed, utilising their confessions to resist not only the social requirement for public shaming after a private (domestic) crime, but also the conventional pedagogical impulse that threatened to limit the full explorative potential of domestic tragedy.

To fully appreciate how confession contributes to Heywood's rejection of a singularly didactic purpose within domestic tragedy, we must consider why Anne and Drury compete. Heywood's interest lay in experimenting with the limits of character to push forward his radical agenda for domestic tragedy by staging a scene of urgent implications for early modern society and its view of female confessional testimony – something that extended far beyond the achievement of dramatic realism. In acknowledging guilt, both women ask forgiveness of God and their peers, crafting an image and memory of repentant, virtuous women who were led astray. Wrongful admission and forgiveness, therefore, problematically appear preferable to irreversible notoriety post-execution. Importantly, Anne and Drury's final testimonies do not mutually condemn one another. Anne's attempt to cast the blame upon Drury is quickly rebutted by the latter's observation:

> Anne Sanders, Anne, tis time to turne the leafe,
> And leave dissembling, being so neere my death,
> The like I would advise your selfe to do [.][70]

The calculating and fearless widow from the play's opening, who quickly established ways to increase her reimbursement from Browne upon establishing the extent of his infatuation with Anne – 'Yea but thou knowest they are both my friends; / Hee's very wise, she verie circumspect' – has been replaced by a reflective penitent.[71] Notably, there are no references to religion

[70] Anonymous, *A Warning for Fair Women*, 21. 2578-80.
[71] Anonymous, *A Warning for Fair Women*, 1. 272-73.

in the play prior to this scene, yet a priority of each woman's confession is her offence to God:

> ANNE
> Right reverend sir, not to delude the world,
> Nor longer to abuse your patience,
> Here I confesse I am a grievous sinner
> And have provok't the heavy wrath of God,
> [...]
> DRURY
> I am as well resolv'd to goe to death
> As if I were invited to a banquet:
> Nay such assurance have I in the bloud
> Of him that died for me, as neither fire,
> Sword nor torment could retaine me from him.[72]

The Doctor's responses suggest a script-like quality to their confessions: 'Done like a Christian and the childe of grace, / Pleasing to God, to angels, and to men'.[73] These apparently non-devout individuals have unexpectedly developed the mindset and rhetoric to speak 'like a champion of the holy Crosse'.[74] Whilst it is unknown whether Heywood read Golding's pamphlet – although the document was certainly in circulation prior to the play's publication – it is notable that Golding also remarked on the spirituality of Anne, Drury, and Roger upon their arrest: 'they founde all the three prisoners very rawe and ignorant in all things perteyning to God & to their soule health, yea and euen in the very principles of the Christen religion.'[75] Nevertheless, Golding includes a transcript of Anne's confession and prayer before execution which, like the play, is infused with religious sentiment:

> I thank God with my whole harte, he hathe not suffered me to haue the reigne and bridle of sinning gyuen me at my will, to the daunger of my eternall damnatiō, but that he hath founde out my sin, & brought me to punishment in this world, by his fatherly correctiō, to amend, to spare, and saue me in the world to come[.][76]

[72] Anonymous, *A Warning for Fair Women*, 21. 2616-41.
[73] Anonymous, *A Warning for Fair Women*, 21. 2626-27.
[74] Anonymous, *A Warning for Fair Women*, 21. 2642.
[75] Arthur Golding, *A briefe discourse*, p. 18.
[76] Arthur Golding, *A briefe discourse*, p. 30.

Similarly, the ballad opens with a note apparently from Anne that advises: 'I lament, I repent, I beleve, I reioyce, / I trust in the lord christ, he will here be my voyse.'[77] Despite assuring readers that the ballad they are about to read comes from the hand of Anne Sanders herself, this note (separate from the main body of the ballad) suggests that the language used will not be Anne's own, but the channelling of an altogether more spiritual and celestial confession.

This sudden spiritual change in Anne and Drury – indeed, Anne even bequeaths to each of her children 'a booke / of holy meditations' – serves as a direct opportunity for Heywood to challenge his audience to once more scrutinise the events before them.[78] This transformation further indicates the morphing of Anne and Drury's trial from criminal proceedings to confession within a spiritual context. Peter Brooks considers the interrelation of legal and religious confession, highlighting the unspoken by-products of confessions which:

> activate inextricable layers of shame, guilt, contempt, self-loathing, attempted propitiation, and expiation … once initiated, confession produces guilt as well as dissipating it … You may damn yourself even as you seek to exculpate yourself.[79]

By positing both women on an inevitable path to the gallows, Heywood could focus on interrogating the little remaining power they had to control their legacy once their ability to vocally testify was past. It is worth therefore considering what Heywood's inclusion of the confession says to the superficially pedagogical conventions associated with on-stage confession. Does her confession, as Peter Brooks' findings might suggest, represent nothing more than a performance for the benefit of her on-stage and off-stage audiences, serving as a necessary means for their closure rather than (as might

[77] Anonymous, *The wofull lamentacon of mrs. Anne Saunders*, in *Old English Ballads, 1553-1625*, p. 341.
[78] Anonymous, *A Warning for Fair Women*, 21. 2702-3.
[79] Peter Brooks, 'Introduction', in *Troubling Confessions: Speaking Guilt in Law and Literature* (Chicago: University of Chicago, 2000), pp. 1-7 (p. 6).

be expected in homiletic drama) for the spiritual salvation of Anne herself? Brooks presents a somewhat bleak view on the value of confession, and society's need for it, by pointing out that the discovery of guilt by any means is rarely considered a full victory; on the part of a defendant: 'Denial will only make things worse. The process of rehabilitation and reintegration – if by way of punishment and expiation – can only begin when the suspect says those words: "I did it."'[80] Anne's confession becomes a self-consciously performative act that acknowledges the audience as its real beneficiaries, whether in a theatrical setting or more literally around the gallows. Heywood once again charges his audience to reflect critically on their inability to satisfactorily reconcile the available evidence of Anne's case.

The contemporary pamphlet, and the ballad of Anne Sanders that followed slightly later, use a similar narrative of Anne's confession to that presented in the play.[81] Both document Anne's intention of pleading innocent until the end, whilst the pamphlet offers detail on the scandal regarding George Mell – the priest who attempted to convince Drury to take the blame so that Anne might be freed for him to marry. The ballad only fleetingly mentions this event, without the mention of names. Similarities between the accounts appear almost immediately – all the confessions offer apologies to the wider world for the grief caused to virtuous men, women and children, and we should perhaps note that Heywood echoes some of these aspects of the pamphlet and ballad that are obediently didactic in their intent towards women readers. Heywood's Anne laments as follows, for example:

> Mercy I aske of God, of him, and you,
> And of his kinred which I have abusde,
> And of my friends and kinred wheresoever,
> Of whom I am ashamèd and abasht,
> And of al men and women in the world,
> Whome by my foule example I have griev'd.[82]

[80] Peter Brooks, *Troubling Confessions*, p. 3.
[81] Anonymous, *The wofull lamentacon of mrs. Anne Saunders*, in *Old English Ballads, 1553-1625*, pp. 340-48.
[82] Anonymous, *A Warning for Fair Women*, 21. 2675-80.

A similar remorse is echoed by the ballad's Anne as she reflects on her betrayal of others:

> Behold, all honest wyves,
>   and finest london dames,
> Beare to your husbandes trusty hartes,
>   procure not to your shames [.][83]

The ballad and the play both utilise the shamed and confessional Anne as a didactic tool for other women, warning them from a similar fall; however, I suggest that Heywood's use of these techniques stemmed from an altogether different intention. *A Warning for Fair Women* remains a play that defies audience attempts to determine what is correct and what is not. This extends not only to factual correctness, but also to moral dilemmas; the very value of confession, seemingly the most emotive and apparently didactic form of testimony, must be devalued when its performative and competitive delivery contradicts the sentiment that seemingly lies behind it.

We have seen that Heywood staged a scene of competitive confession in order to challenge his audience to arbitrate events in a forensic, detached way. This same forensic approach is, however, required by audiences prior to this scene. Tragedy's dumb shows, which are interspersed throughout the play, demand a combination of detachment with emotional response. The abstract character of Chastity often accompanies Anne during the Chorus scenes, and both characters are directed to weep as an indication of the crime that will kill Anne's husband, whilst literally killing Chastity herself. In Act Four, Tragedy narrates Chastity's silent appeal to Justice and Mercy. Physically, Chastity is described '[w]ith wringing hands and cheekes besprent with teares,' whilst Anne is instructed to enter appearing 'very sorrowful' by the stage directions.[84] Visual representation of emotions was considered especially powerful upon audience members, as Tanya Pollard notes:

[83] Anonymous, *The wofull lamentacon of mrs. Anne Saunders*, in *Old English Ballads, 1553-1625*, p. 344.
[84] Anonymous, *A Warning for Fair Women*, 13. Dumb Show III. 1818 and 1806.

> [T]he cleansing associated with successful tragedy was overwhelmingly understood as involving a forceful purgation of the emotions, embodied in tears … mimetic theories of spectatorship suggested that tragic protagonists could best induce purgative tears in audiences by representing them directly, triggering a sympathetic response.[85]

Returning to Heywood's interest in female susceptibility to affective theatre, we should remember contemporary thoughts on female responses – physical and emotional. Pollard explains that: 'according to the physiological assumptions inherited from the ancient Greek world, female bodies were not only especially prone to tears but, more broadly, highly moist and permeable by nature.'[86] This is important if we reflect upon Tragedy's opening demands in *A Warning for Fair Women*, when she declares: 'I must have passions that must move the soul … Extorting tears out of the strictest eyes'.[87] As such, Heywood builds directly upon the expectations of theatrical tradition to tap into the sentiments of auditors, identifying particular ways to engage his female spectators, whilst also challenging them to combine this affective response with an ability to detach themselves from scenes in order to serve as witnesses and jury. The power of Heywood's depiction of evidence in these emotional and forensic ways is in how two seemingly opposed approaches are pitched together; *A Warning for Fair Women* therefore interrogates audience response to the dilemma surrounding Anne's guilt through a hybridisation of affect and detachment, whilst Heywood structured the play in a manner that would refuse the ultimately crucial evidence for verifying either an emotional or an investigative response.

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> Many of these spectators then could say
> I have committed error in my play.
> […]
> What now hath faild, to morrow you shall see

[85] Tanya Pollard, 'Conceiving Tragedy', in *Shakespearean Sensations,* p. 88.
[86] Tanya Pollard, 'Conceiving Tragedy', in *Shakespearean Sensations*, p. 88.
[87] Anonymous, *A Warning for Fair Women,* Induction. 44-46.

Perform'd by Hystorie or Comedie.[88]

Tragedy's strategically modest Epilogue – mirroring her use of *captatio benevolentiae* at the play's opening to solicit the goodwill of auditors – offers its own kind of self-deprecating confession. Heywood echoed Tragedy's first and last appearances on-stage to return to the play's opening debate on genre, reinforcing the hybridity necessary in the telling of Anne's story. A striking self-awareness of its own experimental nature pervades the play, not least through the more abstract scenes that are delivered by Tragedy and, in the opening of the play, by Comedy and History. Not only is the audience unsure of what to expect at the start of the performance, but the classical generic figures, too, claim uncertainty over which should hold authority for the performance. Tragedy, identified as 'Madame Melpomene' – the Greek muse of Tragedy – by Comedy, has her gender foregrounded as she is confronted by the male figurations of History and Comedy, rather than their respective Greek female muses, Clio and Thalia. The play's interest in female experience, through both testimony upon the stage and response among female auditors, demands a feminine muse and genre to oversee its complex experiments and topical content.

The play speaks to Heywood's own preoccupations evident throughout his works, particularly his attention to female spectators and their susceptibility to on-stage events. This focus is facilitated during *A Warning for Fair Women* through the attention paid throughout to legal matters, forming the complex path of immersion and detachment that Heywood constructed for his female auditors to navigate as they formed their own responses – none of which might be fully affirmed or disproved. As such, the achievement of Heywood's radical theatrical experiment into female confession and experience must reside in the very obstacles he placed to obstruct his audiences from gaining confirmation of Anne's guilt. These in turn emphasise the troubling frequency with which female trials, on- and off-stage, celebrated

[88] Anonymous, *A Warning for Fair Women*, Epilogue. 2728-34.

closure through self-deprecating female confession. In *A Warning for Fair Women*, Heywood presents a woman who had been found guilty and sent to death by the non-theatrical courts. The play represents his attempt to reconstruct the witnessing experience of the murder's conception, execution, and subsequent trial in order to outline the difficult balance of emotive response and forensic examination required to make a just and accurate judgement. Heywood's experiments with genre reinforced the impossibility of simplifying a story like Anne's to limited options, such as Tragedy, whilst his interrogation of emotion and competitive confessions established the impossibility of his audiences reliably arbitrating the guilt of Anne Sanders. Tragedy concludes her Epilogue by suggesting: 'Perhaps it may seem strange unto you al / That one hath not revengde anothers death'.[89] Rather than satisfying the voyeuristic hopes of her spectators, Tragedy instead justifies this lack of final vengeance by reaffirming the play's basis in real events: 'After the observation of such course: / The reason is, that now of truth I sing'.[90] It is this 'truth' that Tragedy worries will make her play a failure – and perhaps this represents a bleak outlook for legalistic outcomes for women on- or off-stage.

Heywood's experimentation continued beyond references to Greek theatre, or to the traditional dramatic moulds of high Tragedy, Comedy, and History. The double confession of Anne and Drury in the final scene requires audiences to consider what was really at stake for women who chose to testify or confess to a crime. The unresolved possibility of Anne's guilt that survives her execution further demonstrates that *A Warning for Fair Women* is not a homiletic drama, instead providing a reminder of Heywood's reflection on homiletic impulse, and reasserting his challenge to the predetermined and presumed culpability of female litigators on- or off-stage. Tragedy's opening concern that 'My Scene is London, native and your own / I sigh to think my subject too well known', acknowledges the proximity of Sanders' murder to the playhouse and its auditors; yet, this very suggestion of supposed

[89] Anonymous, *A Warning for Fair Women*, Epilogue. 2722-23.
[90] Anonymous, *A Warning for Fair Women*, Epilogue. 2724-25.

knowledge should by now show up clearly as a challenge from Heywood to consider the accuracy of this 'subject too well known'.[91] Positing the scene as 'your own,' Tragedy served throughout the play to remind her spectators of their responsibility as impassioned witnesses to judge female testimony in legal and spiritual contexts. This new and profound challenge to audiences marks Heywood's achievement. *A Warning for Fair Women* dismisses any sense of drama's purgative or cathartic properties, and instead prioritises the requirements of audiences to reconcile their emotional investment in Anne's story with their own forensic approach. All the while, Heywood refuses to provide one piece of evidence which might fully resolve the case for the guilt or innocence within Anne's conscience – or, indeed, the collective conscience of the female auditors responding to her story.

[91] Anonymous, *A Warning for Fair Women*, Induction. 96.

Chapter Four – 'Published by Authority': Interrogating Credibility in *The Witch of Edmonton*[1]

OLD CARTER

Come, come, if luck had served, Sir Arthur, and every man had his due, somebody might have tottered ere this without paying fines, like it as you list.[2]

Old Carter's thinly veiled attack on Sir Arthur at the conclusion of John Ford, Thomas Dekker and William Rowley's *The Witch of Edmonton* (1621), reveals the community's hitherto unspoken recognition of Sir Arthur's abuses of power. The remark precedes the imminent execution of Frank Thorney and Elizabeth Sawyer, highlighting the injustice of Sir Arthur's liberty despite Old Carter's judgement that he is 'worthier to be hanged of the two, all things considered'.[3] Sir Arthur's crimes have "only" offended the moral compass of the on- and off-stage audiences, however, and he subsequently walks free. This focus on guilt and complicity is central to *The Witch of Edmonton*, demanding far more detailed attention than current criticism allows for.[4] This chapter

[1] Henry Goodcole, 'Title Page', in *The wonderfull discouerie of Elizabeth Sawyer a Witch, late of Edmonton, her conuiction and condemnation and Death* (London, 1621), in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-99852787e> [accessed 22 January 2018], p. 1.

[2] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, ed. by Lucy Munro, Arden Early Modern Drama (London: Bloomsbury, 2016), V. 3. 183-85.

[3] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, V. 2. 7-8. '...of the two' compares Sir Arthur to Frank Thorney, although no comment is made here on Elizabeth Sawyer, her conviction being very different and seemingly disconnected to the domestic affairs of Frank that led to his murder of Katherine.

