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Death, Inheritance and the Family: A Study of
Literary Responses to Inheritance in Seventeenth-
Century England

by

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ABSTRACT

This thesis argues that a study of literary genres from the seventeenth century pertaining to death and inheritance in the family yields evidence about the way in which inheritance was understood and interpreted by early modern society; these genres include parental legacies, women writers' interpretations of Genesis, Anne Clifford's personal account of her struggle to gain her inheritance, plays (comedies and tragedies) and elegies on the death of children. A study of literature related to the topics of wills, legacies and lineage imparts insight into early modern concepts of family relations and parental roles, and challenges Lawrence Stone's views on the late development of the affective family. The textual legacies of Elizabeth Joceline, Elizabeth Grymeston, Dorothy Leigh and Edward Burton, and the elegies of Ben Jonson and Katherine Philips will be used to demonstrate emotive parenting and the extension of parental roles beyond the death of the parent or beyond the death of an heir. Familial texts can be used to study the familial and political environments and attitudes, but as will be proved in the thesis, literature, especially in the form of legacies, elegies and exegeses, also had agency in creating new definitions of inheritance external to the formal patriarchal basis of land and power transference which many historians have considered the prime focus of study in the seventeenth century. In addition Rachel Speght, Alice Sutcliffe, and Amey Hayward produced interpretations of Genesis as literary testaments, asserting women's role in the creation of a less sinful, less patriarchal lineage. The 'prodigal' play structures of Thomas Middleton and Aphra Behn compared with patriarchal political texts, and a comparison of two versions of *King Lear* by William Shakespeare and Nahum Tate address the temporary interruption of patriarchal succession and highlight post-Restoration changes to the ideological functions of inheritance.

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INTRODUCTION

An examination of inheritance systems in the seventeenth century demonstrates how property, power, and advice are transferred from the dead to the living. The problems and questions that surround inheritance disclose relationships between parents and children, husbands and wives, between wider kinship circles, and between authors and readers, and can highlight the relationship between the familial and political worlds. In the early modern period it has been possible to investigate these relationships through statistical analyses of wills and probate records, but a more comprehensive, and certainly a more thorough and expressive investigation can be achieved through an examination of literature, and through a literary-critical reading of personal accounts, diaries, legacies, poems and plays. These types of literature, according to Jack Goody in *Family and Inheritance*, can certainly offer greater depth to the studies of social historians or social scientists.¹ Close readings of different generic literary treatments of inheritance processes in the family and in the political spheres offer new insight into early modern family roles and attitudes, allowing critical contrasts between gender perspectives and authors' correlation with the world of print.

This thesis argues that literary evidence, including parental legacies, interpretations of Genesis, diaries, plays (comedy and tragedy) and elegies, yields evidence about the way in which inheritance was understood, imagined and interpreted by early modern people. These particular literary genres exposed the points of deficiency in inheritance, the transgressive moments when the ideological mode of patrilineal succession was interrupted. This thesis questions the widely accepted ideology of passing inheritance from father to eldest son; instead it

¹ Jack Goody, Joan Thirsk, and E.P. Thompson, eds, *Family and Inheritance: Rural Society in Western Europe, 1200-1800* (Cambridge: Cambridge University Press, 1976), p.1.

highlights what happens when the paths to will-making are barred or obscured. For example this could happen when women were excluded in common law by nature of gender, when the inheritor died before the parent, when the testator deliberately excluded a child from a will, or when children attempted to gain inheritance before the natural death of the testator; these are all cases, fictional or real, which are covered in the chapters of this thesis. In fact, in the development of inheritance amongst the landholding elite, women were doubly disadvantaged by strict settlements on estates, increasingly common towards the end of the century, which often excluded daughters and younger sons from gaining access to any majority share of a family estate.

Literature could highlight the anxieties of those members of society who had been marginalised or ignored by inheritance systems, and could open up communication between the family and the public world of print. Exclusion from the formal practices of inheritance provided powerful inducement for the production of textual legacies as alternative documents to wills, and that is why wills themselves, valuable though they are in historical studies of the period, are not central to the thesis; it will be the way wills and patrilineal succession were circumvented, discussed, engaged with and used as dramatic devices that will be the focus of this study. Interruptions to inheritance were played out in text and on the stage. That inheritance was of crucial importance to society is indicated not only by a study of law and statistics but also by the range of genres in which inheritance is conceptually central. The thesis explores these in a series of case studies. Each case study explores a distinct kind of writing, but these are linked by a concern with three main issues: the relationship between early and late seventeenth-century society as represented in literary and other imaginative texts; the contrasts in textual relationships between mothers and children, and between fathers and children, examining in particular the

connection between mothers, inheritance and law as it was commonly understood and interpreted; and the way in which literary texts highlighted the boundaries of early modern kinship circles and new ways of viewing familial relationships which challenge historians' views of the origins of emotive parenting in the seventeenth century.

One must begin by addressing the complexities of the current academic definitions of the seventeenth-century family. It is necessary to question how the family's variable categories and commonly accepted development in the early modern period have shaped modern assumptions and understanding of both literary treatments of family relationships and historical ways of reading documents. Jean Bethke Elshtain has argued that previous to the academic questions that began to be asked in the 1960s about the history of the family, 'the family remained invisible or was seen as part of that vast consensus-making machinery necessary to a stable, well-run political society'.² Methodological apparatuses and critical theories have since looked at wider class and gender angles of family history. However, the historical debate that has continued ever since about the family in the early modern period is one that often tells one more about modern critics' own desires to define late-twentieth and now twenty-first century anxieties about the collapse of the 'traditional' nuclear family against the past. Arguments have ranged over the size and makeup of the family, when the allegedly modern ideas of marriage for love rather than economic reasons could be pinpointed, and how 'natural' parental love towards young children could be identified and quantified. Philippe Ariès' *Centuries of Childhood* and Lawrence Stone's *The Family, Sex and Marriage* have been very influential in defining this evolution of the family in the seventeenth century from patriarchal, authoritarian and

² Jean Bethke Elshtain, ed., *The Family in Political Thought* (Brighton: Harvester, 1982), p.1.

brutal kinship to the private affective and conjugal family.³ With their identification of a decline in the importance of aristocratic lineage towards the end of the seventeenth century, they argued that the companionate marriage emerged and proposed that childhood was 'invented' after the Restoration, and that affection was particularly evident in the eighteenth century onwards. Stone and Ariès suggested that this evolution accompanied changes in religious, philosophical and political thought: in this period they noted the growing emphasis in Protestant religion on the individual nature of a relationship with God, and a growth in possessive individualism in economic life.

In contrast to these views, several historians have stressed the continuity rather than the evolution of familial patterns of emotion, particularly Alan Macfarlane, Ralph Houlbrooke and Linda Pollock.⁴ They have argued that parents always recognised children in need of special care, protection and instruction, and that the family unit was perhaps a more stable entity than previous historians had allowed. There is certainly more work of this nature which needs to be done on the early modern family, identifying continuities as well as changes. Therefore this thesis will provide evidence of the continuity of parental emotion towards children in the printed text by utilising literary sources and close reading of imaginative literature to uncover affection shown towards the very young which was not always tied to economic factors of lineal succession. Emotion is very hard to quantify from literary sources, but the various examples of professions of love, not only for eldest sons but also for

³ Philippe Ariès, *Centuries of Childhood*, trans. by Robert Baldick (London: Jonathan Cape, 1962; repr. Harmondsworth: Penguin, 1973), and Lawrence Stone, *The Family, Sex and Marriage in England 1500-1800* (Harmondsworth: Penguin, 1979).

⁴ Alan Macfarlane, *The Family Life of Ralph Josselin, a Seventeenth-Century Clergyman: An Essay in Historical Anthropology* (Cambridge: Cambridge University Press, 1970); Ralph Houlbrooke, *The English Family 1450-1700* (London: Longman, 1984); Linda Pollock, *Forgotten Children: Parent-Child Relations from 1500-1900* (Cambridge: Cambridge University Press, 1983).

younger sons, daughters and even unborn children examined in the thesis expose glimpses of parental love which are not strictly hierarchical or based primarily on primogeniture.

Both Michael Anderson and Will Coster have attempted to engage with the large field of critics and their views on the family in this period.⁵ Anderson's work has been crucial in providing a broader picture of historians' attempts to analyse evidence, whether that evidence was statistical, literary or economic. He highlighted the problem of finding suitable and legitimate source material:

More than one interpretation can often be put on any one scrap of evidence and all literary statements need to be interpreted carefully in the light of the social and cultural context to which they relate.⁶

This definitively points to the difficulties inherent in examining literature in the form of diaries, contemporary accounts and imaginative literature, but as these texts will be examined in the thesis, their form as genres sharing certain characteristics, and as literary artefacts and items of exchange will be evaluated and acknowledged.

Obviously different types of literature, such as diaries and plays had differing modes of production, complex intentions and varying addressees, and therefore the context of their writing will be assessed throughout. Anderson also outlines the fact that in dictionaries it was only in the late eighteenth and early nineteenth centuries that the term 'family' began to 'lay major stress on the conjugal couple and their children, as opposed to definitions stressing either the whole household including servants or the whole kinship group'.⁷ Will Coster outlines the historical use of the term 'family' was initially used for a much larger group than is expected in modern terms:

⁵ Michael Anderson, *Approaches to the History of the Western Family, 1500-1914* (Basingstoke: Macmillan, 1980), and Will Coster, *Family and Kinship in England 1450-1800* (Harlow: Longman, 2001).

⁶ Anderson, p.40.

⁷ Anderson, p.41.

Until the eighteenth century, the term was used to describe a lineage (or line) of descent, wider groups of kin and the household, including any resident servants. Thus family, kin and household were not separate entities, but overlapping sets.⁸

Coster also highlights the shifting nature of such large sets: with factors such as relatively high rates of mortality, re-marriages and children staying on in the family home after adulthood, complications arise when attempting to label this grouping.⁹ In most historians' definitions of the family, the concept of the growing discreteness of the conjugal family as a private social group began to emerge in the late seventeenth century. The rise of John Locke's assertion of social contract in both familial and political spheres in *The Two Treatises of Government* set against the absolutist patriarchal theories apparent in Sir Robert Filmer's *Patriarcha* has been consistently used to argue the emergence of the private conjugal family unit, accompanying the growing emphasis on individual's autonomy and rights. Lawrence Stone used this shaping of the modern definition of the family to argue for the growth of what he labels 'affective individualism' away from 'distance, deference and patriarchy'.¹⁰

However, when one looks carefully at the links between household composition and inheritance practices, as this thesis will do, one begins to see that many historians have presented a picture of the family as detached from the hierarchical and emotional relationships of its members. When one considers the shape and identity of kinship in relation to inheritance, whether via inclusion or exclusion from the practice of passing on money and land, the family can be examined as a closer and smaller unit. This will be evident in the close and affectionate familial patterns which emerge in chapters one and two which deal directly with relationships between parents and children, from which it is possible to

⁸ Coster, p.6.

⁹ Coster, p.6.

¹⁰ Stone, p.22.

examine emotions and familial roles and personalities. However, the thesis will also explore what happens when stepchildren or illegitimate children impede on the modern stereotype of the nuclear family, particularly in the chapters that deal with early modern drama at the conclusion of the thesis. While I will argue for certain consistencies in relation to feelings such as love, grief and concern between parents and children as reflected in literary sources, it must also be acknowledged that there were indeed changes in the family and kinship across the century, as will be measured against the changing theoretical debates about the nature of the family's links with inheritance and society in the writings of Robert Filmer and John Locke, specifically addressed in chapter five. Inheritance shaped and controlled relationships, even for those excluded from its parameters by gender, birth or hierarchy, and was an omnipresent powerful economic and ideological factor in early modern life. Even though primogeniture's dominance in society has been challenged by historians who have evaluated its impact on different class systems and on women, its influence on every family examined in this thesis, fictional or real, is clear.¹¹ With the absence of close bloodline familial relationships, members of wider kinship could be drawn into the artificially tight inheritance family circle, as will be demonstrated in chapters five and six which examine how seventeenth-century theatre drew on wider kinship relationships between grandsons and grandfathers, nephews and uncles, legitimate and illegitimate children and fathers and daughters in order to expose the economic ties and hypocritical morality of the patriarchal family. As the contemporary text by John Dod and Robert Cleaver, *A Godly Form of Household Government* (1598) emphasised, the family's composition was not a stable or easily defined patriarchal construction:

¹¹ These challenges to the academic acceptance of primogeniture's dominance will be looked at later in the chapter.

Now by parents wee understand not onely the natural parents, but such as by the law of nature and of God, supply their places: as grandfathers, great grandfathers, uncles, aunts, great uncles and aunts, brethren, sisters, kins-men, and kins-women, Magistrates, and those to whose families the parties doe especially belong. For all these are honoured in Scripture by the name of parents. Neither may wee exempt out of this number, Guardians, Masters, and such to whom the continuall custody and tuition is lawfully committed.¹²

A study of literary texts that deal with social issues, specifically that of inheritance, and an examination of the number of genres that deal with this topic represent the imaginative centrality of inheritance. This type of literary-historical perspective on literature supplies the modern literary critic with ways of reading diaries and advice texts (of Elizabeth Joceline and Edward Burton, amongst others) alongside fictional literary works of William Shakespeare, Ben Jonson, and Aphra Behn, for example. The wide-ranging selection of both literary and other genres directs one to make an exposition of literature's relationship with society, as literature changes throughout the seventeenth century in its representations of death, wills, legacies, and changing attitudes to systems of inheritance. But there must be care taken when examining literature's links with society. No matter how realistic a work of art, its nature as art (and artifice) prevents one from making a direct comparison with the particular society in which it is produced. In writing the importance of the dramatic construction of personae cannot be underestimated. Yet society and art do intersect at several vital points. Literature must be used in this way with great care; one must be careful of using these genres of literature too literally as evidence of social and private behaviour, especially when comparing poetic and fictional characterisations with diary-writing. The search for 'authentic' parental voices is tempting, even when it is clear that a wider readership or audience were the intended

¹² John Dod, and Robert Cleaver, *A Godly Form of Household Government, for the Ordering of Private Families* (London: 1598, repr. London 1630), quoted in Gordon Schochet's 'Patriarchalism, Politics and Mass Attitudes in Stuart England', *The Historical Journal*, 12 (1969), 413-441 (p.416).

recipients. There are also inherent dangers in looking for signs of emotional factors in the family as signs of the origins of modernity and civilisation. Indeed, literature can be used to study the familial and political environments and attitudes, but as will be proved in the thesis, literature, especially in the form of legacies, elegies and exegeses, also had agency in creating new and challenging forms of inheritance external to the formal patriarchal basis of land and power transference which many historians have considered the prime focus of study in the seventeenth century.

A death in the family exposed many of the dynamics of relationships and the connections between family and state, because it was the moment when familial disputation, fracture, intimacy and power-play became public, through for example the reading and publication of a will, the writing of an elegy, or the production of a dying parent's advice. Rachel Weil emphasises the importance of inheritance to the early modern period:

It is hard to overestimate the centrality of inheritance to the way that people in the seventeenth century understood relationships between spouses, parents, children, siblings and other kin.¹³

This also indicates that both men and women, particularly after the Restoration had a strong grasp of legal terminology and the law's impact on their lives. The symbolic and material aspects of inheritance had an influence on many aspects of English people's lives. Over the period of the seventeenth century literature revealed and influenced social attitudes to familial and political definitions of inheritance, from concerns about the registering of the parental role in the spiritual and moral upbringing of a child, towards the wider concerns of inheritance and lineage, the registering of family line and its power in the social world. Ralph Houlbrooke has

¹³ Rachel Weil, *Political Passions: Gender, the Family and Political Argument in England 1680-1714* (Manchester: Manchester University Press, 1999), pp.25-26. Texts such as Henry Swinburne's *A Treatise of Testaments and Last Wills* (1590) were reprinted throughout the century.

argued that the religious and charitable elements in wills, for example, began to disappear towards the eighteenth century, and their status as provision for the immediate family became more important.¹⁴ J. Johnston presents the view that a study of wills across the seventeenth and eighteenth centuries confirms the ‘consolidation of the family unit as the dominating core of English emotional life’, which is a perspective that endorses Lawrence Stone’s thesis of the late-seventeenth-century origins of emotive private family life.¹⁵ This view can be challenged by examining other forms of ‘wills’ and looking at discourses about wills and inheritance processes. There is some evidence of secularisation of the debates over the century, moving further away from the early seventeenth-century religious concerns over the admittance of a new child into the family and society, but throughout the century there was also a continuous prioritisation of family and society’s emotional and spiritual needs throughout the textual responses.

One of the foremost European critics of the history of the family, Philippe Ariès, in his book *Western Attitudes Toward Death*, although he was examining the changes in wills in the eighteenth century, directed us towards the suggestion that in the seventeenth century the individual was more important than the family:

Until the eighteenth century death was a concern for the person threatened by it, and for him alone. Thus it was up to each person to express his ideas, his feelings, his wishes. For that he had available a tool: his last will and testament, which was more than simply a legal document for the disposal of property. From the thirteenth to the eighteenth century the will was the means by which each person could express – often in a very personal matter – his deep thoughts; his religious faith; his attachment to his possessions, to the beings he loved, and to God; and the decisions he had made to assure the salvation of his soul and the repose of his body.¹⁶

¹⁴ Ralph Houlbrooke, *Death, Religion and the Family in England 1480-1750* (Oxford: Oxford University Press, 1998), p.145.

¹⁵ J. Johnston, ‘Social Change in the Eighteenth Century: The Evidence in Wills from Six Lincolnshire Parishes, 1661-1812’, *Lincolnshire History and Archaeology*, 27 (1992), 27-33 (p.27).

¹⁶ Philippe Ariès, *Western Attitudes toward Death: From the Middle Ages to the Present*, trans. by Patricia M. Ranum (Baltimore: John Hopkins University Press, 1974), p.63.

Ariès argued that the will became secularised and stripped of its pious clauses and was eventually merely a legal act distributing fortunes. However, as he examines wills from the eighteenth century, he does not take account of the other discourses surrounding death produced in the earlier century, which include the attempts to provide spiritual and moral guidelines for the family.

How specifically different were the functions of wills in the seventeenth century from the practice of previous centuries? David Cressy argues that early modern Protestant death practices were more concerned with this world than the next, and stripped away the rituals and ornamentation of Catholicism in order to make the practices surrounding death practical and concerned with ordinary physical matters.¹⁷ Wills were evidence of very earthly concerns, but Cressy also notes the strong presence in wills of requests concerning the body of the testator, and his or her desire for rituals to be re-instated in the treatment of his or her own body.¹⁸ Wills amalgamated the concerns of the living with the wishes and plans of the dead, and once the testator was buried, the will was sometimes the only textual legacy of the individual, the residual 'will' or desire left amongst the living. The actual moment of death did not confine the discourses surrounding it; dying, and the will itself, generated discussion, remembrance, and recollection in various social settings and situations.¹⁹ It is then not always clear from the text of the will itself what the testator's intentions were and what its progress would be, but ironically these questions were made clearer through dispute. These other accounts and instructions might not ostensibly appear to be as formal documents as wills, but allow us a greater

¹⁷ David Cressy, 'Death and the Social Order: The Funerary Preferences of Elizabethan Gentlemen', *C&C*, 5 (1990), 99-119 (p.99).

¹⁸ Cressy, p.113.

¹⁹ Elizabeth Hallam, 'Turning the Hourglass: Gender Relations at the Deathbed in Early Modern Canterbury', *Mortality*, 1 (1996), 61-83 (p.64).

glimpse into the private life of the individual and his or her family. The familial elegy, for example, offers an intimate, if increasingly secular view of disrupted family lineage (when a child died before the parent) and is a form of ‘anti-will’; it indicates many of the possible words of advice and comfort that a formal will may not have included in its text.

There will be several legal terms employed throughout the thesis, and an overview of the common systems of inheritance in the early modern period will be presented later in this introduction. One of the most frequent terms used in chapter one and elsewhere is ‘legacy’. In strict probate terms a legacy took the form of a gift of personal property, a bequest out of the assets of the testator (will-maker).²⁰ The textual legacies under consideration in this thesis lie somewhere between wills and literature. Through their production, authors were not concerned with creating financial bequests, but instead set out to provide spiritual wealth through domestic and religious welfare advice for children. In modern terms the will has been defined as ‘a written document which represents a unique form of communication between the dead and the living’.²¹ Unlike the formal will, a textual legacy provided a rehearsal for the future event of the individual’s death, through an imaginary death in a written, at times confessional, framework by the ageing or frightened parent who believed that death was not too far away. Death and the disputation over portions and will divisions were also played out visually and dramatically for an audience in the shape of tragedy or comedy; or a premonition of death in the production of an advice manual. Indeed, wills could incorporate wider acknowledgments of parental roles than purely economic concerns. Natalie Zemon Davies in her study of sixteenth-century gift

²⁰ The distinctions between the terms ‘will’ and ‘testament’ were blurred by the seventeenth century, but ‘will’ was used to refer to real property, and ‘testament’ to personal property.

²¹ Janet Finch and others, eds, *Wills, Inheritance and Families* (Oxford: Clarendon Press, 1996), p.1.

economies in France has suggested that although custom prohibited much testamentary freedom, many will-makers actually defied custom in order to control family life and the younger generation. If the gift of patrimony was an unknown quantity, then family discipline could be maintained; competition for the affection and approval of the testator could yield the largest share, no matter whether the child was first-born or not.²² The breakdown of the dominant custom of primogeniture and the opening up of competition for shares in legacies will become clear in chapters four, five and six, from Lady Anne Clifford's struggle for her control over her father's lands, to the tricks of prodigals and the competing daughters and sons in Thomas Middleton's, Aphra Behn's, William Shakespeare's and Nahum Tate's plays. The possibilities of disinheriting a child and of the legacy as a gift rather than as an unquestionable right reinforced the idea that a custom-driven system could be circumvented, both by child and by parent.

Many of the legacies and other texts under examination in the thesis do not necessarily involve wealth or power as their gift, but instead concern spiritual, moral and religious instructions for living a good life and carrying on a good strong family lineage. In this way women were ostensibly excluded from the more formal and public modes of inheritance practices, as will be examined in chapters one and two which study parental legacies and elegies, and in chapter three which examines women's interpretations of Genesis, but they could contribute 'goods' to the literary practice of inheritance. Women writers were indeed subject to repressive ideologies and patriarchal institutions that structured Elizabethan and Stuart society; however, their textual offerings through which they claimed authorial identity (albeit with professed humbleness and reluctance, which are clever manipulations of the modesty

²² Natalie Zemon Davis, *The Gift in Sixteenth-Century France* (Oxford: Oxford University Press, 2000), p.50.

topos), manifested their resistance while embedded within that society. The production of literary legacies and textual considerations of the Bible outlined alternative offerings to the inheritance economy. Pierre Bourdieu has argued for a similar reinterpretation of material inheritance in a gift economy, suggesting that the goods of inheritance can contain much more than economic value:

Every material inheritance is, strictly speaking, also a cultural inheritance. Family heirlooms not only bear material witness to the age and continuity of the lineage and so consecrate its social identity, which is inseparable from permanence over time; they also contribute in a practical way to its spiritual reproduction, that is, to transmitting the values, virtues and competences which are the basis of legitimate membership in bourgeois dynasties.²³

This ‘spiritual reproduction’ that Bourdieu refers to is a vital label for the type of goods that were being produced by many of the authors under consideration in the thesis. In order to enhance the field of seventeenth-century family theory, and to re-examine literary interpretations of social customs and prevalent ideas, the concepts of value and goods must be considered in a newly assessed economic and religious environment, one which elevates the merit of parental advice and considers the exclusion from patrilineal procedures as an equivalent misfortune to the loss of wealth or estates.

The writers under consideration in this thesis offered accounts of their views of wills and power-play in families which allow us to examine parallel familial and societal attitudes. On the whole, as I will argue, many of the authors wrote not just for immediate family, but also in expectation of a wider readership through publication or multiple addressees. Issues that had to be addressed by families and literature which dealt with this topic of inheritance included identifying who exactly was to receive the deceased person’s wealth, worldly goods and possessions after his or her death. Who

²³ Pierre Bourdieu, *Distinction: A Social Critique of the Judgement of Taste*, trans. by Richard Nice (London: Routledge, 1984), pp.76-77.

was to become the bearer of the family title, reputation, and social standing? After the death of the patriarch, who would become the most powerful link between one's family and the rest of the world outside of the household? These were indeed important questions for a father, or mother who knew the value of foresight and planning; the legacy-writer showed knowledge of the limits of life and the weaknesses inherent in their own impending sickness, age and death, or even their own economic impotence when excluded from passing on wealth by matters of gender or economic circumstances, as for example as Edward Burton was during the Civil War, highlighted in chapter one. Wills addressed some of these issues, but textual legacies, poetry, drama and diaries spanned the social and public worlds, dramatising the problems of succession with comic, sometimes tragic effects.

It has been suggested by Amy Erickson that an examination of wills alone is under-representative of the widest aspect of society as about seventy percent of the population died without making a will, in other words, intestate; she also highlights the problems of the fact that wills did not represent all categories in the social order.²⁴ Those without land or much property had less to pass on to future generations, and in many cases property was distributed before death through dowries and portions. Obviously the writers of advice texts and biblical exegeses tended to be aristocrats or gentry, educated men and more unusually erudite women, but both the literature and its popularity in the print marketplace indicate the social beliefs and cultural tastes of most members of the social hierarchy. The fact that one can examine how widely the texts were read and how popular they were from looking at the number of reprints and new editions across the century does in part demonstrate audiences' and readers'

²⁴ Amy Louise Erickson, "The Comfortable Estate of Widowhood is the Only Hope that Keeps Up a Wife's Spirits": Liberty and Property in Eighteenth-Century England' (unpublished, 2001), p.5. In order to show this problem, she notes that as the proportion of wills made by poorer women in the late seventeenth century declined, aristocratic women's wills remained stable, p.2.

tastes and acceptance of the ideas expressed. The thesis therefore concentrates on the roles of printed texts in parallel to the reality of social attitudes to inheritance laws in this turbulent period.

At the level of national politics, questions of succession and inheritance dominated the English political and ideological landscape throughout the seventeenth century. Uncertainty surrounded Elizabeth I's legitimacy and her ability to rule as a female monarch in the late sixteenth century. Similar huge questions then dominated the early Stuart's reigns, through to the mid-century's Civil Wars and parliament's violent interruption of succession and abolition of monarchy in the Interregnum, through to the Exclusion Crisis, the perceived threat to Protestantism and English nationalism in the figure of Charles II's Catholic brother James, Duke of York, to James II's final overthrow in the Glorious Revolution of 1688. These events had significant impact not only at the highest points of English hierarchy but also at all levels of society, and dominated documents, literature, and social thought in this period, as can be seen in the writings of the political theorists Sir Robert Filmer, Thomas Hobbes and John Locke in particular.²⁵ Historical changes are also to an extent recognisable in drama's treatment of wills and inheritance over the century, and this will be investigated in chapter six through a comparison of William Shakespeare's *King Lear* and Nahum Tate's *The History of King Lear*. Yet the questions of succession and inheritance were also vital to any noble, aristocrat, member of the minor gentry or of the new merchant class, to practically any householder or landowner with power or property to his or her name. If inheritance dominated the political landscape, it also loomed large in the everyday calculations of

²⁵ Robert Filmer's *Patriarcha* (1680) and John Locke's *Two Treatises of Government* (1690) will be discussed in more detail in chapter five of the thesis.

very many English people. The symbolic and material aspects of inheritance had a strong structuring influence on relationships in the family.

Questions can be raised about the boundaries between public and private life in connection to the family over the period of the seventeenth century, but also in relation to writers' relationships with the public world and the literary marketplace. Just how private was the family sphere in the seventeenth century (bearing in mind earlier definitions of the early modern family), particularly in relation to inheritance? This is a question which is raised when comparing the role of men and women in the production of legacies. There are numerous academic debates surrounding the divisions between public and private in the early modern period, especially in relation to the question of women's exclusion from the public sphere, debates which have been delineated by Jürgen Habermas and Susan Amussen, amongst others.²⁶ They have argued that the relationship between the seventeenth-century family and the state was ideological and artificial. Habermas takes the distinction of the published word to mark off the realm as the new domain of the public world, and uses such terms as 'authority' and 'legitimate' in connection with such a domain.²⁷ Carole Pateman argues that the meanings of 'public' and 'private' are interdependent in the seventeenth century, and cannot be comprehended in isolation.²⁸ Writing and the familial circulation of manuscripts constitutes a limited public status, especially since aristocratic and gentrified families of the seventeenth century cannot be simply

²⁶ See Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. by Thomas Burger (Cambridge: Polity Press, 1989), and Susan D. Amussen, *An Ordered Society: Gender and Class in Early Modern England* (Oxford: Blackwell, 1988).

²⁷ Habermas, p.16.

²⁸ Carole Pateman, *The Disorder of Women: Democracy, Feminism and Political Theory* (Cambridge: Polity Press, 1989), pp.3-5. Merry E. Weisner is another critic who has warned of the 'dangers' of historians accepting a division between public and private in which women are inevitably relegated to the private: *Women and Gender in Early Modern Europe* (Cambridge: Cambridge University Press, 1993), p.4.

viewed as private domains. The legacies themselves must also be considered as producing both public and private voices, as we shall see with a closer examination of their addressees and wider purpose, in print or manuscript form.

Rachel Weil is particularly critical of historians, including Carole Pateman, who have oversimplified the transitions between public and private in the early modern period; Weil suggests that the family and all its members were caught up in political debates and the public world.²⁹ She is especially critical of Lawrence Stone, who proposed the simplest narrative of patriarchal authority being replaced by affective individualism by the late seventeenth century, a vision of the family where the choices, emotions and individuality of all members were respected.³⁰ It is important to stress that Weil concentrates on Restoration politics, and examines how Whig and Tory authors used images of the family and gender differences in their description of the state, the crown, and their legitimacy. These insights are offered by Weil as definitive, but usually the writers she has examined are themselves overly concerned with defining roles such as ‘wife’ and ‘mother’, and she does not provide examples from women inscribing themselves within the political and familial roles of the seventeenth century. Both Weil and Erickson have offered valuable insights into the relationship of women and inheritance in the early modern period, and this thesis aims to enhance and widen the scope of such work by offering renewed readings of the history of the family through a wide range of literary genres by both men and women, fathers and mothers. It is crucial to achieve a balance of gender when considering literature, both in examining relationships with authorship and in evaluating women’s role in inheritance across the period.

²⁹ Weil, pp.7-10, and p.23.

³⁰ Weil, p.8, in reference to Lawrence Stone in *The Family, Sex and Marriage in England*. Other critics of Stone’s work include Lois G. Schworer, ‘Seventeenth-Century Englishwomen: Engraved in Stone?’, *Albion*, 16 (1984), 146-169.

Therefore women's role in the process of inheritance will be considered, as an examination of mothers' and daughters' reactions in print to their apparent exclusion from the transfer of land and money ironically proves a much more active gender participation in the transactions which border the inheritance process. The concept of gender in the early modern period in relation to the family and to authorship has to be considered, and this means paying particular attention to women's complicated relation to a system where primogeniture dominated. As we shall see, women sometimes had a more active participation in the discourses that surrounded inheritance just as they had an important and vital role in the running of the early modern household, a role which has only recently been studied and evaluated seriously. As married women were excluded from making wills their property took the form of advice-books or re-appropriations of biblical mythology, provided as a legacy for other women readers and writers. The legitimate provision of a different textual form of inheritance allowed women to contribute to the family's transmission of goods and power, to the literary marketplace and to their own and other women's public voices. A factor that is striking about many of the texts by women under consideration is the self-consciousness of the authors in the prefaces and bodies of the works, demonstrating an awareness that even if the work was intended for a small, intimate circle, even solely for the family, that this work may in the future enter the public sphere intentionally or unintentionally. The roles of mothers and daughters in relation to inheritance practices will be considered alongside those of fathers, sons and other kin.

The thesis will look at published advice texts, or legacies, elegies to dead children, drama (both in comedies and tragedy), the diary entries describing Anne Clifford's struggle to contest her father's will, and women writers' theological and

poetic interpretations of the Bible to create a literary inheritance for future generations. Dramatised social rituals could represent the ideologies of the status quo, but they could also articulate the demands of the audience, particularly after the Restoration as will be seen in the chapters which deal with plays by Aphra Behn and Nahum Tate (chapters five and six respectively).³¹ The thesis does not offer a purely literary or aesthetic treatment of poems, plays and writing, nor does it simply provide treatment of documents as social history. The thesis instead presents a cross-section of the views of social and literary attitudes to familial power transmission on the death of a testator across the seventeenth century, and incorporates different gender views and different social positions.

The literary treatment of legacies is important to our understanding of literature's relationship with society, and with the family unit which was the subject of so much theatrical and literary scrutiny. Who wrote legacies and what their intentions were are important questions to address. Fathers were the usual providers, not only of inheritance, but also the instructions for its disposal. It was questionable how women could be openly and legally involved in that process. Yet women were often not merely passive witnesses to family business, but were occasionally empowered in this period to leave goods, instructions, and wealth after their deaths.³² This study of the literary treatment of inheritance will set out to prove that across a century whose legal and political history was dominated by common law and primogeniture (which was the custom of the eldest son gaining power and the largest share of wealth and land), other forms of inheritance were registered in fictional genres. Despite the common assumption that women, younger sons and other kin

³¹ See Henry E. Jacobs, 'The Banquet of Blood and the Masque of Death: Social Ritual and Ideology in English Revenge Tragedy', *Renaissance Papers* (1985), 39-50, presenting a similar debate concerning early modern tragedies.

³² The chances of this were obviously greater if the woman was an heiress and single, or a widow.

were apparently kept to the margins of early modern inheritance, literature demonstrated that although society recognised primogeniture as the dominant ideological force, those figures who may have been excluded were emerging as subjects in drama, printed legacies, diaries and poetry.³³ However, Amy Erickson has challenged historians' belief in common law's dominance in the early modern period by highlighting the role of manorial and borough courts, and ecclesiastical law in relation to women's property.³⁴ Charles Spinosa has also challenged literary critics who adhere to medical and political theories of patriarchy and primogeniture by pointing out that women's position in the family often belied contemporary mythologies.³⁵ Yet it is the case that women's legal status as testators was often undermined by local custom and common law.³⁶ The development of strict settlements in the mid-to-late seventeenth century (which was made on the marriage of the heir and detailed the succession of the estate secured by trustees for generations to come), may have given younger sons shares in the estate, but probably disadvantaged daughters by stripping them of their few common law rights to inherit in the absence of surviving males.

Despite the apparent absence of women from formal and political inheritance, an absence ably disputed by Amy Louise Erickson in *Women and Property in Early Modern England* through her examination of wills and probate records, women's presence in other more literary inheritance practices, legacy writing, biblical exegesis and elegy writing, for example, was an increasingly vital and vocal one over the early

³³ Primogeniture has been highlighted by certain historians as the predominant ideology of early modern society, particularly by Lawrence Stone in *The Family, Sex and Marriage*.

