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THE RHETORIC OF REVENGE
THE USE OF FORENSIC RHETORIC IN THE SPANISH TRAGEDY,
TITUS ANDRONICUS AND THE JEW OF MALTA

By

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A Thesis

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The Spanish Tragedy, Titus Andronicus and The Jew of Malta

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ABSTRACT

The thesis examined is that the authors of The Spanish Tragedy, Titus Andronicus and The Jew of Malta are making a case for and against the protagonist as in a revenge trial, not as it would be conducted in an Elizabethan court, but as it might be constructed from the works of the Roman rhetors studied in the schools.

The method is first to consider the advice given to orators by the Roman rhetors most commonly studied in the schools, which reveals that they emphasise the forensic oration and the dramatic quality of rhetoric, and all give instructions for conducting a case of revenge. Secondly, examination of the system of teaching rhetoric in Elizabethan schools supports the probability that rhetorical precepts would be applied to writing plays. Thirdly, scholarly opinion suggests that forensic rhetoric was already employed in pre-Elizabethan drama, although not in the form of a trial. Lastly, consideration of Elizabethan opinions on blood revenge suggests that its legal status as criminal homicide may have appeared over-simplified to a generation trained in the Roman rhetors' view of revenge as an issue meriting an equitable decision according to the circumstances of the case. This inference is supported by the sophisticated defence provided for the revenger in the plays which would not have been available in an Elizabethan court.

Analysis of the plays according to the precepts revealed by the background material indicates that many structural, persuasive and argumentative features of The Spanish Tragedy and Titus Andronicus conform

to the rhetorical techniques of the revenge trial. The same method of analysing the elements of the revenge trial apparent in The Jew of Malta highlights Marlowe's variations on Kyd's approach. The most important of these is his argumentative method which employs the resources of both rhetoric and logical dialectic to turn consideration of the case of the revenger into an attack on the audience.

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INTRODUCTION

The Elizabethan playwrights' interest in rhetoric, litigation and revenge is the firing idea of this study. The rhetorical text books most commonly read in Elizabethan schools have a pronounced bias towards the legal oration and suggest an approach to revenge unlike that of the Elizabethan courts. To the Elizabethan lawyer, blood revenge was capital murder, but to Cicero, Quintilian and the author of the Ad Herennium it could be criminal or justifiable. Since Roman judges were more concerned than their English counterparts with weighing the degree of provocation involved, advocates aimed to influence their decision by the persuasive means described by the rhetors. It therefore seems possible that those playwrights who encourage debate about the rightness or wrongness of an act of vengeance may have been employing the attacking and defensive techniques of Roman forensic rhetoric. This is the subject of my enquiry.

The proposition examined in the study is that the authors of The Spanish Tragedy, Titus Andronicus and The Jew of Malta are making a case for and against the protagonist as in a revenge trial, not as it would be conducted in an Elizabethan court, but as it might be constructed from the information in the Roman rhetorical text books read in the schools. It is not my contention that the playwrights deliberately set out to produce a dramatised trial, but rather that their educational

conditioning and contemporary interests were such that they used the form and techniques of forensic orations to make a drama on a subject of legal as well as moral interest.

The three major plays discussed in the study are of uncertain date. The Spanish Tragedy is thought to have been written between 1582 and 1592, Titus Andronicus between 1591 and 1594, and The Jew of Malta between 1589 and 1592. It is, however, generally assumed that The Spanish Tragedy was written first and was the prototype for the other two early revenge plays, as for many written later. The many features common to the three plays and to the revenge trial provide a basis for comparison which highlights the differences in the direction and the sophistication of the rhetorical techniques employed. As the plays were written at a time when ostentatious rhetoric was evidently still acceptable to audiences, the rhetorical style of Kyd's and Shakespeare's plays is clearly perceptible, and their persuasion of the audience is of a comparatively straight-forward kind. To later tastes, indeed, their rhetoric appeared obvious, but it enables us to analyse methods which later underwent subtle modifications. Concealed rhetoric is, however, a salient feature of The Jew of Malta. The play offers a variation of the revenge formula established by Kyd and a highly sophisticated variation of the attacking and defensive methods of the other two plays. The issue of revenge and justice which is central to The Spanish Tragedy and Titus Andronicus becomes subsidiary in The Jew of Malta which focusses rather on attitudes to right and wrong.

The study falls into three parts. Part one, offering background information on rhetoric, is divided into three chapters. The first, on rhetoric and drama in Elizabethan education, does not purport to be a comprehensive discussion of the subject. It is intended to show the pervasiveness of rhetoric in Elizabethan education and its connection with drama, and to provide information on the rhetorical techniques discussed in the analyses of the plays. I have emphasised grammar-school education more than the university programme as only one of my three dramatists is known to have attended university. I have accordingly approached the plays from the 'middle' educational ground of the grammar-school graduate, attempting to see in them what he might have perceived. The second chapter, entitled "From Court-Room to Theatre", is a survey of some manipulative techniques of classical rhetoric which are potentially applicable to drama. It concerns the rhetors' theories on audience reaction; the presentation of personae; and the appeals to the passions. The third chapter, on rhetoric in the Elizabethan theatrical heritage, briefly considers sources of rhetorical techniques already in use in the theatre. The chapter reviews some of the main points made by scholars on the use of rhetoric in mediaeval drama, Tudor humanist plays and the tragedies of Seneca.

Part two, "The Elizabethans and Revenge", considers some contemporary ideas which might have prompted Elizabethan authors to approach the topic of vengeance in forensic terms. Attitudes to natural law, the morality of revenge and its legal status are subjects treated summarily in Chapter I. The second chapter returns to the Roman rhetors' instructions for conducting a case of revenge, and concludes with an

analysis of John Pickering's The Interlude of Vice (ca. 1567), one of the earliest extant English revenge plays. The play is of interest because the protagonist is Orestes, whose story is the stock example of a case of revenge in the Roman rhetorical manuals.

The third part of the study is divided into three chapters which respectively analyse The Spanish Tragedy, Titus Andronicus and The Jew of Malta. The method is to consider the correspondences between the structure of the plays and the divisions of the oration, the cases for the prosecution and the defence, the treatment of the pleas available, and the persuasive manipulation of the audience.

Considerable work has been done on rhetoric in English renaissance plays, and in particular the books of Moody E. Prior and Wolfgang Clemen have increased our understanding of stylistic rhetoric.¹ T. W. Baldwin's detailed examination of Shakespeare's education in William Shakspeare's Small Latine and Lesse Greeke² has become a vade mecum for anyone working in this area. Two recent works have examined the relationship between sophistic rhetorical instruction and the renaissance dramatists' habit of seeing contradictory answers to issues treated in their plays. Charles O. McDonald in The Rhetoric of Tragedy³ discusses the "antilogistic" habit of thought in Greek, Roman and renaissance English plays with the main focus on Hamlet and Stuart drama. Joel Altman in The Tudor Play of Mind⁴ considers almost fifty plays ranging over most of the sixteenth century. Like McDonald he focusses on the antilogistic habit of thought, and he considers it in relation to those plays which do not clearly conform to the homiletic didacticism conventionally cited in defence of the stage. He sees these plays as a

"liberty" or neutral area in which questions can be pursued in freedom from the practical considerations of daily life, and he considers the development of drama from the early Tudor plays, which are virtually dramatised debates, to those in which the debate is absorbed into a fully realised play. A more precisely defined aspect of rhetoric, the subtly ironic approach of the Lucianists, has been traced in some Tudor debate plays and the works of Marlowe and Ben Jonson by Douglas Duncan.⁵

My debt to all these works and to many others will become apparent as the study progresses. My approach is narrower than that of McDonald and Altman as I have confined my enquiry to the rhetorical treatment of revenge in four early plays on the subject, but it is broader in that I have applied the methods of the whole oration to the plays. I hope that this approach may add something to our understanding of the structuring of the plays and the dramatic development of their arguments. As the oration depends almost as much on emotional persuasion as on logical argument, the approach touches on an area that McDonald and Altman have not much considered, and it may help to explain the emotional swings provoked in the audience and the use of such emotive tactics as the presentation of violent action. A more general ambition is to consider how the playwrights' interest in rhetoric, litigation and revenge was first worked into tragedy and then, in The Jew of Malta, varied to produce a play of a very different kind.

INTRODUCTION: NOTES

¹Moody E. Prior, The Language of Tragedy (Bloomington: Indiana University Press, 1966, 1st pub. 1947); Wolfgang Clemen, English Tragedy before Shakespeare: The Development of Dramatic Speech, trans. T.S. Dorsch (Heidelberg: 1955 in German; London: Methuen, 1967)

²T.W. Baldwin, William Shakspeare's Small Latine and Lesse Greeke, 2 vols. (Urbana: University of Illinois Press, 1944)

³Charles O. McDonald, The Rhetoric of Tragedy: Form in Stuart Drama (University of Massachussetts Press, 1976)

⁴Joel B. Altman, The Tudor Play of Mind: Rhetorical Enquiry and the Development of Elizabethan Drama (Berkeley: University of California Press, 1978)

⁵Douglas Duncan, Ben Jonson and the Lucianic Tradition (Cambridge: University Press, 1979)



PART I

CHAPTER 1

RHETORIC AND DRAMA IN ELIZABETHAN EDUCATION

Scholars have done much to reveal the subtleties and illuminate puzzling features of Elizabethan plays by explaining the underlying rhetorical precepts inculcated in the writers by their schooling. Much of the following chapter will be a selective recapitulation of findings on the teaching of rhetoric in the sixteenth century. As it is part of the background for an eventual analysis of The Spanish Tragedy, Titus Andronicus and The Jew of Malta, the emphasis is on the kind of schooling the authors of these plays may have had, and on the aspects of education most likely to encourage the application of rhetorical precepts to writing plays. With this purpose the chapter will deal separately with four related topics: the nature of rhetoric; the educational curricula and the commonly studied works of the classical rhetors; the analysis of literary works by application of rhetorical precepts; and the dramatic quality of exercises used to develop rhetorical skills. To the scholars mentioned in the notes and to the ingenious rhetors themselves the following brief account is much indebted.

What is Rhetoric?

"The first question that confronts us is, what is rhetoric", said Quintilian in the first century A.D.¹ As rhetoric is a confusingly multifarious art, the question is still worth asking. An early and much

cited answer comes from Aristotle's Rhetoric, the oldest book extant on the subject (ca. 355-322 B.C.).² Aristotle defines rhetoric as "the faculty of discerning in every case the available means of persuasion" (I.i.14). The tools of persuasion, he implies, are two: the exciting of emotion or prejudice in the auditors; and proofs. To Aristotle everything except the proofs is irrelevant to the fact, the rest having regard only to the judges. He accepts, however, that emotional persuasion is necessary because of the "infirmity" of the auditors "whose judgement is clouded by private pleasure and pain" (I.i.8). Important as Aristotle is to the history of rhetoric, the direct influence on English sixteenth-century minds of the Rhetoric as of the Poetics, seems to have been slight until 1600.³ McDonald cites an unpublished dissertation by L. S. Hultzen which comes to this conclusion (p. 75 & n) and Baldwin's findings support the view.⁴ The indirect influence of the Rhetoric may, however, have been greater than these findings suggest, as it was zealously read and often referred to by the Roman authors who were the back-bone of rhetorical teaching in the sixteenth century, Cicero, Quintilian and the author of the Rhetorica ad Herennium. These rhetors do, in effect, if not in theory, accept Aristotle's view that rhetoric is the faculty of finding the available means of persuasion, for they repeatedly insist that everything must be adapted to winning the case, and victory depends on argumentative and emotional persuasion.

Quintilian is, however, reluctant to accept Aristotle's definition on two scores relevant to this study. The first concerns the morality of the art. Rhetoric, Quintilian says, is a power and a virtue,

so no evil man is worthy of the name of orator. As such a man may, however, be capable of persuading others, Aristotle's definition is misleading (II.xv.2). To Quintilian rhetoric is more satisfactorily defined as the science of speaking well, "for this definition includes all the virtues of oratory and the character of the orator as well, since no man can speak well who is not good himself" (II.xv.34). Cicero in De Inventione explains this anxiety saying that when those with no consideration of moral duty acquired the power of oratory, their corrupt practices brought rhetoric into such odium that men of the greatest talent abandoned it for other studies (I.iii.4-5).⁵

Quintilian's second objection concerns the scope of rhetoric. He claims that of its five parts — invention of arguments, arrangement, style, delivery and memory — Aristotle's definition refers only to the invention of arguments "which without style cannot possibly constitute oratory" (II.xv.13). Cicero is equally insistent that both style and invention belong to rhetoric. In the third book of De Oratore⁶ Crassus laments the separation of rhetoric from political science or philosophy by the Greek followers of Socrates. This has led to the "undoubtedly absurd or unprofitable and reprehensible severance between the tongue and the brain, leading to our having one set of professors to teach us to think and another to teach us to speak", for "no idea can possess distinction without lucidity of style" (III.xvi.61 or vi.24). The scope of rhetoric is likely to be disputed because it is a composite art which in three of its parts overlaps with the sister disciplines of grammar and logic.⁷ Invention and arrangement involve logic, and style, inasmuch as it concerns figures, is closely associated with grammar. The dispute as

to whether all five parts of rhetoric rightly belonged to it continued for centuries. In the Middle Ages rhetoric was considered mainly the art of stylistic ornamentation, but in the Renaissance more weight was given to rhetoric's suasive ends.⁸ Although some Renaissance scholars attributed the argumentative methods of rhetoric to logic, the Elizabethan oration depended in practice on the quintuple art defined by Aristotle and promulgated by the Roman rhetors, whatever its parts were called.⁹ A source of confusion regarding the words rhetoric and rhetorical is that they can be applied to any of the five parts, or to all of them, so distinctions will be made in this study unless the art as a whole is meant.

Added to rhetoric's general persuasive purpose are three subsidiary aims which Quintilian, following Cicero, gives as "to instruct, move and delight" (III.v.2). Aristotle also recognises and discusses these functions in his book, and in his four points on the usefulness of rhetoric, he adds to instruction investigation: "it is a means of persuading others to accept information; and also, by considering both sides of the case, a means for the orator to acquire knowledge himself" (I.1.12). Moving, or inciting emotion in the audience, is the function of rhetoric popularly associated with drama, which is in most audiences' opinion an emotional art, although playwrights and critics are not always pleased to agree. As the rhetors consider moving the most difficult part of their art, they devote much space and detail to it, and it will therefore be discussed separately in our second chapter. The delight of rhetoric is not easily separable from its other functions, for instruction and emotional response are not

without a strong element of pleasure. But above all rhetoric delights through the use of language, where both the effects and the consciousness of the techniques used to achieve them are enjoyable. Quintilian remarks that language adorned with ornaments of rhetoric can do much to further a case, "for when our audience find it is a pleasure to listen, their attention and their readiness to believe what they hear are alike increased, while they are generally filled with delight and sometimes even transported with admiration" (VIII.iii.2-5). He has, however, no use for ornament for its own sake. He is eloquent, and even passionate, on the need to adapt every element of style to the aim of rhetoric, which is victory (II.iv.32). The "debauched eloquence" of declamation in the schools, where the aim had become not practice for the forum but pleasure alone, he compares to the beauty of a boy castrated to retain the effeminate attractiveness of early youth (V.xii.20). Here Quintilian acknowledges that style itself is a part of persuasion so maintaining his point that it is an essential part of rhetoric, but also showing that Aristotle's definition is more inclusive than he formerly allowed. In practice, the theoretical difference between them on the nature of rhetoric diminishes. Indeed, Cicero's Crassus in De Oratore remarks that Aristotle "linked the scientific study of facts with practice in style" (III.xxxiv.41).

It is again Quintilian who, having adjudicated the views of his predecessors on the scope of rhetoric, sums them up in saying "the material of rhetoric is all and every subject that might come up for treatment" (III.i.1). Once more he seems to be supporting Aristotle's definition, for that emphasises, as Quintilian here implies, that

rhetoric is a method, we might say a method of selecting and presenting material for discourse and communication. It has to be backed up by knowledge, without which it "is but an empty and ridiculous swirl of verbiage" as Cicero's speaker puts it in De Oratore (I.v.17). It is not a particular, stylized form of communication nor is it just a collection of useful arguments.

In their attempts to rescue rhetoric from the doldrums of pretty talk, the Romans adopt a practical attitude, seeing the aim as victory and constantly stressing the need to convince. At times, indeed, their discussions of the means of persuasion verge on the cynical, but they also view rhetoric in a highly idealistic way, seeing its cultivation as the duty of the good man and citizen. Both Cicero and Quintilian observe that as rhetoric is the development of speech, the gift that most differentiates men from beasts, the orator excels other men in the attribute most expressive of humanity.¹⁰ Crassus, in a panegyric at the beginning of De Oratore, presents the orator as a kind of knight of justice. He sees rhetoric as a refining art which makes of speech a power strong enough to have urged primitive man into civilisation and to make might submit to right. He says of it, "what achievement so mighty and glorious as that the impulses of the crowd, the consciences of the judges, the austerity of the senate, should suffer transformation through the eloquence of one man? What function again is so kingly, so worthy of the free, so generous as to bring help to the suppliant, to raise up those who are cast down, to bestow security, to set free from peril, to maintain men in their civil rights?" The whole speech of which this is a part is a fine example of persuasive rhetoric, calculated to make a

double appeal: to the idealism of the young men to whom it is addressed, but also to their personal ambition.

Rhetoric, then, is presented as an exciting subject because it offers power for good through the development of speech, the distinguishing mark of humanity. It is stimulating because it is a matter of beating the other side and because it encourages vigorous examination of a case and the ingenious presentation of the results. It is attractive because it offers the means of making everyday conversation as well as speeches interesting, pleasing and even beautiful, and this will also win the converser admiration. In short, it adds to the quality of life and offers the aspiring child (or adult) a method of self development by which he might attain a goal which has about it something of the enticement of the philosopher's stone.

The Educational Programme

Before mastering rhetoric's triple lore and lure, however, the Elizabethan child had a hard course of study to pursue. He had first to learn to read and write in his own language and to recite the Catechism in English at petty school.¹¹ At about seven children destined for activities requiring education went on to grammar school where the curriculum, concentrating on letters, was based on the mediaeval trivium of grammar, rhetoric and logic. Baldwin explains, however, that formal instruction in logic became subsumed in the study of rhetoric, logical precepts being learnt chiefly to enable understanding of the sister art (I.76). Baldwin also shows that Erasmus was a major influence in designing the grammar-school curricula, in selecting and often preparing

texts, and in establishing teaching methods. The grammar school was usually divided into eight forms: four in the lower school, taught by the usher, and four in the upper under the tutelage of the master. In the lower school the emphasis was on grammar, the Latin language and solid moral training. The teaching of grammar and languages continued in the upper school where sometimes Greek and occasionally Hebrew were added, but the main emphasis there was on rhetoric. Ethical training also continued in the upper school, but the boys were at that stage exposed to the work of poets whose concerns were more literary than moral, a matter of anxiety to puritans in the latter part of the century who felt that love poetry, plays and such ungodly matter should not be put into the hands and heads of the young.¹²

Two aspects of Elizabethan education are particularly important to our enquiry: the information given on the oration and debate, and the construction and analysis of other kinds of writing according to the precepts of the oration. All the Roman texts used for teaching rhetoric in sixteenth-century grammar schools give information on the oration. Baldwin's research has shown that the Ad Herennium (ca. 82-86 B.C.), then attributed to Cicero, was the general rhetorical text book most in use. This was usually supplemented by Cicero's Topica (ca. 44 B.C.), which treats of the "places" or topoi of argument.¹³ Two more of Cicero's works occasionally used were De Inventione (ca. 85-90 B.C.) and De Partitione (ca. 46 B.C.).¹⁴ The former seems to be the first part of a general treatise on rhetoric and so closely resembles the first book of the Ad Herennium that it was for a long time thought to be an earlier draft. As its title indicates it centres on the invention of

argument. De Partitione Oratoria or Partitiones Oratoriae, written for Cicero's son, is a brief essay on the art of rhetoric which focusses on the divisions of the speech. "It treats of the speaker's personal resources in point of matter and style, the structure of the speech, and the various subjects available for treatment" as Rackham puts it in his introduction (p. 307). Two other books in constant use, to be discussed later, were Erasmus' De Copia Verborum ac Rerum¹⁵ and Aphthonius' Progymnasmata (4th-5th century A.D.).¹⁶

Quintilian's Institutio Oratoria became, as Baldwin puts it "the pinnacle of the grammar school" to be used when the minimum requirements of rhetoric had been acquired from other sources (II.197). Written in twelve books, the Institutio provides a piecemeal synthesis of writing on rhetoric, together with the author's own very definite views drawn from his experience in the courts. The book is much more than a text book on rhetoric -- it is more the testament and advice of a life-long devotee, which in itself makes it persuasive and interesting.

Another master work of latin rhetoric, Cicero's De Oratore, was mainly read at university, although in some schools the top class may have had it. It is written in the form of a discussion between orators of distinction and some young speakers who had already shown promise. The elementary precepts of rhetoric are merely run through in passing, for the book is more concerned with the finer points of rhetorical practice as it appears to distinguished practitioners. The skill and knowledge required of the rhetor and the scope and quality of the art itself are also discussed.

The Ad Herennium, the book no grammar-schoolboy could escape reading, judging by the school lists, provides much of the information given in the other books in a concise form with good examples. There are three kinds of oration which the author sums up as follows: "the epideictic kind is devoted to praise or censure of some particular person. The deliberative consists in the discussion of policy and embraces persuasion and dissuasion". The forensic, he says, "is based on legal controversy and comprises criminal prosecution or civil suit and defence" (I.ii.2). At another point the author observes that the deliberative cause concerns a choice between two or more courses of action (III.ii.1), and Quintilian says of deliberation that it is always concerned with questions where some doubt exists (III.viii.25). Cicero in his Topica remarks that the ends of the three kinds are respectively honour (or shame); advantage; and justice (xxiii.91). Quintilian does not agree with this fragmentation of aims as "all three kinds [of oration] rely on the mutual assistance of the others. For we deal with justice and expediency in panegyric and with honour in deliberations, while you will rarely find a forensic case in part of which at any rate something of those questions just mentioned is not to be found" (III.iv.16). It is probably for this reason and also because the forensic oration is generally agreed to be the most difficult kind, that the Roman rhetors all devote most space to it, and in so doing centre a good deal on Roman law. "An Ancient Rhetoric" H. M. Hubbell says, "trained men . . . almost exclusively for speaking in the law courts. It is a doctrine of controversy and debate".¹⁷

The oration is divided into parts, which we shall call divisions to distinguish them from the five parts of rhetoric (invention, arrangement, style, delivery and memory). The number varies in theory according to the importance given to the sub-divisions, but in practice in response to the needs of the case. Cicero in De Inventione records seven parts: exordium; narratio or statement of facts; partitio, the plan of the speaker's argument to help the auditors to follow it; confirmation and refutation, both of which belong to proofs; digression; and peroration (I.20-109). In De Partitione, on the contrary, Cicero gives only four divisions, the basic ones which I hope to show underlie the structure of some plays. These are exordium, narratio, proofs, peroration (viii.27). In a forensic oration the function of the exordium is to give the necessary background and distinguish the type of case at issue. The narratio is a statement of the events seen from the advocate's point of view, and of the points he intends to prove. In the third division the advocate supports his own case with proofs and attempts to refute his opponents' proofs. The peroration is divided into a summary of what has gone before and an emotive plea for the required verdict.

"Proof" has a wide meaning in this context. There are two main kinds, artificial and inartificial proofs. The inartificial are those that we would now consider proofs. Quintilian explains that they are evidence which lies within the case, such as rumours, oaths, documents, witnesses and evidence extracted by torture. These proofs, he says, involve no art in themselves, and are for this reason often neglected by those who write on rhetoric, but all the powers of oratory are required

to present them convincingly and in the right order, and whoever neglects them is likely to lose the victory. Artificial proofs are those which, as Quintilian puts it, the speaker, "deduces . . . or begets out of his case", and they are matters especially adapted to produce belief. There are three sub-divisions of proofs: logical, ethical and pathetic and among them are a great many emotive devices which Quintilian lists (V. 1.2).

All five parts of rhetoric come into play in every division of the oration, but invention and style, being most relevant to our topic, most require attention. Invention is given the first place in the Roman rhetorics because it is a means of finding material for the discourse and of making it convincing, but it most immediately concerns the arguments. Arguments are drawn from "commonplaces" which are discussed below, and the main text book used for teaching this method was Cicero's Topica. The book was written for Gaius Trebatius Testa, a jurisconsult, and Cicero has chosen examples from civil and, occasionally, criminal law. As a result of the knotty problems likely to appeal to a legal expert the book in Latin must have made heavy reading for school children. It nevertheless continued in use throughout the sixteenth century, a sign of acclaim which Baldwin attributes to its superior method of invention (II.126):

Cicero explains that a place (locus or topos) is like the marker of a hiding place: it indicates the (mental) region from which arguments can be drawn. The places are divided into those intrinsic or inherent in the nature of the subject and those which are extrinsic. The latter relate to testimony, which is defined as anything brought in from external sources to win conviction — what we would call circumstantial

evidence. Among the intrinsic places are definition, partition, genus and species, similarity and difference, cause and effect, such starting points as might be used today in examining a subject. Having listed, explained and illustrated fourteen intrinsic places, Cicero remarks that "no region of argument remains to be explored" (xviii.71). Cicero's places, which he calls loci, are general points of inquiry which can be applied to any question or subject and so they are rightly called common-places. By the first century A.D, however, the commonplace came to mean a speech amplifying evil things connected with a person, and by the time Erasmus wrote Copia it had evidently become a commonly accepted idea, such as "It matters what company you keep".¹⁸

Cicero goes on to show that of the intrinsic places some are particularly appropriate to a certain kind of question or inquiry, and consideration of these brings him to the important matter of kinds of questions. There are two main types of question, the general (genus infinitum) and the particular (definitum), called respectively the proposition (or thesis as the Greeks had it) and the cause or case (to the Greeks hypothesis). The definite question or case involves definite persons, places, times and actions; the proposition or indefinite question may involve some of these but not definite persons. Quintilian remarks that in any definite question the indefinite question is implicit, because the genus is logically prior to the species (III.v.10). Among the sub-divisions of indefinite questions are those relating to right and wrong. The example given is cogent to this study: "Is it right to take vengeance on one who has wronged you?" (xxii.84).. Arguments on this proposition or indefinite question should be drawn from

the places special to equity: natural law and institutions. Natural law has two parts, the right of every man to his property and the right of revenge. The three parts of equity pertain to "the gods in heaven, to the spirits of the departed, and to men" (xxiii.90).

From this complex system of commonplaces and the places related to different kinds of questions the rhetor draws his arguments. Both prosecution and defence will work from the same places, but one side reverses them. Aphthonius gives a clear illustration of how this is done in one of his exercises which will be discussed later. Cicero presents the basic material, which he claims is complete, for an ideal method of examining a subject, discovering arguments and remembering what has been said and what is still to come. It is probable that with practice the rhetor would perform the investigatory stages almost automatically, quickly perceiving the potential for argument in indefinite and definite issues. There is also little doubt that these guidelines for analysis were backed up by commonly used and generally accepted arguments. Aristotle himself suggests in his Topica making selections from the "written handbooks of argument", listed under headings such as "on good" which should deal with every form of good, beginning with the categories of essence. Marginal notes of the opinion of individual thinkers should be made to support the arguments with authority (I.105b).¹⁹ This sounds very like the commonplace books kept by Elizabethans, a habit encouraged by Erasmus in his chapter on assembling illustrative material in De Copia (pp. 635-48). The ready-made argument was, however, never presented by the Romans as a substitute for investigation. Cicero says in De Oratore that for training the young, authorities from whom they can

borrow ready-made proofs are helpful, but "it is a symptom of congenital dullness to follow up the tiny rills, but fail to discern the sources of things" (II.xxvii.117). To Erasmus, investigation through the places was comparable to "knocking from door to door" to see if anything can be induced to come out (Copia, p. 606).

Style is the other part of rhetoric of particular interest to the study of plays. The Ad Herennium considers three kinds of style -- grand, middle and simple -- and provides examples to show not only good practice but the common faults attaching to each. In unskilled hands the styles become respectively the swollen, the slack, and the meagre, epithets sufficiently descriptive to require no further explanation (IV.viii-xi). Cicero in De Partitione analyses the styles in terms of lucidity, charm and brilliance. The lucid or plain style uses "the accepted words in their proper meanings", aims at brevity and "puts forward views that are either weighty or in conformity with the opinions of mankind" (vi.19). The charming style is "elegant and pleasing to the ear", employs "contrary terms", and uses pairs of words and balanced structures. Original and new expressions add to charm, "for anything that causes surprise brings pleasure". The brilliant style uses dignified words "metaphorically, with exaggeration, adjectivally and in duplication, synonymously and in harmony with the actual action and representation of facts", for it is brilliance which "almost sets the fact before the eyes". Attention must, however, be given to lucidity in every kind of style (vi.18-22). Cicero considers a simple and dignified style appropriate to the deliberative debate.²⁰ The panegyric will be showy, so the grand or brilliant and the charming styles would be

appropriate. The all-encompassing forensic oration makes use of any style the advocate thinks may help to make his case persuasive, but some guidelines are given for those appropriate to the various divisions of the oration.

The style of the exordium should be attractive but not brilliant for the judges must not suspect the advocate of slickness. The narratio should be clear, with as much charm as clarity permits, to incline the judges in the speaker's favour. Quintilian feels that brilliance is admissible in presenting the proofs to initiate the emotional attitudes which will be whipped up in the peroration with the full force of the advocate's utmost skill (V.xiii.57 and V.xiv.33-5).

These general principles on the uses of style were supplemented by instruction on ways to attain the desired effects. The rhetorical figures are important in this respect, and ample material was provided by Susenbrotus' hundred and thirty two tropes and schemes (excluding subdivisions), which Baldwin tells us were used for instruction in the latter part of the sixteenth century^(11.139). This work was supplemented by Erasmus' Copia Verborum ac Rerum, an attractive book studied throughout the century, usually in the sixth to eighth forms, but occasionally in the third and fourth. As his title suggests Erasmus treats not only of style in the art of varying, but also of the amplification of arguments and the treatment of proofs. Copia illustrates and helps to explain the Elizabethan liking for copiousness,²¹ challenged by the later preference for sparser writing. Erasmus recognises the potential pitfalls in both methods (p. 301) but makes a lively case for the controlled use of variation,

pointing out that its lack makes the speaker both ridiculous as he croaks out the same phrase like a cuckoo, and tedious, because the mind becomes disgusted with what it hears repeatedly in the same terms (pp. 301-2). In this he is in complete accord with the Roman rhetors who constantly urge the necessity of avoiding monotony. In the first book Erasmus gives instruction on varying through figures of speech, ending the first section with an inspiring, or possibly daunting, example as he gives 148 variations on "your letter has delighted me very much".

The second book, on copia of thought or abundance of subject matter gives eleven methods for varying and enriching the material. This can be done by adding detail, some of which is an enumeration of parts. Material drawn from commonplaces (in the original sense) can be added to the basic sentence of fact, such as "he was drenched" or "he acknowledged a son born to him from the girl". From the latter example Erasmus makes what amounts to a short story.

The methods here are very much a means of stimulating observation as they encourage the habit of recording detail about anything that might happen, or that one might see; and they also stimulate the imagination because they require it to work. This is particularly true of Erasmus' fifth method, vividness or enargeia. Vividness consists of painting a thing, time, place or person with words so vivid that what is described seems to appear before the eyes and "the auditor or reader is carried away and seems to be in the audience at a theatre" (p. 577). Erasmus discusses vividness mainly as an ornamental device, appropriate to poets and designed to give pleasure to the reader or audience, but the Romans see it as a strongly persuasive tactic as we shall see in Chapter 2.

The parts of oratory, with emphasis on invention and style, the kinds of oration and its divisions make up the content of rhetorical instruction most relevant to our subject. A brief look at the method of teaching will show how pervasive the form and principles of the oration were.

Rhetoric was far from being a new subject in the schools, but Erasmus introduced new methods of teaching it on the basis of classical example. One was to emphasise literary as much as moral qualities when studying literature. Another was to abandon the custom of spending long years learning the precepts of grammar and rhetoric without putting them to practical use. Erasmus advocated instead the immediate application of a minimum of precept.²² Sister Miriam Joseph notes that the order of teaching in every class was the same and comprised three stages: "to learn the precepts; to employ them as tools for analysis in reading; and to use them as a guide for composition" (p. 8). The habit of composing from a set of precepts and from examples was therefore firmly inculcated in Elizabethan children.

The examples were found in many kinds of literature, among them moral discourses, historical works, poetry, plays and orations. The goal of study in the upper school was, however, the accomplishment of a complete oration in the top form. Leading to this end were three stages of composition, the short theme, the epistle and the expanded theme which was virtually an oration.

In the lower school the children, having learnt a part of accidence, applied it to translating from and into Latin prose and verse, and were required to speak Latin and to write their own compositions as

early as possible. The latter began with simple themes on subjects which Erasmus recommends should be those likely to interest boys, such as a memorable historical incident; or they were based on a sentence, an adage or simile for which Erasmus' Adagia and other collections would have provided suitable topics. Baldwin considers that these short themes "helped to give English writers their strongly sentential set" (I.100-1). Erasmus' suggestions also encourage the debating mentality in the sense of both deliberation and panegyric. Among his list of topics in De Ratione Studii are, "it would be difficult to decide which was the sillier, Crates who threw his gold into the sea, or Midas who held it to be the supreme good; the unrestrained eloquence of Demosthenes and Cicero was their undoing; no praise can match the merits of King Codrus".²³

The next stage of composition, the epistle, puts into practice knowledge of the chief points of rhetoric, "namely propositions, the grounds of proof, figures of speech, amplifications, and the rules governing transitions. For these are conducive not only to criticism but to imitation", as Erasmus puts it in De Ratione Studii (p. 670). In his De Conscribendis Epistolis, a popular text book for letter writing,²⁴ Erasmus suggests that the boys write epistles either in their own person or in that of an imaginary character, such as a formerly dissolute young man urging a friend of like stamp to reform and devote himself to the study of letters as the writer has done. Subjects taken from comedies or history are recommended as they contribute much that is relevant to common life. Letters on many subjects can press into service fables, the stories of the poets and myths.

Erasmus abandons the Greek habit of classifying letters according to the recipient and categorises them as their subjects relate to the three types of oration (Ch. xxxii, p. 379). A list of the types of letters belonging to each kind is accompanied by examples of many of them. The suatory or deliberative kind includes love letters, requests, advice and petitions. Demonstrative (epideictic) letters concern descriptions of places and people, and feasts and monsters are included. The forensic type includes the more aggressive aspects of the suatory: complaints, threats and entreaties, accusation and invective are among them. The student's knowledge of the divisions of the oration will help him to construct his letter: the exordium may be direct or indirect (such as an approach by analogy), and under the division of partitio he can declare what he intends to enlarge on in the letter. From there the rhetorical methods should be applied to selecting, ordering and amplifying his propositions in whatever way he wishes to write. Of the forensic letter, however, Erasmus says that the method will be no other than that of the oration (Ch. lvii, p. 457).

The exercise of letter-writing as described by Erasmus' De Conscribendis, indicates with some certainty that not only were the literary precepts of rhetoric applied to composition, but that the kinds and even the divisions of the oration itself were used as "doors on which to knock" in search of the terms and form appropriate to the composition.

The Study of Drama as Rhetoric

Such is the pervasiveness of the debate and oration in Elizabethan education that we may expect their precepts to have been applied to the analysis of plays in the schools, as they were to letters. Renaissance commentaries on Terence indeed attest that criticism in general did make this application. Baldwin considers that these commentaries were taught in the schools (II.673) and Altman accepts his view (p. 130). A practical difficulty is that the plays always appear on the syllabi for the lower schools, that is, before the study of the oration as a whole had begun in earnest. Plays were, however, studied at both universities where the commentaries would certainly have been read. In the schools themselves there may have been backward references as the children progressed in their rhetorical studies, particularly as the rhetors frequently relate oratory and poetry; or the plays may have been used as an introduction to the parts of the oration. Many schools certainly produced plays, which may have elicited some rhetorical instruction, but on the whole the aim here was to teach the children delivery and deportment. As Christopher Johnson, commenting on a Christmas production at Winchester, puts it, "there should be in the voice a certain amount of elevation, depression and modulation, in the body decorous movement without prancing around".²⁵ Although there is, then, no certainty that the analogy between the structure and arguments of the play and the oration was brought to the children's attention at this early stage, there is no doubt that the rhetorical analysis of plays was current, and consideration of critical theories is therefore worthwhile.

The extant Latin plays available for study in schools were few: the tragedies of Seneca and the comedies of Terence and Plautus made up the choice. Baldwin in Small Latine finds that Seneca's tragedies were read only very occasionally in schools before 1600, in spite of the recommendations of Erasmus (I.205), Ascham (I.262) and Laurence Humphrey (I.262). Plautus, in the teeth of the protests of the moralists, notably Becon, Stockwood and Rainoldes (I.108-19), seems to have held his place on most syllabi. The boys at Bury St. Edmunds (I.298), Bangor (I.305), and Winchester (I.329) all read Plautus, and the boys of St. Paul's even performed one of his plays, but that was in the godless Catholic days of 1528 (I.129). Of Terence's plays, Baldwin says that they failed to appear on only one of his two dozen lists of school texts for the sixteenth century (I.641). It appears then that only comedy was read at school, although Seneca received attention at university where Greek plays were also read by those who had sufficient Greek. Baldwin notes that as renaissance critics always assumed that the structure of Latin comedy and tragedy was the same, principles used in the study of Terence would be readily applied to the plays of Seneca, or, indeed, to any tragedy.

Erasmus was a guide often quoted, with or without acknowledgment, as to why and how Terence should be taught. In De Ratione Studii he recommends Terence's plays for improving colloquial Latin at an early stage in education. For "he is pure, concise and close to everyday speech, and then, by the very nature of his subject matter is also congenial to the young" (p. 669). To teach Terence, or Plautus, Erasmus suggests a preliminary discussion of the author and his style, of the

nature and laws of comedy and the advantages to be derived from its study. After these preliminaries, the first point of interest is the gist of the plot, which would entail an analysis of the structure of the argument (p. 163). The teacher should then turn to matters of stylistic interest, figures of speech and rhetorical passages, and should not neglect the moral applications of the work.

The rhetorical-dramatic theories themselves are expounded by Marvin Herrick in his Comic Theory in the Sixteenth Century.²⁷ The most notable critic in the rhetorical line is the German, Willichius. The sub-title of an edition of Terence published in Zurich in 1550 announces "The commentaries of Iodocus Willichius Resellianus . . . in which is presented an account of invention, disposition, and style in each of the scenes, with an explanation of some obscure passages".²⁸ Herrick says that Willichius analysed the quantitative structure of the scenes according to the rhetorical divisions of exordium, statement of facts, proof, disproof and peroration. Herrick quotes his analysis of the catastrophe of the fifth act of the Eunuch as an example of the method employed not only by Willichius, but by other commentators of the sixteenth century. As it is representative of a common approach to drama part of the analysis deserves quoting.

Exordium: Chaerea opens the scene with an outburst expressing his overflowing happiness. As is proper in an exordium, this speech secures good will and attention.

Narratio: The narratio tells why Chaerea is happy (details are given).

Proof: The happiness of Phaedria and Chaerea is confirmed by the generous action of their father, who has consented to become the patron and protector of Thais.

Disproof: There is also some use of disproof in this scene. Gnatho, the clever parasite, tries to persuade Phaedria and Chaerea, for their own interests to make up with Thraso whose purse will be very useful. The young men's objection is met by Gnatho's pointing out that "there is not a man who entertains better or more liberally".

Peroration: Any attention to peroration in this scene was unnecessary since it is the last scene in the play and ends with the conventional "Farewell and clap your hands!" (Herrick, Comic Theory, pp. 6-7.)

Willichius also tried to classify each scene as deliberative, forensic or demonstrative (epideictic), finding some to be mixtures of two or even three types (p. 6). Herrick remarks, however, that Willichius' method of analysis of scenes was criticised by Mathias Berger as being even more ridiculous than when the method was applied to the whole play (p. 7). As Quintilian remarks that the kinds of debate are mutually dependent, Willichius' scene by scene analysis in respect of kind does not seem ridiculous if a rhetorical analysis is to be made at all. He was, however, also concerned with classifying the rhetorical types of whole plays. Baldwin in Five Acts notes that he says of Terence's Andria "It is in the deliberative mode and considers the krinomen (question for judgement) whether Pamphilus should marry Glycerium. Here are on both sides persuasions, dissuasions of the young men, old men and servants"; and Willichius goes on to list the points made on either side of the question (p. 240). Baldwin himself is convinced of the forensic basis of Terence's plays and has in Five Acts demonstrated by rhetorical analysis their likeness in structure to orations with a six-part scheme. He considers that Terence consciously had the forensic debate in mind when writing his plays, saying that

Terence remarks in the prologue to Phormio that his plays deal with intrigue and that he suggests an analogy between the intrigue of a play and that of a court-case (p. 56). Terence also often presents his prologue as pleader enlisting the quiet hearing and fair judgement of the audience, not only for the play, but for his own defence and the accusations of the malevolent "old playwright" who figures in nearly all the prefaces. In The Brothers, for example, the Prologue says "our playwright . . . will give evidence in his own case and you shall be the court to decide whether the line he has taken ought to redound to his honour or his discredit". Plautus takes a similar tack in introducing his plays, and in Amphitryon, where the Prologue is spoken by Mercury, the god bribes the audience with promises of good luck and speedy news if they will sit still and "aequi et iusti hic eritis omnes arbitri".²⁹

Rhetorical analysis was by no means the only method applied to Terence's plays and as we shall have to consider structural schemes at a later stage in the discussion they are worth summarizing now. Both Baldwin in Five Acts and Herrick in his chapter on the conception of plot in the sixteenth century agree that four schemes of structural and plot analysis were combined to form the Renaissance theory of what Baldwin calls the "regular" comedy or tragedy (p. 352). The rhetorical scheme has already been discussed. Of the others, the first is the division of a play into three parts: protasis, epitasis and catastrophe, plus the prologue which is extraneous to the play. This scheme was taken by Donatus from Varro's now only fragmentarily extant commentary on Terence. The second is the five-act structure required by Horace in his Art of Poetry. The third is the Aristotelian division into prologue (as part of

the play), episode and exode, the choral part mentioned by Aristotle being excluded as Latin comedy used no chorus.

Donatus' scheme is analysed by Herrick as follows: "the protasis is the statement of the argument, the exposition, and the beginning of the action; the epitasis is the complication of the incidents; and the catastrophe is the final resolution" (pp. 106-7). There was some difficulty in squaring Donatus' three parts with the five acts, but Herrick cites Baldwin's view that it was achieved by Willichius, and both agree that Robertellius finally united both with Aristotle's three parts.³⁰ Willichius, followed by others, saw the protasis as extending over the first and second acts, the latter rising to the highest (summa or extrema) protasis preparatory to the epitasis. This began in the third act and, rising to the highest epitasis at the end of the fourth, prepared for the catastrophe, so he gets five parts out of the three main divisions. The epitasis is described by Evanthius as "the rising of the forward progress of the turmoils or the knot of the whole uncertainty"; and by Donatus as "the unfolding of the argument". The highest epitasis Scaliger called the catastasis and it is the point at which a false hope is offered and from which the action changes direction and takes a down turn. Herrick points out that the catastasis is also evident in tragedy, and gives as examples the messenger's news of Polybos' death in Oedipus Rex and also King Lear (pp. 106-122). In the latter the catastasis is more complete because the false hope is shared by the audience as Cordelia and her father are reunited in the fourth act.