[4] Work on the play by Peter Corbin and Douglas Sedge in their critical edition, and Martin Wiggins in his collection of domestic plays has addressed the playwrights' sympathetic portrayal of Elizabeth Sawyer; however, whilst the diminishment of Sawyer's guilt has been considered, the responsibility of her audiences – on- and off-stage – remains neglected. See Peter Corbin and Douglas Sedge, 'Introduction: *The Witch of Edmonton*', in *Three Jacobean Witchcraft Plays*, The Revels Plays (Manchester: Manchester University Press, 1986), pp. 20-27; and Martin Wiggins 'Introduction' in *A Woman Killed with Kindness and Other Domestic Plays*, ed. by

intends to demonstrate how Ford, Dekker, and Rowley – writing several years after the previous plays considered by this thesis – utilised developments in theatrical testimony and audience response in order to interrogate communal responsibility for Sawyer's transgression and fate. The play's social satire and the varied forms used for testimony demonstrate how domestic tragedy had matured by 1621 into a dramatic form that enabled testimony to be seen beyond the presence of one charismatic protagonist offering 'confession' to an audience. Rather, in *The Witch of Edmonton*, audiences on- and off-stage experience testimony as a transaction, or an exchange, between (potentially multiple) protagonists and their witnessing audiences – within the play-world as well as in the playhouse.

Some time had passed between the publication of *A Warning for Fair Women* in 1599, the latest play considered in the chapters above, and *The Witch of Edmonton*, written in 1621 within the same calendar year that the real-life trial of Elizabeth Sawyer took place.[5] The two decades that had elapsed should not be seen as a period of inactivity, but rather as one of further experimentation within the theatre, and the genre of domestic tragedy in particular. This chapter is intended as an examination of *The Witch of Edmonton* as a culmination of achievements within domestic tragedy as a genre uniquely equipped to experiment with testimony and confession. The intervening years allowed playwrights to reflect on and then re-apply the techniques developed through the testimonies of Alice Arden, Anne Sanders, and even the ladies of London – Love, Conscience, and Lucre. The shared attention to female auditors within all of these plays, particularly *A Warning for Fair Women*, reveals exciting new contexts for *The Witch of Edmonton*. Andrew Gurr advises that Thomas Heywood 'wrote regularly for the Cockpit in

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Martin Wiggins, Oxford World's Classics (Oxford: Oxford University Press, 2008), pp. vii-xxxiv.

[5] Gerald Eades Bentley advises that it was performed at Court on 29 December 1621 (eight months after Elizabeth Sawyer was executed in the April of that year); however, also that it had already been performed at the Cockpit Theatre on Drury Lane, which would date it potentially a few months earlier – although the precise dates of its Cockpit performances are unknown. Gerald Eades Bentley, *The Jacobean and Caroline Stage*, 7 vols. (Oxford: Clarendon Press, 1941-68), I, p. 213.

the 1620s,' an association that is surely important for our understanding of how *The Witch of Edmonton* responded to earlier domestic tragedies.[6] Whilst there is no evidence to suggest Heywood had a direct hand in the play's creation, it is not inconceivable that his experience in the genre may have influenced Ford, Dekker, and Rowley whilst they were conceptualising Edmonton for the stage – particularly in their decisions surrounding the treatment of Sawyer, Winifred, and Anne Ratcliffe. Heywood's success with *A Warning for Fair Women* and *A Woman Killed with Kindness*, as discussed in the previous chapter, mark him as a playwright especially interested in female issues. His close association with this playhouse and, indeed, its owner Christopher Beeston, is therefore something that deserves further study. Beeston contributed to Heywood's *An Apology for Actors*, in the form of a letter 'To my good friend and fellow, Thomas Heywood' which, although probably composed nearer to 1608, is presented before the main body of the document.[7] The connections between these two texts presents a unique opportunity to explore how domestic tragedy might have been handled in the move to indoor theatre – an environment that would seem suited to domestic drama yet, nevertheless, presented its own challenges. Heywood's work and connections to Beeston and to the Cockpit, whilst currently inconclusive, provide some suggestion as to the continuing collaboration and development of the genre of domestic tragedy that had continued two decades into the seventeenth century.

The chapter will start by ascertaining the current critical standpoint on Ford, Dekker, and Rowley's play, highlighting the present gaps in knowledge and attention, particularly the neglected area of audience response. Moreover, it will demonstrate the continued trend of scholars to focus on Sawyer as the main protagonist, despite the playwrights' very deliberate choice to limit her stage time, placing her transgressions in the context of those of her

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[6] Andrew Gurr, *Playgoing in Shakespeare's London*, 3rd edn (Cambridge: Cambridge University Press, 1987; 3rd edn, 2004), p. 204.

[7] Thomas Heywood, *An Apology for Actors* (London, 1612), in *EEBO* < https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-99841838e/eebo-99841838e-6452-59> [accessed 17 September 2018], p. 14.

oppressors. Noting the play's debt to earlier domestic tragedies, this opening section challenges the critical focus on Elizabeth Sawyer's soliloquies as a means of ascertaining her guilt, establishing *The Witch of Edmonton* as a response to the genre's development and, importantly, as part of a movement that saw the potential for domestic tragedy to explore women's voices upon the stage. It will seek also to lay out the two distinct audiences who encounter Sawyer: her on-stage witnesses, in the form of her neighbours, accusers, and the hapless Cuddy Banks; and her off-stage theatre-going audience who are encouraged to reflect generally upon societal responsibilities far beyond Sawyer's misdeeds. The later sections of the chapter, outlined below, will explore the roles of these distinct audience groups, especially those off-stage, analysing how the playwrights brought together elements of the genre with an unflinchingly satiric approach in order to reconceptualise Sawyer's testimony for the Jacobean stage. The playwrights interrogated not only Sawyer's guilt, but also the responsibility of her spectators who were encouraged to let go of their popular superstitions and pre-formed assumptions surrounding social groups – acknowledging individuals rather than 'types' of people.

In addition to the play's response to domestic tragedy, the way that alternative accounts of the Sawyer trial – particularly Henry Goodcole's pamphlet, *The wonderfull discouerie of Elizabeth Sawyer a Witch* – were utilised by the playwrights is vital to interrogating how Sawyer's testimony was shaped and focused in order to engage her audiences.[8] Moving beyond the current critical focus on the playwrights' reliance on Goodcole's pamphlet, I propose that Ford, Dekker, and Rowley's relationship with Goodcole was far more complex than straightforward indebtedness. The authors of *The Witch of Edmonton* responded cynically to the publication of 'authenticall' texts that promised readers authoritative accounts of testimony, confession, and trial details. [9] Reacting sceptically to the popular literary tracts that emptily offered

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[8] Henry Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch*.
[9] Corbin and Sedge note that, in addition to Goodcole's pamphlet, broadside ballads about Elizabeth Sawyer are believed to have been in circulation in 1621; these are,

such authoritative guarantees, the playwrights demanded reflection upon the seemingly insatiable credulous appetite of audiences for 'authentic' texts. This chapter intends to consider in particular the reflection on social culpability that this challenge presented to off-stage auditors. Refusing to offer audiences certainty regarding the respective guilt of Sawyer, Sir Arthur, Dog, and Frank Thorney enabled the playwrights to satirise the singular narrative promoted by popular tracts, such as Goodcole's, and this chapter will demonstrate how the playwrights exposed the defensive authorial justifications – such as that found in *The wonderfull discouerie of Elizabeth Sawyer a Witch* – extending the privileged position afforded to Henry Goodcole as Newgate's Visitor, and offering this role to the off-stage audience.

The final section of the chapter considers the social satire exercised throughout *The Witch of Edmonton*. Whilst this thesis has explored the development of domestic tragedy and its appeals to audience engagement from a variety of perspectives, Ford, Dekker, and Rowley's play offers an exciting opportunity to see the culmination of three decades' worth of experimentation, demonstrating the level of social and domestic observation the playwrights were now able to enact, as well as the opportunities and consequences that this movement presented. These opportunities were not only limited to the genre of domestic tragedy, but can also be traced, in different ways, in the theatrical venue; and through the records of The Prince's Men, the theatre company tasked with bringing Edmonton to life. As an indoor venue, rather than an amphitheatre, the very structure of the playhouse played its own part in creating a different kind of audience immersion than that experienced in outdoor venues. We know from the play's title page that it was performed 'often at the Cock-pit in Drury Lane, once at court, with singular applause'.[10] The previous chapters have considered plays performed at and produced for outdoor venues and *The Witch of Edmonton*

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however, lost to us today, Peter Corbin and Douglas Sedge, 'Introduction: *The Witch of Edmonton*', in *Three Jacobean Witchcraft Plays*, pp. 20-27.

[10] Lucy Munro, 'Introduction', in Ford, Dekker, and Rowley, *The Witch of Edmonton*, pp.1-104 (p. 11).

therefore marks a shift not only in how Ford, Dekker, and Rowley were developing domestic tragedy, but also in how the rise of indoor theatres brought new challenges and opportunities to the genre, and new possibilities for audience engagement. The self-conscious exclusivity of indoor venues is something that will be explored shortly, particularly as the play took on a distinctly political approach to witchcraft accusations and testimonies, directly addressing the higher social standing of indoor audiences.

Audiences

The Witch of Edmonton has received significant critical attention in recent years, aided notably by the Royal Shakespeare Company's modern revival in 2014 and the publication of critical editions – most recently by Lucy Munro.[11] Of major interest to scholars has been the sympathetic treatment of Sawyer by Ford, Dekker, and Rowley, and the subsequent diminishment of culpability afforded to her, particularly through her relationship with Dog.[12] This debate surrounding culpability has inevitably involved attention to the playwrights' handling of Goodcole's pamphlet as textual evidence. Of particular interest has been their reliance on Goodcole for an outline of events in the Elizabeth Sawyer plotline, with Peter Corbin and Douglas Sedge describing it as '"docudrama"[,] for almost all of the events of the Elizabeth Sawyer action are drawn from Goodcole's report'.[13] It is however possible to find deliberate moments of deviation from Goodcole's text that appear to support the

[11] Anonymous, *Arden of Faversham*, dir. by Polly Findlay (The Royal Shakespeare Company, 2014). See production details at 'Arden of Faversham' *Royal Shakespeare Company* (2018) <https://www.rsc.org.uk/arden-of-faversham> [accessed 18 September 2018].

[12] Erica Fudge's research into the cultural roles of animals – particularly dogs – has been highly influential in many recent studies, advising scholars of the popular ideas surrounding the relationships between humans (especially women) and animals that Goodcole and the playwrights were drawing on. See, in particular, Erica Fudge, *Perceiving Animals: Humans and Beasts in Early Modern English Culture* (Chicago: University of Illinois Press, 2002).

[13] Peter Corbin and Douglas Sedge, 'Introduction' in *Three Jacobean Witchcraft Plays*, p. 22.

playwrights' more sceptical approach to the subject of witchcraft, and their more active approach to interrogating audiences.[14] *The Witch of Edmonton* may therefore be approached as a play that urges its audiences to pay attention not only to the players upon the stage in front of them but also to their own homes and communities. This involves refocusing our attention away from the eponymous character.

In his introduction to the play, Martin Wiggins queries Sawyer's accountability: 'if the Dog cannot make anything happen that was not on the brink of happening anyway, how much harm has Elizabeth Sawyer actually done[?]'[15] This concern for the playwrights' sympathetic depiction of Sawyer and their sceptical approach to witchcraft has dominated critical attention for the last two decades. Ideas surrounding staging have also played a large part in recent criticism, especially in noting the playwrights' reluctance to follow contemporary trends in special effects for their depiction of Sawyer. The play's lack of spectacle and pyrotechnics has been one of the major arguments supporting interpretations of *The Witch of Edmonton* as a play that encouraged scepticism of witchcraft, and this thread of academic interest reveals the play's use of Reginald Scot's writings as source material.[16] Subsequently, we know a great deal more about the political and popular debates surrounding the play's publication; however, this has also opened questions regarding the playwrights' use of an indoor playhouse, which would have been more suited than many venues to the kinds of supernatural display that had become popular in the late fifteenth and early seventeenth

[14] See Frances Dolan, *Dangerous Familiars: Representations of Domestic Crime in England, 1550-1700* (New York: Cornell University Press, 1994), and *True Relations: Reading Literature, and Evidence in Seventeenth-Century England* (Philadelphia: Pennsylvania University Press, 2013). Both discuss the play and Goodcole's pamphlet. See also Corbin and Sedge's critical edition, the introduction of which dedicates significant discussion to the interrelation of the pamphlet with the play's composition.
[15] Martin Wiggins, 'Introduction', in *A Woman Killed with Kindness and Other Domestic Plays*, p. xxvi.
[16] Reginald Scot, *The Discoverie of Witchcraft* (London, 1584).

centuries.[17] Lucy Munro notes the absence of elaborate staging and effects seen in other productions, despite the popularity and increased capabilities within contemporary theatres 'to bring the supernatural to life through a combination of pyrotechnics, costume, gesture, dialogue and other forms of sound and visual display.'[18] How might a seemingly 'de-theatricalised' approach to Sawyer's case have impressed itself upon audiences? Looking beyond a consideration of the play's critique of socially elite figures, particularly Sir Arthur, the likely impact of such an approach to off-stage audiences has seldom been considered. The focus has remained on the play's consideration of Elizabeth Sawyer's guilt or innocence, neglecting the cutting social satire provided through the villainies of Sir Arthur, Frank, and the rest of Edmonton's residents which seems directly to engage the playhouse spectators. Positioning auditors on- and off-stage as witnesses and jury, the playwrights make these auditors if not complicit in, then at least alert to, the persecution and condemnation of Sawyer in place of the corrupt gentry.

Neglecting the playwrights' achievements in satirising not only social issues but also other textual responses to Sawyer's case, perhaps most clearly Goodcole's pamphlet, hinders understanding of the play's full engagement of audience response. The play has consistently been approached through regarding Elizabeth Sawyer – the eponymous character – as the play's central and driving protagonist. This trenchant line of critical enquiry is strange, since Sawyer herself is not as central as might be expected – at least in terms of stage-time and line allocation. Frances Dolan acknowledges this issue: 'the play that bears her name confines her to the subplot; she appears in four of the play's thirteen scenes while Frank Thorney appears in seven. If Frank Thorney – a spineless, yet murderous, bigamist – has a rival as the play's protagonist, it

[17] Theatre at the turn of the century had harnessed new technologies to create spectacular ideas of witches and sorcery in *Dr Faustus* (1592), *Macbeth* (1606), and *The Merry Devil of Edmonton* (1608) – which is also considered a source for *The Witch of Edmonton*. The trend continued after Ford, Dekker, and Rowley, with plays such as *The Prophetess* (1647).

[18] Lucy Munro, 'Introduction', in Ford, Dekker, and Rowley, *The Witch of Edmonton*, p. 10.

is not Mother Sawyer, but her familiar, Dog.'[19] Dolan points out that 'Dog connects the play's multiple plots', associating with Sawyer, Frank Thorney, and Cuddy Banks: 'As the only character who figures in each of the three plots, Dog links three conventional, apparently distinct story lines … Dog demonstrates that witchcraft is simultaneously about domestic *and* communal relations'.[20] Although Dog is perhaps more deserving of the protagonist role, focus should instead remain on the attention that Ford, Dekker, and Rowley afforded to Edmonton as a community – mutually culpable for the imbalance of justice weighed upon individuals. Returning to the opening quotation of this chapter, Old Carter makes it clear to on- and off-stage audiences that Sir Arthur bears the most guilt on the day of execution, despite the fact that his crimes fall towards moral outrage rather than capital offence. It is this focus on the audience, through characters such as Sir Arthur who "lawfully" transgress, that I wish to address. Sawyer's stage time is eclipsed by three male characters who all possess either more social influence, more culpability for the play's events – or both – than she does: Sir Arthur, Frank, and Dog all perform criminal acts, although only Frank is sent to his death, albeit with Edmonton's forgiveness. The playwrights actively positioned Sawyer within the subplot, reducing her stage time in comparison to the lines allocated to the bigamy storyline, which appears as the main plot. Far from diminishing the importance of Sawyer as an individual, the differing time required to acknowledge the responsibilities of Sawyer against those of her neighbours, instead showcases the misdemeanours of the town, denying the expectations of those eager to see the crimes – and spectacular powers – of Edmonton's witch.