³⁴ Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1993), pp.29-31.

³⁵ Charles Spinosa, 'The Transformation of Intentionality: Debt and Contract in *The Merchant of Venice*', *ELR*, 24 (1994), 370-409 (p.406).

³⁶ Mary Prior, 'Women and the Urban Economy: Oxford, 1500-1800', in *Women and English Society, 1500-1800*, ed. by Mary Prior (London: Methuen, 1985), pp.93-117 (p.94).

modern period.³⁷ In addition therefore to Erickson's work on wills, it is important to re-evaluate texts by men and women that questioned and considered the boundaries of paternal and maternal roles in the family. Women in Renaissance England ostensibly forfeited both agency and identity on entry into marriage. Through marriage a woman's legal identity was eclipsed by her husband's, in a process called 'coverture' dating back to the Norman period.³⁸ Although a woman kept nominal possession of any land she owned, her husband retained rights over it and profits from it. Mary Prior, however, has noted the increasing number of married women who made wills towards the end of the seventeenth century, despite their inability to own or will 'real' property such as land. Of course, as critics have argued and as this thesis will claim, real property was not the only kind of possession that could be transferred from parents to children; there were also emotive 'goods' such as advice, experience, guidance and spiritual welfare.³⁹ Therefore it was not only textual legacy-makers that were increasingly confident in their position and purpose in the public world towards the conclusion of the century; this confidence was also evident in the legally acknowledged wills of previously unheard voices in this arena of society. Women were providing textual inheritance and writing about the process and their exclusion from it much more frequently and in different arenas than has been acknowledged or examined in previous studies of will-making or in academic work on mothers' advice texts.

What were the legal procedures open to a family member preparing for his or her own death and the future lives of offspring in a turbulent seventeenth-century

³⁷ Erickson, *Women and Property*, pp.10-12.

³⁸ Mary Prior, 'Wives and Wills, 1558-1700', in *English Rural Society, 1500-1800: Essays in Honour of Joan Thirsk*, ed. by J. Chartres and D. Hey (Cambridge: Cambridge University Press, 1990), pp.201-225.

³⁹ Sara Mendelson, and Patricia Crawford, *Women in Early Modern England 1550-1720* (Oxford: Clarendon Press, 1998), p.40.

society balanced on the edge of the medieval world in the past and at the beginning of the early modern world? The legal (public) position of inheritance must be considered in relation to this myth and its dramatic interpretations. What processes were standard when a parent wished to set the process of inheritance in motion? Did a parent leave things to automatic legal process, or decide to intervene by formulating a will, and when did wills become the common practice that we understand and recognise in modern English society? How did systems of inheritance work in the seventeenth century? In this period common law was prevalent in deciding legal cases and disputed inheritance. The texts and legal tracts which dictated legal theory of inheritance had changed over the latter part of the sixteenth century, reflecting a change in emphasis from common learning to authoritative case law. Legal texts themselves, rather than expounding principles, began to digest previously written authorities, and to open themselves up to new students of law. For example, Sir Thomas Littleton's *Lytlyton Tenures* (1481) had been one of the most important standard legal textbooks up until the seventeenth century; it was widely referenced and interpreted by seventeenth-century legal texts.⁴⁰ Increased printing activity in the early modern period brought numerous law books to a wide audience, and many of these were written as lawyers' view of moral philosophy written mainly for lay consumption. There were numerous printed and accessible interpretations of the legal system written for the common man, such as the anonymous *The Country -Man's Counsellor: or, Everyman Made his own Lawyer* (n.d.), or Thomas Phayer's *Newe Boke of Presidents* (1543). The primary text of common law in the early modern era

⁴⁰ There are various editions of this text, but perhaps the most widely available was *Littletons Tenures: Conferred With Divers True Wrytten Copies* (London: Richard Tottill, 1557).

however, particularly regarding property was Edward Coke's *Institutes of the Laws of England*, which was highly influential in legal history and policy-making.⁴¹

J.G.A. Pocock has argued that common law was customary law accepted in the early modern period, and he highlights a common law mindset, especially after English society received the classic formulation from Coke in *Institutes*.⁴² The first part, originally published in 1628, was in essence a gloss on Littleton's fifteenth-century *Tenures*, yet when Coke moved off into tangents of explanation and exploration, he covered many aspects of common law which Littleton had never even hinted at. The text itself presented a definition of 'fee simple', but covered many disparate topics around inheritance and property:

Tenant en Fee simple is he which hath Lands or Tenements to hold him and his heirs forever [...] for if a man would purchase lands or Tenements in Fee simple, it behoveth him to have these words in his purchase, To have and to hold him and to his Heirs; for these words (his Heirs) make the estate of the Inheritance.⁴³

Fee simple represented the amplest estate which a tenant can have in or over land, the nearest to complete ownership.⁴⁴ Once possessed, to the nearest degree, land could then be passed on through inheritance, and the heir was usually the eldest son according to both Littleton and Coke. An estate would be held by the purchaser for the term of life, and then be passed to his heirs. This estate must then linearly descend, but not ascend: for example, if a son died before his father, without issue, then the estate could be inherited by his uncle, but not his father. This rule also applied to the brothers of the son; if one brother dies, the eldest son automatically

⁴¹ Sir Edward Coke, *The First Part of the Institutes of the Laws of England*, 9th edn (London: William Rawlins and H. Sawbridge, 1684).

⁴² J.G.A. Pocock, *The Ancient Constitution and the Feudal Law: A Study of English Historical Thought in the Seventeenth Century: A Re-issue with a Retrospective* (Cambridge: Cambridge University Press, 1987), p.30.

⁴³ Coke, p.1.

⁴⁴ Kevin Gray, *Elements of Land Law* (London: Butterworth and Co, 1993), p.58.

inherited the estate 'for that the eldest is most worthy of blood'.⁴⁵ Primogeniture was condoned through the adherence to and respect shown for ancient land law, which Coke updated, strengthened and made available as a didactic and instructively renewed text of great value to the early seventeenth century. Coke described his own work as 'the ornament of Common Law, and the most perfect and absolute Work that was ever written in any humane science', and he intended the *Institutes* to

guide him [the lawyer] in a ready way to the knowledge of the National Lawes of the Realm [...] and by so much every man might the better keep, have and defend his heritage and possessions.⁴⁶

This was a clear attempt to enshrine common law in legal and social thought, and its parallel relationship to patriarchy and the continuity of the male lineage. A call to defend one's heritage and possessions links the individual and his property in an analogous relationship to wider society.

Coke in the *Institutes* reinvented and brought the ancient law and its close relationship with patriarchy to a contemporary readership by reinterpreting common law. Common law's claim to enshrine age-old custom could even confer legitimacy on what amounted to the legislative power of the state.⁴⁷ If people accepted the ideology of this system of inheritance, it legitimised and strengthened their acceptance of monarchical inheritance and power. Ecclesiastical law of inheritance, by contrast, followed Roman civil law, where all children, no matter what sex, were entitled to equal portions of their parents' moveable goods (common law governed land rights). In the mid-sixteenth century ecclesiastical law was regarded by English common lawyers as foreign, and Coke and other popular law commentators heightened this

⁴⁵ Coke, p.10.

⁴⁶ Coke, p.4. There will be further brief reference made to Coke's text in relation to society in chapter five.

⁴⁷ Ellen Meiksins Wood, *The Pristine Culture of Capitalism: A Historical Essay on Old Regimes and Modern States* (New York: Verso, 1991), p.48.

view. Erickson stresses this point: ‘The centralization of governmental administration under the Tudor monarchs and the constitutional disputes of the early seventeenth century accelerated the ‘hardening’ of the common law’.⁴⁸ Such ideological factors consolidated the dominant position of common law. The victory of the parliamentarians in the Civil War and the subsequent restoration of the monarch on constitutional grounds further consolidated the position of common law; after the Restoration common law was ostensibly dominant. Clearly, Coke intended his work to be instructive and persuasive, and not just to the common lawyer. This was a lengthy and prestigious presentation of the ‘National Lawes of the Realm’, but its theories were undermined by the realities and theatrical representations of challenges to common law and primogeniture.

There is a great deal of debate concerning the complexities of common law and whether there actually was an ideological acceptance of its principles in this period.⁴⁹ Several legal historians, particularly perhaps the most famous late nineteenth- century historians, William Stubbs and F.W. Maitland, suggested that common law which upheld the principles of primogeniture, the automatic provision of land and power to the eldest son, was a continuous structure from the medieval period through to the Renaissance. As Lawrence Stone noted in *The Family, Sex and Marriage*, primogeniture imposed the common law right of the eldest son to inherit all his father’s land, although in practice this was often avoided by family settlements

⁴⁸ Erickson, *Women and Property*, p.29.

⁴⁹ Keith Wrightson points to the increasing number of judicial textbooks and handbooks of law in the Tudor period in *English Society 1580-1680* (London: Routledge, 1982), p.151. Alan Macfarlane and Sarah Harrison, in *The Justice and the Mare’s Ale: Law and Disorder in Seventeenth- Century England* (Oxford: Blackwell, 1981), pp.3-6 criticise the fact that William Stubbs and F.W. Maitland as the last century’s most famous legal historians overlooked the changes from ancient to modern society. Macfarlane and Harrison stress the continuity of English law. Amy Erickson, as has already been noted, has highlighted how ecclesiastical law sometimes was more prevalent than common law. See Erickson, *Women and Property*, p.29-31.

and wills.⁵⁰ However, ideally younger siblings received smaller portions, and whatever shares they got were private gifts which members of the immediate family elected to bestow on them. There were public and legal challenges towards the values of primogeniture, particularly in the Statute of Wills in 1540, which meant that the course of descent from father to eldest son in common law could be altered by a will.⁵¹ By the later stages of the seventeenth century, land and other wealth was normally apportioned among the various members of rich families, not by the general operations of common law, but by individual family settlements and by wills.

Real property, or realty, was the personal property or land which would outlive its inhabitants, and which in the medieval period was the subject of feudal tenure. Tudor lawyers including Littleton in the fifteenth century tried to expand the law of tenure. Prior to the introduction and common usage of common law, the tenant of land could not do what he liked with land; the system of inheritance was held to custom and precedent, a largely untested system open to abuse. Custom alone could not make inheritance a legal right of succession.⁵² When common law was introduced, it was in order to create surveillance of all feudal authority under the king; the law began to acknowledge something like ownership for the tenant, and from the thirteenth to the fifteenth centuries common law gradually accepted that on the death of a tenant, land did not instantly revert back to the landowner – now land interest and land itself was inheritable.⁵³ Interestingly, at the time of the Norman Conquest, there was a strong tradition of equal land partition amongst sons, known as coparceny.⁵⁴

⁵⁰ Stone, p.71.

⁵¹ Susan Staves, 'Resentment or Resignation? Dividing the Spoils Among Daughters and Younger Sons', in *Early Modern Conceptions of Property*, ed. by John Brewer and Susan Staves (London: Routledge, 1995), pp.194-217 (p.198).

⁵² J.H. Baker, *An Introduction to English Legal History*, 3rd edn (London: Butterworth, 1990), pp.256-263.

⁵³ Baker, pp.264-274.

⁵⁴ Baker notes that this equal distribution amongst sons was a custom in Wales until 1536, and 'gavelkind' as it was known in Kent, survived until 1926: Baker, pp.303-304.

The rest of Europe was divided over partible (estate passed on intact to a single heir) or impartible (estate divided up amongst all off-spring) inheritance. The nobility of Germany and Russia, for example, adhered to the system of primogeniture.⁵⁵

Even with recognition and acknowledgement of varying customs of inheritance across the country and of the existence of ecclesiastical law, the English system of inheritance was dominated by the common law patriarchal principle: if women owned land at all, they would carry a title through to men by marriage and motherhood. The rule of primogeniture lasted, astonishingly, until 1926, when inheritance as a principle of succession to land was virtually abolished. The brother was always preferred as heir before his sisters, but if the bloodline had no other choice (for example if there were no male heirs), then a daughter was preferable to a male brother of the deceased.⁵⁶ Therefore ironically common law at times gave greater weight to women in order to prevent outside influences entering the bloodline. Lineage then was vital, particularly to families at the higher end of society's hierarchy, but the responsibilities of ensuring continuity between generations went far beyond the material concerns. Moreover, the law did not exist in a vacuum but was situated in a complicated social world. The importance of the role of fathers, and especially mothers, in the moral obligations of parental guidance after death cannot be overlooked; families were not just investing in the provision of land and wealth, but in the management of children from beyond the grave via text, and this will be explored in chapter one. Here the academic dismissal of woman's importance in the procedures

⁵⁵ Linda Pollock, 'Parent-Child Relations', in *Family Life in Early Modern Times 1500-1789*, ed. by David. I. Kertzer and Marzio Barbagli (Yale: Yale University Press, 2001), pp.191-220 (p.210).

⁵⁶ Baker, p.305.

of inheritance and familial power dynamics will be challenged, and examined over the period of the seventeenth century.⁵⁷

A perception of women's exclusion from many areas of public life, including the transmission of inheritance, was also challenged by their participation in private religiosity, which in turn could lead to a form of semi-public authority.⁵⁸ Chapter three will examine the publication of biblical exegeses under the label of 'legacy', which will be linked to the processes by which parents' advice texts entered the public marketplace, but considered in their own right as a particular genre. These texts, which appropriated the story of Genesis, utilised the language and terms of inheritance to provide legacies for all readers, in particular female readers and writers.

According to Pollock and Maitland wills appeared from the ninth century onwards; there are certainly documents spoken of as Anglo-Saxon wills or testaments.⁵⁹ In the twelfth century an Englishman had no power to give freehold land by will (unless local custom allowed), but the Statute of 1540 enabled any person who happened to have any lands as tenant in fee simple to give, dispose, will, devise the same by his last will and testament in writing. Of course, not every member of society understood his or her legal rights, and so automatic primogeniture was a strong force, preserving the family name and power. Joan Thirsk has proved that in fact amongst people of lower rank, primogeniture was a virtually unknown phenomenon, and when it was known about it was considered an unnatural means of transferring power; therefore it was common at this end of society for property to be divided arbitrarily (not always equally).⁶⁰ But the increasing awareness in the

⁵⁷ Those historians who have tended to sideline women's roles include Lawrence Stone, and Philippe Ariès in his *Western Attitudes Toward Death*.

⁵⁸ Mendelson and Crawford, p.230.

⁵⁹ F. Pollock, and F.W. Maitland, *The History of English Law*, 2nd edn, 2 vols (Cambridge: Cambridge University Press, 1911), I, pp.312-318.

⁶⁰ Joan Thirsk, 'Younger Sons in the Seventeenth Century', in *History*, 54 (1969), 358-77 (p.361).

seventeenth century of the potential power that wills could hold over a family, the increasing number of accessible texts and law guides which became available, and the representation of inheritance in literature, influenced the numbers and social makeup of families enjoying the new dynamics of will-making.⁶¹

In literature the automatic inheritance of the eldest son could be challenged by the whims and fancies of the testator, with the will held under lock and key ready to be re-written, as chapters four, five and six will demonstrate as popular subjects of early modern drama; these chapters will look at the comic and tragic treatment of the will and the errant child who defies or offers textual challenges to patriarchal and hierarchical succession. The literary treatment of wills in the texts can be seen to have morally didactic elements. There was a growing sense of injustice and instability felt in the earlier part of the seventeenth century, particularly by those members of a family who would not automatically benefit from inheritance practice. The Civil War and the Interregnum further highlighted the instability of power, succession and land ownership, with the sequestration of Royalist lands, and financial hardship was experienced on both sides of the debate. After the Restoration, and particularly after the Glorious Revolution, English landed society had a reputation for stability, and the importance of strict settlement and tighter will procedures were incorporated into all levels of society.⁶² The 'strict settlement', which dominated will-making in the period following the Civil War, was a legal arrangement which could tie up the succession of a specific landed estate for a generation ahead by proving that the owner was only a tenant for life with limited powers.⁶³

⁶¹ Although it must be reiterated that the majority of the population, seventy per cent, died intestate: Erickson, "The Comfortable Estate of Widowhood", p.2.

⁶² Christopher Clay, 'Property Settlements, Financial Provision for the Family, and the Sale of Land by the Greater Landowners 1660-1790', in *The Journal of British Studies*, 21 (1981), 18-38 (pp.18-19).

⁶³ John Habakkuk, *Marriage, Debt, and the Estates System: English Landownership 1650-1950* (Oxford: Clarendon Press, 1994), p.1.

Did early modern literature have a role in portraying legal and societal changes, fears, hopes and desires? Processes of inheritance and their representation in the popular imagination exposed the breakdown in legal process and in primogeniture's dominant status, especially through their representation in poetry, drama, and advice texts, and in the case-studies of this thesis. The family as represented in contemporary political documents was held as a fundamental indication of the political and social stability of the nation. Susan Amussen suggests that the proliferation of household manuals and similar texts 'affirmed the public importance of familial relations' by stressing the hierarchical and interdependent roles of all family and servants in the Renaissance household.⁶⁴ As she highlights, 'there were two moments in the life of a family when property commonly changed hands: at marriage and at death'.⁶⁵

In exploring the first of several case studies of different genres, chapter one examines published legacies, communications from dying (or already dead) parents to their surviving children. These are printed texts, produced explicitly with the purpose of providing a legacy for immediate children, then often extended to address a larger reading audience, a legacy which could be put to the public good.

The chapter will examine Elizabeth Grymeston's *Prayers, Meditations, Memoratives* (1604), Dorothy Leigh's *The Mothers Blessing* (1621), Elizabeth Joceline's *The Mothers Legacy to her Unborn Child* (1622) and Edward Burton's *The Fathers Legacy: or Burtons Collections* (1649) in order to examine the seventeenth-century family's concept of death as an interruption of social processes, and to highlight death's consequences on the intimate power dynamics of family structure. At the same time a study of the abstract concept of death allows one to question the

⁶⁴ Amussen, p.38.

⁶⁵ Amussen, p.70.

workings of power and the transmission of authority in the Renaissance family. In this way, the readings of the legacies will challenge Lawrence Stone and other historians' perception of the evolution of the modern family in the seventeenth century from patriarchal concerns driven by the economics of land transference between generations, when affection towards young children was allegedly sacrificed, towards the conjugal, private, and emotional family of the early eighteenth century. A close reading of these advice texts will contest this historical view, and show greater evidence of the affective family immortalised in text.

The written legacy was intended as a textual parent, an extension beyond the physical decay of the actual body of the parent. One important question is whether this transfer of authority to the legacy is driven by societal forces, such women's exclusion from formal inheritance practices, or by a fundamental and universal need for self-preservation. The male authors examined produced their own texts at times of social and political upheaval, and it will be questioned whether it was also their inability to will land and wealth to their children which proved the force to reproduce the parental voice. The voice of experience, however, which comes through the text, only has an imagined, projected relationship with the future child. The literary dialogue is not with the child, but is projected forward into an unknown world: the only framework of experience is offered by the structure of the family unit and the traditions of inherited knowledge and advice.

Chapter two discusses interrupted inheritance through the literary interpretations of a death of a child in the family, and looks at the role of the elegy in recording that interruption in terms of lost investment. Even in the early modern period when infant mortality was rife, the death of a child, especially an only child, exposed the frailty of the apparatus of inheritance. Both emotional and financial hopes

could be shattered; parents who had invested all hope and financial expectancy could have expectations dashed with the interruption of succession. The death of an heir, especially an elder son, could mean the progress of future inheritance was halted. But if this were true, then younger children and daughters would not be mourned through text. The poetic acknowledgement of a child's life and broken inheritance shows evidence of webs of emotions that moved beyond the boundaries of an economically driven and brutal picture of early modern family life. The children given the honour of immortality through verse were not always first-born sons who would have appeared to be the primary source of investment for the future of the family, but they also included stepchildren, daughters, and even still-born children.

This chapter will take the familial elegy as a site for examining literary forms of grief, and examines elegiac grieving and questions whether poems from parent to children were different from elegies to public figures. A study of elegies to children, as focused through Ben Jonson's poems to his daughter and son, Katherine Philips' elegies to her stepdaughter and her son, and Mary Carey's poems on her deceased children, clarify literary parental responses to the moment of interrupted progression of family life, and hierarchical systems. The responses of fathers and mothers to elegy writing can provide contrasting personal and public gender responses to interrupted succession.

Chapter three will examine women's poetic appropriations of the Genesis narrative as a challenge to their own exclusion from the process of inheritance, from debates about the origin and makeup of the seventeenth-century family, and from authorship. The texts under consideration are Rachel Speght's *Mortalities* *Memorandum* (1621), Alice Sutcliffe's *Meditations of Man's Mortalitie, or, a Way to True Blessednesse* (1634), and Amey Hayward's *The Females Legacy* (1699). The

Genesis narrative offered a paradigm of the early modern family and women's place within it which would then be questioned in literary terms, including women's ostensible marginalisation from familial practices of power and the transfer of power. Debates about Eve's blame led these authors towards examination of the very origins of patriarchal inheritance; as Sir Robert Filmer used Adam as the mortal prime father and figure of the progenitor of patrilineal succession, these women looked to Eve to examine their own legacy of 'blame' and sin in order to challenge this primary reading. The way in which these three women writers produced articulate poetic accounts of their access into authorship and the seventeenth-century print market will be linked to their own exclusion from inheritance practices; their appropriation of the origins of lineal succession, and of the inheritance of sin and blame, reasserts women's role in the family and in print. Rachel Speght, Alice Sutcliffe and Amey Hayward gained access to a very public way of providing their own contributions and legacies to a cultural market. The chapter will argue that a close reading of Speght's, Sutcliffe's and Hayward's texts demonstrates that the astute form they employ, by utilising two genres, that of exegesis and also printed legacy, provided the will and advice text of a mother, sister, female author.

Chapter four examines how the 'will' or volition of the parent is carried through beyond death in the text of the will, here not in terms of property, goods, or moral instruction, but in terms of control; far from distributing wealth or power, the will as it is examined here preserves the dead at the centre of familial authority. It holds great influence textually when the testator is living, and then when he/she is dead it exerts even greater authority. Primogeniture as a usual system of inheritance was initially linked to military tenure in the twelfth century, in order that landowners

could keep their land intact.⁶⁶ If there were no sons, then the daughters would inherit equally as co-parceners; however even a son by a second marriage would be preferred to a daughter by the first marriage under this system. In this chapter the case of Lady Anne Clifford is explored in the light of these inheritance procedures. The conflicts which arose from contesting the will, here precisely from the challenges of a daughter to her father's will, are examined. Lady Anne Clifford would have benefited under the procedures of primogeniture, but her father's will bypassed her in favour of her uncle and his male heirs.

This chapter examines the impact that the instructions of the last will and testament had on seventeenth-century families, including the enforcing or disruption of authority and its inheritance, the transmission of moveable goods and land and moral instruction, and even the willing of debts and strife via contested or falsified wills. The conflicts which arise from contesting the will of the testator, precisely from the challenges of a daughter to a father, are then to be examined through an examination of Portia's position in William Shakespeare's *The Merchant of Venice*, and in Lady Anne Clifford's diary and accounts of her struggle with the legal and personal difficulties a woman had to face to inherit what was rightfully hers. The aristocratic foundations of the Clifford family were questioned and threatened by the application of patrilineal boundaries to the succession of lands and titles. By exposing the fluctuating nature of inheritance law, the sole female heir, Lady Anne, was passed over in preference to her father's brother and his male heirs. It was Lady Anne's stand against the will of her father, and her husband's claim on her financial independence, and her claim to be publicly recognised as a rightful heir, that brought her to the attention of aristocrats and the court. But it was the dominating force of her father's

⁶⁶ Baker, p.306.

will that drove her personal accounts of her struggle against many members of her society, her 'Enemies', and eventually to accept their disapproval stoically.

Chapter five will demonstrate that drama across the period of the seventeenth century reflects, acknowledges and distorts the social and legal conceptions of inheritance. By using contemporary political and social theory (Sir Robert Filmer's *Patriarcha* and John Locke's *Two Treatises of Government*), the argument primarily proves that the relationship between the family, as a microcosm of the state, and dramatic productions of the family in literature, changed as the Civil War disrupted both family and theatre. Although women appear to be excluded from inheritance, the proliferation of women who gain access to this arena across the century through widowhood, and as sole heiress, will be examined, particularly through drama which follows the Restoration.

By using the tensions, comic and tragic, which arise from inheritance, the chapter will demonstrate that drama before the Civil War challenges (through comedy) the ideologies surrounding the process of primogeniture, particularly through the focus on the prodigal son drama. Therefore, several texts from the early part of the seventeenth century are closely analysed, including Thomas Middleton's *A Trick to Catch the Old One* (c.1605) and *A Mad World, My Masters* (c.1605). These plays prove to be useful examples of the prodigal son traditions within early seventeenth-century plays, and demonstrate how this tradition complies with and challenges the social and legal theories of pre-Civil War inheritance. This will parallel an examination of the family's interaction with the same traditions of law.

With the Restoration came many dramatic treatments of these political and historical challenges to inheritance. It follows that if the argument of the family as being a microcosm of the state is correct, then this is transmitted to the progress of

inheritance inside the family. Hence one can see greater evidence of the use of wills and family settlements represented in drama following the Restoration.

With this main argument, the chapter will also focus on the concept of morality and inheritance, for example, the moral right of the guardian to dictate and control the behaviour of the heir by specifically manipulating portions, dowries or the balance of the will. This will examine how the future promise of wealth and its inevitable consequence of power allow the parent or guardian to proscribe moral and (in the case of Aphra Behn's *The City-Heiress*) political behaviour. Behn's play reiterates the prodigal structure of Middleton's two comedies, especially through the character Wilding's role as the errant heir, and his plans to use the courtesan to trick his uncle. Yet this also demonstrates the changes in dramatic production after the Restoration, particularly in the more overt references to political as well as familial power and its transmission. The devices of secrecy, rumour, disguise and trickery play important roles in this respect in drama across the period, and their relation to inheritance and the family is vital to demonstrating that primogeniture's dominance and stability was under challenge from the dramatic stage.

Chapter six argues that Shakespeare's *King Lear* and its Restoration revision *The History of King Lear* by Nahum Tate, provide literary and staged examples of inheritance transmission at the level of monarchy and the family, and presents at both ends of the century fictional interpretations of the dangers of an interrupted process of power transmission. The chapter examines theories of family relationships in the early modern period in order to clarify the relationship between written inheritance documents and social process. Drama as we shall see changes in its attitudes to the comedies' and tragedies' wills, which is why the chapter will provide examples from before and after the disruption of theatre closure and changes in audience goers', and

playwrights', attitudes. One can also examine the changes in comedic treatment, and in tragedy, using Shakespeare's *King Lear*, and Tate's Restoration version with its interesting changes which mirror the changing attitudes of a society affected by spectacular changes in the head of power, from monarch, to Lord Protector, back to monarch again, and towards the beginnings of parliamentary parties in the Tories and Whigs.

Tate's revision takes the focus from succession and inheritance into the realm of the romance, and whilst avoiding the external threat of invasion and interruption to power succession from France, Tate incorporates the political pressures of the Exclusion crisis, and the very real threat posed to and by royal succession. The protagonist of the play in both versions is the medieval king of England, whose immediate concern involves his inheritance and the governance of his power in the future. He has only daughters, and it is the youngest daughter he wishes to confer most power upon – so he has no automatic recourse to an eldest son and the possibilities of primogeniture. Lear delivers his 'will' to an open court before his death, in order to control the business and favour his youngest child, 'tis our fast intent/ To shake all cares and business from our age'.⁶⁷ He controls his daughters' futures through dowries and selection of their husbands, but once the inheritance is divided, he retains little power in the face of his daughters' subversion and intolerance of his continuing paternal role. His daughters and their husbands challenge Lear's competence to retain even the little power and retinue he brings with him by questioning his sanity, his masculinity, his power in his old age. They therefore challenge the very notion that the father controls the legacy, the little that he has not yet given up to his children. The questions and fissures in the royal court raised by

⁶⁷ William Shakespeare, *King Lear*, ed. by R.A. Foakes, Arden Shakespeare (Walton-on-Thames: Thomas Nelson & Sons, 1997), I.1.37-38.

Cordelia's (subversive) utterance of 'nothing' are discussed in a close reading of both texts; such a reading exposes not only the value of words and flattery, but also demonstrates the gender challenge to inheritance procedures. Two plays, two versions, two audiences almost worlds apart are under scrutiny, but the appreciation of the struggles and dilemmas faced by the characters on the stage is demonstrated by the popularity and enduring qualities of both versions.

Death is an academic subject which has attracted a great deal of recent critical and literary attention, especially when dealing with literature from the seventeenth century.⁶⁸ This was a period when early mortality was an omnipresent factor, through plague, disease, war and poor living conditions, and was faced constantly by all members of English society, whether they were aristocrats or peasants. Death and the mechanisms which accompanied death, including wills, funerals, mourning, and legacies, shaped many vital aspects of familial relationships. The aim of this thesis is to analyse the various effects that death and inheritance procedures have on literature in the seventeenth century. Thus, the focus of this study is not on the point of death itself, but on its surrounding discourses of inheritance. By examining different literary genres over the time period of the seventeenth century, a picture of societal attitudes to inheritance, wills, legacies and broken family lines of inheritance can emerge, demonstrating an increasingly urbanised and pragmatic stance on family, society and power.

Therefore, the thesis will provide a broad perspective on literary responses to attitudes to exclusion from inheritance, and within that the changes to and continuity

⁶⁸ See for example Michael Neill, *Issues of Death: Mortality and Identity in English Renaissance Tragedy* (Oxford: Clarendon Press, 1997), Robert N. Watson, *The Rest is Silence: Death as Annihilation in the English Renaissance* (Berkeley: University of California Press, 1994), Jonathan Dollimore, *Death, Desire and Loss in Western Culture* (London: Allen Lane, 1998), Arnold Stein, *The House of Death: Messages from the English Renaissance* (Baltimore: John Hopkins University Press, 1986).

of emotive relationships within the family will be examined, as well as individual roles in the family, the family's relationship to society, women's renewed relationship to the print marketplace after ostensible exclusion from familial processes of inheritance, and literature's relationship to society. The gender responses to textual inheritance suggest that women's role in the family had greater equivalence than has been previously uncovered. When it came to the disposal of wealth through inheritance, private dilemmas took on public significance.⁶⁹ Literature enacted the moment when both family and society could come under scrutiny by an audience and readership; it now provides the modern literary historian with fascinating insights into early modern culture.

⁶⁹ Stephen Collins, "Reason, Nature and Order": The Stepfamily in English Renaissance Thought', *Renaissance Studies*, 13 (1999), 312-324 (p.315).

CHAPTER ONE:

A DEAD LETTER TO MY CHILD: PRINTED LEGACIES

Throughout the seventeenth century in Britain, accompanying the turbulent divisions between church and state there was a proliferation of advice books addressing conduct, family duty, submission and religious instruction. This indicated the connections made by political and social theorists between state and family stability, and it was common for advice texts to be framed within familial terms. From within families, such emerging advice texts can now be used to reassess the legal and economic boundaries of inheritance, and to question hierarchies of familial roles and parental affection displayed towards children. Several of these published advice texts were labelled ‘legacies’, and addressed themselves as wills to future generations of the author’s family. This chapter will examine Elizabeth Grymeston’s *Miscelanea, Meditations, Memoratives* (1604), Dorothy Leigh’s *The Mothers Blessing* (1616), Elizabeth Joceline’s *The Mothers Legacie to her Unborne Childe* (1624) and Edward Burton’s *The Fathers Legacy: Or Burtons Collections* (1649), with reference to other books in this genre of family advice texts.¹ By examining these texts and their intentions one can achieve a clearer picture of the seventeenth-century family’s concept of death’s consequences on the dynamics of family structure and investigate how print discourses could circumvent formal processes of inheritance and offer challenges to historical perspectives of the early modern family.

This chapter will question whether changes in the nature of family and kinship across the century were reflected in this particular family-based genre, as well as

¹ Elizabeth Grymeston, *Miscelanea, Meditations, Memoratives* (London, 1604), Dorothy Leigh, *The Mothers Blessing*, 7th edn (London: John Budge, 1621), Elizabeth Joceline [in the 1624 edition the spelling was ‘Jocelin’] *The Mothers Legacie to her Unborne Childe* (London, 1624), Edward Burton, *The Fathers Legacy: Or Burtons Collections* (London, 1649). Further references to these editions are given in parentheses after quotations in the text.

addressing the debates about the changing meaning of the family in the early modern period, as first outlined in the introduction. How is a literary understanding of debates about the family challenged by a reading of these texts? The main areas of enquiry when providing close analysis of parental legacies will include addressing emotions displayed towards children in life or in text in the seventeenth century, and examining whether there were identifiable moves towards the affective family as Lawrence Stone and other historians have posited. This will be balanced in this chapter's conclusions by assessing whether this view is challenged by these texts and later by an investigation of family elegies in chapter two. Stone's work on the history of the family in *The Family, Sex and Marriage in England* will form the basis of one of the key debates in this chapter: evidence of the emotive family relationships, it will be argued, contrary to Stone's thesis of economically defined kinship evolving into conjugal and emotively shaped roles in the eighteenth century, can be identified from literary sources in this chapter, even those which represent predominantly aristocratic families.²

The chapter will be asking if there is an identifiable desire to continue parenting after death through the medium of print. Does the text become in essence the post-mortem substitute parent and why does this occur? Certainly in the case of mothers this desire for continuity of hierarchical roles would appear to flout conventional historical delineation of early modern patriarchal power. Did exclusion from the formal process of inheritance itself indicate the need for the production of this particular advice genre? And were there changes in authors' relationships with print and the literary marketplace across the seventeenth century? The writing of the legacy transformed parental advice into a material object (the book) which would

² Lawrence Stone, *The Family, Sex and Marriage In England 1500-1800* (Harmondsworth: Penguin, 1979).

continue to act in an advisory and disciplinary way throughout a child's life; the textual and yet necessarily fictional and interpretational parental voice continued beyond the death of the author. The modern critic is introduced through a reading of these legacies to brave and powerful fictional text creations of mothers and fathers set to rival the most fascinating examples of literature's parental characters, including William Shakespeare's flawed patriarch King Lear, whose paternal role in inheritance transmission will be examined in chapter six of this thesis. One also needs to address the concept of identifying gender differences in the way mothers dealt with sons and daughters, and the way that fathers dealt with children, as all authors, male and female, struggled to maintain parental hierarchical control through writing. Were mothers producing different types of legacies from those written by fathers, with alternative advice for sons or daughters? There have been numerous studies on women's access to authorship, education and power in this period, but this chapter will study the different gender approaches to a particular genre of writing which informs us about the roles of parents and children in the early modern family.