Herrick and Baldwin show beyond reasonable doubt that the rhetorical analysis of the structure and arguments of plays was very much in the air in the sixteenth century. There is less substantial evidence that these methods were taught in the schools, but there remains a good possibility which is reinforced by the rhetors' own emphasis on the relationship between poetry and rhetoric, and of this no schoolboy who read Quintilian can have failed to be aware. Few of the rhetors' parallels relate to structure but they frequently draw on drama and other literature for examples not only of how to handle certain parts of the debate, but even of legal points. Cicero in De Inventione, for example, quotes from the beginning of Terence's Brothers to demonstrate the form of narratio concerned with persons (I.xix.27). Quintilian remarks that the stock example of a case where the defendant seeks to transfer guilt (to plead provocation) is Orestes (III.xi.4) and Orestes does, indeed, also appear in that context in the Ad Herennium and De Inventione. The rhetors stress the usefulness of dramatising parts of the debate and like to compare the orator with the actor. "We may draw a parallel with the stage" says Quintilian; "where the actor's voice and delivery produce greater emotional effect when he is speaking in an assumed role than when he speaks in his own character" (VI.1.26). Finally, Quintilian ratifies the bond between rhetoric and drama with a metaphor: "It is at the close of our drama that we must really stir the theatre, when we have reached the place for old comedy's phrase, 'Friends give us your applause'" (VI.1.52).

Rhetoric as Drama

Speech-making, especially in the context of a trial or debate, is an exercise with close affinity to the arts of both actor and playwright. We may therefore talk of a 'dramatization' of rhetoric when we turn to the exercises by which Elizabethan students were trained to put rhetorical precepts into practice. The most basic of these were taken from Aphthonius' Progymnasmata. As McDonald has given a detailed account of these in The Rhetoric of Tragedy, only the few points that seem most pertinent to drama will be made here. ³¹

Aphthonius instructs the student in fourteen exercises and gives examples of all of them. The exercises are:

	I	The Fable		VIII	The Encomium
Deliberative	II	The Tale	Epideictic	IX	The Vituperation
	III	The Chreia		X	The Comparison
	IV	The Proverb		XI	Characterization
	V	The Refutation		XII	Description
Forensic	VI	The Confirmation	Deliberative	XIII	Thesis
	VII	The Commonplace		XIV	Proposal of Law

In the Latin edition most commonly used in the schools, the exercises have been classified according to the type of oration to which they belong. ³² The classifications are not found in Aphthonius' Greek text, and they are possibly misleading as most of these techniques belong to every kind of oration. The fable, the tale and the proverb are recommended by the rhetors to establish common ground for argument in the exordium, to enliven the narratio and to help to weight the scales in the peroration when all the stops are out. These are part of the material of poetry and are not necessarily dramatic in themselves. The speech called

a commonplace is slightly more so. It is described as a speech amplifying someone's evil actions and their repercussions, and calling for punishment, and is, clearly, a good rehearsal for the peroration of the Prosecution. In the example Aphthonius gives, a commonplace on a despot, the speaker, under the special place of intention, leaps into the shoes of the despot and gives an account, apparently fictional, of the proud and tyrannous thoughts that led him to behave as he did -- an exercise that seems more dramatic than just. The vituperation is similar to the commonplace, but as it does not call for punishment, it is more suitable for discrediting a hostile witness.

The method of arguing from commonplaces has some dramatic potential as a preparation for argumentative dialogue. Where appropriate the exercises give the places used, "from the cause", "from the contrary" and so on. A common procedure in argument, to prove one point from a topic and then graciously concede it and go on to the next as if there were an endless supply of successful arguments, is well illustrated in the Refutation and Confirmation.³³ The examples of both concern the myth of Daphne and Apollo and they show how to argue both sides of the question by reversing the places. The places for the refutation are the obscure, the unconvincing, the impossible, the inconsistent, the improper and the irrational, and they are all answered by the confirmation. The obscure, for example, is applied in the refutation to Daphne's birth. It is absurd, the refuter suggests, to say that Daphne was born of Ladon and the earth, for she is human and they are not. In the confirmation the topic of the obscure is reversed to the obvious and the ingenious reply is, "What in heaven's name is unbelievable about this? Do not all things

have earth and water as a source? In coming from this source Daphne confirms the common stock of all things" (pp. 267-70). This is good training for writing witty dialogue. It is also likely to establish a sense of conflict both as it is inherent in the material, such as the conflict between Daphne and Apollo, and perhaps more importantly, as it can be induced in the audience as the hearers veer in favour of one point of view and then another. In these exercises the epilogues, as they are called, are very much simpler than the grand finale of the peroration, as they merely restate the case expressed in the exordium with a few additional points picked up on the way.

Two examples of making a didactic point by dramatic means are given in the discussion of the chreia, a piece of advice bearing on some person, which can be verbal, active or combined. The active type is exemplified by Pythagoras' answer to a question on the length of man's life. A moment of silence was followed by his disappearance (we are not told how this was done), so that the sight of his person became the measure of his life. This questioner may have had difficulty in interpreting the answer, but the combined example is made abundantly clear. Diogenes, who was evidently both high and heavy-handed, seeing a boy misbehaving, struck his slave attendant as he said, "Why do you teach him such things?" (p. 266).

The most essential training in dramatization comes, however, in the exercise on characterisation. This is "an imitation of the character of a proposed person", and it has three forms: idolopoeia, where the character is a known person, but dead; in prosopopoeia both character (the manner of speech) and person are invented, as when Menander invented

Confutation; in the third type, ethopoeia, the person is known, but the character is invented. There is a further division of characterisation into the emotional, the ethical and the combined. Emotional characterisations show feelings, like the words Hecuba might speak when Troy was destroyed. The ethical type brings out habitual character alone, like the reaction of a man from the mainland on first catching sight of the sea. The combined characterisation encompasses both. An example would be the words spoken over the fallen Patroclus by Achilles as he decided to fight. Character is seen in the decision, and feeling is generated by the dying friend (p. 278).

Here is excellent practice in writing set pieces in character which denote moments of dramatic interest either as regards emotional or intellectual reaction, but the example given, the lament of Niobe, is disappointing. It was evidently felt to be inadequate by the editor or translators of the Latin edition of 1542, for McDonald records that eight further examples of laments, two ghost speeches and three examples of prosopopoeia have been added (p. 85 n.).

The exercises in Aphthonius' Progymnasmata in some cases have dramatic quality and in others are likely to evoke it in the practiser. The potential of the debate itself as entertainment had long been recognised by the sixteenth century. E. K. Chambers tells us that in the Middle Ages the minstrels' débats put into the mouths of types or personified abstractions, such as summer and winter, poetical controversies many of which were translated into English. The débat became popular in clerkly literature,³⁴ and it appears at the end of The Castle of Perseverance as the debate of the four daughters of God.

In Oxford and Cambridge in the sixteenth century the disputation was an essential part of the students' training in dialectic and also a method of examining his knowledge. Costello, writing on the seventeenth century curriculum, observes that frequent informal debates within the college trained the student and the listening class, and public debates in the schools enabled him to show off his skill. The public debates were attended by much ceremonial and they were often offered as entertainment to visitors. Costello observes that the manoeuvres of the disputants were "as technical as the veronica" in bull-fighting, and that their niceties would be keenly appreciated by the audience of afficionados of logical combat.³⁵ In every case, he continues, the opponent follows a carefully plotted line of syllogisms designed to trap the answerer into a position where he was logically forced, step by step, into admitting the exact opposite of his thesis (p.20). The proposition was, then, less important than the logical method, and there is evident dramatic potential in a debate in which the answerer ingeniously scrambled out of corners, particularly where a scholarship was awarded to the successful combatant. The principles of logic are here deployed in putting on a show. Another exercise, the declamation or set speech, employed all the persuasion of rhetoric, and required the student to parade his classical learning as he drew exempla and authority from his commonplace book to support the arguments he drew from the commonplaces (Costello, pp. 31-33). As dialectic and rhetoric were a compulsory part of university training in any discipline, we can suppose that graduates in an audience would have appreciated the logical processes in a play, detecting the

underlying syllogisms either true or fallacious and appreciating the deployment of stylistic and emotive rhetoric.

The rhetorical text-books and plays were only part of the Elizabethan school syllabi, which included Ovid's Metamorphoses all of which was learnt by heart in some schools, Vergil's Aeneid and Eclogues, the works of Mantuan and other poets, in some cases the dialogues of Lucian, history, moral works, letters and orations and collections of adages, proverbs and colloquies. Erasmus, who had a great and lasting influence on the sixteenth-century grammar school, emphasised the advantage of reading widely, even if works could not be read in their entirety. Nevertheless, rhetoric and the debate were at the heart of the syllabi which were designed to lead up to the achievement of the debate and the oration. Rhetoric was presented, by the Roman rhetors at least, as a method which could be applied to any subject and one which made of man's gift of speech an art and a weapon against the wicked. The teaching method encouraged the application of precepts learnt both to reading and to composition. In the main those precepts were not only rhetorical but concerned with the debate, which at the universities and possibly in the top forms of grammar schools was recognized as an entertainment.

The deliberative debate was esteemed as a tool of political persuasion and civic service, but rhetoric was taught mainly from works which, written by lawyers, gave a marked emphasis to law and the forensic oration, and this was seen as the master kind encompassing the others. With its emphasis on the detection, depiction and punishment of evil and the praise and vindication of virtue or innocence, the forensic debate

concerned the moral behaviour of the individual at the basic level of right and wrong. It is, then, reasonable to consider that the form and techniques and, indeed, the subjects of forensic debate may have influenced the writing of drama, and in particular of drama which dealt with crime. This is the more likely as the Roman advocates' approach to pleading a case was in some respects very like that of a dramatist writing a play, as I hope to show in the next chapter.

CHAPTER 1: NOTES

¹Quintilian, Institutio Oratoria, trans. H.E. Butler, Loeb Classical Library, 4 vols. (London: Heinemann, 1921), II.xv.1. All quotations from any work will be from the first-cited edition.

²Aristotle, Rhetoric, trans. R.C. Jebb (Cambridge: University Press, 1909)

³See Marvin T. Herrick, The Poetics of Aristotle in England (New Haven: Yale University Press, 1930)

⁴The Rhetoric, Baldwin tells us, was on the syllabus for St. John's College, Oxford, in 1555 (I.166); Sir John Cheke taught it to Edward VI (I.237), who had an Italian translation (I.241); Ascham read it with John Astley (I.279); and it was recommended by Vives (II.28). Evidently, however, Sidney had not read it at either university, as he was anxious to improve his Greek sufficiently to do so (I.392).

⁵M.T. Cicero, De Inventione, trans. H.M. Hubbell, Loeb Classical Library (London: Heinemann, 1949), I.iii.4-5.

⁶M.T. Cicero, De Oratore, trans. E.W. Sutton, Loeb Classical Library, 2 vols. (London: Heinemann, 1967), III.xvi.61.

⁷See James J. Murphy, Rhetoric in the Middle Ages (Berkeley: University of California Press, 1974); on the discussion in the Renaissance concerning the art or science to which rhetoric belonged and the scope allowed it, pp.7-9. Sister Miriam Joseph, Rhetoric in Shakespeare's Time (New York: 1947; abridged rpt. New York: Harbinger Books, Harcourt, Brace and World, 1962), gives an account of the effects of this dispute on the English rhetors whom she divides into Traditionalists, Figurists and Ramists, pp. 16-18 and passim.

⁸See McDonald (n.3, p.6 above), p.73, and Murphy, pp.122-3

⁹See Joseph, pp.17-18.

¹⁰De Inventione, I.iv.5 and De Oratore, I.viii.32.
Quintilian, II.xvi.17

¹¹Joseph, p.8

¹²Small Latine, I, 108-16

- ¹³ M.T. Cicero, Topica, trans. H.M. Hubbell, Loeb Classical Library (London: Heinemann, 1949)
- ¹⁴ M.T. Cicero, De Partitione Oratoria, trans. H. Rackham, Loeb Classical Library (London: Heinemann, 1968)
- ¹⁵ Desiderius Erasmus, "De Duplici Copia Verborum ac Rerum commentarii duo", trans. Betty I. Knotts, in Collected Works, 24 (Toronto: University of Toronto Press, 1978), 280-659
- ¹⁶ Aphthonius, "Progymnasmata", trans. Ray Nadeau, Speech Monographs, XIX (Nov. 1952), 264-85
- ¹⁷ H.M. Hubbell, introduction to De Inventione, p.ix
- ¹⁸ Quintilian, V.x.20 and Aphthonius, p.271, both refer to the commonplace as a speech. Sister Joan Marie Lechner in the introduction to her Renaissance Concepts of Commonplaces (New York: Pageant Press, 1962), gives a helpful summary of the semantic shifts of the word.
- ¹⁹ "Topica", trans. W.A. Pickard-Cambridge in The Works of Aristotle translated into English, (Oxford: University Press, 1928), vol. I
- ²⁰ Quintilian records this remark (III.viii.65)
- ²¹ Marion Trousdale, Shakespeare and the Rhetoricians (Chapel Hill: University of North Carolina Press, 1982), has an interesting analysis of Erasmus' work in her third chapter.
- ²² Baldwin, Small Latine, I. Chs 4 and 5.
- ²³ Desiderius Erasmus, "De Ratione Studii", trans. Brian McGregor, in The Collected Works (n.15 above)
- ²⁴ Desiderius Erasmus, "De Conscribendis Epistolis" in Opera Omnia, ed. J. Leclerc, 10 vols. (Leiden, 1703-6; rpt. Hildesheim: Georg Olms, 1961), I.344-94
- ²⁵ Baldwin, Small Latine, I.328.
- ²⁶ T.W. Baldwin, William Shakspeare's Five-Act Structure (Urbana: University of Illinois Press, 1964)
- ²⁷ Marvin T. Herrick, Comic Theory in the Sixteenth Century (Urbana: University of Illinois Press, 1964)
- ²⁸ Cited by Herrick, Comic Theory, p.6
- ²⁹ Plautus, trans. Paul Nixon, Loeb Classical Library, 5 vols. (London: Heinemann, 1928), I.7

30 See Baldwin, Five Acts, chapter 11:

31 Altman (n.4, p.6 above) also has a section on Aphthonius, pp:45-50

32 Ed.: Reinhard Lorich, trans. Rudolph Agricola and Maria Canteneus, 1542. Cited by McDonald, p.75

33 See Altman, p.46

34 E.K. Chambers, The Mediaeval Stage, 2 vols (Oxford: University Press, 1978, rpt. ed. 1903), I.79

35 William T. Costello, S.J., The Scholastic Curriculum at Early Seventeenth-Century Cambridge (Cambridge, Mass: Harvard University Press, 1958), pp.14-15

CHAPTER 2

FROM COURT ROOM TO THEATRE

Some persuasive features of rhetoric have been touched on in considering the precepts most adapted to instruction and delight; and some of the exercises used to develop the necessary skills of the speaker are of evident dramatic quality. The persuasive and the dramatic come together in rhetoric's third function, that of moving the emotions, which employs the art's most dramatic techniques and the speaker's most histrionic flourishes and subtlest approaches. Rhetoric's emotional persuasion is of particular interest in respect to playwriting because it is a matter of manipulating the audience. The rhetor's conception of the reactions generally to be expected in an audience provide a core of audience psychology which is a helpful basis for considering the playwrights' manipulation of their audiences. This core will be the first centre of discussion. It will be followed by consideration of two tactics of persuasion which have particular application to drama: the attracting and distracting of the audience's attentiveness; and the influence of judgement through the presentation of character, or ethos. To both these ends the rhetors employ the milder tactics of persuasion. The second section of the chapter will treat of the rhetor's instructions for whipping up the passions to intensify the prejudices insinuated by the milder methods.

The Lure of the Irrelevant

Aristotle's cool account of the auditors, or one might say, people in general, is based on a recognition of their infirmity: "Most people are more or less bad — unable to resist lucre and cowards in danger" he remarks in his Rhetoric, and again: "everybody is more or less selfish" (II.v.7 & I.xi.26). The first symptom of human infirmity is an inability to judge by reason alone, for self interest clouds judgement and prompts the judges to listen to what is irrelevant. On this account, if right is to be done, persuasive tactics are necessary on both sides or on neither (I.i.7 & III.xiv.8). Quintilian seconds this, saying that persuasion is often necessary to secure "the victory of truth, justice and the public interest" (VI.i.7), and adding that appeals to the judges' emotions will "make them wish our case the better. And what they wish they will also believe" (VI.ii.5). A similar opinion is voiced by Cicero when in De Oratore Antonius says to Sulpicius of the case of Gaius Norbanus, "it was rather by working upon, than informing the minds of the Tribunal, that I beat your prosecution on that occasion" (II.xlix.201).

The rhetors, however, recognise that not all auditors are alike. There are some who are rational, "men of such temper that our eloquence can achieve nothing in the way of influencing their minds" (De Oratore, II.LI.205). Then, the auditors' purpose in attending will make a difference to their response, and hence to the rhetor's approach. As Quintilian sums it up, those attending panegyrics do so in the main simply for pleasure, the auditors of a deliberative speech want advice, those in the law courts seek judgement (III.iv.6). Quintilian goes on to

cite Aristotle in saying that the place will also make a difference. To the Spartans, for example, endurance and courage are of more interest than literature, while the reverse is true of the Athenians (III.vii.24). Aristotle stresses the importance of assessing the predominant type among the auditors and he analyses the general patterns of reaction of the old, the young, the middle-aged, the rich, the powerful, and the fortunate. The young respond to the honourable rather than the expedient action because they have not yet learned to calculate, and for the same reason they are fonder of their families and friends than those in other age groups; they are optimistic because they have not been disappointed and youth is anyway "a kind of natural drunkenness" as Hobbes engagingly translates Aristotle's phrase.¹ They are quick to react and "changeable and fickle in their desires which are violent but soon appeased" (II.xii). The old are just the contrary and the middle-aged strike a balance between the two extremes. Aristotle's analysis provides guidelines not only for assessment of the auditors but also for characterisation. The latter is helpful to the advocate in tracing motivation and making it convincing.

Aristotle's second major point about audiences is that people have double standards: "As men do not approve the same things in public and in their secret thoughts, but in public must approve just and honourable things, while, from their private point of view, they are apt to prefer their own advantage, another topic consists in trying to infer either of these sentiments from the other. This is the most effective sort of paradox" (II. xxiii.15). Quintilian supports this view when writing of the subtle, conciliatory methods to be used in the exordium

when the judge has something to gain from the acquittal or disgrace of the defendant (VI.1.12). Cicero implies it when, in De Oratore his speaker remarks that although all virtues are admired, those which bring benefit to others, and particularly to the hearers, are most appreciated. Mercy, justice, kindness, fidelity and courage in common dangers will make the best impression in a panegyric. But "wisdom and magnanimity that counts all human fortunes slight and worthless, and strength and originality of intellect" because they seem to bestow most benefit on the possessors will be less pleasing to the hearers (II.1xxxiv.344).

The auditor will appear, or be, virtuous not only by admiring virtue but by reacting to certain things with the emotions of pity and indignation, for this, according to Aristotle, is a sign of good character. Pity should not, however, be bestowed on the wrong doer: "no good man would be grieved at the punishment of parricides and assassins; such things are matters of rejoicing, and so is deserved good fortune; for both are just and cause the good man to rejoice", but undeserved good fortune will make the good man indignant (II.ix.3).

Laughter is another reaction which should be controlled by moral sense; it is not appropriate to laugh at everything. Both Cicero in De Oratore and Quintilian in his Institutio have written interesting and entertaining analyses of types of humour. They both agree that evil is not a laughing matter. Cicero, expressing this from the point of view of the audience, and so as a matter of common opinion, says, "Neither outstanding wickedness, such as involves crime, nor, on the other hand outstanding wretchedness is assailed by ridicule, for the public would have

the villainous hurt by a weapon rather more formidable . . . while they dislike mockery of the wretched except perhaps if they bear themselves arrogantly" (II.lviii.237). To Cicero, assuming he agrees with his speaker in De Oratore, the field of the laughable is restricted to the unseemly or ugly (II.lviii.236). Quintilian quotes this passage (VI,iii.8), and remarks further that "everything is laughable that is obviously a pretence (VI.iii.70), adding that "when we point to such a blemish in others, the result is known as wit, it is called folly when the same jest is turned against ourselves" (VI.iii.74). Scurrilous and brutal jests Quintilian considers unworthy of a gentleman and if they are made, it is "difficult to say whether the audience should laugh or be angry" (VI.iii.83). This gives an indication of how the audience ought to react in respect of pity and indignation and laughter. Those who do the contrary, we may suppose, indicate to others that their moral judgement is not as sound as it should be and perhaps, on reflection, suggest the same thing to themselves.

We have already seen how Cicero estimates the presentation of the virtues in terms of appeal to common advantage in the sense of gain of some kind. The auditors' grasp of the virtue of justice can also be affected by an appeal to pleasure, which can be called an advantage of a personal kind; and a speech which gives pleasure will win that good will which makes the judges wish our cause the better, as Quintilian puts it. We know that the rhetors were convinced that style gives pleasure in speech, they were also keenly aware of other ways of delighting an audience. Aristotle in his Rhetoric analyses the things that commonly give pleasure (I.xi). Among them are those in which there is no element

of compulsion. Opportunities of ease and moments of respite from toil and attention are pleasant, while acts of attention and intense efforts are painful unless they have become habits. Receiving benefits, achieving desires and what is like oneself are pleasant. In his third book Aristotle says that "all men take a natural pleasure in learning quickly" (III.x.2); that they like what is natural but are prejudiced against the artificial as against an insidious design, just as they are "suspicious of doctored wines", but they are not averse to what is strange because they find it pleasant to wonder (III.ii.3).

The speaker's aim at the beginning of his speech is to make his auditors well disposed, receptive and attentive, and this is much the aim of the playwright at the beginning of a play. To make the audience well disposed both rhetor and playwright will stress or promise those things they find pleasant. Among these praise of the judges, or audience, never comes amiss, but it must, Quintilian urges, be done tactfully so that flattery is not apparent. On the other hand, anything that seems to attack the auditors should be avoided. As an example of tact in this respect, Quintilian cites Demosthenes who instead of taxing the people with lack of energy in defending their country, praised their ancestors for their courageous policy. "So he gained a ready hearing and the people's pride in their heroic past made them repent of their own degenerate behaviour" (VI.V.8). Quintilian goes on to say that the opening of the speech should be simple as any hint of elaboration will appear to be directed at the judges. Simplicity and clarity will also please the auditors as they make the case easy to understand, while a few pleasantries will encourage hope of entertainment (IV.1.55-60). If the

case is such as to displease the audience from the outset, the speaker should use the subtle or insidious approach. The Ad Herennium suggests that he work up to his proposition gradually, citing parallel cases or previous judgements which by comparison may make the case appear less odious than it is. If the auditors are bored or tired by the last speaker, the best tack is to amuse them by "a fable, a plausible fiction, a caricature . . . a novel tale, historical anecdote or something of the kind" (I.vi.10). Aristotle emphasises the appeal of the marvelous, suggesting that the best way to recapture attention is to say, "I will tell you the like of which you have never yet heard for terror and wonder" (III.xiv.9).

It sometimes happens, as Aristotle, again, remarks, that the audience's attention is not what is wanted (III.xiv.7). When a damaging charge has been made, or irrefutable actions which are likely to be unpopular have been mentioned, the advocate can be very glad of the auditors' willingness to be distracted from the effort of attention and to wander off the point. Quintilian is very emphatic that potentially damaging charges or insinuations must not be passed over, as some rhetors suggest, but must be dealt with. One way of doing this is to make light of the charge, saying it is trivial and of no importance. Quintilian maintains that "this affectation of indifference is sometimes carried so far that we trample disdainfully underfoot arguments which we should never succeed in refuting with counter-arguments" (V.xiii.22). Sometimes the only course is to make excuses, but a talent for humour and wit can be more valuable than anything in these situations. It "dispells the graver emotions of the judge by exciting his laughter, and frequently

diverts his attention from the facts of the case" (VI.iii.1). The effect made by the passion with which the other side accompanies the charge can also be lessened by "gentle raillery" (VI. ii.15). Cicero says in De Oratore that laughter can dispell distasteful suspicions not easily weakened by reasoning, and, of course, ridicule can be used to demolish a hostile witness to whom the auditors seems too attentive (II.lviii.236).

Quintilian and Cicero both note that wit is not necessarily funny. Quintilian cites Domitius Marsus, who quotes sayings "which are elegant with a certain attraction of their own and suitable even to speeches of the most serious kind". Domitius says of "urbanity", his subject, that it is adapted to delight and move men to every kind of emotion, but is especially suitable to resistance or attack (VI.iii.103-4).

There is again unanimity in warning the speaker that he must be careful in using humour, for if it appears forced it falls flat, and if it is not tactful it can make the speaker unpopular. Sarcasm directed at a whole group of people is particularly dangerous as some of the judges or jury may belong to that group. If humour is overdone, the speaker may appear a buffoon and lose authority. Mimicry should be a mere indication, and distorted features, uncouth gestures, ribald jests and obscenity are all to be avoided: "We pay too dear for the laugh we raise if it is at the cost of our own integrity" Quintilian says (VI.iii.35).

The pleasure-seeking audience are also prone to prejudicial judgement on account of personal likes and dislikes, and can therefore be influenced by clever presentation of the ethos of the speaker, the client and the opponents, much as the theatre audience responds to characters in

plays. Quintilian's advice on this subject is interesting because it demonstrates the concealed art that is so important to forensic pleading. He says that the speaker should be ingratiating and courteous to evoke pleasure and affection (VI. ii.13). However confident he may be it is very important to avoid any hint of arrogance, or malignity or slander towards any person or group, and above all, the remotest suspicion that he has undertaken the case for personal spite. It is important that the speaker appear a good man and preferably that he seem to have undertaken the case from friendship rather than personal ambition. As people have a natural prejudice in favour of those who are struggling against difficulties, it is well to appear weak and unprepared. To use a brilliant style at the outset is the height of folly, as it suggests both preparation and rhetorical skill. The auditors' suspicion of professional slickness can, however, be turned against the opponents by admiring references to the powerful talent arrayed against the modest and "unprepared" speaker which he cannot hope to match (IV.i.8). Furthermore by feigned submission, which "passes silent censure on the opposition's violence" he can slide into the audience's minds the idea that his opposers are malignant and likely to be "swollen with outrageous insolence" if they win the case (IV.i.29). "It is" Quintilian says "a far more effective course to make your antagonist unpopular than to abuse him" (VI.ii.16). Quintilian here suggests a subtle way of building up and destroying ethos. Cicero in De Partitione, a forthright book written for his son, describes ethos-building in plain terms as "extolling our own merit or worth or virtue of some kind, particularly generosity, sense of duty, justice and good faith" (VIII.28). In De Oratore, however

Sulpicius describes Antonius' appearance in defence of Gaius Norbanus in which he employed some of the tactics recommended by Quintilian, (II.L.202).² Antonius also emphasises that "much is done by good taste and style in speaking . . . and by a delivery that is unruffled and eloquent of good nature" (II.xliii.184). Antonius also contributes a useful device for destroying the opponent's ethos: high praise of his merit and renown is almost bound to breed jealousy in the audience who will accordingly hate him (II.lii.209).

Certain points from the main case which are likely to win the judges' favour can be introduced in the exordium, but trickier points should be left until the auditors' good will has been won. As the case progresses, the orator, having established his credibility, can obtain further goodwill by displaying his talent.

In obtaining good will for the client the advocate is not impeded by the need for modesty. Quintilian suggests that he can draw attention to the client's general worth, his many pursuits, the scars from wounds received in battle, his rank and the services rendered by his ancestors. Above all, if possible, his goodness, humanity or pity should be emphasised, "for it adds to the apparent justice of his claim, if all that he asks of the judge is that he should grant to him what he himself has granted to others". As well as praising his worth the advocate can commend the client's weakness to the protection of the court (VI.1.22). In De Oratore Antonius points out that it must be made clear that the client did not consult his own interests in achieving whatever position he has, "for men's private gains breed jealousy, while their zeal for other's service is applauded" (II.Lii.207).

Witnesses do not need goodwill so much as credibility. Cicero remarks in Topica that it is "common belief that the talented, the wealthy and those whose character has been tested by a long life are worthy of credence. This may not be correct, but the opinion of the common people can hardly be changed, and both those who make judicial decisions and those who pass moral judgements steer their course by that. . . . Those who excel in those things seem to excel in virtue" (xix.73).

So far the audience have appeared as prone to vanity and self interest, ready to welcome distraction from painful considerations and tasks, glad to learn easily and not averse to practising hypocrisy. They are though, also, friendly to those who are struggling and who seem to be nice, appreciative of the linguistic side of eloquence, hostile to the arrogant and spiteful, suspicious of the slick, but nevertheless quite easily led by those who know how to do it. All the rhetors, however, recognise the existence of trained intellects who are able to view a case rationally and can assess the skill of the orator. This, indeed, they must recognise for they are themselves among them.

The Appeal to Passion

The auditors' liking for flattery, jokes, modest speakers and beneficent virtues is shadowed by deeper feelings. Antonius says in De Oratore that men "decide far more problems by hate, or love, or lust, or rage, or sorrow, or joy, or hope, or fear or illusion or some other inward emotion, than by reality or authority, or any legal standard, or judicial precedent, or statute" (II.xlii.178). The rhetors accordingly

consolidate the advantages gained through the gentler techniques of oratory by appeal to the passions. This, they say, is the most difficult part of the art and they give careful instructions on it.³ The author of the Ad Herennium treats some of the methods of emotional pleading under the figures of thought in his fourth book. Dialogue and "arousal", discussed under "refining", deal respectively with finding words appropriate to the person described, and with exciting passion through dialogue (IV.xliii.55-58). The use of simile to incite hatred, envy and contempt is discussed in the forty-ninth chapter (62).

Character delineation, personification and development of a discussion in dialogue are treated in the same chapter (63 to 67), while the last part of the book deals with "ocular demonstration", or vividness, as Erasmus calls it in Copia. As Quintilian's Institutio and Cicero's De Oratore were studied later in the school curriculum than the Ad Herennium and are by authors who were particularly good at emotional pleading, I have drawn the material on pathos mainly from them. Aristotle's Rhetoric is, as always, helpful in clarifying the ideas behind the techniques suggested by the Romans.

The mere list of the contents of the Ad Herennium's treatment of rousing the passions indicates the use of dramatic techniques such as character sketches and dialogue. Aristotle, writing on the plea for pity, says that, those who aid the effect with gesture, voice, dress, in a word, who dramatise, are more piteous; for they cause the evil to seem near by setting it before the eyes. . . . Indignation, the proper antithesis to pity will also arise from this (II.viii.14).

In this dramatisation, the rhetors' distanced calculation gives way to involvement. As Quintilian puts it, "our eloquence must spring from the same feeling that we desire to produce in the mind of the judge. . . . Will he be angry, if the orator who seeks to kindle his anger shows no sign of labouring under the emotion . . .?" Will he shed tears if the pleader's eyes are dry?" (VI.ii.27). If the advocate wishes to awaken pity, he must believe that the ills of which he complains have fallen on himself and "we must persuade our minds that this is really the case". In a passage reminiscent of Hamlet, Quintilian continues, "I have often seen actors, both in tragedy and comedy, leave the theatre still drowned in tears after concluding the performance of a moving role. But if the mere delivery of words written by another has the power to set our souls on fire with fictitious emotions, what will the orator do whose duty it is to picture to himself the facts and who has it in his power to feel the same emotion as his client whose interests are at stake?"

(VI.ii.34-35). This passage is very like Antonius' account of the orator's own emotional involvement in De Oratore, but Antonius adds a tribute to the power of words, saying that the very quality of the diction employed to stir the feelings of others moves the speaker himself more deeply than the hearers. Having made comparison with the theatre, he concludes "no man can be a good poet who is not on fire with passion, or inspired with something like frenzy" (II.xlv.194).

As Cicero remarks, the emotions which affect the auditors' judgement are many, but pity, fear, anger and hatred are the major reactions in criminal cases. Antonius tells us that the places used to incite love can be reversed to evoke hatred and anger. In particular,

glorification of something ruinous or unprofitable to good men in general will excite "disgust closely resembling ill will or hate". But if the action brings ruin to something or someone connected with the auditors themselves, real anger and hatred will be engendered; and arrogance and disdain on the part of the defender will exacerbate the feeling (II.ii.208). Aristotle defines fear as "a pain or trouble arising from an image of coming evil, destructive or painful". "Men do not fear all evils, such as being unjust or slow, but close and imminent evils which may harm themselves. Among fearful things is injustice, armed with power. Those who have power to wrong us are also terrible, because "as a rule, men do a wrong when they can" (II.v.8).

Clearly fear will play a part in the auditors' reactions to a crime and Quintilian and Cicero both stress the effect that jealousy has on judgement, a point that Aristotle also makes. Quintilian sums up by saying that jealousy will be produced in the judges by the influence of the accused, hatred by the disgraceful nature of his conduct, and anger by his disrespectful attitude to the Court, "if, for example, he be contumacious, arrogant or studiously indifferent, his very looks and bearing can arouse such anger" (VI.i.14). The defendant, however, may not play into his opponent's hands in this way, and the Prosecution should anyway make the crime appear as atrocious or deplorable as possible. Here amplification will help. The nature of the act, the purpose, time, place, and manner may be "treated with infinite variety". If, for example, someone has been beaten, it will be helpful to point out that the victim was "an old man, a child, a magistrate, an honest man or benefactor to the state", while the assailant was a worthless fellow. It

will also make a difference if the act was premeditated or committed in a moment of passion, and if the latter, the degree to which the passion was justified should be considered. Most important for the impression of atrocity, however, is the manner of the act. The means of killing should be established and the degree of pain inflicted on the victim: whether the killing was by one wound or more; whether the victim was killed at once or kept in suspense; and whether he was tortured (VI.i.15-19).

Pity for the accuser may be aroused by reference to his future if he fails to secure justice and has to endure whatever wrong the defendant chooses to inflict on him. Quintilian remarks that an appeal of this kind will be even more effective if it can be shown that in the first place the accuser incurred the enmity of the defendant on account of some honourable action (VI.i.20 and 22). The more important appeal to pity is, however, on behalf of the defendant, and if sufficiently weighty it may not only force the judge to change his views "but even to betray his emotion by tears" (VI.i.23). Quintilian warns, however, that over-acting must be avoided in this kind of plea and in a bid for indignation. In his denunciation of the ham-delivery of the untrained speaker in his second book he again voices opinions expressed, more sedately, by Hamlet, "They shout on all and every occasion", Quintilian says, "and bellow their every utterance 'with uplifted hand', to use their own phrase, dashing this way and that, panting, gesticulating wildy and wagging their heads with the frenzy of a lunatic. Smite your hands together, stamp the ground, slap your thigh, your breast, your forehead, and you will go straight to the heart of the dingier members of your audience" (II.xii.9-10 cf. IV.ii.39). The Defense's appeals for pity will be

based on the previous or present sufferings of the accused and those which await him and his family if he is condemned. A reminder of the painfulness of reversal of fortunes will play its part and reference can sometimes usefully be made to the age and sex of the accused and, if appropriate, to his wife and family (VI.ii.23-24). Quintilian further recommends impersonation of the client at this point. That is, the advocate acts out fictitious speeches which he attributes to the client, for then the judge "seems no longer to be listening to a voice bewailing another's ills, but to hear the voice and feelings of the unhappy victims, men whose appearance alone would call forth his tears even though they uttered never a word" (VI.i.26).

The mute testimony of the relations and supporters of either party can, indeed, be very helpful in an appeal to pity. Quintilian affirms that mourning clothes and an unkempt appearance and the family's entreaties have been of great service in obtaining acquittal. The silent exhibition of wounds, scourged bodies, blood-stained weapons or garments, or even a beautiful woman can also be enormously effective. Quintilian cites three cases which were saved by actions of this sort, among them that of Manius Aquilus which Antonius won by tearing open his client's robe and displaying his scars. This so profoundly moved the Roman people that they acquitted him (II.xv.7). Antonius also refers to this case in De Oratore, saying that he had not planned the effect but was so carried away by feeling that he did it instinctively. His description illustrates how emotional oratory should arise from a genuine conviction and gives a fascinating picture of an advocate in full emotional spate. Manius Aquilus was in danger of losing his civic rights. Antonius says

of him that "he was a man whom I remembered as having been consul, commander-in-chief, honoured by the Senate, and mounting in procession to the Capitol; on seeing him cast down, crippled, sorrowing and brought to the risk of all he held dear, I was myself overcome by compassion before I tried to excite it in others. Assuredly I felt that the Court was deeply affected when I called forward my unhappy old client, in his garb of woe, and when I did those things . . . Under stress of deep emotion and indignation — I mean tearing open his tunic and exposing his scars. While Gaius Marius from his seat in court, was strongly reinforcing by his weeping, the pathos of my appeal, and I, repeatedly naming him, was committing his colleague to his care, and calling upon him to speak himself in support of the common interests of commanders-in-chief, all this lamentation, as well as my invocation of every god and man, every citizen and ally, was accompanied by tears and vast indignation on my own part; had my personal indignation been missing from all the talking I did on that occasion, my address, far from inspiring compassion, would positively have deserved ridicule" (II.xlvii.196).

The impression produced here was the result of a combination of visual pleading and the chivalrous passion of the advocatē. Quintilian also mentions the effect on the crowd of Caesar's blood-stained toga when it was carried silently at the head of the funeral procession. The crowd, he says, knew Caesar had been killed, and had seen his body on the pier, but the sight of the toga, wet with his blood roused them to fury because "it brought such a vivid image of the crime before their minds that Caesar seemed not to have been murdered, but to be being

murdered before their eyes" (VI.1.31). The associative power of an object was clearly recognised as being very great.

The peculiar potency of things seen is expressed by Antonius when speaking of memory. He says that "the keenest of all our senses is sight" and consequently impressions received by the ears or by reflection can be most easily retained "if they are also conveyed to our minds by the mediation of the eye. . . . We keep hold, as it were, by an act of sight what we can scarcely embrace by an act of thought"

(II.1.100vii.357). In their insistence on making narrative come to life, the rhetors seem to be compensating for the actual presentation which the theatre can more effectively simulate.

The potential usefulness of the techniques of the debate to the dramatist is clear. The advocate's or adviser's purpose of making the case credible and vividly bringing its implications home to the audience, and so convincing them of the rightness of a particular course of action or decision is of obvious interest to the playwright with a moral aim. At the same time, the rhetors' emphasis on the value of dramatisation as a means of convincing the audience points to the potential of the stage for didactic or polemic purposes.

In some other, more specific ways, the rhetors' discussion of the debate might offer inspiration to the dramatist. For one thing, it illustrates the interest and excitement which arises from a clash of opinions. This illustration suggests two major patterns of conflict which might be, and have indeed been, made effective on the stage.

First, the debate suggests not only the abstract, the intellectual, interest and tension to be derived from two sides of an argument, but

also the intensely dramatic and exciting conflict between two people pitting their wits against each other as they try to anticipate and cap each other's moves. The second potential derives from the rhetors' three-fold approach, through logical, ethical and pathetic "proofs" appealing respectively to reason, the response to personality and reputation, and to feeling, all of which can be amplified. These offer a basic pattern for persuasion and credibility which can be doubled so that in a play as in a debate each side of the question is allowed proofs of each kind and a conflict is set up in the mind of the audience as in the mind of a judge. More subtly, the proofs can be split, so that the moral appeal to the reason is at variance either with the appeal to the emotions or with the distracting appeal to pleasure recommended by the rhetors to take the auditors' minds off tricky issues.

The latter approach derives from the consciousness of the irrationality, or as Aristotle puts it, of the infirmity of man. Some auditors are seen by the rhetors as less infirm than others, probably not because basically they are morally better but because they are more educated. In making this division, the rhetors foreshadow the distinction made by some sixteenth and seventeenth-century playwrights between an élite who understand what the playwright or speaker is doing and the rest who like to be pacified with japes, ghosts and exciting action, and may not understand the more subtle moral arguments and dramatic techniques. The rhetor's division between the two types of auditors is not, however, a complete separation of the feeling and thinking members of the audience. The rational thinkers, who include the better rhetors and judges and probably some of the jury and Senate are

not impervious to feeling by any means, as Quintilian's reference to weeping judges (VI.ii.7) and Antonius' description of himself attest, but they may be better judges of whether the feeling is well founded, .

Consciousness of the requirements of mixed audiences and of the usefulness of drama for persuasive purposes is illustrated by some plays written before the 1580's and these are the subject of the next chapter.

CHAPTER 2: NOTES

¹Thomas Hobbes, "Digest of Aristotle's Rhetoric" in Aristotle's Poetics and Rhetoric, Everyman Library (London: J.M. Dent, 1953), p.128

²We can also see these techniques at work in the opening of Cicero's "Pro Balbo" in The Speeches, trans. R. Gardner, Loeb Classical Library (London: Heinemann, 1958), introduction and i-vi.16

³See Quintilian, VI.ii.4-7. He concludes, "it is in its power over the emotions that the life and soul of oratory are found."

CHAPTER 3

RHETORIC AND THE THEATRICAL HERITAGE

We have seen that the Elizabethan playwright was taught to recognise the techniques of classical rhetoric in the works he read at school, but he could also find them already at work on the English stage. It will help to set the rhetoric of the revenge play in perspective if we survey briefly some established uses of dramatic rhetoric which Kyd and his contemporaries could have learned from. First, in relation to the traditions of religious drama, we shall consider the concept of the preacher-playwright as 'sacred orator' and the corresponding concept of the 'evil orator' in the person of the Vice. We shall then remind ourselves of the subtler and more ambiguous rhetoric of the Tudor debate play. Finally, some attention must be given to the rhetoric of Seneca, whose unique place in the heritage of English tragedy may be disputed but not ultimately denied.

The Sacred Orator

The mediaeval preacher had to take measures very similar to those of the classical orator to combat the "infirmity" of his congregation and bring their attention to spiritual facts. G. R. Owst tells us that many stayed away from sermons, attracted by the "japes of obscene jugglers, the dancers' cantilena, and the equally profitless amusement of worldly ludi".¹ Of those who did attend, many chatted to their neighbours,

played chess and dice or fell asleep, according to their station and inclination.² The Franciscans and Dominicans, Owst continues, took the first determined step to beat the opposition at its own game by bringing the sermon closer to the pleasures and interests of everyday life. They often preached out of doors on scaffolds and they enlivened the exegesis of the Gospel and Christian dogma with "everything that sprang from contact with the people and with popular taste — anecdote, fable and entertaining legend and marvel" (Preaching, p. 313). In Owst's opinion the morality plays derived from the lively popular sermon, and he observes that the influence of popular preaching is also apparent in the mystery cycles or "miracles" (Literature, p. 480).

A preoccupation of the preacher relevant to the dramatist is the problem of appealing to auditors of mixed educational and intellectual competence. This is a concern which Richard Murphy emphasises in his chapter on preaching in Rhetoric in the Middle Ages. He quotes Alexander of Ashby who, writing in the early thirteenth century, suggested that the preacher's material should work at two levels. Sometimes, he says, the speaker should "present a charming allegory and sometimes . . . tell a pleasant story (exemplum) so that the learned may savor the profundity of the allegory while the humble may profit from the lightness of the story" (p. 313). Thomas Waleys in On the Mode of Composing Sermons, written in mid-fourteenth century, suggests exciting curiosity in the subtle exordium by presenting something a little baffling. He recommends that the speaker, having laid the groundwork of a suitable exordium in his own mind, should cover it with a purely ornamental superstructure, "so that only the sharper intellects among his audience will detect at once what

is beneath it".³ We can see that the Elizabethan habit of mixing serious matter with mirth had a morally respectable ancestry and that the idea of a work which appealed on different levels, had been long established.

The mediaeval plays themselves seem to have been written for audiences of all classes, or so Mercy's address in Mankind to "ye soverens that sitt and ye brothern that stonde right uppe" suggests.⁴ The plays offered some features likely to be appreciated by the more educated, such as the elaborate stanza forms found, for example, in The Castle of Perseverance and The Second Shepherds' Play, and the aureate language of Mankind.⁵ They also provided a few moments of accusing irony for the sharper intellects, a technique which developed in both popular and élitist forms, as we shall see. On the whole, however, the mediaeval plays adopt a straightforward persuasive or rhetorical method, which gains the audience's attention, explains to them what Christian practice is, and finally recommends practice of Christian principles by making them vivid and showing their relevance to the spectator's own salvation. The clarity of the message is all important in these plays. If the audience are led into a false response it is quickly corrected, either by a character in the play or by further emotional persuasion which puts them into a suitable frame of mind to receive the play's final message. The learning process is made enjoyable by various means, almost all of which are included in the lavish entertainment of The Castle of Perseverance. Pageantry, comedy, dramatic and emotional excitement, the appearance of characters known from scripture or Christian teaching and an amusingly characterised pack of Vices rank

high among them. The Vices provide safe practice in recognising and resisting the temptations of the arch-orator Satan, and we shall now consider their rhetorical tactics and classical connections.