As such, whilst Sawyer's powerful soliloquies have generally been approached, convincingly, as tools with which the playwrights focused on generating sympathy for their title character, I suggest we should also view them as speeches that contribute to the play's focus on the moral

[19] Frances Dolan, *Dangerous Familiars*, p. 219.
[20] Frances Dolan, *Dangerous Familiars*, pp. 219-20.

transgressions of the social elite – individuals who could escape the legal ramifications so readily targeted on less socially desirable figures, such as Sawyer.[21] Her entrance to the stage is marked by a demand on her audience:

> And why on me? Why should the envious world
> Throw all their scandalous malice upon me?
> 'Cause I am poor, deformed and ignorant,
> And like a bow buckled and bent together
> By some more strong in mischiefs than myself,
> Must I for that be made a common sink
> For all the filth and rubbish of men's tongues
> To fall and run into?[22]

Sawyer's self-description is similar to that found within Goodcole's notes: 'Her body was crooked and deformed, euen bending together.'[23] Both descriptions subscribe to the association of witchcraft with older and deformed women, as noted by Reginald Scot: 'women which be commonly old, lame, blear-eyed, pale, fowl, and full of wrinckles'.[24] Ford, Dekker, and Rowley's depiction of Sawyer reflects common early modern assumptions regarding suspected witches and, importantly, Sawyer presents this self-assessment privately, through soliloquy, to her audience. Her complaint is made to no one other than herself upon the stage; yet, it is one of her most convincing pieces of testimony – identifying the popular stereotypes that lead to her persecution and setting them up for exposure and revision.

Although key to establishing sympathy for Sawyer by outlining the maltreatment she receives from the locals, which will be verified later in the scene when Old Banks enters, this speech also advises audiences that those Sawyer is describing are 'more strong in mischiefs than [her]self'. The positioning of this scene, immediately following the set-up of the Frank Thorney and Sir Arthur plotline, presents an obvious example of some of

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[21] It is worth noting that the critical emphasis on Elizabeth Sawyer is a relatively recent phenomenon, with criticism from the earlier twentieth-century much more focused on the Frank Thorney plotline.
[22] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, II. 1. 1-8.
[23] Henry Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch*, p. 7.
[24] Reginald Scot, quoted in 'Part VIII: The Skeptical Tradition, Chapter 63, "Reginald Scot: The Unreality of Witchcraft"', in *The Witchcraft Sourcebook*, ed. by Brian Levack, 2nd edn (Abingdon: Routledge, 2004; 2nd edn, 2015), pp. 352-59 (p. 353).

Edmonton's dishonest citizens, and her specific mention of the 'filth and rubbish of men's tongues' again suggests that audiences should be looking at the behaviour of the male figures in the play who belong to the prosperous middling class, and reflecting upon the differing scales of justice for moral and legislative transgressions. Demanding, 'A witch? Who is not?' Sawyer addresses the Justice, Sir Arthur, and her off-stage audience-jury to consider their own behaviour in place of the accusations against her.[25] In like suit, our critical response to the play ought also to move beyond the characterisation of Sawyer and explore what her infrequent but meticulously crafted speeches can contribute to our understanding of how female testimony was being interpreted, at a time when domestic tragedy was transitioning towards new, indoor performance venues. Rather than reading Sawyer's testimonies as attempts to persuade audiences of her innocence, perhaps we should instead approach them as prompts for social reflection for the patrons of indoor playhouses – more luxurious performance venues that offered playwrights vital new opportunities to interrogate the mutual accountability for social collaboration or persecution.

Another key strand to this approach to understanding how female testimony functions in *The Witch of Edmonton* is acknowledging its chronology and position in the canon of domestic tragedy. Written just over two decades following *A Warning for Fair Women*, an even greater gap exists between it and *Arden of Faversham* and *The Three Ladies of London* (although Wilson's play cannot be called a domestic tragedy, as discussed in the first chapter of this thesis). It is important, nevertheless, to see Ford, Dekker, and Rowley's play not simply as a late domestic tragedy, but as a culmination of the successes of earlier plays within the genre. The following sections will consider how the playwrights satirised other popular narratives that claimed authoritative and authentic accounts of the trial, particularly Goodcole's pamphlet, in addition to how characters such as Sir Arthur were utilised to

[25] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, IV. 1. 120.

create a scathing social satire of off-stage audiences that demanded their inward reflection. The debt the play owes to earlier domestic tragedies, including but not exclusively *Arden of Faversham* and *A Warning for Fair Women*, has been neglected so far in critical responses to the play. It is the purpose of the remainder of this chapter to highlight how contributions to the conceptualisation of female testimonial voices in these plays presented Ford, Dekker, and Rowley with the optimum opportunity to use their exclusive venue to put particular pressure on their audiences. The success of Alice Arden's insincere confessions – including her confessional denials – readily aid a reading of Sawyer's brief confession as she is led to the gallows: 'Bear witness. I repent all former evil; / There is no damnèd conjuror like the devil.'[26] It is important that Sawyer instructs all present to 'Bear witness'; this is her final opportunity to offer her own testimony and yet she laments that the villagers have caused her to spend it 'in bawling'.[27] Indeed, Sawyer's closing confession might initially seem disappointing when compared to the eloquent and persuasive soliloquies of her earlier scenes. This brief and staccato acceptance appears uncharacteristic against her bitter tirades that exposed the hypocrisy and persecution she has experienced at the hands of Old Banks and the rest of Edmonton; however, the playwrights' deliberate deviation from her previous character, as we will see, offers Sawyer an approach to testimony which differs radically from the approaches seen throughout the plays considered so far.

Goodcole's Sawyer purportedly provided a lengthier confession, much of which bears comparison with those of Alice Arden and Anne Sanders, discussed in the previous chapters of this thesis. In Goodcole's pamphlet, Sawyer's confession reflects on her hope for salvation 'By Iesus Christ alone' and, whilst comparably brief in contrast with Alice and Anne's confessions, nevertheless assures those reading her confession following her death that it was made 'to cleare my conscience, and now hauing done it, I am the more

[26] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, V. 2. 70-71.
[27] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, V. 3. 50.

quiet, and the better prepared, and willing thereby to suffer death; for I haue no hope at all of my life, although I must confesse, I would liue longer if I might.'[28] Her closing reflection on her desire to live longer 'if [she] might' is reiterated in *The Witch of Edmonton* as Sawyer is led to execution:

> [...] I was well resolved
> To die in my repentance. Though 'tis true
> I would live longer if I might [.][29]

By retaining some of Goodcole's own wording within the play, Ford, Dekker, and Rowley borrow from the popular narrative surrounding her trial, whilst offering an alternative perspective. The theatrical Sawyer's confession is so brief, I would suggest, precisely because it is so public, and therefore offers a form of testimony that is not consistent with the rest of her speeches. Throughout the play Sawyer's most persuasive testimonies are presented either in soliloquy form, or else to the very limited audience of the Justice and Sir Arthur. Ford, Dekker, and Rowley's play was thoroughly metatheatrical in design, with its focus clearly concerned with audience reception. Sawyer's on-stage testimonies, then, are predominantly for her off-stage audience. Her fate, just like that of Alice Arden and Anne Sanders, was sealed before the play had commenced and so Ford, Dekker, and Rowley utilised confession not as part of a debate regarding her guilt or innocence – presenting the case instead, like *A Warning for Fair Women*, by resisting the possibility of reaching a secure judgement either way. Her testimonies serve to raise doubt and ambiguity, all the while redirecting focus from her transgressions, and targeting the responsibilities and actions of her peers. The theatrical Sawyer's soliloquies can be read as developments of the experimental witnessing in Heywood's play and as interrogations of the audience members themselves: auditors who found themselves challenged with acknowledging the on-stage figures as reflections of their own culpability.

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[28] Henry Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch*, pp. 26 and 24.
[29] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, V. 3. 42-44.

“Authenticall” Narratives

Acknowledging the position of Goodcole’s pamphlet as a widely accepted key source document for *The Witch of Edmonton*, the ways in which the playwrights’ handled material from Goodcole’s tract, in addition to possible other sources now lost to us, is important for understanding their conceptualisation of Elizabeth Sawyer.[30] But the opportunity to read the play as a satire of the type of singular, “authenticall” narrative that Goodcole strove to promote has been missed. Whilst the playwrights may not have intended to satirise Goodcole specifically, *The Witch of Edmonton* undoubtedly suggests more generally the fallibility of promising authoritative accounts – whether literary or theatrical. Ford, Dekker, and Rowley’s play, like Heywood’s *A Warning for Fair Women* twenty years earlier, takes an altogether more ambiguous approach to establishing Sawyer’s guilt or innocence, instead focusing on the involvement of the audience by denying them a morally satisfactory resolution to Sawyer’s story. Sawyer’s death is not celebrated by *The Witch of Edmonton*, but neither is she mourned. Rather, her execution is placed alongside Frank Thorney’s, in addition to the revelation of Sir Arthur’s abuses, demonstrating the difficulty of determining a singular thread of events that would leave Sawyer exclusively culpable. The play’s focus on the complicity of on- and off-stage audiences challenges the idea that a printed confession dictated by Sawyer (or, indeed, any condemned individual) could provide closure, and the privileged position held by Goodcole as Sawyer’s confessor is therefore challenged throughout *The Witch of Edmonton*.

Despite their heavy reliance on Goodcole’s narrative for informing plot events, Ford, Dekker, and Rowley took an entirely different approach to the

[30] See critical editions of *The Witch of Edmonton* for their discussion on source materials: John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, ed. by Lucy Munro (2016); in *Three Jacobean Witchcraft Plays*, ed. by Peter Corbin and Douglas Sedge (1986); and in *A Woman Killed with Kindness and Other Domestic Plays*, ed. by Martin Wiggins (2008).

charges against Sawyer by casting doubt upon her guilt instead of prioritising attempts to prove it. Goodcole's 'discouerie' of Sawyer as a witch, presenting his pamphlet as her confession noted '*verbatim*, out of her owne mouth deliuered to me,' proves problematic because much of Sawyer's 'confession,' whilst acknowledging her acquaintance with the devil, actually presents her denial of any role in the murder of Agnes Ratcleife – the crime she was ultimately condemned for causing by witchcraft.[31] Perhaps in anticipation of this dilemma, Goodcole provides a confession from Sawyer for an otherwise unmentioned event: 'I was the cause of those two nurse-childrens death, for the which I was now indited and acquited by the Iury.'[32] The children, who do not appear in the play, allowed Goodcole to suggest Sawyer's true capabilities lay beyond popular knowledge; her confession to the deaths, despite being rejected by the Jury, is included as an attempt to promote Goodcole's claim that he has authoritative access to Sawyer's conscience – his pamphlet would seem to offer truth and closure over and above the power of the courts. It is therefore interesting that Ford, Dekker, and Rowley omit this confession from their depiction of Sawyer, featuring it only vaguely as an unconfirmed report from Dog regarding his unseen activities:

SAWYER
Hast thou struck the horse lame as I bid thee?
DOG
Yes, and nipped the sucking-child.[33]

If such an incident does indeed occur within the theatrical Edmonton it is the result of Dog's agency, rather than Sawyer's instruction, and therefore shown only as a false accusation against her. This goes against the suggestion in Goodcole's text that this was an additional crime for which Elizabeth Sawyer went unpunished.

Goodcole's privileged position, as Sawyer's 'continuall Visiter in the Gaole of Newgate', served as a major claim for the authenticity of his

[31] Henry Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch*, pp. 10-11.
[32] Henry Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch*, p. 17.
[33] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, IV. 1. 178-79.

account.[34] Mattias Shaaber's study on news pamphlets notes, like Dolan, Goodcole's disparaging view of 'base and false Ballets,' pressing upon readers the assurance they could have in the quality of his own account.[35] The playwrights do not include a prison visitor in their depiction of Sawyer's incarceration towards the play's end, except for a visit from Dog, now appearing in white 'to torment thee, my whiteness puts thee in mind of thy winding-sheet.'[36] Dog's appearance at this stage is one of several occasions where he might convincingly be considered, controversially, as an on-stage substitute for Goodcole. The only characters Dog chooses to converse with are Sawyer and Cuddy Banks. Uncoincidentally, these are also the two characters who spend the most time in soliloquy with the off-stage audience, and these interactions begin to offer a radical reworking of the familiar, and seemingly reliable, interview method used by Goodcole to retrieve the real Sawyer's testimony. Materialising after the on-stage Sawyer's opening soliloquies, Dog becomes a sounding board through which she may continue her complaints against Old Banks, aided by the occasional question or comment. By doing so, the playwrights put up a problematic mirror between Goodcole as the real Sawyer's singular confessor, and Dog as the theatrical Sawyer's equivalent:

> SAWYER
> [...] There's an old churl,
> One Banks –
> DOG
> That wronged thee: he lamed thee, called thee witch.
> MOTHER SAWYER
> The same: first upon him I'd be revenged.[37]

In lieu of a formal trial or real opportunity for confession at the end of the play, Sawyer's opening speeches and dialogue with Dog present her motivation

[34] Henry Goodcole, 'Title Page', in *The wonderfull discouerie of Elizabeth Sawyer a Witch*, p. 1.
[35] Mattias Adam Shaaber, *Some Forerunners of the Newspaper in England: 1476-1622* (New York: Octagon Books, 1966), p. 293.
[36] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, V. 1. 33-35.
[37] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, II. 1. 168-70.

for gaining magical abilities – even if the rest of the play dismisses her acquisition and use of such powers. Dog enables the audience to hear the theatrical Sawyer's testimony in full, presenting a unique moment when the guilt of her neighbours may be put on trial, depicting Sawyer as a product of maltreatment and ignorance, rather than the maleficent witch of popular tales. Defying the singular intent of popular literature, such as Goodcole's pamphlet and the broadside ballads, the playwrights were prompting debate and non-prescriptive judgement upon Sawyer, whilst also encouraging audiences to reflect upon popular beliefs and superstitions, challenging the reliability of these traditions as evidence.

These distinctly opposed approaches to Sawyer by Goodcole and the playwrights are largely depicted through their decisions concerning her passivity (or proactiveness) in seeking out magical abilities. Goodcole very much emphasises the latter idea, painting the picture of Sawyer as a malevolent witch, summoning familiars and the devil out of 'malice and enuy, for if any body had angred me in any manner, I would be so reuenged of them, and of their cattell.'[38] Goodcole's Sawyer is far more malicious than the resigned woman we meet in *The Witch of Edmonton*, who inadvertently summons Dog more through exasperation than any clear design for vengeance:

> But by what means [witches] came acquainted with [their familiars]
> I'm now ignorant. Would some power, good or bad,
> Instruct me which way I might be revenged
> Upon this churl, I'd go out of myself
> And give this fury leave to dwell within
> This ruined cottage ready to fall with age [.][39]

Conceding, ''Tis all one / To be a witch as to be counted one', the theatrical Sawyer highlights the limitations of her body – a 'ruined cottage' – casting doubt on her capacity to cause harm, particularly on the scale that Goodcole

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[38] Henry Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch*, p. 17.
[39] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, II. 1. 121-26.

suggests.[40] Removing all spectacle from Sawyer's summoning of Dog, with the minor exception of thunder and lightning to accompany his entrance, her passive acquisition of supernatural abilities counters the *maleficia* apparently exercised by Goodcole's witch. Rejecting the trends in pyrotechnics and special effects that were emerging in on-stage depictions of witchcraft, the playwrights developed a theatrical depiction of Sawyer that would engage their imagined audiences in a reflective and challenging dissection of the faith put in 'authenticall' accounts of testimony, such as Goodcole's report of Sawyer's confession.[41]

The differing priorities in Goodcole's pamphlet and *The Witch of Edmonton* relate to their very different imagined audiences. Goodcole's focus centred on the idea of an audience that desired an authentic and authoritative account – possibly a more sophisticated and learned readership – if his derision for other forms of cheap literature, 'fitter for an Ale-bench then for a relation of proceeding in Court of Justice', found in his address to the reader, is to be believed.[42] Tessa Watt comments on the often dismissive attitude given to pamphlets in modern responses to early modern popular literature: 'One should not therefore conclude that all of these publishers catered specifically for a "popular clientele"; most were solid, mainstream publishers who ran off news as a sideline.' She adds that '"Ephemeral" or "popular" pamphlets are often automatically equated with a humble readership,' although suggests