Why should family legacies be treated as a separate and distinctive genre that has implications for an understanding of the history of the early modern family? Why not study them under the labels of advice texts or 'good death' guides as has been done by critics? Elaine Beilin in *Redeeming Eve*, for example, writes about a specific genre of mother's advice books, and includes Grymeston, Joceline, Leigh, Elizabeth Clinton, Countess of Lincoln, and M.R.'s *The Mothers Counsell* (London, 1630).³ Her discussion does not deal with the texts as legacies, however. Valerie Wayne in her essay 'Advice for Women from Mothers and Patriarchs' includes Leigh, Elizabeth Clinton, Joceline, Grymeston and M.R., and Christine W. Sizemore puts the texts in

³ Elaine Beilin, *Redeeming Eve: Women Writers of the English Renaissance* (New Jersey: Princeton University Press, 1987), pp.266-285.

the genre of courtesy literature.⁴ Wendy Wall's *The Imprint of Gender* treats the work of Joceline, Leigh and Grymeston as prefatory to her study of Isabella Whitney, and she highlights the way in which these mothers' 'wills', as she labels them, 'allowed women to participate in generational transmission and thus to imitate the legal/economic power denied by the culture'.⁵ This is certainly a relevant and parallel argument to the one presented in this chapter, but a common factor in most of the recent studies of legacies has been the exclusion of a comparison with fathers' contributions to this genre, as Wall herself can be accused of, and with other parallel texts from the period, such as Sir Robert Filmer's *Patriarcha*, which will be compared to fathers' legacies in the period of the Civil War. Burton's and other fathers' legacies are considered near the end of this chapter; one reason is that this is a chronological treatment of the legacies, and another is that the thesis is first and foremost demonstrating the treatment of those members of society most visibly excluded from inheritance processes, in this case mothers. It also allows one to address questions of gender roles in the early modern family and literary field. Without a comparison of different gender approaches to both parenting and to this genre, one is left with an isolated selection of documents which do not provide ideas about wider arguments about the family and male and female reactions to inheritance. As will be shown, none of the writers were producing texts in a social, gender or literary vacuum, and they demonstrated great awareness of their texts' future intention and reception by various readers.

⁴ Valerie Wayne, 'Advice for Women from Mothers and Patriarchs', in *Women and Literature in Britain 1500-1700*, ed. by Helen Wilcox (Cambridge: Cambridge University Press, 1996), pp.56-79, and Christine W. Sizemore, 'Early Seventeenth-Century Advice Books: The Female Viewpoint', *South Atlantic Bulletin*, 41 (1976), 41-48.

⁵ Wendy Wall, *The Imprint of Gender: Authorship and Publication in the English Renaissance* (Ithaca: Cornell University Press, 1993), p.295.

Traces of the tradition of Catholic *ars moriendi* texts could be seen in the popular and usually overtly Protestant genre of ‘good death guides’, published guides and rules for the art of dying in the seventeenth century. These are some of the texts which trace the journey from the terrified morbidity of medieval art and literature towards the less reactive and more disciplined reactions to early modern plague, disease and death. Examples of such texts include the intriguingly titled *A Discourse of Death, Bodily, Ghostly and Eternal* by Thomas Tuke (London, 1613), *The Doctrine of Dying Well* (London, 1628) and Martin Day’s *A Monument of Mortality* (London, 1630).⁶ Such guides appeared to be concerned with the continuation of public authority beyond the sermonising of the pulpit, and onwards into the private life of the individual and his or her family; these duties were carried out by means of the increasingly popular printed word. The texts invited the reader, most immediately the paternal head of the family who led the private prayers and devotions, to engage with the print and to practise the instructions contained within. But as has already been proposed in the introduction, women had greater roles in religious instruction and general upbringing of children than has been previously acknowledged or recognised.

However these canonical texts simultaneously maintained a hierarchical distance, demonstrating that one preacher or writer was aware of addressing a large and heterogeneous audience. Advice texts from dying parents to their children can be found amongst these anatomies of dying and amongst teaching guides concerning death and the general conduct of the individual. Such texts were more personal, addressed to the authors’ children, and, whilst including a healthy sense of fear of death, also displayed great emotion and comfort for the survivors. One must look

⁶ These guides to dying have been well documented by Stanislav Grof in *Books of the Dead: Manuals for Living and Dying* (Berkeley: University of California Press, 1994), and in David William Atkinson’s *The English Ars Moriendi* (New York: Peter Lang, 1992).

outside of the conspicuous realm of guides for the living on the subject of dying to discover numerous examples of similar guides by men and women writing within the ostensibly private context of the family.

The authors of such works, who claimed to be merely concerned and caring parents preparing for their end, did not demonstrate a fear of death, but instead feared the loss of control and parental guidance in their children's lives. These, then, were written legacies from parents to children, the carefully written instructions of the dying. These guides mimicked the structures of the better known canonical examples, but initially they did not appear to address a wide readership. Instead they claimed to be concerned with the private sphere, and with the personal welfare and the physical body of their recipients. They were written wills, communications from dying (or dead) parents to their surviving children. I will argue that several authors to be examined did have the agenda of addressing readers outside of the family, and Dorothy Leigh's writing in particular presents a good example of this. At the same time an analysis of their concepts of death will allow one to challenge and enhance current academic views of the workings of power and the transmission of authority in the Renaissance family.

Death's power over literary imagination in centuries past and present has been clear and as such has been a popular area of literary analysis, but the preparation for the practicalities of burial, passing on of goods and advice, and the continuation of family life has not always been well documented. Robert Watson in *The Rest is Silence*, puts forward a question pertinent to the study of death in the seventeenth century:

But death remained an unanswered question in many minds, and if we break the rhetorical spell that kept these anxieties suspended, we are left with a real question: why should death (the cessation of life, not death throes or

damnation) have been so terrifying in a culture supposedly saturated with Christian belief?⁷

However, terror of death was not an emotion displayed by the authors of these legacies. There may have been a sense of urgency, a need to defy time in order that the life of the offspring was guarded and watched, but Christian terror of death's finality was absent. Religious comfort for the mourning child appeared in these works, but was not the prime aim; these works attempted to provide religious rule and secular knowledge for the future of their children. Scripture was frequently used, particularly by the more educated parents. Joceline and Leigh for example sprinkle their texts liberally with biblical and literary references, and scripture was used as instruction and moral guidance, not as a reassurance of the immortality of the parent's soul.⁸

The written legacy acted as a moral guardian, and was intended as a textual parent, an extension beyond the physical decay of the actual body of the parent. One important question is whether this transfer of authority to the legacy was driven by societal forces, or by a fundamental need for preservation of familial roles. Lawrence Stone in *The Family, Sex and Marriage* defined the family in this period as those members of the same kin (the 'household' would include non-kin servants, labourers and lodgers) who lived in 'legal and moral subordination to the head of the household' as an essentially stable unit, and by implication a patriarchal household.⁹ He described the family as an unquestioned and unchallenged 'valuable institution for social control', and suggested that the objectives for family planning were 'continuity

⁷ Robert N. Watson, *The Rest is Silence: Death as Annihilation in the English Renaissance* (Berkeley: University of California Press, 1994), p.36.

⁸ Margaret P. Hannay looks at the details of scriptural interpretation in the legacies in her essay "'So May I With the Psalmist Truly Say": Early Modern Englishwomen's Psalm Discourse', in *Write or Be Written: Early Modern Women Poets and Cultural Constraints*, ed. by Barbara Smith and Ursula Appelt (Aldershot: Ashgate, 2001), pp.105-134.

⁹ Stone, p.28, and see pp.109-146.

of the male line, the preservation intact of the inherited property, and the acquisition through marriage of further property or useful political alliances'.¹⁰ Three immediate concerns are raised by the legacies in relation to Stone's definitions: what were the respective roles of the Renaissance parent/conveyor, of the child-audience/recipient, and of the textual legacy in the drive for continuity of the family? How did these factors intersect, and was this an emotionally or economically driven concept? Stone argued that as a consequence of high child and adult mortality rates, parent-child relations were even more tenuous than those between husband and wife, although he also notes that the unique individuality of new-born children was recognised for the first time in the late sixteenth century.¹¹ According to Stone, the family underwent great emotional change towards the eighteenth century. In earlier centuries the family had been ruled authoritatively by the father and held together by considerations of property and lineage. He suggested that individualism, a vision of the family where all members were respected, was linked to the demise of patriarchal thought and theory at the end of the seventeenth century.¹² In Stone's terminology, the patriarchal family gave way to the 'affective family'. He pointed to brutal treatment of spouses and children, and hostility, suggesting that the majority of people found it very difficult to establish close emotional ties to any other person. In his Hobbesian pessimistic perception of the life of man as solitary, poor, nasty, brutish, and short, children were expendable commodities:

Children were often neglected, brutally treated, and even killed; many adults treated each other with suspicion and hostility; affect was low, and hard to find.¹³

¹⁰ Stone, p.28, and p.37.

¹¹ Stone, p.257. Stone looks at naming of children, clothing, games, and family portraiture to provide evidence of changing parental attitudes, pp.257-259.

¹² Stone, pp.151-153.

¹³ Stone, p.80.

In the early modern period, the combination of low life expectancy, and a limitation of psychological involvement with the infant child (because of high infant mortality), resulted, Stone argued, in a conjugal family which was very short-lived and unstable in its composition.¹⁴ This in turn could have certainly provided the economic drive for familial continuity into future generations, taking precedence over the family as an essentially emotional unit. Will Coster has highlighted the problem with the methodological sources employed to provide this type of social history, which have concentrated on ‘biographical and literary sources to gain an impression of the emotional world of individuals in pre-industrial England’; this has been used, Coster suggests, to present a pessimistic view of family relationships.¹⁵ However, literary sources can be used to enhance a perspective contrary to Stone’s; a close examination of various genres linked to the theme of inheritance demonstrates great warmth and affection in family life.

In direct contrast to this, Ralph Houlbrooke in *The English Family 1450-1700* suggests that the qualitative and emotional range of parent-child relationships during the Renaissance was probably as great as it is today; ‘to suggest that all suffered bitterly when their parents died’ he contends ‘would be as foolish as to claim that our ancestors were incapable of strong personal attachments or deep grief in the face of bereavement’.¹⁶ His study is less concerned with the power structures inherent in a Renaissance family, and how this was transferred when the hierarchical structure broke down because of death, than with the inference of emotion in the mourning and

¹⁴ Stone, p.82-85.

¹⁵ Will Coster, ‘Tokens of Innocence: Infant Baptism, Death and Burial in Early Modern England’, in *The Place of the Dead: Death and Remembrance in Late and Early Medieval Europe*, ed. by Bruce Gordon and Peter Marshall (Cambridge: Cambridge University Press, 2000), pp.266-287 (p.267).

¹⁶ Ralph Houlbrooke, *The English Family 1450-1700* (London: Longman, 1984), p.216. Linda Pollock also looks at advice texts and diaries to prove the case of parental attachment to children, in opposition to Stone’s views, in *Forgotten Children: Parent-Child Relations from 1500-1900* (Cambridge: Cambridge University Press, 1983), pp.96-103.

inheritance process. Houlbrooke contends that ‘funeral monuments could not only serve as a focus for children’s memories of their parents, but also, from the late sixteenth century onwards, act as vehicles for the expression of filial love, gratitude and grief’.¹⁷ Yet Houlbrooke’s account suggests that there was the need to preserve a memory, and he does not examine the traditions and expectations of familial roles in reference to this; for example the child may not wish to erect a monument to the memory of the parent, but may be expected to do so by the controlling forces of family and society. In contrast, readings of literary sources can be criticised as providing an overly simplistic view of the history of parental emotions. However, it is such textual sources that will be examined here in order to prove the considerable affection between family members. Therefore I would argue that there needs to be a more analytical study of the use of the written legacy, so that it can be studied as a continuation of a familial and societal contract, rather than one-dimensionally as an emotional investment.

Did the legacies disrupt the social conventions surrounding the transference of power? The privatisation of the advice text and passing on of parental experience made thought and moral advice inheritable commodities, part of the goods which could be transferred through inheritance. This is external to Stone’s emphasis on male dominated physical and economic inheritance and primogeniture. This is especially pertinent when considering the role of the mother in the transmission of power and self beyond the grave. Dorothy Leigh in *The Mothers Blessing* writes, ‘And seeing my selfe going out of the world, and you but comming in, I know not how to performe this duty so well, as to leave you these few lines’ (Leigh, A1v). So when analysing the legacy, one must also question duty and the nexus of power relations in the

¹⁷ Houlbrooke, *The English Family*, p.216.

seventeenth-century family. Kristen Poole argues that because of the popularity of these advice texts, evident from their numerous reprints, and because there is evidence that even male writers occasionally took on the textual mantle of mothers in their own writing, for example Nicholas Breton's *The Mothers Blessing* (1601), it was clear that early seventeenth-century readership was ready to accept maternal literary voices.¹⁸ However accepting this audience was of published advice texts, evident from numerous editions and reprints, one must also keep in mind the other aspects of mothers' and fathers' roles.¹⁹ Of course, patriarchal duty was paramount in providing not only an estate for the child, but also moral provision and advice, as was ably demonstrated in *The Durable Legacy* published in 1681, by Humphrey Brooke. In his address to his 'Beloved Children' he was critical of overly earnest parents' conscience in their struggle to 'acquire estates for their Children, that they may look big in the World, and be more than common Cyphers [...] it is a sign that they have too great a value for those things, beyond the Rules of Christian Religion'.²⁰ Brooke stressed that mere estates can decay, and saw it as his paternal duty to furnish his children's minds with 'sound and solid knowledge, that may support you in all states, and conditions'.²¹ This is clearly evidence of a parent more concerned with moral structures than with a child's economic security, and shows a measure of affection, albeit of a strict nature.

The child was defined physically and temporally by the author-parent; the legacies were addressed to children and not to their later adult versions. For example, Joceline in her legacy appeared to be comforted by the fact that her meagre offering to the realm of writing could not be misjudged by a child, as if the grown child would

¹⁸ Kristen Poole, "'The Fittest Closet for All Goodness': Authorial Strategies of Jacobean Mothers' Manuals', *SEL*, 35 (1995), 69-88.

¹⁹ Poole, p.69, records that Leigh's text went through fifteen editions between 1616 and 1640.

²⁰ Humphrey Brooke, *The Durable Legacy (Advice to the Authors Children)* (London, 1681), A4.

²¹ Brooke, A4.

never return to the text with adult critical scrutiny. In the following extract she also appeared to acknowledge the infantilisation of her gender role, and her equality with a child's mind and judgement:

But when I could find no other means to expresse my motherly zeale, I encouraged my selfe with these reasons. First, that I wrote to a Childe, & though I were but a woman, yet to a childs judgement, what I understood might serve for a foundation to better learning. (Joceline, B3)

Yet the concern which Joceline demonstrated, in common with other parents writing legacies, was pragmatically tied to the actual and physical transmission of her role of parent to a time after death. The parent, close to death, was in a state of 'living-dying', and wished to defy the time constraints of death through the continually living and acting text of the future. The text, in this respect, takes over the role of surveillance which the dying parent must forgo. Wendy Wall notes the interesting time-span of these legacies: they were written as wills in the present tense, but were imagined as being enacted in the future, and authorised by a past voice.²² The parents were not concerned with extending the self beyond the cessation of existence, but with the extension of an aspect of the parental role which was culturally and socially constructed.²³

The production of legacies was of course different for fathers and mothers. The role of the father might at first appear to be easier to replicate in a text, as it was the patriarchal 'law' which governed inheritance. But is this true? Edward Burton, the author of *The Fathers Legacy*, appeared to struggle just as much with the concept of reproducing the parental role in a guide for his son as he did with the concept of its reproduction in the public world of the published text. In fact, as can be seen from the fathers' legacies in this chapter, they were often produced in times of crisis, during the

²² Wendy Wall, 'Isabella Whitney and the Female Legacy', *ELH*, 58 (1991), 35-62 (p.38).

²³ Although as we shall see when examining Elizabeth Joceline's legacy, if the parent survived, the text could be held up as a looking glass to reflect on later parental intentions.

period of the Civil War, for example, when fathers too might be excluded from the normal processes of inheritance transmission. Writing about his ‘certaine Sentences, Instructions, Meditations and Resolutions’, he highlighted his modesty about the publication of his legacy:

Which being seen by some of my friends, they have earnestly perswaded me to put them in Print: which request I was very unwilling to doe, to trouble the Presse with such an illgarnisht dish; but since they have so farre prevailed with me, I doe intreat them, whoseoever shall read it: First, that they be not moved with indignation at that which I have done, because it was not in my minde, it should have come to publike view: but that they will pardon the imperfection, and plainesse of it: considering, that I am no profest Scholer but a plain Countrey man. (Burton, A2v)

The profession of modesty, and the fear of transgression into print which may provoke public censure, are qualities which would appear more likely to be found in mother’s legacies than in one written by a father. This highlights the transgressive nature of the legacy in print. The legacy makers often did not appear to search for their own immortality. They merely sought to instruct ‘beyond the grave’. The text was invested with the wealth and knowledge of experience so that it could be read as a future parent; thoughts were immortalised on paper to be translated and interpreted by the future reading child. The text was proposed by these parents as an extension of their body and mind, a wealth of experience flowing from the dying hand onto the page which they intended should be read, received and used in private prayer by the family. Teresa Feroli proposes that as a result of the expansion of the mother’s role in the Renaissance to include active participation in her children’s education, these texts were simultaneously memento mori and ‘literary extensions of their parental responsibilities’, and she highlights that some authors described their legacies as ‘designed to enable them to guide their children from beyond the grave’.²⁴ Was this a

²⁴ Teresa Feroli, “‘Infelix Simulacrum’: The Rewriting of Loss in Elizabeth Joceline’s *The Mothers Legacie*”, *ELH*, 61 (1994), 89-102 (p. 89).

private, small-scale project, or had it always been these parents' intention that their books would reach a wider audience?

In the text *The Legacy of a Dying Mother to her Mourning Children, Being the Experiences of Mrs Susanna Bell*, the dedication by the Puritan divine Thomas Brooks outlined what may or may not have been this particular author's initial intention in producing the legacy.²⁵ Brooks called on all readers of this text, including Bell's children, to imitate the mother's sincere and plain life. He wrote 'And O that all you her children would make it your business in this as well as in other things to write after your Mothers Copy'.²⁶ Her words recorded in this text, he insisted, were uttered a little before she fell asleep, and he merely transformed them into the public legacy which was presented to the world. Joceline's legacy too, as will be demonstrated, appears to have been written by her with only her child in mind, and was then mediated by a male editor Thomas Goad into print. Leigh's *The Mothers Blessing* however was specifically written for publication and patronage, as is apparent from the dedication to Princess Elizabeth.²⁷ Some women's writing was usefully adopted by religious sects on a religious and political level to promote the concept of simple acts of selfless love, a purpose unintended by the authors.

The letters and legacies under consideration were published from 1604 to 1673, and the writers include Anglicans, Catholics and Puritans. However, according to Elizabeth Grymeston, all the texts were intended as portable pieces, '*veni mecum*' of the dead parent's mind and voice and being.²⁸ The authority of the living parent

²⁵ Susanna Bell, *The Legacy of a Dying Mother to her Mourning Children, Being the Experiences of Mrs Susanna Bell, Who Died March 13 1672 (Epistle Dedicatory by Thomas Bell)* (London: John Hencock Snr, 1673).

²⁶ Bell, p.21.

²⁷ Poole, p.72, notes that the mothers at times call attention to the apparent duality of their roles as writers and as mothers.

²⁸ Grymeston, A3. The more common Latin phrase is *vade mecum*, which translated literally means 'go with me', frequently referring to a spiritual handbook, a constantly consulted aid.

was transferred by the process of writing from the body to the book. The dedicatory letters, primarily to one or two recipients, were taken into the possession of many more readers through their publication, and a much wider readership became witnesses and part owners of the inheritance of the family. Despite the proliferation of published texts in the beginning of the seventeenth century alone, ironically there was an increasing number of dedications which stated explicitly that there had never been any intention of appearing in print.²⁹ But by producing such a dedication, the parents fulfilled their public role of maintaining discipline and displaying concern over the child, and ostensibly retained the legacy within the family circle whilst distancing themselves from the taint of intended publication. Elaine Beilin, however, sees this duality as potentially threatening. ‘While the role of loving mother instructing her children may seem to be a safe persona for a woman writer’, she argues ‘instead it highlights the conflict between private and public status’.³⁰ It could draw attention to the boundaries of a female author’s and mother’s role. However, the writers here allow the argument of inheritance to overcome the potentially reputation-damaging element of a woman providing public advice.

What, then, did the impending event of death mean both publicly and privately to a seventeenth-century mother, particularly an educated Renaissance mother such as the Catholic author Elizabeth Grymeston? Her *Miscelanea, Meditations, Memoratives*, presented as a counselling tract to her child, was printed in 1604, a year after her death. She had nine children, eight of whom did not survive beyond childhood. The dedicatory epistle was therefore addressed to her only surviving son and heir Bernye, and states, ‘my affectionate love, which diffused amongst nine

²⁹ H.S. Bennett, *English Books and Readers: 1603-1640*, 3 vols (Cambridge: Cambridge University Press, 1970), III, p.1.

³⁰ Beilin, p.266.

children which God did lend me, is now united in thee, whom god hath onely left for my comfort' (Grymeston, A4v). Bernye became the focus for the concentrated essence of her affection and mourning for all her children, and he was represented as the survivor who encapsulated the role of child, the focus of all of Grymeston's maternal affection and disciplinary concern. This strongly contradicts Stone's perception of the idea that the increased chance of infant mortality decreased affection towards young children.³¹ As an educated aristocratic woman, Grymeston quoted with ease in Latin and Greek (even though such disciplines were unusual, even for an educated woman), and she used both Christian and non-religious texts, freely admitting to utilising literary sources. Her style is direct, and of all the books under consideration, this is probably the most striking example of the evidently personal and loving voice of a concerned parent surfacing through the text of the legacy. In fact it was this parental and maternal concern and love which the author was careful to stress acted as the impetus behind her work:

My dearest sonne, there is nothing so strong as the force of love; there is no love so forcible as the love of an affectionate mother to hir naturall childe: there is no mother can either more affectionately shew her nature, or more naturally manifest hir affection, than in advising hir children out of her owne experience, to eschue evill, and encline them to do that which is good.
(Grymeston, A3)

This address, ostensibly to her son alone, appears to outline her case for publication to a wider audience in order to gain their empathy. The simplest excuse for her writing, she suggested, was a transferral of experience, an endowment of advice from age and from the vicinity of death, which can then be granted to the young child. She admitted the need for haste in the production of her legacy, as she stated 'the rather for that as I

³¹ Stone, p.257, uses the concept of the Renaissance practice of naming of children to highlight his point; he suggested that because it was common to re-use a Christian name if a child died and another was born, logically this indicated a lack of emotional investment.

am now a dead woman among the living' (Grymeston, A3).³² This inspiration, not one of tradition or custom, but a physical force, allowed no other memento than this legacy to be left, she argued. But of all the legacies under scrutiny in this chapter, Grymeston's text is the most thinly veiled attempt to provide a contribution to the public genre of religious, philosophical contemplation. Only the letter at the beginning of the legacy was directly levelled at her son, and even that was a defence against critics of her work.

The rest of her extensive text is therefore addressed universally to 'man', as here, 'Consider, o man, what thou art in nature' (Grymeston, D3v). It is only in the letter to her son that we see the ostensible personal and maternal modesty. So it is this force which allowed the investment of the loving mother figure into the public, published text, permitting a more conventional and abstract treatise to be packaged as a maternal will. Amy Louise Erickson notes that wills were principally made by dying men, and yet as she suggests:

The patriarchal scenario founders first on the rock of demography. Early and frequent death in early modern society made the completion of the cycle [from fathers to sons] unlikely. [...] It is certainly true that land pulled inexorably towards males, but it spent a good deal of time in female hands along the way.³³

This contradiction to primogeniture's dominance in all levels of society appears to be the case in the preface to Joceline's legacy, when her male editor argued that her work was not illegal in its claim for a place in inheritance.³⁴ The legacy provided an alternative will to grant to a child, particularly for a mother apparently excluded from the inheritance process. But this gender exclusion from power was not universal.

³² This concept of the dead amongst the living is seen clearly in Elizabeth Joceline's image of her own role as legacy provider.

³³ Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1993), p.5.

³⁴ See the section on Joceline in this chapter.

Erickson also notes that a wife ‘regained her legal identity on her husband’s death’, and ‘in practice a mother was almost as likely as a father to negotiate her children’s marriage’.³⁵ Early modern parents were involved in controlling the marital and moral choices of their children and heirs, and sought to accomplish this by inserting clauses into wills or settlements which stipulated that the heir was to forfeit all or part of the portion if she or he married without permission. What Erickson does not include in her study is the notion of how women negotiated the rules of inheritance from within familial and marital boundaries, which is the area this thesis highlights.

We shall see the legacy of a widow who attempted this negotiation via her text when we examine the writing of Dorothy Leigh. However, women’s under-examined role in the family process of inheritance provision was redefined by the legacy creators: Grymeston insisted on the inevitability of the legacy, but there was still an obvious subversive element in the mother’s assumption of responsibility as advisor and provider of the intellectual, moral legacy.

While patriarchy existed theoretically in all areas of society, in practice the mother was at times allowed, possibly because of high mortality rates, to take on the role as the head of the household. Inevitably this also affects Stone’s claim that such a head of household (implicitly male in his book) was in charge of patriarchal and religious control of the family:

The household was the inheritor of many of the responsibilities of the parish and the Church; the family head was the inheritor of much of the authority and many of the powers of the priest. Thus the Word of God was to some degree removed from the parish church and transferred to the private home.³⁶

With the post-Reformation domestication of religion therefore, it is inevitable that many acting heads of households were women, and it is their participation in the

³⁵ Erickson, p.5.

³⁶ Stone, pp.104-105.

process of religious instruction, particularly ‘after death’ in the textual creation of a parent through the legacy, which has been denied by many historians. This denial has been the practice of historians who wish to reinforce the ideological premise of patriarchy in the early modern period. This has even been the attitude of some feminist critics who have denied the power of some elements of the maternal role in the family and dismissed this as patriarchally controlled, and have therefore sought alternative women writers, contributing to the myth of pre-feminist feminism in the Renaissance.³⁷ Betty Travitsky argues that the basis for strong emotions in tracts on child-rearing appears to lie,

in the integration of natural maternal feeling with the religious and intellectual development of women advanced through the theory of the new mother. Because educated English mothers of the Renaissance were theoretically restricted to the outlets of child nurture and private religion, there was a potential of incompatibility and conflict between the sense of maternal duty and the need for submission.³⁸

However in her study of the lack of representation of mothers in Renaissance drama, Mary Beth Rose has highlighted that the very emphasis of advice texts on ‘premarital virginity and wifely chastity’ suggests that women did have potential influence on the transmission of familial advice and power.³⁹ Close textual surveillance could be kept over women’s reputations and their influence on younger generations and present husbands. The attempts of advice texts to define women’s roles is seen as a reaction to the dangers women could present. Therefore by examining and allowing the written legacy to be redefined as transferable property which could be willed and inherited, one can redress this omission in a study of mothers’ roles.

³⁷ Including Wall’s *The Imprint of Gender*.

³⁸ Betty Travitsky, ‘The New Mother of the English Renaissance’, in *The Lost Tradition: Mothers and Daughters in Literature*, ed. by Cathy N. Davidson, and E.M. Broner (New York: Frederick Ungar, 1980), pp.33-43 (p.40).

³⁹ Mary Beth Rose, ‘Where Are the Mothers in Shakespeare?’, *SQ*, 42 (1991), 291-314 (p.300).

Dorothy Leigh was a widow who utilised her legal status as the surviving parent in order to write. She, like Grymeston, wished to stress the inevitability of her writing, the motivation behind the extension of the role of mother into publishing dominated by religious and male writers. She assumed the powerful role of a parent who was in the position to transfer the ‘intellectual property’ of the mind, her written thoughts and her legacy. As a widow who felt that she was dying, she prepared *The Mothers Blessing*, originally published in 1616, a volume of ‘godly Counsaile’ for the maturity of her three young sons, George, John and William Leigh (Leigh, A1).

Leigh was an educated gentlewoman. She advised her sons on the best way of dealing with servants and suggested patience for governors of families. She wished to provide a well-structured, clear guide on holy living, prefaced by a practical contents page. The 1616 edition claimed on the frontispiece (probably the publisher’s declaration) that this work was,

the godly Counsaile of a Gentle-woman, not long since deceased, left behind for her Children: Contayning many good exhortations, and godly admonitions profitable for all Parents, to leave as a legacy to their Children. (Leigh, A1)

Therefore the ostensibly private communication between mother and sons was, in print, opened up to be used as a ready-made legacy for all parents. Yet despite Leigh’s open and emotional letter to her three sons, she suggested that ‘setting aside all feare, I have adventured to shew my imperfections to the view of the world, not regarding what censure shall for this be laid upon me’ (Leigh, A3). The dedication at the beginning of the book clearly shows that Leigh had a similar intention to that of Grymeston, to protect and serve as a parent beyond death:

My Children, God having taken your Father out of this vale of teares, to his everlasting mercy in Christ, my selfe not onely knowing what a care hee had in his lifetime, that you should be brought up godily, but also at his death being charged in his Will, by the love and duety which I bare him, to see you well instructed and brought up in knowledge, I could not chuse but seeke (according as I was by duty bound) to fulfill his Will in all things, desiring no

greater comfort in the world, then to see you grow in godliness, that so you might meete your father in Heaven. (Leigh, A1-A1v)

Leigh firmly established the fact that it was only because her husband was deceased that she dared to cross into this area of literature; it was not her 'choice' but her 'duty', and as will be seen later in this chapter, Grymeston also justified her contribution to the genre of advice and meditation texts by hinting that her husband was near to death. Leigh carefully trespassed into the patriarchal world of inheritance provision, but only, as she insisted, as her duty to her husband. The legacy therefore is further removed from the source of a challenge to paternal authority. It was her husband's will that provided for the education of the children, and, given no other choice, 'I could not chuse but to seek', this wife was 'by duty bound' to carry out the wishes of her dead husband (Leigh, A1). This legitimised her forwardness and redefined the mother's role to include an authorised public voice, even a dead voice.

By appearing to work at the more secular margins of a religious tradition, which she argued she was not worthy of entering, her legacy highlighted the very boundaries of a genre as well as daringly crossing into its territory. In this respect, the modern reader must be wary of trying to label and define these parents' texts, as the parents were openly insistent that they remained on the familial edge of popular religious literature. Leigh knew her legacy was going to be made public, yet she still insisted it was all in the name of maternal duty. In this way, the texts could be allowed to be used as legacies, as was the intention of the authors, to be inherited and used by their own (and sometimes other) children.

Leigh also provided two dedications, both revealing her as a highly self-conscious writer and suggesting that she was carefully preparing the readers (in her case both child and public audience) for the directions the treatise would take. The first dedication to her three sons expressed her maternal love, and the second

dedication, to Princess Elizabeth (James I's daughter), suggests the legitimising of a more social and public image of protection in the female form. It is clear, therefore, that this legacy was more than the private last thoughts of a mother on her deathbed. Yet the conclusion of the opening letter apparently again denied this public contemplation 'so that herein I may shew my selfe a loving Mother and a dutifull Wife. [...] Your fearfull, faithfull, and carefull Mother, D.L.' (Leigh, A3).

Could it be that the duty of the loving mother and the wife was not only used as an excuse for the trespass into the guarded realm of writing, but was also the force which motivated these women to create textual monuments of their mother-roles? When Stone discussed the patterns of society in the early modern period, he chose to emphasise the fact that 'both Church and state provided powerful new theoretical and practical support' to patriarchy; as he suggests, the 'willing acceptance of the legitimacy of the authority, together with a weakness of competing foci of power, are the keys to the whole system'.⁴⁰ Yet he avoided the notion that the location of power may well have come from within the framework of the family itself, from the equal focus of paternal and maternal power. Mary Beth Rose writes that Renaissance mother-authors elaborated 'the equation of maternal love with sacrifice and transgression' in order to appear to struggle morally over the question of what Rose terms 'lawlessness', but to carry on regardless in order to provide for the child.⁴¹ The apologia, and the initial gift presented to a husband to watch and control the legacy were two ways of carrying this through; this was what Elizabeth Joceline was also careful to do in her presentation of the legacy, as will now be investigated.

In examining the writing of Elizabeth Joceline (1595-1622) we are confronted by a parent who was creating a written extension of her maternal role, her legacy, for

⁴⁰ Stone, p.109.

⁴¹ Rose, p.311.

a child still in her pregnant living body: she was writing for an unborn, unknown, and as yet ungendered child. She was a well-educated woman, practised in languages, history and the arts. After marrying Tourell Joceline in 1615, she focussed her studies on divinity, and, on becoming pregnant with her first child, prepared herself for her future *possible* death. In fact, she died only nine days after giving birth to a daughter, Theodora (a name which means ‘gift of God’).

Joceline’s unfinished legacy was written by stages in her pregnancy and ended in a shaky hand; it was discovered in manuscript form, and was first published posthumously in 1624.⁴² This appears to place it outside of the realm of those texts written with the intention of publication. In fact though, Joceline herself addressed future critics on the topic of her unseemly attempt to write:

Againe, I may perhaps be wondred at for writing in this kinde, considering there are so many excellent bookes, whose least note is worth all my meditations. I confesse it, and thus excuse my selfe. I write not to the world, but to mine own childe, who it may be, will more profit by a few weake instructions comming from a dead mother (who cannot every day praise or reprove it as it deserves) then by farre better from much more learned.
(Joceline, pp.10-11)

This indicates an awareness of the literary marketplace and her position in it.

Interestingly, Joceline presented open modesty in entering such an esteemed genre of texts (she stressed her own work should never be compared with these), yet she displayed an iron will when insisting that a mother’s ‘weake’ personal wisdom and experience would provide legitimate instruction. Just as Susanna Bell’s legacy was publicly seized upon by a religious leader for his own agenda, Joceline’s *The Mothers Legacie to her Unborne Childe* was prefaced by a summary of her life on its publication, and by moral and religious commentary by later male editors. Wendy

⁴² Joceline’s legacy appeared in print many times in the two centuries subsequent to its first appearance, up until the last published version reprinted with an introduction by Lord Bishop of Rochester, an exact reprint of the 1632 version: *The Mothers Legacy to her Unborne Child*, 6th impression (London, 1632; Macmillan repr 1894). It was even translated into Dutch in 1699.

Wall notes the similarity of Joceline's work to other titles presented by male editors to the literary marketplace, including *The Honour of Vertue, Or the Monument Erected to the Immortal Memory of Mrs Elizabeth Cashawe Who Dyed in Childbirth* (1620).⁴³

Thomas Goad, who provided the preface, the 'Approbation' for the 1624 edition of Joceline's legacy, framed the text posthumously as a public will by referring to it in legal terms:

Wherefore upon the very first view, I willingly not onely subscribed by *Aprobat* for the registering this *Will* among the most publique Monuments, (the rather worthy, because proceeding from the weaker sex) but also, as bound to do right unto knowne vertue, undertooke the care of the publication thereof. (Joceline, A4v)

The careful and measured legalistic language was effective in removing all sense of a personal contract between a mother and her (unborn) child. The editor took responsibility for locating the legacy among the most 'publique monuments', thereby assuming the power to situate an offering from the 'weaker sex' within the more public genre of remembering the dead, and within his own person religious sense of duty, as he was 'bound to do right unto knowne vertue' (Joceline, A4v). However, he did acknowledge that while a woman could not legally dispose of 'temporall estate', she could provide a will for her 'morall and spirituall riches' (Joceline, A4):

Our lawes disable those, that are under *Covert-baron*, from disposing by Will and Testament any temporall estate. But no law prohibiteth any possessor of morall and spirituall riches, to impart them unto others, either in life by communicating, or in death by bequeathing. [...] Too many parents bend wholly upon earthly inheritance. (Joceline, A3-A4)

This, according to Goad, was the claim that the 'weaker sex' could make on the inheritance process. Those women excluded from ownership and therefore the power to bequeath goods, were in fact closer to God's will, because they would concentrate their energies on bequeathing spiritual, rather than immoral material wealth. This

⁴³ Wall, 'Isabella Whitney', p.38.