The Evil Orator

Some malpractice is inevitable in any discipline in an imperfect world and rhetoric is no exception. Cicero and Quintilian castigate the orator who aims at the corruption of justice, and Aristotle exposes the methods of the deceptive logician who prizes victory more than truth.⁶ The villain of classical oratory makes an early appearance in English drama as a personification of the self-deceptive rhetorician in us all, or the Devil's henchman, the Vice. During the Vice's brilliant career his allegorical function diminished and his beguiling arts were adopted and often subtly developed by human persuaders, false arguers and corrupters of justice.⁷

In the earlier sixteenth-century plays, however, the Vice's tactics were comparatively simple. Among them the euphemism is a favourite device. To cite the plays in which the Vices change their names to those of the virtues or innocent qualities they travesty would, in Spivack's words, "be tantamount to a roll call of almost the entire morality drama" (p. 159).⁸ Spivack also notes how the Vice gains the mis-placed pity of the protagonist, "To look piteous, to shed tears plentifully, and howl dismally are the inveterate methods of the Vice with his victims — the grappling irons whereby he boards the human soul" (pp. 162-3). This demonstration of the hypocrisy of the Devil and his henchmen presumably trains the audience both to recognise evil under

fair-seeming in others, and to detect their own justifying euphemisms and self-pity. To encourage the audience to make the application to themselves, the Vice suggests their kinship not only to the fallen protagonist but to himself, as, at the beginning of the play, he frankly declares himself and takes for granted their complicity in this intrigue against the protagonist. As Spivack puts it, "the Vices' boastful declarations of themselves" are both informative and "a sardonic invitation to the audience to reverence the evil forces ruling them" (p. 183). The sharper intellects among the audience might notice the inference that they are even wickeder than the protagonist as the Vice does not trouble to disguise himself for them. On the contrary, he presents himself in the very ethos the classical rhetors thought calculated to make a character hated: a self confessed villain, glorying in his own evil. The Vice does, however, in a way make his villainy appear other than it is. He presents it as an entertaining game and, like other evil company, he appears a jolly fellow, offering the dangerous excitement of what is forbidden and winning the audience's attention and good will with tactics Quintilian would hardly have faulted. The Vice merrily takes the audience into his confidence, telling them a secret, and promising intrigue to come, so arousing interest in how he is going to set about it. By appearing as buffoons the Vices not only make the audience laugh but lose the dignity and authority the rhetors felt the orator should maintain, and so distract the audience from the seriousness of what they are doing. It is possible that some evaded this rhetorical net by shouting a warning to the protagonist, for Titivillus in Mankind threatens the audience with a fine

of forty pence if they wake Mankind whom he has lulled into slothful slumber (1.590) — where rhetoric fails financial penalties will do the trick.

The comic presentation of evil, ebulliently illustrated by the Vice, is, as Spivack says, easier to observe than to explain (p. 121), and as the audience of The Jew of Malta is assailed by farcè the subject merits some consideration here. The comedy of evil can to an extent be explained on rhetorical grounds as suggested above, as part of the persuasion of the audience to admit their fallen nature and so recognise the need "to live by God's laws".⁹ Spivack notes that "humour is the monopoly of the Vices, eked out now and again by the depraved contribution of the human hero when under their influence", so that mirth is present only in a context where "there is no such thing as innocent merriment". Mirth and laughter, he concludes, are "the positive sign of Virtue's absence", for the world of virtue in these plays "is solemn and ardent and levity of any sort is its enemy" (pp. 121-2).¹⁰ He suggests that the comic treatment of evil was "a degradation by caricature of a dangerous enemy" (p. 121). The idea of caricature seems to be upheld by a report of about 1389 on a paternoster play by the Guild of Oratio Domini in York. The play is described as "setting forth the goodness of the Lord's prayer . . . in which play all manners of vices and sins were held up to scorn, and the virtues were held up to praise".¹¹ E. R. Curtius, examining the mixture of jest and earnest in Mediaeval literature, notes that the saints' discomfiture of those attacking virtue was a legitimate source of laughter: "the pagans, the devils, the men of evil may behave as savagely as they will — they are fools, and the saint

reduces them ad absurdum, unmask them, dupes them". On the other hand "some refractory mockers" of the saints were "drastically punished".¹² The importance of the source of laughter is suggested by the confession books in use in the later mediaeval period. They diagnose japes, jeering and thoughtless laughter together with idle chatter as symptoms of the dangerous sin of sloth, a sin which by cutting off the sinner from God can lead to eternally fatal despair. Lorenz d'Orleans, giving a list of types of idle words, includes filthy jokes and sarcasm and scorn of those who strive for virtue. The latter, he says, are rightly words of manslaughter for which God will think the speaker as a king would the murderer of his son and thief of his treasure (p. 51).¹³ To laugh at the Vice's scorn of virtue is therefore to connive at a very serious sin, but to laugh at his folly and discomfiture is not.

It is noticeable that the laughter in The Castle of Perseverance is evoked only by the folly of evil and its discomfiture as the vicious characters squabble among themselves or are defeated by the Virtues. In other plays, as in Mankind, the audience is subjected to something like the temptation of evil companions who insist on ingratiating themselves with him, and to refuse would be anti-social as it would spoil the sport of the play. This temptation can be seen as a practice run to enable the audience to distinguish between the kinds of social advances and merriment they should accept and those they should reject, and Mankind in particular illustrates this concern. For the sharper intellects there is another, nice, ironic twist in the Vices' jocularities and the response to it. The Vice appeals to the audience's levity and love of the irrelevant, the infirmity that kept their fellows away from sermons in

the first place, so the morality playwright uses the audience's sin to gain attention for his dissuasion from sin: There is a pleasing irony in hoisting the Devil on the petard of the Fall, and this would surely not be lost on subtle fifteenth-century minds. The experienced playgoer and the brighter members of the audience may well have gone along with the blandishments of the Vice in the happy knowledge that the Crucifixion had ensured he would not triumph in the end, so fooling the character trying to fool them. We can, then, see both the virtuous intention of the playwright and the possibility of a similar virtue in the laughter of the audience.

On the other hand, it can be argued that in encouraging laughter the playwrights were teaching the audience to take evil lightly, and that in showing the devious tricks of the Vice they were giving them new ideas for wickedness. Any accommodation of evil is, of course, open to a similar accusation. The mediaeval plays received some criticism in their own time on the grounds of triviality and foolishness as a comment by John Bromyard suggests.¹⁴ Many authors writing after 1500 show uneasiness about the inclusion of comic material in serious plays. Sometimes this is on the grounds of levity. John Bale, for example, makes it very clear in the prologue to The Chief Promises of God that the audience need expect no "triflying sport/In fantasies feigned, nor such-like gawdish gear,/But things that shall your inward stomach cheer".¹⁵ Other authors detect potential offense in the scurrilous quality of the Vice's comedy. Bevington notes in From Mankind to Marlowe that the Prologue to Lewis Wager's Mary Magdalen urges the ignorant to benefit from the learning and the virtuous to excuse the bawdry in the play. But

Wager also defends the two-part appeal of moral instruction and comic vice as true to life and also perhaps as appealing to human frailty, for he says that vice and virtue "have depended" in men and women (p. 58).¹⁶ Aesthetic decorum is another grounds of objection, and this is illustrated in George Whetstone's dedication of Promos and Cassandra. Whetstone also urges the importance of a clear moral lesson as he emphasises that his own play shows "the confusion of vice and the cherishing of virtue".¹⁷ Sidney, an apologist for true poetry, adds his scorn to the authors' comments. He first castigates "mungrell Tragy-comedie", which mingles Kings and clowns, and then describes its comic element as "nothing but scurrility unworthy of any chaste eares; or some extreme show of doltishness, indeed fit to lifte up a loude laughter and nothing else" (p. 54).

Defence of comedy and the light-hearted was backed up by classical authority from school texts. The author of Jack Juggler, a play written for boy performers, puts a particularly vigorous case. He opens his Prologue by quoting Cato's "Interpone tuis interdum gaudia curis" and calls on the authority of Socrates, Plato and Cicero, offering for good measure the analogy of the earth which produces better corn when allowed to lie fallow from time to time.¹⁸ The need for recreation had long been recognised in schools and plays. Industry in The Castle of Perseverance as she instructs/man on avoiding sloth tells him he should "sumtime play at thy delite" (p. 845, l.1651).¹⁹ In John Redford's Wit and Science, Wit is restored from the crushing tedium of over-ambitious and undirected studies by Honest Recreation, although he later falls a prey to Idleness as he fails to recognise the difference between

the two.²⁰ Comic episodes can therefore be seen as providing relief which will make the audience the readier to accept the more sombre instruction of serious matter. Lastly, comic incident was generally agreed to appeal to and, indeed, be demanded by the audience. Jones observed that the title page of The Four Elements suggests leaving out "much of the sad matter" to reduce the playing time and to please the audience (p. 54). Sidney, who blames the disrepute of poetry on the "base men with servile wits" who write for money (p. 49), can afford to ignore such considerations, but those dependent on the gatherers' takings could not.

Trivial though pre-sixteenth-century religious drama may have appeared to preachers like John Bromyard, its moral purpose was certainly close to that of the sermon and we can assume that comic passages were in one way or another rhetorically planned to affect the spectators' responses to religious and moral issues. Inasmuch as they remind the audience of their fallen nature, the Vices' tricks belong to the concealed art of forensic rhetoric with the difference that they insinuate in the audience's minds ideas not only of the character of others but their own. In the next section we shall see that provocation of the audience persisted in some plays which reflect an interest in new applications of the debate.

The Humanist Debate and Moral Game of Wit

Interest in argument was not peculiar to the sixteenth-century and we have already seen that literary versions of the debate were popular in mediaeval times. There was, however, a spate of debate plays

in the 1530's and 40's, many of which emanated from the circle of Thomas More. Joel Altman in The Tudor Play of Mind divides the plays of the first third of the sixteenth century into two groups: the demonstrative, those which explain; and the exploratory, those which enquire. Such plays as Medwall's Nature, Everyman, Hicke Scornor, and Godly Queen Hestor come into the first group; Medwall's Fulgens and Lucres, Heywood's plays and Rastell's Gentleness and Nobility belong in the second (p. 26). He sees Fulgens and Lucres as a controversia — a form which gives no judgement, but is a means of enquiry — saying that the play shows how to proceed through the arguments of a controversia to a governing principle. This is done by considering the "law" governing the case, here that the truly noble man should marry the heroine. The "law" leads to a discussion of what nobility is and an examination of the extent to which the two suitors conform to the ideal. Lucres' judgement is that neither does, but the virtuous man base-born is closer than the dissipated man of noble birth. Altman remarks that the play was produced in the household of Cardinal Morton before a highly educated audience and that it offers something more than profit and delight. It induced "a play of mind that overran the boundaries traditionally set by the orthodoxy of the outside world", and allowed the audience to enjoy an "experience of aesthetic skepticism" (p. 30). In the explorative debate-plays, he adds, the two sides of the argument present radical extremes which require the spectator to perceive the "meliorative view", and this is usually presented in some way.

These early plays are virtually dramatised debates and Altman observes two stages in the development of a debate into a play. One is

the development of thesis (indefinite question) into hypothesis (definite question), which has happened in these early plays. The next stage is to combine the techniques of the debate with a fully developed plot -- or mythos as Altman puts it. The plot of Elizabethan plays was usually taken from existing material -- novelle, other plays, history and so on -- and the dramatist reworking the material will obviously look for and develop its dramatic and probably its rhetorical potential. That he frequently used the investigative methods of the debate to develop material, Altman demonstrates in his discussion of plays of the 1580's and 90s, and his comments will be drawn on in later chapters.

Douglas Duncan in Ben Jonson and the Lucianic Tradition considers the Tudor debate play, among others, as not only a ludus between the characters, but primarily as a game, and even a combat, of wit between author and audience. Manipulation of the audience by concealed rhetoric is therefore an important part of his topic. Four characteristics are mentioned in his account of the methods of Lucian's dialogues and some works of Erasmus and More. These are to suppress the author's viewpoint; to present corruption and cynicism as the norm (p. 14); to suggest a favourable judgement in dubious circumstances in order to prompt the reader to form his own (p. 64); to cast doubt on the authority of the main spokesman (p. 48). The reader is required not so much to perceive a truth as to perceive the difficulties inherent in the matter at issue. This "straight-faced irony" is highly rhetorical in that it persuades rethinking by provocation. A form of the kind of irony employed is, indeed, remarked on by Quintilian as a popular device in his own time. The figure which excites suspicion of a hidden meaning, he

says, is "positively assisted by the fact that the hearer takes pleasure in detecting the speaker's concealed meaning, applauds his own penetration and regards another man's eloquence as a compliment to himself" (IX.ii.65-78). (It is, however, evident that an advocate intent on persuading the judge to perceive what he sees as the truth will not conceal his viewpoint for long.) The compliment inherent in this kind of irony becomes a trap if the reader or spectator fails to perceive the meaning, and it demonstrates to him that his thought is not sufficiently vigilant. Duncan's discussion of Fulgens and Lucretia, for example, points out the ironical implication of persistent emphasis on "the guarded moral -- that birth should yield to worth only when the two are not combined" (p. 100), and shows that throughout the play the audience are required to scrutinise what is said rather than responding to it complacently. This play and others of the Lucianic school added to the debate of both sides of the question a rhetoric which attacks with a dubious proposition and stimulates the intellect by ironic subtlety. A different contribution to the theatrical development of rhetoric was its use by Seneca as a vehicle for passion and as an ostentatious art of interest in itself, and this we shall consider in the next section.

Seneca

The lengthy dispute on the rival claims of Seneca or the indigenous tradition as the "only begetter of Renaissance tragedy" need not concern us very much, for where correspondences can be found in several potential sources insistence on one can only be arbitrary. Madeleine Doran, among others, points out that the community of mediaeval

and Senecan taste enabled Seneca to speak to the Elizabethans with particular authority, and she adds that these tastes affected the Renaissance view of classicism in many ways (p. 16). G. K. Hunter in "Seneca and the Elizabethans" agrees that the Elizabethans took from classicism the things that most appealed to Gothic taste, and he cites as (an example Scaliger's list of the suitable components of tragedy. These are, "Res tragicae grandes, atroces, jussa Regum, caedes, desperationes, suspendia, exilia, orbitates, parricidia, incestus, incedia, pugnae, occaecationes, fletus, ululatus, conquestiones, funera, epitaphia, epicedia".²¹ H. B. Charlton gives a useful list of the Senecan features he detects in Renaissance tragedy. Seneca, he says, supplied the most tragic form of:

motive:	revenge effected on those of closest consanguinity
theme:	the inevitability of fate's decrees
appeal:	horror piled on horror
machinery:	ghosts, supernatural forces and dreams
incidents:	murder most cruel and bloodthirsty
characters:	superhuman villains dominated by one abnormal consuming passion
sentiment:	morbid, introspective self pity and self reliance. (p. clxix)

T. S. Eliot reduces these to four general areas in which Seneca's influence is generally assumed and he gives his opinion of the accuracy of the assumptions:

the five-act division of plays	-- no comment
the tragedy of blood	-- over-estimated
the bombast	-- misconstrued
the thought	-- undervalued. ²²

The five-act structure, as we have already seen, may also derive from Terence and his commentators, and horrific action will later be considered as part of rhetorical persuasion. Before moving on to Seneca's rhetoric, which is our main concern, a few general points should be noted which relate to Eliot's category of thought. One is that Seneca is unlike the Elizabethan playwrights in that he tends to leave his characters "in manic possession of what their wickedness has achieved" as Hunter puts it.²³ He is like some of the Elizabethans, but unlike earlier English playwrights, in creating heroes who, as Madeleine Doran puts it, cannot be said to have a flaw in the Aristotelian sense but are "so possessed of furious passion that they are hardly responsible agents" (p. 127). The protagonists of the moralities are often seen as possessed by passion which overthrows reason, but there is no doubt as to their responsibility or their flaw, and their passions tend to be absurdly and squalidly rather than grandly depicted in the Senecan manner. The third point, which relates to the other two, is that Seneca is thought to have infused the mediaeval idea of de casibus tragedy with Stoicism. Madeleine Doran notes that the difference between the Senecan and the mediaeval theatrical depiction of passion arises from a different conception of its origin: as a vice prompted by the devil or as a characteristic bestowed by a malevolent fate (p. 120-1). Fulke Greville speaking of ancient tragedies says that they "exemplify the disastrous miseries of man's life, where Order, Laws, Doctrine and Authority are unable to protect Innocency from the exorbitant wickedness of power, and so out of that melancholic vision stir horror or murmur against Divine Providence". On the other hand, contemporary tragedies "point out God's

revenging aspect upon every particular sin, to the despair or confusion of mortality".²⁴ If Seneca is responsible for the fusing of these two ideas we can say that he is at least the godfather of English revenge tragedy if not the begetter of English tragedy as a whole.

Seneca's plays have been described as "dramatised declamations in which the characters are introduced only to declaim and engage in forensic contest".²⁵ A salient feature of his stylistic rhetoric is the grand set speech, rhetorically figured, varied and amplified to produce the "bombast" Eliot mentions, a copiousness admired by the Elizabethans. These alternate with passages of stichomythia, the exchange of pithy and often sentential remarks which counter one point of view with another. Altman remarks that the stichomythia following long persuasive speeches, the suasoriae, step up the pace of the argument and are probably designed to liven up the audience (p. 246). They also reflect the pattern of set speech followed by debate or cross examination in a trial. A high keyed emotional strain is another characteristic often remarked on. Canter observes that this frequently appears even in the prologues of which the emotional basis is largely "pathos and brooding reflection" lengthily expressed before any action takes place. Horrible incident is also described at length and in detail and on occasion depicted in the action, a departure from classical practice which is thought to have given a warrant to the Elizabethans for depicting horror on the stage as they assumed that Seneca's plays were performed rather than declaimed.

Many commentators observe a dissociation of stylistic, emotive and argumentative rhetorical techniques from the themes and even the plot of the plays. Altman and Hunter both note that many of the scenes of

argumentation seem dramatically unnecessary as they do not influence the course of action — no-one persuades anyone.²⁶ Seneca is a former advocate, Altman says, who wishes to show how various positions can be defended. He thinks that Seneca may also be suggesting "the ineffectiveness of rhetorical argument before such figures as the stoical Hippolytus and the passionate Phaedra" (p. 242), an idea which, as we shall see, is varied in The Spanish Tragedy. The choruses also appear dissociated. Canter says of them that apart from the first, which usually repeats the theme of the Prologue, they have no connection with the dramatic action and often only a slight relation to the subject matter of the plays. Their stylistic rhetorical devices are descriptions of all kinds; "expanded enumeration and characteristics of persons, things, acts, places, incidents, details; the insertion of material suited to recitation and declamation; and poetic commonplaces" (pp. 36-41). Altman goes so far as to say that on occasion the Chorus's moralising actually undermines the action of the play and he cites the Troades, where the Chorus questions the existence of any after life when Talthybius has just described the return of Achilles from the underworld.²⁷

Opinions differ as to the effects of Seneca's techniques in conveying the feelings of the characters to the audience. To Hunter they appear self-conscious. In "Seneca and English Tragedy" he says that Seneca's rhetoric as a whole "seems designed to remind us that this is a particular way of telling facts widely known, where the mode of narration and description is at the centre of interest rather than the facts narrated", and he gives as an example Hecuba's speech on the murder of

Prism at the beginning of the Troades where "we seem asked to applaud the teller rather than wonder at the tale" (p. 190).²⁸ Clemen, however, considers that Seneca introduced a new element into English drama: that of vacillation, of internal conflict as opposed to self questioning that appears in many speeches in Gorboduc and Gismonde of Salerne which "has the characteristic marks of academic pedantry". In these plays argument and counter-argument arrive at a resolution which "is given academic justification even in speeches voicing passionate feeling. Seneca, on the contrary, gives the impression that the spiritual conflicts are actually taking place in the minds of the speakers" (p. 82).

On the whole, then, the critics observe in Seneca's plays a tendency to use the resources of rhetoric for their own sake and in the expectation that the audience will appreciate the finer points of the art. To Quintilian rhetoric, if it is not to be emasculated, must lead to some overall goal. Whether in response to Quintilian's strictures or to their own observation of what their audience required, the English authors of revenge plays do relate their stylistic and argumentative rhetoric more closely than Seneca to a consistent discussion of a moral issue. In doing so they make more use than he of the forensic concept of the whole case and its implications, or so I hope to show in later analyses.

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¹G.R. Owst, Literature and Pulpit in Mediaeval England (Cambridge: University Press, 1933), p.479.

²G.R. Owst, Preaching in Mediaeval England (Cambridge: University Press, 1926), pp.169-79.

³Quoted by Owst in Preaching, p.32.

⁴"Mankind" in Mediaeval Drama, ed. David Bevington (Boston: Houghton Mifflin, 1975), p.904, l.29.

⁵See Paula Neuss, "Active and Idle Language: Dramatic Images in Mankind" in Mediaeval Drama, Stratford upon Avon Studies, 16 (London: Edward Arnold, 1973)

⁶See Sister Miriam Joseph (n.7, p.42 above) on fallacious reasoning, pp.365-74. Sophistical Elenchis is the work of Aristotle devoted to deliberately false reasoning, but in his Rhetoric (n.2, p. above), he has a section on the sham enthymeme, II.xxiv.

⁷See Bernard Spivack, Shakespeare and the Allegory of Evil (New York: Columbia University Press, 1958), chapters 7 and 8 on the secularisation of the morality play and humanization of the Vice. He recognises Barabas among the Vice's descendants.

⁸Anne Righter, Shakespeare and the Idea of the Play (London: 1962, rpt. Harmondsworth: Penguin Books, 1967) notes, however, that the disguise motif does not appear until the moralities take a more secular aspect during the sixteenth century. See also Ann Wierum, "'Actors' and 'Play-acting' in Moralities", Renaissance Drama, n.s. III (1970), p.193.

⁹Douglas Duncan, (n.5, p.6 above), p.99.

¹⁰Robert C. Jones, "Dangerous Sport: The Audience's Engagement with Vice in the Moral Interludes", Renaissance Drama, n.s. VI (1973), 45-64, draws attention to the importance of the Vices' frequent acknowledgement of their status as actors in pointing up the equation between the audience's reaction to the play and their likeness to the sinful protagonist. He cites an "overt statement" in Rastell's Nature of the Four Elements where Ignorance points out that the audience most enjoy the "disports" of the play where he and his cronies take the lead, so showing that they belong to his camp (pp.49-50). Anne Righter, however, interprets this incident differently, saying, "There is nothing in the scene to indicate that the 'servaunts' of Ignorance were supposed to meditate soberly on their folly, or to feel at all uneasy about their enjoyment of the 'Disguysinge' so conveniently introduced" p.93.

¹¹Quoted by E. Allison Tempe, "The Paternoster Play and the Origin of the Vices", Publications of the Modern Language Association, XXXIX (1924), p.790.

¹²E.R. Curtius, European Literature in the Middle Ages (New York: Princeton University Press, 1952), p.420. See also V.A. Kolve, The Play Called Corpus Christi (Stanford University Press, 1966), chapter six on religious laughter.

¹³Lorens d'Orleans, The Book of Vices and Virtues, translation of Somme le Roi, ed. W.N. Francis, EETS, OS, 217 (London: 1942, rpt.1968)

¹⁴Disposing of excuses for absence from sermons, Bromyard says, "and few there are whose business keeps them away from new shows, as in the plays which they call "miracles". Why are they not prevented from attending the Miracles of foolish clerics?", Owst, Literature, p.480. A later critic, Sir Philip Sidney in Apologie for Poetry (ca.1583; Cambridge: University Press, 1891), lists among objections to poetry the charge that far from deterring people from vice, it teaches it, p.40. Stephen Gosson, writing Plays Confuted in Five Actions about 1582, attacks the idea that the depiction of evil on stage holds up a deterrent mirror to the audience, saying that far from using their judgement, they "generally take up a wonderful laughter and shout all together in one voice, when they see some notable cozenage practised, or some sly conveyance of bawdry brought out of Italy. Whereby they show themselves rather to like it than to rebuke it". Quoted by Madeleine Doran, Endeavours of Art (Madison: University of Wisconsin, 1964), p.94.

¹⁵John Bale, The Chief Promises of God unto Man, Tudor Facsimile Text (London: 1908; rpt. New York: AMS, 1970)

¹⁶Lewis Wager, The Life and Repentance of Mary Magdalene, Tudor Facsimile Text (London: 1908)

¹⁷George Whetstone, Promos and Cassandra, Tudor Facsimile Text (London: 1910; rpt. New York: AMS, 1970)

¹⁸Jack Juggler, Malone Society Reprint (Oxford: University Press, 1933)

¹⁹"The Castle of Perseverance" in Mediaeval Drama (n.4 above)

²⁰John Reelford, "Wit and Science" in Mediaeval Drama (n.4 above)

²¹G.K. Hunter, "Seneca and the Elizabethans" in Shakespeare Survey, 20 (Cambridge: University Press, 1967), p.23. Early supporters of Seneca as the only begetter are, J.W. Cunliffe, The Influence of Seneca on Elizabethan Tragedy (1893; rpt. Hamden, Conn: Archon, 1965) but in Early English Classical Tragedies (Oxford: Clarendon Press, 1912) he

issues a caveat, "It is assuredly imperative that we should realize ... that the native drama was not superseded by plays copied from foreign or classical models", p.lxiv. H.B. Charlton, The Senecan Tradition in Renaissance Tragedy (1921; rpt. Manchester: University Press, 1946; rpt. Folcroft Library Editions, 1974). The chief upholders of the indigenous influence are G.K. Hunter, the article cited above and "Seneca and English Tragedy" in Seneca ed. C.D.N. Costa (London: Routledge, Kegan and Paul, 1974); and Howard Baker, Induction to Tragedy (Louisiana: 1939; rpt. New York: Russell & Russell, 1965)

²² T.S. Eliot, "Seneca in Elizabethan Translation", Essays on Elizabethan Drama (1927; rpt. New York: Harcourt Brace, 1956)

²³ "Seneca and English Tragedy", p.173. See also the chapter on Seneca in C.V. Boyer, The Villainous Hero in Elizabethan Tragedy (1914; rpt. New York: Russell & Russell, 1964.

²⁴ Quoted by Hunter, "Seneca and English Tragedy", p.173

²⁵ Howard Vernon Canter, Rhetorical Elements in the Tragedies of Seneca (Urbana: 1925; rpt. New York: Johnson Reprint Company, 1970) quotes Leo, p.18

²⁶ Altman, p.262; Hunter, "Seneca and English Tragedy", p.189

²⁷ Seneca's Tragedies, trans. Frank J. Miller, Loeb Classical Library, 2 vols. (London: Heinemann, 1938), Talthybius' speech, I.137-9; the Chorus, I.155-7.

PART II

REVENGE AND THE SEARCH FOR JUSTICE

We saw in the last two chapters that the Elizabethan playwrights' theatrical heritage offered examples of the effective use of forensic rhetoric, the attractiveness of the debate as a dramatic form, and the dramatic potential of revenge as a subject. The playwright must, however, take account of the preoccupations and attitudes of the people around him when shaping his material into a play if he wants a popular success. The following chapter therefore briefly considers Elizabethan moral attitudes to revenge and its legal status. The second chapter returns to the works of the Roman rhetors in preparation for the analysis of the plays, but attention is now on conducting a case of revenge. That chapter ends with an analysis of Pickering's The Interlude of Vice, an early English revenge play which incorporates features of the morality interlude, but is based on the myth of Orestes, the stock example for the Roman rhetors of a case of revenge.

CHAPTER 4

THE ELIZABETHANS AND REVENGE

Revenge is a natural if unholy urge which covers a wide range of retaliation from hard words to blackest murder, the latter being of particular interest to writers of revenge plays. There are several kinds of blood revenge, only some of which are culpable. Revenge executed by the law, the gods, or Divine Providence is considered just and right in most communities, as long as it is not excessive. Private revenge has in some societies of the past had legal sanction, and in any society immediate and open retaliation, as in a fight or a raid, seems less blameworthy than a delayed and secretive revenge; but even here the degree of guilt will depend on the reason for delay and concealment.

For those dramatists who experienced the latinate education of the sixteenth century, the idea of revenge is likely to have been complicated by the Roman rhetors' view (which will be discussed in the next chapter) while their keen interest in the relation of revenge and justice may owe something to theories of Natural Law. We have already seen that Cicero in Topica named revenge as one of the rights of men under natural law (see page 21 above), but he does not specify how it is to be undertaken, and this will probably depend on the laws of the country of the avenger. A. P. d'Entrèves affirms that to the Roman jurist natural law was not intended to give sanction to what was not otherwise law, and it was, according to Zulueta, "over-ruled in cases of

conflict by what was law".¹ Cicero in his Republic sees natural law as "right reason in agreement with Nature . . . of universal application, unchanging and everlasting", and says that "it summons to duties by its command and averts from wrong doing by its prohibitions". God is its author, promulgator and enforcing judge.² The legal equality of all men was an essential concept of the natural law, d'Entrèves continues, and actual inequalities were attributed to the impact of bad habits and false beliefs. The natural law became an ideal contrasting with "the positive legal institutions which confront us in the reality of human relations" (p. 22). We can see, then, that in the philosophy of law as in the practice of pleading, the infirmity of man was a constant issue.

d'Entrèves goes on to show that Christian philosophers differed from the Romans in thinking that human laws ought to give way to the natural law of God, but they were pessimistic about their actually doing so. To the early Christians, he says, and particularly to St. Augustine, the contrast between the kingdom of heaven and the world, explained by the corruption of human nature, made of natural law "a forsaken ideal, a conciliation of things irretrievably lost to fallen humanity" (p. 37). "Terras Astraea reliquit" as Hieronimo and Titus put it.³ Mediaeval thinkers were, however, more optimistic about obtaining the City of God in this world. They had a new view of man's perfectibility, d'Entrèves says, and this view was voiced by Thomas Aquinas. To Aquinas all things are governed by the eternal law of Divine Providence and hence by Divine Reason. Rational creatures participate in providence in that they control their actions and reactions and have, therefore, a certain share in Divine Reason, from which they derive a natural inclination to such

actions and ends as are fitting. The light of natural reason by which we discern good and evil and which is the natural law is the impression of the Divine light in us (pp. 39-50). Hence the perfect justice of natural law becomes not an impossibility, but something to strive for. If this is believed the absence of perfect justice becomes a matter for discontent rather than for resignation, and it is a discontent often expressed in the revenge plays. Scholars and lawyers were not complacent, however, and continued the search for human laws which would draw out the conclusions of natural law and restrain the wicked from wrongdoing by fear or force. Some saw natural law in the Roman law which, with some modification, had provided the foundation for canon law.⁴ St. German writing in 1523 differentiated between the law of God, given by revelation, and the natural law of reason reached by "a naturall lyght of understanding" and "written in the heart of everyman".⁵ Others found the law of nature and right reason in the Common Law, and this may have encouraged a doctrine that where Parliament-given statute and Common Law conflicted, the Court should be guided by the "equity" of the statute, a practice which, Gough remarks, led to a disregard for the actual texts of Parliament which no court would allow itself today.⁶ There is, then, evidence of a feeling that the sense of justice in the hearts of men was true justice and natural law. Nevertheless, as d'Entrèves says in summing up Aquinas' view, there is "no assertion of man's self-sufficient and inherent perfection" nor is there "any indication of the autonomy of the individual as the ultimate source of all laws and standards" (p. 45). As Sir Edward Coke was to say in a judgement of 1609, any statute is void "which makes anyone a judge in his own case" (Harding, p. 136). In

considering the formulation of human laws, Hooker, a defender of Thomist legal philosophy, stresses another aspect of ideal law, that in each case it will be the law appropriate to the particular act: "if we measure not each by his own proper law, whereas the things themselves are so different, there will be in our understanding and judgement of them confusion" (d'Entrèves, pp. 44-5).

W. S. Holdsworth shows that the laws regarding homicide in Elizabethan England were the result of mediaeval attempts to make Hooker's distinctions between different acts, and in particular to define murder.⁷ The original distinction was between homicides for which "bot" could be paid and those which were bootless, and then between homicides which were and were not felonious. In the early fourteenth century only homicide unavoidably committed during the arrest of a felon in execution of the sentence of a competent court was not felonious. All other homicides, however unintentional, required a pardon and might entail the loss of goods. By Elizabeth's reign pardon was virtually automatic for two further types of homicide: where killing prevented a crime, such as robbery or arson, and in self-defence, providing no other course, such as flight, was possible. All other homicides were felonious, but in various shades of guilt, as Holdsworth puts it. Homicide by negligence became known as chance-medley and then as manslaughter. Far more serious was homicide with malitia praecogitata or malice aforethought. This crime became what we now call murder, a name derived from murdrum, the fine levied on the hundred by order of William I if a Norman was killed and the murderer could not be found (III.312-5). A statute of Henry VIII excluded from benefit of clergy felonious homicide with malice afore-

thought and from this derived the modern distinction between murder and manslaughter. Manslaughter remained clergyable.⁸

Provocation was not, then, a plea likely to bring acquittal in an Elizabethan court unless it could be presented as self defense or protection of property. Presumably it might prompt the jury to recommend a pardon, but they could not alter the law, and few cases are likely to have been put in the most persuasive way because the defendant was not allowed counsel in a felonious case. For this reason, Holdsworth remarks, pleading in civil suits was more sophisticated and complex than in criminal cases. The whole criminal trial, indeed, was unsophisticated in comparison with the pleading urged by the Roman rhetors. The accusation was made by a written indictment which was read out to the prisoner, who had no right to a copy, and simply made what answer he could from memory. A prisoner pleading not guilty was, however, allowed to urge anything he could in his own defence and after conviction he could urge anything as to why sentence should not be passed (Holdsworth, III.615-17). The court summed up the case, and the jury then made their decision.⁹ The defendant could employ counsel to appeal in abatement of the indictment after conviction, but allowable pleas were of a legal kind, concerning such matters as the competence of the court or the correctness of the indictment.

The plaintiff, wishing to gain redress through the law, could bring an appeal himself or he could inform a Justice of the Peace of the crime and, if he produced sufficient evidence, obtain an indictment. The King could also bring information to the court's attention and some professional informers worked with the clerk of the peace. By Stuart

times, according to Harding, the King's attorney was presenting more articles of information than individuals were (pp. 76-7).

There was, however, no police force trained in detection and the onus of providing evidence of guilt was on the plaintiff if he was the informer. Arrest could itself be a dangerous undertaking as only the person suspecting the accused was legally entitled to make it, and even a constable who had no suspicions himself could arrest the accused only if accompanied by the informant. The private citizen received no protection from the law if he made a mistake even when a hue and cry was raised by the courts which obliged all citizens to arrest on suspicion; subsequent action might give them cause to regret their public spirit (Holdsworth, III.559-603). The Elizabethan system of detection and arrest could succeed, and A Warning to Fair Women is about a case where it did. In The Yorkshire Tragedy and Arden of Faversham successful arrests are also made, but the hit and miss element in the system is illustrated in Much Ado About Nothing.¹⁰ One of the claims made for plays about murder was that they so worked on the conscience of a real murderer that he or she felt compelled to confess, as Oscar Hardison points out.¹¹ Where nothing prompted confession; however, there must have been many cases in which lack of the scientific detecting methods, which have now shifted popular interest from revenge to the process of detection, made it impossible to bring the criminal to justice.

The inefficiency of Elizabethan detecting methods may account in part for what is seen by many critics as an ambivalent attitude to revenge in the Elizabethans. Eleanor Prosser in the first chapter of Hamlet and Revenge sums up some views on the subject.¹² She says

that several scholars and notably Fredson Bowers have shown that Elizabethan orthodoxy unanimously condemned private revenge, but that many critics nevertheless insist that a popular code approving revenge existed, and that the average Elizabethan thought a son was obliged personally to avenge his father's murder. It is suggested that this popular feeling derived from an aristocratic code of honour and a long-established folk code. Eleanor Prosser agrees that the spectator at a revenge play would find himself in a dilemma, but insists that it would be a dilemma between what he believed and what he felt rather than between two beliefs (p. 4). She notes that the establishment's denunciation of revenge "was related to its recurrent fears of civil disorder", in that revenge led to private quarrels, to dissension between families, and so to quarrels on a national scale; and to support this view she quotes Francis Bacon (p. 5). The Church, she continues, considered revenge a sin of a particularly heinous kind as the sinner not only like Lucifer sought to rival God, but he usurped Christ's office as a judge. Among many supporting citations she quotes a passage from Luis de Granada: "It is a thing . . . altogether to be detested that thou shouldest revenge another man's maliciousness with thine owne maliciousness; and appointing thyself judge in thine own cause, shouldest chastise another man's injustice with thine owne" (p. 7). A similar sentiment was expressed in New Testament terms by preachers who threatened that those who showed no forgiveness would receive none (p. 7). Prosser goes on to say that revenge was seen as bringing not only eternal damnation but temporal mental deterioration, for the revenger unable to think of anything else is so blinded that he sinks to

the most bestial cruelties (p. 8). Mental danger is followed by physical, for health depends on the moderation of passion. Finally, the revenger was not likely to remain undiscovered for long and even if he did he would be so tortured by pangs of conscience as to make his life intolerable (p. 9).¹³

Even if the plaintiff takes his case to law he must not do so with "a vengeable mind; for whosoever seeketh to be avenged, he shall not be blessed of God" says Hugh Latimer. The wise man should delay and then proceed to whatever steps justice demands. If justice forbids any further action he must cultivate patience (p. 10).

Having examined much material, including a popular ballad (p. 21), the duelling manuals (pp. 13-17), a fascinating essay by Cornwallis (pp. 26-7) and Antony Copley's A Fig for Fortune (pp. 28-33), Eleanor Prosser concludes that "we must not make the error of equating sympathy with approval" and she suggests that the Elizabethan audience could "sympathise with the avenger and at the same time, or later, judge him too" (pp. 33-34).

Although the Elizabethan establishment clearly disapproved of revenge, there were two instances in which it failed to practise what it preached. One was the Bond of Association of 1584, the other the savagery of public punishment. The Bond of Association, designed to prevent any Catholic conspiracy to assassinate Elizabeth, overtly incited the people to murder anyone who usurped her. The Bond was drafted three times and the final version bound signatories never to accept a successor for whose advantage an attack on the Queen had been attempted or committed. They were to "prosecute such person or persons to the death

. . . and to take the utmost revenge on them . . . by any possible means . . . for their utter overthrow and extirpation". This meant virtually that if Elizabeth were killed Mary and James were to be killed in retaliation, whether they were involved in Elizabeth's death or not.¹⁴

Eleanor Prosser remarks, quite rightly, that the Bond was an emotional reaction, but so as a rule is private revenge. Some public executions also seem to have illustrated an emotional and vindictive response. This public savagery was doubtless intended as a deterrent, but it was also a ceremony of Society's revenge on the people who threatened it. The punishment for the "treason" of preaching an unacceptable faith and the political threat that such preaching implied was in Elizabeth's reign hanging, drawing and quartering. The prisoner was dragged on a hurdle head down to the place of execution and hanged long enough to feel the pain of suffocation but not to the point of death. Having cut him down the executioner tore out his entrails and burned them before his eyes, and some victims were emasculated before disembowelling. Finally the prisoner was quartered.¹⁵ Such ceremonious cruelty is the very kind that appears in many revenge plays. The only difference is that one is organized by the state, the other by the individual. To those who were convinced the prisoner deserved it, the State's savage reprisal may have been reassuring, but to many it must have seemed excessive and hence unjust.

The Government itself, then, was inconsistent in what it preached and what it practised, and this must have undermined the people's confidence in what it said, and in its justice. Preachers also were unlikely to have had the authority of their mediaeval counterparts, for

Catholic and Protestant clergy alternated as villains and heroes throughout the changes in official faith. In such an atmosphere it is not easy to find the faith in Divine Providence or even in God which is an essential part of the patience required to endure wrong without taking vengeance. Furthermore the study of rhetoric itself is likely to engender scepticism about what one is told. The Elizabethans could be sure that lawyers and moralists would unite against them if they attempted private vengeance themselves, but the justice and honesty of official disapproval may well have appeared far less certain.

The craving for perfect justice is a constant human characteristic. Oscar Hardison points out that the demand is still met by such television shows as the Perry Mason series which almost invariably end with a trial in which the criminal purges himself by confession and allows the audience the reassurance that justice really has been done (p. 10). Some Elizabethan revenge plays support the establishment in a simple way. Poetic justice, representing ideal justice, depicts the revenger's payment with his life for his illegal appointment of himself as judge in his own case and his murder of a murderer.¹⁶ In the more thoughtful plays wild justice appears in the revenger's action, and ideal justice may be apparent in the forfeit of his own life in expiation, but this conclusion is not a hundred percent certain. The reason for uncertainty is that the case is thoroughly argued so that one ideal of justice appears in the defence. The pathetic and ethical proofs are eloquently urged, usually through action as well as words, so that we have on the stage not only an ideal

justice as regards the outcome, but a more perfect system of pleading than was available in real life, unless the defendant was himself a skilled rhetorician. It is a system which truly attempts "to measure" each by his own proper law" as Hooker puts it, as it makes of murder with malice aforethought, which seems an unjust definition of revenge, a case of murder with malice provoked.

CHAPTER 4: NOTES

¹A.P. d'Entrèves, Natural Law (London: Hutchinson University Library, 1951), p.30.

²Quoted by d'Entrèves, p.30.

³Titus Andronicus, IV.iii.4, The Spanish Tragedy gives it in English, III.xiii.140. The sentence probably comes from Ovid's description of the iron age when the wickedness of men drove Astraea from the earth, Metamorphoses, I.150.

⁴Alan Harding, A Social History of English Law (Harmondsworth: Penguin Books, 1966), p.237.

⁵St. German, Doctor and Student, ed. T.F. Plucknett and J.L. Barton (London: 1523; rpt. London: Seldon Society, 1974)

⁶J.W. Gough, Fundamental Law in English Constitutional History (Oxford: Clarendon Press, 1955), p.19.

⁷W.S. Holdsworth, History of English Law, 10 vols. (London: 1935, 1st. ed. 1903), III.310-16.

⁸See also Fredson Bowers, Elizabethan Revenge Tragedy (Princeton: University Press, 1971, 1st. ed. 1940), chapter I "The Background of Revenge", particularly pp.8-12.

⁹See also the summary of the conditions of an Elizabethan felonious trial in Theodore F.T. Plucknett, A Concise History of English Common Law (London: Butterworth, 1956), p.434. Plucknett suggests that it was felt that as the onus of proof was on the prosecution no defence was necessary.

¹⁰A Warning for Fair Women, Tudor Facsimile Text (London: 1912; rpt. New York: AMS, 1970); The Yorkshire Tragedy, Tudor Facsimile Text, (London: 1910; rpt. New York: AMS, 1970); Arden of Feversham, Malone Society Reprint (Oxford: University Press, 1940 (1947)); Much Ado About Nothing, the endeavours of Dogberry and the Watch, III.iii; III.v; and IV.ii:

¹¹Oscar Hardison, "Three Types of Renaissance Catharsis", Renaissance Drama, n.s.II (1960), pp.4-5.

¹²Eleanor Prosser, Hamlet and Revenge (Stanford: University Press, 1957).

¹³C.A. and E.S. Hallett, The Revenger's Madness (Lincoln: University of Nebraska Press, 1980) discuss madness as a symbol in Jacobean drama (pp. 41-59), and the revenger's madness and psychological theory (pp.60-83).

¹⁴J.S. Neale, Elizabeth I and her Parliaments 1584-1601 (London: 1958; rpt. New York: Norton Library, 1966)

¹⁵Alfred Marks, Tyburn Tree: its History and Annals (London: Brown, Langham, no date), pp. 4 & 27.

¹⁶Hardison discusses the relationship between poetic and ideal justice, pp.8-12.