[40] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, II. 1. 125-26. Goodcole's Sawyer boasts: 'I haue bene by the helpe of the Diuell, the meanes of many Christians and beasts death', this would seemingly exceed the deaths of the two children already mentioned in her confession, and perhaps Agnes Ratcleife too (although this specific crime remains something that she denies). Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch*, p. 17.
[41] Munro notes that unlike other contemporary theatrical devils, Dog 'does not sink to hell via the playhouse's trapdoor', observing also that his final appearance in '"true" demonic shape … when he merely appears as a white dog, rather than a devil – may have come as an anti-climax.' Lucy Munro, 'Introduction', John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, pp. 16-17. Wiggins, too, comments on the playwrights' insistence on providing 'a full and sufficient causal explanation for events' in addition to Dog's presence as 'a supernatural being who cannot be fully accommodated within the play's material world'. Martin Wiggins, 'Introduction' in *A Woman Killed with Kindness and Other Domestic Plays*, p. xxiv.
[42] Henry Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch*, p.4.

that, rather, many readers 'would no doubt have picked up the news pamphlets as we do a paper: in addition to, rather than as a substitute for, more substantial reading matter.'[43] Goodcole's opinion seems to mirror those that Watt advises against – indeed, his introduction to the reader attempts to reassure them that, given his own way, he would never have sent Sawyer's story to print at all, lamenting:

> The publication of this subject whereof now I write, hath bin by importunitie extorted from me, who would haue beene content to haue concealed it, knowing the diuersitie of opinions concerning things of this nature, and that not among the ignorant, but among some of the learned ... And the rather doe I now publish this to purchase my peace, which without it being done, I could scarse at any time be at quiet, for many who would take no nay, but still desired of me written Copies of this insuing Declaration.[44]

Goodcole's protestations serve to impress upon his readers the service of his pamphlet, distancing it from the popular literature circulated by 'lewde Balletmongers ... suffered to creepe into the Printers presses and peoples eares.'[45] Goodcole's determination to be regarded as the author of high-quality texts does, however, ultimately present him with a dilemma. Positioning his pamphlet above the cheap appeal of entertainment-texts (which *The Witch of Edmonton* would surely have been categorised as), Goodcole justified his document by demonstrating his dissatisfaction at the 'ridiculous fiction' of other publications. Dolan makes the following observation:

> Although Goodcole differentiates his text from other popular narratives, his pamphlet was itself "popular": cheaply produced, available to most of the same kinds of readers who purchased "base and false ballets," and the source for a play ... By insisting on a distinction he cannot sustain, Goodcole implicates his true relation as itself a ridiculous fiction, a fiction he hopes will be ridiculously popular.[46]

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[43] Tessa Watt, *Cheap Print and Cultural Piety, 1550-1640,* Cambridge Studies in Early Modern British History (Cambridge: Cambridge University Press, 1991), pp. 264-65.
[44] Henry Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch*, pp. 1-2.
[45] Henry Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch*, p. 4.
[46] Frances Dolan, *True Relations: Reading, Literature, and Evidence in Seventeenth-Century England*, p. 54.

Goodcole's concern regarding readership is perhaps understandable – Audrey Birkett notes the 'limited amount of ancillary material to suggest how an audience should read and interpret a literary work' and the subsequently diminished control a writer had over the use of their work once it was published.[47] The battle between demonstrating his privileged access to Sawyer against the opportunity for readers to challenge his authority was clearly an area of concern to Goodcole, with his introductory assurances offering an insight into his appeal to a desired readership. This conflict indicates Goodcole's desire to open up questions of authority to his audience, but only in such a way that he could control in order to demonstrate his credibility.

The Witch of Edmonton suffered perhaps less from this crisis. Written for theatrical audiences, specifically those at the Cockpit, the playwrights had a very clear demographic in mind when writing the play. Conversely to Goodcole, however, they used this knowledge to challenge issues surrounding Sawyer's case, rather than to tailor the account self-defensively. Resisting the decision to provide definite answers surrounding Sawyer's guilt or innocence, and avoiding the reiteration of popular opinion, the playwrights instead presented Sawyer's culpability far more ambiguously, building on the success of *A Warning for Fair Women*, and satirising the idea of a single 'authenticall' account of Sawyer's experience. Sawyer's on-stage confession becomes less stable than Goodcole's, as it is delivered at various points throughout the play, instead of on one occasion, and presented in soliloquy form to the off-stage audience directly. The playwrights' interest in audience response and interrogation offered a unique opportunity to experiment with how Sawyer's story was told, and particularly the relative authenticity of accounts told in the authorial style of Goodcole against the less structured – and subsequently more varied – forms of testimony seen upon the stage. Throughout this integral debate, the playwrights maintained their resistance to presenting audiences with any solid answers as to Sawyer's criminality.

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[47] Audrey Birkett, 'Henry Glapthorne: Gentleman Poet or Hack Entertainer' in *Readers, Audiences and Coteries in Early Modern England*, ed. by Geoff Baker and Ann McGruer (Cambridge: Cambridge Scholars Press, 2006), pp. 95-112 (p. 96).

Goodcole promoted the authority of his account through his role as Visitor to Newgate Prison. Despite their reliance on Goodcole's pamphlet for the majority of the play's on-stage events, Ford, Dekker, and Rowley did not include a character that clearly represented Goodcole, instead satirising the pamphlet's claim to 'meddle hearewith nothing but matter of fact, and to that ende produce the Testimony of the liuing and the dead'.[48] In particular, the playwrights built upon previous depictions of interview from earlier domestic tragedies. Sawyer's interrogation by the Justice and Sir Arthur posits a clear sense of cynicism from the playwrights towards the reliability of her trial, inviting audiences to consider their own impression of how Sawyer is encouraged to make testimony and the response she receives. Although the Justice attempts impartiality, inviting Sawyer to speak and preventing the countrymen from attacking her – 'you must not be judges of the law to strike her as you please' – his questions to Sawyer are interrupted by Sir Arthur who interferes by provoking Sawyer with insults and threats: 'You're a base hell-hound. [*To Justice*] And now, sir, let me tell you, far and near she's bruited for a woman that maintains a spirit that sucks her.'[49] For all the Justice's efforts to proceed in the lawful manner, his interrogation is overturned. All control is then lost when Sir Arthur suspects that Sawyer has learned of his affair with Winifred:

SAWYER

Dare any swear I ever tempted maiden,
With golden hooks flung at her chastity,
To come and lose her honour, and, being lost,
To pay not a denier for't? Some slaves have done it.
Men-witches can, without the fangs of law
Drawing once one drop of blood, put counterfeit pieces
Away for true gold.

SIR ARTHUR

By one thing she speaks
I know now she's a witch, and dare no longer

[48] Henry Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch*, p. 1.
[49] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, IV. 1. 79-80, and IV. 1. 108-10.

Hold conference with the fury.[50]

Unknowingly touching upon his abuse of Winifred and Frank, Sawyer convinces Sir Arthur of her prophetic powers. His departure from the scene with the Justice is reminiscent of the seemingly fantastical attacks on conscience that Heywood reports in *An Apology for Actors* (1612), wherein theatricalised depictions of murder moved spectators to confess to their own crimes within the auditorium.[51] Indeed, Sir Arthur's conscience is so touched that he determines to stop at nothing in order to have Sawyer hanged for her crimes. He assures Sawyer: 'I can, if need be, bring an hundred voices e'en here in Edmonton that shall loud proclaim thee for a secret and pernicious witch.'[52] This promise echoes the assurances made by Goodcole to verify the truth of his account:

> And because it should not bee thought that from me alone this proceeded, I would haue other testimony thereof to stop all contradictions of so palpable a verity, that heard her deliuer it from her owne mouth in the Cappel of Newgate the same time
>
> In testimony whereof, the persons that were then present with mee at her Confession, haue hereunto put to their hands, and if it be required, further to confirme this to be a truth, will bee ready at all times to make oath thereof.[53]

Goodcole was aware of the persuasiveness of his account thanks to his privileged position of Newgate visitor; however, he was not ignorant of the potential vulnerabilities that also accompanied a private interview, particularly the possibility of doubt. In order to offer ballast to his claims, Goodcole secured the support of witnesses who signed an appendix (now lost) to confirm that what was published in the pamphlet was a true record of Sawyer's confession. The playwrights addressed this vulnerability – and effectively increased the number of witnesses who had intimate access to Sawyer. All members of the off-stage audience bore witness to Sawyer's confessions and

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[50] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, IV. 1. 153-59.
[51] See Chapter 3 on *A Warning for Fair Women* for discussion of these accounts.
[52] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, IV. 1. 112-14.
[53] Henry Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch*, p. 11.

testimony; however, this is not the case for all of Sawyer's on-stage audiences. The playwrights' use of soliloquy for the majority of Sawyer's testimony necessitated audience witnessing, ensuring that Sawyer's perspective was observed at all times. The one on-stage character with almost constant access to Sawyer's testimony is Dog and he, like Sir Arthur, fulfils a further aspect of Goodcole's role within the play by prompting Sawyer's wrath and allowing her story to be told – as will be explored more fully below. Although Sawyer's guilt is never fully resolved – indeed, never fully interrogated by the playwrights – the playwrights ensured that in their depiction of Sawyer's story, more than one auditor – on- and off-stage – would hear and judge the confession. Different to the allegations placed against Sawyer by Goodcole, which were provided by a multitude of witnesses, the playwrights unconventionally offered Sawyer a group of witnesses to appeal to. These pluralised the privileged position held by Goodcole – albeit through a silent audience who remain complicit in her condemnation whilst witnessing the transgressions of those who seek to persecute her.

Whilst Ford, Dekker, and Rowley demonstrated a significant reliance on Henry Goodcole's pamphlet and, indeed, other contemporary accounts of Elizabeth Sawyer's case as well as more general texts on witchcraft, such as the work of Reginald Scot, the play evidences a clear scepticism of the handling of Sawyer's testimony in popular literature. Unlike Goodcole's view of popular texts as inferior to his own, however, the playwrights adopted aspects of these documents to satirise the aim of achieving singular 'authenticall' claims to testimony. Instead they favoured the successes of earlier domestic tragedies that denied audiences a clear resolution regarding the guilt or innocence of a protagonist and prioritised the kinds of ambiguity that allowed for a fuller experience of on-stage testimony that engaged with the off-stage audience as witnesses, confessors, and jury. Goodcole's concern surrounding authority therefore can be seen as a point of satire for the playwrights who present Sawyer's confession unconventionally throughout the play – featuring it sporadically, in soliloquy form, as direct addresses and complaints directed

towards a complicit audience who witness all that takes place against her. The primary function of the play is not to provide solely a cynical view on witch trials and the specific case against Sawyer. Rather the play builds on the achievements of domestic tragedy as a genre to interrogate far more intricate issues and abuses, particularly in the dissemination of popular culture that claimed authoritative knowledge.

The following section will consider the social satire employed by the playwrights, establishing how the reconceptualisation of events described in Goodcole's pamphlet, coupled with the possibilities available to the playwrights and their audiences at the indoor Cockpit theatre, further challenged the popular beliefs and prejudices that had tended to shape the way female testimonies were received upon the stage and page. Goodcole's pamphlet promised *The wonderfull discouerie of Elizabeth Sawyer a Witch*, in a title reminiscent of Scot's earlier work. Both documents can be seen to have had clear influence over *The Witch of Edmonton*, which offers not only a discovery of Sawyer through theatrical means, but an altogether more comprehensive 'discoverie' of superstitious communities and the shared guilt of the Cockpit's theatrical community.

Social Satire in the Indoor Playhouse

Whilst experimenting with Sawyer's testimony had offered the playwrights plenty of opportunities to challenge the popular literature surrounding her trial, the performance space for *The Witch of Edmonton* provided scope for truly drawing together the achievements of earlier domestic tragedies, to offer a satiric social commentary for their self-consciously prosperous audiences, who were paying 'at least six times more than "understanding" at the Globe' in order to attend performances at their indoor venue – Christopher Beeston's

Cockpit on Drury Lane.[54] The innate exclusivity of the playhouse enabled an intimate challenge to auditors regarding their willingness to believe accounts such as Goodcole's. The wealthier indoor patrons were far more likely than those of the outdoor theatres to have had access to pamphlets such as Goodcole's; as such, the play's resistance of the idea of 'authenticall' narratives found an audience far more familiar with the authorial defences of popular writers within the Cockpit, allowing a specialised attention to the playhouse's demographic. Ford, Dekker, and Rowley were able to adopt the successes of earlier domestic tragedies, especially the use of insincere and conflicting testimonies, to withhold the necessary evidence from their audiences with which a secure judgment on the guilt or innocence of Sawyer might be ascertained. Auditors were instead supplied with a more challenging interrogation and reflection of the guilt of the audience members themselves. The architecture of the Cockpit, in addition to its audience demographic, offers possibilities to interpret how the playwrights used more affluent characters upon the stage to contrast with Elizabeth Sawyer and reflect upon spectators who enjoyed similar social status. Moreover, as detailed above, the playhouse's association with Thomas Heywood is of potential interest. This section will afford attention to Heywood's association with the theatre, and the need for further critical attention in this area.

Some ideas exist of the Cockpit's architecture as two drawings, believed to be of its interior, have survived (although debate remains surrounding their precise dating). The pictures are discussed by Julian Bowsher in his recent study on London theatre archaeology as evidence that the Cockpit (or Phoenix as it was also known), was similar to the Blackfriars and Salisbury Court theatres – comprised of 'a U-shaped, or elongated semi-circular, structure with a domed roof.'[55] Information regarding additional details is limited, other than the probability that it was made of brick, and that: 'Analysis of plays at the

[54] Andrew Gurr, 'The New Fashion for Indoor Plays', in *Moving Shakespeare Indoors: Performance and Repertoire in the Jacobean Playhouse*, ed. by Andrew Gurr and Farah Karim-Cooper (Cambridge: Cambridge University Press, 2014), pp. 203-16 (p. 204).
[55] Julian Bowsher, *Shakespeare's London Theatreland*, p. 128.

Phoenix suggests that its stage had three openings, with a balcony over it … the theatre must have been entered on the north with a stage, probably, in the south.'[56] Bowsher refers to a further graphic appearance of the Phoenix on Wenceslaus Hollar's "Great Map" of west-central London (1556), which suggests that it was 'a three-storeyed, three-gabled building, located exactly where modern research established it in 1988.'[57] Although this image offers limited detail as to the physical interior conditions for performance, it does suggest – as Bowsher notes in his summary of Wright's *Historia histrionica* (1699) on the Phoenix – the playhouse 'was similar to the other theatres, the Blackfriars and the Salisbury Court … which suggests they were all rectangular, though the Blackfriars was actually larger than the other two.'[58]

The two images, shown below, held by the collection at Worcester College, Oxford, have been debated for what they reveal regarding the interior of Jacobean hall playhouses. Andrew Gurr, in using these images to ascertain a likely layout of the Blackfriars, suggests that the transverse image of the building indicates two levels of viewing boxes for audiences; however, Oliver Jones, in *Moving Shakespeare Indoors*, warns that 'the evidence is not strong enough to insist as such.'[59] Both consider it likely that some of the viewing boxes were 'adjacent to and at the same level of the stage', with Jones citing the Star Chamber records of an altercation at the Blackfriars which had escalated after a gallant, taking his stool upon the stage, hindered the view of Captain and Lady Essex in their box.[60] Although the levels in the auditorium remain unclear, it appears that the Cockpit, or Phoenix, featured a spherical design, perhaps in the form of a domed roof; Jones notes the on-stage clues as to the playhouse's architecture:

[56] Julian Bowsher, *Shakespeare's London Theatreland*, p. 129.
[57] Julian Bowsher, *Shakesepare's London Theatreland*, p. 129.
[58] Julian Bowsher, *Shakespeare's London Theatreland*, pp. 128-29.
[59] Oliver Jones, 'Documentary Evidence for an Indoor Jacobean Theatre', p. 70.
[60] The incident, which turned violent (hence its consideration at Star Chamber), is discussed by Oliver Jones in 'Documentary Evidence for an Indoor Jacobean Theatre', in *Moving Shakespeare Indoors*, pp. 65-78 (p. 69).

In Heywood's *Love's Maistresse* (1636), Apuleius describes a "sphere spangled with all these stars", while the female prologue to *The Coronation* (1640) by Shirley or Fletcher tells the ladies in the audience how they "make a harmony this sphere of love."[61]

This latter reference to *The Coronation* is suggestive and offers further potential for how the physical architecture of playhouses such as the Phoenix, actively engaging in increased female attendance at their performances, might have envisaged physical space through a gendered lens.