'legal' affirmation allowed the goods her text to be acknowledged clearly and openly as riches, and confirmed Joceline as inheritance provider. This was clearly mediated through a male perspective, but Joceline's own writing stands alone as a testament to her strict concerns for her child's upbringing and education.

The publication of her manuscript two years after her death exposed to the public eye the text that she wished to be preserved for the eyes of her family. In contrast to this, in her own preparatory letter to her husband, Elizabeth Joceline committed her legacy to his protection, so that it could be personally conveyed to their unborn child:

Thus resolved, I writ this ensuing Letter to our little one, to whom I could not finde a fitter hande to convey it than thine owne, which maist with authority see the performance of this my little legacy, of which my Childe is Executor. (Joceline, B3v)

The role of authority concerning the future of her document was placed firmly into the hands of the husband; he would be a bystander who ensured that the text carried out its function as guide. The endearing 'little' is a term applied to both child and legacy, as if both objects, which are currently abstract and unformed, must be given love and watched in case they should stray, and yet the legacy is described in terms of a legal will, because the child will be executor. Joceline would be the mother and creator of both will and child, and both would enjoy her loving guidance after her death.

Joceline made it very clear in her legacy that she believed that she would not survive to be a mother in the real world. The legacy would assume that role, so her dedication begins thus:

To my truly loving, and most dearly loved Husband, Tourell Jocelin.

Mine owne deare love, I no sooner conceived an hope, that I should bee made a mother by thee, but with it entred the consideration of a mothers duty, and shortly after followed the apprehension of danger that might prevent mee from executing that care I so exceedingly desired, I meane in religious training our Childe. (Joceline, B1-B1v)

Again, as with Leigh, the concept of the ‘mother’s duty’ gave Joceline the desire to record and preserve part of the self for the future generation, and it was the danger, the fear of being prevented from the care of her child that forced her to produce the legacy. Goad in the preface of her later published manuscript pointed out that the latter part of her life was spent in ‘perpetuall meditation of death’ (Joceline, A4v). It was reported that she had an almost ‘propheticall sense of her own dissolution’:

When she first felt her selfe quicke with childe (as then travelling with death it selfe) she secretly tooke order for the buying a new winding-sheet. (Joceline, A7)

The connection of the unborn child to her imagined death was horrifically close. The pregnant woman travelled/travailed with the potential for both life (of another) and death (her own in childbirth) within her body; this knowledge manifested itself in Joceline’s purchase of her own winding sheet. Joceline confirmed the inevitability of her fate in the acts of wrapping her body in her funeral shroud, and producing her will for her child; neither of these actions were made public until after her death.⁴⁴

However, the text itself in many ways was more concerned with the meditation on life and death than her post-mortem editor acknowledged.⁴⁵ Her preparation demonstrated the knowledge of life and death intertwined; the signs were visible on her pregnant body of life within, but the mother was aware that the potential price was death, ‘And in truth death appearing in this shape, was doubly terrible unto me’ (Joceline, p.2).

Rose calls the act of producing the legacy ‘a discursive strategy- self-cancellation

⁴⁴ The most famous purchase of a winding sheet in the early modern period was John Donne’s; he demonstrated his willing acceptance of the corporeal future of his body when he wrapped himself in his shroud to pose, whilst still alive, for his own public memorial. The resulting statue can be seen in St Paul’s Cathedral (having survived the 1666 Great Fire of London).

⁴⁵ Jean LeDrew Metcalfe has recently highlighted the negative impact of Goad’s ‘Approbation’ on modern readings of Joceline’s text (spelt ‘Joscelin’ in her edition). She has demonstrated that when shorn of Goad’s emotive and insistent linking of Joceline with death, her text proper appears significantly more theological in both structure and content: *Elizabeth Joscelin, The Mothers Legacy to her Unborn Child*, ed. by Jean LeDrew Metcalfe (Toronto: University of Toronto Press, 2000), p.44.

followed by self-presentation'.⁴⁶ Wall argues that Renaissance women found that they could take advantage of special circumstances by 'constructing final legacies as pre-texts to the hazardous event of childbirth', the 'immanent danger' of which could give license to writing.⁴⁷ However, this utilisation of the imminence of danger and death was not restricted to mothers in the Renaissance, as will be seen later in the chapter, as fathers too, particularly before and during the Civil War created a number of legacies outside of the usual paternal methods of will-making. The act of Joceline writing this legacy acknowledged death, and its certain approach was accepted with calm and dignity. The knowledge of her impending death did not necessarily translate into fear. Joceline called for her winding sheet to be brought forth and laid upon her immediately after the birth of her child. The pregnancy and birth could not be celebrated, and moments of birth and death were intimately connected; she suffered for nine days with a violent fever before she did die.

Joceline had begun her legacy with a letter 'to my truly loving, and most dearly loved Husband, Tourell Jocelin' (Joceline, B1). The voice of Elizabeth speaks beyond the grave and beyond the text with emotion, exposing her regrets at her (potential) failure to carry out the duties of the physical mother. This indicates her dismay at her inability to fulfil the communicative role of the mother, and her fear of being deprived of time to communicate to her child. Therefore she pledged to provide a written guide, which could still be her representative in the living world, through her legacy.

Despite the intervention of editors, and the manuscript's subsequent publication, her intentions for the text were clear and simple. The actual legacy was

⁴⁶ Rose, p.312.

⁴⁷ Wall, *The Imprint of Gender*, pp.284-285.

written in a direct address to her unborn child, and she stated that its purpose was to allow her child to inherit not earthly estate, but the kingdom of heaven:

It drew me into a consideration both wherefore I so earnestly desired thee, and (having found that the true cause was to make thee happy) how I might compass this happinesse for thee.

I knew it consisted not in honour, wealth, strength of body or friends (though all these are great blessings) therefore it had beene a weake request to desire thee onely for an heire to my fortune. (Joceline, p.2)

Her future child would be a signifier of the care, duty and discipline of its mother, the inheritor of a moral legacy. She was dismissive of the process of earthly inheritance, possibly because of her own exclusion, but the religious care of her child's spiritual inheritance is paramount. The text also imagined a child which, although not born, would be fixed by this legacy at the point and time of childhood as a dependant, always needing instruction and spiritual guidance, and she persistently addressed her 'deare Childe'. She was a realist, as can be seen by her acknowledgement of the vanity of maternal affection, 'For I know all the delight a Parent can take in a childe is hony mingled with gall' (Joceline, p.3). She did not present a sentimental picture of parental bliss and love, rather one of practical considerations. For example, she was also worried that the child after her death maybe brought up in a strange household, and was concerned that such a household should not be one where it may 'learne to sweare, or speake scurrilous words' (Joceline, B4v). Yet Joceline initially could not see beyond the infant life of her child to future adulthood and old age, as this would raise complications: the mother retained the power of her role, just as the child retained its role as the instructed, even beyond death.

The language which Joceline used when referring to her unborn child is interesting, moving from tender address, 'my little one', to the abstraction of 'it', particularly telling as the mother felt that she had to address the unknown gender of the child. When she considered whether her child would be a boy, her advice to her

husband was succinct, 'if it be a son, I doubt not but thou wilt dedicate it to the Lord as his Minister' (Joceline, B5). This was an occupation held fashionably in contempt, seen as usually more fitting for younger brothers, not a first born son, but Joceline dismissed the vanity of this for the sake of his spiritual well being. However, her advice became more expansive on considering the female gender of her future child:

And if thou beest a daughter, thou maist perhaps thinke I have lost my labour; but reade on, and thou shalt see my love and care of thee and thy salvation is as great, as if thou wert a sonne, and my feare greater. (Joceline, pp.8-9)

In her instructions to her husband, she wrote that if it should be a daughter,

I desire her bringing up may be learning the Bible, as my sisters doe, good houswifery, writing, and good workes: other learning a woman needs not. [...] But where learning and wisdome meet in a vertuous disposed woman, she is the fittest closet for all goodnesse. (Joceline, B5v-B6)

What at first glance appears to be restrictive educational advice in the case of a girl then admits both learning and wisdom in a woman of virtue, even if she is only a 'closet' to be filled with positive religious attributes. However, she obviously held a greater fear for the moral makeup of a female child, 'yet in a daughter I more feare that vice; Pride, being now rather accounted a vertue in our sex worthy of praise, than a vice fit for reproofe.' (Joceline, B7). She advises the child how to shun vanity, but adds mindfully:

I desire thee for Gods sake shunne this vanity, whether thou bee sonne or daughter. If a daughter, I confesse thy taske is harder because thou art weaker, and thy temptations to this vice greater. (Joceline, p.33)

Joceline's professed difficulty was with the method of recording her legacy. She needed to act as the mother, before being a real mother, for her unborn child, but appeared to be ashamed when contemplating the act of writing when she confessed 'I thought of writing, but then mine owne weaknes appeared so manifestly, that I was ashamed, and durst not undertake it' (Joceline, B2v). However, when she 'could find no other means to expresse' what she labelled her 'motherly zeale', she encouraged

herself with the fact that her child was only a child, as has already been noted, 'First, that I wrote to a Childe' (Joceline, B3). Joceline took comfort in the fact that a child's innocence would serve to imbue her own naïve words with authority.

The sin of pride was avoided carefully by Joceline, especially when discussing her writing, but she is also insistent on the matter of not taking pride in her conviction of coming death. If all went awry, and she lived, she still planned her text to be of great use, not only to her child, but also to herself. Addressing her husband, she wrote,

And though I thus write to thee, as heartily desiring to be religiously prepared to die, yet, my deare, I despaire not of life, nay, I hope and daily pray for it, if so God will be pleased.

Nor shall I think this labour lost, though I doe live: for I will make it my owne looking-glasse, wherein to see when I am too severe, when too remisse, and in my childs fault through this glasse to discern mine owne errors. (Joceline, B10-B10v)

The legacy will act as a parental 'rule-book', but could also become a *memento mori*, and a remembrance of both child's and parent's roles, which indicates an extraordinarily elevated concept of the importance of text in spite of the initial modesty and self-effacing elements of the mother's creation. Wall calls this 'a strangely performative and self-constituting gesture dependent on the erasure of the subject at the very moment of powerful self-assertion'.⁴⁸ Wall therefore suggests by her use of theatrical terms that the production of the legacy is somewhat of an 'act' on Joceline's part, but a practical reading would suggest the fear of wasted effort; her plan has necessitated her own death, but if she lived, all would not go to waste. Therefore, if this 'dying' mother should live, the legacy would not lose its significance or function. It would act as a guide to Joceline, preventing her from straying from the path of good motherhood and reflecting her potential errors back upon her. The statement 'I will make it my owne looking glasse' allowed her to

⁴⁸ Wall, *The Imprint of Gender*, p.286.

establish control over her work, which could then be transformed from a legacy to constant reminder of the concept of ‘mother’, and all that that term entailed in the education of a child (Joceline, B10). The living mother could make mistakes and gain experience, moving through the time of her child’s growth towards her own redundancy in being a guide and educator. The textual mother could only be misread, or ignored, and was suspended from the temporal constraints of the reality of family life.

Joceline was clearly not a woman ‘giving up the ghost’, as is made clear in the conclusion of her text. This letter is completed by a self-effacing comment concerning her method of recreating herself through writing, ‘for thou knowest how short I am of learning & naturall endowments to take such a course in writing’ (Joceline, B10v-B11). She was adamant that this faulty reproduction of self be judged only by the tight and uncritical circle of the family, ‘But I sende it only to the eyes of a most loving Husband, and of a childe exceedingly beloved, to whom I hope it will not be altogether unprofitable’ (Joceline, B11). Hers, she stressed, was merely a private project, and if it failed, could only be judged by familial eyes.

What is fascinating is that although she entrusted her husband with the care of the manuscript, she rarely acknowledged his paternal role in the raising of the child. It is only in the closing stages of her document that she instructed the child to obey his or her father’s instructions:

I am sure thou hast a father, who will never command thee anything contrary to the Commandements of God. Therefore I have no need to speake to thee, how far a father ought to be obeyed. (Joceline, p.98)

The command of the father was acknowledged, but ironically it was not the unwritten, unspoken rule of patriarchy that was submitted to. Joceline wrote that she had no need to speak to her child on the issue of obeying the father’s law, but of course, the very

fact that she wrote about it at all, especially at the end of her legacy and using negative terminology, indicates possible subversion, both by mother and child. Here a mother had taken over the role of legacy maker, and assumed a vital role in the provision of inheritance.

Lawrence Stone insisted that the system of inheritance ensured the continuance of patriarchy. The father, Stone argued, increased the power to punish or reward his children and increased their subordination to him because he could exclude them from property inheritance:

He possessed the power to manipulate the distribution of his property, either to serve his own selfish interests or to preserve and increase in perpetuity the family status and property through primogeniture, or to control and direct his children in making the two most critical decisions of their lives: choice of a spouse and choice of a career.⁴⁹

Joceline proved that maternal intervention in inheritance could have equal or greater power in the upbringing of a child.

In a similar way to Joceline, Elizabeth Grymeston as a wife and mother marginalised (consciously or unconsciously) her husband's role in the provision of a moral and intellectual inheritance. Grymeston emphasised her doubts over her husband's ability to survive in order that she might transgress into print:

So stand I doubtfull of thy fathers life; which albeit God hath preserved from eight severall sinister assaults. (Grymeston, A3)

Her son Bernye could soon be alone in the world, and there was a growing and imperative need for his mother to write a text for his future guidance. Grymeston acknowledged the patriarch's role, but her drive to adhere to the duty of the mother legitimately exceeded the desire for subordination. She also worked via the legitimate authority of her husband. If he was taken from the primary role of instructor and

⁴⁹ Stone, p.113.

educator through illness or death, she sought permission from the reader (who could be her son, or the wider readership allowed into this private moment through print) to be allowed to advise through the legacy.

Having no power left to resist her ‘languishing consumption’ Grymeston wrote:

I resolved to breake the barren soile of my fruitlesse braine, to dictate something for thy direction; the rather for that as I am now a dead woman among the living. (Grymeston, A3)

This mother claimed the right to produce a parental and guiding text. The parent, modest and again self-effacing about her capacity to produce anything worthwhile from a ‘fruitlesse braine’, could produce the fruit of a legacy which would instruct her child. In this way Grymeston claimed authority after her death. She wished to nurture her child spiritually and physically. The chilling image of a dead woman among the living indicates the author’s belief that she was redundant in life: the time had come to dedicate herself to this continuously living text and portable counsellor:

I leave thee this portable *veni mecum* for thy Counsellor, in which thou maiest see the true portrature of thy mothers minde, [...] hoping, that being my last speeches, they will be better kept in the conservance of thy memorie; which I desire thou wilt make a Register of heavenly meditations. (Grymeston, A3-A3v)

The frailty of the writer is emphasised in the face of the subversive element of providing a legacy to all:

Thou seest my love hath carried me beyond the list I resolved on, and my aking head and trembling hand have rather a will to offer, than abilitie to afford further discourse. Wherefore with as many good wishes to thee, as good will can measure, I abruptly end, desiring God to blesse thee with sorrow for thy sinnes, thankfulness for his benefits, feare of his judgements, love of his mercies, mindfulness of his presence. (Grymeston, B1)

The letter to her son is simply concluded, even as she herself admitted, ‘abruptly’ with ‘Thine assured loving mother Elizabeth Grymeston’ (Grymeston, B1). The fact that

the legacy continues for a further fifteen chapters might undermine the reader's belief in the frailty of its producer and her professed unwillingness to write.

Few of the texts under consideration show any kind of haste or urgency in their construction; despite the caveats and protestations of weakness by the authors involved, these are not the last-minute thoughts of dying parents. They are living testaments delivered to a future state beyond the author's death. For example, Grymeston, through her persuasive directions, wished her son to use this work as a 'Register of heavenly meditations' (Grymeston, A3v). The advice which this mother offered her son also concerned itself with the practical and the secular aspects of life 'in which thou maiest see the true portrature of thy mothers minde' (Grymeston, A3). Her text would exist to guide and admonish, but would allow in turn for the child to guide himself,

as ever the love of a mother may challenge the performance of her demand of a dutifull childe; be a bridle to thy selfe, to restraine thee from doing that which indeed thou maiest doe. (Grymeston, B1)

Like Joceline, this was a mother who was also a realist when it came to expectations for her child. She told her son to 'marrie in thine owne ranke, and seeke especially in it thy *contentment* and *preferment*' and 'let thy life be formall, that thy death may be fortunate: for he seldome dies well that liveth ill' (Grymeston, A3v-A4). She hinted that he should not marry too late in life, suggesting the best time would be 'whilst thou art in thy best strength after thirtie' (Grymeston, A4), and her practical advice advised against marrying a beautiful woman, 'let her neither be so beautifull, as that every liking eye shall levell at her' (Grymeston, A3). Her initial advice is more mundane, domestic and secular than Joceline's (who was primarily concerned with her child's spiritual welfare), but similarly, Grymeston soon directs the text towards religious matters.

Legacies, especially those of mothers to their children, demonstrated the central expectations and experiences of the educated Renaissance parent. These legacies could be seen to act as an outlet for creative, spiritual and intellectual needs and drives in these writers' experience (even if the legacies themselves were more restrictive in their content). They were wills and inheritances to be passed onto the living children, not for their financial security, but for their moral guidance and constant religious companion. Betty Travitsky has suggested in *Paradise of Women* that because educated English mothers were 'theoretically restricted to the outlets of child nurture and private religion, there was a potential for incompatibility and conflict between the sense of maternal duty and the need for submission'.⁵⁰ She argues that 'this conflict is realized by the writers of tracts who wrote knowing that they overstepped themselves by writing'.⁵¹ These 'living legacies' were written by both women and men who wrote with the full knowledge that they had transgressed or overstepped the boundaries of writing in order to open up communication from the dead to the living. This ostensibly served to satisfy the duty of a parent in protecting and advising a child. To this end, the legacies were usually introduced by a letter to the living child, or to the living spouse, which explained the practical use of such a guide, and the reasons for its existence through warnings, apologies and assumed modesty.

As has been suggested, Grymeston not only provided a legacy for her child, but a forceful and fiery contribution to the *ars moriendi* texts. The bluntness of the language is difficult for a modern reader to comprehend, particularly when searching for emotive connections between parent and child. The value which she places on her

⁵⁰ Betty Travitsky, ed., *The Paradise of Women: Writings by Englishwomen of the Renaissance* (Westport, Connecticut: Greenwood Press, 1981), p.51.

⁵¹ Travitsky, *Paradise of Women*, p.51.

child's salvation ultimately heavily outweighs the necessity for platitudes. In the main body of the text, for example, she wrote:

It was a condition annexed to our Creation: *Intrasti ve exires*, thou wert borne to die. Nothing more sure than thy dissolution: no time more uncertaine than thy time of separation. Be alwaies readie to prevent that enemie. (Grymeston, C1)

Most of the text that follows Grymeston's letter addressed to her son is presented in a didactic, even prescriptive fashion, and the advice is given in a register quite different from the personal address of the opening letter:

A short line how to levell your life.

When thou risest, let thy thoughts ascend, that grace may descend: and if thou canst not weepe for thy sinnes, then weepe, because thou canst not weepe.

[...]

Be mindful of things past; Carefull of things present;

Provident of things to come.

Goe as you would be met.

Sit as you would be found.

Speake as you would be heard. (Grymeston, B2-B2v)

In fact, the language the author employed gained vehement strength in the second chapter, when she reminded and instructed her living son, and all living men and women of the proximity of death. Life itself, she asserted, is a constant reminder of sin:

Be sorie that thou canst not sorrow; thou that art begot in filthinesse, nourished in darknesse, brought foorth in pangs of death; thou whose infancie is a dreame; whose youth a frensie; whose manhood a combate; whose age a sicknesse; whose life miserie; whose death horror.

Thinke, o thinke, and bethinke thy selfe, from whence thou camest, where thou art, and whither thou goest, for thou art here in an obscure land, governed by the prince of darknesse. (Grymeston, B2v-B3)

These words seem far removed from the avowed purpose of comforting her son for the absence of the living mother. Grymeston's language instils fear and awe into her reader; this legacy was presented as discipline or as a warning, and despite her caveat about the absence of herself as a moral guide (in this 'obscure land' of future life for

her son), the text performed its function as a strict educator providing the harsh lessons of Christian preparation for judgement.

In the third chapter, the writer assumed the persona of a person afraid of death. 'A patheticall speech of the person of Dives in the torments of hell' opens with a desperate plea to death:

O Death, how sudden was thy arrest unto me? how unexpected? while my bodie was strong, while my intrals were full of fat, and my bones were watered with marrow; while I had rest in my substance, and peace in my riches; in one night my soule was taken from me, and all my joy was turned into mourning. (Grymeston, B4)

This preoccupation with the body, especially with the corporeal, functioning healthy body, is a fascinating and complex set of images far removed from the concept of the ailing, dying mother Grymeston had presented previously. Grymeston's new character is then presented with a register of sins it has committed, with a catalogue of good deeds omitted, and is carried dramatically before God, to 'this Tribunall Seat'. She is then committed to hell,

to this burning lake of fire and brimstone wherein I lie burning, but not consuming, [...] where I vomit out the riches which I devoured, [...] my nose that was once daintie, is cloied with the stinke of unsupportable filth. (Grymeston, B4v)

The picture presented to her son is a startling drama of hell; it is this claim of objectivity and 'fire and brimstone' dramatisation which allowed the author to present herself as self-effacing, and to therefore contribute successfully to the genre of religious manuals. The religious experience and advice superseded the personal, and allowed the female author to present a text to her son and the marketplace. Again, this author reminded her son, her reader, that she was at the end of or even beyond existence, and it is the vitality of the written word which will exist as a living and active memory:

But since my glasse is run, and my sun set; since death hath overshadowed me, and that there is no pleading after sentence; [...] because there is no end for my hell, nor satisfaction for my punishment: Therefore to you I call, to you that carelesse live, that feele not with what sense I speake. Consider, Whence you came, Where you are, and Whither you go. (Grymeston, C2)

Her written experiences could only be of value now as the legacy, as an item, an object to be inherited by her child. She insisted in her letter to Bernye that he should ‘yet remember withall, that as it is the best coine that is of greatest value in fewest pieces, so is it not the worst booke that hath most matter in least words’; she here addressed all critics of her condensed yet valuable legacy which she had willed to her son (Grymeston, A3v). Erickson notes that women rarely left land to their children, but were allowed to will ‘movables’, such as household goods and domestic trappings.⁵² The legacy, as well as being a legitimate piece of power, could also be seen as transferable property, which women could leave to legatees. Grymeston left a piece of her property to her child (whom she hoped would be educated enough to eventually understand its purpose); she acknowledged that this was the type of property which might not be fully comprehensible at every stage of her child’s life, but which she hoped would be obeyed.

The other legacy writer who wrote a letter directly to her children was Dorothy Leigh.⁵³ It soon proves to be the case that Leigh, through assuming the mother’s role as nurturer and provider, asserted that her actions did not need to openly subvert the loci of male power. She stressed that her text was ‘sent abroad’ to her son and the world ‘so that herein I may shew my selfe a loving Mother and a dutifull Wife’ (Leigh, A3). Leigh did not always insist on the strict subordination of her children to her advice, to her maternal rule, or to the rule of the legacy. The care

⁵² Erickson, pp.17-20.

⁵³ Joceline’s dedication letter was of course to her husband – the direct address to her unborn child came in the main text.

which she took to address her children proved that she foresaw that the careful construction of the legacy would hold their interest and create sympathy for their dead mother. The ‘Counsell to my Children’ immediately following her opening letter, is in verse, and its naive simplicity seems to address her sons as children, and always as children, just as her book will always be the same book and guide to them. Her verse was addressed to her sons:

My sonnes, the readers of this book,
I doe you not intreat
To beare with each misplaced
for why, my paines as great
To write this little booke to you
(the world may thinke indeed)
As it will bee at any time
for you the same to read. (Leigh, A3v)

Her sons, in her writing, would always be children who needed the guidance of their mother, despite the ‘world’s’ criticism; just as the legacy itself would not mutate, or die like its creator, ‘it will bee at any time / for you the same to read’ (Leigh, B2).

However, the text proves its own flexibility when, in later chapters, Leigh proceeded to provide advice on the naming of her sons’ future children, and how to make the best choice of their wives, echoing Grymeston’s concern for the future marriage of her son. This did acknowledge the child’s progression towards adulthood, but insisted on the need to provide instruction at all times.

Was it usual for a Renaissance mother to provide this type of written rather than oral advice? Even Leigh admitted this was not the ‘usual custome of women’ to admonish children textually rather than verbally (Leigh, p.8). In her excuse for the provision of her ‘little book’, and for transgressing into paternal territory of legacy provision and guidance, Leigh constantly provided her sons, and her readers, with reasons for her ‘offensive’ tract:

The first cause of writing, is a motherly affection. But lest you should marvaile, my children, why I doe not according to the usual custome of women, exhort you by words and admonitions, rather then by writing: a thing so unusually among us, and especially in such a time, when there bee so many Godly bookes in the World. [...] knowe therefore that it was the Motherly affection that I bare unto you all, which made me now (as it often hath done heretofore) forget my selfe. (Leigh, pp.3-4)

This forgetting of 'self' hints at the idea of sacrifice; this she stressed was the burden of a mother who would never have ventured under normal circumstances to provide such a text. Leigh had to replace herself in the text with a bolder textual character who had to fulfil her role as parent and wife, as mother and father combined in the absence of her husband:

And will not a Mother venture to offend the world for her childrens sake? Therefore let no man blame a Mother, though she something exceede in writing to her children, since every man knowes that the love of a Mother to her children, is hardly contained within the bounds of reason. (Leigh, p.11-12)

This move 'beyond reason' allowed her to contribute to the 'many Godly bookes' of advice (Leigh, p.13). She even wrote that all women may follow her example, and allow themselves to enter the arena of authorship. Amongst the legacies under consideration, this is the boldest statement for the legitimisation of mothers' legacies, but even this is done carefully within the framework of patriarchy, 'the third cause is, to encourage women (who, I feare, will blush at my boldnesse) not to be ashamed to shew their infirmities, but to give men the first and chief place' (Leigh, p.16). Even in this call to all women, she stressed that men should be given their 'chief place', in writing and in the family.

In her fourth chapter, she provided an answer for her audacity, that this practice of providing a legacy will be copied, legitimately, by her sons in future years:

The second cause, my sonnes, why I write unto you (for you may thinke that had I but one cause, I would not have changed the usuall order of women), [...] For where I saw the great mercy of God toward you, in making you men, and placing you amongst the wise: [...] that you may write and speake the Word of God, without offending any, that then you would remember to write a booke

unto your children of the right and true way to happinesse, which may remaine with them and theirs forever. (Leigh, pp.14-16)

In subverting the 'usual order of women', Leigh demonstrated awareness that her sons might not have been her only critics, so she had to list her reasons for entering world of public print with care. She expressed similar attitudes to Joceline in her relief that she has had sons, not daughters to worry about: unlike her or a daughter, they would be able to write and speak with freedom. She hoped that in time her own legacy would provide the example for future legacies, from her sons to their future children in perpetuity.

In a similar fashion to Grymeston, Leigh constantly reminded her sons to be familiar with death, and to be ready for its arrival. Stone hints that in his narrower view of parental advice being passed from fathers downwards that this is yet another common early modern factor which reinforced the transference of patriarchal power and filial subordination. He argues:

One of the most effective methods used to socialize children in the seventeenth century was to teach them, at a very early age, to be afraid of death and of the possibility of eternal damnation. It was standard advice in the sixteenth and seventeenth centuries to tell them to think much about death.⁵⁴

Leigh however did not use the fear of death to reinforce her power as mother, but to provide her sons with examples to avoid. Through her experience of being close to death herself, she gave advice which no healthy writer of an advice book possibly could. In chapter seven, she offered the fifth cause of her writing this book, to desire her sons never to fear death, 'do not feare the paines of death, in what shape soever hee come. [...] The only way not to feare death is always to bee provided to die' (Leigh, p.21). She also, by providing an education of sorts through her legacy, declared that they too must provide education for their children, male or female:

⁵⁴ Stone, p.124.

The sixth reason is, to intreat and desire you, and in some sort to command you, that all your children, be they Males or Females, may in their youth learn to reade the Bible in their own Mother tongue. (Leigh, p.24)

Again she asserted later in the text:

I am further also to entreate you, that all your Children may bee taught to reade, beginning at foure yeeres old or before, and let them learn till ten. (Leigh, pp.46-47)

Margaret Ezell in her study *The Patriarch's Wife*, reinforces the often unacknowledged prominent role of mothers in determining the education and marriage of children, a role which presupposes the masculine world of controlling the future of the family fortune.⁵⁵ Leigh's assertive stance on this provision of advice would certainly reinforce this concept.

Her defence of her amateur contribution, against the imagined wrath of a wider audience, culminates in a rather vehement attack on all critics of her legacy:

And I will tell you who are they that are angry with writing of Books: they are such as are ignorant; and the more ignorant they are, the more angry; [...] Now hee that loves not writing of Bookes, nor hearing of Sermons, he hath little leasure, and lesse desire to pray. (Leigh, p.93, p.96)

She concluded her work with an exhortation to keep the commandments, and with an unusual personal expression of her own desire to be male in order to preach, 'Methinks if I were a man and a Preacher of Gods word, (as I hope some of you shall be). [...] I should bring many to pray rightly' (Leigh, p.103). Through this legacy, which has been directed at an audience beyond her sons, surely she achieved this in a subdued and careful way, but also clearly as a mother and a woman.

The caring nature of Leigh's address to her children is echoed in Joceline's writings to her future child. Despite Stone's stress on the psychological abstraction and physical severity that characterised the upbringing of children in the early modern period, as part of the hierarchical order of society, the parents under

consideration in this chapter, whilst striving to maintain a certain discipline beyond the grave, displayed a parental tenderness which Stone did not acknowledge.

Elizabeth Joceline's caring and maternal role was linked inextricably to the question of time, and her confusion over what to do in the present was compounded by the future event of the birth of her unknown child. Death, the thief of time, had to be deceived, or at least outwitted. By dealing with the present, with her contemporary situation, Joceline could create the legacy which would transcend the physical trap of time and fulfil her need to perform publicly, and within the family:

Yet still I thought there was some good office I might doe for my Childe more than onely bring it forth. [...] But still it came into my mind that death might deprive me of time if I should neglect the present. I knew not what to doe. (Joceline, B2-B2v)

Interestingly, she was never uncertain about the fact that her child would live, and only feared the 'losse of my little one' through her own death (Joceline, A3). She believed that she would be deprived of time after the birth, but every moment now was filled with waiting; the expectant mother awaited both the giving of life and receiving of death.

Joceline's legacy itself began by repeating many of the sentiments contained within the letter, for example 'having long, often and earnestly desired of God, that I might be a mother to one of his children', and she repeated the advice concerning the future career of her child (Joceline, p.1). Yet this legacy is now addressed to the child, and an older child who would be able to comprehend the language and theoretical advice posited by this text. Therefore the 'little one', who was to be castigated and guided by the text is now moved forward to the age of understanding and autonomy, the child who could now read the text which acts as a substitute for the mother,

⁵⁵ Margaret Ezell, *The Patriarch's Wife: Literary Evidence of the History of the Family* (Chapel Hill: University of North Carolina Press, 1987), pp.9-35.

without the aid of a third person intervening in their relationship. Joceline stated movingly that she would never have ‘aimed at so poore an inheritance for thee, as the whole world’ (Joceline, pp.2-3). The true reason for the provision of this little legacy, was that ‘thou mightest bee an inheritour of the Kingdome of Heaven’ (Joceline, p.4). The written legacy was, according to Joceline, the only option left to her, as she wrote, ‘I could not chuse but manifest this desire in writing, lest it should please God to deprive me of time to speake’ (Joceline, p.8). Therefore the period of pregnancy provided her with time to speak, and it was both a death sentence and time of potential empowerment for the mother. It was also her time to provide what she could in the way of inheritance in view of the fact that she could not leave material or valuable property to her child. She stated that while men can ‘purchase land’ and ‘store up treasure’, her own legacy for the child’s salvation must be measured alongside such testaments:

It may peradventure when thou comest to some discretion, appeare strange to thee to receive these lines from a Mother that died when thou wert born, but when thou seest men purchase land, and store up treasure for their unborne babes, wonder not at mee that I am carefull for thy salvation, being such an eternall portion. (Joceline, p.9)

Now she was careful to address an older child again, one that she feared might have become cynical, and have the potential to question its mother’s judgement. She believed that the child could join the realm of adult critics of her legacy because of its poor ‘appearance’, without questioning the love and reasoning behind the text’s creation; this demonstrates that the relationship between the child and legacy may be distorted by outside influence, even if the text is only for the eyes of the child.

Who was Joceline’s legacy really addressed to? If she was secure in the knowledge that this legacy was a private contract between her and her child, to be watched over by her husband, then why did she move from addressing her future

child to her future critics who could bring scorn upon her grave? She was also concerned about how this work would fit into the established genres of ‘excellent’ advice and meditation books.⁵⁶ It is important that she believed her legacy could contribute, or at least be compared, to the genre of meditation texts, precisely because she believed that this genre did not truly provide the intimate knowledge of the type of maternal advice and moral instruction needed within the private sphere of the family. She raised love and personal wisdom to a level of legitimacy over the received hierarchy of canonical wisdom and learning. This mother, even an uneducated mother, was driven by the desire to provide for her unknown child, and by the desire to maintain her position in the family hierarchy after death:

Therefore, deare childe, reade here my love, and if God take mee from thee, be obedient to these instructions as thou oughtest to bee unto me, I have learnt them out of Gods Word, I beseech him that they may be profitable to thee. (Joceline, p.11-12)

In her introduction Joceline was primarily concerned with the body of the child within her, and beyond her death, she could maintain a watch over the soul:

Who would not condemne mee if I should be carelesse of thy body while it is within me? Sure a farre greater care belongs to thy soule, to both these cares I will endeavour my selfe so long as I live. (Joceline, p.10)

Therefore the lessons in the main text of the legacy deliver impersonal, almost hurried, instructions concerning the soul based on scripture. Her repeated use of the imperative, for example, in the advice ‘bee ashamed of idlenesse, as thou art a man, but tremble at it, as thou art a Christian’, and ‘learne to be ashamed to commit sinne’ indicates her avoidance of disguising her instructions in sugared, comforting and lengthy phrases, as well as a need to maintain control over the reader (Joceline, p.27, p.25). Yet the legacy is a lengthy one, and though the manuscript is unfinished, her

⁵⁶ Such popular advice texts include Gervase Markham’s *The English Huswife* (1615), John Dod and Robert Cleaver’s *A Godly Forme of Householde Government* (1621), and William Gouge’s *Of Domesticall Duties* (1622).

work is well structured and well written. These are not the last minute thoughts of a dying mother, but the carefully considered plans of a vital and healthy mind which needs to replicate itself in order to cheat time and death.