CHAPTER 5

REVENGE AS A JURIDICAL ISSUE

The Roman rhetors do not condone murder, but they distinguish more kinds of non-felonious homicide than the Elizabethans. Cicero in De Inventione describes revenge as "the act of defending or avenging ourselves and so warding off violence, injury or anything that is likely to be prejudicial" (II.liii.161). The very definition has a defensive cast in the suggestion of "warding off" other evils, as opposed to the Elizabethan legal view that revenger and provoker are equally culpable as murderers. All the Roman rhetorical text books used in Elizabethan schools discuss revenge, but the account in the Ad Herennium was probably the best known as the book was most widely read. Revenge is a juridical issue, the author explains, where there is agreement on the act, but its criminal or justifiable quality is in question. Homicidal revenge comes within the assumptive rather than the absolute sub-division of juridical issues as killing cannot be defended in itself, but only by drawing on extraneous matter. There are four pleas that can be made in assumptive issues, three of which might apply to revenge. The first of these is translatio criminis, or shifting the guilt, "when we do not deny our act but plead that we were driven to it by the crimes of others, as in the case of Orestes when he defended himself by diverting the issue of guilt from himself to his mother" (I.xv.25). The second type of plea is remotio criminis or rejection of responsibility, when the responsibility

is transferred to another person or attributed to some circumstance. The third plea, comparatio or comparison with the alternative course, is a matter of choosing the better of two evils (I.xv.25). Orestes, for example, had to choose between leaving his father unavenged or killing his mother. Another factor, controversia, enters the issue when one law permits and another forbids a deed, as in conflict between the law of nature and the law of a country.

Orestes' case is the stock example used in discussions of revenge, probably because all three pleas can be made on his behalf, and controversia is also relevant. The author of the Ad Herennium, concentrating on the plea of translatio (shifting the guilt), explains how Orestes' case might be treated. First the justifying motive must be sought: that Clytemnaestra had killed his father. The prosecution's central point will be opposed to the defence's justifying motive. In this case the prosecutor will reply, "Yes, but not by your hand ought she to have been killed or punished without a trial". The point to adjudicate is, "was it right for Clytemnaestra to be slain by her son without trial?" ^(I.xv.10) This is as far as the Ad Herennium goes, but even without the help of Quintilian and Cicero's De Inventione it is not difficult to see how the other two pleas can be applied to the myth. Quintilian does, however, enlarge considerably on the case, remarking that there are many lines of defence for Orestes: "for instance Orestes may urge that he killed his mother because driven to do so by oracles" (III.xi.6). That is, he would make a plea of remotio criminis (transference of responsibility). The question for the judge then becomes, "should he

have obeyed the oracles?". Quintilian, citing Cicero's De Inventione, suggests that the foundation, or strongest point for the defence, might be that "the disposition of his mother towards his father, himself and his sisters, the kingdom, the reputation of the race and the family were such that it was the peculiar duty of her children to punish her" (III.xi.12). Clearly, arguments to develop this plea could be drawn from the commonplace of disadvantage and advantage and much can be made of consideration of the common good. Interestingly, neither Cicero, Quintilian nor the Ad Herennium author offers as a defense the difficulty of bringing a queen and her consort to trial in the country they rule. The reason is possibly that it would be tactless to plead to a Court trying Orestes that they would not have fairly tried his mother.

The assumptive or qualitative issue is a particularly interesting kind for the advocate because, the act being admitted, inartificial evidence, which is factual rather than "invented", will play a comparatively small part in the case. The judge has to find an equitable decision, and successful pleading will depend much on the effectiveness of the rhetor's invention in persuading the judges that retaliation was justified by the degree of provocation. One line of pleading emerges in the "foundation" suggested by Quintilian concerning the disposition of Orestes' mother. The advocate would make use of vituperatio, amplified by all the circumstances surrounding Clytemnaestra's position. The prosecution might make a similar attack on Agamemnon to persuade the judges that Clytemnaestra's action was not unjustified, and this line of argument Quintilian suggests in his discussion of motive (III.xi.6).

Probably even in Orestes' exceptionally strong case and certainly in those which were weaker, the advocates would seek to sway the judges by portraying the horror of the provocation or the retaliation. To do this they would have recourse to the vivid presentation of horror described by Quintilian and the other rhetors and, as we have seen, employed by Seneca and other sources available to the Elizabethans. As the judge has to weigh the provocation against the retaliation, both sides will attempt to make their grievance appear the more shocking. The dramatist depicting such a case has the advantage over the advocate in that what eloquence can prompt the imagination to visualise, the theatre can re-enact. Maurice Charney makes this point, saying, "the events may be crude, bloody, offensive to good taste, perhaps even disgusting, but we cannot escape what we see in stage action. It is actually happening before our eyes and no degree of rhetoric can make it more or less credible or temper its outrage".¹ What I hope to show is that in some plays at least the violence is an essential part of the rhetoric.

This is true of John Pickering's Horestes (ca. 1567) where the violent action is part of a debate centred on the case of Orestes.² It is among the earliest extant English revenge plays and is of particular interest to this discussion because it is based on the myth of Orestes, the Roman rhetors' stock example of revenge; but the treatment is original. Horestes' ambiguity in presenting revenge as a Vice yet approving the special case of the protagonist has given rise to various explanations.³ If we consider the ambiguity not only in moral but in legal terms, we can see that the acquittal of Horestes depends on the

equity which the Roman rhetors allow to the judgement of revenge, rather than on a strict application of the English laws concerning homicide. It is suggested in the play that Horestes' choice is between the private evil of his own vengeance and the public evil of leaving the wicked unpunished, and the circumstance which redeems his case is the King's duty to free his realm of corruption. This emphasis appears to be Pickering's as it is not apparent in either of his putative sources, Caxton's Recuyell of the Historyes of Troye or Lydgate's Troye Book.⁴ That the indefinite issues concerning a monarch's duty and the quality of revenge are the main focus of interest is suggested by the perfunctory treatment of several pleas available to Horestes as an individual. For this reason the debate appears to be of the deliberative type, in that it is advisory or even hortatory. The analysis of the elements of the revenge trial in the play will therefore become a process of elimination, as it does when applied to The Jew of Malta, rather than a method for analysing the whole play as in the cases of The Spanish Tragedy and Titus Andronicus.

As the depiction of Revenge is the most ingenious and problematic aspect of the play, I shall consider it first. Although Revenge has a part to play in the defence the personification works mainly for the prosecution. He is the eponymous character in A Newe Enterlude of Vice as it is called in the 1567 edition, and he has the Vice's characteristics. We do not hear his true name until the opening of the eighth scene when he sings in celebration of the destruction he has brought about through the war. He presents himself first as "master pacience" to

Hodge and Rusticus (p. Aiii) and then, under the name of Courage, brings the gods' message to Horestes (p. Bi). He also uses the Vice's weeping trick to strengthen Horestes' weakening determination to punish Clytemnestra (p. Dvi^v). He is a disruptive force within the state, between states and among all classes.⁵ He causes discord between Clytemnestra and her son, Menelaus and his nephew and among country people (sc. i), the soldiers (sc. iii) and the soldier and the woman (sc. vii).

Revenge also undermines the major plea for the defence, that of remotio criminis (transferring responsibility), as it is he who brings the message from the gods, so casting doubt on Horestes' authority for vengeance. On the other hand, this command becomes by the eleventh scene that of Divine Providence when Idmeus says that the command of a just and merciful God cannot be disobeyed (p. E1, 1169-70). This slipping into a Christian idiom can be seen as strengthening Horestes' defence for a contemporary audience and also as suggesting a parallel between his and contemporary situations, so that he becomes a scourge of God.⁶

Horestes' decision is also backed up by Counsell, not on a personal level, but for political reasons as, citing Plato, he says it is a "prynceley facte when as a king, shall punnishe seriousley" and affirms that if Clytemnestra's fault were unrevenged "a thousand evylles would insu" because the palace of a king is the "unyversall scoll" from which vices and virtues flow (p. Cii). The element of political necessity in Horestes' case is, then, given more prominence than it is in the sources or the rhetors' discussions, although Quintilian does hint at it (see p. 103 above).

The other plea, of translatio criminis (provocation) is briefly established as Horestes in his first speech says that Clytemnestra killed his father (p. Aiv^v). He does not mention it again in answer to Menelaus' accusations, although Menelaus himself refers to the murder of Agamemnon (p. E1^v, 1189-91). In his first speech Horestes also says that his mother intended to kill him, a fact which if developed would effectively counteract the major point of accusation in the play, which is that Horestes killed his mother contrary to the bond of nature. But nothing more is made of this strong point for the Defence: Horestes does not put the argument to nature in reply to her suasoria in the fourth scene, nor to his mother when she pleads for her life in the ninth.

So far, we find that in the special case the pleas conventionally related to the myth are little emphasised. The plea of translatio is hardly more than stated, a strong point for the Defence is suppressed, and the plea of remotio is undermined in its original form, but reinstated as a necessary part of Providential provision for the realm. An old law is giving way to a new and an old myth is turned to a modern context.

The trial of Horestes introduces a new consideration. Menelaus when he arrives makes two charges against Horestes. One is that he has executed his mother, the other that in laying waste the towns that hindered his passage he did not spare orphaned girls or widows. Menelaus asks for a sentence of exile. Horestes replies to the first charge merely by reaffirming the plea of remotio, that the gods commanded it, and Idumeus modernises his answer as we have seen. Horestes' reply to

the second charge seems a little glib: those to whom he showed no mercy, he says, were prepared to show none to him and bade him do his worst. It seems unlikely that the girls and widows had much voice in that defiance but, as Horestes adds, it is "no jest when sodyares joyne" (p. E1, 1164). No more is made of Horestes' destruction of his own kingdom, which is presented as part of the evils of the vengeful civil war that in some cases becomes a political necessity. As this charge is not made in the putative sources Pickering seems to be anticipating an objection to the destructiveness of political revenge. Nestor and Idumeus support Horestes and peace is confirmed by his marriage to Menelaus' daughter, Hermione. When Revenge has been foiled in his attempts to prevent the marriage, the nobles and commons express their satisfaction with the peace and prosperity brought by their new and rightful king who is crowned by Truth and Duty (p. E111).

The argument is so balanced that the duty of a king in accord with the purposes of Providence is shown as conflicting with his personal inclinations and the bond of nature between blood relations. The destructiveness of the prince's punitive course and the unpleasantness of inter-familial vengeance are acknowledged, as is the resulting exaggerated ill-fame, when Fame compares Horestes to Nero (p. Div, 1072-5). But the royal voices of Nestor and Idumeus and the decision of the allegorical figure, Counsell, confirm that in an evil situation the evil means of revenge become a necessity and hence the better choice. This is an intellectual rather than emotional play, as most of the persuasion is effected through allegorical illustration, the example of Horestes as a

king who restores order, other examples drawn from history and legend, many references to authorities such as Plato, Pythagoras and Juvenal, and passages of suasoriae or dispute. The play amply illustrates Clemen's comment on the argumentative quality of early Elizabethan drama, or to put it in Altman's terms, although the mythos is ready made, it is not developed with any attempt at realistic credibility or psychological perceptiveness as far as characterisation is concerned. The mythos is used as a moral fable and the argument is the thing.

In spite of this emphasis on intellectual argument, Horestes does employ some characteristically theatrical emotive appeals in its treatment of violence and the use of song. To take the minor device first, all the songs in Horestes are given to the villains,⁷ so that singing becomes not a sign of harmony and order as is more usual in plays, but of those who lead their lives "as his phansey doth like", whom Truth, the daughter of Time, promises always to seek out (p. Eiv.1387-9).

Clytemnestra and Egisthus first appear singing a not unattractive duet in which they compare themselves to Paris and Helen, claiming that Cupid caused them to risk all for love. Like Revenge, however, they sing of destruction in recalling Troy, and their blithe complacency is likely to suggest frivolous worthlessness to the audience, although it might appeal to the romantic. Those who like to think that love excuses all will be quickly disillusioned by the violent action. There is a good deal of comic violence as, for example, Rusticus and Hodge, incited by Revenge, come to blows over the worrying of a hog (sc. 1), and there is much fighting between soldiers, but the hanging of Egisthus on stage is the

only incident which is truly horrific, and it is made the more so as Clytemnestra is forced to look at him. This incident memorably emphasises Truth's concluding assertion that irresponsible followers of fancy will be punished. There is no suggestion that the execution of Egisthus is other than a just reprisal, so it would not to any large extent act as an image of Horestes' cruelty; that we only hear about.

The execution of Clytemnestra is another matter because she is Horestes' mother, and here Pickering uses the personification of Revenge, which has stressed the heinousness of vengeance in general, to lessen the emotional impact of Horestes' particular action. One of the points for the prosecution of Orestes mentioned in the Ad Herennium is that Clytemnestra was killed without trial. Pickering gives an air of legality to her execution as, although she has no formal trial, she has a chance to plead to the king, and in him, or so Counsell's speech suggests, the law resides. Clytemnestra merely relies on her relationship to Horestes and pleads for mercy. She makes no excuse, nor does Horestes contest her, urging the natural bond by a reminder of her intention to kill him. The legal arguments here are less important than the theatrical impression of legality and that is enhanced by the personification of Revenge, who arranges the execution at Horestes' command. The meaning of the allegory is surely that Horestes takes revenge on his mother, but we do not see him plunging a sword into her breast. On the contrary, she is led off by an actor who is clearly distinguished from the actor playing Horestes, and the execution takes place off-stage. Pickering has used theatrical effect both to distract us from the full

impact of Horestes' personal vengeance and, by the depiction of Egisthus' death, to emphasise the king's function in ridding the realm of evil through revenge. This careful manipulation of the effect on the audience is particularly evident by comparison with Lefevre's version, which shows all the savagery of revenge. He says,

"in the morn Horestes dide his moder Clitemnestra be brought to fore him all naked her handes bounden/And assone as he sawe her/he ran upon her with his naked sword/and cutte of her two pappes/and after slew her with his handes/and maad her to be drawn to the feldes for the houndes to ete and devour and to the byrdes." p.658.⁸

Pickering also uses the Vice's familiar trick of changing his name in a new way: to suggest the virtuous aspect of the vice in some circumstances. Revenge introduces himself to Horestes as Courage and says that he is a gift sent by the gods. Because Revenge has been behaving like a Vice we don't believe him and, as Farnham says, seem to see Horestes blinded by the Vice in the familiar way (p. 259). But in fact Pickering is presenting a paradox, for Horestes finds himself filled with the courage a prince needs to act as the punitive agent of Divine Providence. This aspect of the situation is soon voiced by Counsell, so that the audience is encouraged to view the message in both ways. At the end of the play Revenge is reduced to beggary and although he decides that, failing anything else, he will readily find employment with a woman, he is shown in the play as having been defeated by Amity once he has served his purpose. His use of the name of Courage therefore ironically redounds on himself and intimates that an open revenge like Horestes' does require courage, including that necessary to endure ill-

fame. The Vice's euphemism therefore adds something positive to the consideration of revenge: it can give the impetus to carry out uncongenial duties for the common good.

Examination of the forensic tactics in Horestes brings out some features which seem to support Phillips' view that the play is an allegory of Elizabeth's problem with Mary Queen of Scots, or at least they suggest that Pickering had in mind a similar situation. The careful presentation of pros and cons which relate to the indefinite issue, rather than making the most of the potential of the definite question of Horestes' guilt, is very like the list of "perils" and "remedies" presented to Elizabeth by Burghley on the subject of her marrying or remaining unmarried.⁹

The treatment of Revenge in Horestes is particularly interesting because in making him a Vice Pickering admits the problem, that revenge is vicious and attended by ill-repute and destruction. By his theatrical use of the character, however, he has softened the emotional and horrific impact that Horestes' vengeance as described by Lefevre would undoubtedly have had on the stage, and he uses Revenge's choice of alias with persuasive wit. In the trial of Clytemnestra a theatrical sleight gives an air of legality to Horestes' proceedings by using the person of the actor representing an allegorical quality. In The Spanish Tragedy, as I hope to show in the next chapter, Kyd uses the physical presence of the Vice figure to suggest a transference of responsibility.

There is no evidence that Kyd had read Horestes or seen it, and it may be that his allegorisation of revenge in The Spanish Tragedy is not derived from Pickering but is a coincidence, or is indebted to

The Mirror for Magistrates as Baker suggests (p. 114). Kyd shows more interest than Pickering in the presentation of legal arguments and provides a very thorough defence of Hieronimo as well as a strong accusation, and in doing so he exploits the emotional aspect of forensic pleading far more in his tragedy than Pickering does in his interlude.

CHAPTER 5: NOTES

¹Maurice Charney, "The Persuasiveness of Violence", Renaissance Drama, n.s. II (1969), 59-70. It may be misleading to quote only this part of Charney's essay, as it is a preliminary to a discussion of the aesthetic, as apart from the didactic, use of violence in revenge plays.

²John Pickering, The Interlude of Vice (Horestes), ed. Daniel Seltzer, Malone Society Reprint (Oxford: University Press, 1962)

³Willard Farnham, The Mediaeval Heritage of Elizabethan Tragedy (Berkeley: University of California Press, 1936), considers that Horestes is "an unwitting sinner", blinded with "the conviction that evil is not evil but good", p.259. Spivack says the moral question of Horestes' revenge is left unresolved, but it is discriminated as a necessary punishment of the wicked by a prince and as a deterrent to others viciously inclined, p.280. To Anne Barton, the play provides "a virtual diagram of the Elizabethan perplexity about revenge", introduction to Hamlet (Harmondsworth: New Penguin edition, 1980), pp.13-14. James E. Phillips sees the play as a political allegory concerning the circumstances in which a monarch might be deposed, noting that this was a matter of great concern to Queen Elizabeth, cousin to Mary Queen of Scots, who was forced to abdicate by the Scots Protestant lords on 29th July, 1567, "A Revaluation of Horestes (1567)", Huntington Library Quarterly, 18 (1955), 227-44.

⁴Raoul Lefevre, Recuyell of the Historyes of Troye, translated and printed by William Caxton (ca. 1474), ed. H. Oskar Sommer (London: 1894; rpt. New York: AMS, 1973). See Farnham, p.259. Lydgate, Troye Book, ed. Henry Bergen, EETS, ES.103 (London: 1908); Karen Maxwell Merritt makes a case for this source in "The Source of John Pickering's Horestes", Review of English Studies, n.s. 23 (1972), 255-66.

⁵See Spivack, p.283.

⁶Phillips notes that the Scottish rebels and their English partisans expounded a doctrine that although rulers were responsible only to God, He sometimes raised up instruments to punish rulers guilty of gross immorality and misconduct, p.231.

⁷Haultersycke, whose name and behaviour suggest little virtue, has a song on p. Bii, Egisthus and Clytemnestra have a long duet, pp. Ci-ii; and all the other songs are given to Revenge.

⁸In the Troye Book also Horestes runs at his mother and savagely cuts her to pieces, II.819, ll.1636-44.

⁹Altman discusses this document and reproduces some of it, pp.39-40.

PART III

CHAPTER 6

THE SPANISH TRAGEDY: THE TRIAL OF HIERONIMO

As the facts known about Thomas Kyd's career and education are well known, the briefest recapitulation will suffice here. Kyd was baptised in London on 6th November, 1558 and was buried on 15th August 1594. On 26th October, 1565, he was enrolled in the Merchant Taylors' School where Richard Mulcaster was Headmaster. It is not known when he left, but the educational standard of The Spanish Tragedy suggests that if he did not complete the grammar-school course at Merchant Taylors' he did so elsewhere. Richard Mulcaster, a student of Sir John Cheke at King's College, Cambridge, although an ardent classicist, declared in The Elementarie, "I love Rome, but London better; I favour Italy, but England more; I honour Latin but worship English"¹. Whether by chance or as a result of Mulcaster's interest in English, Merchant Taylors' produced four writers of distinction in its first decade: Edmund Spenser, Lancelot Andrewes, Thomas Lodge and, of course, Thomas Kyd. As well as teaching the usual grammar-school curriculum, Mulcaster emphasised music and singing and he produced plays to teach his pupils good behaviour and "audacity", or poise as it would be put nowadays. He presented some plays at Court, but the only recorded performances there are too late for Kyd's participation.

There is no evidence of Kyd's going to university in England or abroad, or of his attendance at the Inns of Court. It is possible that

on leaving school he became an apprentice in the scribes' trade, his father's profession, and the formality and clarity of his handwriting support this assumption. Kyd probably began his theatrical career with the Queen's Company, founded in March 1583, but as far as we know none of his work for the Company survives. In 1593 Kyd was imprisoned on a charge of "libel" against foreigners. He was detained in prison for some time, probably because heretical writings were found among his papers: These, however, belonged to Christopher Marlowe with whom he had at one time shared a room and a patron, or so Kyd claimed after Marlowe's death. Kyd seems to have been tortured during the interrogations and he lost his patron as a result of his arrest. He died at thirty six of unknown causes.

Of Kyd's work apart from The Spanish Tragedy there is little trace. The translation of Garnier's Cornelia² is attributed to him on the title page of the second edition and Solimon and Perseda is thought on internal evidence to be his. Thomas Heywood in his Apologie for Actors (1612) attributes The Spanish Tragedy to Kyd, but none of the early editions of the play credit him with the authorship. No major source has been found for the play, but there are analogues of the Pedringano incident and of the relationship between Bel-Imperia, Horatio, Lorenzo and Balthazar. A likeness to the historical framework has been noted in the situation subsequent to the Hispano-Portuguese wars of 1578 and 1580-2. There has been much discussion of the date of The Spanish Tragedy for which the limits are 1582-92.

The highly rhetorical character of the language of the play has long been noted and will shortly be discussed.³ The elaborate system of

argumentative rhetoric has caused some difficulties in interpretation and divided the critics into three main schools. Some think that the play shows Hieronimo's revenge as unjustified,⁴ others consider that it is justified,⁵ and a third group maintain that the moral issue is not the main concern.⁶ The second group includes some critics who consider that the play depicts the fall of Babylon, equalling Spain, so that Hieronimo becomes an agent of Divine Providence in destroying England's enemy.⁷

Joel Altman in The Tudor Play of Mind has considered The Spanish Tragedy in relation to sophistic reasoning. The argumentative method, he explains, is to introduce in the prologue the indefinite question (which does not concern persons, places etc.), and then to examine it through the circumstances attaching to the definite question of the main action. That is, the "rough justice" of the classical underworld, which takes no regard of people or circumstances, modulates into the examination of justice in the main action, so that contrasting perspectives reflect ironically on each other and are drawn into a comprehensive tragic statement (pp.268-72).

The interpretation I wish to examine is indebted to Altman's but rather different. It is that Kyd, responding to his educational conditioning, is presenting both the accusation and defence of Hieronimo as in a revenge trial which includes the deliberative issue of the relationship of revenge and justice as part of the pleading. One reason for thinking that this might be the case is that Kyd presents on Hieronimo's behalf every plea for the defence that the Roman rhetors considered suitable for a case of revenge. The pleas will shortly be

discussed more fully but, briefly, they are the following four. The legal plea of controversia (pleading a law contrary to that under which the defendant is arraigned) appears mainly in the prologue and epilogue where an obsolete law is cited in Hieronimo's defence; remotio criminis (transferral of responsibility) is urged through the presence on stage of Revenge; translatio criminis (shifting the guilt to the source of provocation) is presented in Horatio's murder in Act II and in Hieronimo's subsequent anguish; and, lastly, comparatio (the choice between two evils) appears briefly in Hieronimo's case as the choice between the evil of revenging and the likelihood of being murdered himself. This is expressed in the "vindicta mihi" soliloquy of III.xiii.⁸ Added to these is the non-classical plea that legal justice is not available, which appears in Hieronimo's own view of his failure in Act III to obtain justice from the King. All these pleas introduce a different question for the adjudication of the judges who have to decide whether or not they are applicable and have been proved. Some, such as translatio (provocation), are not disputed, others are put in doubt by arguments from the other side and so the case is fought out step by step in a manner which explores the evidence carefully and evokes the opposing judgements we see in critical commentary.

The work of The Spanish Tragedy's commentators has now made it comparatively easy to see that critical problems arising from the structure of the play can be explained in terms of the structure and argumentative methods of the revenge trial, and this I hope to show in my analysis of the play. Meanwhile, the problems are: that the frame

appears to contradict the meaning of the main action; that the Portuguese sub-plot seems irrelevant to the action, and that the five accounts of the battle in which Andrea died seem contradictory. Several commentators, rejecting the earlier assumption that Kyd had failed to control his material, have sought explanatory precedents in the theatrical traditions of his time. The Portuguese sub-plot is now seen as providing exempla of the main themes of justice and revenge, much as in moralities and interludes episodes only tenuously related to the main plot illustrate the themes of these plays.⁹ The use of a ghostly narration as a frame for the main story has been traced to the earlier metrical tragedies in which a ghost returns to tell his didactic tale.¹⁰ In The Spanish Tragedy, however, the frame represents the motivating force of the plot as all the revenge movements in the play take their initial impetus from the death of Andrea.¹¹ As we have seen, Altman considers that frame and main action reflect ironically on each other. The three major accounts of the battle he sees as part of the same method of forensic investigation. Each account provides minuter detail so that each piece of evidence produces more information on the subject, finally building up the complete picture (pp.271-2).¹²

These are the problematic areas of the structure. For the rest, it is not surprising that the play can be seen as conforming to current ideas of classical structure which Kyd, like other grammar-school boys, would have encountered in studying the plays of Terence.¹³ As we have seen, renaissance critics found many correspondences between dramatic and debate structure, but as The Spanish Tragedy is a play and not a dramatised debate, the dramatic structure should be considered first.

Peter Murray has analysed The Spanish Tragedy on the basis of Landino's account of Terentian five-act structure. This corresponds closely to the analysis of Willichius and other critics described by Herrick and recapitulated above (pp.32-3), but as Landino's wording is particularly apt to The Spanish Tragedy the following paragraph is based on his analysis as expounded by Murray (pp.20-23).

The first act (the protasis) unfolds the argument, the second (the summa protasis) "brings to an end the things that have already begun". Here Landino's description acquires a peculiar irony as Horatio and Bel-Imperia's plans to enjoy their love in Act II are brought to a grim end by Horatio's death. The third act (the epitasis) "brings on the perturbations and despair of the desired thing", and the fourth act (the summa epitasis) offers a false hope and the action then takes a down turn. Murray considers that the third act of The Spanish Tragedy combines the functions of acts III and IV in Landino's scheme (p.22), though another possibility is offered below. Murray explains that in the first part of the third act Lorenzo attempts to obstruct Hieronimo's investigations and Hieronimo despairs of obtaining justice, so there we have perturbations and despair. He then discovers the identity of Horatio's murderers and decides to go to the King. In the second part of Act III (scene viii onwards), the down turn appears in Hieronimo's failure to obtain legal justice and his change of plan to illegal revenge. His choice between inaction and revenge can be seen as the crisis of the play before the action turns decisively to the catastrophe, which Landino says should bring "the whole to the desired outcome".

Underlying this scheme in The Spanish Tragedy the shape of the forensic debate is perceptible, but in a play which is an enactment, a mimesis, the divisions can not be as clearly distinguished as in a spoken oration. In the forensic oration the exordium or introduction is followed by the narratio or statement of facts in which both advocates unemotionally and clearly put forward the points of advantage to their own case. They then prove their own and disprove their opponent's points in the division of proofs. The peroration recalls both events and proofs with emotional colouration which urges the judges towards the required verdict. A play is in one sense all narratio as the events or facts have to be enacted throughout its course, and there are not likely to be many events in which the emotional effects can be reserved for a separate section of the play, although there may be some. Complete separation of the arguments for the two sides is even more unlikely, except in short passages, as a scene is not played first from one point of view and then from another, but the two views are mingled. The perorations of a debate include the largest amount of dramatisation and, accordingly, in a revenge play the perorations usually consist of action which makes its own strong comment, or of action together with comment from the characters. Revenge plays very often have a clear division of proofs and, as Altman suggests, that is the case in The Spanish Tragedy, for Hieronimo has to prove the identity of Horatio's murderers (p.278). The appearance of a division of proofs may be coincidence arising from this need, but when proofs also appear which cast doubt on the revenger's own behaviour, as in The Spanish Tragedy this part of the play assumes a forensic cast which seems more than coincidental. Some

editors have suggested that a chorus has dropped out of the third act and that it was originally divided into two.¹⁴ The whole of the act is, however, devoted to proofs, not only those gathered by Hieronimo, but as in a revenge trial proofs of different kinds support the case that Hieronimo could not obtain justice because of Lorenzo's obstruction, and counter-proofs concerning Hieronimo's mental deterioration and the interest of Divine Providence in his case undermine this plea.

Other features of The Spanish Tragedy immediately suggest the structure of a debate. The induction in I.i is like the exordium of a case of honour for reasons which will be explained shortly. The highly dramatic play scene in the fourth act is like the peroration for the prosecution where the orator makes his depiction of the crime as vivid and dramatic as possible. Act II resembles the narratio or statement of facts, and the epilogue (IV.v) which claims a verdict quite different to that suggested in the preceding scene, is like part of the peroration for the defence. The choruses of The Spanish Tragedy perform the function of the transitions of a debate, which is to obtain the auditors' patience by emphasising the relevance of what is being said, and by promising interest and even excitement to come. Some correspondences to the debate structure are not so striking as these, but will, I hope, become clearer in the following analysis of the play, which will be divided into four parts corresponding to the divisions of the oration: exordium, narratio, proofs and peroration.

Exordium

In a debate each side presents an exordium which has an informative and a persuasive function. In The Spanish Tragedy it is not always easy to see which passages support the defence and which the prosecution as some incidents can be seen from two points of view, and some which seem initially to favour one side become arguments for the other as the play develops. It is, however, clear that the induction or first scene presents a strong point for the defence.

The informative function of the exordium is to give essential background information about the case, to clarify the type of issue involved and to indicate to the judges any difficulties peculiar to the case. The induction of The Spanish Tragedy indicates that the events of the play are connected with Andrea's death, but the precise manner of that connection remains a mystery until the end of the act. That the mystery concerns retribution is, however, quickly shown by Andrea's use of Revenge's name (81) and by Revenge's promise to him at the end of the scene to show

the author of thy death
Don Balthazar, the prince of Portugal,
Depriv'd of life by Bel-imperia.

(87-9)

The persuasive purpose of the oratorical exordium is to make the auditors well disposed, attentive and receptive. Kyd's exordium is a model of the techniques recommended by the rhetors for this purpose and in this it contrasts with Pedringano's approach to the law court and Hieronimo's to the royal court after his play. To obtain good-will at the outset the Roman rhetors do not recommend a high emotional pitch

and a brilliant, that is a highly figured style, as both suggest prepared artifice and awaken suspicion in the auditors. Andrea shows little emotion, evidently has no axe to grind and exercised no free will in his return to earth. He simply shares what information he has with the audience and to do so he is given a middle style in which the figures are not ostentatious and the images relate to the myth of Proserpina in a pleasantly elegiac and unstartling manner. Pluto's love for Proserpina brought the death of winter to the world, and Andrea says,

But in the harvest of my summer joys
Death's winter nipped the blossoms of my bliss,
Forcing divorce betwixt my love and me.

(12-14)

This image will be developed in the play as the blossoms of Andrea's relationship with Bel-Imperia are to be the corpses harvested in Hieronimo's play: "Thou talk'st of harvest when the corn is green" Revenge says to Andrea at the end of the second act, "The sickles come not till the corn be ripe" (II.vi.6 and 8). Under the influence of Revenge it is eventually from death that Andrea derives his joy.

To begin with, however, Andrea expresses no sense of injury or rancour and he presents a modest ethos of the type likely to win the audience's good-will. His modesty as well as his courage is suggested as, without boasting, he indicates that he died valiantly (16), and he is likely to attract sympathy because he has laboured under difficulties arising from the strict regulations of the underworld. Charon refuses him passage across the Acheron until his funeral rites are done (20-22) and the judges fail to allot him a place in Elysium because he is both

lover and soldier (33-53). This problem introduces the series of images in the play reflecting the disastrous combination of love and war and also suggests that the justice of the underworld is not flexible enough to take account of exceptions and circumstances, but relies on mechanical rules.¹⁵

Andrea's ethos is sympathetic enough to encourage mild goodwill, and his speech is well designed to attract the audience's attention, as he gives an account of the underworld based on Vergil's in the sixth book of the Aeneid. For those who know the Vergil Kyd offers the interest of a new version, for those who do not the account will catch the imagination. The induction offers the kind of wonder that Aristotle asserted would always attract an audience's attention, and the wonder leads to the mystery of Proserpina's smile, Pluto's pleasure and the secret whispered to Revenge (78-81). Curiosity has been aroused and the end of the scene promises its satisfaction as Revenge tells Andrea the play will unfold the mystery and depict the revenge of Bel-Imperia.

The induction has the characteristic features of the oratorical exordium and it makes an attractive opening to the play,¹⁶ but although Andrea's death is essential to the plot, his appearance in the play is not.¹⁷ The only information given about Andrea in the induction that could not equally well be fitted into the rest of the act is the "doom" of Proserpina that Andrea is to return to the world with Revenge (79). Her doom is like the command of the gods to Horestes in Pickering's play, except that there the origin of Revenge's message was doubtful, and in this play Revenge does not directly approach the avenger. The

author of the Ad Herennium affirms that in honourable cases -- those to which the auditors are likely to be reasonably well disposed -- the orator can produce a point of law or a document appropriate to his case in the exordium (I.iv.6). Kyd in his exordium pleads the right to revenge of natural law in an obsolete form, the law of the pagan gods. The existence of these gods and their system of justice is attested by a document, the Aeneid, written by a man of undisputed talent, a type who according to Cicero is popularly believed to be a reliable kind of witness. Some critics see the old law in The Spanish Tragedy as working smoothly with the new, the law of Divine Providence. In The Spanish Tragedy, certainly, pagan and Christian references are mingled¹⁸ but God's law is opposed to pagan law in the "vindicta mihi" speech (III.xii.1-45), and in the play's examination of revenge the justice of heaven and earthly law becomes distinct from that of revenge and the underworld, as we shall later see. Kyd is writing for a Christian audience who could be relied on to measure the commands of the pagan gods against what they had been taught about Christianity, and that Kyd intends them to do so is suggested by the many images with Christian associations which appear at moments of crisis. Approaching the play as a trial, we can infer that Kyd is opening Hieronimo's defence with the legal device of controversia, pleading a law contrary to that on which the accusation is based -- in this case the Elizabethan criminal law of which the ethical basis was Christianity or the law of God. The Ad Herennium says of this form of pleading, "it is a meagre defence for a person to show that he has observed the obligation of a law which is

superseded or restricted, without heeding the obligation of the later law" (II.x.15). In such a case, however, the prosecution must show that the law has effectively been superseded. That, then, is one point for adjudication in this play -- is the law of the old gods as it pertains to revenge obsolete?

It has been remarked that there is little narrative movement in the first act of The Spanish Tragedy.¹⁹ The act continues, though, to perform the function of protasis or exordium in providing background information and introducing characters. In establishing certain moral precepts through exempla it does not differ greatly from the thematic scenes of many interludes,²⁰ but in establishing precepts about the process of judgement the first act of The Spanish Tragedy more particularly suggests the orator's announcement to the judges of the general problems which arise from the kind of case at issue, and the approach required of the judges. The approach is mainly suggested by the example of the whole act which, after a long process of inquiry, reveals Proserpina's motive for sending Andrea back to earth. Inside this illustration of method, smaller exempla suggest precepts concerning justice and revenge and methods of judgement.²¹

Precepts and information for the judges appear in every scene of Act I and actual judgements occur in scenes ii and iii. In I.ii the General's account of the battle in which Andrea died introduces the King's judgement of the dispute between Lorenzo and Horatio. The General confirms that Andrea fought well and bravely (I.ii.65-71), but adds to Andrea's account the information that he was killed by

Balthazar (72), who was in turn conquered by Horatio (79). The General's view of the battle as a gentlemanly affair in which all behaved impeccably and those who died did so according to their station is modified by the entrance of Balthazar between Lorenzo and Horatio, each possessively grasping an arm. In visually illustrating the dispute which the King has to solve, they present clearly a smaller version of the large oppositions of the two armies appearing in the General's speech, and the picture begins to change.²² The King's judgement of Lorenzo and Horatio's squabble over the rich and honourable prize of war that Balthazar represents is scrupulously equitable. Lorenzo receives the horse and weapons he has captured and Horatio the ransom for the prince he has captured. This perfectly reflects the small part Lorenzo seems to have played in the capture. To soften this implication, however, the allotment of the armour to Horatio is made partly on the grounds of desert and partly because Lorenzo's "substance passeth his" (188). The consideration of wealth is also given as the reason for lodging Balthazar with Lorenzo, as "Horatio's house were small with all his train" (187). As no one in the play expresses dissatisfaction with the judgement it can be seen as illustrating a tactful and fair decision which takes account of the evidence of Balthazar who is the independent witness, of the circumstances and rank of the contestants, and of political considerations. The last are suggested by the King's crediting Balthazar's conclusion that he yielded to both, although his evidence points to Horatio being the captor (I.ii.161-5).²³ In its equity the King's judgement contrasts with the justice of the underworld which depends on fixed rulings.²⁴

The scene suggests that the King is a fair and competent judge, which is to tell against Hieronimo's later plea that justice is unobtainable, so on the personal level the exemplum supports the prosecution. Its significance as a comment on justice itself is, however, more problematic. It reminds us that equity of its nature does not give extreme verdicts and so it may tend to be advantageous to a legally weaker case. But in a case of murder which can not be transmuted to manslaughter only the extreme verdicts of blood for blood or acquittal are possible. We can see, then, that the King, faced with the same political considerations which he has to take into account here, would not be able to apply to Hieronimo's capital charge the kind of tact which he brings to the dispute over property. In this sense the case would defy judgement and the scene in retrospect acquires a defensive tinge as the case unfolds. This is characteristic of the first three acts of the play in which scarcely a point made against Hieronimo is not defensively countered in some way at some time: "the victory to neither part inclineth" as the General says of the battle (I.ii.64).

The main precept arising from the Viceroy's judgement of Alexandro in the next scene is that a wronged person should not be judge in his own case, a precept in favour of the prosecution. In the play's fourth account of the battle, Villuppo tells the Viceroy that Alexandro treacherously killed Balthazar. The audience, having just seen Balthazar alive, knows this to be false and is in a good position to judge the Viceroy's judgement. The Viceroy's opening speech demonstrates the state of unreasonable passion which makes him believe Villuppo's

unsupported testimony and refuse to allow Alexandro to speak. In doing so he illustrates both the wisdom of the legal precept that a defendant accused of treason should not be condemned on the testimony of one person,²⁵ and that someone in the grip of passion is not capable of judging fairly. This scene also raises a point pertinent to the following scene as Alexandro says the Spaniards could not have killed Balthazar because it "were a breach to ~~common~~ law of arms" (47). The Viceroy's reply that "They reck no laws that meditate revenge" (48) opposes the presentation in the induction of a law which demands it, and will be relevant to Hieronimo's actions later in the play. The Viceroy illustrates it himself as it is shortly after this exchange that he refuses to allow Alexandro to speak. Even here, however, there is a point for the defence. Hieronimo does not lightly accept the testimony of one person, nor does he rush into revenge but shows a good deal more resistance to the passion than the Viceroy.

The fourth scene introduces Bel-Imperia and, as Horatio gives the fifth account of the battle, Proserpina's motive for avenging Andrea is finally revealed. Horatio tells Bel-Imperia that after an equal fight, Balthazar killed Andrea contrary to the law of arms when he had been unhorsed by a group of halberdiers who came to Balthazar's assistance (I.iv.21-6). Horatio's speech clarifies Proserpina's reason for sending Revenge to earth with Andrea, and in supporting the plea that she commanded vengeance it speaks for the defence. The speech also, however, indicates something of the nature of vengeance as Horatio claims that Andrea was killed by "wrathful Nemesis, that wicked power" (16) who envied Andrea's "praise and worth" (17). This is evidently a courtly

way of emphasising to Bel-Imperia that Andrea was too good a soldier to be killed in even fight, but the very emphatic personification of Nemesis, "she she herself, disguised in armour's mask," (19) seems to preclude the allegorical interpretation that Balthazar's envy was responsible and to insist on intervention from an envious underworld. This is the first of many passages in which the justice of Proserpina is associated with evil.

Bel-Imperia, as she freely admits in soliloquy, quickly consoles herself for Andrea's death by extending her love for him to Horatio (I.iv.60).²⁶ She sees revenge as a duty to be fulfilled before she loves again (I.iv.64-5), presumably because her verdict on Horatio's evidence is that Balthazar showed "murd'rous cowardice" in the way he killed Andrea (73). The vengeance she decides on, however, to torment Balthazar with her "just disdain", so conveniently suits her own inclining that it smacks more of self-justification than justice. Whatever the cause of her plan, she immediately puts it into action in the skirmish by stichomythia that follows Balthazar's entrance (I.iv.77-99). Balthazar plays the part of the lover with such creaking conventionality and so little regard to Bel-Imperia's reactions (93-7) that there is small danger of his winning the audience's sympathy, but to make sure, Lorenzo and his sister draw attention to his lack of directness (90-91) and conviction (98-9). Bel-Imperia caps her parting jibe by giving her glove to Horatio, so killing two birds with one stone.

It is the function of the judges to interpret the evidence, and that this is not always easy is attested by different opinions about the

evidence in this play. In particular, Horatio's speech to Bel-Imperia in I.iv has aroused suspicion that he has made up the story of Balthazar's cowardice in order to ingratiate himself with Bel-Imperia, for the General says that Balthazar proved the better fighter (I.ii.72) and Andrea has no memory of treachery. That the General did not perceive all the details of the fight has already been made clear by the dispute over Balthazar's capture, and the play as a whole shows that the older generation are not abreast with the activities of the young.²⁷ The sequence of statement, modification and further modification in the three major accounts of the battle suggests that Altman is right in thinking that Kyd is leading us gradually through different evidence to the truth, and indeed if Horatio's account of the battle is not true, there is no reason for Proserpina's having sent Andrea back to earth with Revenge. If the five accounts of the battle are intended as an instruction on the way evidence will be presented and should be sifted in the play, or case, it is clear that a statement of Balthazar's treachery in the induction would set up a lazier frame of mind in the judges than Kyd requires, hence Andrea says nothing about Balthazar, but he does not deny the story either.

The final scene in the act, Hieronimo's dumb show, supports the above view of the accounts of the battle. The scene is like the partitio in an oration, that is the section in which the orator sums up what he has shown and explains how he is going to present the rest of his evidence. The partitio here is concerned with method rather than facts, as the dumb show catches the attention and presents a "mystery"

as the first act has done (I.iv, 138-40). Hieronimo explains the historical background and the King applies the first two incidents to the situation in Portugal. The third incident shows that the masque also applies to Spain, so three illustrations build up the complete meaning, as Altman points out, much as different accounts eventually complete the picture of the battle.²⁸ This building up evidence to enable us to understand all the circumstances of Hieronimo's case is to continue throughout the play. The dumb show is also likely to ingratiate Hieronimo with the audience as it shows England's past triumphs over Portugal and Spain.²⁹ Lastly, it is possible that the application of the masque to Portugal and then to Spain indicates that what happens in Spain might be taken a step further and applied to England.

The chorus of I.v. supplies the transition to the narratio or statement of facts of Act II. The exordium of Act I has established necessary precepts but it has not progressed much in showing Balthazar "depriv'd of life by Bel-imperia" as Revenge promised at the end of scene i (I.i.89). Andrea may be anticipating the feelings of some of the audience in saying there has been "Nothing but league, and love, and banqueting!" (I.v.4) and Revenge reassures them and Andrea that he will turn

Their love to mortal hate, their day to night,
 Their hope into despair, their peace to war,
 Their joys to pain, their bliss to misery.

(7-10)

Revenge reveals his own nature in promising this destructive reversal, and it is already apparent that his nature has corrupted Andrea. Andrea, who spoke with resigned regret of his relationship with Bel-Imperia, now

seems envious of the "summer joys" he can no longer experience : "These pleasant sights are sorrow to my soul", he says (I.v.3), so illustrating Horatio's idea that Nemesis or revenge is envious.

The puzzling features of the first act of The Spanish Tragedy fit coherently into the exordia of a case of revenge. The sub-plot provides three precepts concerning justice and judgement: that passion tends to distort fair judgement; that a man tends to judge unfairly in his own case; and that judges should consider all the evidence, and certainly allow the accused to speak before reaching a decision. Four accounts of the battle correspond to instructions to the judges concerning the difficulties of the case and the method of presenting evidence, while Villuppo's patently false account is the kind of evidence that should be rejected. The dumb show at the end provides a summary of these methods, and the action two examples of judgements. The quality of revenge is also considered. It is introduced in the induction as an ancient law administered by pagan gods, and Bel-Imperia and the Viceroy demonstrate that it is still in force in the world. The legality of vengeance is, however, questioned by the implication that those contemplating it are heedless of law, and the view that Nemesis is envious is upheld by the change in Andrea. The next act will continue the case by making another plea for the defence.