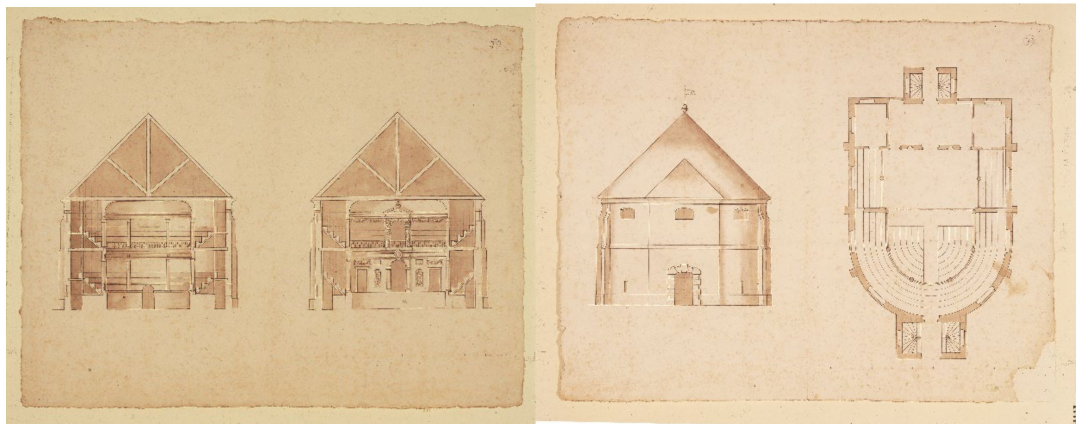

Figure 1 - 'Two Transverse Sections', design by Inigo Jones for the 'Phoenix (or Cockpit) Theatre in Drury Lane'.
Figure 2 – 'Plan and Elevation', design by Inigo Jones for the 'Phoenix (or Cockpit) Theatre in Drury Lane'.[62]

By 1621, at the time in which *The Witch of Edmonton* went to stage, Prince Charles' Men were performing at the Cockpit as well as outdoor venues, placing demands upon their repertory to satisfy both amphitheatre and indoor venues.[63] This detail presents an exciting moment in the development of the

[61] Oliver Jones, 'Documentary Evidence for an Indoor Jacobean Theatre', p. 72.
[62] 'Two Tranverse Sections' and 'Plan and Elevation', designs by Inigo Jones for the 'Phoenix (or Cockpit) Theatre in Drury Lane' (date unknown). Reproduced with kind permission of The Provost and Fellows of Worcester College, Oxford. See Jon Greenfield and Peter McCurdy's chapter, 'Practical Evidence for a Reimagined Jacobean Indoor Theatre', in *Moving Shakespeare Indoors*, pp. 32-64 (p. 35), for discussion regarding the creation of these drawings, particularly their attribution to Inigo Jones apprentice, John Webb, and their subsequently later dating to the 1660s, rather than 1616 as had previously been asserted.
[63] Lucy Munro, 'Introduction' in John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, p. 7. Unlike the King's Men, Prince Charles' Men seem to have performed sequentially at both venues, rather than operating the two at the same time; however, it remains important that their repertoire included plays for either location.

playwrights and their company, since writing for both indoor and outdoor playing spaces would have demanded that the playwrights consider how the physical placing of their off-stage audiences would affect performance. It is perhaps not surprising therefore that the playwrights were experimenting with a story that relied on so many forms of visual and aural witnessing and testimony, particularly incorporating the achievements of earlier domestic tragedies such as *A Warning for Fair Women*. [64] All testimonial encounters – from Sawyer's soliloquies, through her interactions with Dog (unseen by the majority of the on-stage characters), and up to her treatment from her neighbours – make a different demand upon the off-stage audience, and the added intimacy of an indoor venue offered a new intensity of relationship between the audience and protagonist. Indeed, Andrew Gurr and Farah Karim Cooper's study of Jacobean indoor performances comments on the

> seating arrangements and audience distribution [that] brought actors and audiences into different physical relationships to one another ... brightly illuminated with candles, and permeated with a different musical soundscape, [indoor] theatre produced a different audience experience and response to that previously examined in considerations of early modern reception history.[65]

This 'different' experience relied on the new opportunities presented by the physical dimensions of indoor spaces and the utilisation of the proximity between the audience and on-stage events. Whilst the playwrights were not making auditors physically complicit in the abuses executed upon Sawyer, the close-range seating of the most expensive tickets would hold auditors

[64] At the time of writing *The Witch of Edmonton*, the playwrights were already contending with changes to their company as two major actors were lost to them: Joseph Taylor sometime between February and May 1619 when he moved to the King's Men, and Hugh Attwell who likely died during the late stages of writing *The Witch of Edmonton* in September 1621 after a long period of ill health. It is impossible to say whether Attwell was anticipated to partake in performances of the play or not; however, his health had been deteriorating for a number of years and so it is possible that, despite still being a member of the company, he had stopped performing by this late stage in his life. For further details, see Lucy Munro, 'Introduction', in John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, p. 5.

[65] Andrew Gurr and Farah Karim Cooper, 'Introduction', *Moving Shakespeare Indoors: Performance and Repertoire in the Jacobean Playhouse*, pp. 1-23 (p. 8).

accountable for witnessing the events unfolding before them. Looking at Figure 2, we can see that auditors in the boxes appear to have been seated at eye-level with the actors, positing them as additional witnesses to Sawyer's maltreatment but, perhaps more importantly, also to the transgressions of her neighbours who are never called to account. Sawyer's interrogative soliloquies would have been experienced particularly intensely by those willing to exploit the fashion for purchasing expensive tickets as close to the stage as possible. And it is those same audience members who might therefore have encountered, at closest range, the differing experiences of those outside of their own social environment.

If we accept the drawing by Inigo Jones as representative of the 1621 layout of the Cockpit theatre, an obvious contrast to outdoor venues is its shape. Unlike the amphitheatre formats of the Curtain (used by Prince Charles' Men at the same time) and the Globe, which used auditorium layout to amplify actors' voices, an indoor venue had no such requirements. Whilst amphitheatre-style venues utilised the more traditional form of panoptical surveillance across all seated audience members, the indoor venues appear to have achieved their own unconventionally panoptic notoriety for challenging audience response and privacy; certainly, female audience members at the Blackfriars Theatre, who were seemingly uncomfortable with the piercing intimacy of these theatrical experiences, are reported to have held fans during performances, as noted by Penelope Woods, in order to 'protect their faces from these face-to-face encounters. Ladies might sit in boxes, perhaps with a "lettice-window" or lattice screening which further protected them from the prying eyes of both audience and actor, according them the privilege of seeing close up but not being seen.'[66] *The Witch of Edmonton* arises at an important time of change for Prince Charles' Men, presenting them with a play that could exploit the new indoor venue's intimacy in order to foster highly interrogative and affective transactions with its auditors.

[66] Penelope Woods, 'The Audience of the Indoor Theatre,' in *Moving Shakespeare Indoors: Performance and Repertoire in the Jacobean Playhouse*, pp. 152-67 (p. 161).

The Cockpit deserves especial interest as the location of a play so interested in female testimony as it was known for its popularity with female spectators. Andrew Gurr advises that 'Ladies in this period [1620s-1636] went as readily to the Cockpit as the Blackfriars, and both repertories began to run plays aimed specifically at what were thought to be female tastes.'[67] *The Witch of Edmonton* deals with several female issues, including spousal murder between Frank and Susan, Winifred's unplanned pregnancy and abandonment by Sir Arthur, and of course Sawyer's isolation as a dependent and elderly woman. Just as *A Warning for Fair Women* had worked to engage the emotional responses and forensic detachment of its female spectators, *The Witch of Edmonton*'s female auditors were also required to consider their responses to Sawyer's on-stage behaviour towards, and treatment from, characters of their own social standing. Sawyer's suggestion that 'If every poor old woman be trod on thus by slaves, reviled, kicked, beaten, as I am daily, she, to be revenged, had need turn witch' necessarily places every woman in the auditorium in her position.[68] Directly addressing a specific portion of the audience, the playwrights invited an exclusive reflection on feminine experience, challenging wealthier ladies to reflect upon the circumstances of poorer women, and the unspoken responsibility held by those with greater advantage. The royal support for theatres under the rule of James I saw more women attending theatrical performances as it became increasingly socially acceptable to be seen in such venues. Indeed, the indoor playhouses, as Gurr notes, began to serve as 'the best place for society to parade itself.'[69] Ford, Dekker, and Rowley appear to have taken this trend and upturned it – satirising the indulgence of sitting in boxes close to the stage (and even on stools upon the stage) so as to be as visible as the actors. The playwrights refocused *The Witch of Edmonton*, casting attention into the auditorium and onto the audience members themselves.

[67] Andrew Gurr, *Playgoing in Shakespeare's London*, p. 210.
[68] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, IV. 1. 87-89.
[69] Andrew Gurr, *Playgoing in Shakespeare's London*, p. 73.

Domestic tragedy's focus on the middling levels of society equipped it as a uniquely adept genre for social commentary on changes and divisions within communities. *The Witch of Edmonton*'s first performances and publication coincided with something of a crisis for the aristocracy – something celebrated by many of the middling classes who blamed societal injustices of the morally corrupt gentry. Keith Wrightson notes the lack of desire for upwards social mobility by the majority of the middle-class population, who were uniting around 'common urban values and collective responses to the condition', identifying a vogue for critiquing the upper-classes in the 'majority of public theatres, and a smaller number of private ones [which] used the stage to express displeasure with recent social developments and protest against the growing disparities in wealth and status.'[70] Interestingly, Wrightson observes these decisions being made by playwrights at the time as social divisions began to influence the kinds of material that was being written for particular audiences: 'Cavalier playwrights chose to write for the court and aristocracy, whilst commercial playwrights increasingly wrote for the mixed London citizenry.'[71] Ford, Dekker, and Rowley – writing at the Cockpit – appear to have bridged this gap to a certain extent. Although they were certainly commercial writers, at least one performance of *The Witch of Edmonton* is recorded as taking place at court in the December of 1621.[72] Moreover, the audience at the Cockpit were among the most elite of commercial audiences and, therefore, would perhaps not have shared all of the views held by the lower middling-sorts attending the less elite playhouses. Nevertheless, the play appears to have been popular at both venues, as it warranted a revival in 1634, when it is believed the Prologue

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[70] Jonathan Barry, 'Bourgeois Collectivism? Urban Association and the Middling Sort' in *The Middling Sort of People: Culture, Society, and Politics in England, 1550-1800*, ed. by Jonathan Barry and C. W. Brooks (New York: St Martin's Press, 1994), pp. 84-112 (p. 85); and Audrey Birkett, 'Henry Glapthorne: Gentleman Poet or Hack Entertainer', in *Readers, Audiences and Coteries in Early Modern England*, p. 97.
[71] Audrey Birkett, 'Henry Glapthorne: Gentleman Poet or Hack Entertainer', in *Readers, Audiences and Coteries in Early Modern England*, p. 98.
[72] Gerald Bentley, *The Jacobean and Caroline Stage*, I, p. 213.

was added.[73] As such, the play's biting satire is complex, balancing the critique of Sir Arthur and Frank Thorney by overtly satirising the humbler characters, such as Old Banks. In particular, we see the playwrights approach the popular beliefs driving much of Edmonton's paranoia from a far more sceptical view – another response perhaps to Goodcole in his dismissal of events such as thatch-burning as one of several 'ridiculous custome[s]'.[74] The achievement of the play is its refusal to allocate guilt in any one direction, but rather to dispense it around – holding all spectators to account and charging them to recognise the part they have themselves played.

The differing ways that Sawyer is victimised are not explicitly outlined by the playwrights but, rather, are subtly demonstrated through the snowballing claims made against her. These largely rely on a web of popular shared beliefs by the locals, which supposedly expose Sawyer's guilt. The playwrights hold up these superstitions as challengeable forms of evidence throughout the play, mirroring some of the anxieties voiced by Scot, Bodin, and even Goodcole, such as the attack upon Sawyer's home, mentioned above, which is lifted directly from Goodcole's account. Common belief stipulated that a witch would immediately appear if thatch from her house was set on fire:

> HAMLUC
> A handful of thatch plucked off a hovel of hers; and they say when 'tis burning, if she be a witch she'll come running in.
> OLD BANKS
> Fire it, fire it! I'll stand between thee and home for any danger.
> [*They set fire to the thatch;*] *as that burns enter* [*Elizabeth Sawyer, running*].
> [...]
> 1 COUNTRYMAN
> This thatch is as good as any jury to prove she is a witch.[75]

[73] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, Prologue, note ll. 1-2.
[74] Henry Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch*, p. 3.
[75] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, IV. 1. 22-33.

The theatrical thatch-firing is a moment that invites cynicism of the popular superstition from the off-stage audience; when approached with the 'evidence' from the thatch burning, the Justice dismisses the crowd, warning the culprits against repeating their behaviour: 'Come, come. Firing her thatch? Ridiculous! Take heed, sirs, what you do. Unless your proofs come better armed, instead of turning her into a witch, you'll prove yourselves stark fools.'[76] The Justice's position appears to mirror the opinions expressed by Goodcole in his pamphlet's introduction: 'And to finde out who should bee the author of this mischiefe, an old ridiculous custome was used, which was to plucke the Thatch of her house, and to burne it, and it being so burnd, the author of such mischief should presently then come'.[77] Not only does the Justice reject the proof of thatch-burning, he also offers Sawyer her first opportunity to testify, and so to defend herself (albeit informally), in an interview-like discussion, not altogether dissimilar to the format presented by Goodcole. Where this exchange does differ, however, is in the public nature of her questioning – the audience, in addition to other characters on-stage, witness Sawyer's interview and, as such, are not reliant on a singular account of her responses as with Goodcole's pamphlet.

Featuring these popular superstitions enabled the playwrights to satirise less overtly the middling class, yet nevertheless maintain their influence to be potentially far more socially and politically dangerous. During her interrogation from the Justice, Sawyer challenges her on-stage audience to answer to her own claims of witchcraft, most of which rally against those of superior social classes:

SAWYER
> Have you not city-witches who can turn
> Their husbands' wares, whole standing shops of wares,
> To sumptuous tables, gardens of stol'n sin;
> In one year wasting what scarce twenty win?
> Are these not witches?

[76] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, IV. 1. 48-51.
[77] Henry Goodcole, *The wonderfull discouerie of Elizabeth Sawyer a Witch*, pp. 3-4.

JUSTICE

Yes, yes; but the law
Casts not an eye on these.[78]

As Sawyer points out, there exist wasteful and fickle practices that cause far more harm than those she engages with. Wiggins reflects on the remarkable interaction of this scene, commenting: 'tellingly, the Justice agrees with her ethical thrust, whilst also having to admit that none of this metaphorical witchcraft is against the law, only the literal variety of which she stands accused.'[79] Moving away from the rural associations of witchcraft, involving livestock and occasionally family matters, Sawyer instead focuses on the bewitching city luxuries that are, in her opinion, every bit as magical as the charges placed against her. The effect is to highlight the disparity between offences against the elite, and those that impacted upon the poor – whilst Sawyer's transgressions are pieced together by a community who find her presence a nuisance and, at most, the cause of small financial loss due to her appeals for aid, the behaviour of characters like Sir Arthur, Old Banks, and the countrymen who band against Sawyer cannot be categorised as lawbreaking, despite the moral crises and offence they present. Sawyer's speech, nevertheless, excused no member of the audience from self-reflection. Old Banks, who Dog describes as 'loving to the world / And charitable to the poor' is shown to be a cruel miser, reluctant even to allow Sawyer to collect sticks from his land.[80] Although not held legally accountable for his abuse of Sawyer in the play, Old Banks is ridiculed throughout the performance – the vast majority of the time through his own words and actions. When Sawyer is brought before the Justice, Old Banks' desperation to see her arrested causes him to confess to an embarrassing bestial relationship with his cow, something never confirmed by the playwrights to have been caused by Sawyer or Dog: 'If I should be hanged I cannot choose, though it be ten times in an

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[78] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, IV. 1. 128-33.
[79] Martin Wiggins, 'Introduction', in *A Woman Killed with Kindness and Other Domestic Plays*, p. xxvi.
[80] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, II. 1. 177-78.

hour, but run to the cow and, taking up her tail, kiss – saving your worship's reverence – my cow behind, that the whole town of Edmonton has been ready to bepiss themselves with laughing me to scorn.'[81] Old Banks himself is the model upon which Sawyer inadvertently summons Dog, as she wishes for assistance,

> ... so I might work
> Revenge upon this miser, this black cur
> That barks and bites and sucks the very blood
> Of me and my credit.[82]

Dog's imminent arrival, in the very form with which Sawyer has described Old Banks' personality, satirises those who act charitably in public whilst, privately, hoarding their wealth and generosity from those in need. Not dissimilarly, the countrymen are also made a mockery of, such as the cuckolded husband who complains that:

> I took my wife and a servingman in our town of Edmonton thrashing in my barn together such corn as country wenches carry to market. And examining my polecat why she did so, she swore in her conscience she was bewitched, and what witch have we about us but Mother Sawyer?[83]

The claims of Edmonton's residents are, one by one, demonstrated to be the fabrication of characters unwilling to acknowledge the faults of themselves and others. Sawyer, as the 'common sink' for local complaints, is seen by the audience as the receptacle of the unresolved issues of those with more influence and means than her.