The lessons given appear to a modern reader fairly indifferent. Joceline directed her words beyond her present condition, towards a fully formed child who would move beyond innocence to the potential sins of knowledge and awareness of self. Interestingly, she reminded this as yet fictional child, that he or she was nothing, a mere construct, not of her mind, but of God's making:

To move thy heart to remember thy Creator betimes, meditate upon the benefits thou continually receivest: First, how hee hath created thee when thou wert nothing, redeemed thee being worse than nought. (Joceline, p.13)

She insisted that the child follow her rules, and left specific instructions for the day:

At thy first waking in the morning, be carefull of thy selfe, that thou harbor in thy braine no vaine or unprofitable, but of all no ungodly fancy to hinder thy morning sacrifice, but straight frame thy selfe to meditate on the mercies of God, the maliciousnesse of the devil, and thine owne weaknesse. (Joceline, p.16)

Despite the initial detached didacticism, Joceline at certain moments displays the emotions of a pleading mother, desperately trying to communicate an important message to her offspring, especially about offending the ultimate Father; this is clear in the personal address 'o watch, o be wary. Doe not (my deare Childe) o, not wilfully offend him' (Joceline, p.23). She was trying to save her child's life and soul, so that he or she may be ready for a better death.

Joceline's authorial voice constantly broke into the text, as a 'real' mother might have when remonstrating a wilful child, to remind him or her that she merely follows the pattern of mothering:

Mistake me not, nor give your selfe leave to take too much liberty with saying, My mother was too strict. No, I am not, for I give you leave to follow modest fashions, but not to be a beginner of fashions. (Joceline, pp.35-36).

Her voice of experience, however, which comes through the text, only has a fictionalised and imagined relationship with the future child. At the time of writing, Joceline was not yet a mother, and the dialogue with the child therefore had to be creative. The present conversation was not with the child inside her, but was projected forward into an unknown world. The only framework of experience was offered by the structure of the family unit and the traditions of inherited knowledge and advice. This legacy was offered to a child, but a child old enough to learn, and young enough to be instructed:

Therefore I desire thou maist bee taught these my instructions when thou art young, that this foule sinne may be weeded out before it take deepe root in thy heart. (Joceline, pp.44-45)

Ironically the author also warned the child that he or she should ‘shun multiplicity of words, [...] *Solomon* saies, A wise man conceales knowledge, but the heart of a foole publisheth foolishnesse. Pro.12.32’ (Joceline, p.54, and p.57). Joceline did not at this point mention her own transmission of knowledge, the central dilemma in her work. She was aware that the contract was between a mother and one child, and so she fulfilled the scriptural ideology of concealing knowledge within the domestic and secular space of the home.

This chapter has so far re-evaluated the role of mothers in participation in inheritance (via the textual legacy) in the family. Rather than beginning with paternal legacies, and then highlighting women’s oppositional stance, this chapter demonstrates many of the similarities between mothers’ and fathers’ legacies, as well as the more obvious differences of access to power in the family. Wall in her study *The Imprint of Gender* appears to marginalise the discussion of fathers’ legacies, and in fact chooses not to look at any particular cases at all, arguing instead that ‘this cultural form [advice texts] particularly appealed to the women who dared to imagine

venturing into the threatening arena of public authorship'.⁵⁷ However, it is vital to present how fathers addressed this genre in comparison to mothers, because to study maternal legacies in isolation appears to suggest that they themselves were producing such texts in a cultural and familial vacuum.⁵⁸

Fathers' legacies were also concerned with the maintenance of the paternal role, which also had societal implications. It is important to stress the common contemporary concept of the early modern family as reflective of the state; the 'private' family world was representative of the 'public' external world. Stone suggested:

Paternal absolutism in the family was not only the basis for order in the society at large. It also had specific ends in view within the family system of the age, for obedience which began in little things was expected to lead to obedience in big ones.⁵⁹

Therefore the microcosm of the family reflected positively or negatively onto the wider society; if matters were all 'in their place' in the domestic space, then society was secure. Edward Burton, the male legacy producer under consideration here wrote instructions to his son that he must keep the paternal text as his father's 'law'. On the frontispiece he states clearly:

My Son keep my Words, and lay up my Commandments with thee.-
And my Law as the apple of thine eye. (Burton, A1)

One must look at a father's concerns in a time of great political turmoil, in order to examine whether there was anything explicitly patriarchal about this genre, or to suggest that male authors may have been mimicking this sub-genre of advice texts created by women. Fathers contributed most openly and significantly to the genre of legacies when they themselves were excluded from participation in the transmission

⁵⁷ Wall, *The Imprint of Gender*, p.296.

⁵⁸ For a general discussion of fathers' legacies, see Marianne Novy, *Love's Argument: Gender Relations in Shakespeare* (Chapel Hill: University of North Carolina Press, 1984).

⁵⁹ Stone, p.127.

of property or wealth. This would have happened most significantly during the Interregnum, especially if one was a Royalist. When the conditions of women's exclusion from inheritance were echoed in fathers' circumstances, this was the time when a moral written legacy would be vital. *The Fathers Legacy: or Burtons Collections*, published in 1649, was primarily directed towards one child, the only son of Burton. The frontispiece announced that this was a text containing 'many excellent Instructions for Age, and Youth, shewing them how to live godly in this life, and to attaine everlasting happinesse in the life to come' (Burton, A1). It also stressed that this was a legacy 'first written for the Instruction of his onely Son, and now set forth for the benefit of others' (Burton, A1). This preface was certainly not written by the author, but it certainly echoes the prefatory comments to Leigh's and Joceline's work. This work, which began as private instruction, was to be opened up to a society outside the family. It is almost as if this legacy were a medicine, which, having been created to cure one person, was found to have beneficial side effects which could improve many other lives. This is particularly interesting considering the obvious Royalist elements of the text, and the calls to support the father, of the family and the nation, even in crisis echo the biblical calls for obedience to paternal power. The benefits to be gained from the legacy are for age and youth, and it contains instructions not only for a good life, but primarily for the life to come, even the future death of the child. Burton's prefatory address, his version of the opening letter to his son, on the use of the text, is brief but direct:

My Sonne I have thought good to direct those my poor labours unto thee; with a charge, that thou do imprint them in thy memory, and God give thee grace to make good use of them.

Thy carefull and loving Father. E.B. (Burton, A2)

The father's legacy may have been dismissed as 'my poor labours', but the direction to imprint them on the memory was an order not to be questioned by the subordinate

son. In fact, the sentiments expressed in Proverbs 7.1-2 quoted on the frontispiece, ‘My Son keep my Words, and lay up my Commandments with thee, and my Law as the apple of thine eye’, are echoed in the warning which is also taken from Proverbs, 13.1 immediately following his address to his son, ‘A wise Son will obey the instruction of his Father: but a scorner will heare no rebuke’ (Burton, A2). The meaning is clear: let the text act as your superior and your father, and let it be held as precious as the law. The power of patriarchy was to be indelibly imprinted in the mind of the son, not as a memory, but as a living guardian.

Robert Filmer in *Patriarcha*, when emphasising the legal, natural and divine authority of the patriarchal king, often turned to the microcosm of the family in order to demonstrate the simplicity of the rights of power:

If we compare the natural duties of a father with those of a king, we find them to be all one, without any difference at all but only in the latitude or extent of them. As the father over one family, so the king, as father over many families, extends his care to preserve, feed, clothe, instruct and defend the whole commonwealth. His wars, his peace, his courts of justice and all his acts of sovereignty tend only to preserve and distribute to every subordinate and inferior father, and to their children, their rights and privileges, so that all the duties of a king are summed up in an universal fatherly care of his people.⁶⁰

So the justification which Filmer provided for patriarchy was that this was ‘natural’ and ‘universal’, and power was devolved downwards from God to the king, and eventually to the father over the family. Filmer argued that by providing scriptural proof and evidence, he had undermined the criticism that the multitude could choose whichever rulers they pleased. In a similar way, a further address to his son in the body of the text indicates that Burton too desired to strengthen this filtration of power, ‘My Sonne, First honour God, then thy Prince, thy Parents, and thy Elders; be true and just’ (Burton, p.1). This reaffirmation of patriarchy obviously demonstrates the

⁶⁰ Sir Robert Filmer, *Patriarcha and other Writings*, ed. by Johann Sommerville (Cambridge: Cambridge University Press, 1991), p.12. This was written at the same time as Burton’s text, but it was only published by Charles II’s government during the Exclusion Crisis.

fear that the political turmoil of the 1640s and 1650s would be mimicked in the family structure; the king, Charles I, the ultimate father of the state, had been executed in January 1649. Christopher Durston in *The Family in the English Revolution*, has noted this societal and familial fear, and the tendency of literature to try to re-establish the role of the father:

With regard to relationships between parents and older children, conservative moralists had long feared that the patriarchal structure of the family would be a casualty of internecine violence in the state, and that a decline in the respect shown to parents would be the inevitable result of civil conflict.⁶¹

To illustrate this insecurity, Durston also uses the example of the Royalist Sir Henry Slingsby, who before his execution in the late 1650s, wrote *A Fathers Legacy to his Sons* (1658) in which he, like other legacy writers, provided advice about how his sons should conduct themselves after his own death.⁶² He laid particular stress in this text upon the importance of obedience to authority in a time of great personal and political turmoil, declaring ‘Subjection to Superiors is a precept of high consequence. [...] For you, my sons, be it your especial care to submit yourselves to your Superiors in all lawful things’.⁶³ Hugh Peters wrote a similar text of admonition during the Civil War, in a period of great danger and his own incarceration, but this time to an only daughter.⁶⁴ In times of social and familial upheaval, and times of impending danger, the drive to produce the parental self in legacy form was just as relevant to fathers as it had been for mothers fearing death through illness or childbirth. In a time of insecurity, Edward Burton was keen to emphasise the authority of the parent, perhaps fearing that he may be supplanted after death, and so he appealed to his son to

⁶¹ Christopher Durston, *The Family in the English Revolution* (Oxford: Blackwell, 1989), p.130.

⁶² Sir Henry Slingsby, *A Fathers Legacy to his Sons, Written a Little Before his Death* (London, 1658), as quoted in Durston, p.131.

⁶³ Slingsby, as quoted in Durston, p.131.

⁶⁴ Hugh Peters, *A Dying Fathers Last Legacy to an Onely Child: Or, Mr Hugh Peters Advice to his Daughter; Written by his Own Hand During his Late Imprisonment in the Tower of London* (London, 1651).

remember the parent's 'comfort' in having an obedient son, whether that parent be dead or alive:

The Parents comfort, is a prudent Sonne; now such a Sonne, if thou desirest to have, direct him young to run in duties race; But thy own example is the nearest way.

If thou be born Sonne of a prudent Father, why dost thou not follow his example? (Burton, p.5)

Like the mothers who produced legacies, Burton desired experience to be transmitted. Yet he carefully manipulated his text to question what his son would do if he were in turn to bear a son. Was it not fundamental, he asked, to direct a child in duties' race by following the father? The mortal parent could then claim power beyond death, because the example to follow was transmitted to the text.

This is a self-consciously open text, addressed to the reader as well as his son. The language, however, which Burton used for this is certainly less parental or didactic, but is just as carefully apologetic. The reader is the 'Courteous Reader' who may be more critical than the subordinate son. He had, he informed the reader, gathered together examples and offerings of various writers into this little book 'for my owne comforts sake. [...] So to have them ready whereinto I might looke at my pleasure, and behold such things, as my heart desires, for the refreshing of my minde' (Burton, A2v). This would imply another use of the book beyond the purpose of legacy. The author himself would use the text as a remembrance of his desires while he is still living, just as Joceline stated that her legacy could be used by herself as a mirror of her maternal role in the unlikely circumstance that she would survive childbirth. There are numerous self-effacing dismissals of the 'ill garnisht dish' which he was offering to the public view, but he stressed that it was his friends who had 'earnestly perswaded' him to put this into print' (Burton, A2v).

In order to justify this apparent unwillingness to expose the personal ramblings of ‘no profest Scholer, but a plain Countrey man’, his preface is followed by praise and commendation by two of his friends and neighbours (Burton, A3). They were both surprised and pleased at Burton’s need to expose the fruit of his labours to public view, despite his age, ‘your declining time more flourishing and fruitfull, then your youth and best dayes’ (Burton, A4v). The act of producing this legacy would be a sign of virility and productivity from an old and dying father. It is as if this was produced in defiance of the powerlessness of death. However, this was not a son being created, but a replication of the role of the father, and a reminder to the son of his ancestry and predecessors, as he stated ‘It is no small thing to be descended by our predecessors from an honest, and religious stock; but it is much more to shine by their light unto our Successors’ (Burton, pp.5-6). This more than any of the legacies under consideration emphasised both the past and the future generations of the family, and also highlighted significantly the role of reputation, credit, and the position of the individual, not just in his family, but also in society at large:

Respect thy credit more then thy own life, I mean that which drawes each mans duty to the uttermost we are able, to God, to our King, to our Lawes, and our Country. (Burton, p.6)

In order to justify the legality of the disembodied text as a moral and parental guardian, Burton undermined the physical and temporary aspects of the body. The actual body of the parent may decay and putrefy, but the temporal body was unimportant. It was the position of man in eternity which was vital:

That which thou seest of man, is not man, but a prison that keeps him Captive; it is but a Tombe wherein he is interred, it is but a Cradle wherein a while he sleeps.

This mortall body, where the ravished sense, sees sinnues, flesh, bone, muskles, bloud and skin; it is not a man, man is of more Excellency, it is the fair Temple where God himself dwelleth. [...] It is a beaming of Divinity, it is a dropling of Eternity, it is a moathing hatcht of Unity. (Burton, p.3)

He stressed man's role as a mouthpiece for the universal. The father's duty was not to his individual son, but to the unity of God, king, law and country. If one gave in to the body, he warned, then this would lead the way to the profane 'Epicures', who 'like the grunting swine, lye alwayes wallowing in the stinking mud, and feedes on filth, like to the loathsome froggs voluptuous filth of every fleshie desire' (Burton, p.4). Duty, then, was to be achieved by religious moderation and control. Burton was careful to provide a brief outline for a typical day, blessing God at the beginning, and praying when the labours have finished.

Burton addressed the child, but at times allows the fact of his future growth to filter through his argument; in other words, he acknowledged the fact that his reader, his child, may be young when he took the advice of the legacy, but would probably grow beyond 'youth and tender age'. He also admitted that his instructions are hard, and the style of life would be a difficult one to follow, 'I confesse indeed it is hard, for to leave an old custome, and as hard, yea harder, for a man to bridle his affection', but the remedy is 'at the beginning therefore strive with thine inclination, and leave a wicked custom': he allowed his son the admission that practice makes perfect (Burton, p.26). His very human confession that restraint was hard for him to achieve allows us to glimpse the imperfect parent, who used his own experience and fallibility to instruct the child.

This uncertainty contradicts the assured tone of this father at the beginning of the text, who had emphasised his duty and position in the role of patriarch. At times this confessional voice of the doubting, dying parent breaks through. There is uncertainty even in the simple transmission of the legacy:

Miserable brevity, more miserable uncertainty of life; we are sure we cannot live long, and uncertaine that we shall live at all, and even while I am writing this, I am not sure my Pen shall end the sentence; our life is so short, that we cannot in it contemplate what our selves are, [...] We travell, we study, we

thinke to detect the world with continuall searches, when we are contriving but the nearest way to it, Age, and consumed yeares overtake us. [...] Death whiskes about the unthoughtfull world. (Burton, p.98)

The temporary nature of his authorship is strikingly communicated to us when the author admitted that he did not know if his physical body would allow him to finish the sentence. When he wrote of ‘we’ in ‘we travell, we study’, this did not seem to create an identification with the reader, but instead seemed a personal contemplation of a lost and wasted life. Age, indeed death, had caught up with the father, with the man, and he could now only warn his son to follow spiritual exercise.

Burton’s own attitude towards his legacy seemed to admit the fact that this was a little book, but he did admonish those who,

build as though we laid foundations for eternity. [...] I will not altogether blame him that I see begins things lasting, though they be vanities to him; because he knowes not who shall enjoy them, yet they will be thing well fitted for some that shall succede them. (Burton, pp.99-101)

The irony of this warning in the reproduction of a legacy is not acknowledged. The worldly thoughts of the father translated to the page were a form of vanity, a type of memorial which would inevitably be seen by some as the reproduction of the self into eternity. He also seemed to hint that there would be no knowledge of the ownership of the memorial once the author has died. But Burton had left numerous provisions for the guardianship of the legacy both in his home, and in the wider social readership, in his absence. There is nothing more certain than death, he wrote, but there is also little more certain than the correct transmission of this legacy, to the private and public world.

Many of the elements of parental legacies that have been discussed can also be found in Anne Bradstreet’s small advice text ‘To My Dear Children’. This has not been discussed in the main body of the chapter primarily because it did not appear in print until 1867 in America, so that unlike the other texts under consideration, this

legacy did not appear in print in the seventeenth century.⁶⁵ Bradstreet stressed her purpose for producing this advice, which takes the form of a brief spiritual biography, was to be ‘daily in your remembrance’ (Bradstreet, p.4). The dedicatory verse is direct and brief:

This book by any yet unread,
I leave for you when I am dead,
That being gone, here may you find
What was your living mother’s mind.
Make use of what I leave in love,
And God shall bless you from above. (Bradstreet, p.3)

She was ‘ignorant whether on my deathbed’, but told her readers that she took this opportunity to ‘compose some short matters’ (Bradstreet, p.3). She was wary of her lack of authority beyond the grave ‘knowing by experience that the exhortations of parents take most effect when the speakers leave to speak’ (Bradstreet, p.3), but like the other parent writers in this chapter, she wished to prove her own self-effacing nature, and denied her own search for pleasure through this text’s production when she wrote ‘I have not studied in this you read to show my skill, but to declare the truth, not to set forth myself, but the glory of God. [...] Let it please you’ (Bradstreet, p.4). Her legacy to her children was ‘weakly and imperfectly done, but if you can pick any benefit out of it, it is the mark which I aimed at’ (Bradstreet, p.10). Bradstreet was a voluble and public poet, but displayed here a private and outwardly modest maternal voice. Legacies were a distinct genre, which must be compared to other parental contributions across the century in order to examine shared themes and common goals.

⁶⁵ Jeannine Hensley notes that the manuscript did not appear in the 1678 edition of her poems, but was first printed in *The Works of Anne Bradstreet in Prose and Verse*, ed. by John Harvard Ellis (Charlestown: Abram E. Cutter, 1867), reprinted in *The Works of Anne Bradstreet*, ed. by Jeannine Hensley (Cambridge, Massachusetts: Harvard University Press, 1967), pp.xxvi-xxviii. Further reference to the 1867 edition will be in parentheses after quotations.

Gender comparisons of textual legacies have shown that at times fathers too were excluded from the ability to provide inheritance for their children. In certain cases this was political exclusion during the Civil War, as could be seen in Burton's text, but as Humphrey Brooke demonstrated, fathers could be critical of overly earnest parents' struggles to acquire estates for their children in this world without consideration of the moral inheritance and the rules of Christian behaviour. Exclusions from economic considerations of inheritance provision drove parents to seek alternative 'goods' to provide their children with, shaped by disciplinary and affectionate concerns for their welfare and upbringing. This could not be left in a will, and needed greater textual care and space than could be considered in such a document. Therefore the moral and affectionate care of the child must be lavished in the legacy. Certainly there is greater evidence of paternal desire for familial stability during periods of war and crisis, but the very fact that fathers produced these legacies at all suggests that the formal process of inheritance was somehow lacking, especially when it came to directing moral behaviour and upbringing and demonstrating affection for children.

It is clear that there were differences in the gender approaches to this genre, and that several of the women here offered justification not only for the transgressive nature of their authorship but also for their acquisition of a powerful hierarchical role in the family in life and death, particularly when becoming the advisory and disciplinary figure. This validation of apparent transgression was done through the filter of 'excuses' framed within the apparent confines of an early modern mother's role. For example, a husband's death or illness was presented as the excuse for authorship, such as in Dorothy Leigh's written preamble stressing her role as a

widow, or the text would be dedicated to a husband to administer as he saw fit, as Elizabeth Joceline did in her legacy.

Indeed, exclusion from formal process indicates the reasons behind mothers' desires to reproduce themselves textually in the legacy in order to have greater control over religious, personal and economic upbringing of a child which mirrored their control over the care and instruction of the child in the early modern household; even if this textual control was carefully and humbly couched in terms of a mother's fear that if the father had already died or could die soon, then patriarchal control had to be substituted by the maternal legacy.

In conclusion, the parental care displayed towards children by all the authors under consideration in this chapter has proved that it is possible to gather evidence from literary sources to contradict the historians' views of remote familial relationships. These legacies redefined the goods that could be left as inheritance for younger generations, but their subject matter and style of address displayed care not only for the physical well-being of the eldest son, who certain historians have presented as the only true investment of a patriarchal society concerned with lineage and societal stability; the legacies have also exposed concern and affection for young children, even unborn children, and daughters. These familial legacies were taken into the public arena of print (with the knowledge and consent of the author, or as editions printed and mediated post-mortem, as in the case of Joceline and Susanna Bell), and they highlighted the strong presence of an alternative familial inheritance of advice, experience and moral guidance. There was therefore continuity in the emotional life of the early modern family; a seventeenth-century paradigm of a closer-knit group of parents and children emerges from the close analysis of this type of written advice. The desire to continue the parental role into immortality is certainly one reason for the

writing of legacies, but the investment of time and love displayed in the direct addresses to children through the pages of these legacies contradicts readings of the family as patriarchally and economically shaped until the Restoration and the apparent advent of the conjugal private family.

The prime conclusion that can be gathered from this very literary form of will-making is that both fathers and mothers in the seventeenth century were concerned with the provision not just of monetary inheritance, or of power, but specifically of moral guardianship and the textual provision of a legacy which would continue to admonish and comfort the future generations. The textual analyses have proved that although will preambles were often concerned with the testator's personal salvation and relationship with God, these particular legacies were certainly prefaced with the care of the child or children's spirituality.⁶⁶ Of course, this was tied in with the extension of the parental role. However, there was not a complete effacing of the individuality of the writer in this process; rather there was obvious pride behind the initial modesty in producing these eternal guides, and often an acceptance of the public value of such works, considering the family as extended into the community. Wills captured a single moment in the process of inheritance, whereas legacies involved a much longer process than merely the act of dying. Such texts pushed through the barrier of a moment in a family life-cycle because of the creators' desire for their continued use by the children, and were then presented as inspirational in the writing of future legacies. It was to be a continuous process, not one completed in the reading out of a will and the completion of its actions and intentions. The legacies allowed both fathers and mothers to be equal participants in a more personal and more public inheritance; the legacy proved successful as literary proof of the emotional

⁶⁶ Ralph Houlbrooke, *Death, Religion and the Family in England 1480-1750* (Oxford: Clarendon Press, 1998), p.123.

lives of early modern parents. There is evidence of the continuing popularity of the legacy through the eighteenth and nineteenth centuries, but often these texts were provided by preachers or established writers exploiting a genre. The proof of the continuing popularity of the 'legacy', of these familial early legacies, comes from their reprints and re-issue through the centuries.

CHAPTER TWO:
‘THIS INHERITANCE OF DUST’: ENGLISH FAMILIAL ELEGY AND THE
DEATH OF A CHILD

The death of a child, more than any other event, created despair and recognition of the loss of hope in a broken lineage, and ultimately underlined the failure of the parent to protect his or her investment in the future generation. The title of this chapter is taken from Henry King’s poem to his two deceased children, an elegy which uses the allegories of finance and inheritance to express grief at the loss of his familial investment.¹ This chapter will take the ‘familial elegy’ as a site for examining literary forms of grief. This is a particular form of elegy which was usually addressed to a dead relative, in these cases to children, and by focussing on this literary response to the failure of genealogical progress, one can discover another site of early modern transgression into the realm of inheritance and publication. In order to examine the properties of elegiac grieving the question must be raised whether poems from parent to children were significantly different from elegies to more distant, extra-familial figures. A study of elegies to children, focused primarily through Ben Jonson’s poems to his daughter and son, and Katherine Philips’ elegies to her step-daughter and to her natural son, allows an examination of literary parental responses to deaths which interrupted progression of family life and of poetic interpretations of the moment when a family line disintegrates.² As well as focussing on Jonson and Philips, reference will be made to Mary Carey and Henry King. By grouping together these

¹ Henry King, ‘On Two Children Dying of One Disease, and Buryed in One Grave’, in *The Poems of Henry King*, ed. by Margaret Crum (Oxford: Oxford University Press, 1965), p.72.

² The texts used will be *Ben Jonson*, ed. by C.H. Herford, Percy Simpson and Evelyn Simpson, 11 vols (Oxford: Clarendon Press, 1925-52), VIII, and *The Collected Works of Katherine Philips. The Matchless Orinda*, ed. by Patrick Thomas, Germaine Greer and R. Little, 3 vols (Stump Cross: Stump Cross Books, 1990-93), *The Poems*, ed. by Patrick Thomas (1990), I.

poets, the responses of fathers and mothers in elegy can be contrasted, to provide examples of gender attitudes to interrupted succession.

Were there differences between elegies addressed to sons or daughters; was the loss of the primary eldest son acknowledged as different from younger siblings in Jonson's, Carey's and Philips' poetry? With Ben Jonson in particular, the chapter will be examining male poets' ability to cross the borders of public and private elegising. When women such as Philips and Carey were excluded from the language of finance and economics in family inheritance, they used these tropes poetically to express their relationships with lost children.

In early modern England the potential loss of a child during birth or in infancy was considerable. High mortality rates have been used as an argument to suggest parental detachment from the early years of a child's life: Lawrence Stone for example has suggested that by the eighteenth century, with falling infant mortality rates, parents began to grow more emotionally attached to children at a much earlier age.³ However, as has been demonstrated in chapter one, familial roles were reinterpreted and sharpened through the medium of text, and great emotion and care was demonstrated for both young and unborn children, for example in the writings of Elizabeth Joceline. A child's life expectancy was fragile especially in the very first months, and as such the events of birth could cause fear and uncertainty as well as celebration. A common theme of pulpit sermons in the seventeenth century was the intimate relation between birth and death, to the extent that the two moments in an individual's life were often intertwined in literature, sermons and visual art, as David Cressy has highlighted.⁴ The correlation between 'womb' and 'tomb' was a recurring

³ Lawrence Stone, *The Family, Sex and Marriage in England 1500-1800* (Harmondsworth: Penguin, 1979), pp. 76-89.

⁴ David Cressy, *Birth, Marriage, and Death: Ritual, Religion, and the Life-Cycle in Tudor and Stuart England* (Oxford: Oxford University Press, 1997), pp.379-395.

motif in epitaphs and sermons of the seventeenth century. The Anglican clergyman and poet John Donne's last sermon 'Deaths Duell' for example summarised the idea of the womb as the place of death:

Wee have a winding sheete in our Mothers wombe, which growes with us from our conception, and wee come into the world, wound up in that *winding sheet*, for wee come to seeke a grave.⁵

In poetry and other literature in this period there was a preoccupation with mutability and time. The death of a child truly embodied the concept of death as imminent at all times in life.⁶ Therefore the image of a dead child could be used as the most chilling *memento mori*, combining innocence and knowledge of omnipresent mortality. The loss of a child highlighted the mortality not only of the child, but also of the parent; his or her role as protector, advisor, and investor in future life, as explored in chapter one, was abruptly halted. Loss was a significant emotion, especially when tied to an infant's death.⁷ The death of one's child exposed the fragility of investing hope in another's life. It also signified the interruption of succession: with the death of an heir the progress of future inheritance and family lineage was halted.

The elegy, the poetic response to mourning, had a vital role in the process of recording this lost investment. Ben Jonson's 'On My First Sonne' from his Epigrammes, has often been cited as an example of the elegy genre's most intimate and most moving utterance of grief and loss. Jonson's simple address to the dead son,

⁵ *The Sermons of John Donne*, ed. by George R. Potter and Evelyn M. Simpson, 10 vols (Berkeley: University of California Press, 1953-62), X, p.233.

⁶ Jonathan Dollimore highlights the connection between literature and obsession with mortality in a study of Shakespeare's sonnets in *Death, Desire and Loss in Western Culture* (London: Allen Lane, 1998), p.68.

⁷ Heather Dubrow examines the subject of loss in the Renaissance in relation to Shakespeare's plays, in particular the loss of a parent in the plays *All's Well That Ends Well*, and *As You Like It*, and compares this to the domestic upheaval that can occur through burglary, loss of a dwelling place, or the loss of the protection of parents through their early death: *Shakespeare and Domestic Loss: Forms of Deprivation, Mourning and Recuperation* (Cambridge: Cambridge University Press, 1999), pp.1-2. She does not examine, however, what impact a child's death had on the parent.

‘Farewell, thou child of my right hand, and joy’, is emotive and clear.⁸ All that could be invested in his child’s future, which included the creation of a spiritual, moral or financial inheritance, came to nothing. Fathers and mothers who wrote commemorations, epitaphs and elegies in the seventeenth century could only mourn this lost ‘inheritance’ in an address to the dead. Where chapter one investigated the writings and voices of dying parents to living children, which encompassed both practical and spiritual advice in the continuing parental role of emotion and care, in elegies parents expressed intensity of emotion in their addresses to deceased children. Both literary legacies and elegies can then be used to build a picture of empathy in familial history denied by key historians of the early modern period.⁹ In fact Ben Jonson’s poem on the death of his eldest son indicates the struggle of a parent trying to come to terms with the fact that he loved his son too much, and therefore failing to take comfort from the religious hopes of death as perfection and resurrection.

The question of intended and actual audience is an important area to address, as ostensibly private poetry concerning the death of a family member could be exposed to the public literary marketplace (whether this was the intention of the author or not). Exclusion from formal inheritance procedures provided impetus for the assessment of the lost emotional and moral investments in a child’s life in print, whether the life of a child was being ‘assessed’ or the relationship between mothers, fathers and children was being explored and measured in poetic lines. Just as the production of written legacies for children provided the authors discussed in chapter one with alternative means of providing inheritance contributions, the genre of elegy

⁸ Ben Jonson, ‘Epigram XLV: On My First Sonne’, *Jonson*, p.41. The spelling ‘elegist’ replaces the rarer eighteenth-century form ‘elegiast’; I will also use this word to indicate the persona that the poet utilises in the elegy. The boundaries between fiction and reality are blurred in these poems.

⁹ Academics who provided this particular historical perspective include Lawrence Stone and Philippe Ariès as outlined in the introduction to this thesis.

was a site for the literary exploration of inheritance relationships that were external to the formal transmission of land and financial inheritance. One way of exploring how the genre was used for these purposes is to compare ‘public’ and ‘private’ elegies. There are obvious distinctions between poems which have a certain exchange value in relations between a poet and a patron, and those addressed to friends and children. It is always wise as well in examining poetry to keep in mind the construct of the poetic persona, as tempting as it is to ignore this artifice in favour of simple evidence of parental emotion. This will be especially pertinent to reading and understanding Ben Jonson’s poems. A comparison of public and private poems by both Ben Jonson and Katherine Philips will demonstrate the differences between the role of the family and the role of the public poet.¹⁰ There is greater intensity and intimacy achieved through the poems to their own children, but these are also public laments for lost lineage which translate poetic tropes and genres from public into private elegies. By examining the poems of a father and a mother addressing the deaths of sons and daughters one can also address the question of gender differences in both approaches to the genre and in literary interpretations of familial relationships, complex hierarchies and emotions.

In order to focus on familial elegies in particular, one must question what elegies were, identify the key elements of the genre, question what the elegy’s functions were in the early modern period, and examine elegies as a seventeenth-century genre and poetic form of providing memorials of the dead to the living. The elegy as it emerged in the seventeenth century proved to be a genre which demonstrated the writer’s awareness of poetic traditions, and exhibited his or her inheritance of past and ancient forms. Often it was the elegy itself, the act of writing,

¹⁰ See Don E. Wayne, ‘Poetry and Power in Ben Jonson’s *Epigrammes*: The Naming of “Facts” or the Figuring of Social Relations?’, *Renaissance and Modern Studies*, 23 (1979), 70-103 (p.89).

which became the main concern rather than the dead subject of its lines, which Dennis Kay highlights as a common attribute of elegy writing.¹¹ The pastoral elegy, for example, often shifted the focus from its subject to a more general lament for the loss of innocence, the loss of a season of rebirth and renewal, and such an elegy presented a literary self-awareness and self-consciousness which lent it theatrical distance and aesthetic objectivity. At times, the elegist was more concerned with demonstrating his or her own immortality and value, rather than solely commemorating the subject. Morton Bloomfield believes that the move towards the emphasis on the author rather than what or who is being lamented happens nearer the end of the seventeenth century, paralleling the shift towards the stronger concept of the self which arrives in the eighteenth century and the Romantic period.¹² Certainly, poems written about one's own children show elements of grief for both self and other, but more interestingly it is intimate familial roles and the family's connection with inheritance which are under examination by the parents.

There are ostensibly significant differences between elegies offered to a public figure, such as a fellow poet or a patron which might expose the self-consciousness of production, and those offered for a family member, when an interpretation of egoism might appear inappropriate. Matthew Greenfield calls for a new and dialectical way of comparing public and private elegies which can provide rich contextualisation, rather than dealing with them as separate genres.¹³ However, for the purposes of examining how literature demonstrates familial and societal notions of inheritance, it is useful to

¹¹ Dennis Kay, *Melodious Tears: The English Funeral Elegy from Spenser to Milton* (Oxford: Clarendon Press, 1990), p.29. Kay's study of elegies primarily examines classical traditions in sixteenth and seventeenth-century elegies.

¹² Morton Bloomfield, 'The Elegy and the Elegiac Mode: Praise and Alienation', in *Renaissance Genres: Essays on Theory, History, and Interpretation*, ed. by Barbara Lewalski (Cambridge, Massachusetts: Harvard University Press, 1986), pp.147-158 (p.150).

¹³ Matthew Greenfield, 'The Cultural Functions of Renaissance Elegy', *ELR*, 28 (1998), 75-94 (p.76).

draw comparisons between public and private elegies in order to be able to question where boundaries can be drawn.