Narratio

Act II corresponds to the narratio in an oration which states the facts to be proved in the following division. The aim of this narratio

is to make the plea of translatio criminis (provocation) on Hieronimo's behalf and the action increases in impetus as Lorenzo gathers his evidence and murders 'Horatio.' Points relevant to the prosecution are also made, however, as Bel-Imperia and Horatio are presented as not entirely innocent victims, and Balthazar makes a counter-plea of translatio against Horatio.

The author does not seek to involve his audience emotionally until Hieronimo's entrance at the end of the act, but he delights his hearers with the pleasure of language deftly patterned. The first scene begins with two examples of rhetorical language and a comment which draws attention to them. Lorenzo opens the act by playing the conventional role of consoling friend with part of a sonnet borrowed from Thomas Watson.³⁰ Balthazar replies despairingly with Watson's final couplet (9 & 10) and, having blamed his own inadequacy for his lack of success in love, he begins examining his chances through thesis and counter-thesis in the figure of elimination (Ad Herennium IV.xxix.40). He arrives at length and a shade ridiculously at the conclusion that Bel-Imperia can not love at all, which the audience knows is far from the case. Consideration of thesis and counter-thesis, or arguing both sides of the question is the means of investigation encouraged in the play, but Balthazar illustrates here and elsewhere how ineffective rhetoric can be when used as a substitute for vigorous thought.³¹ In Balthazar's special situation the speech also shows that the mind is enervated by passion or love, and Lorenzo draws attention to both points as, for the second time, he criticises Balthazar's rhetoric: "My lord, for my sake leave these

ecstasies" (II.i.29, c.f. I.iv.90-1). His suggestion that the rhetoric of passion is merely self-indulgent will prove relevant to Hieronimo's later failure to put his case to the King. Meanwhile, Lorenzo's own intellectual method is to find the cause of obstruction and remove it. Believing the cause in this case may be another lover, he rapidly begins his own system of investigation.

Lorenzo is not yet established as a villain and his means of investigation appear a little ruthless but they are effective. He uses past favours, bribes and eventually threats to get from Pedringano the information he wants (II.i.42-106). When asked to comment on this stratagem, Balthazar comments on the information produced, which interests him more, with the by now predictable series of antitheses and he justifies the expedient removal of Horatio with the name of revenge (111-17). His expression of the need to revenge even though he sees it will avail him nothing as Bel-Imperia "will fly me if I take revenge" (115) illustrates the irrationality of the passion. He makes a plea of translatio criminis against Horatio as he tells over the wrongs he has done him with a nice use of climax and inaccurate presentation of fact, as Barish points out (p.74). The insubstantiality of the plea is demonstrated by Balthazar's exaggerations. He says Horatio gave him "dangerous wounds" (121), made him his "slave" (123), won Bel-Imperia by "sly deceits" (128), and is intending to captivate Balthazar's "soul" (131). The audience is unlikely to consider that Balthazar has just cause for revenge because he had not won Bel-Imperia before Horatio stepped in. He has simply been beaten to the post.

Balthazar and Bel-Imperia are, like Hieronimo, motivated by the powerful passion of love, but as their revenge actions appear trivial at this point and their justification doubtful, their cases strengthen Hieronimo's in two ways. They suggest by comparison that his more strongly presented provocation is greater. They also attest the controlling influence of Revenge to whom they succumb far more readily than Hieronimo. This is to be evidence for the plea of remotio criminis (transfer of responsibility) which becomes important when Hieronimo fails to make his case to the King.

The next scene (II.ii) shows that Horatio has made quite as much progress with Bel-Imperia as Balthazar fears and that he is courting danger in doing so. It also establishes what has already been implied by Andrea (I.i.10-11), that Bel-Imperia has small regard for chastity in the sense of virginity. As a sign of unreliability this is to be useful to the prosecution in casting doubt on her evidence later in the play,³³ and it might well lessen the audience's sympathy with the lovers at this point. Kyd also treats the four-way conversation of the lovers and the angrily exclaiming listeners with a neat wit which at the beginning of the eavesdropping scene emphasises the comedy inherent in the situation. In particular, the listeners' first exchange must arouse pleasure in the author's dexterity, and some amusement as Balthazar despairingly wishes to be deaf, blind and dead (II.ii.18-20) and Lorenzo answers with the determination to be quick of sense and lively in order to bring about Horatio's downfall (21-3). When Horatio, picking up Bel-Imperia's cue, asks for an assignation (39-40), Balthazar's reaction, "Ambitious villain, how his boldness grows" (41), is not entirely fair as Bel-Imperia has

made the running, but it does represent the point of view of those who disapproved of upstarts. This view is supported in the following scene in which the King tells Castile how much depends on Bel-Imperia's marriage to Balthazar (II.iii), so emphasising the political undesirability of what Horatio is doing.

All these things a little undercut sympathy with the lovers and the scene does not evoke strong partisanship on their behalf, although it does awaken an increasing sense of danger as the listeners turn to threats the lovers' happy certainty of dangers past and pleasures to begin (27-31). Apart from the sense of danger, however, two kinds of persuasion are likely to tip the scales a little more in the lovers' favour. One is our growing conviction that Balthazar is weak and Lorenzo ruthless, and the other is the gentle lyricism of Bel-Imperia's speeches. The speech beginning "My heart, sweet friend, is like a ship at sea" (7-17) lifts the scene on to a romantic plane with its rhymes and the well-worn images of love poetry, and her last lyrical speech (42-52) in which she describes the power and imagines the evening setting, contrasts wistfully with the ominous threat that closes the scene :

Ay, danger mixed with jealous despite
Shall send thy soul into eternal night.

(56-7)³⁴

In the scene of Horatio and Bel-Imperia's meeting (II.iv) tension mounts as Pedringano "to deserve more gold" goes off to fetch Lorenzo (12-13), and the lovers' conversation is counterpointed by the audience's anxiety which gives ironic force to the images they use. Kyd works two variations on love and war images. First the couple compare themselves to Venus and Mars (II.iv.30-35), with the ironic undertone that Venus and

Mars were caught in a net by the gods in flagranti delicto. Then they begin a "war" of love which in its formal oppositions of speech and movement is like a dance with words based on the General's speech in I.ii.³⁵ Images of war lead to those of death as Horatio compares himself ominously to elms which "by vines are compassed till they fall" (II.iv.45) and the image of sexual "death" leads to the reality as Lorenzo, Balthazar and the servants seize Horatio, hang him in the arbour and stab him (SD 53 & 55).

This is the first on-stage violent action in the play and its grim reality contrasts shockingly with the patterned language of the game of war which precedes it. The attack is swift, vicious and contemptuous. Either hanging or stabbing is redundant, but hanging is the felon's punishment and dishonourable, and stabbing with many blows looks vicious on stage and produces the blood that will visualise the concept of blood for blood symbolised in the bloody handkerchief. Lorenzo makes two brutal jests which are likely to increase the audience's disapproval: "These are the fruits of love" (55) and "Although his life were still ambitious proud, / Yet is he at the highest now he is dead" (60-1). Bel-Imperia's pleas and struggles increase the horror of the scene and, screaming for Hieronimo, she is finally dragged offstage.³⁷

The brutality of the crime which evokes Hieronimo's vengeance has been established. Equally important to the plea of translatio (provocation) is the effect of the crime on the revenger, and Kyd derives the utmost pathos from Hieronimo's discovery of the corpse callously left for him to find. Hieronimo's entrance is that of a responsible citizen courageously answering a cry for help, although on

this occasion he is afraid (II.v.2). His cry into the night, "Who calls Hieronimo? Speak, here I am" catches the audience in "a guilty complicity with the action" as Hunter puts it,³⁸ because they know what Hieronimo is going to find and it is almost as if he is appealing to them. The slowness with which Hieronimo discovers the body adds to the tension and when he does see it he shows the alertness of the experienced lawyer in thinking it has been left to frame him but, pathetically, the reality is far worse. The audience's knowledge that Horatio died while engaged in illicit sex again increases pathos as Hieronimo in his lament claims that he was "virtue and desert" personified. (II.v.31). Meanwhile, as Hieronimo wonders if he has been dreaming and works out what has happened, an artificial rhetorical construction draws attention to the word garden rather than bower or arbour :

No, no, it was some woman called for help
 And here within this garden did she cry,
 And in this garden must I rescue her.

(6-8)

On finding the body he says "This place was made for pleasure not for death" which suggests the garden of Eden (12)³⁹. The garden is also associated with the agony in the garden of Gethsemane where Christ, the second Adam, prayed that the cup might be taken from him, but accepted it,⁴⁰ so rescuing Adam and Eve from hell. As Hieronimo cuts down the body the effect will be like the deposition from the Cross or a "male pietà" as Hunter puts it ("Seneca and English Tragedy", p.192), a tableau paralleled in Act IV as Hieronimo makes his explanation after his play using images which strongly suggest the Crucifixion. At this point the images by suggesting a moment of extreme trial in a universal way bring

the action closer to the audience.

As Hieronimo discovers that the body is Horatio's, his agony begins and as his speech slips into rhetorical questions it demonstrates the flexibility⁴¹ and "longer harmonies"⁴² with which Kyd turns stylistic rhetoric to dramatic language. A passage which illustrates the "longer harmonies" and introduces images that are to reverberate through the rest of the play is,

What savage monster, not of human kind,
Hath here been glutted with thy harmless blood,
And left thy bloody corpse dishonour'd here,
For me amidst the dark and deathful shades
To drown thee with an ocean of my tears?

(II.v.19-23)

The shocked run-away quality of these lines comes from the syntax in which "For me" applies to both the preceding and the following line. In later speeches where the element of shock is absent the longer harmonies take a different form to be discussed shortly. "Monster", "blood" and "dark" become staples of the vocabulary from now on and "wicked butcher" of line 30 will also recur. So far, pathetic rhetoric evokes only sympathy with Hieronimo and strongly supports the plea of translatio.

Isabella then joins Hieronimo and he makes a vow of vengeance of which the handkerchief dipped in Horatio's blood is the symbol (51-3) and this very clearly connects Hieronimo's suffering to the act which provokes his revenge. Although at this point it is not entirely clear whether or not he is contemplating personal revenge, later scenes show that he intends to obtain retribution legally, and Isabella here suggests that heaven will see that vengeance is done (57-9).⁴³

This act employs the resources of rhetoric to establish the horror and wickedness of the provocative act, so persuasively introducing the plea of translatio (provocation). The prosecution's point that the love of Bel-Imperia and Horatio is both sinful and politically rash is offset by the rhetorical devices which make it appear lyrical and attractive and by the brutality with which they are treated. The use of emotional persuasion to offset the facts presented by the prosecution is, indeed, a major technique of the defence in this play.

Proofs

The third act of The Spanish Tragedy corresponds to the double division of proofs in the forensic oration in which the advocate proves the points made in his own statement of facts and attempts to disprove his opponent's. The act is unusually long and falls into two parts. The first concerns Lorenzo's steps to avoid detection for the murder of Horatio. Ironically, his defensive action places in Hieronimo's hand Pedringano's letter which as evidence of Lorenzo's guilt decides Hieronimo to go to the King. In the second part emphasis shifts to the effects on Hieronimo of Lorenzo's attempts to prevent his speaking to the King. By the end of the third act Hieronimo has decided to abandon his quest for justice and turn to personal and extra-legal revenge.

Very roughly, we can see the first part of the act as providing proofs predominantly in favour of the prosecution as Heaven provides Hieronimo with the necessary evidence to take his case to the King. In the second part proofs for the defence show that Lorenzo's obstructions

leave Hieronimo no recourse but personal vengeance. Proofs for both sides appear in the same scenes, however, and some incidents can be seen from two points of view. The proofs are further complicated as they support several pleas although the "foundation" or main point for the defence in this act is that Hieronimo could not obtain justice.

The simplest way to analyse the proofs is to follow the case for the prosecution right through the act and then return to the case for the defence. In doing so several different kinds of proof will be considered which may help to assess the degree of persuasion Kyd has allotted to one side or the other.

In the third act the prosecution shows four proofs of Heaven's interest in earthly justice. In the scene in Portugal and the trial of Pedringano Heaven compensates for human fallibility. In the second and seventh scenes, the two letters give Hieronimo the evidence necessary to make his case.

The first scene, set in the Portuguese Court, concludes the story of Alexandro. It is an example, or logical proof by analogy, of the smooth cooperation of heavenly justice with a willing human agent, who is anxious to correct human injustice. As Alexandro is bound to the stake he warns Villuppo, who has framed him, that his death will be avenged. Immediately following Villuppo's reply, more evidence arrives which reverses the situation and, sure enough, brings vengeance on Villuppo. The scene is made persuasive by pathetic proof and dramatic timing. Villuppo's villainy as he hypocritically calls Alexandro "Injurious traitor, monstrous homicide" is calculated to make us hate him, and as

if Heaven could not endure his crime, the Ambassador bursts excitedly onto the scene crying, "Stay, hold awhile" (58).

The example in Portugal reinforces the proof in the special case, for what applies to Portugal can be applied to Spain, as the dumb show has implied. At the trial of Pedringano another symbol of legal punishment, the gallows, corresponds to the stake in Portugal. Hieronimo happens to give the correct verdict on Pedringano but he does not conduct the trial properly. He is so obsessed by hatred of murder that he assumes Pedringano is guilty on the evidence of the Watch and without hearing what he has to say. "Stand forth thou monster murderer of men" is the way he addresses the prisoner at the beginning of the trial (III.vi.24). The echo of the images he used on discovering Horatio suggests the reason for his prejudice. When Pedringano confesses, Hieronimo gives sentence without asking him if he has anything to say why sentence should not be passed. This procedure of English law is admittedly often omitted in plays, but here the omission seems significant because Pedringano might have announced plainly that he had a pardon, and Lorenzo's trick and his part in Horatio's murder would then have been revealed. Providence, however, compensates for Hieronimo's failure to examine Pedringano by two coincidences. One is that Pedringano's letter was not sent to Lorenzo but remained on his person. The other is that Lorenzo decided for the sake of secrecy not to see (and presumably bribe) the executioner (III.iv.80-3). Had he done so the letter might never have reached Hieronimo. Providence, with the irony for which it is famous in the theatre, uses Lorenzo's attempts to cover his tracks as a

means of revealing them.

The second and seventh scenes of Act III provide proofs for the prosecution of Heaven's particular care for Hieronimo. Alexandro, whose thoughts were set on Heaven, was left to sweat it out until the last moment. Hieronimo, grieving for his son and prone to melancholy, is treated with more indulgence. In his lament beginning "*O eyes, no eyes*" (III.ii), Hieronimo asks the "sacred heavens", "How should we term your dealings to be just/If you unjustly deal with those who in your justice trust?" (10-11). Before he finishes his speech, "a letter falleth" (SD 23), which he himself recognises as an unexpected miracle and which seems to be Heaven's proof of its justice: The audience soon discover that Bel-Imperia has thrown the letter out of her window, but the timing seems at least a significant coincidence. Perceiving that Bel-Imperia has no motive known to him for accusing her brother, Hieronimo decides to investigate. At the first small obstruction to his investigation, however, the removal of Bel-Imperia, he again falls into discontent, complaining before Pedringano's trial that he can not obtain justice for himself (III.vi.1-10), and allowing this preoccupation to interfere with his administration of justice to others. Patiently, Heaven favours him with a second proof. Again a letter arrives as if in answer to Hieronimo's despair (III.vii.19 ff), and Hieronimo confirms that "I ne'er could find/Till now, and now I feelingly perceive/They did what Heaven unpunish'd would not leave" (III.vii.56). The audience is likely to feel that the dramatic and apt timing of the two letters must be more than

coincidence. Hieronimo himself, indeed, decides to

go plain me to my lord the King,
And cry aloud for justice through the court,
Wearing the flints with these my wither'd feet,
And either purchase justice by entreats
Or tire them all with my revenging threats.

(III.vii.69-73)

But a suggestion that he is seeking not justice but revenge appears in the last line and also in his earlier remark,

But wherefore waste I mine unfruitful words,
When nought but blood will satisfy my woes?

(67-8).

The proofs for the prosecution in III.xii and xiii show that when Hieronimo does see the King he presents his case in an improper manner although he is an advocate, and that he has abjured his faith. The scenes fully illustrate the Viceroy's remark that "They rack no laws that meditate revenge" (I.iii.48). First, Hieronimo chooses an inopportune moment to make his case, when the King is engaged in diplomatic negotiations with the Portuguese ambassador. Then, instead of presenting a written statement as Bazulto does in the following scene (III.xiii), he shouts out "Justice, O Justice" and "My son, my son" (III.xii.63-5), and relapses into abuse and threats (68 ff). His remark that "naught can ransom or redeem" his son (66) casts doubt on his Christian faith. In saying that he will surrender his marshalship he symbolically implies that he has abjured justice (76) and his next line clearly states his intention of allying himself with fiends instead. The King's concern about Hieronimo and his anxiety to do nothing to "increase his melancholy" (III.xii.99) suggests that Hieronimo would have been given a fair hearing even if he failed to obtain the extreme penalty he demanded.

The line of accusation goes on to show in the first five lines of scene xiii that Hieronimo understands that Heaven does not intend him to take personal vengeance, yet he discards the authority of St. Paul⁴⁴ in favour of comments in Senecan plays, one of which is made by a criminal queen (III.xiii.6). His claim that revenge will prevent his own murder (III.xiii.10-11) is contradicted by his later decision to find safety in pretended ignorance (29-33), which would clearly serve as well if he had decided to leave vengeance to Heaven.

Later in the same scene, having failed himself to take the proper steps to secure justice, he twice claims that it is unavailable: "Though on this earth justice will not be found" (108) and "For justice is exiled from the earth" (140). In tearing the documents of the petitioners, moreover, he clearly reveals the nature of this "justice" he seeks. He imagines that the documents are the limbs of his opponents which he will rend with his teeth on receiving Proserpina's permission to revenge; and in tearing them he shows symbolically how little he reckes the law. Furthermore, Hieronimo expresses his intention of seeking the aid of Hell, Pluto and the furies, to torture not only Lorenzo, who admittedly wronged him, but "the rest" (110-13), suggesting that he wishes to impose suffering indiscriminately in reprisal for his own. Not only does he seek the dubious justice of the underworld in his own case, but he recommends it to Bazulto who has come to him for advice (III.xiii.114-17). The final proof of Hieronimo's villainous and lawless determination to revenge is his rejection of the opportunity to obtain another audience with the King

which the Duke of Castile's attempt to reconcile him with Lorenzo offers. Instead of saying he has a grievance and does want to see the King, Hieronimo dissembles (III.xiv.118).⁴⁶

Much of this damning chain of evidence comes from Hieronimo's own words and actions and it is mainly logical and ethical proof. The proofs, corresponding to the conventional moral and legal view of a case of revenge, present the argument a prosecution upholding Elizabethan law and Christian teaching would be likely to make. There is no denial of provocation or of Lorenzo's obstruction, but the plea of unavailability of justice is put in doubt by showing that Hieronimo's madness makes it unavailable. To base one's judgement of Hieronimo on this line of evidence is to adopt the hasty judgement of the Viceroy in Alexandro's case and to fail to follow the investigative method set up in the first act of the play. Many of the circumstances tell in favour of the defence and that we shall look at now.

In the first half of Act III, up to the end of III.vii, the defence concentrates on supporting the plea of translatio (provocation). Pathetic proofs are presented in Hieronimo's laments with all the persuasiveness stylistic rhetoric can give them. The soliloquy opening the second scene, "O eyes, no eyes, but fountains fraught with tears" begins with formal rhetorical patterning in the anaphora (repetition) of "O" beginning the first three lines, followed by a noun and a contradiction in each case. These exclamations, progressing through "eyes", "life" and "world" and finally reaching "O sacred heavens" (5) indicate how Hieronimo's whole conception of the order of existence is

to be chaotically changed, and that he already sees the world as "No world, but mass of public wrongs" as Alexandro did in the preceding scene (III.i.33-4). The three exclamations achieve an effect of "swollen passion breaking loose" as Barish puts it (pp.76-7). The effect is also achieved here by the long, surging sentence beginning "O sacred heavens" and ending with a long line, "If you unjustly deal with those that in your justice trust?" (III.ii.11). The second section beginning at line 12 follows a similar pattern although the final "collection" of the key nouns of the speech begins a new sentence (22). The shape and movement of the speech seems designed to sweep the audience into emotional sympathy -- through the rhythm of passion, as it were. The soliloquy shows Hieronimo's tendency to despair, but it is virtually a prayer in which he expresses the temptation that assails him. The vocabulary is very emotive: the murder is an "unhallow'd deed" (5), and "inhuman and barbarous attempt" (6) which the heavens must reveal and revenge (9). The temptation is to lose trust in heaven's justice, and Hieronimo states here that the temptation comes from hell and is like nothing he has ever known :

The ugly fiends do sally forth of hell,
And frame my steps to unfrequented paths,
And fear my heart with fierce inflamed thoughts.

(16-18)⁴⁷.

The speech sweeps us along into Hieronimo's feelings and is then most dramatically interrupted by what appears to be a sign from Heaven. But the powers Hieronimo asks to help him include "world, heavens, and hell" (22). The letter certainly comes from the world in the person of Bel-Imperia, but the identity of the controlling power behind it is less

certain, particularly as it was demonstrated by the reactions to the Spanish victory in Act I that people tend to identify numinous influences in a subjective way.⁴⁸ Hieronimo jumps to no conclusion about the "unexpected miracle" at this point, and perhaps we should not either.

Hieronimo's second soliloquy (III.vii), beginning "Where shall I run to breathe abroad my woes", also opens with images that range through the cosmos. Hieronimo's complaints have "wearied the earth" (2), "surcharg'd the air" (3), and the winds, having stripped the earth of greenery, have "broken through the brazen gates of hell" (5-9). From line 11 the speech moves into a description of the dark night or winter of the soul in which Heaven appears deaf (as Shakespeare puts it in sonnet 29). The passage reads

Yet still tormented is my tortur'd soul	10
With broken sighs and restless passions,	11
That winged mount, and, hovering in the air,	12
Beat at the windows of the brightest heavens,	13
Soliciting for justice and revenge:	14
But they are plac'd in those empyreal heights	15
Where, countermur'd with walls of diamond,	16
I find the place impregnable, and they	17
Resist my woes, and give my words no way.	18

Alliteration gives a desperate beat to stressed syllables in lines 10 and 13 and the lines have a Marlovian swell as they mount to 13, but fall back in an explanatory way at 14 and move into a despairing turn from line 15. Again the movement of the speech is evocative of the feeling it expresses. The image of the walls of diamond (16) perfectly suggests the feeling about Heaven of the unanswered suppliant: the walls are perfect, priceless, beautiful, and hard. The audience is drawn into

Hieronimo's desolation because he expresses a feeling that most people experience at one time or another, and emotional memory will make them the reader to accept Pedringano's letter as a sign that there is some heavenly rather than diabolic purpose in events. We believe what we want to believe, as Quintilian says. The emotional persuasiveness of the scene does, therefore, support the prosecution's point that Heaven is guiding the affairs of Hieronimo, and Hieronimo admits it (III.vii.54-6), but the scene also shows that patience is a hard virtue.

Reinforcing our sympathy with Hieronimo are ethical proofs which encourage prejudice against Lorenzo by evoking dislike. In Act II we saw him commit a savage and premeditated murder with callous and contemptuous jests. In Act III he declares himself to the audience in a series of speeches which finally reveal his politic villainy, for he is, as many commentators have pointed out, a disciple of Machiavelli. Perhaps even more persuasively, his soliloquies reveal a contempt for the lower classes likely to arouse antagonism in many of the audience. In III.iii Hieronimo's enquiries after Bel-Imperia's letter decide Lorenzo to kill off the servants who were witnesses. He justifies this step as reasonable policy and with arrogant snobbery :

And better it's that base companions die,
 Than by their lives to hazard our good haps

 For die they shall, slaves are ordain'd to no other end.
 (III.ii. 115-16 & 119)

In III.iv, having persuaded Balthazar to hasten Pedringano's trial, Lorenzo explains to the audience his manipulation even of his friends

and gives his reason for it:

'Tis hard to trust unto a multitude
Or anyone in my opinion
When men themselves their secrets will reveal

(III.iv.47-9)

Where rhetorical patterning occurs in Lorenzo's speeches it is used in a persuasive and a practical way. It emphasises Lorenzo's pleasure in his villainy and also ensures that everyone understands what is going on, appearing mainly when Lorenzo congratulates himself or expresses his creed. In III.ii.100 ff, for example, he first explains that he will call the guard to the place where Pedringano is to shoot Serberine, and then draws from his plan some general principles in a self-satisfied litany:-

Thus must we work that will avoid distrust,
Thus must we practise to avoid mishap,
And thus one ill another must expulse.

(III.ii.105-7)

In III.iv.33 ff, Lorenzo, having sent Balthazar to speed Pedringano's execution, congratulates himself first:

Why so, this fits our former policy,
And thus experience bids the wise to deal.

(III.iv.38-8)

Then he explains what he has done with short opposing sentences in a figure called by the Ad Herennium author "colon" (IV.xxx.41)

I lay the trap, he prosecutes the point,
I set the trap, he breaks the worthless twigs
And sees not that wherewith the bird was lim'd.

(III.iv.40-42)

The figure is an energetic because compact version of the full-line antitheses used by Balthazar (e.g. II.i.13-28 or 111-133). Lorenzo's

energetic language helps to convince us that he is capable of effective action and the dispatch of Pedringano shows that he is ruthless. The two together make him dangerous and this is important if we are to sympathise with, rather than be repelled by, Hieronimo's later decision to use guile.

Still in support of the plea of translatio (provocation) the defence produces ethical proofs which show Hieronimo as a champion for right as opposed to Lorenzo's might. Here the inferences differ from those drawn by the other side (p. 146 above). At Pedringano's trial Hieronimo makes it absolutely clear that he will see to it that "blood for blood shall, while I sit as judge, / Be satisfied and the law discharged" (III.vi.34-5). He also checks the insolence of the protected servant, never a popular type, as The Second Shepherds' Play and Oswald in King Lear suggest. When the Hangman brings Pedringano's letter to him in the following scene, Hieronimo has no hesitation in saying he will protect him against the wrath of whoever has given Pedringano his "fair commission" (III.vii.22-7). Later, in III.xiii, the first petitioner attests Hieronimo's conscientiousness and skill as an advocate (III.xiii.51-4). The conscientiousness in particular might endear him to those of the audience who had been to law.

Hieronimo's part in Pedringano's trial might have particular appeal for an English audience in a topical way, for it is thought that Kyd derived the Pedringano incident from a letter appearing in 1584 which accused Leicester of sending good assurances to his imprisoned accomplice, Gates, while in reality hastening his death. Although

Gates left an account of his dealings with an unknown gentleman, Leicester got off scot free. Thomas Rogers' poem, "Leicester's Ghost", links this incident with Kyd's play with the line "I sent no pardon but an empty box".⁵⁰ If the audience recognised the likeness between the Lorenzo-Pedringano incident and the Leicester-Gates affair many of the questions concerning justice in the play would acquire a telling home application based on a particular incident rather than the merely general likeness of problems of justice everywhere.⁵¹

So far, it is fairly easy to see what Kyd is doing. He has built up prejudice against Lorenzo in favour of Hieronimo so that we are likely to be on Hieronimo's side, and he has linked these proofs to English affairs so that they come into that area of self-centred interest that Aristotle advises the orator to find if he wishes to be persuasive. There have been some intimations from the other side that Hieronimo is intent on revenge, for to him justice is revenge. This is answered by the proof of Pedringano's trial that justice does allow and even demands retribution. It is also emotionally rather than logically answered by making us understand Hieronimo's suffering in his seeming rejection by Heaven and in the agony of the fierce thoughts which invade his mind.

In the second part of this act the defence moves on to Lorenzo's obstruction of Hieronimo's attempts to secure justice and at this point the proofs become complicated both because some that accuse also defend and because Revenge is presented on two levels. The case for the defence in this part of the act depends on Hieronimo's being unable to obtain legal justice. Whether he would have been granted it

or not is never tested because his madness prevents him from asking for it. The success of the plea therefore depends on who is responsible for Hieronimo's madness. On one level there is no doubt that Hieronimo is himself responsible. Revenge allegorises the temptation to revenge and the retaliatory desire in Hieronimo's heart. When he is unable to obtain that desire he goes mad. On the level of the play, however, Revenge appears as a person -- we can see him sitting there, exerting an invisible and sinister influence on Hieronimo as he does on Andrea. Because he is the only allegorical figure in the play we do not automatically think of him in an allegorical way, and so the plea of remotio criminis (shifting responsibility) becomes illogically persuasive by theatrical means. If this plea fails, it is backed up by another: the responsibility for Hieronimo's madness is Lorenzo's, whose obstruction has driven Hieronimo mad, and this is an extension of the plea of translatio (provocation). The two pleas are linked together by the issue of responsibility.

In support of the plea of translatio the proofs of Lorenzo's personal obstruction of Hieronimo are mysteriously introduced at the beginning of III.xii where Hieronimo, driven to thoughts of suicide, opens the scene saying,

Now sir, perhaps I come and see the king,
 The king sees me, and fain would hear my suit:
 Why, is not this a strange and seld-seen thing,
 That standers-by with toys should strike me mute?
 Go to, I see their shifts, and say no more.

(III.xii.1-5)

This cryptic passage is explained when Hieronimo bursts into the King's conversation with his cry for justice (III.xii.63 ff), and Lorenzo first

tries to prevent him, and then gives the King a false account of the cause of Hieronimo's disturbance (III.xii.85-9).

In support of the plea of remotio (shifting the guilt), there has already been evidence in the play that the old law of retribution is not obsolete and that Revenge is making his impact felt in Bel-Imperia's and Balthazar's desire for vengeance (I.iv and II.i). Scenes viii-x of the third act give further proof both of the desire for revenge in people other than Hieronimo and of the effects of Lorenzo's obstruction. First comes Isabella's poignant scene (viii) in which she runs mad because, although convinced that Horatio is in Heaven, she feels she has to find his murderers. Isabella heralds the turn in the action from the false hope of Hieronimo's decision to go to the King at the end of scene vii. Revenge is clearly behind her madness but the earthly cause is not revealed until scene xii where Hieronimo's similar symptoms are also explained. This delay in revealing the cause may be due to structural difficulties, but it may be intended to demonstrate to the audience the King's difficulty in being suddenly confronted by Hieronimo's outburst when he knows even less about what has happened than they do. Hieronimo's approach both shows how passion prevents even an advocate from presenting his case in a competent way, and illustrates the rhetors' warning that a case should never be introduced by an emotional outburst.

rhetors all say that nothing palls more quickly than an appeal to pity. Kyd has been careful to prevent boredom from lessening the persuasiveness of the proofs of pathos by sandwiching between Isabella's and Hieronimo's madness two scenes concerning Bel-Imperia.

Her aggressive vitality lifts the action as she takes over from her prison window (III:ix). A series of indignant and eminently sane questions is followed by appeals to the three men particularly involved in the case. She abuses Lorenzo for martyring her (III.ix.5-5), reproaches Hieronimo for his slackness in revenge (7-8) and appeals to the dead Andrea for sympathy (9-11). She concludes with the virtuous and reasonable sentiment that she must have patience until Heaven releases her. In the next scene she is released by Lorenzo and superbly interrogates him on his behaviour, flatly denying that her honour was at stake (III.x.39-41,46,53) and commenting sarcastically on his and Balthazar's "work of worth, worthy the noting too" (66). She congratulates Lorenzo on his politic oratory (83-5), puts down Balthazar for abstruse love rhetoric (93-5), implies he killed from jealous fear, and exits with an obscure but clearly uncomplimentary Latin couplet (102-3). This lively scene can not but endear Bel-Imperia to the audience, unchastely and all, both because it is amusing after sorrow, and because she shows the courage of her convictions and puts down two unsympathetic and over-privileged characters.

The eleventh scene moves into a new phase which concentrates on the depiction of Hieronimo's madness. In this section nearly all the proofs which appeal to the audience's emotions by showing Hieronimo's anguish are, however, also ethical proofs against him, because they show his progress into hatred. The defence works by so developing the tragic aspect of Hieronimo's situation and mental state that accusation gives way to pity.

Again Kyd avoids boring the audience with unrelieved agonising by making use of the comic element that arises from the unpredictability of madness. Scene xi opens with the two astonished Portugales baffled by Hieronimo's crazy word-chopping. The speech beginning at line 8 then introduces a series of passages where the infernal landscape becomes a metaphor for Hieronimo's psychological suffering.⁵² Here Hieronimo gives a memorable description of the way to hell which, with prophetic irony, is to describe his own progress. He speaks of the path on the sinister side which leads from a guilty conscience "Unto a forest of distrust and fear" (III.xi.15). "Melancholy thoughts" lead to despair and death, and there is "a huge dale of lasting night" where fumes are kindled by the world's iniquities. This terrible journey leads to the abode of the murderers where Lorenzo in a cauldron bathes in "boiling lead and blood of innocents" (24-8). There is ethical proof of Hieronimo's hatred here, but the speech also suggests the hell of harbouring the "fierce inflamed thoughts" he mentions in his first soliloquy of Act III (ii.18).

In III.xii Hieronimo shows that he has travelled a fair way on that journey as he enters "with a poniard in one hand and a halter in the other". In describing the judge of the dead he intends to visit, Hieronimo implies that he now wants more than earthly justice, he wants the damnation of Lorenzo's soul, as his vision of Lorenzo in the cauldron suggested. The accusation behind this evil progression is possibly offset by the anxiety awakened by Hieronimo's entrance carrying the traditional symbols of despair, for suicide had long been recognised as the surest way to send one's own soul to hell.⁵³ As illustration of the

damage done by Lorenzo's act this scene is strong proof for the defence, but looked at the other way it shows how depraved Hieronimo has become. Another point in his favour, however, is that he pulls himself out of his despair as he determines to try again to see the King, so illustrating his continuing struggle to obtain justice. In this scene Hieronimo appears a broken man and the hateful Lorenzo again gets away with his villainy. Sympathy is therefore likely to be very strong for Hieronimo when he again attempts to approach his situation in a rational way in the "Vindicta mihi" speech of scene xii. Paranoia overwhelms him, however, and he at last succumbs to the older law and decides on unlawful revenge.⁵⁴

The rest of the proofs in this act are mainly in favour of the prosecution, though pathetic proofs retain our sympathy with Hieronimo. In the scene with the suitors, for example, Hieronimo's grief is still moving and his madness contrasts pathetically with his former reputation expressed by the first petitioner (III.xlii.51-4). Kyd retains our interest in Hieronimo by deriving some comedy from his madness. In particular, Hieronimo's game of catch with the suitors and his remark "Horatio, thou art older than thy father" must have got a laugh (150). There is more proof for the defence in this scene as Hieronimo is still intent on legal sanction, although he now intends to obtain it from Proserpina (120-1). This relic of his legal-mindedness pathetically and ethically supports his claim that justice is not available on earth (108 and 140).

The proofs in this act show that Kyd has adhered to the rhetors' principle of allowing no damning point made by the opposition to pass

without some challenge, excuse or amelioration. We can see that there is a clear logical case against Hieronimo based on the principles of the law of the land and of Christian teaching. This is challenged by the pathetic proofs which make a very strong case out of the original provocation, and the question of responsibility for Hieronimo's madness is raised by extending that provocation into Lorenzo's personal obstruction of Hieronimo's attempts to obtain justice. Ethical proofs show that Hieronimo is basically a law-abiding person who does his utmost to abide by the current law, but is eventually obliged to have recourse to an older one which is shown to be still so much in force that others succumb to it without a struggle.

Perorations

The peroration is the climax of a forensic oration where the speaker applies all his rhetorical and histrionic skill to make his speech vivid and moving and to urge his hearers to a verdict in favour of his client. In The Spanish Tragedy the third and fourth scenes of Act IV correspond to the vivid description of the crime by the prosecution, scene v is clearly the last word of the defence, and both suggest verdicts. In the first and second scenes the defence speaks argumentatively through Bel-Imperia and pathetically through Isabella. The debate element does not, however, dominate the drama. The action gathers momentum as Hieronimo's plot urges it towards the catastrophe, following the proofs and the delay of Act III, much as Act II is impelled by Lorenzo's energy to the climax of his crime following the

establishment of precepts and argumentative method in Act I. If we take it that Kyd has proved at least arguable validity in the two pleas of remotio criminis (transfer of responsibility) and translatio (provocation) there are two questions for adjudication in this act: was Hieronimo right to obey the command of the underworld gods? and is Hieronimo's reprisal equal to the provocation?

Act IV opens with Bel-Imperia's demonstration that the old law of private retribution still reigns in some hearts as she pleads the view of those who uphold it by turning against Hieronimo some of the images he used himself of those who wronged him. "O deceitful world" she says (7), echoing his "O world, no world" (III.ii.3), and exclaiming "O unkind father" (7), claims that he is among the "monstrous fathers" (18) who "neglect the life and loss" of their sons (11), which echoes Hieronimo's "What savage monster not of human kind" on discovering his son (II.v.19). This suggests that it is as monstrous not to avenge murder as to commit it, and Bel-Imperia insists that Hieronimo by not avenging Horatio is earning "dishonour and the hate of men" (IV.i.10 ff). She challenges him to take vengeance by saying that if he fails to she will take it herself. In showing the threat to Hieronimo's reputation and the challenge to his masculinity she demonstrates the pressure of Proserpina's command in the form of the urging of the world. In the next scene Isabella backs up the point by showing that Hieronimo's failure to satisfy this kind of honour has driven her to madness and she expiates her own inability to revenge by suicide (IV.ii.34-8). This presentation of one view of revenge is given authority by a volte face

on Hieronimo's part as the distinction he maintained in Act III between heavenly and earthly justice and that of the underworld, which he associated with fiends, suddenly disappears. He now welcomes Bel-Imperia's approach as a sign, presumably that the heaven of the "Vindicta mihi" soliloquy has appointed its time (III.iii.1-5):

heaven applies our drift,
And all the saints do sit soliciting
For vengeance on those cursed murderers.

(IV.i.32-4)⁵⁴

Hieronimo probably sincerely believes this, but other factors have to be taken into account. For one thing the authority of the witnesses is important. Attractive as Bel-Imperia is, her moral standing is doubtful from a conventional point of view, and Isabella is mad. The quality of the action proposed is also important. The remark which prompts Hieronimo's recognition of the hand of Heaven, and the saints' support is Bel-Imperia's "Myself shall send their hateful souls to hell, / That wrought his downfall with extremest death" (IV.i.28-9). This ultimate vindictiveness, which after all corresponds to Satan's, also assailed Hieronimo in his hellish imagining in Act III, when he had clearly gone over the edge of madness.

The defence's case is not impregnable, but other persuasive factors encourage the audience to welcome Bel-Imperia's approach, her assistance in Hieronimo's plan, and the plan itself. One is that when we last saw Hieronimo he was in "the forest of distrust and fear" of his suspicion of Castile (III.xiv). Bel-Imperia's energetic frankness and her cooperation seem to herald a turn for the better. Secondly, Balthazar and Lorenzo arrive so opportunely with the request for a

performance that they seem to be impelled by some controlling force, which might be Heaven as Hieronimo thinks (53-67). Thirdly, Hieronimo's mention of the plot in his head just before their entrance arouses curiosity. Fourthly, although Hieronimo begins to behave a little like a Vice⁵⁶, as he makes ironic references to Nero (IV.i.87) and playing the murderer (135), the feeling is likely to be that Lorenzo and Balthazar deserve anything they get, particularly as it is agreeable to see the underdog striking back at those with more power and influence than he. In general the persuasiveness of the defence's case at this point depends on the sympathy that has been built up for Hieronimo, and on that longing for everything to be pleasant noted by Aristotle as characteristic of all audiences except the very highly trained. This is also good dramatic technique, for if at this point we disapproved of Hieronimo's actions every inch of the way and longed for him to stop, the lead into the catastrophe would not have the impetus it has. The time for sober consideration was Act III, now action and the advocates' persuasion come to the fore.

Just before the play, Hieronimo, screwing up his resolution, again makes a statement of his provocation (IV.iii.21-2), and now the death of Isabella is added to the score. The play itself was originally performed in several languages. Like all Hieronimo's efforts at this point, the confusion of tongues ironically redounds against him, for, intended to show that he is punishing the wicked as God punished Babylon (IV.i.195-8)⁵⁷ it confuses his stage audience and comes to represent his failure to communicate with them. Further confusion and another ironic point derive from Hieronimo's symbolically taking the

part of Lorenzo as he plays the murderer.⁵⁸ When Hieronimo comes to the speech intended to "prove that the invention and all was good" (183), he proves in effect that invention alone can not persuade without attention to the arrangement that will convince the auditors. In a highly dramatic moment as Hieronimo stands above the three corpses on the stage, he draws the curtain, saying "Behold the reason urging me to this" (88) and reveals his inartificial proof (uninvented evidence), the figure of Horatio, presumably either hanging as he was before, or propped up in some way so as to be visible to the audience. This is the last of the visual images of justice in the play and by sad irony it is transformed for the stage audience into an image of the murderer at the scene of his crime (163).

To the stage audience the litany of woe that follows is incomprehensible, to the theatre audience who heard the lament in the garden it is moving, but also revealing, because it adds further evidence to what was said there. In Act II Hieronimo said, "Ay me, most wretched that have lost my joy, / In leasing my Horatio, my sweet boy" (II.v.32-3), an entirely natural remark in the circumstances. Now, in using images that are evocative of the Crucifixion, he suggests that he put Horatio in the place of Christ. "From forth these wounds came breath that gave me life" (96) is the most striking, but from a Christian point of view, the whole litany suggests misplaced values:

Here lay my hope, and here my hope hath end:
 Here lay my heart, and here my heart was slain:
 Here lay my treasure, here my treasure lost:
 Here lay my bliss, and here my bliss bereft:
 But hope, heart, treasure, joy and bliss,
 All fled, fail'd, died, yea, all decay'd with this. (90-95)

As in III.xi the Christian associations emphasise the pity of Hieronimo's situation, but here they also tell against any claim that his revenge is justified by reminding the audience of the Divine law against it, and so Hieronimo's own defence becomes part of the case for the prosecution.

The rest of Hieronimo's explanation is clear to the theatre audience who know the story, but to the stage audience who do not and who must be suffering some apprehension, it is no clearer than the cause of Hieronimo's madness before it was explained in III.xi. The mistake Hieronimo makes, as in his first appeal to the King, is to begin with the pathetic proofs which should follow the explanation of the case. The evidence that he produces is the pathetic proof of his own grief, Horatio's body and the bloody handkerchief.⁵⁹ Certainly, it is proof that Horatio is dead, but the letters, which are the inartificial evidence of Lorenzo and Balthazar's guilt, are not even referred to.⁶⁰ All the stage audience have gathered, because to them it is the most important thing, is that their relations have been killed (IV.iv.153-5). The King, on the evidence he has been given, delivers the verdict: "Speak traitor, damned, bloody murderer, speak!" (163).⁶¹

As Hieronimo bites out his tongue, rhetoric, this time dramatic, reveals to the audience something more perhaps than he intended. This desperate action suggests three things: Hieronimo's stoicism as he imitates the action of Zeno of Elea,⁶² his renunciation of speech which has proved useless in winning the understanding of the court,⁶³ and his abdication of humanity, for the human tongue is the symbol of speech which differentiates men from beasts. With tragic irony Hieronimo has himself become the "savage monster not of human kind" as he called the

murderers of his son (II.v.191). His murder of Castile seems the gratuitous violence of lunacy but it does balance his own death in the scales of wild justice.

Should Hieronimo have obeyed the command of Proserpina? The defence has no doubt about it and Andrea's judgement in the final scene answers the King's verdict of "damned, bloody murderer" (IV.iv.163). This verdict is, however, given before the King understands the facts of the case which are available to the audience, and he is also motivated by family interest in Lorenzo and a political interest in Balthazar. There is reason for thinking Andrea's verdict equally partial. His sentences are based on whether their subjects are his friends or enemies and it is palpably unjust to condemn Castile to take the place of Prometheus because he obstructed Andrea's affair with Bel-Imperia (31-2). Furthermore, it seems unlikely that the gods would welcome the release of those whose crimes were against themselves (Prometheus, Ixion and Sisyphus), to make way for Andrea's enemies.⁶⁴ The gleeful tone of his judgement also jars after the note of mourning at the end of the previous scene, and he again shows the envy that was apparent at the end of Act I (v.3-4):

Ay now my hopes have end in their effects,
When blood and sorrow finish my desires.