As such, whilst the most overtly comic moments of the play are targeted at characters poorer than those off-stage who could afford seats at the Cockpit, the on-stage figures that encouraged the most moral disdain were those that most closely mirrored the Cockpit's patrons. Sir Arthur, in

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[81] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, IV. 1. 67-72.
[82] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, II. 1. 130-33.
[83] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, IV. 1. 6-11.

particular, appears to have been a figure familiar to the private playhouses; Gurr notes the story of a citizen wife, in Henry Peacham's *Compleat Gentleman* (1622), who persuaded her husband to let her attend a play whilst he was busy at the London Exchange, escorted by his apprentice (mimicking the role of a page for wealthier ladies). Peacham observes:

> Sitting in a box, among some gallants and gallant wenches, and returning when the play was done returned to her husband and told him she had lost her purse … Quoth her husband, 'Where did you put it?' 'Under my petticoat, between that and my smock.' 'What, [quoth he,] did you feel no body's hand there?' 'Yes, [quoth she,] I felt one's hand there, but I did not think he had come for that.'[84]

Gurr comments that '[her] reaction to the groping hand says something about how usual it was for lechery to thrive in playhouse crowds'. The playwrights' subsequent inclusion of Sir Arthur, a powerful man who seduces women without accepting responsibility for the consequences, and who grows angry with Winifred when she commits to Frank, may well have appealed to female audiences in the boxes who were all too aware of the predatory ways of gallants who believed themselves beyond reproach.[85]

The Cockpit seems to have built something of a tradition for this acerbic satire, as it remains traceable over the following decade. Shirley came under attack in 1632 for *The Ball*, and never returned to writing observational satire after being censured due to offence taken during a performance: 'ther were divers personated so naturally, both of lords and others of the court, that I took it ill.'[86] Whether this had escalated beyond the tolerance of even those within the nobility who were most fond of the theatre, or whether this type of satire was simply falling out of fashion, the fact that staging unflattering social observations of the theatre's clientele continued so long suggests an on-going interest in the intimate ways individuals managed their lives and relationships

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[84] Andrew Gurr, *Playgoing in Shakespeare's London*, p. 7.
[85] Andrew Gurr, *Playgoing in Shakespeare's London*, p. 9, Sir Arthur bitterly brands Winifred a 'monster' upon her announcement that she will 'change my life / From a loose whore to a repentant wife.' John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, I. 1. 191-93.
[86] Story quoted from Andrew Gurr, *Playgoing in Shakespeare's London*, p. 212.

that had first been met with the inception of domestic tragedy. It is also suggestive of the particular ways that domestic tragedy was continuing this debate around 1621, by which time the genre had matured from its early experiments with social commentary and had developed complex ways to represent female voice and testimony.

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The transition from amphitheatre to indoor playhouses, coupled with the radical experimentation of earlier domestic tragedies, presented Ford, Dekker, and Rowley with unprecedented opportunities for social commentary and satire. The move indoors did more for their experiments with audience response than simply offering new technology. Rather than incorporating contemporary stage effects, such as pyrotechnics and the exploiting of specific sight lines, to confirm Sawyer's guilt, the play instead politicises witchcraft and the supernatural – using a genre that was increasingly familiar as a tool for identifying the unsettling dangers of domestic spaces and relationships – in order to expose the threat posed by rumours among susceptible groups. In doing so, the playwrights warned their auditors against believing that all members of a socially-defined group, such as vulnerable older women, were necessarily the same. Demonstrating the problems posed by the belief in popular rumour and customs, the playwrights were, furthermore, able to reject the image of lower-class individuals as a multitudinous group, where no differentiation could be found (unlike the personalised figures of the aristocracy). They experimented, too, with the architecture of the playhouse, focusing on the audience's reception of Sawyer's actual testimony – spoken and gestured – and posing the altogether more interesting debate of how far culpability extended across Edmonton's community. Beyond the sympathy created for Sawyer by the playwrights, *The Witch of Edmonton* presents new ways of generating and, more surprisingly, jeopardising sympathy for their eponymous figure – doing so through the very act of removing focus from her guilt or innocence in place of drawing attention to the audience's own

transgressions, engaging with spectators in new and different ways. Satirising Sir Arthur, Old Banks, Frank, and the Countrymen ensured that whilst no direct attack was made on individuals within the auditorium, the audience was nevertheless invited to consider their own societal placement and, relatedly, their complicity in the persecution of those less influential than themselves. As Dog gleefully advises Sawyer shortly before abandoning her to the gallows, guilt cannot be obscured: 'Villains are stripped naked; the witch must be beaten out of her cockpit.'[87] Sawyer does leave the Cockpit stage; however, the longer lasting suggestion of this remark, I would suggest, is the unique role the theatre had in exposing 'villains' – those who would otherwise escape public remark. The witch that was to be 'beaten out of her cockpit' need not be as literal as Elizabeth Sawyer, and it is this warning that Dog and *The Witch of Edmonton* left their audiences with. Those that remain within Edmonton – particularly the disgraced Sir Arthur, and the now heavily pregnant and widowed Winifred – represent a choice for their on- and off-stage auditors: the cycle of social persecution is theirs to continue or break, with a newly vulnerable single woman to consider. Sawyer's last moments upon the stage are spent 'in bawling'; however, the final lines of the play do offer some initial assurances that Edmonton's inhabitants have reflected upon their responsibilities. Here Kate is reassured regarding her concerns about marriage:

> KATE
> I should fear to be married. Husbands are
> So cruelly unkind. Excuse me that
> I am thus troubled.
> SOMERTON
> Thou shalt have no cause.[88]

Winifred, too, is assured of payment from Sir Arthur to maintain her; however, her closing Epilogue – which represents the playwrights' crucial decision to

[87] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, V. 1. 47-48.
[88] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, V. 2. 174-76.

conclude with a female speech - demonstrates her continued fear for the future as she retains her 'modest hopes' for a second husband.[89] In a controversial final move, the playwrights here offer Winifred's plea to the audience. At the end of a play entrenched in the crisis of determining authenticity in judging Sawyer and her testimony, Winifred reflects upon the reliability of the commitments made by the men responsible for Sawyer's condemnation through their vilifying accounts of her transgressions.

[89] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, Epilogue. 5. It is worth noting that the Epilogue may have been written for the revival of the play; however, Ford himself may have been available to have written it into the 1630s.

Conclusion

> Heere is nothing contained in her confession, but that which true, and what she uttered with her owne mouth; which I was a witnesse off.[1]

This thesis has explored the rise of female testimony on the early modern stage. As late sixteenth- and early seventeenth-century playwrights experimented with the dramatisation of women's defensive, accusatory, and confessional speeches, they engaged audiences in debates concerning authenticity and audience response. The transitional and highly experimental genre of domestic tragedy accompanied this testimonial movement and developed the interest in female voice that had first been visible in Robert Wilson's hybrid allegorical city comedy *The Three Ladies of London* (1584).[2] Questions surrounding testimonial credibility and, indeed, the ways in which women were able convincingly to express themselves permeated Wilson's text, and continued to be seen throughout the 1590s as the earliest domestic tragedies began to be staged and published. This conclusion begins with a summary of the findings of the thesis, followed by a brief account of the continuing presence of female testimony on the Renaissance stage into the 1630s – when theatrical tastes were rapidly changing. As we will see, interesting examples of female testimony from this decade can found in dramatic forms other than domestic tragedy. By way of an example, I will consider below the ways in which John Ford's *The Lady's Trial* (1639) framed

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[1] Henry Goodcole, *The adultresses funerall day in flaming, scorching, and consuming fire, or, The burning downe to ashes of Alice Clarke, late of Vxbridge in the county of Middlesex, in West-smith-field on Wensday the 20 of May, 1635 for the unnaturall poisoning of Fortune Clarke her husband a breviary of whose confession taken from her owne mouth is here unto annexed, as also what she sayd at the place of her execution* (London, 1635), in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-ocm24507671e/eebo-ocm24507671e-27742-17> [accessed 10 September 2018], p. 18.

[2] Robert Wilson, '*The Three Ladies of London*', in *Three Renaissance Usury Plays*, ed. by Lloyd Edward Kermode, The Revels Plays Companion Library (Manchester: Manchester University Press, 2009).

the testimony of its female protagonist – Spinella – through comedy, allowing her to prove her innocence.[3] The remainder of this conclusion will highlight the opportunities for continued study and critical conversation, building on the findings of this thesis, followed by a final reflection on the contributions made by this research.

I have shown how the anonymous *Arden of Faversham* (1592) and Thomas Heywood's *A Warning for Fair Women* (1599), together, handle the crisis of confessional reliability through topical plays that incorporate the testimony of notorious petty-traitors.[4] Alice Arden and Anne Sanders present dilemmas to their audiences through their decisions to confess, as neither woman is convincing in her delivery. Alice's self-assurance throughout the play, and her resistance to traditional character typology, denied audiences either a homiletic interpretation of her plight or, conversely, the opportunity to fully psychologise her character. Alice thereby frustrates all attempts to judge or excuse her actions, compelling audiences instead to interrogate her closing confession, which is full of self-deprecation and spiritual reflection that is stylistically similar to contemporary popular accounts of criminal confessions. Her rejection of a singular voice throughout the play requires the audience to reflect on the sincerity of her admission, raising further questions about the motives that might have prompted her to confess. Anne Sanders' confession, which is presented in competition with that of Anne Drury, also asks audiences to reflect upon the reliability of her account. Anne's repeated pleas of innocence prior to the confession, coupled with Heywood's refusal to confirm her guilt, suggest that Anne's confession (like Alice's) was not important for the guilty verdict it reinforced – both plays were, after all, inspired by actual events known to audiences – but, rather, for the questions it

[3] John Ford, *The Lady's Trial*, ed. by Lisa Hopkins, The Revels Plays (Manchester: Manchester University Press, 2011).
[4] Anonymous, *Arden of Faversham*, ed. by Tom Lockwood and Martin White, New Mermaids, 2nd edn (London: Bloomsbury Methuen Drama, 1982; 2nd edn, 2007, repr. 2013); Anonymous, '*A Warning for Fair Women': A Critical Edition*, ed. by Charles D. Cannon (Boston: De Gruyter, 1975).

raised about how female testimony was received and understood. My work on *A Warning for Fair Women*, in particular, has focused on the radical experiments conducted by Heywood as he asked audiences to try to reconcile their emotional engagement with on-stage characters with a forensic detachment that allowed a more objective view of evidence. This approach required audiences to scrutinise the difficulty of reconciling these two responses, and, in turn, laid the groundwork for sceptical interrogations of female confessions, and the motives behind them, as domestic tragedy flourished into the seventeenth century.

By 1621, my thesis contends, the genre had matured to the extent that John Ford, Thomas Dekker, and William Rowley could utilise the testimony of Elizabeth Sawyer – a convicted witch – to create a satirical play that was highly sceptical of the assumptions and popular beliefs that could incriminate individuals by exploiting their vulnerability as testifiers. By the 1620s, the playwrights were commenting on audience credulity, reflecting in particular on assumptions common in popular literature, such as Henry Goodcole's pamphlets, in order to challenge the very formats conventionally understood as testimonial. Elizabeth Sawyer, presented sympathetically by the playwrights, offered an opportunity to engage the wealthier patrons of the indoor Cockpit theatre (as opposed to the more diverse amphitheatre demographic who attended the earlier plays); and the playwrights of *The Witch of Edmonton* here experimented with soliloquy and dialogue in dramatic representations of female testimony. Acknowledging Sawyer's audiences, on- and off-stage, as witnesses, the playwrights prompted audiences to reflect on their own social responsibilities, and their appetite for popular texts and beliefs.

A particular aim of my thesis has been to examine the depiction of female testimony on the Renaissance stage by playwrights who were seeking to establish new ways of reimagining notorious and topical crimes from popular literature for a theatrical audience. The plays selected for this study all offer an insight into how their playwrights conceptualised their female

protagonists' voices, in addition to the contributions they made in facilitating the development of domestic tragedy as a genre. I have identified some early experiments with testimony, especially those conducted by Robert Wilson in the 1580s, that built on traditional theatrical genres, moving away from allegorical drama towards more nuanced characters who drew on topical criminal cases. This was an important achievement of the first chapter as it demonstrated the crucial role played in Wilson's play by the city itself. This same focus on urbanity features in all of the later domestic plays considered above, despite their largely interior settings. *The Three Ladies of London*, although a transitional play in regards to genre, shares many features with city comedy; nevertheless, the treatment of Lady Conscience and Lady Love at the hands of Lady Lucre and her vices, in addition to the ambiguous sentences passed upon the women at the play's conclusion, hint towards the more tragic elements that would be seen within later domestic plays.

A further achievement of my research has been its interrogation of the challenges involved in establishing the credibility of women's testimonial voices. As such, the thesis has explored some ways in which playwrights were engaging audience responses, both on-stage and off-stage. Chapter Two, on *Arden of Faversham*, demonstrated the radical forms of testimony utilised by Alice Arden to resist the idea of a singular character typology – whether the 'type' of character expected of a didactic text (a fallen woman seeking repentance), or a more complex 'type' that audiences could psychologise and empathise with. Alice's unconventional testimonies, including confessional denials and the manipulation of familiar narratives such as those found in contemporary petty treason accounts intended to contextualise a wife's provocation to kill, are shown within the chapter as evidence of the anonymous playwright's interest in the popular beliefs surrounding Alice's trial. As with *A Warning for Fair Women* and *The Witch of Edmonton*, *Arden of Faversham*'s audiences entered the playhouse fully aware of the guilty verdict and fate that awaited Alice Arden at the play's conclusion. Nevertheless, spectators still wished to see such notorious figures reimagined on the stage.

Domestic tragedy embraced this fascination in order to challenge the willingness of audiences to believe popular narratives, and *Arden of Faversham*'s playwright conceptualised Alice as a complex character who denied audiences the opportunity to label her as a particular 'type'. The work of this thesis has therefore been to show how Alice's playwright – in addition to Wilson, Heywood, Ford, Dekker, and Rowley – used public interest in criminal proceedings as an opportunity to challenge the cultural assumptions about female shame and culpability which featured so prominently in popular accounts, including those found in news pamphlets and broadside ballads.

Returning to the above assurance by Henry Goodcole, early modern readers had access to a rapid growth of material with which they might inform or confirm their beliefs on topical events. Guarantees of authenticity, as a selling point, served to promote the superior account of one text above others. Many news pamphlets claimed privileged authorial knowledge – certainly, all of the pamphlets discussed herein bear some variation of this assurance to customers – and this thesis has shown how Goodcole, in particular, negotiated his own authority in promoting the reliability of his publications. Audiences were being prompted to respond in new ways to the narratives presented to them, with plays such as *The Witch of Edmonton* actively engaging in the dilemma of how to discern the difference between truth and rumour – indeed, never offering a full solution, but demonstrating the danger of blind credulity. Elizabeth Sawyer's accusers, much like those in Ford's later work, *The Lady's Trial* (discussed below), rely on gossip and rumour to launch their accusations, seemingly losing their ability to differentiate between what they have witnessed and more fantastical accounts. It is this response to evidence, and to women's testimony ventriloquised by male intermediaries with their own motivations, that audiences were challenged to reflect upon.