Peter Sacks in *The English Elegy* outlines the genre of elegy as poetry of mourning and consolation, which ‘utilises traditional forms and figures of elegy’ relating to ‘the experience of loss as an event or action’.¹⁴ His study is a re-examination of the connections between language, which the poet proclaimed as inadequate as a tool for mourning but which he or she had to submit to, and the pathos of human consciousness. He links language and figures found in elegies to the psychoanalytic ‘work’ of mourning. Sacks locates the history of elegy in the ‘dense matrix of rites and ceremonies’ surrounding death, including grieving and memorialising, and maps the movement from loss to consolation in the poems as a deflection of desire. Within this argument, the familial elegies under consideration locate themselves in the rites of inheritance, using tropes of loss and inadequacy which relate the family to the rites of passage and power involved in generational progress. Rachel Weil suggests that ‘emotional bonds and predicaments were figured in terms of property and bequests’; it will become clear that such property terms are evident in the familial elegies in the seventeenth century.¹⁵ Therefore even terms which to the modern reader and critic appear far removed from concepts of love and affection, are actually evidence of translated complex affection and parental ties to children. The work that the familial elegies set out to achieve concerned the recognition of the life of the deceased child in relation to his or her position in family history, lineage and future. When these possibilities were lost, the parent narrated the

¹⁴ Peter Sacks, *The English Elegy: Studies in the Genre from Spenser to Yeats* (Baltimore: John Hopkins University Press, 1985), p.1.

¹⁵ Rachel Weil, *Political Passions: Gender, the Family and Political Argument in England 1680-1714* (Manchester: Manchester University Press, 1999), p.26.

missing history. Continuity was created, and the dead child was located within the family's history and future by the elegy.

The formal elegy's main components are praise, lament and consolation. In the elegy's form as threnody or dirge, the dead person on his or her journey to the next world is praised.¹⁶ There are recurrent images of death and bodily decay in such public elegies, balancing the panegyric to the dead subject with a declaration of his or her heavenly reward, which John Draper in *The Funeral Elegy and the Rise of English Romanticism* suggests arose from a distinctly Christian theology.¹⁷ The elegy has often been seen as having a dual purpose of seeking to praise the dead, and to lament death, mortality and temporality. A.L. Bennett also notes a third purpose of bringing solace to the bereaved. He records the conventions of elegy as rhetorical; common themes include denial of death as conclusion, the subject's death having been a good one, and a short, valuable life being better than a long ordinary and sinful one. He also notes the common conceit of life as a loan and death the debt which, as will be seen later in the chapter, are common themes in consolation literature which dealt with a child's death.¹⁸ Elegies which commemorate the death of a child were concerned with a 'private' death very different to the death of individual patrons, poets or aristocrats, and would therefore use different terms to express this. The short span of the subject's life was often noted, yet with the child's death the brevity of his or her existence was central to the theme; an elegy was a battle with and at the same time an acknowledgement of time's power, to steal the object, and heal the subject.¹⁹ Time is

¹⁶ See O.B. Hardison, *The Enduring Monument: A Study of the Idea of Praise in Renaissance Literary Theory and Practice* (London: Chapel Hill, 1962), p.5.

¹⁷ John W. Draper, *The Funeral Elegy and the Rise of English Romanticism* (New York: New York University Press, 1929), p.8.

¹⁸ A.L. Bennett, 'The Principal Rhetorical Conventions in the Renaissance Personal Elegy', *SIP*, 51 (1954), 107-126 (p.108).

¹⁹ Christian writers and parents also had to contend with the fear of a child dying before baptism, and with the consequent concerns for his or her soul.

transient, but ironically time is also portrayed in the elegies as the healer and the consolation.²⁰ An elegy to a child, whether to a son or daughter, was concerned with the composition of a memorial so that it became a ritualistic continuation of the familial union and familial inheritance which at first appeared to be shattered by death.²¹ Sometimes verses were imaginatively framed as part of the funeral process itself, as texts which could be affixed to hearses or monuments.²² Henry King's 'An Exequy to His Matchless Never to be Forgotten Friend' (1624), written on the occasion of his wife's death, calls for his 'complaint' to be received as a dirge, and for the elegy to become a formal part of funereal process, as obsequy:

And, for sweet flowres to crowne thy Hearse,
Receive a strew of weeping verse
From thy griev'd Friend.²³

The elegy here re-enacts the funeral process, so that the mourner, a bystander in most respects, could participate and offer the elegy as an integral and vital part of interment.

The elegy was a central mechanism in literary loss and mourning, and words of grief, once written, would memorialise, recall and capture the essence of the dead and the transitory nature of existence. Yet the elegy which recorded the loss of someone intimate, whether husband, wife, lover, child or parent, had to create more than a memorial. A child, in particular, had not lived to reach the moment where fame and life can be rewarded in words. He or she presented only the promise of a life, rather than the fulfilled and remembered life of an adult in elegy. The dead child had

²⁰ Eric Smith, *By Mourning Tongues: Studies in English Elegy* (Ipswich: Boydell Press, 1977), p.3.

²¹ Smith, p.14.

²² Ralph Houlbrooke, *Death, Religion and the Family in England 1480-1750* (Oxford: Oxford University Press, 1998), p.328.

²³ Henry King's 'An Exequy to His Matchless Never to be Forgotten Friend', *King*, pp.68-72. King's elegy has often been critically compared to John Donne's work; see for example Del Cessell's 'A Constant Shaping Pressure: Mortality in Poetry', *The Critical Review*, 26 (1984), 3-17.

no bequest to pass on to the mourning relatives, and could not inherit the legacies of life, wealth and power of his or her own. The dead child in the elegy could only embody a broken promise, an image that both Ben Jonson and Katherine Philips use in their elegies to their respective sons. Philips in 'Epitaph. On Hector Philips' (1655) was writing about the death of her son who died only six weeks after birth, and she commented that he had 'As a long life promised; / Yet, in less than six weeks, dead'.²⁴ The hope and promise of life was broken, and the progress and process of inheritance was interrupted. This concept can also clearly be seen in an epitaph inscription on a gravestone for the 'infant son of the Earl of Hertford' from 1631, recorded by Thomas Ravenshawe:

Speechless tho' yet he were, say all we can
That saw, he promise did a hopefull man.
Such a frame of body, such a holy soule,
Argu'd him written in a long liv'd roule.
But now wee see, by such an infant's losse,
All are but infant hopes, which death may crosse.²⁵

The dead child fulfils for the inscriber a 'what if?' role, a blank stone of a life that never happened which is oddly commemorated as if it had, 'Such a frame of body, such a holy soule, / Argu'd him written in the long liv'd roule. The collective call of this epitaph is to recall the promise of his infant life, which could have 'written' him into a long life, but this hope was truncated by death and translated into the lines on a gravestone. The implication is that all hopes are 'infant hopes', and our own naivete is crossed by the *memento mori* of the 'infant's losse'. Epitaphs were pithy (partly for the practical purpose of economising on space in order for the verse to be clearly inscribed on a headstone) and appeared to be less concerned with expressing continuity than the elegy, although they do share many features when the death of a

²⁴ Philips, p.205.

²⁵ Thomas Ravenshawe, *Ancient Epitaphs* (London: Joseph Masters & Co, 1878), p.78.

child is expressed, as will be shown in a comparison of Ben Jonson's poems to his son and daughter.

In the elegies to a child there was indeed a sense of fractured continuity and the line of a generation being broken. This is the reverse of the family elegy written by a child produced for a parent, which could be seen as a more 'natural' part of familial succession. Yet it is important to keep in mind that this view may indeed be a modern imposition; mortality rates and in particular infant mortality rates were high for most of the seventeenth century, so that in reality this natural progression of generation was often undermined.²⁶ Peter Sacks emphasises the fact that the production of an elegy indeed had historical precedence as part of the formal process of inheritance. Ancient Greek law prevented anyone from inheriting property or money from the dead unless formal mourning was observed. Children expecting to come into property or wealth from parents had to create memorials to them in order to inherit. The heir apparent had to demonstrate that he or she was emotionally closer to the dead subject than any rival could claim.²⁷ The elegy could act as a memorial in this fashion, clarifying and dramatising the emergence of the primary heir. In this way the elegy could be located within a system of inheritance as a symbol of correct and formal familial bonds, and as such the elegy could be publicly exposed as the work of grieving. This was all part of the process of inheritance. Yet the elegy of a parent for a child reversed this process; there was no obvious desire to prove that mourning was taking place for financial or critical acclaim; a child was not a patron or a testator. Instead the recipient of the elegy was left to analyse a very different process, the formation of elegy for a different purpose.

²⁶ Ralph Houlbrooke does note that mortality rates fell markedly between 1691 and 1706: Houlbrooke, *Death, Religion and the Family*, p.6.

²⁷ Sacks, p.37. He suggests that inheritance and mourning 'overlap in a nexus that is not only legal but also psychological', p.76.

Death can be understood and represented as a material reality, recognising that all levels of social distinction, and familial hierarchy, are equally lost in dust. John Weever in *Ancient Funerall Monuments* (London, 1631) stressed that in providing physical evidence of memory in the form of a tomb, ‘sepulchres should be made according to the quality and degree of the person deceased, that by the tomb everyone might be discerned of what rank he was living’.²⁸ This was also true of literary memorials. Of course, the commemoration of the life of a child is a very different matter. This was especially the case if the child had not lived very long, as Mary Carey's poem ‘Written on the Death of my Fourth Child Robert Taylor’ (1650) demonstrates. Her child’s death caused such despair that this parent-elegist wished to die in place of the child, asking God if the position of parent and child may be exchanged:

Give him to me, and I’ll reply
Enough, my Lord, now let me die.²⁹

It has been suggested that early modern parental disposition towards children, and towards the death of children as reflected in diaries, poems and correspondence, tended to move from affectionate interest in the early stages of life, towards an increasing recognition of the child’s growing importance in the family structure.³⁰ Yet elegies demonstrate an even stronger emotional attachment to children of any age: children’s existence was viewed by the mourning parent as potential yet unfulfilled life.

²⁸ John Weever, *Ancient Funerall Monuments Within the United Monarchie of Great Britaine, Ireland, and the Islands Adjacent* (London, 1631), pp.10-11.

²⁹ Mary Carey, ‘Written On the Death of my Fourth Child Robert Taylor, December 8th 1650’, in Mary Carey, *Meditations From her Note Book of 1649-1651* (London: Francis Meynell, 1918), p.40.

³⁰ Ralph Houlbrooke in *The English Family 1450-1700* (Harlow: Longman, 1984), pp.134-137 suggests this point in opposition to the argument of parental detachment proposed by historians such as Lawrence Stone, and Philippe Ariès in his *Centuries of Childhood*, trans. by Robert Baldick (London: Jonathan Cape, 1962; repr. Harmondsworth: Penguin, 1973), pp.38-40.

The parent-elegist, for example Ben Jonson in 'On My First Sonne', consistently reiterated familial structure and hierarchy. Ben Jonson, married to Anne Lewis, recorded poetically only the deaths of Mary, his daughter, and Benjamin, who died aged seven in 1603 (none of his children survived beyond childhood).³¹ The elegy for his son which is addressed directly to his son, and his epitaph on his daughter, show the public poet's crossover into familial writing, and if one examines these poems against a framework of Jonson's other elegies, one can begin to see a different pattern from his public, more familiar elegies, presenting a more pressing concern with the loss and with lost investment. Here in reading and analysing the poem, it is important to acknowledge the construct of poetic personae, and balance the 'father' of the poem with the presentation of Ben Jonson the public writer.

Ben Jonson's poem to his son is an epigrammatic elegy. The poem bids farewell to Benjamin, and commemorates him as an object of love and joy. This elegy is concerned with temporality and with the debate about whether the death of a child is an event to grieve or celebrate and envy. Several critics have concentrated on the emotional elements of this particular poem, separating it from the main body of Jonson's work and looking at the intimate relationship it exposes between an early modern parent and child.³²

Farewell, thou child of my right hand, and joy;
 My sinne was too much hope of thee, lov'd boy.
 Seven yeeres tho'wert lent to me, and I thee pay,
 Exacted by thy fate, on the just day.
 O, could I loose all father now. For why
 Will man lament the state he should envie?
 To have so soon scap'd worlds and fleshes rage,
 And, if no other misere, yet age?
 Rest in soft peace, and, ask'd, say here doth lye

³¹ Rosalind Miles, *Ben Jonson: His Life and Work* (London: Routledge, 1986), p.72.

³² See for example Sara J. Van der Berg, *The Action of Ben Jonson's Poetry* (Newark: University of Delaware Press, 1987), pp.99-102; David Kay, 'The Christian Wisdom of Ben Jonson's "On My First Sonne"', *SEL*, 11 (1971), 125-136; Judy Kronenfeld, 'The Father Found: Consolation Achieved Through Love in Ben Jonson's "On My First Sonne"', *SP*, 75 (1978), 64-83.

BEN. JONSON his best piece of *poetrie*.
For whose sake, hence-forth, all his vowes be such,
As what he loves may never like too much.³³

The elegy is about past sin (the father's sin of 'too much hope of thee') and present existence: Jonson's child is gone but is omnipresent in the existence of the poem. The transition of paternal love being moved from a living son to a dead object is encountered in the painful progress of the poem's lines.³⁴ The poem begins with a 'Farewell', an address directly to the child 'Farewell, thou child of my right hand, and joy'. The comma introduces a pause after 'farewell', which could indicate a pause for reflection, isolation, or a moment of grief. The pronoun 'thou' highlights the intimacy of this address, yet the role of the now dead child is quickly established 'thou child of *my* right hand, and joy' [my italics]. This is a poem about a dead son, and is addressed to the dead boy, but immediately brings the father to the forefront of the writing. This is further strengthened in the following line, 'My sinne was too much hope of thee, loved boy'. The expectations of the parent are expressed as sinful; hopes and promises are now lost. An elegy concerns itself with the business of isolating the individual subject of its verse, bringing the essence of the dead person's character and their effect upon the world to the foreground (even if this was not ultimately the purpose of the author). The address 'farewell' is echoed in Anne Bradstreet's elegy for her grandchild Elizabeth:

Farewell dear babe, my heart's too much content,
Farewell sweet babe, the pleasure of mine eye,
Farewell fair flower that for a space was lent,
Then ta'en away unto eternity.³⁵

³³ 'On My First Sonne', *Jonson*, p.41.

³⁴ Matthew Greenfield, p.82. Along similar lines Greenfield argues that Ben Jonson's 'On My First Sonne' represents Jonson's efforts to detach himself from his son.

³⁵ Anne Bradstreet, 'In Memory of My Dear Grandchild Elizabeth Bradstreet, Who Deceased August, 1665, Being a Year and Half Old', in *The Works of Anne Bradstreet in Prose and Verse*, ed. by John Harvard Ellis (Charlestown: Abram E. Cutter, 1867), p.248.

In a similar way to Jonson, Bradstreet's love for her grandchild was 'too much', and the analogy of the loan, a common theme in familial elegies, appears again. The repetition of 'farewell' is stable and constant in the face of unbearable loss. In Jonson's poem there is the sense that this elegy has the aim of providing a cathartic and meditative process for its author, a contemplation of fatherhood and his role (and his son's role).

Critical attention has been focused on the conceit 'Rest in soft peace, and, ask'd, say here doth lye / BEN. JONSON his best piece of *poetrie*', citing this as indicative of Jonson's consolidation of his literary and personal life; the production of a son forces the production of the poem, and the poem becomes the son himself.³⁶ Jonathan Kamholtz goes even further in his assessment that Jonson's elegy redefines the occasion of grief by concentrating on his own poetic achievement in the completion of the poem; his epigrams, Kamholtz believes, are valued by Jonson 'as sites of intercourse between poet, public figure, and audience'.³⁷ But the poem tells one more about this individual's struggle to assess his child's life and his own prior role as father against his quest for a new role in both familial and emotional terms. The son was created in his image and was to be his heir of all that the poet had and was; that bond was now broken, and the elegy aided the process of re-evaluation.

The familial bond is expressed in terms of the son as an item loaned to him, which has now been withdrawn. The dramatic utterance 'O, could I loose all father, now' displays the despair at the interruption death has created in familial and previously familiar roles; the folio's 'lose', which some editors prefer, creates a

³⁶ See for example John Lyon, 'Jonson and Carew on Donne: Censure into Praise', *SEL*, 37 (1997), 97-118 (p.98).

³⁷ Jonathan Kamholtz, 'Ben Jonson's Epigrammes and Poetic Occasions', *SEL*, 23 (1983), 77-94 (p.78).

harsher, more permanent call for freedom from the role of father.³⁸ Jonson's son is the 'child of my right hand, and joy' (*Benjamin* in Hebrew translates as 'dextrous'), physically placed at the right of the father in readiness for patrilineal succession. Yet Jonson informs the reader that his own sin lay in placing too much emphasis on his son's role as successor, as his father's future and hope 'My sinne was too much hope of thee, lov'd boy'. The poem moves from private outrage, an address from the living father to his dead child, to a more general expression of philosophising on death and mutability, questioning not only lament but also the very process of elegising itself. The immediate expressions of sorrow are rejected, and the poem ostensibly struggles with the desire to express and then suppress grief.³⁹ However, as a dramatist and poet Jonson must also be understood as a successful patronage poet, a poet who was involved in the packaging of his own creative output in the 1616 edition of *Works* (in which both elegies to son and daughter were included), and a poet whose every social and poetic act was inescapably part of public performance.⁴⁰ He was aware of his commercial viability, fashioning himself into a very public author.⁴¹

As a poet working within a system of patronage, Jonson produced panegyrics and elegies to fellow poets, such as John Donne and William Shakespeare, and elegies to aristocratic figures. A notable example of the latter can be found in Jonson's poem 'Eupheme; or, the Faire Fame Left to the Posteritie of that truly –noble Lady, the

³⁸ *Jonson*, p.41. George Parfitt's *Ben Jonson: The Complete Poems* (Harmondsworth: Penguin, 1975), p.48, made the editorial decision to use the word 'lose'.

³⁹ G.W. Pigman, *Grief and English Renaissance Elegy* (Cambridge: Cambridge University Press, 1985), p.4. Pigman uses the elegy to examine changing attitudes to mourning and personal grieving in the early modern period.

⁴⁰ See Robert Evans, *Ben Jonson and the Poetics of Patronage* (Lewisburg: Bucknell University Press, 1989), p.37, Anne Baynes Coiro, 'Writing in Service: Sexual Politics and Class Position in the Poetry of Aemilia Lanyer and Ben Jonson', *Criticism*, 35 (1993), 357-376 (p.358), and Martin Butler, 'Jonson's Folio and the Politics of Patronage', *Criticism*, 35 (1993), 377-390 (p.378). Raymond Williams' discussion of Jonson's 'To Penshurst' in *The Country and the City* (London: Chatto and Windus, 1973) suggests that the poem, and therefore the poet, are subservient to aristocratic hierarchy.

⁴¹ Julie Sanders, Kate Chedzoy, and Susan Wiseman, eds, *Refashioning Ben Jonson: Gender, Politics and the Jonsonian Canon* (Basingstoke: Macmillan Press, 1998), p.7.

Lady Venetia Digby' which conforms to the concept of elegy as a panegyric genre, publicly exposing and cataloguing the dead subject's name, fame and body: his poem commemorated the death of Lady Venetia Digby (also Jonson's poetically proclaimed muse), the wife of Sir Kenelm Digby.⁴² This poem proved that the elegy writer needed as much to justify himself in the marketplace, as well as prove himself the grateful recipient of aristocratic patronage.⁴³ It is also further evidence of Jonson's self-conscious use of elegy as a sub-genre of praise.⁴⁴ The incomplete poem (the tenth part, 'The Crowne', is missing), which traced Venetia's life from the 'Dedication of her Cradle' to the inscription on her tomb, demonstrated the author's attempts to take on the mantle of truthful elegist:

Faire Fame, who art ordain'd to crowne
 With ever-greene, and great renowne,
 Their Heads, that Envy would hold downe.⁴⁵

As the poet records that childish toys and trifles were cast aside by his maturing subject, he self-deprecatingly assumes the posture of inadequate reporter and writer of his topic:

Vouchsafe to take
 This Cradle, and for Goodnesse sake,
 A dedicated Ensigne make
 Thereof, to Time.

That all Posteritie, as wee,
 Who read what the Crepundia bee,
 May something by that twilight see
 'Bove rattling Rime.⁴⁶

⁴² Jonson, 'Eupheme, in *Jonson*, pp.272-289. Sir Kenelm Digby was Ben Jonson's literary executor, Lyon, p.98. See also the discussion of Anthony Van Dyck's deathbed portrait of Lady Venetia Digby as an idealised emblem of her life in Nigel Llewellyn's *The Art of Death: Visual Culture in the English Death Ritual c.1500-c.1800* (London: Reaktion Books, 1991), p.31.

⁴³ Richard Dutton, *Ben Jonson: Authority: Criticism* (Basingstoke: Macmillan, 1996), p.59.

⁴⁴ Hardison indicates that because elegies are epideictic in nature, their essential element is praise: Hardison, p.114. Pigman disagrees, stating that elegies combine mixed genres of rhetoric, and avoid a single, primary element: Pigman, pp.40-41.

⁴⁵ *Jonson*, p.272.

⁴⁶ *Jonson*, p.278. *Crepundia* is the Latin word for a child's rattle.

There is a sense of urgency in the verse to memorialise the name of the elegy's subject as an essence which may be extracted from the inadequate 'rattling Rime' of the verse in the future, just as the poet imagines that in the future a reader may pass by a worn gravestone in twilight and still be able to make out the name of the dead inscribed upon it. Of course, Jonson's elegy on his son also referred to the image of an inscribed memorial, combining the unusual aspects of both a poetic elegy and the concept of the epitaph, 'here doth lye / BEN. JONSON', but the significant words in this verse to Venetia Digby are 'posteritie' and 'time'.

An elegy to a fellow writer was obviously a useful medium for the elegist who wished to assert his or her role in literary lineage, and what better way of achieving this than by the assessment of a peer's life, work and death. Jonson's memorial poem to William Shakespeare, 'To the Memory of my Beloved, The Author Mr. William Shakespeare: And What he Left Us' concludes by figuring the subject as a living spirit, a fixed star, the soul of his age, and his obsequy sketched a timeless and generalised figure of virtue:

Shine forth, thou Starre of *Poets*, and with rage,
Or influence, chide, or cheere the drooping Stage;
Which, since thy flight from hence, hath mourn'd like night,
And despaire day, but for thy Volumes light.⁴⁷

This works well as a public elegy, as Arnold Stein argues, because it 'shows Jonson at his best in praising the dead', excludes mourning and consolation and praises the living; he states that 'the death of the poet is a matter of history to be mentioned only for contrast with the assured life of his book and the lineage of his mind'.⁴⁸

Another of Jonson's public elegies, 'An Elegie On the Lady Jane Pawlet, Marchion: of Winton' (1631), initially conforms to the idea of elegy as obsequy, a

⁴⁷ *Jonson*, p.392.

⁴⁸ Arnold Stein, *The House of Death: Messages from the English Renaissance* (Baltimore: John Hopkins University Press, 1986), p.147.

formal study of funereal process and consolation. This is an elegy littered with exclamatory praise and the speaker bemoans the inadequacy of language and poetry; Jonson's public poetic voice claims that he has inadequate language to name his subject's soul:

Had I a thousand Mouthes, as many Tongues,
And voyce to raise them from my brazen Lungs,
I durst not aime at that.⁴⁹

After the poem's 'intimate' admission of the lack of the appropriate language of grief, this elegy then ironically appears breathlessly hyperbolic in its headlong rush to compensate for its own inadequacies with extravagant praise of the dead:

Fame's fingers are too foule
To touch these Mysteries! We may admire
The blaze, and splendor, but not handle fire!⁵⁰

It is here that elegy displays poetic surface explosions of emotion which the modern reader distrusts as inauthentic.⁵¹ Later in the elegy, Jonson, after acknowledging his role as comforter to her survivors, passes his role as elegist over to the angels 'Let Angels sing her glories, who did call / Her spirit home, to her originall!' He even recalls the commonplace image of being born to die, 'When we were all borne, we began to die'. Ultimately the elegy moves towards consolation:

Goe now, her happy Parents, and be sad,
If you not understand, what Child you had.
If you dare grudge at Heaven, and repent
T'have paid againe a blessing was but lent,
And trusted so, as it deposited lay
At pleasure, to be call'd for, every day!
If you can envie your owne Daughters blisse,
And wish her state lesse happie than it is!⁵²

⁴⁹ Jonson, 'An Elegie On the Lady Jane Pawlet, Marchion: of Winton', *Jonson*, pp.268-272.

⁵⁰ *Jonson*, p.269.

⁵¹ John Hollander, *Vision and Resonance: Two Senses of Poetic Form*, 2nd edn (New Haven: Yale University Press, 1985), p.168.

⁵² *Jonson*, p.269.

The advice to others in grief echoes Jonson's own sentiments of grief and consolation expressed in the elegy on Benjamin as warnings against a parent's own selfish feelings of ownership. Jonson clearly warned against the faithlessness apparent in overt mourning of the innocent in his pithy epigram 'Of Death':

He that feares death, or mournes it, in the just,
Shewes of the resurrection little trust.⁵³

According to his elegy on Lady Jane, she, like his own son, was merely on loan to mortal parents, deposited on the earth to be recalled at any moment. This is a financial conceit that elegies about children or young people have in common. The metaphor was also recalled in an anonymous epitaph on a tomb recorded by Thomas Ravenshawe, dated 1633, which commemorated the death of nine-year-old Meneleb Rainsford, and provided comfort by casting the boy into the role of Ganymede taken by a jealous Jove:

Great Jove hath lost his Ganymede I know,
Which hath made him seek another here below,
And finding none, not one like unto this,
Hath ta'ne him hence into eternal bliss.
Cease then for thy dear Meneleb to weep,
God's Darlinge was too good for thee to keep:
But rather joye in this great favour given,
A child is made a saint in heaven.⁵⁴

Apart from the uneasy blend of mythology and Christianity, and a reference to Ganymede, a word commonly associated in the Renaissance with homosexuality, the comfort was supposedly provided by this conceit that Meneleb was too beautiful to live on earth, 'God's Darlinge was too good for thee to keep', and the loan of this beautiful creature was recalled.

However, when the elegy, which unlike the epitaph tended to address the dead subject rather than survivors, had to move its perspective inwards into the intimacy of

⁵³ Jonson, 'Of Death', *Jonson*, p.37.

⁵⁴ Ravenshawe, p.79.

a family death, comfort and consolation became more complex. It is important to note that both Jonson in 'On My First Sonne', and Philips in her elegy to her stepdaughter Frances Philips, address their poems directly to the dead children as recipients. This indicates an internalisation of mourning, and these elegies could be considered as 'dead-letters' which their intended readers could never receive. The elegist therefore had to comfort him or herself, and an exercise which was formally concerned with conventions and genre became embroiled in self-pity and more stilted poetic attempts at distance and control.

Jonson's public elegising and concern with his poetic role as a progenitor of genres and forms which could be disseminated to his inheritors, the future generations of poets, proved a concern and awareness of literary fatherhood. It must be recognised that he had a public ability to pass on all sorts of inheritance without censure, as a father and as a poet. Harold Bloom in *The Anxiety of Influence* addresses this point by suggesting that 'the great pastoral elegies, indeed all major elegies for poets, do not express grief but center upon their composers' own creative anxieties', which Bloom suggests is a paternal anxiety.⁵⁵ Jonson's familial terms for his own influence on his successors and the death of his own poetic and fatherly ambitions fulfil Bloom's Freudian and Christian reading of poetic influence. Jonson speculated on this literary inheritance which was to be transmitted across generations. Referring to a translation of Seneca's *Controversiae* he wrote:

Greatnesse of name, in the Father, oft-times helps not forth, but o'erwhelmes the Sonne: they stand too neere one another. The shadow kills the growth, so much, that wee see the Grandchild come more, and oftner, to be the heire of the first.⁵⁶

⁵⁵ Harold Bloom, *The Anxiety of Influence: A Theory of Poetry* (Oxford: Oxford University Press, 1973), p.151.

⁵⁶ As quoted in Jennifer Brady, 'Progenitors and Other Sons in Ben Jonson's *Discoveries*', in *New Perspectives on Ben Jonson*, ed. by James Hirsh (New Jersey: Associated University Press, 1997), pp.16-34 (p.22).

This concern over his own paternal role recalls his concern in ‘On My First Sonne’ that his sin was ‘too much hope’ of his son. Jonson’s concern expressed here is that he was too bright a star for immediate poetic successors moves dramatically towards the realisation that his own flesh, his own lineage, has faded in his presence. For Jonson, however, there are no future generations or grandchildren left behind to take over the role of his eldest son. Therefore, the comfort which he has disseminated to others, parents and poets alike, was now transformed into a bitter consolation, words of advice to himself and others to temper family emotions, at the conclusion of the elegy on his son ‘For whose sake, hence-forth, all his vowes be such, / As what he loves may never like too much’.⁵⁷

Can this acknowledgement of Jonson’s multiple roles as literary and paternal testator be changed by the death of a daughter? Jonson’s poem to his daughter who was only six months old when she died, ‘On My First Daughter’, more evidently conforms to the traditions of the genre of epitaph.⁵⁸ It has therefore often mistakenly been read as impersonal, distant, objective and ‘cold’. Its brevity, which distinguishes it from the longer funerary poetic form, consists of a report of the dead subject, which may or may not have been inscribed on a tomb.⁵⁹ The epitaph is usually addressed to a passer-by rather than the dead subject, and rather than directly addressing the parents, wife, or husband of the deceased:

Here lyes to each her parents ruth,
MARY, the daughter of their youth.⁶⁰

⁵⁷ Jonson, p.41.

⁵⁸ Jonson, pp.33-34.

⁵⁹ See Joshua Scodel, *The English Poetic Epitaph: Commemoration and Conflict from Jonson to Wordsworth* (Ithica: Cornell University Press, 1991), pp.86-87. Scodel uses George Puttenham’s distinction between epitaph and elegy from *The Arte of English Poesie*, which describes elegy as a long lamentation: ‘An Epitaph is but a kind of Epigram only applied to the report of the dead persons estate and degree, or of his other good or bad partes’, p.87.

⁶⁰ Jonson, p.33.

Jonson's elegy to his son moved steadily towards a pithy, yet rather self-congratulatory and witty epitaph 'BEN. JONSON his best piece of *poetrie*'. His 'Rest in soft peace' changed the elegiac mourning, moving the questioning and lamenting for his son's death into more conclusive epitaphic control. This apparently had been achieved before the first line of the poem. Here the reader is left with the barest, yet most touching *consolatio*.

The simplicity of the Christian concept of the Lord giving and taking away, explored thoroughly in the elegy on his son (the child was a debt which had to be repaid), is here made concise and logical in the poetic lines:

Yet, all heavens gifts, being heavens due,
It makes the father, lesse, to rue.

One argument follows that as this child was a daughter, and a baby, there was less emotional connection between the father and daughter than between father and son. Indeed, the use of third-person, impersonal pronouns in the poem, 'their daughter' for example, and 'the father' rather than 'I'. Yet is this a correct reading of the epitaph? Indeed, the distancing usage of not only a poetic persona but also third-person description was utilised in his poem to his son, and this achieved a distance from which to display intolerable grief. Lawrence Stone had argued that the relationship between parents and children was not an emotional one until the child was old enough to be seen as a young adult and a survivor of childhood illnesses.⁶¹ Jonson's poem to his daughter defies this interpretation of family history by its very existence and subject matter. The daughter was not a public figure or patron who had to be acknowledged in print, or a peer whose own poetic output could be measured against the eulogy offered by a self-promoting poet. At six months old, the child was unable

⁶¹ See Stone, pp.60-61.

to provide for her family, and even promised future financial burden when the provision of a dowry was considered. But his daughter is still considered to be a lost inheritance, if a lesser one than her brother.

Jonson's poem indicated decreased investment in the hope of this child continuing succession, to take on her father's inheritance and patrilineal power. The potential benefits of a male heir, according to political and patriarchal theory, outweighed those of a female heir in the continuance of patrilineage. However, here both parents' grief and participation in the daughter's creation is acknowledged. In 'On My First Sonne', the mother's participation or recognition in either the creative or mourning process is unacknowledged; the bond between a father and his primary heir, his son, was exclusive and theoretically inheritance bound them together in a seal of succession. The epitaph to his daughter stresses that God is the ultimate Father, and the poet defers to his divine right to control his creation's presence on earth; this of course interferes ultimately with Jonson's own role as father and could be constituted as another element which complicates or breaks the line of succession.⁶² The baby in the poem is elevated to glory, to be placed amongst the 'virgin-traine', but in the final moments of the epitaph, the father reiterates the loss of his paternal authority over the body of his child, his successor. All physical and emotional connections between father and child, as well as the child's body and soul, must be severed; ultimately her body will remain earth-bound, within the grave, as the body of his son has. Her soul has been taken, elevated above earthly concerns:

Where, while that sever'd doth remaine,
This grave partakes the fleshy birth,
Which cover lightly, gentle earth.⁶³

⁶² Ann Lauinger, "'It Makes the Father, Lesse, to Rue': Resistance to Consolation in Jonson's 'On My First Daughter'", *SP*, 86 (1989), 219-234 (p.224).

⁶³ *Jonson*, p.34.

The images of birth and death, womb and tomb are married into a partially grotesque, partially consolatory moment of conclusion.⁶⁴

The epitaph or elegy which concerned itself with the death of an intimate acquaintance has often been regarded as a private poem, as it dealt with individuals' grief rather than the grief of a patron or a community. Public elegies have been cast as insincere, inauthentic in emotional force.⁶⁵ Yet as a comparison between Ben Jonson's role as public elegist and private griever has demonstrated, the poetic distinctions between public and private consolation are not always as clear as definitions of the genres might initially indicate. Within the realm of seemingly 'private' familial elegies, epitaphs, which were often publicly proclaimed at funerals or addressed to strangers from a tombstone, forged stronger connections to the extra-familial reader than might initially be acknowledged, as demonstrated through Jonson's poem on his daughter. Yet the elegy remains the site of greater intimacy. 'On My First Sonne' demonstrates a working through of the denial of grief compared to grief and consolation which were demonstrated hyperbolically in elegies to public figures who had very little personal contact with either the elegist or the reader. But there was an awareness of the social standing of an individual; if his or her death affected many lives, through their wealth, political power or power of patronage, then a large community had to be addressed in the conventions of elegising.⁶⁶ If a son or daughter died, their social standing only had significance within a tiny circle of relatives, but their status as future family members and successors of the elegist superseded any potential that a public figure had fulfilled in life.

⁶⁴ Lauinger, p.232, also reads the word 'sever'd' as brutal, and as referring to an almost violent separation of body and soul, and separation of child from parents, which ultimately leads to a non-consolatory conclusion.

⁶⁵ Greenfield, p.76.

⁶⁶ Greenfield, p.82.