(IV.v.1-2)

He lists the deaths of his friends, including Horatio and Bel-Imperia, with just as much relish as those of his enemies: "Ay, these were spectacles to please my soul" he concludes (IV.v.12).

These things undercut Andrea's authority. He does, however, affirm the continued existence of the old law just by being there, and

he gives a roll call of the deaths in the play so that the audience can see how equally revenge has been done, which may prompt them to think it has been justly done. On the other hand, the roll call of destruction and Andrea's delight in death are a final demonstration to the audience-jury of what whole-hearted obedience to Proserpina entails. Kyd uses Andrea to sound the note of vindictive glee which, if sounded by Hieronimo, would swing the audience decisively against him. Hieronimo may be tainted by hatred and his longing for others to suffer as he has done, but there is little sign that he enjoys revenge, and so he retains some measure of sympathy. Without that sympathy the defence would not be as strong as it is and without Andrea the accusation would not be so fairly put. Andrea's judgement also calls attention to Hieronimo's future which to a Christian audience is made doubtful by his suicide. In this way the last chorus becomes painfully ironic. Increasing our pity for Hieronimo, it prompts dissatisfaction with the situation which has brought someone seeking justice into the gravest spiritual danger.

There is a morality play underlying The Spanish Tragedy and it provides the case for the prosecution, but by avoiding an overtly Christian setting Kyd has evaded the absolute answers of the Christian morality play and brought the issues onto a secular level. Christian associations deepen the tragedy, but the centre of the case for Hieronimo is that he was grievously provoked and could not obtain justice for various reasons. So attention shifts from the spiritual implications to problems concerning secular justice which ought to be a safeguard for those unable to achieve the Christian solution.

The play shows that earthly justice and revenge demand for murder the same sentence of blood for blood, regardless of circumstances, but it presents two cases where either of the simple verdicts of acquittal or capital guilt are almost as inadequate as the division of people into lovers or soldiers in the underworld. Hieronimo's own case is one, the other the case of Lorenzo and Balthazar. Although the princes' case never reaches judgement, the problem it raises strengthens Hieronimo's case throughout the third act, for what solution could the law offer if the heirs to two thrones were convicted of murder? Hieronimo's case urges a distinction between a murderer and a revenger, regardless of sentence, for it is this distinction which he unsuccessfully tries to make the Court understand. The question of responsibility also arises from Hieronimo's case: to what extent is the perpetrator of the original crime responsible for acts which result from the passion he has provoked? Connected with this question is one of procedure. The Viceroy shows that someone in the throes of passion is not capable of judging fairly, and should therefore not judge at all. Hieronimo demonstrates that someone in such a state can not even plead for himself, for although he is a lawyer, he twice fails to present his evidence to the King.⁶⁵ The layman is also shown to plead badly on his own behalf as Pedringano infuriates the court with his insolent security, so illustrating Quintilian's point that however sure a pleader feels of his case, he should never make this apparent to the Court.

Revenge is undesirable from the legal point of view because it does not offer the victim a fair trial, the major point of accusation against Orestes. In The Spanish Tragedy the point is illustrated by the

Viceroy's refusal to let Alexandro speak. From any point of view revenge is undesirable because it is wasteful, and this also is illustrated by the unnecessary deaths of Bel-Imperia, Isabella, Castile and Hieronimo himself. From the moral point of view, revenge is spiritually destructive and Hieronimo tragically illustrates that.⁶⁶

It seems clear that the puzzling features of The Spanish Tragedy can be explained by Kyd's forensic treatment of the material. He has invented a legally problematic case of great complexity and his defence of the revenger is exceptionally thorough and very skilful. Throughout the play both sides of the question are often argued in the same scene, but in the last act the arguments for the defence are notably undercut by the character of the speaker, by inconsistencies in argument, and above all by the irony which in the fourth scene turns Hieronimo's every action and many of his words against him. Yet the same irony reveals the pity of his case. Kyd's achievement in making a moving tragedy of the issues of justice and revenge has been rightly heralded by many critics. Empson sums up Kyd's investigative achievement by saying, "I have come to think that this early play gave a more profound treatment of revenge than the later ones" (p. 68). We can also say that Kyd's treatment of the law was equally thoughtful.

In Titus Andronicus, the next play for discussion, the case for the defendant is stronger than the accusation and the outline of the trial is therefore clearer. Its clarity, leading to a favourable verdict, is possibly also deceptive, for Shakespeare in this play seems to be approaching the audience in a manner mid-way between Kyd's

honest exploration and sharing of the results and Marlowe's ironic
attack in The Jew of Malta which we shall come to last.

CHAPTER 6: NOTES

¹Quoted by Arthur Freeman in Thomas Kyd, Facts and Problems (Oxford: Clarendon Press, 1967), p.7. All the information concerning Kyd's background and that of The Spanish Tragedy is taken from the first three chapters of this book.

²See The Works of Thomas Kyd, ed. F.S. Boas (Oxford: Clarendon Press, 1962, 1st pub., 1901)

³See Jonas Barish' interesting article, "The Pleasures and Perils of Rhetoric", Elizabethan Theatre, Stratford upon Avon Studies, 9 (London: Edward Arnold, 1966), 58-85.

⁴Bowers, p.70 (n.8, p.99 above); Eleanor Prosser, pp.51-2 (n.12, p.99).

⁵Ernst de Chickera, "Divine Justice and Private Revenge in The Spanish Tragedy", Modern Language Review, LVII (1962), 228-32, emphasises that we can not ignore the implication of the final scene that Hieronimo is not punished, p.236. Einer Jensen, "Kyd's Spanish Tragedy: The Play Explains Itself", Journal of English and Germanic Philology, (1966), 7-16, agrees. G.K. Hunter, "The Ironies of Justice in The Spanish Tragedy", Renaissance Drama, n.s. VIII (1965), 89-104, sees the play as a dream vision of perfect justice (p.93) in which Providence uses the underworld forces for its own purpose, pp.95-8. Frank Ardolino, "Veritas Filia Temporis", Studies in Iconography, 3 (1977), 57-69, considers that the play is based on the emblematic idea that truth and justice will be accomplished in the course of time and that Hieronimo's is a just vengeance dictated by destiny, p.60.

⁶P.W. Edwards, ed. The Spanish Tragedy, The Revels Plays (London: Methuen, 1959), says the play "is not written to advocate a system of ethics or to oppose one" and that it has "power enough to lull a Christian conscience" while being performed, p.lx, see also pp.lvii-lxx. Freeman agrees with Edwards, p.94. Barry Adams, "The Audiences of The Spanish Tragedy", Journal of English and Germanic Philology, 68 (1969), 221-36, notes that Revenge guides Andrea and the theatre audience to an aesthetic experience, p.230. Peter Murray, Thomas Kyd (New York: Twayne, 1969), considers that the play raises the moral question but it is not the main issue, p.41.

⁷S.F. Johnson, "The Spanish Tragedy, or Babylon Revisited", Essays on Shakespeare and Elizabethan Drama in Honor of Hardin Craig, (Columbia: University of Missouri Press, 1962), 23-36, expounds this view, saying that the Elizabethans equated Babel with Babylon, and Babylon with Spain. He sees the multi-lingual playlet as a reflection of a little of the aim of the play which reveals the purpose of Providence. Variations on this idea come from Herbert Courson, "The

Unity of The Spanish Tragedy", Studies in Philology, 65 (1968), 768-82, who considers that the motivation of the play is the dynastic ambition of the House of Castile. Donald Wineke, "Hieronimo's Garden and the fall of Babylon", Aeolian Harps, ed. D.G. and D.C. Fricke (Bowling Green, Ohio: Bowling Green University Press, 1976), 65-80, expatiates on renaissance associations of the garden.

⁸The Roman rhetors' discussions of the pleas are summarised above (pp 101-3).

⁹Hunter, "Ironies", distinguishes and discusses the thematic and plot structure of The Spanish Tragedy, citing David Bevington's work on the structure of moralities and interludes in From Mankind to Marlowe, (Cambridge, Mass: Harvard University Press, 1968).

¹⁰See Howard Baker, pp.108-9, (n.21, p. 86)

¹¹See Edwards, p. lli.

¹²For the view that the accounts of the battle are intended to cast doubt on each other, see Murray, pp.45-8, and Carol McGinnis Kay, "Deception through Words. A Reading of The Spanish Tragedy", Studies in Philology, 74 (1977), 20-38.

¹³Alfred Harbage, "Intrigue in Elizabethan Tragedy" in Essays on Shakespeare and Elizabethan Drama, ed. Richard Hosley (Columbia: University of Missouri Press, 1962), observed that The Spanish Tragedy has not the usual "crisis plot" of a classical tragedy, but derives from the form of Roman comedy and particularly the intrigue plots of Terence.

¹⁴See Edwards, p.70 n.

¹⁵See Altman, p.271. Hunter "Ironies" equates the relationship of revenge and justice in this play to that of Talus and Artegall in the fifth book of The Faerie Queene, p.93.

¹⁶The contemporary parodies of this speech, many of them cited in Boas, p.xcv, imply that it was memorable but not necessarily that it was considered badly done.

¹⁷Bowers, pp.71 & 74.

¹⁸There are four overt references to Christianity in the play: the "Vindicta mihi" soliloquy (III.xiii); Lorenzo makes Pedringano swear on the cross of his sword hilt (II.i.87); Isabella insists that Horatio is in Heaven and not Elysium (III.viii.17-21); Hieronimo mentions the saints in heaven (IV.i.33).

¹⁹ Hunter, "Ironies", p.94.

²⁰ Many critics remark on this, e.g. Hunter, "Ironies", p.95; Altman, pp.273-4; Murray, p.56.

²¹ The Ad Herennium author says that "examples are believed to serve the purpose of a testimony; for like the testimony of a witness, the example enforces what the precept has suggested" (IV.1.2).

²² See Altman, pp.268-71 and Barish's account of the General's speech in which he says the battle is described as if it were a chivalric tournament and he notes that the patterns of parallel and antithesis in this speech are characteristic of the mode of thought in the play, pp.68-9.

²³ It is not entirely clear from this passage whether Lorenzo or Horatio was the courteous captor (I.ii.162), but Horatio's later description of his anger at Andrea's death suggests that the blows and threats came from him (I.v.27-9).

²⁴ See Murray, p.67; Barish, p.71. Some critics see the judgment as partial to Lorenzo for personal reasons, e.g. Altman, p.276; and de Chickera, p.230.

²⁵ Theodore F.T. Plucknett, A Concise History of the Common Law (London: Butterworth, 1956), records that two witnesses were required in treason cases in England, but not necessarily in other criminal cases, p.437.

²⁶ S.F. Johnson, observing that Andrea shows no resentment at Horatio becoming Bel-Imperia's lover, explains that true friends were thought of as mirrors of each other, so that Bel-Imperia would have seemed not faithless but commendably loyal to an Elizabethan audience, particularly as she remains loyal to Horatio even to the extent of becoming a confederate in the plan to murder her brother (p.28).

²⁷ Castile does not know about Bel-Imperia's affair with Horatio (III.x.54-62), nor of Lorenzo's implication in his death, according to my reading (III.xiv.52-60). The King does not even know that Horatio is dead (III.xii.62), and both Horatio's parents see him as perfect, although the audience know that he is not entirely unblemished.

²⁸ p.276. Altman also comments on the importance of this scene in illustrating both the subjectivity with which meaning is perceived and the way examination of circumstances reveals both subjectivity and meaning, p.276. Murray observes that the dumb show reflects the function and form of Act I in its exposition of mysteries and lack of dramatic development.

²⁹ Freeman, who detects "a certain amount of undeniable hispanophilia" in the play (p.17), remarks that Kyd clears up all his patriotic obligations with one "quite patently super-added scene", p.75.

³⁰ See Edwards' note, p.29, and Barish' account of the way Kyd has improved the sonnet and turned it to dramatic purpose, pp. 65-6.

³¹ For a slightly different interpretation of this speech, see Barish' analysis, pp.74-5.

³² Kyd's allotment of different kinds of rhetoric to different characters and situations was noted by Prior (n.l,p.6 above), pp.49-57, and Clemen (n.l,p.6 above), pp.106-7

³³ The author of the Ad Herennium in his discussion of reasoning by question and answer says it can be assumed that a woman who is unchaste is likely to be guilty of poisoning and other crimes, because she wishes to conceal her shame. As Bel-Imperia admits no shame, however, this may not apply to her. Alexander Leggatt, Citizen Comedy in the Age of Shakespeare (Toronto: Toronto University Press, 1973) discusses the attitude to fornication in those plays. He cites two examples of couples sleeping together before marriage without attracting much criticism (The Family of Love and Wily Beguiled). In the first it is to force a guardian's hand and in the second during the course of an elopement where it is treated uncritically as natural, pp.107-8. Mark Rose, Heroic Love (Cambridge, Mass: Harvard University Press, 1968) notes that the Protestant clergy's dislike of the Catholic emphasis on virginity led to the appreciation of chastity in marriage and this became a matter of fidelity rather than the self-denial of frequent abstinence (pp.26-8). Bel-Imperia is faithful if we accept Johnson's view of her as continuing her love for Andrea in loving Horatio (note 26 above). She nevertheless flouts convention and might have shocked the audience in doing so.

³⁴ Freeman remarks that Kyd's style is "rather reserved, unimposing and delicate", p.80.

³⁵ See Barish, p.73.

³⁶ Cancelled

³⁷ The rhetors advise the orator to emphasise the degree of atrocity in descriptions of violent crime.

³⁸ "Seneca and English Tragedy", p.192. Hunter says that the audience is taken step by step through what Hieronimo is experiencing, c.f. Clemen, p.109.

³⁹ Wineke draws attention to the renaissance idea of the garden as a second Eden.

⁴⁰ Matthew, 26.36-47.

⁴¹ Prior, pp.50-1.

⁴² Baker, p.103.

⁴³ Eleanor Prosser in her discussion of this speech suggests that Hieronimo's leaving Horatio unburied implies that the consuming passion of revenge has already made him callous, p.45.

⁴⁴ "Vindicta mihi" comes from Romans 12.19. St. Paul is quoting Deut. xxxii.35, Eccl. 12.14; Proverbs 25.21.

⁴⁵ Clytemmaestra in Seneca's Agamemnon

⁴⁶ Freeman remarks that this scene is not essential to the action and that it must have been inserted to establish that Castile is innocent of his son's plots and friendly to Hieronimo, p.95. Some critics, however, consider that Castile is here warning Lorenzo as an accomplice. In particular, William Empson, "The Spanish Tragedy", Nimbus, III (Summer 1956), 16-29; rpt. Elizabethan Drama: Modern Essays in Criticism, ed. R.J. Kaufman (Oxford: University Press, 1970, 1st pub. 1961), 60-89, considers that Castile had planned the death of Andrea from the outset, hence his punishment at the end. As Castile and Lorenzo are alone in this scene, Castile's guarded tone would seem unnecessary in those circumstances and it appears more like the anxious enquiries of a father who can no longer give orders to his son. Lorenzo's own comment, "No, would he had" on Hieronimo's "Why my lord, I thought you had done" (III.xiv.129 & 30), suggests that he is afraid Castile will discover something.

⁴⁷ Eleanor Prosser reads this speech differently, seeing it as a threat that if Heaven does not act Hieronimo will turn to hell, p.46.

⁴⁸ The King sees the "justice" of the victory as emanating from Heaven (I.ii.10-11); the Viceroy attributes the outcome of the battle to blind fortune (I.iii.22-3) and Balthazar remarks, "And cards once dealt it boots not ask why so" (I.ii.140).

⁴⁹ This doubt was resolved by Michael Bogdanov in the 1982 London production where Revenge delivered the letter. Dramatically effective though this apparently was, the director was imposing his own reading on what the author has left open. An interesting review of the production is Emrys Jones, "Stage-managing Revenge", Times Literary Supplement, 15.10.1982: 1131.

⁵⁰ For a detailed discussion of this putative source and consideration of whether the play or poem came first, see Freeman, pp. 58-9. Edwards also comments on it, p.xlix.

⁵¹ The idea that the play represents the destruction of Spain equated to Babylon argues against this view, but it is difficult to see as totally corrupt and worthy of God's punishment a country in which the King and his brother are presented as kindly and equitable, and the Chief Justice is renowned for taking pains to pursue equity, however mad he may have become.

⁵² See Baker, p.105.

⁵³ See Eleanor Prosser, p.48.

⁵⁴ For detailed interpretations of this speech see David Laird, "Hieronimo's Dilemma", Studies in Philology 62 (1965), 137-46 and Scott McMillin, "The Book of Seneca in The Spanish Tragedy", Studies in English Literature XIV (1974), 201-9.

⁵⁵ Hunter, "Ironies" maintains that the machinations of the underworld are part of the Providential scheme of justice, p.98. Several critics agree with him, but it seems impossible that any writer at this time would suggest that Providence requires people to sin in order to achieve its ends.

⁵⁶ Eleanor Prosser, p.51.

⁵⁷ S.F. Johnson, see article (note 26 above).

⁵⁸ See Altman, p.280.

⁵⁹ John Kerrigan, "Hieronimo, Hamlet and Remembrance", Essays in Criticism, 31 (1981), 105-26, remarks, "How can the Spanish Court recognise the importance of the handkerchief and share in Hieronimo's remembrance?", p.112. Eleanor Prosser says, "his defense to the court makes no mention of the law's failure, or his duty to his son, of his authorisation as Marshal to punish, or of any other conceivable justification. He speaks only of his own pain", p.51.

⁶⁰ Johnson mentions this, pp.32-3.

⁶¹ Edwards, observing that the stage audience ask what they have already been told, suggests that there may be a conflation in this scene of two alternative endings, the long speech being one and the questions and answers another, pp.xxiv-vi.

⁶²Hunter, "Ironies", p.103 and Johnson, p.34.

⁶³Barish, p.82; Murray, p.52; and Kay, p.37.

⁶⁴Under the old law the demand of blood for blood would in fact have extended to Hieronimo, but perhaps he meets that obligation by killing himself, or perhaps Kyd implies that Proserpina commanded otherwise.

⁶⁵Hunter, "Ironies" remarks that Kyd seems to be saying, "if he can't find justice, how will it fare with you and me?", p.98.

⁶⁶Alvin Kernan, Revels History of Drama, 1576-1619 (London: Methuen, 1975), sees this play as a depiction of men's helplessness in face of "the machine which is justice", a helplessness intensified by the "peculiarly inefficient and wasteful way in which revenge works", pp.257-60.

CHAPTER 7

TITUS ANDRONICUS: DEFENCE BY PROVOCATION

Shakespeare requires no biographical introduction, but before discussing his rhetorical approach in Titus Andronicus a few general points should be considered. The play's lavish use of violent action has in the past led many critics to demote it from the status of tragedy to that of melodrama, and some to deny Shakespeare's authorship. Modern critics have, however, come round to the view that the play is entirely by Shakespeare.¹ The date of composition is also a matter of contention, with suggestions ranging from 1589 to 1594. The source is thought to have been a story or play now lost, but probably the basis of an eighteenth-century chapbook which is still extant.²

The popularity of Titus in its own time is attested by Ben Jonson's comment in the induction to Bartholomew Fair.³ The play is classical in the renaissance manner in that it has a Roman setting and much horrific incident which evokes pity and terror, and it is a study of intense passion. The influence of both Seneca and Ovid has been detected, most obviously in the use of the Thyestean banquet and the Philomela myth. Some critics claim that Shakespeare was trying to out-do Seneca in the horrid and Ovid in the pitiful,⁴ and he was also perhaps emulating Cicero in the rhetorical.

Some modern critics, indeed, see the main problem of Titus in an apparent discrepancy between the violent and bestial action and

the detached formality of the language.⁵ Various explanations have been offered for the seeming discrepancy, but the feeling remains that the art of Titus is obsrusive and the play's formality of language, balanced speeches and stage tableaux tend to be undramatic.⁶ As in The Spanish Tragedy, rhetoric is almost a theme in Titus. It is often useless, as in Tamora's and Titus' pleas for their children, and Titus, although compelled to find relief in words, eventually turns to the other rhetoric, of action.⁷

Both kinds are affecting to the audience, whatever the reactions of the characters, and both, together with the play's structural features, can be seen as belonging to the rhetoric of the revenge trial. They are all part of the aim of persuasion: "flectere victoriae (est)", Cicero says in Orator (xx.69)⁸ which concerns the ideal orator, and is mentioned in the play (IV.i.14). In this context the rhetoric of action corresponds to the vividness which the rhetor sought in all descriptions but particularly those of crimes, and the formal structuring of imagery, speeches and the play as a whole both clarifies and persuades. Whereas The Spanish Tragedy shows the overwhelming effect of the passion of revenge on the protagonist, Shakespeare's rhetoric in Titus seems calculated to overwhelm the audience with the same passion, and whenever reason might resume its sway fuel is added by arousing indignation. Unlike Shakespeare's other plays, Titus loses much of its effect when the text is well known because we need to yield to rather than think about its rhetorical persuasion in order to go through the experience of revenge which the play offers. This view will be

illustrated in the following analysis of the structure and the four parts of the oration apparent in the play: exordium, narratio, proofs and peroration.

Structure

As in The Spanish Tragedy analogues and contrasts play a major part in the structure of Titus, but the method is simpler and the obscurities that arise in Kyd's play are avoided, for the issues are more clearly expressed. The indefinite question, or thesis, which introduces the definite issue, or hypothesis of the play, concerns the conflict between the claims of virtue and heredity (in this case, primogeniture). In the particular circumstances of the play this becomes the definite question of succession to the throne, a topic relevant to the situation in Elizabethan England. Titus' wrong judgement of this issue and his firm support of the overriding claims of primogeniture lead to the tragic events through which he pays for his misjudgement, and eventually to the politically audacious resolution: at the end of the play Lucius, avenging his father, kills the emperor Titus, has elected and takes his throne.⁹ The question for deliberation is similar to that in Fulgens and Luces, but it is enormously amplified to show the chain of disasters resulting from the wrong choice and so it turns both to the forensic issue concerning Titus' criminal or justifiable revenge, and to tragedy. The "places" that Shakespeare has drawn on to construct his arguments and relate the question of succession to Titus' vengeance are the special places allotted to right and wrong which

Cicero enumerates in Topica. They are the places of equity: natural law and institutions, and the two parts of natural law, the right of every man to his property and the right of revenge. In giving Lavinia to Saturninus, Titus violates what Marcus calls "sum cuique ... our Roman justice" (I.i.280). Saturninus' feeling that he has been dishonoured by Bassianus' insistence on his right to Lavinia determines his desire for vengeance on the Andronici. This makes him merciless in his behaviour to them, but there is no evidence that he is knowingly unjust. Consistent with Titus' old-fashioned belief in the claims of rank is his rigid adherence to duty to the dead. In insisting on what Tamora calls the "irreligious piety" of sacrificing Alarbus (I.i.130), he does violence to the bond of nature between mother and son and gives Tamora the right of legal vengeance under natural law.

As he develops the events arising from revenge, Shakespeare moves from the deliberative to the forensic area and develops the play very much as if it were a defence of Titus in a law court. In Horrestes the aspects of the definite question developed are those which concern the larger indefinite question of the prince's duty to revenge which arises obliquely from the myth. Shakespeare in Titus, on the contrary, subordinates the political issue, which he has made a frame, to the depiction of revenge.¹⁰ This argumentative structure is interwoven with the plot structure which, like the arrangement of The Spanish Tragedy, corresponds to the renaissance idea of the five-act scheme.¹¹ A section of proofs, however, suggests that, like Kyd, Shakespeare has the arrangement of the forensic debate in mind.

The first and second acts of Titus and the first scene of the third can be seen as the protasis and summa protasis of the play. The first act provides a statement of the argument, the exposition and the beginning of the action. The second act and the first scene of the third, corresponding to the summa protasis, continue the action by establishing Titus' reasons for revenge and his determination to take it, but present him with the problem of discovering Lavinia's assailants. The corresponding divisions of the oration are the exordium and narratio, the latter establishing the plea of provocation.

The epitasis should initiate the complication of the incidents. In the corresponding section of Titus (III.ii-V.i), progress of the complication alternates with scenes which are not essential to the plot, but suggest states of mind and provide various proofs. The pattern, which is further discussed on pages 197-202, is as follows:

- III.ii The fly scene -- pathetic and ethical proof.
- IV.i Lavinia reveals the identity of her attackers -- progress.
- IV.ii Titus sends arms to Chiron and Demetrius and Aaron rescues the black child -- neither event is necessary for progress -- pathetic and ethical proofs.
- IV.iii Arrows are shot into the air and the clown is sent with a message to Saturninus -- pathetic and ethical proofs.
- IV.iv The clown is hanged by Saturninus -- ethical proof.
- Tamora plans the parley with Lucius at Titus' house -- progress.
- V.i Lucius has joined the Goths -- progress.
- Aaron confesses -- ethical and pathetic proof. Aaron's confession is necessary to dispose of him, but he adds no essential information for Titus' revenge on Tamora and her sons.

The summa epitasis usually depicts a turn in fortunes. This is true of Titus V.i in one way, in that Tamora's scheme to win Titus to her purpose is turned against her and so his plan of vengeance takes an upturn. From a moral point of view, however, Tamora's performance as

Revenge brings a down-turn for Titus. The highest point of the summa epitasis and the beginning of the catastrophe is Titus' murder of Chiron and Demetrius at the end of V.ii. The catastrophe proper begins at V.iii with the banquet scene and ends with the verdict of the Roman people and the election of Lucius as emperor. These scenes correspond to an enactment of the peroration and the request for a verdict in forensic orations. The main divergence from Landino's formula is in the amplification of emotional states and character through the division of proofs.

Seneca is another potential influence on structure and his plays may well have encouraged amplification of emotional states, but as a model for the whole structure of Titus or The Spanish Tragedy they can be fairly quickly ruled out. Fredson Bowers notes that Seneca's first act is usually expository and that "the drama is little more than an elaboration of the catastrophe".¹² Clearly this is not the case in Titus.

Exordium

The first act of Titus Andronicus corresponds to the exordium for Titus and the exordium with narratio for Tamora, for it establishes her plea of translatio criminis or provocation. The opening of the play makes use of the theatre's ability to make an appeal to the eye which the rhetors considered the most retentive of the senses. The clarity desirable in any exordium seems the main purpose in this act, for visual effect emphasises the shifts in power, and the balanced

speeches the idea of opposition. The Tribunes and Marcus Andronicus, who is bearing the crown, enter "aloft" as from the balcony of the Senate house and Saturninus and Bassianus with their followers enter the main stage from the two doors. Each makes a speech putting a case for either side of the deliberative issue of primogeniture versus worth, Saturninus relying on seniority (I.i.1-8) and Bassianus on virtue (I.i.13-14). On Marcus' announcement that Titus is the people's candidate, both dismiss their followers and mount to the balcony so that the stage is clear for Titus' entrance. The balcony becomes the symbolic position of power. Titus refuses Marcus' invitation to mount (I.i.179-201) and Saturninus, having received his voice, descends only once, to accept the prisoners. Thereafter his entrances in this act are all on the balcony until, finally, the Andronici and Marcus kneel before him and the suppliant becomes the judge. He is accompanied by Tamora who in her turn had knelt as suppliant for her son's life.¹³

Both Marcus and the Captain build up Titus' ethos before his entrance as valiant defender of Rome and "patron of virtue" (I.i.65). The black-draped coffin of his son, followed by the captives, is visual evidence of the sacrifice he has made for the safety of Rome, and the Andronici's tomb becomes a symbol of honourable death and peace won by arms (I.i.150 & 156, 157). Meanwhile the institutions of Rome, which Titus upholds with sword and voice, are scrutinised through the sacrifice of Alarbus, which suggests a harsh culture distant from that of Elizabethan England.¹⁴ The sacrifice takes place off-stage, but the very idea of it and the refusal of Tamora's plea for mercy seem

barbarous and disquieting, if not shocking. Tamora's reasonable plea (I.i.104-20) assumes that the sacrifice is a reprisal, and the plea fails because it is not to the point. Duty to the dead is the reason for the sacrifice and this idea is firmly entrenched as all Titus' convictions are. The point for the defence is that Titus acted not from vindictiveness but from principle, and he obeys the command of piety. Tamora rejects the principle, however, and so presumably would the Elizabethan audience. The "Roman rites" dutifully performed by Titus' sons, who return with bloody swords (I.i.140), are followed by a shock of sudden violence as Titus kills his son, Mutius, for trying to prevent him from giving Lavinia to Saturninus (I.i.291). Here Titus sacrifices his own son to a rigid adherence to the respect due to seniority, right or wrong, and this, balancing the sacrifice of Alarbus, gives additional proof of the impartiality of his behaviour to Tamora (I.i.294-5). On the other hand, it may suggest that Titus does not care much for his son, and it is some time before this possibility is diminished by his attitude to his other children. In the first act, however, Titus' behaviour is weighed against Saturninus'. He reacts violently to the wrong done his "honour" by the "rape" of Lavinia (I.i.404), and he makes it an excuse for transferring his attentions to Tamora. His self-interest and spite emphasises the way Titus acts on conviction, but to many of the audience both may seem tarred by the brush of a system of honour that leads to injustice.

The violent action on-stage is not particularly gruesome, but it is sufficient to establish Titus as a violent character who gives no

sympathy and deserves none. Tamora, as a captive and a grieving mother vainly pleading, is a pathetic figure, but sympathy for her is eroded by her false show of friendship to Titus and her pretence of effecting a reconciliation between Saturninus and the younger Andronici (I.1.434-58). The persuasive function of the exordium is to make the audience attentive, receptive and well-disposed. The main characters in Shakespeare's exordium are so unsympathetic as to elicit little, if any, good will, nor has he made any attempt at this point to make the audience receptive by playing on their emotions. In the exordium he attracts the audience's attention by the issue of the succession, the strange character of Titus, the amazing course of events, the sexy wickedness of Tamora and the promise of intrigue to come as she plots with Saturninus. The last part of the act from Saturninus' return is, indeed, very like the kind of transition promising wonders which is recommended by Aristotle. Meanwhile the paired speeches and incidents and the use of the two levels of the stage suggest that weighing of one thing against another which is the part of a judge in a case of revenge. As in Kyd's play, the structural method of the first act to an extent demonstrates the way in which the events are to be judged.

Narratio

To change a detached debating state of mind to passionate emotional involvement is the rhetorical task of the next act. In this narratio for Titus in which we see the retaliation which moves him to revenge, emotional persuasion is quickly introduced. First, however,

the Goths' case is undermined in two ways: the immediate cause of the attack on Lavinia is not revenge but Demetrius' and Chiron's lust; and Tamora's ethos is further undermined by her affair with Aaron. Aaron, indeed, opens the act with a speech of vaulting ambition worthy of a Marlovian hero, as some critics have pointed out.¹⁵ The Titanic boast of his attractiveness for Tamora (II.i.14-17) is followed by Chiron and Demetrius' more ridiculous dispute over Lavinia in which Saturninus' theme is varied as Demetrius claims primogeniture: "Youngling, learn thou to make some meaner choice, / Lavinia is thine elder brother's hope" (II.i.128). The scene, however, ends with a chill, foreboding note as Aaron, suggesting rape in the forest says, "The woods are ruthless, dreadful, deaf, and dull" (II.i.128).

At the opening of the third scene, Aaron reveals that the plot of rape has developed into something even more hideous as he says, "This is the day of doom for Bassianus: / His philomel must lose her tongue today." (II.iii.42-3). The sense of danger builds up as Lavinia and Bassianus walk into Aaron's trap, and Bassianus' death greatly increases our fear for Lavinia, who is defenceless and trapped. Meanwhile, in this scene the power of descriptive rhetoric transforms the place and makes the atmosphere more fearful. The sunny valley of Tamora's first speech where, "The birds chaunt melody on every bush, / The snake lies rolled in the cheerful sun" (I.iii.12-13) changes, as if she were a witch, to a sunless "barren deserted vale" where nothing breeds "unless the nightly owl and fearful raven" (II.iii.93-104). Tamora is one of the fascinating breed of evil orators, and she has great faith in her

powers, saying in the fourth act,

I will enchant the old Andronicus
With words more sweet, and yet more dangerous,
Than baits to fish, or honey stalks to sheep.

(IV.iv.89-91)

In the second act her eloquence both changes the atmosphere and makes her outrageous as she gives what the audience knows is a false account of the conversation with Bassianus and Lavinia (II.iii.92-115).

The distressing scene where Lavinia pleads vainly and is dragged off to her fate is followed by that in which her brothers fall into the pit where Bassianus has been thrown (II.iii.197-245). The scene is incredible yet, providing the audience are "receptive" as they should be by this time, that very quality can be turned to advantage. It seems impossible that Quintus should not get Martius out of the pit, but the words insinuate not so much a reason as a feeling about it. Both brothers feel an unnatural lassitude (195-7) and Quintus mentions an "uncouth fear". These words combine with the vague intimations of witchcraft in Tamora's rhetoric to evoke the sweating anxiety of a nightmare where limbs refuse to perform the simplest action. If the actors can achieve this effect the scene acquires an eerie suspense and horrific inevitability. If the actors fail, Aaron's device remains the thin and unconvincing trick which it really is and the theatrical rhetoric loses its hypnotic power.¹⁶ The transparency of the device is no disadvantage in the following scene where Tamora produces the letter and cries, "O wondrous thing!/How easily murder is discovered" (II.iii.286-7), because the very insolence of such an obvious frame-up produces indignation.¹⁷

The wrongs which produce Titus' vengeance increase in horror

until the end of the second act where mockery of his suffering is the final slight which turns him to vengeance. This pattern is Shakespeare's own. As Maxwell remarks, the play shows "effective concentration" in making the murder of Bassianus and the rape of Lavinia part of the same plot whereas in the chapbook they are separate (p. xxxdi). Only one act of violence, the killing of Bassianus, has actually been shown on the stage by the end of II.iii, but threats of horror pervade the first three scenes of the second act. These culminate in Lavinia's appearance in the next scene, "her hands cut off, her tongue cut out and ravished" (II.iv). The full effect of her appearance is only felt by those who do not know the play, for the hands are an unexpected shock -- we have been alerted to the rest. The rhetors insist that in describing violent crime the degree of atrocity should be brought out. Here it is given visual expression in an image which arouses not only pity but fear, because people are hardly less afraid of mutilation than of the decomposition associated with death.

In the first act which produces the plea of translatio (provocation) for Tamora, we hear that Alarbus' limbs have been "lopped" but we do not see the effect and the following action distracts attention from it (I.i.143). The mutilation of Lavinia is dwelt upon. Her scene in the second act is the strongest expression in the play of Titus' plea of translatio and a rhetorical effect in the fifth act depends on it. Because the scene presents strong visual evidence it must be realistically presented so that the evidence is credible. Realism is also important at this point for dramatic reasons. If the effects of the Goths' treatment are merely indicated by a decorative smear of blood,

as in some modern productions, the scene acquires sadistic suggestiveness rather than delivering the terrifying shock which should result both from physical fear and from the general implication of this monstrous desecration -- that we are looking at the results of barbarism, and at the evidence of the cruelty of man. At the same time the inhuman taunts of Chiron and Demetrius turn fear to anger and it would be unnatural if the audience did not long to see them struck by a thunderbolt. The scene is sensational in that it is highly theatrical and makes its major impact through the eyes, but none the less rings true as an image of human cruelty.

Two variations on a lament for Lavinia show two ways of dealing with this truth. One way is to use protective metaphors as Marcus does. The "stern ungentle hands" (II.iv.16) of a "monster" (44) have "lopp'd and hew'd" certainly (17) but Lavinia's hands were "branches", "sweet ornaments" (18). They were "lily hands" which trembled like "aspen leaves upon the lute" and her sweet tongue made "heavenly harmony" (48-9). These images emphasise the Goths' desecration of beauty, harmony and civilisation. Those which have bewildered critics by their inappropriateness are the images describing Lavinia's present state:

Alas! a crimson river of warm blood,
Like to a bubbling fountain stirr'd with wind
Doth rise and fall between thy rosed lips,
Coming and going with thy honey breath.

(22-5)

Eugene Waith describes these as "pleasant and familiar images" which bring the horror "within the range of comprehension" and make the

suffering an object of contemplation (pp.47 & 39). Muriel Bradbrook sees the speech as a lament for what has been lost which works by the contrast of happiness remembered in misery.¹⁸ Albert Tricomi points out that Marcus' pastoral imagery is part of a series concerning the forest and animals which relate to the Goths and when applied to the Andronici become images of destruction. The fountain, he says, is apt both as a symbol ^{of} lost virginity and because Lavinia becomes a fountain of sorrowing life in the rest of the play, for Titus later suggests that the family gaze into a fountain and turn it to salt with bitter tears (III.i.123-30).¹⁹ However apt metaphorically, the decorative images do contrast with the reality of Lavinia's physical condition and seem designed to draw attention to Marcus' way, the highly civilised way, of dealing with uncivilised reality.

The other way of looking at the truth is the direct way, and this Titus takes: "Faint-hearted boy, arise and look upon her" he says to Lucius (III.i.65). Marcus' second passage of euphemism (III.ii.83-7) following Titus' bitter word-play on hands, prayer and duty to Rome in his lament for his daughter (III.i.67-81) draws attention to the contrast in their approach, and Marcus is never again so euphemistic. The contrast is indeed dramatically and rhetorically important, because the meeting between Titus and his mutilated daughter is the point at which he wins our sympathy, and this he could not do so effectively if Marcus had stolen his thunder. Up to this point the characters have all been impersonal in the sense that no particular response to them is allowed except tolerance or dislike. By the warmth of his relationship with

Lavinia Titus provides something that has been lacking except in the friendship between his sons, and both instances of that were lost in horror (I.i.286-91 and II.iii.198-245). At last the audience has the chance to identify with someone and will do so all the more willingly for the opportunity being delayed. Titus' speeches in III.i are, like Marcus's, highly rhetorical but the rhetoric evokes feeling rather than distancing it. Twice in the passage from lines 63 to 113 Titus turns Marcus' figures to a statement expressing love. The first depends simply on a change of tense but this short sentence gives the actor playing Titus the chance to win the audience :

Marcus This was thy daughter.

Titus Why, Marcus, so she is.

(63)

The second turns a commonplace pun to an expression of grief made convincing by inelegant tautology:

Marcus O, thus I found her straying in the park,
Seeking to hide herself, as doth the deer
That hath receiv'd some unrecuring wound.

Titus It was my dear, and he that wounded her
Hath hurt me more than had he kill'd me dead:

(88-92)²⁰

Titus' second speech (91-113) depends on the figure of accumulation leading up to "But that which gives my soul the greatest spurn/Is dear Lavinia, dearer than my soul" (101-2). In contrast to Marcus' decorative, if apt, metaphors, Titus is given a simile of agonising appropriateness:

When I did name her brothers, then fresh tears
Stood on her cheeks, as doth the honey-dew
Upon a gather'd lily almost wither'd.

(111-13)

These two ways of expressing grief are appropriate to the two characters, but the diction given to Titus also turns to advantage the inflexibility which made him unsympathetic in the first act. He, like Marcus, unpacks his heart, and he makes Lavinia cry, but he feels no need to turn her into something else. To Marcus, Lavinia is an image of past happiness, to Lucius an "object" (64); to Titus, uncompromising and obtuse, she is Lavinia and he grieves with her as well as about her. Maxwell notes that the inclusion of Lavinia in the murder of Chiron and Demetrius is Shakespeare's idea (p. xxxi), and the major emphasis in Titus' speeches in III.i is on Lavinia's remaining part of the family -- if she can no longer be like them, they will become like her (121-36). The variation of style seems, then, designed to insinuate a favourable ethos for Titus and to reverse, or at least improve our former opinion of his character. This is comparable to the way a defence counsel might deal with an unfavourable depiction of his client.

The distribution of ostentatious rhetoric in the early part of the play suggests that Shakespeare also had in mind the rhetors' advice to be clear and avoid brilliance until the sterling ethos of the advocate had been established. The first act is clear in outline and comparatively free of rhetorical flourishes although deliberately planned. The second provides the pleasure of hearing stylistic rhetoric skilfully handled in Aaron's soaring opening, followed by the ridiculous but sinister quarrel of Chiron and Demetrius, Tamora's two descriptions of the valley, the two treatments of the lament for Lavinia, and the nightmare quality of the pit scene followed by what

appears to Marcus a terrible dream when he sees Lavinia. Stylistic rhetoric is, however, used in the way that Quintilian required, for all these pairs of speeches and incidents persuade us of the terrible implications of the assault on Bassianus, Lavinia, and Titus' two sons and evoke our pity and indignation. The paralleled pleas, however, show that rhetoric can fail as Lavinia and Titus plead without avail respectively to Tamora (II.iii.168-78), and to Saturninus (II.iii.288-98) and the Senators and Tribunes (III.i.1-15).

Having enlisted our sympathy for Titus as a martyr and to an extent as a character, Shakespeare again whips up the audience's anger as Aaron gulls Titus into cutting off his hand (III.i). It is not entirely clear at first whether or not Aaron's offer is genuine, and Shakespeare plays with the audience's feelings at this point much as Aaron plays on Titus's. The family's dispute as to whose hand is for ransom Titus' sons is a competition in generosity and loyalty, which may appear sentimental, but it momentarily lightens an atmosphere quickly darkened by Aaron's vicious use of synecdoche on his exit: "Look by and by to have thy sons with thee/(Aside) Their heads I mean" (III.i.201-2). As Tricomi puts it in "The Aesthetics of Mutilation", for the two sons he returns a metaphor (p.16). Titus' terrible laugh, instead of the expected lament, is another rhetorical and dramatic coup, but it indicates the chaotic reversal of his loyalty to Rome. It is followed by a vow of vengeance which the audience has probably been longing for ever since Lavinia's appearance after the rape (III.i.270-4). The vow is made ritualistic by the grieving procession contrasting with Titus'

first entrance in triumph, and it is a bitterly ironic expression of his fall from fortune. The details of the procession are grisly as Marcus and Titus carry the heads, and Titus' placing his severed hand between Lavinia's teeth is undeniably grotesque. It is, however, a natural consequence of her loss of hands and as such it makes the audience "look on her" as Lucius had to. As the advocate might say, this is one of the many indignities forced on Lavinia by the Goths' crime, and it is painful as it is always painful to see the absurd resorts to which cripples are put.

By the end of the narratio for Titus some of the audience may have recognised in Shakespeare a "craftier Tereus" as Tricomi puts it, drawing an image from Marcus' lament,²¹ but the action is so strong in performance that feeling is likely to overwhelm thought. Shakespeare's rhetorical approach should have reversed the initial reaction to Titus and, by evoking pity and anger, have aroused in the audience a desire for vengeance which anticipates that of the revenger. Impatience for revenge is likely to increase as Titus delays in the next section of the play which corresponds to the division of proofs.

Proofs

Inartificial proofs, or solid evidence of the Goths' guilt appear in IV.i and V.i. In the first scene Lavinia, with Marcus' help, succeeds in testifying to the identity of her attackers; in the second, Aaron confesses to Lucius. The audience already know they are guilty but if the hoped-for revenge is to take place, the Andronici have to

learn it as well.

Added to this is more evidence of the Goths' evil character and erosion of their collective ethos. The ignorance of Chiron and Demetrius is shown in their reaction to the warning lines from Horace which accompany Titus' present of arms (IV.i.20-3). Aaron understands the message, however, and interprets it for those of the audience who may be as ignorant as the Goths (25-8). The black child is evidence of Tamora and Aaron's adultery (IV.ii). Demetrius and Chiron's determination to remove the evidence by killing the child is ethical proof against them. Ethical proof against Aaron appears in his casual and jesting murder of one witness, the nurse, and his threat to the midwife (IV.ii. 145-8 & 168-9). It is perfectly clear that might is more important than right to this group. Tamora's guileful intention of deflecting Titus and Lucius from justice is shown in IV.iv where she assures Saturninus she can manipulate Titus with "golden promises" (IV.iv.97). Aaron's confession in V.i reveals to Lucius and reminds the audience that he and Tamora delight in wickedness. All this entirely demolishes any case the Goth party may have had of translatio -- clearly they need no provocation for wickedness. As this was shown in the second act it may seem unnecessary to emphasise it more, but these further proofs are juxtaposed to the revelation of Titus' decision to use might where right seems unobtainable and they act as support for the decision.