This thesis has aimed to advance critical understanding of female testimony and confession on the early modern stage – in particular, the unique relationship between women's confession and the genre of domestic tragedy. My research builds on the work of pioneering scholars such as Frances Dolan

and Ariane Balizet, who have demonstrated the potential for reading domestic tragedies through a feminist lens. By illuminating complex female protagonists upon the Renaissance stage, their work has revealed the appetite of early modern audiences to witness the actions and testimonies of transgressive women whose rebellions had threatened social stability.[5] My work responds to the suggestion of both Dolan and Balizet that more research is needed on the relationships that women, of differing classes, formed with the law in early modern England. The preceding chapters have also been informed by and, in turn, reinforced the work of Tim Stretton, Malcolm Gaskill, and Randall Martin in their research into how women 'waged law' and were represented in popular literary accounts of criminal trials.[6] My aim here has been to fill in some gaps in our understanding of exactly how women might have negotiated the platforms – and pitfalls – offered in contemporary courtrooms. Work by Stretton and Gaskill is informative regarding the processes women might take in order to establish a prosecution – perhaps in order to accuse another of defamation, or to lodge a marital complaint – yet we know remarkably little of the options available to women who found themselves on the other side of the court, on trial and under oath. The work of John Langbein has influenced my research in this respect, and my first and third chapters, in particular, confirm his findings regarding defence counsel and judicial intervention as they are reflected within the theatrical work of Robert Wilson (who was known to have possessed an extensive legal knowledge) as well as the later writings of

[5] Frances E. Dolan, *Dangerous Familiars: Representations of Domestic Crime in England, 1550-1700* (New York: Cornell University Press, 1994); and Ariane Balizet, *Blood and Home in Early Modern Drama: Domestic Identity on the Renaissance Stage*, Routledge Studies in Renaissance Literature and Culture (Abingdon: Routledge, 2014).
[6] Tim Stretton, *Women Waging Law in Elizabethan England*, Cambridge Studies in Early Modern British History (Cambridge: Cambridge University Press, 1998); Malcolm Gaskill, 'Reporting Murder: Fiction in the Archives in Early Modern England', *Social History*, 23.1 (January, 1998), 1-30; Malcolm Gaskill, *Crime and Mentalities in Early Modern England*, Cambridge Studies in Early Modern British History (Cambridge: Cambridge University Press, 2000); and Randall Martin, *Women and Murder in Early Modern News Pamphlets and Broadside Ballads, 1573-1697*, The Early Modern Englishwoman: A Facsimile Library of Essential Works, Series III: Essential Works for the Study of Early Modern Women: Part 1, vol. 7 (Surrey: Ashgate, 2005).

Thomas Heywood.[7] I have used the work of Stretton and the confessions and testimonies compiled by Martin, amongst others, to see how early modern playwrights handled their female defendants. Similarly, the links explored in my thesis between female confession and inherent shame have corroborated the findings of David Nash and Anne-Marie Kilday, and I have aimed to further their understanding of the cultures of shame that playwrights were exploring through their female confessors.[8]

The resistance to singular character typology observed in several of the female protagonists considered above has necessitated a move away from some of the foundational work by Henry Hitch Adams.[9] Whilst Adams' research offers much of the critical groundwork from which subsequent studies have drawn, my thesis has aimed to challenge his insistence on domestic tragedy's inherently didactic purpose. I argue instead that this genre developed out of the increasing cultural interest in legal proceedings, female testimony, and problems of reception. I propose that these interests emerge early in the genre's development, in Robert Wilson's experimental generic-hybrid play *The Three Ladies of London*. Whilst Wilson was clearly reflecting upon morality plays, which were created with didactic intention, his transition from allegorical plotline to city comedy demonstrates that familiar, allegorical character types could not satisfy the complex process of developing a testimonial voice for his ladies. Moreover, the difficult task of establishing testimonial authenticity required playwrights to open up new debates about audiences' willingness to accept popular narratives, rather than to receive moral instruction beyond the pulpit. This thesis has additionally challenged the existing critical focus on the female protagonists of domestic tragedies as 'charismatic' figures, such as the work by Julie R. Schutzman on *Arden of Faversham*, and the general consensus that *The Witch of Edmonton* provides a

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[7] John H. Langbein, *The Origins of Adversary Criminal Trial* (Oxford: Oxford University Press, 2003).
[8] David Nash and Anne-Marie Kilday, *Cultures of Shame: Exploring Crime and Morality in Britain 1600-1900* (Basingstoke: Palgrave Macmillan, 2010).
[9] Henry Hitch Adams, *English Domestic Or, Homiletic Tragedy: 1575 to 1642* (New York: Columbia University Press, 1943).

sympathetic portrait of Elizabeth Sawyer (argued by Peter Corbin, Douglas Sedge, and Martin Wiggins, amongst others).[10] Using some of the most recent critical developments, in particular Lucy Munro's 2016 edition of *The Witch of Edmonton*, I have argued for a more nuanced view of how playwrights depicted characters such as Alice Arden, Anne Sanders, and Elizabeth Sawyer.[11] Whilst arguments for these characters' charismatic presence upon the stage are not without merit, I contend that the women in fact resist attempts to psychologise them or, indeed, to categorise them according into familiar character 'types'. Instead the playwrights were presenting exciting female figures of resistance and cultural destabilisation, and my thesis has sought to demonstrate the theatrical successes of female testifiers and confessors.

Future Study

Whilst critical work has explored many aspects of domestic tragedy, and the interface between law and literature, the cultural phenomenon of women's theatrical testimony that emerged at the end of the sixteenth century and continued through the early seventeenth century has lacked the specific attention it deserves. Existing work has considered the relationship between early modern women and law, such as the studies by Tim Stretton, mentioned above, and my thesis has built upon this work by interrogating how playwrights and popular literature reimagined women in the courthouses – particularly those who were on trial, rather than prosecuting. Recent work by

[10] Julie R. Schutzman, 'Alice Arden's Freedom and the Suspended Moment of *Arden of Faversham*', *Studies in English Literature, 1500-1900*, 36.2: Tudor and Stuart Drama (Spring 1996), 289-314; Peter Corbin and Douglas Sedge, 'Introduction' in John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, ed. by Peter Corbin and Douglas Sedge, Revels Student Editions (Manchester: Manchester University Press, 1999), pp. 1-24; and *A Woman Killed with Kindness and Other Domestic Plays*, ed. by Martin Wiggins, Oxford World's Classics (Oxford: Oxford University Press, 2008).

[11] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, ed. by Lucy Munro, *Arden Early Modern Drama* (London: Bloomsbury, 2016).

Lorna Hutson in her *Oxford Handbook on English Law and Literature* (2017) and Subha Mukherji in *Law and Representation in Early Modern Drama* (2006) demonstrates the growing critical understanding of how early modern law and literature interacted, with increasing attention paid to the dramatic potential of legal proceedings that inspired playwrights and their audiences in responding to topical events.[12] Moreover, work by Peter Brooks has tackled the complex development of testimony in the sixteenth century as legal practitioners, religious leaders, and writers all negotiated the transition in confession from a spiritual act of redemption to a more pragmatic tool of testimony.[13] Crises of confessional testimony are explored throughout this thesis, and my work has contributed to an understanding of early modern defendants' struggle to establish authenticity. This same struggle animates the work of all the playwrights considered in the chapters above. Characters such as Anne Sanders and Alice Arden, for instance, demonstrate the opportunities taken by playwrights to question the motivations behind women's confessions; and, therefore, to probe the kinds of credulity such speeches were and should be afforded. This work has required a reconsideration of how women's voices were ventriloquised on the stage and page, and research by Elizabeth Harvey and Katharine Craik, who have both considered the male authorship of female confession, has been of particular interest.[14] My aim has been to offer a more sophisticated view of how female characters were conceptualised for the stage, and how playwrights dramatised this view through new experiments with women's testimonial voices on-stage.

Female testimony continued to be of dramatic interest to audiences and playwrights beyond the 1620s, up to the closure of the theatres in 1642

[12] *The Oxford Handbook on English Law and Literature, 1500-1700*, ed. by Lorna Hutson, Oxford Handbooks (Oxford: Oxford University Press, 2017); Subha Mukherji, *Law and Representation in Early Modern Drama* (Cambridge: Cambridge University Press, 2006).
[13] Peter Brooks, *Troubling Confessions: Speaking Guilt in Law and Literature* (Chicago: University of Chicago Press, 2000).
[14] Elizabeth D. Harvey, *Ventriloquized Voices: Feminist Theory and English Renaissance Texts* (New York: Routledge, 1992); and Katharine A. Craik, 'Shakespeare's A Lover's Complaint and Early Modern Criminal Confession,' *Shakespeare Quarterly,* 53.4 (2002), 437-59.

and the first appearances of actresses on the stage following the Civil War.[15] As such, I propose that further work into the conceptualisation of women's testimony, not only within the plays considered by this thesis, but also within other domestic drama is urgent and necessary. John Ford's comedy *The Lady's Trial* (1639) demonstrates the continued theatrical appeal of women's testimony, nearly two decades on from his earlier collaborative work with Thomas Dekker and William Rowley on *The Witch of Edmonton*, whilst suggesting that the association of tragedy with female defence was falling out of fashion. As this thesis has explored, indoor theatre venues attracted an increased number of female spectators and *The Lady's Trial*, performed at the Phoenix (formerly the Cockpit), presented a female protagonist – Spinella – testifying defensively upon the stage and ultimately proving her innocence. Crucially, Ford had moved away from addressing the assumed shame and culpability of women challenged by the domestic tragedies I have considered in this study, instead utilising testimony to showcase the danger of rumour – particularly when spread by ambitious men.

Spinella, the eponymous lady, and her trial command a large part of the play's main plot, with the trial's conception and execution running through three of the five acts. This trial notionally seeks to determine if Spinella has been unfaithful to her husband, Auria, during his extended absence from home. She is accused by her husband's overly-suspicious friend Aurelio of having seduced Adurni, a young lord – who does actually compromise her reputation not through an affair but by trapping Spinella in a room with him, separating her from her sister. They are discovered by Auria's friend, Aurelio, who has made his distrust of Spinella known from the start of the play. Rather than making a shame-filled confession, as in the earlier domestic tragedies, Spinella instead confidently stands trial, refuting these claims of infidelity by asserting:

I need no fellows now. Let me appear,

[15] Alison Findlay, 'Playing for All in the City: Women's Drama', in *Feminist Review*, 96: Urban Spaces (2010), 41-57.

Or mine own lawyer, or in open court
(Like some forsaken client) in my suit
Be cast for want of honest plea.[16]

Standing as 'mine own lawyer', Spinella is reminiscent of earlier, unsuccessful, defendants, such as Lady Lucre in Wilson's *The Three Ladies of London* – 'Where are mine accusers? / They may shame to show their faces' – or Vittoria in John Webster's *The White Devil* (1612), who reasons that her defence 'Must personate masculine virtue'.[17] Both women offer an early precedent for Auria's reflection of his wife's command of the courtroom as 'High and peremptory! / The confidence is masculine.'[18] Whilst Lucre and Vittoria must ultimately be punished for their protestations of innocence, Spinella's trial instead successfully demonstrates her chastity to Auria:

Spinella,
Regent of my affections, thou hast conquered.
I find thy virtues as I left them, perfect,
Pure, and unflawed [.][19]

Curiously, despite the play's title and the build-up to Spinella's interrogation, very little of her testimony is actually staged. Although Spinella defends her commitment to Auria, and confronts those who have accused her prior to the trial's commencement, her husband is never in any doubt as to her honesty. Whilst the plays considered throughout this thesis have sought to establish how female testimony was used by playwrights to explore varying issues pertaining to the treatment of women, and the degrees of credibility afforded to their confessions and defences, *The Lady's Trial* instead utilises Spinella's defence to expose the dangers of unchecked gossip – and the false opinions of men.

Spinella's testimony is brief and arguably unnecessary, given Auria's foreknowledge of Aurelio's false accusation. Despite the play's title, Spinella's

[16] John Ford, *The Lady's Trial*, II. 4. 97-100.
[17] Robert Wilson, *The Three Ladies of London*, 17. 34 and 21; John Webster, *The White Devil*, ed. by John Russell Brown, Revels Student Editions (Manchester: Manchester University Press, 1996), III. 2. 135-36.
[18] John Ford, *The Lady's Trial*, V. 2. 63-64.
[19] John Ford, *The Lady's Trial*, V. 2. 142-45.

defence serves no pragmatic purpose in securing her formal exoneration; rather, her testimony is required to quell the on-stage gossiping male tongues of Genoa. Lisa Hopkins proposes that Auria forces his wife to go through with the trial because he wishes 'to demonstrate Spinella's innocence rather than simply believe in it … It bespeaks a concern with appearances as well as reality which again testifies to the pressure of living in a small society.'[20] She suggests that Auria's decision 'not merely cement[s] his own relationship with Spinella; he also secures her position in society.'[21] Accepting this view, we can see how – as with the earlier domestic tragedies and *The Three Ladies of London* – a woman's credibility is brought into question; however, this time, her husband is still alive to prove her virtue by trial. We might question whether Auria would be so bold in demanding a trial for his wife, however, had he not already been informed by Adurni (reformed by Spinella's admonishing rejection) of the circumstances under which she had been accused. The comedy allows for a happy ending: Spinella's innocence is verified and she is accepted back into Genoese society; Adurni, now a morally outstanding lord, is offered Spinella's sister, Castanna, as wife; and other disputes in the play's subplot are wrapped up with further marriages and reconciliations.

Interestingly, the play's Prologue, believed to have been contributed by Theophilus Bird, the son-in-law of Christopher Beeston, offers a scathing comment on plays that drew inspiration from topical events:

> He who will venture on a jest, that can
> Rail on another's pain, or idly scan
> Affairs of state, oh, he's the only man –
>
> A goodly approbation, which must bring
> Fame with contempt, by such a deadly sting;
> The Muses chatter, who were wont to sing.[22]

Bird's lines clearly suggest that, by now, the generic conventions of domestic tragedy 'idly scan[ning] / Affairs of the state' had become over-familiar. Bird's

[20] Lisa Hopkins, 'Introduction', in John Ford, *The Lady's Trial*, p. 21.
[21] Lisa Hopkins, 'Introduction', in John Ford, *The Lady's Trial*, p. 21.
[22] John Ford, *The Lady's Trial*, Prologue. 10-15.

casting of 'contempt' on such plays makes a marked contrast to Ford's dramatisation of Elizabeth Sawyer's trial eighteen years earlier. The remark that 'Muses chatter, who were wont to sing' is an interesting image to lay alongside Heywood's scenes between Tragedy, Comedy, and History in *A Warning for Fair Women*, and perhaps Bird's Prologue nostalgically remembers the more traditional use of Muses for inspiring poetry, rather than their inclusion in metatheatrical experiments. The performance of female testimony did still have the capacity to draw in audiences, but the mode of its delivery was apparently in need of change by the late 1630s.

The performance venue for *The Lady's Trial* was the Phoenix, also known as the Cockpit when Ford collaborated on *The Witch of Edmonton* with Thomas Dekker and William Rowley. The playhouse, which had been opened and managed by Christopher Beeston until his death in 1638 – a year before *The Lady's Trial* was published – had featured several of Ford's works by this stage in his career. As discussed in the fourth chapter of this thesis, the Cockpit, or Phoenix, was an indoor venue that was popular with female spectators. It is worth considering whether this demographic did, in part, influence Ford's decision to move from dramatising actual women in domestic tragedy towards creating a fictional female protagonist who, importantly, was cleared of the charges against her and was offered a different sort of resolution through the conventions of comedy. Theophilus Bird, the author of the Prologue, also had strong connections with the Phoenix; in addition to his familial connection as Christopher Beeston's son-in-law, he is believed to have been a member of Beeston's Boys, the resident boy acting company at the theatre, in his youth.[23] Interestingly, Bird would also later write the Prologue to *The Witch of Edmonton* when it was republished in 1658, acknowledging the success of the play and that 'this Witch enjoy'd the first [run of

[23] For further discussion on children's acting companies, see Lucy Munro, *Children of the Queen's Revels: A Jacobean Theatre Repertory* (Cambridge: Cambridge University Press, 2005).

performances], and reason / Presumes she may partake the other season'.[24] Evidently, whatever Bird's personal reservations regarding domestic tragedy, Elizabeth Sawyer had made a lasting impression and would not easily 'be beaten out of her cockpit.'[25]

Just as Elizabeth Sawyer's plight is signalled early on in *The Witch of Edmonton* through her altercation with Old Banks, Ford experimented with an equally portentous signal to audiences of Spinella's imminent troubles in *The Lady's Trial*. As Spinella's husband, Auria, departs for Turkey he warns:

> The steps
> Young ladies tread, left to their own discretion,
> However wisely printed, are observed
> And construed as the lookers-on presume;
> Point out thy ways then in such even paths
> As thine own jealousies from others' tongues
> May not intrude a guilt, though undeserved.[26]

Auria's parting remark – 'In short I know thou never wilt forget / Whose wife thou art' – presents Spinella as a dutiful wife from the audience's first encounter with her. But his warning paints a bleaker picture of Genoa, a location Ford probably chose for its reputation for gossip and scandal, where women found themselves obliged actively to disassociate themselves from company in order to preserve their reputations.[27] His words reflect many of the key elements that earlier playwrights had addressed through their experiments with testimony, acknowledging the importance of audience reception to evidence – whether spoken or gestured – and the debates surrounding authenticity, credibility, and guilt that accompanied male

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[24] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, ed. by Lucy Munro, Arden Early Modern Drama (London: Bloomsbury, 2016), Prologue. 7-8. Some debate surrounds Bird's authorship of the Prologue; however John H. Astington cites him as the likely author of this Prologue as well as that of *The Lady's Trial*: 'Theophilus Bird', *Oxford Dictionary of National Biography Online* (Oxford, 2004) <https://doi-org.oxfordbrookes.idm.oclc.org/10.1093/ref:odnb/67756> [accessed 18 September 2018].
[25] John Ford, Thomas Dekker, and William Rowley, *The Witch of Edmonton*, V. 1. 47-48.
[26] John Ford, *The Lady's Trial*, I. 1. 103-9.
[27] John Ford, *The Lady's Trial*, I. 1. 123-24.

assessments of female culpability. He reminds Spinella: 'A woman's virtue in her lifetime writes / The epitaph all covet on their tombs.'[28] A woman's virtue, Auria suggests, is evidenced by all that she says and does – her speeches, gestures, movements about the city, and company, all testify to her character. In Genoa, it seems men's testimony, even when circulated as gossip and without the support of further evidence, is afforded greater credibility.