The drive to provide public elegies to children in the seventeenth century, as separate from family elegies was demonstrated by the popularity of this particular genre, including the volumes of verse written on the death of Prince Henry, the first-born son of James I, and on the death of Catherine, the daughter of Charles I and Henrietta Maria.⁶⁷ Poems written more directly by the parents of the deceased child sometimes failed to find the same kinds of surface consolation offered by elegies to public figures, despite resorting to similar classical conventions, images and sentiments. In Henry King's poem on the death of his two children for example, 'On Two Children Dying of One Disease, and Buryed in One Grave', the poet fights to accept the inevitability of death, but like Jonson, fails to provide consolation for himself or for others:

You Pretty Losses, that revive the fate
Which in your Mother, Death did Antedate,
O let my high-swol'n Grief distill on You
The saddest dropps of a Parentall Dew:
You ask no other Dowre then what my eyes
Lay out on your untimely Exequyes:
When once I have discharg'd that mournfull skoare,
Heav'n hath decreed you ne're shall cost mee more,
Since you release, and quitt my borrow'd trust,
By taking this Inheritance of Dust.⁶⁸

Here the conceit of the life of a child as a loan has been extended and explored to its most bitter conclusion, which echoes the Anglican funeral oration. The 'mournfull skoare' has been settled, and his children will cost him no more, in wealth, dower or grief. The investment of education, moral knowledge, and nourishment of the potential inheritors of all that the father can provide is here reduced to a mere legacy, a dowry of tears, absorbed by 'untimely Exequyes'. These children who had been

⁶⁷ Raymond Anselment, "'The Teares of Nature': Seventeenth-Century Parental Bereavement', *Modern Philology*, 91 (1993), 26-53 (p.26).

⁶⁸ King, 'On Two Children Dying of One Disease, and Buryed in One Grave', p.72.

borrowed have been recalled by death, and all that is left for him and for heaven is an inheritance of dust, as King's two 'hopes' are dashed in one grave.

The parental role as recorder of the lost inheritance was made all the more urgent by the omnipresence of death, particularly pertinent for a pregnant woman facing real and imagined physical dangers, as has been demonstrated through the examination of the legacy of Elizabeth Joceline to her unborn and unknown child. Mary Carey, who wrote poems for several of her deceased children, including her poem 'Upon ye Sight of my Abortive Birth ye 31st of December 1657' for her stillborn child, produced an earlier poetic self-proclaimed legacy in her notes for the year 1653 for her husband and children.⁶⁹ She was explicit that her motive for writing was that she believed she would die in childbirth. While she still had strength to produce this textual blend of memorial, advice text, and elegy, she was motivated by the presence and expectation of death:

My Dear. The occasion of my writing this following dialogue was my apprehending I should die on my fourth Child; and undoubtedly expecting a combat with *Satan* at last, when he would be in the fullness of power and malice and I at weakest, [...] I thought it necessary and profitable for all these ends, to look back and take a view of the Lord's work upon my soul.⁷⁰

This was a legacy which not only dealt with her religious conviction and conversion, but also combined the poetic questions of lost hope in the future of the child, and the future of her family. She appeared to question God's choices in the removal, through death, of her children, when she wrote 'God hath given us divers sweet babes, and though he hath in wisdom removed them from our present sight, yet they are in the bosom of God'.⁷¹ The death of the child before the parent is incomprehensible, but the meditation on God's love would be a 'sweet subject' which is 'past all knowledge for

⁶⁹ 'Upon ye Sight of my Abortive Birth' is reprinted in *Kissing the Rod: An Anthology of Seventeenth-Century Women's Verse*, ed. by Germaine Greer, and others (London: Virago, 1988), p.158.

⁷⁰ Carey, pp.1-2.

⁷¹ Carey, pp.8-9.

height, depth, length and breadth'; her task would be to record the brief lives in elegiac form.⁷² Her poem 'A Dialogue Betwixt the Soul and the Body', recorded as a conversation between the two forms as sisters, offers a chilling reminder of the brevity and frailty of the seventeenth-century child's life. The Soul asks the Body (the maternal, childbearing body) why it grieves, to which the Body replies:

Dear sister, the Lord hath taken from me a son, a beloved son, an only son,
the last of three, and it must needs affect me.
Can a woman forget her sucking child, that she should not have compassion
on the son of her womb?⁷³

This simple plea for a remembrance of a child is a rejection of historians' assertion of a lack of parental affection towards very young infants.⁷⁴ It has been suggested by Stone that any affection would be wasted on such a young child because of infant mortality rates and parental disassociation. In order to challenge this theory Will Coster has examined brass monuments dedicated to children. He concludes that the very existence of such monuments is testament to parental love for their dead children:

Nevertheless, that even a few individuals went to the expense of creating monuments for very young children is significant. Such memorials provided a reminder of the transitory nature of human life, but they may also suggest that there could be considerable affection even for the newborn.⁷⁵

The poem, like the examination of Elizabeth Joceline's legacy in chapter one, proves that literary affection is expressed before the birth itself. But this poem also expresses the inexpressible; the life of a child who has barely lived is almost impossible to commemorate except through the physical ache of the remembering mother's body. The 'Body' expresses its remembrance of the dead child whilst it is weakened by

⁷² Carey, p.5.

⁷³ Carey, p.13.

⁷⁴ Stone, p.257.

⁷⁵ Will Coster, 'Tokens of Innocence: Infant Baptism, Death and Burial in Early Modern England', in *The Place of the Dead: Death and Remembrance in Late and Early Medieval Europe*, ed. by Bruce Gordon and Peter Marshall (Cambridge: Cambridge University Press, 2000), pp.266-287 (p.280).

pregnancy with the next child, a stunning conjunction of the two moments of death and birth:

Besides, I am now near the time of my travail, and am very weak, faint, sickly, fearful, pained, apprehending much sufferings before me, if not death itself, the king of terrors.⁷⁶

Hers is a very personal and family-bound search for answers to the loss of her children, but her regret for her lost son is soon recast in the light of her Christian sorrow for the loss of Christ. She acknowledges this was ‘Written by me at the same time: on the death of my fourth and only child Robert Taylor’:

My *Lord* hath called for my son,
My heart breathes forth, thy will be done.
My all that mercy hath made mine
Freely's surrendered to be thine.
But if I give my all to thee
Let me not pine for poverty:
Change with me, do; as I have done
Give me thy all, even thy dear son.
'Tis *Jesus Christ, Lord*, I would have,
He's thine, mine all, 'tis him I crave:
Give him to me, and I'll reply
Enough, my *Lord*, now let me die.⁷⁷

It is clear, though, that Carey still employs the poetic imagery of exchange and economics to delineate her new-found sympathies with God. The simple arrangement of God recalling her son is achieved with a sigh, ‘My heart breathes forth, thy will be done’, and she uses the language of surrender. However, she wishes for a transaction; her own investment in her children has been interrupted by their deaths many times, and here she bravely calls for compensation ‘But if I give my all to thee’, her ‘all’ is equated with her lost son, ‘Change with me, do, as I have done’. She now craves the body of Christ as settlement in this bargain, and appeals to God as one grieving parent to another. This is a typical parental elegy, as little of its structure deals with the

⁷⁶ Carey, p.14.

⁷⁷ Carey, p.40.

straightforward memorial of a child. Instead it offers a conceit of bargaining and exchange to simplify and clarify her own lost investment.

Elegiac writing is well represented among women's writing in the Renaissance period. For women excluded by common law, marriage or wills from family estates, writing offered a space in which to express emotional and economic terms for their relationship with children that could not be expressed through law or family. The genre of elegy allowed women to negotiate the boundaries between maternal roles and public roles of power. Danielle Clarke stresses that the elegy could provide a female author with great agency:

Paradoxically the recalling of a loved one, especially if this was a husband or a brother, could provide an occasion for the female speaker to suggest her own agency, which almost invariably was asserted, exercised and expressed through a patriarchal framework. For women, this can also constitute a useful means of negotiating the perilous but permeable boundary between public and private.⁷⁸

I would argue in addition that an elegy to a child could present even greater agency, despite the fact that some critics would see that as the fulfilling of the 'maternal role'; the entrance into authorship and into a well-known genre provided the authority denied by common law to women who wished to acknowledge and publicly express generational relationships. Katherine Philips, whose poetic career as a Royalist in exile has been subject to much debate and criticism, can also be seen in her familial role as a poet who struggled to elegise the deaths of her own son, Hector, and her stepdaughter, Frances.⁷⁹ She had one other child, Katherine, born in 1656, who outlived her mother. The debates surrounding her 'friendship' poems and her own apparent reluctance to allow her poems to be published, seen through the furore that surrounded the publication of *Poems* in 1664, are summarised by Carol Barash in

⁷⁸ Danielle Clarke, *The Politics of Early Modern Women's Writing* (Harlow: Longman, 2001), p.167.

⁷⁹ Philip Souers, *The Matchless Orinda* (Cambridge, Massachusetts: Harvard Studies in English, 1931).

English Women's Poetry, 1649-1714.⁸⁰ Philips has been called a 'remarkable' woman, mainly because she was a prolific and public Restoration writer, and she has usually been compared to John Donne in her style.⁸¹ By prioritising her elegy work, her familial rather than her political stance can be considered, just as the persistent question of public or private intention can be highlighted through an examination of her elegies. Her contrast to Ben Jonson in this way can be highlighted. The elegy is one space in which public and private thoughts, emotions and intentions collide. Philips' own background was dominated by turbulent clashes of family and loyalty: despite being raised as a Puritan, and having many parliamentary supporters in her family, she was a firm Royalist. Her husband, James Philips, was a supporter of Oliver Cromwell, and had made money from the sequestration of Royalist lands during the Commonwealth. It was the return of Charles II that made her public debut as a poet possible (ironically at the same time her husband's fortunes fell, as he was suspended from parliament).⁸²

Philips cleverly suggested that the female poet was in many ways ideally suited to promoting the political cause of duty and submission, and to provide a model for future generations of women writers. She also proved that the elegy was a genre which expressed the loss of hope in the future of family generations. Philips' elegy to her stepdaughter Frances Philips, 'In Memory of F.P. who dyed at Acton 24 May 1660- 13th of her age', tried to provide a 'lasting verse' to her 'deare Saint' which could then be laid upon the hearse:

If I could ever write a lasting verse,

⁸⁰ Carol Barash, *English Women's Poetry, 1649-1714: Politics, Community, and Linguistic Authority* (Oxford: Clarendon Press, 1996), pp.55-100. See also Souers, *The Matchless Orinda*, pp. 17-20.

⁸¹ Patricia M. Sant, and James N. Brown, 'Two Unpublished Poems by Katherine Philips', *ELR*, 24 (1994), 211-228 (p.213).

⁸² Patrick Thomas, *Katherine Philips ('Orinda')* (Cardiff: University of Wales Press, 1988), pp.13-14, notes that before the Restoration Philips' work was only known by a small gentrified circle of friends in Wales. See also the brief biography in John Aubrey's *Brief Lives* (Harmondsworth: Penguin, 1949), p.307.

It should be laid, deare Saint, upon thy herse.
But Sorrow is no muse, and doth confesse
That it least can what most it would expresse.⁸³

Her project has already been laid bare as impossible: does this display true modesty or mocking self-deprecation? The poem begins by telling the reader that sorrow is inexpressible, yet the author will ‘try if I can weepe in numbers now’, to capture the essence of sorrow in the thesis of an elegy, in the lines of metre. The poet questions where the qualities of this ‘untimely dead’ blossom have fled to, ‘Whither, ah whither is thy sweetnesse fled?’ The search for the child’s lost essence, innocence or soul compared to lost beauty of a dead flower echoes the most common analogy in this poem of fragility and temporality, ‘As well we might enquire, when roses dye, / To what retirement do their odours fly?’. The child’s death is presented as hopeless, premature and immense, yet ultimately fulfilling a natural process. This is reiterated through the pastoral image of a lamenting ‘swaine’ beholding his ripened corn ‘by some rough wind without a sickle torne’, cut down before its time. The first twelve lines of the poem, therefore, are filled with questions and inadequacy, and this moves abruptly into a sense of despair and a plosive, repetitive attack on the failure of the elegy and most tellingly of the elegist-parent:

Alas! in vaine! In vaine on thee I rave;
There is no pittie in the stupid grave.⁸⁴

Like Ben Jonson, Philips turned to the mundane language and imagery of finance, to the image of a bankrupt man bemoaning his losses:

But so the bankrupt, sitting on the brimm
Of those fierce billowes which had ruin’d him,
Beggs for his lost estate, and doth complaine
To the inexorable floods in vain.⁸⁵

⁸³ Philips, ‘In Memory of F.P. who dyed at Acton 24 May, 1660 – 13th of her age’, in *Philips*, p.109-111.

⁸⁴ *Philips*, p.109.

⁸⁵ *Philips*, p.109.

Here the death of a child is paralleled to the loss of earthly estate, of money, goods and land. Therefore the elegy is brought forward into the realities of finance and power. This child's life was a 'short triumph' and is compared by Philips to the *theatrum mundi* concept of life, 'glorious scenes in masques spectators view / With the short pleasure of an hower or two'; soon 'The lights extinguished, and the curtaines drawne'. The mutability of the subject's life is continuously stressed, until Philips opens up her private grief to all parents:

Never, ah! never let glad parents guesse
At one remove of future happinesse,
But reckon children 'mong those passing joyes
Which one hower gives them, and the next destroyes.
Alas! we were secure of our content,
But find too late that it was onely lent,
To be a mirrour wherein we might see
How fraile we are, how innocent should be.⁸⁶

Like Ben Jonson and Henry King, Philips used the image of the child as merely a loan from God (a passing joy), one that should never be taken for granted as she warned other parents. The poems suggest that parents might take the gift of the child for granted, and could forget the brevity of the child's time on earth. This reminder of ephemeral life can be used as a mirror for the readers' and the parents' own frailty. Her sin, like Jonson's, is expectation and complacency 'That (wo is me!) I thought thee too much mine', echoing Jonson's line 'My sinne was too much hope of thee, loved boy'. The taking of a gift for granted is acknowledged, the blame and frailty of the parents is held in comparison to the innocent child. Yet the poem concludes with resignation; her elegy and her 'fresh remembrances of thee' have been transformed into 'my emblem of mortalitie'.

Compared to poems to public figures, and the poem to her step-daughter, how

⁸⁶ Philips, p.110.

much more emotion and mourning could be poured into the lines of an elegy when the child was flesh and blood, as Hector Philips was? His time on earth was certainly brief and therefore a difficult subject for elegising (he was only six weeks old when he died), but he received both an epitaph and an elegy, the latter eventually set to music. The poem ‘Epitaph on Hector Phillips, at St Sith’s Church’, in tetrameter rhyming couplets, records the despair, hope, philosophical attitude, intellectual reasoning, and childish oversimplifying of the mourning parent.⁸⁷ The epitaph appears to incorporate both parents’ mourning, as the personal pronoun ‘I’ is never employed, as it is in the elegy. The moment of mourning insists that the pain of the past be retold by the parent in this immortal epitaph:

What on Earth deserves our Trust?
 Youth and Beauty both are dust.
 Long we gathering are with pain,
 What one moment calls again.
 Seven years Childless Marriage past,
 A Son, A Son is born at last;
 So exactly limm’d and Fair,
 Full of good Spirits, Meen, and Aire,
 As long life promised;
 Yet, in less than six weeks, dead.
 Too promising, too great a Mind
 In so small room to be confin’d:
 Therefore, fit in Heav’n to dwell,
 He quickly broke the Prison shell.
 So the Subtle Alchymist,
 Can’t with Hermes = seal resist
 The Powerfull Spirit’s subtler flight,
 But ’twill bid him long good night.
 So the Sun, if it arise
 Half so Glorious as his Ey’s,
 Like this Infant, takes a shroud,
 Bury’d in a morning Cloud.

The narrative of a childless couple being granted a child after such a long time waiting is retold with joy ‘A Son, A Son is born at last’, and the emphasis is on the perfect nature of this child, contrasted with the unthinkable ‘Yet’. The elegy ‘On the

Death of my First and Dearest Childe, Hector Philipps' explores the history of infertility and childlessness in the marriage:

Twice Forty moneths in wedlock I did stay,
Then had my vows crown'd with a lovely boy.
And yet in forty days he dropt away;
O! swift vicissitude of humane Joy!⁸⁸

The sorrow of the elegist is expressed by the imbalance of poetic lines shattered by the caesural comma, which signifies death:

I did see him, and he disappear'd,
I did but touch the Rose=bud, and it fell.

Like her poem to her stepdaughter, this poem uses the natural image of a flower which offers potential but is too fragile to survive. Philips turns from the objective recording elegist who wrote memorials on the deaths of friends and public figures towards being the mother addressing a child (even though the subject was a baby unable to grasp the message of his parent; this address is as much to herself as to Hector):

And now (sweet Babe) what can my trembling heart
Suggest to right my doleful fate or thee?
Tears are my Muse, and sorrow all my Art,
So piercing groans must be thy Elogy.

The elegist yet again stresses that she can only find refuge in non-language, in groans, a concept ironically expressed with the greatest eloquence. There is a private, locked-off 'mother-and son-world' of mourning and comfort, and intrusion is denied. Her poem continually stresses the 'privacy' of this mourning: no-one is witness to her 'mone':

Thus whilst no eye is witness of my mone,
I grieve thy loss (Ah, boy too dear to live!)
And let the unconcerned World alone,
Who neither will, nor can refreshment give.

⁸⁷ Philips, 'Epitaph. On Hector Philipps. At St Sith's Church', in *Philips*, p.205.

⁸⁸ Philips, 'On the Death of My First and Dearest Childe, Hector Philipps, Borne the 23rd of Aprill, and Dy'd the 2nd of May 1655. Set by Mr Lawes', in *Philips*, p.220.

The speaker can gain no comfort or consolation from the wider 'World', and so this would appear to be enclosed, self-sufficient mourning. But the interjection '(Ah, boy too dear to live!)' turns the poem again towards emotion. The bracketing off of this exclamation begins to look as if the poem is working on two levels: the controlled elegising voice, and the suppressed voice of an emotional and uncontrolled griever. The elegy offers the question of whether the child is too 'dear', too 'precious', or even too 'expensive' a commodity to have been even on loan to the world.

Patrick Thomas notes that this is a 'heartfelt elegy'.⁸⁹ And yet, in the concluding stanza, Philips herself refers to the epitaph that she will leave on his tomb, that colder doggerel public poem, which is essentially an offering to mourning and family duty:

An Off'ring too for thy sad Tomb I have,
Too just a tribute to thy early Herse;
Receive these gasping numbers to thy grave,
The last of thy unhappy Mother's Verse.

Her 'too just' tribute is the public face of her sorrow, whereas this outpouring then is the final expression of mourning verse. The line 'the last of thy unhappy Mother's Verse' hints back to Ben Jonson's linking of the elegy and the dead child, 'here doth lye / BEN. JONSON his best piece of *poetrie*', inextricably linked by the mourning parent.

Were Philips' private and familial poems ever intended for publication? There are critical arguments over her body of work which attempt to suggest that her protests were merely in the tradition of the amateur writer, and were therefore more

⁸⁹ Thomas, *Katherine Philips*, p.29.

about modesty than horror.⁹⁰ In contrast, Philips' poem to her friend Regina Collyer's daughter, who died in September 1649, is an unadorned formal epitaph for a tombstone:

Vertue's blossom, beauty's bud,
The pride of all that's faire and good,
By death's fierce hand was snatched hence
In her state of innocence:
Who by it this advantage gains,
Her wages got without her pains.⁹¹

This epitaph registers the horrific inevitability of a child's death, but is far more pithy and objective than the poems to her son. It could also be read politically in its contemporary connection to a Royalist's view of death in the wake of the public execution of Charles I in January 1649 and the eleven year cessation of monarchy in England. The analogy of accounts being settled concludes with the concept that wages have been extracted without age or sin; the child has died in a state of innocence. Her own role as recorder of this death is objective and clear; the voice or perspective of the poet has been almost entirely erased by the scientific exercise of the epitaph.

Textual legacies examined in chapter one were written by dying parents to their children (whether those children were living or yet to be born), and were created as an inheritance because of the forced moment of recognition of impending death. In contrast, elegies written by parents to children recognised their exclusion from that process of passing on knowledge, experience, power and wealth. Personal and familial elegies, particularly elegies written from fathers and mothers to dead children who were their heirs, are often marginalised in the critical search for and debate about

⁹⁰ Dorothy Mermin, 'Women Becoming Poets: Katherine Philips, Aphra Behn, and Anne Finch', *ELH*, 57 (1990), 335-355 (p.338), and Elaine Hobby, 'Katherine Philips: Seventeenth-Century Lesbian Poet', in *What Lesbians Do in Books*, ed. by Elaine Hobby and Chris White (London: Women's Press, 1991), pp.183-204 (p.184). See also Elaine Hobby, *Virtue of Necessity: English Women's Writing 1646-1688* (London: Virago, 1988).

⁹¹ Philips, 'On Little Regina Collyer, On the Same Tombstone', in *Philips*, p.149. See Thomas, *Katherine Philips*, p.14.

elegies to public figures, fellow poets and royalty. A concentration on the familial form of elegy in the seventeenth century can provide insight into the moral theatre of intimacy, by focussing on a death in the family. These deaths take place within a small circle of people, and require very different poetic treatment from the death of creative equals, patrons, gentry, or royalty. Familial elegies would appear to be immediately concerned with the recording of private grief (presented for public edification), rather than primarily with the panegyric mode of address.

The death of an heir, especially an elder son could mean the progress of future inheritance was halted. The poetic acknowledgements of a child's life and broken inheritance has shown evidence of webs of emotions that moved far beyond the boundaries of an economically driven brutal picture of early modern family life. The children given the honour of immortality through verse were not always first-born sons who would have appeared to have been the primary source of investment for the future of the family, but they also included stepchildren, daughters, and even still-born children.

Ben Jonson's position in both public and private spheres of publication and inheritance has been examined, even though the display of affection for both his son and daughter is clear. The mothers providing textual acknowledgement of their children's lives and deaths were writing against the formal boundaries of inheritance processing. Unable to provide formal wills in many cases, women writing elegies registered this loss as well as the loss of emotional ties to the child in the common textual references of this genre. There are certain differences in Ben Jonson's poetic remembrances of his children, including the use of impersonal pronouns in his elegy to his daughter, compared with the self-effacement and daring sacrifices offered by Mary Carey to God in return for her dead children. But as Katherine Philips' poems to

her son and stepdaughter show, utilisation of the formal generic conventions of elegy were not signs of distance, rather in incorporating poetic familial terms of inheritance and loans, the loss of a child before the parent could be made to make some sense and comfort. In examining the textual acknowledgements of deceased children by fathers and mothers, the inclusion by both of children who were not the prime figure of the eldest son in patrilineal succession indicates that care and affection was lavished on all children, even those of a very young age, or even unborn. Familial elegies have therefore proved an emotive, if not entirely private, means of conceptualising a lost future and a lost ability to pass on moral advice, physical property and power. The writers' utilisation of financial and inheritance analogies to explore such loss has demonstrated the common analogies and tropes employed by mothers and fathers as poetic traits which have spanned the century. Ultimately, the confessed inability of parents in the seventeenth century to express in a poem the death of the child has proved one of the simplest, most eloquent and emotive genres under scrutiny in this thesis.

The elegy written on the occasion of the death of a child moved beyond the purpose of advice and correct public mourning; the use of economic analogies of recalled debts, loans and of broken inheritance certainly demonstrates the reality of the economic structures of early modern family life. But although inheritance was the guiding trope for grief, it became, within the elegy the language of the almost inexpressible emotions between generations.

CHAPTER THREE:

GENESIS AND DEATH: BIBLICAL AND TEXTUAL LEGACIES

In the seventeenth century there were a number of published texts by women reinterpreting Genesis which emerged from a discursive background of defences of and attacks on the figure of Eve. These were formed as legacies, memorials and ultimately as female inheritance in the world of print. This can be identified as a distinctive genre of women's legacies written not just to families, but to other women readers, writers and patrons. Many scholars have presented these exegeses of Genesis as having grown out of the increasingly public and popular printed presence of the *querelle des femmes* debate.¹ Yet not all the interpretations of Genesis were defensive or polemical, and there were certainly many clear examples of women's texts which were external to these very public gender debates. This chapter will examine Rachel Speght's, Alice Sutcliffe's and Amey Hayward's poetic interpretations of the Genesis story in terms of the world of literary inheritance and tradition, and it will clarify the way in which women from the early to late seventeenth century produced articulate and confident accounts of their access into authorship and the seventeenth-century market, eventually and explicitly under the generic label of 'legacy' by the publication of Hayward's text. By addressing readers who were accustomed to

¹ There are numerous articles and debates which cover the topic of seventeenth-century misogynist controversies and print dialogues, particularly in relation to Joseph Swetnam's *Araignment of Lewd, Idle, Froward and Unconstant Women* (London, 1615). The most important of these include Linda Woodbridge's *Women and the English Renaissance: Literature and the Nature of Womankind, 1540-1620* (Brighton: Harvester, 1984), Elaine Beilin, *Redeeming Eve: Women Writers of the English Renaissance* (New Jersey: Princeton University Press, 1987), Simon Shepherd, *Amazons and Warrior Women* (Brighton: Harvester, 1981), Ann Rosalind Jones, 'Counterattacks on "The Bayter of Women": Three Pamphleteers of the Early Seventeenth Century' in *The Renaissance Englishwoman in Print: Counterbalancing the Canon*, ed. by Anne Haselkorn and Betty Travitsky (Amherst: University of Massachusetts Press, 1990), pp.45-62, and Katherine Henderson and Barbara McManus, eds, *Half Humankind: Contexts and Texts of the Controversy about Women in England 1540-1640* (Chicago: University of Illinois Press, 1985).

biblical annotation and interpretation these authors gained access to a cultural market and utilised this as a way of contributing to the genre of legacies.

The texts under consideration, spanning the seventeenth century, are Rachel Speght's *Mortalities Memorandum, With a Dreame Pre-fixed* (1621), Alice Sutcliffe's *Meditations of Mans Mortalitie, Or, a Way to True Blessednesse* (1633), and Amey Hayward's *The Females Legacy. Containing, Divine Poems On Several Choice Subjects* (1699).² These texts have been selected to provide insight into inheritance, gender and the history of the family in the early modern period; this becomes clearer when their subject and their publication history are considered. As one examines these three texts chronologically, one can see a progression from defensive exegesis towards a more assertive literary product, one which could explicitly enter the genre of legacy. The first text, Rachel Speght's *Mortalities Memorandum* will be examined in greater detail, as her work offers the clearest perspective of a literary legacy and biblical interpretation in the early seventeenth century. Speght's text, as will be demonstrated, utilised debate and the event of her mother's death as an 'excuse' for authorship. Alice Sutcliffe presented her text with much surface modesty to a female patron, whereas by the end of the century, Amey Hayward was writing categorically to the whole 'Female-Sex'.³ All of these published texts give insight into early modern women's increasingly open conception of authorship and re-defining of place in the transmission of inheritance, as they explored their own roles in a patriarchal society which constructed ostensibly

² Rachel Speght, *Mortalities Memorandum, With a Dreame Pre-fixed* (London, 1621), Alice Sutcliffe, *Meditations of Mans Mortalitie, Or, a Way to True Blessednesse*, 2nd edn (London, 1634), Amey Hayward, *The Females Legacy. Containing, Divine Poems On Several Choice Subjects* (London, 1699). Further references to these editions are given in parentheses after quotations in the text.

³ Even though, as will be discussed later in the chapter, Speght had already contributed very openly to the *querelle des femmes* debate and had addressed herself to all women.

restrictive sites for women.⁴ These works prove significant as texts which provided very public, female-orientated legacies which worked outside of the boundaries of family life; these were legacies for all women writers as well as readers. As the chapter will show, that became more evident in Hayward's work as her text was balanced on the edge of the eighteenth century and changing literary environments for women and men.

Exclusion from being able to provide financial or property-based inheritance for children has already been proved to have had influence on the provision of alternative literary genres in the first two chapters, especially for women. Where chapters one and two concentrated on familial configurations of parenting and parental attitudes expressed in print towards children, this chapter examines the wider roles of women in the family, in society and in the literary marketplace. The barrier to inheritance in itself was addressed by authors writing themselves into legitimacy through terms of inheritance and legacies. Isabella Whitney, writing in the 1570s, had addressed a wide readership of women without apology, re-defining how women could produce texts; her poem 'Wyll and Testament' in particular asked all Christians to examine their worldliness in the face of death.⁵ The form and label 'will and testament', which many women were excluded from writing unless they were unmarried heiresses or widows, was used by Whitney to explore wider matters of Christianity, gender and death.

The tale of Genesis was utilised by many theologians, political theorists and misogynists to attack women's behaviour and innate sinfulness. For women writing in a time of social and religious upheaval this provided the opportunity for alternative

⁴ Barbara Lewalski, *Writing Women in Jacobean England* (Cambridge, Massachusetts: Harvard University Press, 1993), pp.2-3.

⁵ Elaine Beilin compares Isabella Whitney's work to Rachel Speght's; Beilin, *Redeeming Eve*, pp.88-89.

ways of interpreting scripture; Genesis provided a path to change, and allowed for a godly form of self-fashioning to many Protestant sects in the early modern period. The biblical tale also provided women authors with a paradigm for the family and women's role in both the family and society which could be questioned and interpreted. If inheritance itself can be interpreted as the reproduction of the social system, then the authors in this chapter take the reader back to the very beginnings of inheritance and to the origins of that social system. Sir Robert Filmer, for example, in *Patriarcha* traced political arguments about inheritance and power right back to Adam, not to claim women's innate sin, but to predicate the origins of patriarchal inheritance.⁶ Writing about beginnings of life, as well as about the origins of death and sin meant that women could use the topic of the first woman, her sin or blamelessness, to explore the origins of mankind's inheritance of life and sin, and even more importantly, to reassess women's legacy of blame and the origin of Christian debates on the sinfulness of women as Eve's descendants. Authors could also explore the origins of the conception of hope; as Eve was cursed with the pains of childbirth, womankind in the figure of Mary also provided the saviour born to redeem humanity from the sins of the Fall. This hints at the concept of the 'Fortunate Fall' (*felix culpa*, or 'happy sin'), whereby the Fall made Christ's incarnation possible, and gave mankind the hope of redemption and salvation. Speght cast her first person narrator in her long poem as an Eve-figure positively seeking knowledge, not as a source of sin, but as a symbol of the legitimisation of women's education. Hayward uses the prime family as a way of exploring how Adam, himself the primary 'son' of God the patriarch and inheritor of his gifts, abuses this relationship of trust. A number of questions therefore arise: why did women rewrite Genesis in poetic form, what

⁶ Johann Somerville, ed., *Sir Robert Filmer: Patriarcha and Other Writings* (Cambridge: Cambridge University Press, 1991).

place did they hold in the seventeenth-century literary marketplace, and for whom were the texts produced?

Primarily one must question why women published in this particular genre. Repeatedly transmitted, the Genesis myth can be seen to have prompted each new generation of readers and writers to reinterpret the first chapters of Genesis in terms of their own particular values and experiences. In the seventeenth century one can see numerous examples of the use of Genesis in the hostile battles of gender politics. Several critics have used these stories of Genesis to provide an early modern history of exegesis with a modern twist, but this is a form of historical reading involves interpreting the Creation myth as providing an overview of gender and sexual relations in the early modern period.⁷ A more reasonable answer, given the religious climate of England was the need to legitimise the public word through biblical terms, whether in sermons, texts or diaries. Genesis was also a tale that readers would be very familiar with, and therefore they would be able to recognise old and new developments to the text without an esoteric knowledge of classical allusion. Hilary Hinds in her study of women's writing from radical sects highlights this point:

The use of biblical narratives and imagery, then, at once deproblematizes language, removes it from the realm of speculation, and, through its relocation with God, lends it a reliability, a truthfulness, that could not otherwise be claimed for it.⁸

By examining Quaker women's texts, Hinds argues that the importance of biblical allusion and quotation in seventeenth-century texts lies in the fact that these were a vital way of 'communicating and condensing a common set of emotions, references and associations, a way to draw on and reinforce a tradition by quoting from it' in

⁷ See James Grantham Turner, *One Flesh: Paradisal Marriage and Sexual Relations in the Age of Milton* (Oxford: Clarendon Press, 1987), pp.1-9, and Beilin, *Redeeming Eve*, pp.248-266.

⁸ Hilary Hinds, *God's Englishwomen: Seventeenth-Century Radical Sectarian Writing and Feminist Criticism* (Manchester: Manchester University Press, 1996), p.137.

order to strengthen the authority of the text.⁹ The use of biblical allusions provided a shared reserve of recognisable imagery for readers, particularly for uneducated readers and listeners to discover in texts read aloud. Christopher Hill has suggested that biblical dialect also provided a poetic form which allowed many people, including women, to ‘read their own problems and solutions into the sacred text’.¹⁰

One must also ask how the public received these texts. Roger Chartier suggests that several texts from the early modern period consciously aimed to negate their own status in order to produce practices or behaviour deemed legitimate or useful.¹¹ Women’s reworking of biblical text might be one such way of producing legitimate practice when excluded from being testators in the family. Women often lacked formal authority in the seventeenth century; through writing and having their writing published, they enjoyed one of the few aspects of authority they could ever experience, outside of the boundary of the family.¹² Such texts are vital as evidence of women’s cultural production, as well as their position in the process of inheritance, which takes the literary historian beyond a surface reading of religious or literary value. Tina Krontiris takes a similar approach when examining Aemilia Lanyer’s *Salve Deus Rex Judæorum* (1611), reading the text as societal rather than religious in purpose.¹³ However Linda Woodbridge warns against using the defences of women in

⁹ Hinds, p.136.

¹⁰ Christopher Hill, *The English Bible and the Seventeenth-Century Revolution* (Harmondsworth: Penguin, 1994), p.4, as quoted in Hinds, p.136. In *The English Bible*, pp.3-44, Hill argues that biblical knowledge was central to seventeenth-century economics, law, culture and politics.

¹¹ Roger Chartier, *The Cultural Uses of Print in Early Modern France*, trans. by Lydia G. Cochrane (New Jersey: Princeton University Press, 1987), pp.145-182. Some of the many texts which provide similar interpretations of the literary market place in this period include *The Practice and Representation of Reading in England*, ed. by James Raven, Helen Small, Naomi Tadmor (Cambridge: Cambridge University Press, 1996), H.S. Bennett, *English Books and Readers 1457 to 1557* (Cambridge: Cambridge University Press, 1952), and David Cressy, ‘Books as Totems in Seventeenth-Century England’, *Journal of Library History*, 21 (1986), 92-106.

¹² Phyllis Mack, *Visionary Women: Ecstatic Prophecy in Seventeenth-Century England* (Berkeley: University of California Press, 1992), p.5.