Still in Titus' favour is the proof of suffering even to madness caused by the opponents' attacks. The scene where Marcus kills the fly (III.ii) and the arrow scene (IV.iii) provide this evidence. There is also evidence of Titus' habitually just character, already suggested in

Act I (179-80) and his attempt to find justice. In the scene with the fly he rebukes Marcus for "a deed of death done on an innocent" (III.iii.56), and Marcus states that Titus is "so just he will not revenge" (IV.i.128). The third scene of the fourth act attests Titus' efforts to find justice. As there is "no justice in earth or hell" (IV.iii.50), he says, he will try heaven. The arrows bearing letters to the gods suggest both an allegory of prayer and the madness that Titus' suffering has caused.²²

The weight of the proofs is in the Andronici's favour, but there is also evidence that they are not entirely just. The first vow of vengeance once Lavinia has given her testimony is against the Goths (IV.i.93). But Titus' later recognition of his mistake in electing Saturninus (IV.ii.18-20) seems to slide into making Saturninus a scape-goat as Marcus then accuses him of treachery as a justification for Lucius' attack on Rome:

Join with the Goths, and with revengeful war
Take wreak on Rome for this ingratitude,
And vengeance on the traitor Saturninus.

(IV.iii.32-4)

Although Saturninus does not allow gratitude to weigh against the wrong he considers was done his honour by Bassianus' abduction of Lavinia, and although his uxoriousness may make him a worse ruler as Titus suggests (IV.i.97-100), he does seem convinced that Titus' sons killed Bassianus, and hence Lucius' exile for his protests is not as flagrantly tyrannical as the Andronici see it. Saturninus complains that Titus' prayers on the arrows are nothing but "libelling against the senate, / And blazoning our injustice everywhere", as if to say, "in Rome no

justice were." (IV.iv.17-19). Later in the same scene he says,

~~May~~ this be borne as if his traitorous sons
That died by law for murder of our brother,
Have by my means been butchered wrongfully.

(53-5)

Saturninus may be hypocritical here but there is nothing in the text to suggest it except a generally unfavourable view of his character. The proof of Titus' justice in his tenderness to the fly (III.ii.56) is counteracted by his use of the innocent clown to take a message which earns him a hanging instead of the reward he was promised (IV.iv.45). This casual and pathetic death causes no more stir than the squashing of a fly and it balances the murder of the nurse and midwife by Aaron.

Hill describes this section as "a sag in the play" which is "painfully obvious in the theatre" (p.63). Often no sag is noticeable at all in production, but the Elizabethan audience may have found this part of the play more interesting than some modern audiences because it discusses the quality of revenge and its relation to justice, which is no longer a matter of such immediate concern to many of us. The purpose of the division of proofs is to enable the judges to consider the evidence supporting the statements made in the narratio, it is a weighing-up period, though one in which each counsel tries to urge the judges in a favourable direction. To make it dramatic in a play there is usually some suspense derived from it, as the revenger's delay while he gathers proofs and awaits a favourable opportunity leads him into danger as soon as he intimates to his assailant that he knows who he is. Moreover, fired by the injustice of the provocation, the audience longs for the protagonist to get on with the revenge and the delay

increases that longing. It seems to me that this is the case in Titus and that the emotional colouration that Shakespeare gives to the proofs is intended as in a debate to bias the auditors to a certain conclusion as well as to make the section dealing with the proofs exciting. Pity for Titus in his desperation leads to the excitement of the scene where Lavinia reveals Demetrius and Chiron's guilt, which is something the audience very much wants Titus to know. Indignation at the Goth party is increased by their "outrageous insolence", to use Quintilian's words. The outrageousness is most apparent in Aaron's confession. His expression of his general wickedness is part of this but the emotional effect there is neutral in comparison to the words with which he describes the treatment of Lavinia. This is one of the points at which the realism of Lavinia's appearance after the rape becomes essential because the audience should recall that image. Aaron says,

'Twas her two sons that murder'd Bassianus;
They cut thy sister's tongue, and ravish'd her
And cut her hands and trimm'd her as thou sawest.

Lucius O detestable villain, call'st thou that trimming?

Aaron Why, she was wash'd, and cut, and trimm'd, and 'twas
Trim sport for them who had the doing of it.

(V.1.91-6)

This unforgivable pun juxtaposed to the image the audience have seen cries out for vengeance. It is well placed as it follows the scene in which Tamora, also insolently, has boasted of the ease with which she will persuade Titus with her "golden promises" (IV.iv.95-9). As Aaron has been captured and is to receive his punishment, all the indignation he evokes is likely to centre on Tamora as she goes to visit Titus, so

that any coolness in the audience's desire for vengeance is dispelled just before Titus takes it.²³

Perorations

Tamora's masque is a scene which stretches credulity to the utmost. If it is considered in terms of persuasion rather than realism, however, we can see that the very silliness of the scheme arouses indignation because it shows both arrogance and contempt of Titus in his madness. In this and other points which the scene makes on Titus' behalf it corresponds to an effective part of the peroration for the defence, combatting the enactment of Titus' crimes, which corresponds in turn to the vivid description of the peroration for the prosecution. The first point for the defence is that Titus' murder of Chiron and Demetrius is not premeditated, although he has meditated revenge in general. Tamora and her sons visit him and invite him to take vengeance for his wrongs and he accepts (V.ii). The slaying is not quite a swift and open reprisal, but it meets guile with guile which is allowable. Secondly, Tamora convicts herself and her sons by the names Revenge, Murder and Rape. The good man wants to see rape and murder punished, and, as Titus hoists the Goths on their own petard in the murder following Tamora's exit, he confirms that this is what he is doing (V.ii.156). Because Chiron and Demetrius have no redeeming features and have been presented as flat characters without humanity, they seem like forces of evil and their punishment can only meet with approval, particularly as the audience have been put into such a frame of mind

as to want to believe Titus is justified. His speech to his victims is very like a judge's summing up. It is solemn rather than vindictive and includes the sentence: "For worse than Philomel you used my daughter, / And worse than Progne will I be reveng'd" (V.ii.194-5).

The Goths' death is attended by ceremony of a grisly kind, but it is less grisly than a public execution with disembowelling and quartering, for we do not see Chiron and Demetrius carved up. The action is not, therefore, so horrific as to cause a violent reversal of support for Titus.

Up to this point even an Elizabethan court could probably be persuaded that Titus' homicide was justifiable. The likelihood is that to the audience the only apparent injustice is the escape from execution of Tamora. They are therefore likely to welcome Titus' plan for the banquet, a feeling that may conquer uneasiness at the idea of cooking up the corpses and making the banquet "more stern and bloody than the centaurs' feast" (V.ii.202). It is in the next scene that Titus' position becomes legally indefensible as although the idea of the banquet comes from Tamora, the form it takes is certainly premeditated and carefully prepared. More importantly, Shakespeare has added to the original story the arrival of Lucius with his army, and this makes Titus' private vengeance unnecessary.²⁴

Titus' appearance in the chef's outfit suggests some inappropriate glee in him and may evoke it in the audience, but there is also a kind of oblique fairness in the use of the costume. Titus sent a warning to Chiron and Demetrius which was two lines of Horace. If they

had recognised its import they might not have been so ready to join in Tamora's show. The chef's clothes are now a warning for Tamora, but she is too secure in the belief that she has outwitted Titus to remember her Ovid. The first incident at the banquet is totally unexpected. Having taken Philomela as one precedent, Titus asks Saturninus for a judgement on the precedent of Virginius. Saturninus approves Virginius' killing his daughter in words which must make the likeness between Virginius' and Titus' situations clear to Tamora, even if she does not know the story: "because the girl should not survive her shame/And by her presence still renew his sorrows" (V.iii.42). In horrific parody of his former trust in Saturninus, Titus kills "the cordial of mine age to glad my heart" as he calls Lavinia on her first appearance (I.i.166).²⁵ Titus ought to lose our sympathy when he kills Lavinia, but because Shakespeare has so movingly built up the relationship between them, her killing appears a final act of desperation for which, bewildered, the audience may pity rather than blame him and look for another object for the indignation the act provokes. Tamora supplies the object with her hypocritical question, "Why hast thou killed thine only daughter thus?" (V.iii.55). The murder of Lavinia is so placed as to fan our fury once more, so that we are glad that Tamora has eaten the pie made of her sons, that she is told what it is, and that Titus kills her. Saturninus and Titus himself are killed in the ensuing fray.

The defence concludes as Marcus from the balcony addresses the Roman people, and so the audience. Aemilius then mentions the ills of Rome under Saturninus in vague and tearful terms (V.iii.79-93). Lucius

describes the wrongs suffered by Titus and himself and he reminds the people of his own service to Rome (96-115). Marcus produces the black child as evidence of Tamora's guilt and says Aaron will witness the truth of what has been said. Marcus then asks for the people's judgment in terms of emotional blackmail. If they find the Andronici have done aught amiss, he says, he and Lucius will hurl themselves onto the stones before their eyes. Naturally, the people acquit them and agree that Lucius should be emperor.

The conclusion parallels the opening and neatly harmonises the play's deliberative and forensic issues. Shakespeare may have been so preoccupied with tying together the lines of argument and giving some shaping purpose to the tragedy that he was not concerned with faults in the arguments themselves, and it is true that his endings, particularly in comedy, sometimes appear perfunctory. Because Marcus demands a verdict, however, our attention is drawn to finer moral issues which we might otherwise have overlooked and also to some rhetorical trickery on the Andronici's part.

Those brought up on Cicero and Quintilian would probably notice that Titus' revenge on the Goths and the killing of the Emperor are separate though related issues and that the justification for one is being used to gloss over the other. No account is taken of Lucius' admittedly unpremeditated but nevertheless regicidal killing of Saturninus, and no evidence except prejudice is brought against the Emperor, who might not have been killed if Titus had used Lucius' army to obtain justice rather than pursuing revenge on Tamora. On the other

hand, the action, by arousing prejudice against Saturninus and firing indignation against the Goth party, is likely to make the audience want to accept the verdict and stifle the uneasiness that Titus' revenge and these inconsistencies may have provoked. Such an emotional reaction depends on the audience's involvement in the play. Several recent productions have shown that Titus has an enormously powerful impact on stage,²⁶ but the audience's involvement is of a particular kind. It does not, I think, arise from identification with the characters so much as from reaction to a certain type of behaviour which is threatening and to its results which are pitiful -- it is an involvement which stems from intellectual as well as emotional disturbance.

Shakespeare has so consistently employed the methods recommended by the Roman rhetors that there seems little doubt that he is playing the advocate on Titus' behalf. The general shape of the play conforms as much as is reasonable to that of the orations in a trial. The formality and balance of speech and incident in encouraging the weighing of provocation against retaliation emphasises that Titus' loss is far greater than Tamora's, a point visually summed up in the procession at the end of III.i where two heads, a hand and a mutilated daughter are set against the single sacrifice of Alarbus. Shakespeare has, indeed, made good use of the stage's visual properties to emphasise what is spoken, to suggest that words can not express the full horror of the action, and unrelentingly to force the judges to consider the reality of the horror. He uses stylistic rhetoric to give pleasure, to evoke feeling and to express it and, after the first act, to emphasise his own skill.

Throughout the play he appears to have kept his eye firmly on the aim of persuasion, for all the rhetorical features of Titus assist understanding of the issues or arouse feelings about them. We have seen, for example, that there is a persuasive rhetorical point in the difference between Marcus' and Titus' diction, and in Tamora's scene-painting eloquence, and that Aaron's defence of his child leads to a confession carefully placed to fan the audience's anger.

The effect of persuasive manipulation in Titus is to make the Christian audience experience the urge for revenge in which there is inevitably an element of the cruelty which is a major theme of the play. The ultimate purpose of Shakespeare's manipulation therefore appears to be to encourage in the audience a better knowledge of revenge and of themselves. In the next play for discussion, The Jew of Malta, manipulation of the audience serves the fiercer purpose of putting them in the dock in place of the prisoner, or so I hope to show in the next chapter.

CHAPTER 7: NOTES

¹See Frank Kermode's introduction in Riverside Shakespeare (Boston: Houghton Mifflin, 1974), p.1018. All quotations are from this edition.

²J.C. Maxwell, ed. Titus Andronicus, New Arden Series (London: Methuen, 1961, 1st. pub. 1953), pp.xx-xxx & xxx-xxxiv.

³In The Complete Plays, Everyman Edition, 2 vols. (London: Dent, 1970, 1st pub. 1910), II.181-2.

⁴Maxwell, pp.xxiv-v and Kermode, p.1021, refer to this discussion. Muriel Bradbrook, Themes and Conventions of Elizabethan Tragedy (Cambridge: University Press, 1980, revision of 1935 edition), refers to the play as a "Senecal exercise", p.91. Eugene Waith, "Metamorphosis of Violence in Titus Andronicus", Shakespeare Survey, 10 (1957), sees Shakespeare's and Ovid's depiction of violence as an almost clinical examination.

⁵Muriel Bradbrook, p.72; John Dover Wilson, ed. Titus Andronicus, New Shakespeare (Cambridge: University Press, 1948), pp.xi and xii.

⁶D.J. Palmer, "The Unspeakable in Pursuit of the Uneatable: Language and Action in Titus Andronicus", Critical Quarterly, 14 (1972), 320-39, sees the discrepancy in terms of ritualisation as a response to the intolerable. For a variation of this view, see William W.E. Slights, "The Sacrificial Crisis in Titus Andronicus", University of Toronto Quarterly, 49 (1979-80), 18-32. Albert Tricomi, "The Aesthetics of Mutilation in Titus Andronicus", Shakespeare Survey, 27 (1974), 11-19, concentrating on the images of hands and heads, notes how often and how disconcertingly metaphor becomes reality in the play, so combining the force of words and action and commenting on our metaphorical habit of speech. Nicholas Brooke, Shakespeare's Early Tragedies (London: Methuen, 1968), notes that there is some awkwardness in adapting the poetic techniques to dramatic utterance (p.35), but emphasises the dramatic quality of the third act in spite of its being inactive, p.36.

⁷Lawrence Danson, Tragic Alphabet: Shakespeare's Drama of Language (New Haven and London: Yale University Press, 1974), chapter I. S. Clark Hulse, "Wresting the Alphabet: Oratory and Action in 'Titus Andronicus'", Criticism, 21 (1979), 106-18, writes on the comedy inherent in the horrific action and discusses the ways in which the rhetoric of hopeless words becomes the rhetoric of hopeless action.

⁸ M.T. Cicero, "Orator", translated by H.M. Hubbell, in Brutus and Orator, Loeb Classical Library (London: Heinemann, 1962), xx.68.

⁹ Neither the question of the succession nor the ending appears in the chapbook, see Maxwell, pp. xxi and ii.

¹⁰ Maxwell, p. xxi; Eugene Waith, p. 46; G.K. Hunter, "Shakespeare's Earliest Tragedies: 'Titus Andronicus' and 'Romeo and Juliet'", Shakespeare Survey, 27 (1974), p. 3. Among the articles on the political structure are Ronald Broude, "Roman and Goth in Titus Andronicus", Shakespeare Studies, VI (1955), 27-34, and "Four Forms of Vengeance in Titus Andronicus", Journal of English and Germanic Philology, 78 (1979), 494-508; and Alan Sommers, "'Wilderness of Tigers': Structure and Symbolism in 'Titus Andronicus'", Essays in Criticism, 10 (1960), 275-89.

¹¹ See Brooke, p. 28.

¹² See Bowers (n. 8, p. 99 above), p. 46.

¹³ Among the analyses of this scene, see Brooke, pp. 22-3, and Hunter, "Earliest Tragedies", pp. 4-9.

¹⁴ Shakespeare probably knew that human sacrifice was very uncommon in Rome, and it seems likely that he added the incident to emphasise a strange, grim, way of life that formed Titus' interesting character. It has been suggested that he took the sacrifice from Troades (see Maxwell, p. xxi).

¹⁵ See, for example, Brooke, p. 29.

¹⁶ H.T. Price in "The Authorship of Titus Andronicus", Journal of English and Germanic Philology, 42 (1943), 45-81, remarks that the success of the ruse is one of the conventions "strange to us" which the Elizabethans accepted, p. 72. I think Shakespeare is attempting to persuade us to believe this one.

¹⁷ If this were a later play of the vintage of The Revenger's Tragedy, Tamora's comment might be seen as referring to the convention mentioned by Price (n. 16 above). Dover Wilson, indeed, took the view that there is a good deal of burlesque in Titus. Later critics disagree on the whole and the self-consciousness in this play seems to draw attention to the writer's skill rather than implying criticism of theatrical conventions.

¹⁸ S. Clark Hulse agrees with Waith, pp. 110-11; Palmer sees Marcus' lament as a ritualisation of his own feelings.

¹⁹ Albert Tricomi, "The Mutilated Garden in Titus Andronicus", Shakespeare Studies, IX (1976), 89-103.

²⁰R.F. Hill in "The Composition of Titus Andronicus", Shakespeare Survey, 10 (1957), 60-70, discusses tautology in Shakespeare's early plays and cites the last line of the above quotation as a grievous example comparable to Pyramus' "O night which ever art when day is not!" in A Midsummer Night's Dream, pp.67-8. Titus' line, however, takes into account emotional and actual death.

²¹"Aesthetics", p.16.

²²Maxwell records that the arrow scene is in the chapbook (p.xxxdi), but as other material has been re-arranged we can assume that Shakespeare was using the details of the original story in a purposeful way.

²³In the chapbook Aaron's confession comes right at the end of the action (Maxwell, p.xxxd).

²⁴Anne Barton, p.36 (n.3, p.114 above).

²⁵Maxwell records that in the chapbook Titus, "to prevent the torments he expected when these things came to be known, at his Daughter's Request ... killed her; and so, rejoicing that he had revenged himself on his enemies to the full, fell on his sword and died", pp.xxxi-ii.

²⁶See G. Harold Metz, "The Stage History of Titus Andronicus", Shakespeare Quarterly, 28 (1977), 154-69; pp.159 ff concern twentieth-century productions.

CHAPTER 8

THE JEW OF MALTA: THE AUDIENCE ARRAIGNED

Christopher Marlowe, the second of the nine children of John Marlowe, a shoemaker of Canterbury, was baptised on 26th February, 1564.¹ On 14th January, 1579, he was awarded a scholarship and enrolled in King's School, Canterbury, a grammar school of a similar type to Merchant Taylors' or the school at Stratford upon Avon. In 1580 Marlowe went to Corpus Christi College, Cambridge and was elected to a scholarship on Archbishop Parker's foundation. These scholarships ran either for three years, or, if the student intended to take Holy Orders, for six. As Marlowe held a scholarship for six years, we can assume that he expressed that intention. In 1584 he was awarded a Bachelor of Arts degree. His petition of March 1587 for the Master of Arts was, however, granted only in response to an order from the Privy Council. This quashed a rumour that Marlowe had gone to Rheims, the headquarters of English Catholicism, and affirmed that he had done "her Majestie good service". The M.A. was awarded in July of 1587.

Dialectic, logic and display debating were an essential part of university training, as we have seen. Boas remarks that in Marlowe's time the controversy was at its height between the followers of Aristotle and the adherents of Petrus Ramus, who ascribed invention and arrangement to logic rather than to rhetoric. Scholars consider Ramus to have offered little that was genuinely new,² but he drew attention to method

in arguing by disputing Aristotle's. Another feature of university debating in Marlowe's time, and one which may relate to his habit of varying traditional dramatic forms, is the function of the official varier in a debate. His task was to play verbally and wittily on the question under dispute.³

On 8th September, 1589, Marlowe had evidently moved to London, for he was arrested for his part in a duel between William Bradley and Thomas Watson in which Bradley was killed, but Marlowe was quickly released. His name again appears on the records of the Privy Council when, on 18th May, 1593, the Council ordered his arrest for interrogation concerning the alleged "heresy and treason" in which Kyd was implicated (see p. 118 above). Marlowe was not imprisoned as Kyd was, but on 30th May, 1593, he was killed in a tavern at Deptford in a quarrel over the reckoning. Kyd asserted that the heretical papers found among his belongings were Marlowe's and on 2nd June, 1593, Richard Baines sent a note to the Council informing them of Marlowe's "blasphemies and atheism".⁴

The dates of Marlowe's plays are uncertain and the authority of most of the texts has at one time or another been questioned. N.W. Bawcutt, pointing out that it was mainly reluctance to credit Marlowe with what appeared to be inferior writing in the latter acts of The Jew of Malta that suggested contamination of the text, considers that the 1633 Quarto is substantially what Marlowe wrote and that it was probably printed from the author's foul papers.⁵ For my discussion I therefore assume that the whole text is by Marlowe. The earliest limit

for the date of The Jew of Malta is the death of the Duke of Guise on 23rd December, 1588, which is referred to in the Prologue, and the latest is Henslowe's reference to the play in February, 1592 (see Bawcutt's introduction, p.1).

The Jew of Malta is a baffling play in which the author's viewpoint appears to be concealed, for the blandly orthodox ending where Ferneze attributes to Heaven the praise for his own triumph is at variance with what we are shown in the action. Through the years Marlowe has attracted contradictory opinions. He has been seen as iconoclastic supporter of renaissance aspirations, and upholder of traditional views against renaissance innovations.⁶ His ebullient protagonist, Barabas, has evoked equally various reactions. What most puzzled earlier critics was the apparent shift from the effective and ambitious business tycoon of the first act to the embattled monster of the latter part of the play. Some see in him a potential tragic hero who became monstrous as a result of the Governor's injustice.⁷ Others go further and detect in the Jew's apparent clear-sightedness a moral position superior to the Governor's.⁸ To others, Barabas is a bad Jew who meets the end he deserves, and is in no way a tragic hero.⁹ A recent study has, however, suggested that we are expected to reserve judgement on the Barabas of the earlier scenes and the dispute with the Governor until we have examined all the evidence.¹⁰ This I hope to do in the following analysis.

Meanwhile, it has been shown that to create Barabas Marlowe has conflated two old bogies and a comparatively recent one: the Jew, the Vice and the Machiavellian. Research into the Biblical references and

allusions in the play has revealed that attitudes to non-Christians expounded in it were current at the time, and has emphasised the underlying conception of "jewishness" as a moral condition to which Christians are as prone as Jews if they place too much value on worldly things.¹¹ Many of the characteristics of the Vice, such as sinister jokes, boastful exultation in evil and theatrical charm, have been detected in Barabas.¹² Other scholars have emphasised Barabas' Machiavellism, in which the original instruction on the expedient and the necessary in politics is distorted by its application to the individual's search for his own advantage, and by Barabas' almost obsessive self-reliance and egotism. In this way, the new Machiavellism has been made to look like the old "jewishness". It is generally agreed that both are presented in the play in the extreme forms of popular prejudice, but there has been dispute as to whether Marlowe had read Machiavelli's own work, or only the unfavourable comments on it -- is he in fact commenting sardonically on inflated popular prejudice or is he presenting a straightforward moral fable on the evils of "jewishness" and Machiavellism in which he believes himself?¹³

Closely associated with the new Machiavellism and the old "jewishness" is the hypocrisy of the Christians in the play. Many critics feel this is the main satirical target,¹⁴ and few deny that it is one.¹⁵ The meaning of the satire is, however, a point of contention. In showing the shared and deplorable characteristics of Jew, Machiavellian and Christian, Marlowe suggests that they behave alike in spite of the differences in the creeds they profess, but he may also be suggesting that as the creed makes no difference to behaviour, one is

no better than another.¹⁶ Does Marlowe, then, expect the audience to perceive that he is attacking hypocrisy, prejudice and superstition, so providing a salutary moral and intellectual lesson? Or is he proving to them that by rhetorical means it can be shown that the Christian faith is no better than any other and that they should be alert for such demonstrations?

Scholars are, indeed, becoming increasingly interested in analysing Marlowe's rhetorical method. Judith Weil, for example, remarks on Marlowe's beguiling use of paradoxical encomium in Barabas' early soliloquies (pp.34-6), and considers that his unfortunate end in the cauldron is designed as a salutary shock to show the audience that their world is as black as the world of the play (pp.34-6 & 48). Joel Altman, who discusses the play's argumentative method in terms of sophistic rhetoric, sees the modulation into farce after Barabas is thrown over the city wall as a sophistic shift "to reveal the radical folly of Barabas' activity" (p.358), as "his comic degradation exhibits the final emptiness of a wit uninformed by broad ethical concerns" (p.360). The inference in both these views is that the audience observes in the action what has application to themselves. Douglas Duncan, perceiving elements of the Lucianic method in the play, sees it as an attack on the spectator in which he is "forced into the hypocrite's role -- to forget the saint (Abigail) in his enjoyment of the sinners and finally to applaud Ferneze's Te Deum" (p.110).¹⁷ The attack on the audience is another characteristic I wish to consider in my analysis.

The argumentative outline of The Jew corresponds to that of Horestes and Titus in that the revenge case is enfolded in a deliberative issue which, in The Jew, appears overtly in the prologue and tacitly at the end. Machiavel, who speaks the prologue, presents the thesis (or indefinite issue) that he has more friends and followers than admit it, and the rhetorical task of the play is to prove this thesis by open and secret means. It is done in a comparatively straightforward way as far as the world of the play is concerned.¹⁸ Barabas frequently points out the Christians' hypocrisy and, although he is not a reliable witness, it is not difficult to see that the Christians cite dogma for their own, or at least for Malta's advantage. Because the Governor is a hypocrite his conventional ascription to Heaven of the praise for Barabas' downfall and his own triumph produces a problematic ending, for there is no discernible reason for Heaven to favour the Governor.

That the problematic ending is intended to encourage thought about the play, can, I think, be taken for granted. Where that thought may lead the audience is a more speculative matter, but Marlowe's method suggests that underlying the proof of Machiavel's influence in the world of the play is a concealed attack on the audience, a demonstration that Machiavel has undeclared friends and followers in the world of the honest English spectator. I hope to show that Marlowe lures the audience into demonstrating that they are as hypocritical as the Governor by a rhetorical appeal, not to moral considerations, but to self interest in the form of pleasure. This, as we have seen,

Aristotle and the Roman rhetors considered the most persuasive tactic for all except highly trained audiences (pp. 46-7 above). Marlowe's rhetorical manipulation will be discussed later in more detail, but the main purpose appears to be to persuade the audience to ally themselves with Barabas and to support him against his opponents. If the audience agree with the Governor's verdict in the last line of the play that Heaven contrived Barabas' death, they show themselves hypocrites because in supporting Barabas they have not practised what they profess. This hypocrisy becomes Machiavellian (as the play illustrates the term) within the rhetorical context, because it results from the pursuit of advantage (or pleasure) as the Governor's does; but we are also made Machiavellian in a more actual way by the play's encouragement to callous acceptance of the values it depicts. If, on the other hand, the audience say that Barabas' downfall was the result of the Governor's superior "policy", as the play seems to show that it is, they deny the guiding power of Providence, a basic tenet of the Christian faith, and acknowledge Machiavel's influence. Either way, Machiavel's thesis is rhetorically "proved" to be true of the audience as well as the world of the play.

To approach this play as a revenge trial is to consider the established dramatic foundation on which Marlowe has produced a complex variation. Although the debate in The Jew is on the hypocrisy of Christian attitudes to might and right rather than on the relationship of justice and revenge, it shares many features with the other revenge plays we have looked at, and particularly with The Spanish Tragedy. The uncertain dating of all these plays precludes an assertion that The

Spanish Tragedy preceded The Jew, but it is generally assumed that it did so.¹⁹ Apart from the revenge formula, the situational likenesses between the two plays are so striking as to suggest that Marlowe may be varying on The Spanish Tragedy itself. In both plays a villain boils in a cauldron, Lorenzo in Hieronimo's imagination and Barabas in reality, and both villains bring about the ironic discovery of their crimes by their murderous efforts to conceal them. Both plays are set against a background of war concerning tribute, and in both there is dispute over the possession of a person, Balthazar in The Spanish Tragedy and Barabas in The Jew. In both a show or device is engineered by the protagonist who appears hammer in hand before his production, and the device redounds ironically upon him, in The Spanish Tragedy in a literal way, pragmatically in The Jew. In both plays the ending appears contradicted by the action.²⁰

Although the argumentative method in The Jew is that of the university-trained logician, as we shall see, many of the persuasive tactics in the play would have been recognised by the grammar-school graduate. For this reason and because of its use of the revenge theme, it seems reasonable to approach this play in the same manner as the other two in the hope of revealing the differences, and the structure and each of the five acts will accordingly be considered in these terms.

Structure

In structure The Jew differs from the other two plays. Kyd, dealing with repercussions of an initial wrong, the death of Andrea,

reaches the provocation of Hieronimo by the end of the second act and concludes his play with the revenge of Andrea through that of Horatio. Shakespeare follows Kyd's scheme closely, but his structure appears simpler and is clearer as he shows the beginning of the chain of vengeance with Titus' initial provocation of Tamora. Like Kyd, he reaches the major provocation by the end of the second act and concludes with a verdict on the revenge. Both plays have long sections of proofs coinciding with the protagonist's identification of his assailants and his search for justice. Marlowe has established Barabas' provocation by the end of the first act, which corresponds to the exordium and narratio for and against Barabas. The second act presents proofs both of Barabas' true character as he prepares his revenge and of the characters of the upper-class Christians. The third act corresponds to a peroration in three respects. It shows Barabas accomplishing his revenge by arranging the duel between Mathias and Lodowick. Secondly, Abigail's evidence of what the attack on Mathias means to her is a moving indictment of Barabas, and lastly, his vengeance on her corresponds to a damning description from an advocate. At this point the part of the play corresponding to a revenge trial is over -- Barabas is well and truly convicted. On the narrative line, Act IV then depicts the repercussions of Barabas' actions as the low-life elements in the play take advantage of them. The act can also be seen as filling the function of another section of proofs, both of the Machiavellism of the Maltese Christians of two more es, and of the audience's callous levity. To these are added an analogy which suggests the Governor's criminality. In Act V the Governor executes Barabas, but he takes advantage of his final monstrous

crime, such as Bellamira and her gang profited from the earlier one. The accused in Act V seems to be first Barabas, then the Governor, and finally ourselves. There are two major accusations of Barabas in the third and fifth acts, which amount to a trial on two major charges, but in the context of the whole debate they can be seen as a decoy, for the audience's judgement of Barabas frames their own indictment.

Prologue and Act I

Marlowe's method of opening his play and his debate is clearer and more economical than Kyd's. He uses Machiavel's prologue to present the subject, establish the precepts and hint at the method of argument. Having done this in forty-five lines, he affirms and illustrates the precepts in the first act and at the same time establishes the provocation of Barabas. Kyd in his induction introduces a law contrary to that which has superseded it. Machiavel's prologue opposes to the Christian theory openly accepted a law based on actuality — expediency for the personal advantage of the ruler expounded by Machiavelli as the basis of political science.²¹ Saying with outrageous atheism that he counts religion "but a childish toy", Machiavel challenges two commonly held beliefs: that murder will not be hid (16), and that the king is Divinely appointed (18). Might rather than right, he assures the audience, appoints kings and enforces laws (20-21).²² The pragmatic, unidealistic concept that might is right is to be illustrated in the play which ironically uses the methods recommended by the rhetors to support right against the injustice of might. Machiavel hints at the nature of

the play and its relevance to the audience as he says he has come "to view this land and frolic with my friends" (4). He retires after the prologue but the frolicking in the play turns out to be a Machiavellian game in which the audience by participating prove the point that they are Machiavel's unacknowledged disciples. His ostensibly reasonable request to "grace" Barabas "as he deserves/And let him not be entertained the worse/Because he favours me" (33-5) is also a slyly ironic warning, for Barabas' deserts as an entertaining figure in the play are so great as to make the audience ignore his allegiance to Machiavel and the wickedness he stands for.²³

The rhetor's appeal to self-interest is usually concealed under the colour of something more virtuous. By virtually telling the audience in the prologue that this is the appeal he is going to make, Marlowe challenges himself to a task of rhetorical difficulty, so drawing the attention of the initiated to the brilliance he is to display as he performs it. The reversal of recommended rhetorical practice here, and on other occasions, is like a handicap accepted by the rhetor, but by the end of the play it has also become a means of insinuating that the audience is so lacking in moral sense and so illogical that it can be led by the nose in spite of repeated warnings -- and there are more to come. The prologue is also a startling reversal of the way a speaker should approach his audience. Machiavel, the presenter, was far from a popular figure at the time,²⁴ and he does nothing to make his ethos agreeable to the audience. He proclaims his contempt for religion and offers no flattery, suggesting that many of the audience are hypocrites and the rest fools (17). As we have seen, the Vice often

insulted his audience by expecting their complicity, but amused them with the nudging familiarity of the Vaudeville comic or the holiday-camp host. Machiavel's tone is coolly arrogant and his assertion that some of the audience are his friends is accompanied by no sign of reciprocal affection. He has something of the aloof confidence of Kyd's *Revenge*, but it is a confidence turned against the audience rather than the characters.²⁵

The prologue, then, suggests the precepts on which the tragedy of the Jew is based. It intimates that the hypocrisy of the audience may be one of the things to be demonstrated in the play, and the author implies to the initiated that he is going to perform a difficult feat of rhetoric.

The first act goes part of the way to illustrating Machiavel's opening claim of his undisclosed popularity, as it gives examples in Barabas and the Governor that materialism is rife in the play world. Materialism in the sense of avarice is more noticeably characteristic of "jewishness" than of the true Machiavelli, but Gentillet's emphasis on the avarice of Machiavelli's followers may have given Marlowe the idea of combining them.²⁶ Barabas, who is both an admitted disciple of Machiavelli and a Jew, counts his money (I.i.1-47), and affirms his belief that heaven can do no more than pour out wealth which is the blessing promised to the Jews (104-7). He contrasts this idea with the Christians' belief in the virtue of poverty which, if they abide by it, reduces them to beggary, and is not in general borne out by their behaviour: "For I can see no fruits in all their faith/But malice, falsehood, and excessive pride" (115-16). Here Barabas makes the accusation

that the bad Christian causes scandal to non-Christians, and his observations are to be illustrated by the Governor in the next scene.

So far this is perfectly orthodox. Barabas gives a clear account of his views and we can see that as they are materialistic they are the wrong ones. But in his own frank profession and his claim that Christians are no better than himself, he establishes an impression of honesty which we shall discover to be spurious, but which lends him an undeserved authority for the time-being. Added to this glimmer of virtue is the charm of Barabas' rhetoric. The first soliloquy, which opened with the names of exotic places, goes on enticingly to tell over the beautiful names of jewels (23-7) which represent "infinite riches in a little room" (37), a phrase then associated with material things, but which also suggested the infinite power and value of Christ in the Virgin's womb.²⁷ To those who pick up the religious association the phrase will suggest that Barabas puts his money in the place of God. Nevertheless, in its large aspirations to something beyond ordinary imagining and its use of the sonorous names of exotic places and jewels, the speech has some of the grand allure of Tamburlaine's speeches.²⁸

The impression of honesty and grand imagination are not the only characteristics that insinuate Barabas into our favour. He is unexpected and funny, and this gives to his outrageousness the charm of wit. It is no surprise to come on a Jew counting his money, as we do at the opening. What is surprising and amusing is that Barabas looks on this as labour, saying nothing of the toil of acquiring it in the first place. "Fie what a trouble 'tis to count this trash" he exclaims (7), and explains

that he has no intention of "sweating himself to death" for a pound (18). Again, in his encounter with the "multitudes" of Jews, his total self-interest appears amusing because of the play between Barabas' sentiments and the Jews' expectations of some feeling for the common good, and because Barabas' twists of the expected phrase are unexpected they appear clever and the Jews' hopes foolish (e.g. 151-2 & 172). Lastly, the characteristic likely to endear him most of all is that Barabas is unconsciously funny. The absurdity latent in Tamburlaine's boasts becomes evident in Barabas' habit of comic exaggeration and also in the contrast between his Titanic sayings and his appearance, for there is evidence that he wore an enormous false nose.²⁹

If we think of this scene as an advocate's opening for the defence, Marlowe appears to have tied one hand behind his back by admitting his client's villainous philosophy, but what he has really done is to concede what can not be denied and turn it to advantage by making it look like honesty. He has also reaped double advantage from Barabas' grand aspirations because they are both exciting in themselves, so confusing our moral bearings, and also inappropriate to Barabas' stature so that he appears engagingly comic. Marlowe quickly follows up the advantages gained in a brilliant exordium by moving from the indefinite issue of Christian hypocrisy to an attack on specific Christians, and at this point the narratio begins. The point for the defence is that the Christians did Barabas outrageous wrong and this plea of translatio is made more telling by an attack on the ethos of the Governor which undermines the justification he gives for his own

action and proves Barabas' point about Christian hypocrisy.

Barabas sums up his deplorable attitude to the world in the two last lines of the first scene: "Ego mihi met sum semper proximus/Why, let 'em enter, let 'em take the town" (I.i.188-9). In the following scene the Governor quickly shows that he shares the self-interest but takes a different view of patriotism, as he interrupts the Bashaw with "What's Cyprus, Candy and those other isles/To us, or Malta?" (I.ii.5-6). The courtesy of the pagan Turk in allowing Malta a month's grace then contrasts with the Governor's refusal to allow Barabas the grace of two lines of dialogue as he seizes all his wealth almost in the same breath as saying, "Sir, half is the penalty of our decree,/Either pay that or we will seize on all" (89-94). This striking injustice is justified by arguments based on the "profession" of Christianity. The Governor says that harbouring infidels has brought the affliction of the tribute on Malta in the first place (62-5), and the Knight claims that Barabas' own sin as a member of an accursed race is the cause of his losing all his money (108-10), where palpably the cause is the greed of the Maltese. Barabas' replies, emphasising the Christians' hypocrisy, remove any possibility that the audience could be misled by the Governor's claim to act virtuously. The replies are persuasive because they are both cogent and pithily memorable: "Preach me not out of my possessions" he replies to the First Knight (112). To the Governor's "And covetousness, O, 'tis a monstrous sin", Barabas retaliates, "Ay, but theft is worse" (124-5). Finally, he sums up by saying "Your extreme right does me exceeding wrong" (I.ii.154). The echo of the High Priest Caiaphas'

remark at the judgement of Christ in lines 100-1 confers on Barabas an almost Christ-like status, as several critics have pointed out.³⁰ Less affecting than this pathetic reversal of the Jew's role is the demolition of Barabas' hypocritical claim to have dealt righteously by the Governor's reference to his profession of usury which Barabas later admits (IV.i.39 & 54).^{*} The means by which Barabas acquired his money is, however, irrelevant. The point at issue is whether the Maltese are right to take it from him, and their hypocrisy in doing so is much more emphasised than Barabas' hypocrisy in defending himself.³¹

Emotional persuasion is also in favour of Barabas. Marlowe exploits the Christians' irritating self-righteousness to arouse indignation against them and sympathy for Barabas, so effectively supporting the plea of translatio or provocation. The next scene, where Barabas laments to the Jews, follows the rule of showing the suffering caused the revenger by the provocation. Barabas runs through the conventional gamut, first cursing the Christians (I.ii.163-9), then asking his companions to share his grief (173), and finally wondering that he does not die (174). He resists their attempts at consolation and asks them to leave him to his lamentations. Here are all the conventional signals for pity to which the audience would probably respond, particularly as Barabas appears a brave fighter against tyrannous authority who, as he points out, is unsupported by the multitude (178-9). At this point Barabas shows them what sentimental fools they are and arrogantly rejects their sympathy as he comments on the folly of his fellow Jews in terms which will apply to those of the audience who have been taken in.

"See the simplicity of these base slaves" he begins, doubtless grinning as he bites, "Who for the villains have no wit themselves/Think me to be a senseless lump of clay/That will with every water wash to dirt" (216-19).

Rhetorically speaking, leading the audience into sympathy only to make fools of them is to throw away one of the strongest weapons at the rhetor's disposal, and Marlowe appears to be accepting an outside handicap at this point. This also he turns to advantage, however, for the incident is useful to him in two ways. It is the opening gambit in the play's discouragement of any feeling (apart from hilarity), which is to be essential to proving Machiavel's thesis. More immediately, it begins a challenging rapport between Barabas and the audience.

This special relationship is immediately strengthened as the tables are turned on Barabas. Confident that his hidden treasure is still his, he assures Abigail vividly and with some superiority that "things past recovery/Are hardly cured with exclamations" (I.ii.238-9), but on learning that he has no access to his treasure, he "exclaims" himself: "My gold, my gold, and all my wealth is gone!/You partial heavens have I deserved this plague?" (256-9). Barabas is, however, made of sterner stuff than the average lamenting revenger, and he defies the stars' attempt to drive him to suicide, asking if they "Think me so mad that I will hang myself" (263).³² As he immediately hits on a plan to recover the treasure, Barabas establishes the resilience and quick-thinking which are to be a source of entertainment and some admiration in the play. When persuading Abigail to enter the convent, Barabas emphasises the difference between the knowing dissembler like himself and the Christians' failure to examine the coincidence of right and their own

advantage: "A counterfeit profession is better/Than unseen hypocrisy" (292-3). This remark and the events which precede it illustrate Machiavel's opinion that there is "no sin but ignorance" (prologue, 15). It is persuasive to an extent, but falsely so, for later events show that Barabas' knowledge and perception are limited by self-interest..

A false profession is a serious thing because it is mockery of God, and Barabas' use of the symbol of the Cross to mark his treasure is blasphemous, to the audience if not to him. These are not laughing matters, but Marlowe both distracts the audience from their seriousness and makes us laugh at them as Barabas puts on another show. His acting is made additionally amusing by an appeal to our worse nature as we have the pleasure of watching the nuns and friars walk into a trap similar to the one which fooled us.

In the first act Marlowe establishes both the "foundation" or main point for the defence of Barabas, and the method by which it is to be conducted. Barabas' dispute with the Governor reflects the oblique method of the whole play, for, rather than arguing points, the combatants exchange accusations.³³ Another characteristic of the method is to present false choices in a beguiling manner. Barabas' opening soliloquy suggests that limitless avarice is better than that which is limited. The phrase "infinite riches in a little room", however, reminds us that size has nothing to do with virtue, and if we succumb to Barabas' suggestion we are in fact demonstrating materialism or Machiavellism by agreeing that the miser who desires and acquires more is better than the one content with less. The second false choice is

that it is better to be a professed and confirmed villain than to fall away from or even misuse ideals. To agree to this is to demonstrate cynicism, for where there are ideals a greater knowledge of self may bring reform, but where there are none knowledge can only be misused. To put this in logical or rhetorical terms, Marlowe through Barabas is presenting the false syllogisms of the "evil orator" to whose ranks Barabas belongs. The syllogisms might be worded as follows: a greater achievement is better than a less, Barabas has achieved more than others, therefore he is better than others; and, honesty is good, Barabas is more honest than the Governor, therefore he is better than the Governor. In both cases the fallacy lies in ambiguity, that is a word in the first or major premise acquires a different meaning in the second. A greater achievement of good is better than a less and Barabas' "honesty" about his evil attitudes and deeds is in fact shamelessness: it is boasting rather than a penitent honesty.³⁴

The persuasive techniques used to present the false arguments correspond to the distracting techniques recommended by the classical rhetors to present a truth, not to distort it. Sometimes an appeal is made to the imagination, as in Barabas' opening speeches, more often laughter is used to distract the audience from serious issues (and tar them with the cynicism of the characters in the play) as in the scene of Abigail's false profession; and the pleasure to be derived from what is shocking is not forgotten. The process of undermining the audience's moral sense is not without an element of intimidation. In Machiavel's remark, "I hold religion but a childish toy", for example,

the very words insinuate that those who disagree are naive, and the tenor of The Jew is to play on this feeling.

At the same time Machiavel's speech is a warning, as is Barabas' scornful rejection of sympathy which warns the audience that he can hoodwink them as well as the characters on stage. As a warning it is more perceptible than Machiavel's sardonic hints as he presents his thesis, but it appears in fast-moving action, and there are more than three acts of persuasive rhetoric before the final springing of the trap.