Ultimately, Spinella's trial scrutinises early modern male friendship and networks rather than Spinella herself. Despite the play's title pointing to the trial of a wife, the success of the proceedings instead demonstrates the damaging consequences of rumours spread by the men within Ford's Genoa. Irrespective of his claimed good intentions, Aurelio's actions threaten (as Spinella fears in the final trial) 'a divorce of hearts.'[29] Interestingly, although Spinella does pardon Aurelio's interference at the play's close, Ford structures her forgiveness in a slightly backhanded manner, suggesting that Spinella may be willing to excuse his actions, but that they will certainly not be forgotten:

AURELIO
You will pardon
A rash and over-busy curiosity.
SPINELLA
It was to blame, but the success remits it.[30]

Spinella's meaning is clear – it is only by 'the success' of the trial that Aurelio may clear his conscience. *The Lady's Trial*, Ford posits, might as readily have been a trial of Aurelio's evidence, suspicion, and prejudice against a woman he accuses at the start of the play of being unfit as a wife for his friend:

There lives not then a friend
Dares love you like Aurelio, that Aurelio
Who, late and early, often said and truly
Your marriage with Spinella would entangle
As much th'opinion due to your discretion
As your estate; it hath done so to both.[31]

[28] John Ford, *The Lady's Trial*, I. 1. 121-22.
[29] John Ford, *The Lady's Trial*, V. 2. 86.
[30] John Ford, *The Lady's Trial*, V. 2. 176-78.

The play warns against the damages done to reputations, marital trust, and justice when gossip goes unchecked. Ford is notably willing to attribute fault exclusively to his male characters. Whilst two of the female characters do have faults, or are used for comic effect (Levidolce and Amoretta), the characters most deserving of mockery and cynicism throughout are the men who relentlessly pursue the women, and who willingly continue a cycle of gossip perpetuated by their belief in the corruptible potential of young women and the 'news' shared among socially superior gentlemen. Ford therefore challenges his audiences, in similar ways to those found in plays performed two decades earlier, to consider their own credulity. He also draws attention to how communities might gauge the credibility of testimony – particularly when presented by a seemingly authoritative figure.

The Lady's Trial therefore suggests the ways in which playwrights were still interrogating masculinity and femininity in relation to testimonial credibility, in addition to the gendered boundaries of the home and urban spaces, some fifty years after the inception of domestic tragedy. If we are to believe Theophilus Bird's Prologue, this decision may have been informed by the declining interest in domestic tragedy. Bird's focus on how the commercial tastes of audiences might reject unjust and, indeed, tragic conclusions in favour of reconciliatory ones suggests the continued importance of audience engagement with female testimony. Moreover, it reinforces the practices that private theatres such as the Phoenix were implementing to entice their evolving audience base of well-heeled female spectators. Whilst the play, which has received a recent revival by the Edward's Boys company at the Sam Wanamaker Playhouse, deserves attention in its own right, and not simply as a mirror to Shakespeare's *Othello*, this frequent comparison to Shakespeare's tragedy does nevertheless demonstrate Ford's interest in the strikingly different consequences when men receive rumours of female transgression

[31] John Ford, *The Lady's Trial*, I. 1. 172-77.

either unquestioningly or sceptically.[32] The popularity and excitement surrounding trials is also interrogated by Ford, demonstrating the continuing public appetite for the staging, and perhaps the confirmation, of rumour's damaging effects. *The Lady's Trial*, as with its predecessors, nevertheless serves to draw the attention of audiences towards the risks posed by popular speculation. It is to this play, and those mentioned above, that an ongoing critical conversation could usefully attend, by exploring the continued development of female testimony and in early modern domestic drama.

Moving forward, this thesis has identified several strands of future research which would contribute further to the fields of theatrical female testimony and domestic tragedy. It is apparent by looking at the critical history of domestic tragedy – together with recent theatrical revivals of *Arden of Faversham* and *The Witch of Edmonton* (and, from an academic perspective, a critical revival of *The Three Ladies of London* as part of a 'Performance as Research' conference on the play) – that domestic tragedy has spoken in various ways to critics and audiences at different moments across the last century. Henry Adams' work, in the 1940s, presents a perhaps unsurprising interest in how domestic environments and families were perceived at a time when the hierarchies and structures of families in England, and across the world, were being transformed by war. In the 1970s and 1980s, inspired perhaps by second-wave feminist movements, the genre again came to attention for its rebellious and transgressive women. Now, in the 2010s, women's rights and feminism are once again prominent academic and public discussions, signalling another exciting moment for plays inherently interested in female experience, resistance, and testimonial voice. A metahistorical study into the genre's relevance and influence throughout its critical history, identifying its peaks in relation to national events and news, would offer a valuable new insight into how domestic tragedy has been

[32] Lisa Hopkins comments on the similarities and differences between the two plays in the introduction to her critical edition: 'Introduction' in John Ford, *The Lady's Trial*, pp. 1-36 (p. 7); John Ford, *The Lady's Trial*, dir. by Perry Mills (Edward's Boys, 2015).

received by modern audiences and, in turn, whether the cultural concerns explored by early modern playwrights and audiences may continue to resonate, albeit differently, in the twentieth and twenty-first centuries.

Further to this metahistorical approach, there are additional plays worthy of critical attention from the perspective of female testimony. Domestic tragedies such as *A Woman Killed with Kindness*, *Two Lamentable Tragedies*, and *The Yorkshire Tragedy* could all contribute to a more thorough view of the ways in which audiences responded, in complex ways, to social conventions and topical events.[33] *The Two Angry Women of Abington* (1599), too, would offer a fascinating insight into how its playwright – Henry Porter – negotiated two female voices in fierce altercation with one another.[34] Unlike the private, domestic dwellings of *Arden of Faversham* and *A Warning for Fair Women*, Porter located his angry women in urban and, importantly, public spaces in which to air their grievances. The street-altercations subsequently posit the local community as witnesses to the exchanges which, in themselves, are not required to adhere to the same format as testimonies given in the domestic and legal arenas seen in domestic tragedies. This variation in environment might provide an opportunity to interrogate the differing options available to female characters, as perceived by playwrights, for testifying in public or private, urban or domestic, locations. This continued critical attention could help to develop a spatial, or locational, view of female testimony, capable of interrogating the relationship between defensive testimony and confessional speeches, and the environments in which they might be found.

Much of this thesis has considered the inaccessibility of early modern courtrooms to female testifiers. As I have shown, Robert Wilson explored the

[33] Thomas Heywood, *A Woman Killed with Kindness*, ed. by Margaret Jane Kidnie, Arden Early Modern Drama (London: Bloomsbury, 2017); Robert Yarington, *Two Lamentable Tragedies*, ed. by Chiaki Hanabusa, The Malone Society (Manchester: Manchester University Press, 2013); Anonymous, *A Yorkshire Tragedy*, ed. by S. D. Feldman and G. R. Proudfoot (The Malone Society, 1969).

[34] Henry Porter, *The Two Angry Women of Abington*, ed. by W. W. Greg (The Malone Society, 1912).

limited options for his female protagonists to testify in a formal courtroom, whilst the playwrights of domestic tragedies instead looked at how women might testify or confess within domestic spaces. The politics of space identified within the thesis, and the need for spatially informed readings of on-stage defensive and confessional testimonies, demonstrate some of the cultural structures that playwrights had identified as particularly significant to women's expression. The differing ways in which female characters negotiated testimony in public and private environments – whether through angry defiance and accusation, or reflective soliloquy, overheard only by the off-stage audience – indicates that playwrights recognised the limitations placed on women's voices in certain arenas, and sought to explore ways in which women might nevertheless testify. Domestic dwellings offered an alternative space in which women might exercise more power through the somatic structures described by Ariane Balizet; further study into texts that encounter women's testimonies and confessions in other environments – such as the street scenes of Porter's *The Two Angry Women of Abington* – offer even more scope to explore how the female testimonial voice might be conceptualised by playwrights and received by audiences once freed from the restrictions of the masculine realms of law.[35]

The findings presented in this thesis have been made possible, in part, through critical awareness of plays and documentation that, although now lost, suggest the kinds of source materials which may have been available to playwrights. These same materials may also have influenced popular opinion surrounding cases such as the Arden and Sanders murders, as well as Elizabeth Sawyer's trial. Martin Wiggins and Catherine Richardson's ground-breaking catalogue of British drama offers promising new opportunities to cross-reference contemporary materials and this thesis has confirmed the value of contextual research on literature that may no longer survive but that

[35] Ariane Balizet, *Blood and Home in Early Modern Drama*, p. 59.

has left its mark in more subtle ways.[36] Current understanding of domestic tragedy's importance, and the prevalence of female testimony in popular literature as well as upon the Renaissance stage, presents promising new areas of research. Whilst some of the scope for further research has been outlined above, I anticipate that many further avenues of enquiry will emerge. Much of my work in this thesis has been to demonstrate how the early modern playwrights who were reimagining female characters by experimenting with generic certainties were also challenging established popular beliefs. In a similar way, critical approaches to female testimony must, going forward, also adopt a broader approach to exploring the wider cultural consequences of radical theatrical experiments.

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My thesis has built upon current understanding of how women's voices were reimagined in literary texts, and has demonstrated the differing priorities of pamphlet authors such as Henry Goodcole – who sought to promote the authenticity of his transcript for commercial gain – and of playwrights who, in some cases, were keen to cast into doubt the very possibility of fully determining the guilt of their protagonists. The ways in which playwrights responded to authorial guarantees in popular literature has been a focus of my thesis – especially the fourth chapter which explored *The Witch of Edmonton*'s satire of authoritative access to a female defendant's testimony. Whilst Ford, Dekker, and Rowley's play has often been studied alongside Goodcole's pamphlet as its source, my thesis has ventured that the relationship between the texts is one less of indebtedness but, rather, of reflective criticism in how popular opinion and beliefs were upheld and promoted in commercial literary tracts.

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[36] Martin Wiggins and Catherine Richardson, *British Drama 1533-1642: A Catalogue*, 8- vols (Oxford: Oxford University Press, 2011-17).

Whilst Frances Dolan has demonstrated domestic tragedy's capacity for representing women on the stage, the opportunities presented here for testimony specifically – through the interest of playwrights in topical legal affairs – have hitherto remained neglected.[37] The experimental nature of the genre, which was still in its infancy at the end of the sixteenth century, and the introduction of indoor playhouses, operating alongside amphitheatres, at the time, also inform a considerable part of the findings of my thesis. *A Warning for Fair Women* and *The Witch of Edmonton* demonstrate clear ways in which their playwrights were exploring audience responses, inviting audiences to serve as witnesses, and to observe and respond, in varied ways, to the testimonies played out before them. In the former play, Thomas Heywood required audiences to balance their emotional engagement with Anne Sanders' defensive (and later confessional) speeches with an altogether more detached and forensic approach to reconciling the evidence they had seen and heard on-stage. Crucially, their judgement was not assisted or confirmed by Heywood, even at the play's conclusion: the responsibility rests with the audience who are required to witness and then interpret the evidence. In *The Witch of Edmonton*, the playwrights were experimenting with writing for an indoor venue, and for a more socially elite audience. As such, as this thesis has shown, the increasing fashion for attending indoor performance spaces also raised opportunities for social satire, and reflection on the reliability of narratives shaped by popular literature.[38] One important finding of this work has been to uncover some promising links between playwrights and theatres within this period of study – particularly the influence of Thomas Heywood. In this thesis

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[37] Frances Dolan, *Dangerous Familiars*; 'Gender, Moral Agency, and Dramatic Form in *A Warning for Fair Women*', *Studies in English Literature*, 29 (1989), 201-18; and *True Relations: Reading Literature, and Evidence in Seventeenth-Century England* (Philadelphia: Pennsylvania University Press, 2013).

[38] New research on the indoor theatres is being conducted by the 'Before Shakespeare' team, including work on, and an upcoming event surrounding, the Blackfriars playhouse. See 'The First Blackfriars Playhouse 1576-84: Ownership, Repertoire, Audience' in *Before Shakespeare: The Beginnings of London Commercial Theatre, 1565-1595*, Blog, Before Shakespeare, 24 January 2018, <https://beforeshakespeare.com/2018/01/24/the-first-blackfriars-playhouse-1576-84-ownership-repertoire-audience/> [accessed 10 September 2018].

I have attributed *A Warning for Fair Women* to the playwright based on evidence presented by Gemma Leggott and Charles Cannon in their critical editions of the play, as well as some of my own textual findings.[39] Perhaps the most interesting of these discoveries was Heywood's interest in audience response, particularly of female spectators, that emerges from comparing *A Warning for Fair Women* with his defence of theatre, 'An Apology for Actors'.[40] The inclusion of an anecdotal account regarding a woman driven to confess the murder of her husband at a play which depicted a similar crime – which appears in both texts, in comparable detail, and which reveals the location of the performance – has led me to explore how Heywood's longstanding interest in the responses of female auditors might be traced throughout his works. Moreover, Heywood's connections with the Cockpit theatre, as noted in the fourth chapter, also point towards his influence amongst later playwrights who experimented with domestic tragedies. These findings are of especial importance given the Cockpit's proven popularity with female audiences.[41] I hope to conduct more research into Heywood's influences and networks in the future, and believe this to be an exciting finding of the current thesis.

The development of domestic tragedy documented throughout this work has demonstrated the important role played by generic experimentation as female testimony became a major theatrical event. So, too, can the genre's influence be seen in the rising popularity of indoor playhouses. Crucially, the playwrights' efforts did not enforce prescribed ways of interpreting characters or their respective guilt; rather, their experiments ask spectators to reflect on

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[39] Anonymous, *A Warning for Fair Women*, ed. by Gemma Leggott, *Early Modern Literary Studies: iEMLS Hosted Resources* (2011), <https://extra.shu.ac.uk/emls/iemls/renplays/A%20Warning%20for%20Fair%20Women%20With%20Introduction%20Edited%20by%20Gemma%20Leggott%201.doc> [accessed 18 September 2018]; and Anonymous, *A Warning for Fair Women: A Critical Edition*, ed. by Charles D. Cannon (Boston: De Gruyter, 1975).
[40] Thomas Heywood, *An Apology for Actors* (London, 1612), in *EEBO* <https://historicaltexts-jisc-ac-uk.oxfordbrookes.idm.oclc.org/eebo-99841838e> [accessed 10 September 2018].
[41] See Andrew Gurr, 'The Evolution of Tastes', in *Playgoing in Shakespeare's London*, 3rd edn (Cambridge: Cambridge University Press, 1987; 3rd edn, 2004), pp. 143-223 for discussion of the Cockpit's popularity with female spectators.

why certain types of testimony might garner more public support than others, and the potential consequences of this bias. Whilst audience tastes for topical, violent plays appear to have waned by the mid-seventeenth century, the phenomenon of women testifying upon the stage remained as compelling as ever. Ford's *The Lady's Trial* suggests a further avenue for exploring how female testimony continued to be experienced on the early modern stage after the heyday of domestic tragedy, evidencing how a woman's defensive – rather than confessional – speech might transform a tragic plotline to a comedic one; one that rendered plays capable of resolution without the death of their female testifiers.

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