Act II

In the second act, or summa protasis, Barabas completes his stratagem to regain his treasure and begins his plan to take revenge on the Governor. In the national sphere, or on the level of the over-plot, as Levin puts it (Overreacher, p.67), the Governor's relationship with the Turks is developed as he allies himself with the Spaniards. The act is also one of ethical proofs. Those which accuse Barabas are countered by the accusations of the Governor and the Christians, and they all contribute to the arguing of Machiavel's thesis. There is proof concerning the Governor's character in the second scene, and in the third the other Christians appear in dubious situations. In the third scene Barabas and his new accomplice, Ithamore, boastfully paint themselves in villainous colours, and in the first scene Barabas displays the vindictiveness and miserliness commonly ascribed to Jews. In this scene, however, Marlowe continues to build up Barabas' relationship with the audience by making fun of him.

Following his farewell to Abigail, Barabas opens Act II in a state of vindictive despair which is an abrupt change of mood from his determined plotting at the end of Act I. The mixture of deep feeling and absurdity in this scene has puzzled critics because the author seems to be writing fine verse only to undercut it. We can at least be sure that Marlowe mocks Barabas in his ecstatic greeting of Abigail. Having rhapsodised for four lines, Barabas concludes, "O girl, O gold, O heaven, O my bliss" and, bathetically, "Hugs his bags" (II.i.47-54). With this traditional image the boastful Barabas is cut down to the size of any miser, and so Marlowe both modifies the impression given of his grandeur in the first act and allows the audience to score off him. The scoring is friendly, however, because Barabas is undoubtedly justified in retrieving the treasure from a house unjustly seized. The key mood is light-heartedness and this is perhaps the most attractive scene in the play. It is partly the power and beauty of the verse that make it so. There is power in the first speech from the seventh line to the end, for example, as Barabas describes his despair and invokes the God of the Old Testament, there is an eerie beauty in the third and fourth lines of the opening speech, and Barabas speaks with fine lyricism about his daughter and his gold.

Another alluring feature of this scene is the witty use of images. The scene opens with one which is striking and contrived: "Thus like a sad presaging raven that tolls/The sick man's passport in her hollow beak", and that is not justified until the fifth and sixth lines: "Vexed and tormented runs poor Barabas/With fatal curses towards these

Christians" (5 & 6). The delayed justification draws attention to the wit which is also displayed in the elaboration of the image at the close of the scene as Barabas, blissful at break of day, compares himself to a lark -- and he can indeed both soar and sing. Wit makes Barabas engaging, but because it is partly at his expense, it reminds us of the author behind it and so we can say that Marlowe enters the relationship between Barabas and the audience at this point. It is possible that he takes comedy even further and that Barabas with his false nose, a black cloak and sadly hunched shoulders, looks like a raven as he speaks the opening line. The full effect of the first speech will vary from production to production, but it certainly offers proof of Barabas' passionate vindictiveness towards the Christians. It is equally clear that Marlowe uses absurdity in this scene to emphasise the mercenary inspiration of Barabas' passion and fine poetry, but he may also be training the audience to take feeling lightly, much as the rejection of their sympathy in the first act discourages compassion, for a certain hardness in the audience's attitude is essential to the proof of Machiavel's thesis.³⁵ He has certainly led us far from remembrance of the mockery of God and the blasphemy with which Barabas' plan began in Act I.

Barabas' rapturous reunion with his treasure is followed by proof that the Governor is anxious to keep a grip on his. Whereas Barabas' pursuit of self interest has the charm of absurdity and his avarice is not without lyricism, the Governor's equally distorted sense of moral values is depicted in a charmless and matter-of-fact

way. He readily permits the sale of slaves in Malta once his objection to offending the Turks is removed and, self-justifying as ever, he gives to the plan of breaking his oath to Calymath 'the colour of honour (II.ii.56).³⁶ Prejudice is therefore firmly on Barabas' side before the proofs of his premeditated vengeance are introduced.

In his first speech of the third scene, Barabas contrasts with the Governor as he frankly explains his hypocrisy to the audience: "We Jews can fawn like spaniels when we please/And when we grin we bite" (II.iii.20-1). He clearly states that his vindictiveness is such as to prompt him to spit in the Jewish offering bowl when the collection is for a Christian (28), but his behaviour is justified to an extent as he claims that the Christians' contempt has provoked it:

I learned in Florence how to kiss my hand,
Heave up my shoulders when they called me dog,
And duck as low as any bare-foot friar
Hoping to see them starve upon a stall.

(II.iii.23-6)³⁷

Barabas' extraordinary exchange of boasts with Ithamore may be a test of the latter's quality which he passes with flying colours, but it is also proof of Barabas' wickedness, either as a confession or because he makes such a test. There is further proof of his Vice-like quality in the preceding speech where he instructs Ithamore:

First, be thou void of these affections,
Compassion, love, vain hope, and heartless fear;
Be moved at nothing, see thou pity none,
But to thyself smile when the Christians moan.

(II.iii.171-4)³⁸

But the effect is modified because Barabas' account of his mass murders is so exaggerated as to be unbelievable, and the sheer incongruity of

boasting about such massive wickedness makes it appear amusing. So here is further encouragement to take serious things lightly and we do so no less because Barabas' long boast, beginning "As for myself, I walk abroad o' nights" (II.iii.176-203), is clearly a parody of current ideas about Jews which the play at this point suggests are hysterically exaggerated.³⁹

Two more defensive incidents appear in this scene. The Christian widow, Katherine, is shown buying a slave, yet judging others as she tells her son not to speak to Barabas as "he is cast off from heaven" (II.iii.160), and Barabas' first expression of his hypocrisy is followed by the entrance of the Governor's son intent on betraying his friend, Mathias, as he bargains with Barabas for Abigail. There is also proof of what Barabas has said about the Christians' treatment of Jews in Lodowick's arrogantly offensive innuendoes about foils and diamonds shining at night (III.iii.56-66). Because Lodowick is deplorable the audience is likely to approve Barabas' playing the serpent (36-7) and hence to censure less than they might otherwise do his making Abigail pretend love to Lodowick as part of the plan for his downfall (II.iii.227-34).

Repeated proofs emphasise Barabas' wickedness in this scene, but his confidence and confidences as he stage-manages Mathias (II.iii.149-52) and Abigail (II.iii.230-2 & 236-40) encourage more curiosity about his plan than sympathy for his victims. Abigail is touching as she is forced to betroth herself to Lodowick (318-24), and as she says of Mathias, "I cannot take my leave of him for tears:/Father, why have

you thus incensed them both?" (II.iii.357-8). Her determination to "make them friends again" is a poignant touch, not only because it is ironic but because it is a child-like declaration that she will transgress her father's authority. It is also a declaration of "Christian" intent, but because Barabas brushes aside Abigail's protests and we want to see what will happen next, we tend to follow suit.

The proofs of the second act attest the wickedness of the Christians as well as the depravity of Barabas and they are therefore both accusing and defensive. The effect of the direct statements of Barabas' wickedness is, however, modified by exaggeration and comedy and Barabas' closeness to the audience as opposed to the Governor's distance. Prejudice has, then, been built up in favour of the self-confessed Machiavellian villain as opposed to the secretive one through the presentation of ethos and also by an appeal to the audience's pleasure through Barabas' antics. In the third act that prejudice will be shown to be mistaken, much as the audience's sympathy with Barabas at the Governor's unjust treatment was shown to be to a large extent misplaced.

Act III

As Barabas takes his revenge, Act III brings us to the epitasis of the play, the end of the revenge plot proper and what would be the perorations in a trial. The vivid description of Barabas' crime begins with the second scene where Mathias and Lodowick, incensed by Barabas' forged challenges (II.iii.352-85 & III.iii.20-23), meet to fight a duel. This is the first piece of on-stage violent action in the play, and being an open fight it is not particularly horrific. Barabas' presence as a

controlling gargoyle in the balcony is both sinister and amusing. His admiration, "O bravely fought" (III.ii.5), suggests that the fight is intended to be of a quality to give the audience the pleasure of good fencing, and his following comment, "And yet they thrust not home" (5) indicates a well-matched and exciting struggle. Eventually the combatants do "thrust home" and Barabas contemptuously remarks as they fall dead, "So, now they have showed themselves to be tall fellows" (7). As he exits he reaffirms his special connection with the audience by saying, "farewell, farewell" (9), as if he were asking for applause.

The scene of mourning that follows corresponds in a way to the conventional support of the accusation by an appeal to pity in the pathetic presentation of those afflicted by the act. The passage takes Katherine and Ferneze rapidly through discovery (10-12), longing for vengeance (14-15), accusations of each other's sons (15-16), determination that someone must have caused the fight (20-22), the slightly ridiculous competition as Katherine wishes to die on the murder weapon (23-4) and Ferneze claims the right to die on his son's sword (25-6), and, finally, they decide to delay suicide for the sake of vengeance (27-8). If it is not burlesque the scene is certainly perfunctory, and it appears to be tempting the audience into callous laughter.

Ithamore illustrates something of the attitude encouraged by the duel as in the third scene he exclaims to Abigail about the "villainy/ So neatly plotted and so well performed" (III.iii.1-2) of the "bottle-nosed knave" his master (10). Abigail's following soliloquy emphasises the most hideous aspect of Barabas' crime, that he used her as a tool to compass her fiance's death, and Barabas' indictment is spoken by his

own daughter:

Hard hearted father, unkind Barabas,
Was this the pursuit of thy policy,
To make me show them favour severally,
That by my favour they should both be slain?

(III.iii.39-42).

In concluding that "there is no love on earth, / Pity in Jews, nor piety in Turks", Abigail endorses the thesis that Machiavel's influence prevails (III.iii.50-1). She shows her own loyalty, however, in her aside before her exit with the Friar, "O Barabas, / Though thou deservest hardly at my hands, / Yet never shall these lips bewray thy life" (76-8).

Abigail's return to the convent represents a particular test for Barabas, because she is a Jew and his daughter whom he has no reason to hate, and he fails it, finally demolishing the plea of translatio represented by the Governor's injustice. Barabas is clearly simply evil and he demonstrates before the audience the qualities that have hitherto only been referred to or which appeared in some measure amusing, incredible or justified. This part of the play brings home that Barabas really is what he says he is as a debater or advocate might do in his peroration. The knowledge that earlier seemed to make him more perceptive than Ferneze is shown here to be as subjective as the Governor's hypocrisy. Abigail's parting expression of loyalty becomes both pitifully ironic and a proof of the limitations of Barabas' self-centred knowledge as he calls her "False, credulous, inconstant Abigail" (III.iv.27). The comments of the hardened Ithamore on the one hand emphasise the profundity of Barabas' malice and on the other turn it to comedy, but at this point even he is compelled by Barabas' injustice to exclaim, "Oh master!"

Barabas' ruthlessness is demonstrated by his poisoning not only his daughter but the whole convent, the kind of exploit he boasted of to Ithamore in II.iii. That some of his vindictiveness is motiveless emerges in his promise to pay Ithamore "with a vengeance", although at this time Ithamore has done nothing but serve him (III.iv.115).

At this point Barabas has been tried and found inexcusably guilty. It now becomes apparent that his guilt or innocence is not the main point of the play, as the act goes on to convict the Governor and another group of Christians, the friars. The Governor's refusing the tribute to the Turkish Bashaw is a political matter and it is pallid beside the expression of Barabas' vindictiveness to his daughter and servant in the preceding scene. Nevertheless, it shows the Governor actually committing a dishonourable action, and it continues the pattern of accusation and counter-accusation.

The Governor's scene is followed by Abigail's dying confession to the Friar which produces the blackest moment in the play. Abigail seems to have found faith in her conversion and her last request to the Friar is "Convert my father that he may be saved, / And witness that I die a Christian" (III.vi.39-40). She is not only Barabas' "loadstar" (II.i.42), "shining from the east" (41), but the audience's, and yet her triumph over death by dying in charity is hideously distorted to apparent folly by the Friar's reaction:

Ay, and a virgin too, that grieves me most.
But I must to the Jew and exclaim on him,
And make him stand in fear of me.

(41-3)

The scene completes the illustration of Abigail's lament begun by

Barabas' and Ithamore's reaction to her conversion, that "there is no love on earth, / Pity in Jews, nor piety in Turks" (III.iii.51-2). That this black moment can produce laughter was, however, shown by two productions in 1964.⁴⁰ As the Friar reminds his colleague that it is death to reveal what is said in confession, his obvious intention to evade the spirit of the rule by making use of what he has heard is comparable to the Governor's hypocrisy. This scene can be considered part of the peroration in that it shows the seriousness of Barabas' crime, that he has destroyed the only true Christian in the play, but it also begins a new series of proofs. It suggests that those most concerned with religion, the friars, hold it "but a childish toy", whether knowingly or not, as Machiavel does. In showing the Friar's immediate calculation of the advantage he can make of Abigail's confession, the scene effectively proves that Machiavel has more friends than admit it as far as the world of the play is concerned.

We can say, then, that both the definite question of Barabas' guilt and the indefinite issue raised by Machiavel's thesis have been proved at this point. What has not yet been finally proved is the extent of the Christians' depravity and that Machiavel has undisclosed friends in the world of the audience, and the next part of the play seems designed to do this.

Act IV

The next part of the play shifts onto a plane of witty melodrama, as Altman puts it (p.358), or silly farce as earlier critics saw it.

The moral inferences appear inconsiderable, and in the Bellamira incidents the tone becomes positively light-hearted. As humour and belittling important facts are part of the distracting tactics recommended by the rhetors, Marlowe may be trying to distract us from Barabas' guilt, and he may have made the case against Barabas so irrefutably damning to show how persuasive rhetoric can be in the hands of an expert, and perhaps to demonstrate that people will fall, warn them how you may. The light-heartedness of Acts IV to V.i corresponds to Machiavel's opening statement that he intends to "frolic" with his friends in England, and it is therefore worth considering the frolic of the fourth and the early part of the fifth act in the light of Machiavel's thesis.

Abigail has demonstrated the right attitude to Barabas — a charitable wish for his conversion to goodness is in order, but any kind of involvement is not. Ithamore on the other hand, exclaiming with wonder at Barabas' wickedness, but eagerly running to the convert with the porridge, illustrates what the audience are metaphorically to be enticed to do.

To entice us Marlowe has to recapture our partly admiring, amused involvement with Barabas which may have been dispelled or at least lessened by the third act. To meet this rhetorical challenge he uses two major techniques. One is to present in the world of the play a situation which is painful to contemplate. By indicating at the end of the third act that the convent is tainted in the way Barabas and Ithamore insinuate (II.iii.84-5 & III.iii.35), Marlowe suggests that there is no place in the world, even in a centre of Christianity, for a person like Abigail who has aspirations to goodness and who does, indeed, acquire charity. This is an

intolerable proposition because it is to equate the world with hell. Marlowe has, moreover, implied by the behaviour of the Friar that it is foolish to concern oneself with goodness. In this way he both encourages us to want to forget about Abigail and edges the less intellectually confident, who are afraid of appearing foolish, into the cynical attitudes of the play. Secondly, in the fourth act we enter a kind of thieves' kitchen where normal moral values tend to be suspended because no-one represents them. Among the gang of crooks Barabas appears to advantage because he is cleverer than the others -- and so we are manoeuvred into an attitude not unlike Machiavel's assertion that "there is no sin but ignorance" (Prologue, 1.15).

These are the grounds for considering the fourth act as a kind of decoy, which corresponds to a division of proofs in the case against the audience by demonstrating their failure to behave according to the ethic they profess. In the opening scene the formality of both the dialogue and the trick played on the friars helps to disarm moral anxiety as it gives the impression of a merry rhetorical exercise. The events do, however, concern the serious crime of murder and they are not without an element of fear. The first scene of the act opens with some examples of Barabas' outrageous wit, such as "There is no music like a Christian's knell" (1). The dialogue with the two friars is not unlike patter in a vaudeville act as one Friar is unable to say what he knows because he heard it in confession, and the other can not say what he does not know. Barabas with seeming innocence turns their veiled accusations to other

meanings:

Bern. Barabas, thou hast --
 Jac. Ay, that thou hast --
 Bar. True, I have money; what though I have?

(IV.i.28-30).

This tactic fails, as a similar ruse did with the Governor, and Barabas turns to "dissembling". As he pretends penitence his old and entertaining habit of exaggeration surfaces again (58-9), and he laces his speech with reminders of his wealth, concluding with such an inventory of his possessions that the friars fall to quarreling over the prize he offers, and eventually come to blows (IV.i.96). Ostensibly this offers proof of the well-worn cliché of friars' greed. Generations of playgoers had laughed at it and it seems reasonable enough to admire Barabas' cleverness as he outwits them, but the scene also shadows Abigail's conversion with further mockery.

In the murder of Bernardine we have the second piece of on-stage violence in the play. Like the first, it is not bloodily horrific, but it has a nightmare hilarity arising from the contrast between murder and the business-like attitude of Barabas and Ithamore, as they exhort each other to pull-harder, and congratulate themselves on the neatness of the job. The framing of Giacomo by enticing him to knock down a man already dead is highly improbable,⁴¹ but there also we are forced to laugh at the inroads of chaos as Barabas, turning the law to unlawful purposes, remarks with dastardly effrontery, "Law wills that each particular be known" (IV.i.204). In another context laughter at these events might be justified as the good man's approval of the downfall of the wicked, because justice is done in a way as one friar meets the sentence of

death for revealing the secrets of the Confessional and the other for trying to profit from the situation. The immediate cause of their death, however, is that Barabas is preventing them from blackmailing him for crimes which he has committed, and it is hardly possible to see Providential justice defending Barabas. Nevertheless, it is because the friars do not deserve much better than they get that these scenes succeed in eroding the sense of shock that murder ought to evoke and prepare us to succumb again to Barabas' sinister enchantment.

The second blackmail attempt again shows Barabas preyed on for his wealth rather than as punishment for his wickedness. In the first act his attackers were his social superiors, Barabas' criminality had not been demonstrated, and he appeared a victim of both influence and prejudice. In this act we know that Barabas deserves to be blackmailed, and on a moral level there is little to choose between the two factions which therefore vie for our support through the morally irrelevant means of theatrical attractiveness. In this respect the opposition to Barabas is stiffer than anything the Governor could offer. Although Bellamira's gang are a scurvy lot they have comedy on their side, and Ithamore is allowed something of the transforming eloquence that Barabas had in the first act and the beginning of the second. Ithamore fully understands the mercenary nature of his relationship with Bellamira: "I'll go steal some money from my master to make me handsome" (IV.ii.54-5), but he decks this sentiment in the myths of "lovely Greece"-(95), as he bursts into the mercenary man's version of "The Passionate Shepherd to his Love". "I'll be thy Jason, thou my golden fleece" he says and, as if transformed

by wealth to the very prototype of handsomeness, "I'll be Adonis, thou shalt be Love's Queen". He ends parodically and invertedly with "Thou in these groves, by Dis above, /Shalt live with me and be my love" (IV.ii.96,100 & 103-4). Like Barabas in Act II, Ithamore soars like a lark on wings of purest dross. Barabas himself, thoroughly embattled, is reduced to invective of which he is a master, but as he soars no longer some of his theatrical attractiveness is relinquished to his rivals for our support. On the other hand, Barabas' discomfiture as he faces Pilia-Borza is both amusing in itself and satisfactory because it serves him right. Moral considerations are, however, discouraged by the depravity of both sides and the most gripping effect of Barabas' predicament is the likelihood that he will shortly turn the tables on his attackers, and this he does in the flower scene.⁴⁷

Ithamore's betrayal in his cups of his golden secret adds excitement to Barabas' counter-attack, for we no sooner learn that there is little time to lose than Barabas appears, disguised as a French musician, with a ridiculous accent and a posie in his hat incongruously pretty enough to attract Bellamira's interest. As the posie is passed from hand to hand, Barabas' triumphant revelation, "The scent thereof was death; I poisoned it" (IV.iv.42) must evoke a laugh, which is followed by others as Barabas' evidently skilful playing (50 & 52) contrasts with his indignant asides. These culminate with engaging absurdity in his defence of his hat: "'Twas sent me for a present from the Great Cham" (69).

These scenes are in reality a squalid enough depiction of dog

eating dog, but there is a disarming gaiety about them in which the author, twice reminding us of himself, seems to join. The first occasion is Ithamore's parody of "The Passionate Shepherd", the second, his assertion, "I scorn to write a line under a hundred crowns" with Pilia-Borza's reply, "You'd make a rich poet, sir" (IV.iii.128-30). The intrusion of the author here, as in Act II, establishes the intimacy of a shared theatrical joke, a complicity augmented by the mockery of Pilia-Borza, three descriptions of whom also draw attention to Marlowe's neat handling of variation. Pilia-Borza sees himself as a "tall man" (IV.ii.10), to Ithamore he is a fellow with "muschatoes like a raven's wing, and a dagger with a hilt like a warming pan" (IV.ii.34).⁴³ To Barabas, seeing with the eyes of passionate resentment, he is "a shaggy, tottered, staring slave" who "when he speaks, grunts like a hog" (IV.iii.6 & 13). The author appears our friend and entertainer at this point, but in drawing attention to rhetorical techniques and himself, he may also be prompting the audience to observe the parallel in method between this and the first and second acts. In the early part of the play he distracted the audience from a wickedness which was fully revealed in the third act, and in the fourth he repeats the process. Act IV ends with another parallel as Ithamore with blatant hypocrisy parodies the Christians' self-justification as Barabas had done before him.

Act V

At the beginning of Act V our support of Barabas is further encouraged because he is more embattled than ever as he stands alone

against the court and the witnesses. The virtuous should rejoice that the villain is brought to justice, but the form in which justice appears is suspect. Information has been given by a callous bunch for dubious motives, and the judge is the Governor in a frenzy of vengefulness as he cries, "Make fires, heat irons, let the racks be fetched" (V.i.24). The audience is faced with a choice between amusing and ingenious vice of a very extreme kind, the unintelligent vice of the informants, and the cold sententious vice of the Governor. This choice, like those in the first act, and like the entertainment of the fourth act, is a distraction, because it is irrelevant to the moral or legal question of Barabas' guilt and punishment.

Distracting also is the spectator's curiosity to see how Barabas will get out of his difficulties. His lines offer the hope that he will, for his initial agony of self reproach (21-2) modulates to an expression of resilience with "Devils, do your worst. I'll live in spite of you" (41). We are, certainly, reminded by Katherine's short scene that Barabas has caused two young men to kill each other (44-9), but this reminder is over-shadowed by the rapidity and staginess of the following action. Immediately following Katherine's scene the Officer announces the belated death of the informers and Barabas himself is carried corpse-like onto the stage. Bosco's remark that the deaths are very sudden contrasts with Ferneze's assurance that "the heavens are just" (V.i.55), encouraging the audience to hope that Ferneze is wrong and to wish prosperity to the murderer for the sake of entertainment. This morally dubious hope is eventually gratified as Barabas, having been thrown over

the wall, sits up and remarks with superb nonchalance, "What all alone?" (V.ii.61). His following vow of vengeance and treachery has none of the venom of his earlier speeches, but rather, a petulant tone that makes it amusing, although it ends with a grander cadence, "I hope to see the Governor a slave, / And rowing in a galley, whipped to death" (V.i.67-8). Prompt on his cue, Calymath appears and Barabas agrees to lead the Turks' secretly into the town by the sewers.⁴⁴ The success of Barabas' plan is crowned as Calymath makes him Governor and Ferneze is led off to prison, crying, "O villain, heaven will be revenged for this!" (V.ii.25). Characteristically Ferneze delivers the orthodox sentiment of the moral man, and characteristically its truth is undercut by the suspicious coincidence of principle and self-interest that appears to prompt it.

The following events which result in Barabas' death can be seen from two different points of view. Either, as Ferneze professes, heaven does finally punish Barabas, though that view is not consistent with the events of the play, or Barabas dies because he is foolish enough to trust the Governor. Intelligently assessing his situation, Barabas shows that he can control his vindictiveness for the sake of policy as, far from sending the Governor to the galleys, he decides to make a pact with him to betray the Turks, so "making a profit of my policy" (V.ii.112). He loses the excuse of passion at this point which to some extent ameliorated his earlier crimes. He is now presented purely as a calculating Machiavellian, and this encourages the audience to consider him in these terms, so illustrating the truth of Machiavel's thesis and confirming Barabas'

justification of his course of action:

And he from whom my most advantage comes
 Shall be my friend.
 This is the life we Jews are used to lead,
 And reason too, for Christians do the like.

(V.ii.113-16)

The resolution, the climax of the peroration and the judgement take place in scene v. Barabas, hammer in hand, makes preparations for his show and now the audience, like the Governor, are overtly enrolled as Barabas' accomplices as he turns to them and asks,

Why, is not this
 A kingly kind of trade, to purchase towns
 By treachery and sell 'em by deceit?
 Now tell me, worldlings, underneath the sun
 If greater falsehood ever has been done.

(V.v.46-50)

As Barabas describes his plan to the Governor, two reactions are possible. One is shock at the scope of his murderous intentions, though the play should have accustomed us to that by now, the other is disappointment at Barabas' showing himself as credulous as any Calymath. First, he does not make the Governor pay in advance; second, he not only tells him the details of his plan, but hands him the knife to cut the cord. The brighter worldlings in the audience will certainly not be able to accord Barabas the admiration he demands. Anticipation of the Governor's treachery is not, however, likely to affect the hilarious surprise of his coup, as the final detail of what is in the hellish "pit past recovery" prepared for Calymath is not released (V.v.36). Almost as soon as Calymath arrives, Ferneze cuts the cord and Barabas falls into the boiling cauldron. The suddenness of the fall adds to the farcical effect as does the aptness of the cauldron. Misers were

thought to boil in hell,⁴⁵ a punishment Hieronimo chose for the murderous Lorenzo, and at one time also the legal punishment for poisoning.⁴⁶

Only an audience of preternatural solemnity could fail to respond to poor Barabas' fate with laughter, inappropriate to the concern which might be expected of accomplices, but suitable as just merriment at the discomfiture of evil, if they have the face to give it that colour. The Governor's reaction to Barabas' request for help seems heartless, but it is theologically impeccable, as the Christian is not supposed to pity or assist those God deems worthy of damnation, which the Governor assumes is the case here.⁴⁷ "No, thus I'll see thy treachery repaid" he says; "But wish thou hadst behaved thee otherwise" (V.v.73-4). Yet the Governor himself admits that he is taking advantage of Barabas' treachery as he says to Calymath, "For he that did by treason work our fall/By treason hath delivered thee to us" (108-9). Similarly the audience have taken advantage of Barabas' evil activities throughout the play to amuse themselves, and it is unlikely that any of them could truly wish he had behaved otherwise, unless they remember Abigail whom they have been encouraged to forget. Finally, the Governor delivers a verdict which is as piously orthodox as any puritan could wish and obliquely comments on the ideas of Seneca and his followers, "And let due praise be given/Neither to fate nor fortune but to heaven"⁴⁸. In a sense this is modest of the Governor, for it is evident that Barabas' death was contrived by Ferneze's own quick seizing of advantage, much as Barabas' earlier punishment through blackmail was caused by the greed of the blackmailers, and indirectly by Ithamore's romantic lust. In

another way it is arrogant because the Governor implies that Heaven has brought about Barabas' downfall in order to bless with success his own double dealings with Calymath which has kept the tribute in his coffers. It is not unusual for Providence to work through evil for a good end, but the audience can hardly join the Governor in claiming that it supports the wicked. Clearly the turn of events must be ascribed to the one influence not mentioned in the Governor's verdict and the one which has been shown in the play to be dominant in Malta, Machiavel's.⁴⁹ If the Governor were struck dead on his exit, the play would be truly orthodox and its import would be clear, but by producing a logical impasse Marlowe forces the audience to turn back and consider their own judgement, which they may find to have been Machiavellian rather than Christian.

Assuming that the audience's thesis in opposition to Machiavel's is that Divine Providence orders the affairs of men and that the principles of Christianity pertain in England, we can see that Marlowe has employed the method used at university to lead the answerer into such a position that he is forced to admit the opposite of his own thesis (see p.39 above). Many in the audience would doubtless appreciate the way he has adapted the method to the theatre in making it dependent on emotional persuasion: the audience's response becomes the equivalent of an answer to a syllogism which must be recognised as true or fallacious. (Gosson's comment that audiences by their laughter seem to approve rather than reprehend Italianate conveyances and bawdry is relevant here.) Even if the method is not recognised in its entirety, the

inconsistent ending is disconcerting enough to prompt recognition of Marlowe's technique of making light of important points by those who had studied Cicero and Quintilian. The other major tactic is to discredit the right choice or judgement by discrediting the witness. Both techniques are discussed by the Roman rhetors and are characteristic of Lucian's method. Ferneze is the spokesman for orthodox sentiments which on every occasion, he produces when they are particularly apt to his own advantage, so that they become devalued. A similar method is applied to Abigail who is the lodestar of the Christian audience, but it is Barabas who says so for the wrong reason that she has his treasure. Abigail's achievement in recognising "the differences of things" is precisely what is required of the audience, but it is belittled by the friar as he dismisses her charity with its evil travesty, lust. A fair proportion of the audience would, then, have been able to recognise Marlowe's rhetorical trick as the lure of the irrelevant leads to audience reactions which rhetorically "prove" Machiavel's thesis. Without understanding of rhetorical techniques the play can be seen in at least two ways. It illustrates the need to consider the beam in one's own eye, and here there is a good homiletic point. To some of the audience, as to some critics, the play may even have appeared a perfectly orthodox depiction of Divine retribution on evil people like the friars, the blackmailers and Barabas. But, because the ending undercuts the idea of Divine retribution and because the play in demolishing the peripheral accretions of Christian dogma also brushes aside truly Christian attitudes, it can be seen as attacking Christianity itself.

So it is that we find such varied views of what Marlowe is actually saying in The Jew of Malta. His intention may have been to urge the audience to defend themselves against rhetorical approaches by being vigilant and recognising the distinctions Abigail learnt to make. If his aim was to show the audience that their faith was no better than any other, it can not be proved against him. All we can say with certainty is that as entertainment The Jew is a highly successful exercise, and as argument a brilliant piece of rhetoric.

CHAPTER 8: NOTES

¹This and the following material on Marlowe's career is taken from F.S. Boas, Christopher Marlowe (Oxford: Clarendon Press, 1966, 1st pub. 1940)

²Walter Ong S.J., Ramus; Method, and the Decay of Dialogue (Cambridge, Mass., 1958; rpt. New York: Octagon Books, 1979), pp. 8-9. Sister Miriam Joseph (n.7 p.42 above), commenting briefly on the Ramists, Traditionalists and Figurists, finds that they all have much in common and all owe much to Aristotle, pp.13-18.

³See Costello (n.35, p.44 above), p.27

⁴See Boas, pp.250-1. The note is transcribed in full in Boas' edition of The Works of Thomas Kyd, pp.cxc-v. Paul H. Kocher in Christopher Marlowe (Chapel Hill, 1946; rpt. New York: Russell and Russell, 1962) gives a full account and discussion of this and other accusations of atheism.

⁵N.W. Bawcutt, ed. The Jew of Malta, The Revels Plays (Manchester and Baltimore: Manchester and John Hopkins University Presses, 1978), pp.37-40. The evidence for revision and the kind of manuscript used for the Quarto is examined on pp.41-7. All quotations are from this edition.

⁶See Irving Ribner, "Marlowe and the Critics", Tulane Drama Review, 8 (1963-4).

⁷J.B. Steane, Marlowe, a Critical Study (Cambridge: University Press, 1965, 1st pub. 1964), p.181; and John P. Cutts, The Left Hand of God (Haddonfield, N.J.: Haddonfield House, 1973), pp.158-9.

⁸See Judith Weil's note on these critics in Christopher Marlowe: Merlin's Prophet (London: Cambridge University Press, 1977), p.186, n.5. Among others she mentions Una Ellis Fermor; Molly Mahood; and G.K. Hunter, who notes that Barabas is free from "the cant of idealism".

⁹G.K. Hunter, "The Theology of The Jew of Malta", Journal of the Warburg and Courtauld Institutes, 27 (1965), 211-40.

¹⁰Joel Altman, pp.354-8.

¹¹G.K. Hunter in "Theology" discusses the Elizabethan idea of "jewishness" which is illustrated by the choice of the thief Barabbas

instead of Christ, and that the moral state remains a matter of wrong choices. Wilbur Sanders in The Dramatist and the Received Idea (London: Cambridge University Press, 1968) analyses the relation of Jew and Christian in the play and provides information on current opinions of Jews, pp. 41-6 and Appendix A, pp. 339-51.

¹²The chief exponents of Barabas' relationship to the Vice are Spivack (n.7 p.84 above), pp.346-53, and Bevington (n.9 p.174 above), pp. 218-33, but Altman feels that this view of Barabas insists on "an unchanging alter ego beneath or beside the secular layer" which does not allow "a flexible view of his function in the play", pp. 353-4.

¹³N.W. Bawcutt in "Machiavellism and Marlowe's The Jew of Malta" in Renaissance Drama, n.s. III. (1970), 3-50 surveys Elizabethan attitudes to Machiavelli and the way in which they appear in the play and discusses other critics' views on the subject.

¹⁴See in particular Charles Masinton, Christopher Marlowe's Tragic Vision (Athens: Ohio University Press, 1972), p.58.

¹⁵An exception is Alfred Harbage, "Innocent Barabas", Tulane Drama Review, 8 (1963-4), 47-58. He goes so far as to say that the Malta of the play is not wicked. He also thinks that Marlowe conspires with rather than mocking the audience as he enables them to greet the up-turns of the devil's career with glee, and his down-turns with pious approval. He puts the case more persuasively than this bald summary suggests.

¹⁶Paul Kocher considers that Marlowe not only accuses the Christians of "jewishness" but equates the Jewish and Christian faiths and ridicules Christianity itself, chapter 6.

¹⁷Two Lucianic features of The Jew are the concealment of the author's view-point and the logically untenable position into which we are led at the end of the play.

¹⁸Nicholas Brooke, "Marlowe the Dramatist:", Elizabethan Theatre, Stratford upon Avon Studies (London: Edward Arnold, 1966) remarks that "the force of Machiavel's stated attitudes is felt throughout the play and his cap fits every single actor in it", p.96.

¹⁹See Altman, p.358 and also Harry Levin, The Overreacher (Gloucester, Mass: Peter Smith, 1974): "Marlowe in the process of sharpening the formula for the tragedy of revenge seems to have learned a good deal from The Spanish Tragedy", p.60.

²⁰There are also verbal correspondences, several of which appear in Barabas' scene with Abigail (II.1). "Passport", somewhat over-ingeniously worked in (2) and "runs" (5) in the first speech recall TST (I.i.78 & II.vii.1 & III.viii.24). In the last speech Barabas invokes Phoebus so that he can "hover" like a lark, which recalls

Hieronimo's sighs "hovering" at Heaven's windows (III.vii.12), and during this scene Barabas twice produces Spanish phrases (38 & 64). In I.ii.316 Abigail refers to herself as "The hopeless daughter of a hapless Jew", c.f. TST "The hopeless father of a hapless son" (IV.iv.84). In his final speech Barabas says, "I would have brought confusion on you all" (V.v.84) and Hieronimo hopes to "see the fall of Babylon, / Wrought by the heavens in this confusion" (IV.i.196). The Governor's last line, "let due praise be given / Neither to fate nor fortune, but to heaven" (V.v.123) seems a mock-pious disclaimer of the implied references to destiny in TST.

²¹ H.B. Parkes remarks of the Elizabethans, "on the one hand they had been taught that nature was fundamentally good, that evil was a mere imperfection or aberration, and that the maintenance of moral and political order depended upon this belief in the identity of natural and divine law. On the other hand they were confused by the natural world in which the central reality was not reason or morality, but power, and the manifestations of power were, by traditional standards evil." "Nature's Diverse Laws: the Double Vision of the Elizabethans", Sewanee Review, lviii (1950), 403-4, quoted by Sanders, p.62.

²² See N.W. Bawcutt's "Machiavelli and Marlowe's The Jew of Malta" for an account of the current ideas on Machiavelli on which Marlowe may have drawn for his prologue. Bawcutt comments on a long-standing discussion of Caesar's "title" and whether or not his lack of it put him into the category of a tyrant (pp.5 & 40). He also gives examples of birds telling of murder (p.39).

²³ Steane remarks that the prologue "presents in little the basic paradox of the play", p.176.

²⁴ See Bawcutt's "Machiavelli and The Jew of Malta", however, for favourable opinions of Machiavelli, pp.8-10.

²⁵ See Steane's comment on Machiavel's ethos the prologue, pp.173-4.

²⁶ Bawcutt, introduction, p.66, also "MachiavelM", pp.48-9. On the other hand, Hunter in "Theology" notes that the original "Jewish" choice of Barabbas rather than Christ was thought to imply a preference for the flesh rather than the spirit, p.218.

²⁷ See Bawcutt's note, Revels edition, p.69, and for a fuller account, Hunter's "Theology", pp.221-5.

²⁸ Altman comments on the likeness between the two plays, p.355. Hunter in "Theology" notes that the Book of Job lists several of these jewels as valueless compared to the wisdom which is "in the fear of the Lord", p.220.

²⁹ Bawcutt in his introduction records that William Rowley in A Search for Money (1609) describes a usurer with a vizard "like the artificial Jew of Maltae's nose", p.2, and Ithamore makes references to Barabas' nose, e.g. II.iii.175 and III.iii.10.

³⁰ Steane, p.179; Cutts, p.153; Sanders, p.48; Weil, p.28.

³¹ Several critics have commented on the Governor's deception of himself as well as others and noted that the Christians' apparent lack of insight makes Barabas appear more perceptive. Steane, p.180; Weil, p.25; Bawcutt, introduction, p.27.

³² Compare Hieronimo's lamentation to the deaf heavens (III.vii.1-17), and his intention of suicide (III.xii), followed by the attempt (IV.iv.152).

³³ See Altman's account of this passage, pp.356-8

³⁴ See Sister Miriam Joseph's section on fallacious reasoning, pp.365-74.

³⁵ Wilbur Sanders comments that the method is "a dialectical demolition of the moral superstructure" and that the kind of laughter the play trades in "has a hard self-righteous timbre", p.50. He is not, though, speaking of this scene in particular.

³⁶ Bawcutt in his introduction observes that the line "Everyone's price is written on his back" (II.iii.3) seems to emphasise that this is a society in which everyone can be bought and sold, p.28.

³⁷ Sanders comments, "we feel the historical roots of this irremovable rancour in repeated and unceasing acts of Christian injury", p.44

³⁸ c.f. Avaritia in The Castle of Perseverance, ll.841-66a or Mischief in Mankind, ll. 671-717

³⁹ Sanders notes that among the crimes credited to Jews were "poisoning wells, practising murderous physic, working as a military engineer, as inventor of diabolical devices and as diplomatic traitor". He adds that "on this level the speech is a quiet jibe at the Christians who can believe such tales", p.51.

⁴⁰ James L. Smith, "The Jew of Malta in the Theatre", in Christopher Marlowe, ed. Brian Morris, Mermaid Critical Commentaries (New York: Hill and Wang, 1968), pp.16-18

⁴¹ Bawcutt notes that the device is taken from an old tale which Heywood used in The Captives, introduction, p.16

⁴²To Sanders, Barabas' "whining and cajoling" in his interview with Pilia-Borza is so repellent that Marlowe alienates the audience, and he thinks that for that reason he is obliged to sustain interest by a "frenetic proliferation of intrigue and counter-intrigue", p.53.

⁴³Steane notes the "deft caricaturist strokes" in this description, p.199.

⁴⁴Bawcutt mentions several analogues to this ruse, introduction, p.6.

⁴⁵Bawcutt, introduction, p.16; Hunter "Theology", p.235, see also his remarks on the cauldron as the image of hell, pp.233-5. Judith Weil quotes Proverbs: "He that diggeth a pit, shal fall therein, and he that rolleth a stone, it shal returne unto him" (26:27), and "his owne iniquities shal take the wicked himself, and he shal be holden with the cords of his own sinne" (58:22), p.40.

⁴⁶By an act of 1530 though this statute was repealed in 1547. See Bawcutt's note in his introduction on Rose's poisoning of the porridge cooked in the Bishop of Rochester's kitchen, and its widespread ill effects, p.16.

⁴⁷V.A. Kolve, The Play Called Corpus Christi (Stanford: University Press, 1966), p.141.

⁴⁸Bawcutt in "Machiavelli and The Jew of Malta" notes that Gentillet rebukes Machiavelli for attributing too much to Fortune and too little to Divine Providence, p.46.

⁴⁹See Steane, p.194, and Sanders, p.53.

EPILOGUE

Some assessment of the results of the study is now due. In The Spanish Tragedy the revenge trial provides a comprehensive scheme into which most of the problematic features of the play fit without undue straining. The contradictory frame, the accounts of the battle, the sub-plot, the masque at the end of the first act, the use of the chorus and the long third act all play their part in an equitable examination of the extent of Hieronimo's guilt and the quality of revenge in relation to justice. The approach is also consistent with the interest in pleading demonstrated by the inclusion of every available plea for the protagonist, and by examples of faulty pleading and of judgements in the play. Kyd's prototype of the revenge play is the one which most clearly combines the consideration of justice with the techniques of forensic rhetoric and ideas on revenge and litigation.

Titus Andronicus shows less interest in litigation as a contemporary issue, but the pleading in the play is again such as might be employed in a Ciceronian or Quintilian-type court. Shakespeare has adopted Kyd's revenge formula but he has improved on his structure by producing a more dynamic first act and cutting down the number of pleas and the demonstrations of method. Shakespeare's deliberative frame is integrated in the main action and does not contrast with it as Kyd's rather confusingly does. To approach Titus as a revenge trial sheds light on some problematic features of the play by showing how they

serve to manipulate the audience. The bloody action, the curiously artificial rhetoric of Marcus' lament, the static scenes in the third and fourth acts, and Aaron's defence of his son leading to his capture, all seem to have the ultimate aim of engaging our sympathy for Titus and provoking our own desire for revenge. The audience are led to participate in revenge as a stage in assessing it judicially.

In The Jew of Malta they are also made to participate in the attitudes of some of the characters, but with a very different aim. Shakespeare's actualisation of metaphor is the same kind of idea as Marlowe's embodiment of prejudice in Barabas: both authors in a sense use the resources of the theatre to embody words, and the character of Aaron is thought to have been inspired by Barabas. Apart from these likenesses, however, Shakespeare's play has less in common with The Jew of Malta than has The Spanish Tragedy. The striking likenesses between Kyd's and Marlowe's plays suggest that the techniques of The Jew are a variation on the methods of the revenge trial, a view that justifies the approach we have taken. To look at the play in terms of attack and defence shows first that Barabas does not receive the conventional defence of the revenger as the plea of provocation is virtually thrown away. It also shows, however, that the attack on Barabas is accompanied by an ethical attack on the Christians who accuse him of "jewishness" and avarice. This persists long after Barabas' guilt is established and it spreads from the Governor to the Church and the lower classes in Malta. The proliferation of proofs of guilt on both sides in the fourth act is rhetorically unnecessary so suggesting that the guilt and punishment of Barabas is not the main issue of his tragedy. By pursuing the

treatment of Barabas' case we can see that the second part of the play parallels the first in which Barabas' devious arts were fully illustrated, so that the audience has the chance to rejudge the villain who may have deceived them in the first two acts. Meanwhile the rhetors' instructions on the forensic debate have given us a guide to the reactions to be expected from the virtuous spectator. The guide shows that Marlowe is deflecting the audience from the reactions they ought to feel, as Barabas rejects their sympathy for injustice and comedy disarms the anger his wickedness should evoke. The precise way in which an audience will react is a speculative matter, but there is no doubt that Marlowe makes Barabas' wickedness more attractive than the Governor's by the use of comedy and fine verse. He also sets Barabas against those who are hardly less vicious and certainly more tedious and squalid than himself. This is the basis of the means Marlowe uses to erode the audience's sense of values and it is to be found in the teaching of the Roman rhetors. The approach does, therefore, help to highlight the relationship between the shape of the play and the manipulation of the audience.

The elements of the trial are also perceptible in some measure in all the plays which are thought to derive from Kyd's prototype, and Hamlet in particular comes to mind. The combination of retaliation and a trial in the action appears in plays as diverse as The White Devil and King Lear, and the use of the defensive and attacking methods of forensic rhetoric is widespread indeed. The study has been confined to the

pioneer plays on revenge in the hope of illustrating the beginning of methods which were to be varied and refined through the years. How convincing the arguments have been is, however, a question for the reader's adjudication.

"Farewell and clap your hands"

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