¹³ Tina Krontiris, *Oppositional Voices: Women as Writers and Translators of Literature in the English Renaissance* (London: Routledge, 1992), pp.103-118.

this period too literally as evidence of social and private behaviour, by proposing that the literary and aesthetic views of debate were inherited from the medieval period.¹⁴ Although this is a useful caveat, especially when dealing with Speght's work, certain sociological effects of contemporary gender and inheritance debates can be extracted. One must re-interpret religious allegory within a secular perspective, partly because on closer reading it becomes clearer that the aims of these writers were not to provide straightforward displays of public piety. The path of the published word into the popular early modern marketplace was a difficult one, especially for women, and for those writers who were not in positions of wealth or authority. But literature was diverse, and held opportunities for varied generic access to print. Literature and popular texts included pamphlets, chapbooks (religious and secular), ballads and conduct books.¹⁵ Women writers certainly took advantage of the popularity of religious tracts across the seventeenth century.¹⁶ It is also useful to bear in mind modern theories of cultural economy. Pierre Bourdieu in *Distinction* highlights the fact that there is no production or cultural practice that does not rely on materials imposed by tradition, authority, or the market, and that is not subject to surveillance and censures from those who have power over words or gestures.¹⁷ Women writers in the seventeenth century had to contend with greater barriers, not only from decreased opportunities for patronage, but also in the form of the conventions which shaped

¹⁴ Woodbridge, pp.1-9, and pp.13-17.

¹⁵ Margaret Spufford has illustrated the proliferation of chapbooks and cheap print, and the opportunities such a market opened up for women: *Small Books and Pleasant Histories: Popular Fiction and its Readership in Seventeenth-Century England* (London: Methuen, 1981).

¹⁶ Elaine Hobby has noted that women took particular advantage of political and social change in England to chance publication: in the 1650s, one hundred and thirty texts were published by women: Hobby, "Discourse So Unsavoury": Women's Published Writings of the 1650s', in *Women, Writing, History 1640-1740*, ed. by Isobel Grundy and Susan Wiseman (London: Batsford, 1992), pp.16-32 (p.16).

¹⁷ Pierre Bourdieu, *Distinction: A Social Critique of the Judgement of Taste*, trans. by Richard Nice (London: Routledge, 1984), pp.190-196.

their gender roles and their paths into the writing sphere. The question of whom these texts were intended for is an important one, as it gives some insight into why biblical exegesis was approached. The prefatory material provides firm evidence of the authors' economic awareness of female patrons and female readership. Speght, Sutcliffe and Hayward prefaced their work with dedications, not only to the reader, but specifically to a woman or women patrons, as will be shown by the close readings of their individual works.

The common thread running through these texts is the necessity to frame the work within this relationship amongst women, women writers and women readers with Eve as the central figure using allegory, verse, dialogue and biblical interpretation to present the topic of mortality to the public. Is this done because of a shared sense of exclusion from familial recourse to will-making and restricted access to the printed world? In the hands of Speght, Sutcliffe and Hayward the literary form of interpretation became an inheritance, a more private and personalised inheritance that reworked and shared knowledge. By the time that Hayward's text is openly labelled 'legacy', these poetic texts borrowed the sense of legitimate purpose by the transmission of knowledge to future generations. The intersection of discourses of gender, spirituality, advice texts, inheritance and literature became ways in which the justification of authorship could be found.

A more in-depth analysis of the texts, and an exploration of the language and imagery used, provide a clearer picture of the use of the Bible as a common reference, a legacy for a female readership. Speght's *Mortalities Memorandum* was dedicated 'To the Worshipfull and Vertuous Gentlewoman, her most respected God-Mother Mrs Marie Moundford' (Speght, A2). At the conclusion of 'The Dreame' (the inner narrative), however, the text was then also dedicated to her recently deceased mother,

and to the philosophical concept that ‘*Esto Memor Mortis*’, which also highlighted the concept of the text as a remembrance of death, a memento mori (Speght, p.11). Yet there were clearly other agendas at work here. This text demonstrates a clear move away from the reactive defences of Eve and Eve’s sex against male censure found in her own work, towards the type of exegesis which was more in line with the assertion of authorship and women’s right to lineage, legacy-making and the transmission of inheritance. Speght was fully aware of the public world of debate in print and her inheritance of a genre of gender defence from the medieval period. Speght was the daughter of Calvinist minister James Speght, and she had already created an outspoken address to her own gender in *A Mouzell for Melastomus* (1617); this was one of the first rhetorical replies to Joseph Swetnam’s misogynist tract *Araignment of Lewd, Idle, Froward and Unconstant Women* (1615), and was addressed to ‘all vertuous Ladies Honourable or Worshipfull, and to all other of Hevahs sex fearing God’.¹⁸ In Speght’s *A Mouzell for Melastomus* Elaine Beilin has noted that Speght was already finding an equivalence of guilt between Adam and Eve:

Speght argues that Eve cannot bear the full burden of guilt and that women have been a source of good in the world. [...] ‘Yet we shall find the offence of *Adam* and *Eve* almost to parallel: For as an ambitious desire of being made like unto God, was the motive which caused her to eate, so likewise was it his’.¹⁹

The central discourse for Speght and for the other authors in this chapter focuses on women’s initial creation, whilst dealing with the subject of death. Four years after the publication of that tract, the introduction to *Mortalities Memorandum* showed Speght reasserting her rights to authorship, hurt by the accusations initiated by her first book, ‘having bin toucht with the censures’ (Speght, A2v). Speght suggested that the

¹⁸ Rachel Speght, *A Mouzell for Melastomus, the Cynicall Bayter of, and Foule Mouthed Barker Against Evahs Sex* (London, 1617), quoted in Beilin, *Redeeming Eve*, p.253.

¹⁹ Speght, *A Mouzell for Melastomus*, quoted in Beilin, *Redeeming Eve*, p.254

motives behind the publication of *Mortalities Memorandum* were the common benefit of others:

Amongst diversitie of motives to induce the divulging of that to publique view, which was devoted to private Contemplation, none is worthy to precede desire of common benefit. Corne kept close in a garner feeds not the hungry; A candle put under a bushell doth not illuminate an house; None but unprofitable servants knit up Gods talent in a Napkin. (Speght, A2)

These examples provide her with the reasoning behind being able to divulge God's talent in her writing. It was dedicated to her godmother, written about the death of her own mother and finally produced for 'publique view'. The transmission of the text was not for the private, but for the public good, as Speght wrote:

These premises have caused the Printing presse to expresse the subsequent *Memorandum of Mortalitie*, by which if oblivious persons shall bee incited to premeditation off, and preparation against their last houre. [...] I levell at no other marke, nor ayme at other end, but to have all sorts to marke and provide for their latter end. (Speght, A2-A2v)

The provision that she had made in print, therefore, was a legacy for all, a guide for death that willingly opened itself to a wider readership. Speght's claim that she had provided a memorandum for people to use to prepare for death strengthens Lewalski's and Margaret Ezell's proposal that women exercised a good deal of actual power, as managers of husbands' estates for example, in their absence or after their death.²⁰ As demonstrated, private religious adherence might lead to public authority, piety extending beyond the household to the external world.²¹ These critics utilise biblical interpretation, in a variety of ways, in order that secular concerns of women, and particularly women writers, can be addressed. Ann Rosalind Jones and Elaine Beilin have argued that women were active in contesting injunctions to silence by

²⁰ Lewalski, p.10, and Margaret Ezell, *The Patriarch's Wife: Literary Evidence and the History of the Family* (North Carolina: University of North Carolina Press, 1987), pp.18-19.

²¹ Sara Mendelson, and Patricia Crawford, *Women in Early Modern England 1550-1720* (Oxford: Clarendon Press, 1998), p.230.

revising, ‘negotiating’ with or opposing male genres.²² By appealing to modesty in religious writing, and by providing legitimate exegesis, they could seek the widest possible audience for their ideas. A marginalised group could successfully and modestly contest the dominant ideology of patriarchy. I would in addition argue that the resistance and disruption takes an astute form, by utilising two genres, that of exegesis and also the printed legacy, echoing the will and advice text of the mother, sister, author to a female readership.

Speght also demonstrated awareness of the existence of a field of literature, a genre, which she would in some ‘small’ way be contributing to:

I know these populous times affoord plentie of forward Writers, and criticall Readers; My selfe hath made the number of the one too many by one. [...] I am now, as by a strong motive induced (for my rights sake) to produce and divulge this of spring of my indeavour, to prove them further futurely who have formerly deprived me of my due, imposing my abortive upon the father of me, but not of it. (Speght, A2v)

The language of productivity and childbirth adds to the sense of the author’s literary modesty, by confessing her belief that this work was a ‘child’ ready to be exposed finally to the public world. Speght was aware that her work could be open to criticism, she admitted censure ‘to be inevitable to a publique act’ (Speght, A2v), and pre-empted this by addressing her reader directly in verse:

Readers too common, and plentiful be;
For Readers they are that can read a, b, c.
And utter their verdict on what they doe view,
Though none of the Muses they yet ever knew.
But helpe of such Readers at no time I crave,
Their silence, than censure, I rather would have:
For ignorant Dunces doe soonest deprave. (Speght, A3v)

Speght dramatised the process of her text’s transmission, addressing those who may ‘utter their verdict’. This defence did not deny a shared and public form of

²² Ann Rosalind Jones, *The Currency of Eros: Women’s Love Lyric in Europe, 1540-1620* (Bloomington: Indiana University Press, 1990), p.4, and Elaine Beilin, ‘Writing Public Poetry: Humanism and the Woman Writer’, *MLQ*, 51 (1990), 249-271 (p.251).

reassurance and praise; through irony, it placed the reader who would read her work with an open mind in a highly privileged and erudite position. For example, this type of reader was soon addressed as ‘courteous Reader, who ever thou art’, and this ‘poor Memorandum’ was extended for his or her use, welfare and benefit (Speght, A3v). Her poem finishes with a message to those who will be able to appreciate her message:

Thus wishing thee well fare,
I rest a true friend
To those which (Art affect
And learnings fruit) respect.
Rachel Speght. (Speght, A3v)

Did women have any authority in public or private spheres on which to build textual authority? Within the familial space some women were expected to provide spiritual leadership.²³ It has been argued consistently that Protestantism in its many forms allowed women greater freedom and authority in relation to the written word, particularly through Calvinist doctrine that centred on the sermon, scripture and self-examination.²⁴ Education was available to certain rich women, not just those from a religious background, and therefore literacy and education in Greek and Latin were more evident in the texts of aristocratic women. The women writers examined here did not hide these erudite skills, and liberally employed literary examples as signs of their superior education, including references to female role models from biblical, pagan, mythical and poetic sources; this was similar to the display of learning demonstrated by some of the mothers producing familial legacies. Speght for example used classical and biblical women, including Mary, Telesilla and Cornelia, as female role models in order to highlight the necessity for woman’s education (Speght, p.5).

²³ Anne Laurence, *Women in England 1500-1700* (London: Phoenix, 1996), p.165.

²⁴ See Kenneth Fincham, ed., *The Early Stuart Church, 1603-1642* (Basingstoke: Macmillan, 1993), and Patrick Collinson, *The Religion of Protestants: The Church in English Society 1559-1625* (Oxford: Clarendon Press, 1982).

Education was promoted in these texts in order to express the many facets of spiritual and secular experience of English Protestant women, whether Anglican or Puritan. Literate and devout women from various social backgrounds, not just from the aristocracy, would have been well versed in the text of the Bible, not only in order that it could be used as moral instruction, but also in order to explore its relationship with their own and their relatives' lives.²⁵ Within the family the traditions and inheritances of such a communal text, to be read aloud, memorised and shared through rote-learning away from the pulpit, were ripe for exploration and even exploitation.

Women's interpretation of male-dominated discourse did not always offer challenges to patriarchy, as will be seen from an examination of Sutcliffe's text in particular; this type of work was not necessarily factious. It is tempting for modern-day critics to examine women's literary interpretations of Eve in the early modern period as proto-feminist tracts. Biblical interpretation would have been a recognised and acceptable genre, even for a woman. By offering written interpretation itself as an inheritance to family members and the public, the female writer provided authority and immediate acceptance for an otherwise isolated and possibly frowned upon literary enterprise. Even in manuscript form, the enterprise of writing was not necessarily limited to the private circle of family or friends; manuscripts were often circulated within a wider arena of acceptance and criticism. When entering the authoritative and more extensive sphere of the published word, a person's text might have a better chance of survival in the marketplace if it utilised a 'ready made' discourse of tradition and expectation, a specific and recognisable genre. There is also

²⁵ In many senses translations of the Bible were exegeses which attempted to recover the genuine meaning of the words; such translations include the Calvinist Geneva Bible (not printed in England until 1576): *The Cambridge History of the Bible*, ed. by George W.H. Lampe, 3 vols (Cambridge: Cambridge University Press, 1963-70), II (1969).

evidence that Speght and Sutcliffe used the Geneva Bible as a source for their biblical and textual interpretations. This particular text was still widely used by families into the middle of the seventeenth century, especially by the Puritan community, probably because of its suitability for domestic use through private devotional readings.²⁶

Rather than begin directly with biblical interpretation, Rachel Speght's text is framed with the description of a deeply personal experiential poem which is entitled 'A Dreame'. This is an allegorical and fantastical moral journey which, at the conclusion of the poem, leads to the discovery of the monstrous '*Death*' which took the life of her mother, both in the dream and in the 'reality' which the narrator awoke to:

But, when I wak't, I found my dreame was true;
For *Death* had ta'ne my mothers breath away. (Speght, p.10)

Speght though was defiant:

Though of her life it could not her bereave,
Sith she in glorie lives with Christ for aye. (Speght, p.10)

The following *Memorandum* is an audacious literary remembrance of her mother's life, in which Speght's persona defies personified death as the impartial foe. The poetic narrative of a tale of death, Genesis and the self follows.

Speght incorporated much of her writer's self into the female persona of her allegorical dream, the 'I' who encounters characters such as 'Thought', 'Ignorance' and 'Knowledge'. In discussing the poets Isabella Whitney, Anne Dowriche, Elizabeth Colville and Rachel Speght, Beilin insists that the poet's choice of persona is key to our understanding of the text:

Each of these poets adapts the persona of the Christian pilgrim, raising the possibility that a quest is central to her poetry; two poets create dreamers, allowing them to distance themselves from the authoritative stance.²⁷

²⁶ Collinson, pp.235-236.

²⁷ Beilin, *Redeeming Eve*, p.88.

Speght's dreamer, far from removing the author from an authoritative position, allowed her to employ a familiar framework to her more erudite readers through which she could assert her intellectual challenge to women's marginalisation in literature, education, the family and inheritance. This is an allegorical and specifically feminised quest, in which figures appear as the literal embodiment of their moral characteristics. The full title of her text tells the reader much about the seriousness of the reconstructed thought process, 'Mortalities Memorandum, with a Dream prefixed, imaginarie in manner; *reall in matter*' (Speght, A1).²⁸ This was not therefore presented to her contemporaries as a delicate fiction; the motto 'Live to die, for die thou must, / Die to live, amongst the just', again on the title page, firmly placed this work into the tradition of texts which induced mortal awe and terror (Speght, A1). The allegorical dream vision, one of the oldest conventions of European literature, had been used from the thirteenth century as a framework for debating the 'woman question'.²⁹ Speght's dream follows a structure beginning with sleep: the troubled sleeper comes into the place, the locus of the vision, and is guided by the female figures of 'Thought', 'Experience', 'Industrie', 'Desire' and 'Truth'.³⁰ The figure in Speght's work enters the dream from the literal and real world in order to entertain a 'nocturnal guest', and this transference via allegory can be linked, as Stephen Greenblatt suggests, to a time of loss, whether that loss is due to death or to the potential breakdown of family hierarchies:

One discovers that allegory arises in periods of loss, periods in which a once powerful theological, political, or familial authority is threatened with effacement. Allegory arises then from the painful absence of that which it

²⁸ The italics are in the original text.

²⁹ Beilin, *Redeeming Eve*, pp.111-112.

³⁰ Germaine Greer, and others, eds, *Kissing the Rod: An Anthology of Seventeenth-Century Women's Verse* (London: Virago, 1988), p.75.

claims to recover. [...] The paradox of an order built upon its own undoing cannot be restricted to this one discursive mode.³¹

The allegory demands that a poem be read on two levels: firstly as a simple narrative or description, and secondly, as having another, more covert signification, which is imbued with greater resonance and power by the very fact that it has been partially concealed. Death in particular was a familiar allegorical figure, often used and manipulated in fictions to frighten and remind the reader of mortality and their family and societal duties. Rosemond Tuve has explored the many facets of *allegoria*, including satirical and ‘dark’, and suggested that these were hidden forms which delighted a reader who could translate their obscure message.³² Such a practice of reading and de-coding required skill and knowledge to unlock the allegory, in addition to the simple processes of pleasure more commonly employed in literary enterprise.³³ This might appear to be an erudite exercise were it not for the fact that the textual matter which these women explored was the most universally known in seventeenth-century England. Speght employed the allegory in order to simultaneously bury the private grief of the loss of her mother, and to ‘uncover’, or decode, the complex process of enlightenment, a move towards an understanding of death through knowledge.

In ‘The Dreame’, as well as employing biblical interpretation and allusion, Speght utilised myth and classical Greek and Latin references in order to communicate her tale to an audience fully versed in the practice of such texts. The mythological start to ‘The Dreame’ opens with ‘splendent Sol’, and ‘When *Phœbus*

³¹ Stephen Greenblatt, ed., *Allegory and Representation* (Baltimore: John Hopkins University Press, 1981), p.viii. See also Rosemond Tuve, *Allegorical Imagery: Some Medieval Books and their Posterity* (Princeton: Princeton University Press, 1966).

³² Rosemond Tuve, *Elizabethan and Metaphysical Imagery* (Chicago: Chicago University Press, 1947), pp.133-137. See Spufford, p.201.

³³ The topic of allegory’s narration does not have to be temporal at all for comprehension; its function can be truth or persuasion: Paul de Man, ‘Pascal’s Allegory’, in Greenblatt, pp.1-25 (p.2).

layd her head in *Titans* lap' (Speght, p.1). Speght's text employed the Renaissance tradition of appropriating classical terms and stories, and she intertwined words and phrases which signified an erudite entrance into a poetic world into a legacy concerning a Christian woman's interpretation of the subject of mortality:

Then did *Morpheus* close my drowsie eyes,
[...]
Nights greatest part in quiet sleepe I spent,
But nothing in this world is permanent. (Speght, p.1)

Speght's aim was to teach and delight her readers, as is clear from her introduction, and she used the dream world to represent a surreal and allegorical textual space. This world, she suggested, could succeed where she could possibly fail in the 'real' world of authorship, as these lines demonstrate, 'A *Dreame* which did my minde and sense possesse, / With more then I by Penne can well expresse' (Speght, p.1). When a woman took on the mantle of 'poet', she could also contribute to the traditions of literature. This is also clear from Speght's reference to Virgil's precept from the phrase '*labor omnia vincet*', which the character 'Truth' tells her will conquer the ignorance of critics of learned women; the work and labour of the poet had serious consequences (Speght, p.5). The world which the poet presented should explore what existed in the real world, or in the case of death, what awaited us beyond existence. It should acknowledge the immediate political or domestic setting of the writer's environment, set against the allegorical ideal; it should also offer challenges to and become part of the fabric of that environment.

Elaine Beilin suggests that Speght's purpose, which was filtered through a self-conscious attempt to prove her virtue in the public eye, was to create 'a new myth

of woman's intellectual experience'.³⁴ In 'The Dreame', Beilin argues, Speght presented a 'psychodrama' which objectified her experience through literary means and led the reader towards a 'counter-Eden'.³⁵ This, however, is an inversion of the Eden myth because the narrator, rather than plucking her knowledge from a tree, has to labour towards knowledge in '*Eruditions garden*' (Speght, p.4). Beilin assumes that because the narrator sought 'knowledge', this was a humanist search for female education.³⁶ Speght's narrator gained knowledge only through toil, not by plucking an apple. Yet Speght herself asserted, through the allegory, that her search for knowledge led only to the discovery of *Death* and towards the literary 'reality' of *Mortalities Memorandum*. Therefore this cannot be simplified as a text which exclusively promotes female education, although this is certainly part of its purpose. Speght's text is also a reminder of both the mythologised and the real impact of death on the personal spheres of everyday life.

The narrator of the dream world is brought by some 'supernall' power to a place 'most pleasant to the eye [...] / Where stranger-like on every thing I gaz'd', a malady for which her female guide 'Experience' prescribes 'Knowledge' as the only cure (Speght, p.1). The use of experience here indicates yet another communication between Speght and the audience of her legacy. The experience captured in her writing was also something which potentially could lead to the reader's knowledge, and hopefully to his or her use of the text as a philosophical and pious exercise. The instructions for the use of this literary legacy are contained within the verse. Her grief, she stated, was the reader's grief, when she wrote 'My grieffe, quoth I, is called *Ignorance*, / Which makes me differ little from a brute' (Speght, p.2).

³⁴ Beilin, *Redeeming Eve*, p.112.

³⁵ Beilin, *Redeeming Eve*, pp.111-113.

³⁶ Beilin, *Redeeming Eve*, p.114.

As the narrator increasingly covets 'Knowledge', she has to fight the 'Devill' (clearly referring to Speght's literary nemesis Joseph Swetnam) who foams 'filthie froth' on 'Eves sex', 'To whom I went to free them from mishaps, / And with a *Mouzel* fought to binde his chaps' (Speght, p.9). She then spies 'a fierce insatiable foe, / Depopulating Countries, sparing none' (Speght, p.10). This monstrous devouring figure is Death:

The name of this impartiall foe was *Death*,
Whose rigour whil'st I furiously did view,
Upon a sodeyne, ere I was aware;
With perceiving dart my mother deare it slew;
Which when I saw it made me so to weepe,
That teares and sobs did rouze me from my sleepe. (Speght, p.10)

The allegorised death causes the narrator to wake, which then forces her to realise that the inhabitant of the dream world has crossed into the real to take the life of her mother. Speght's narrator is defiant though:

The roote is kil'd, how can the boughs but fade?
But sith that *Death* this cruell deed hath done,
I'le blaze the nature of this mortall foe,
And shew how it to tyrannize begun,
The sequell then with judgement view aright,
The profit may and will the paines requite. (Speght, p.11)

However, very little of the following text concerned the loss of her mother, or the establishment of a textual memorial to her life. *Mortalities Memorandum* was an exploration of the nature of 'this mortall foe', a re-writing of the Genesis story which demonstrated 'how it to tyrannize begun'; Speght presented the beginnings of death in order to explore the concept of mortality.

Did her Calvinist upbringing also legitimise her interpretation, expounding, even 'prophesying' in terms of the Old Testament (in Puritan terms 'prophecy' more often concerned interpretation rather than seeing into the future)? There was certainly a greater sense of experimental and experiential theological interpretation in this text,

which accompanied the Protestant and particularly Puritan emphasis on spiritual self-examination, and which allowed greater freedom of poetic and literary interpretation and questioning.³⁷ Sects could re-read and interpret scripture, and Speght was one writer who took great advantage of this drive towards interpretation. However, her language was much more personal and intimate than mere explication. She apparently sought to soothe a puzzling and painful time of mourning, 'Her sodeine losse hath cut my feeble heart, / So deepe, that daily I indure the smart', but its profit is for the benefit of a public, 'The profit may and will the paines requite' (Speght, pp.10-11).

Her work was mediated by an intimate relationship with her mother and with her mother's death, which therefore led her towards Genesis; this is one of the ways in which Speght validated her entry into the re-writing and interpretation of a biblical text. This can be contrasted to her previous legitimisation of her access to the field of writing by her angry reply to Swetnam's misogynist text. At that point defence against an unprecedented attack on all womankind was her reason and justification for writing. Here in her last published writing, re-working the Bible, and a mother's death allowed more familial, more elegiac and subtler access to authorship.

Speght never allowed her achievement of an authorial role to slip into mere poetic creativity and fiction, where the economic concerns of entertainment could so easily gain control. She always proclaimed herself accessible to her reader, and had a strong authorial voice, and this allowed her to practise greater diversity outside of the genre of fictional poetry. John Milton's poetic version of Genesis in *Paradise Lost* allowed Satan discursively to control and shape the events leading to the loss of innocence and the birth of death.³⁸ Much of the concern of *Paradise Lost* was with the

³⁷ See Nigel Smith, *Perfection Proclaimed: Language and Literature in English Radical Religion 1640-1660* (Oxford: Clarendon Press, 1989), pp.26-32.

³⁸ John Milton, *Paradise Lost*, ed. by John Leonard (Harmondsworth: Penguin, 2000).

mortal nature and free-will of the protagonists of its central drama; it was less concerned with the vital moment of the conception of knowledge in the mind of man (linked to the origin of death in the condemned body). Speght, however, had used this defining moment of the end of her mother's life, a 'real' character brought into the drama to create a touchstone of reality and personality, as the very impetus to begin *Mortalities Memorandum*, and it became the dominant theme of her text. Therefore at the end of her allegory, and at the end of the mother's life, Speght began again, by reviewing the ultimate 'beginning' in order to analyse death. One of the reasons that her exegesis is so brief was that she obviously wished to expose death as a whole, and the birth of death into the world was just the beginning:

When *Elohim* had given time beginning,
In the beginning God began to make
The heavens, and earth, with all that they containe,
 Which were created for *his Glories sake*;
 And to be Lord of part of worke or'e-past,
 He *Adam* made, and *Eve* of him at last. (Speght, p.13)

Betty Travitsky suggests that Speght was clearly 'familiar with classical materials as well as with biblical ones', but she does not explore the possible sources of Speght's learning.³⁹ Her use of the word 'Elohim' indicates her knowledge of Hebrew, as this is the name for God, Jehovah, taken from the Hebrew scriptures. Speght though did not use her knowledge to dwell on an erudite reading of Genesis; instead, she briefly introduced the reader to a poetical, didactic and entertaining reading of the familiar and often repeated tale:

In *Eden* garden God did place them both,
 To whom Commaund of all the trees he gave,
 The fruit of one tree onely to forbear,
 On paine of *Death*, (his owne he did but crave,)
 And Sathan thinking this their good too great,
 Suggests the Woman, shee the man, they eate. (Speght, p.13)

³⁹ Betty Travitsky, *The Paradise of Women: Writings by Englishwomen of the Renaissance* (Westport, Connecticut: Greenwood Press, 1981), p.30.

The joint nature of the sin and the redemption of Eve as the prime source of death's entrance into Eden were subjects which Speght had already covered eloquently in *A Mouzell for Melastomus*. In this text the equality of man and woman at the time of original sin was not a topic that she elaborated, but it is still central to the thesis of her writing. Like Milton's Satan, Speght's creation is a jealous creature, but the question of temptation is condensed to a few lines:

Thus eating both, they both did joyntly sinne,
And *Elohim* dishonoured by their act;
Doth ratifie, what he had earst decreed,
That *Death* must be the wages of their fact;
Thus on them, and their of-spring thenceforth seiz'd
Mortalitie, because they God displeas'd. (Speght, p.13)

The emphasis is placed on the idea that Adam and Eve both ate, and 'joyntly' sinned, a joint act balanced in the first caesural line; yet the concern of blame is not dwelt upon. Because of their one act, made almost insignificant by the economy of Speght's language, God withdrew the covenant he made with them. The metaphors are shocking, as is the concept of death as the wages of their 'fact' (the 'wages of sinne' image is taken from Romans 6.23). The couplet which concludes the stanza above is the poet's rationalisation for the existence of mortality. There are no other reasons or explanations offered; the Genesis story held the answers, and Speght, rather than offering a lengthy and involved exegesis, instead condensed, simplified and clarified the text. The word 'mortalitie' is given life, just as Milton's character 'Death' felt the stirrings of life and strength within him at the moment of God's condemnation. Speght's monstrous creation is a creature that can devour humans and their offspring, simply because of God's displeasure. These deadly children of Milton and Speght needed little reason to exist. Theirs was an existence based on destruction, as indiscriminate, amoral forces of death.

Speght did begin to offer hope, but it was a hope that had to come after mortality had struck the human body, after death:

In *Adam all men die*, not one that's free
From that condition we from him derive,
By sinne *Death* entred, and began to raigne,
But yet in *Christ shall all be made alive*.
Who did triumph o're sinne, o're *Death*, and hell,
That all his chosen may in glorie dwell. (Speght, p.13)

Again, the continuity of the mortal line back to Adam is stressed in the first two lines; death is Adam's inheritance which is passed on to all his descendants. Speght's words 'but yet' signal that she as an author was privileged to other knowledge, and could offer the hope that triumph over conquering death was available to all, through the equality and inevitability of its toll.

Speght's poetic reconstruction of the Genesis story, as suggested, allowed her to explore the processes and ideas of death more freely (despite constant reference back to the touchstone text of the Bible). Her primary concerns were to create a personal and familial explanation of death's work triggered by her mother's death; when the reader finally entered *Mortalities Memorandum*, he or she discovered that Speght spoke as an authority figure. Speght offered a forthright and persuasive rhetorical argument that the reader must heed death and constantly acknowledge its presence, and therefore as a woman in early modern society she effectively transgressed boundaries of silence and public exposure.

Considering then *Jehovahs* just decree,
That man shall surely taste of *Death* through sinne,
I much lament, when as I mete in minde,
The dying state securely men live in;
Excluding from their memories that day,
When they from thence by *Death* must passe away. (Speght, p.14)

The authority in this voice came from her use of 'I', rare in the text until this point. It became her personal project to lament for all men's ignorance of death, and the phrase

‘when as I mete in minde’ suggested that the author had a wide and varied circle of acquaintances; this defied a reader’s expectation of a woman’s circle of knowledge and authority in the seventeenth century. However, Speght had created this ‘I’ as a voice, as a persona, through her legitimate and careful framing of the allegorical dream and poetic reworking of the Creation story. Here was the real achievement of her text, to display didacticism, experience and knowledge, and to provide an advice book on death.

Speght outlined the three kinds of death which she had discovered in scripture: death in sin, death to sin, and death by sin. A sinful death, where the wicked man ‘lives to the world, and daily dies to God’, is a result of ignorance, yet ‘Corp’rall Death’ is the leveller of all aspects of humanity:

*A Corp’rall Death is common unto all,
To young, and old, to godly and unjust;
The Prince, that swaves the scepter of a Realme,
Must with his Subjects turne by Death to dust.
This is the period of all Adam’s lyne,
Which Epilogue of life I thus define. (Speght, p.15)*

She returned to Genesis, and specifically to Genesis 3, verses 15 to 19, in order to provide hope after her lesson of despair, and the focus was on woman as a harbinger of this hope:

*Death was at first inflicted as a curse,
But Womans Seede hath brooke the Serpents head,
His bitter Death for us hath gained life,
His agonie hath freed his owne from dread.
Death is that guest the godly wish to see
For when it comes, their troubles ended be. (Speght, p.15)*

It was Eve’s, and woman’s procreative power that defied the power of death.

Woman’s very first legacy was the power of life, and it was Eve’s legacy, not sin but hope and redemption, which gave women alternative means of inheritance provision.

‘Death’ offered man a chance of another birth, this time into hope:

By *Death* we secondly delivered are,
From future sorrowes, and calamities. (Speght, p.17)

Her chief text in this section of her poem, through to the conclusion, was that death's approach is uncertain, but omnipresent, and that the reader, like the wise virgins in Matthew 25, should be ready for the coming of the bridegroom.

Even though the texts under consideration ultimately had a public role, it will become increasingly obvious that religion was used by these writers for the more secular concerns of writing and tradition. This is not to say that the women were not religious; yet religion and biblical text created the belief systems and discourses through which women could offer themselves as writers, quietly or in a disruptive way, as serious contributors to the literary market. Barbara Lewalski suggests that by offering her writing in this sanctioned context of Christian instruction, Speght 'may also have been aware of the large middle-class market for all sorts of books on piety, devotion, and self-analysis'; as Lewalski also highlights, Speght's intentions may have been governed by financial possibilities to be made by exploiting that same market.⁴⁰

Speght, Sutcliffe and Hayward re-appropriated the Genesis tale in poetic terms. The Bible supplied an idiom in which women could discuss and relate the philosophical issues of textual transmission and the question of mortality. Sutcliffe's *Meditations of Mans Mortalitie* was also a religiously didactic text, and is the most overt text in this purpose amongst the three under consideration. The main parts of this volume, a mixture of prose and verse, were very much concerned with questions of mortality and faith. The text was produced from within the Caroline court, and was dedicated to 'the most Illustrious and Gracious Princesse, Katherine Dutchesse of

⁴⁰ Lewalski, p.170.

Buckingham’, and to ‘Susanna, Countesse of Denbeigh’ (Sutcliffe, A3-A3v).⁴¹ Sutcliffe begged that her ‘mite’ may be presented to the ‘princess’ in place of frankincense, ‘where first, I most humbly crave of You to passe a favourable *Censure* of my proceedings, it beeing, I know not usuall for a *Woman* to doe such things’ (Sutcliffe, A4v). The fact that Sutcliffe showed a desire to avoid censure is reinforced by her claim that the critical and public acceptance of female authorship was rare. She wrote that ‘out of the mouthes of Babes and Sucklings, thou shalt perfect Praise’, adhering to the image of herself as an ‘innocent’ mouthpiece for the legacy, and wrote that she would run to her female patrons for refuge in the face of criticism (Sutcliffe, A5). When Sutcliffe wrote that the Countess had been more than a mother to her than her own had been, there are implications that patronage, although it may have played a part in publication, was combined with the personal and intimate language of family. Ben Jonson apparently found her work edifying, writing in a dedication to her life and work:

When I had read
your holy Meditations,
And in them view’d
th’uncertainty of Life.

(Ben Jonson, ‘To Mrs. Alice Sutcliffe, on her divine Meditations’, Sutcliffe, A4v)

Yet it was the prefatory material which indicated that the purpose of this work was that of the provision of an inheritance, a legacy primarily left to a small audience, to be opened up to a larger one according to the whims of the dedicatees. Her text was framed by verses dedicated to her at the beginning of her text, including Jonson’s; she was addressed as an author who, despite her sex, could offer and contribute a great deal to her reader. Despite woman’s ‘reputation’ that stemmed from Eve as the first temptress, one anonymous contributor generously admitted that not all women were

⁴¹ The Countess was a patron of the arts, and Thomas Crashaw was one of her beneficiaries.

‘syrens’ (Sutcliffe, A4v). In this textual ‘glasse’ of mortality, Sutcliffe was claimed to have proved:

That knowledge, which
a Womans skill can bring.
All are not Syren-notes
that women sing.
How true that Sexe can write,
how grave, how well. (Sutcliffe, D2)

Sutcliffe herself admitted that her topic was ‘not altogether Pleasing’ in her letter to the ‘Gracious Princess’. Indeed, Sutcliffe appeared to show an awareness of the literary market, even though her final message was a spiritual one:

I have chosen a *Subject* not altogether *Pleasing*; but my ayme is, that it may prove *Profitable*, having observed in this short course of my Pilgrimage, how apt *Man* is, not to thinke of his *Mortalitie*, which stealeth upon him as a *Thiefe in the night*: Experience teacheth mee, that there is no *Action* wisely undertaken, whereof the *End* is not fore-casted. (Sutcliffe, A5-A5v)

Whether this was written as an apology to an open readership, or as an opening for a request of patronage is debatable. Her experience, in the course of this text, was therefore elevated to great importance; her legacy would prove to be profitable, and the relation of her pilgrimage to her reader’s life could inspire thought, and allow the reader to dwell upon the idea of mortality. The first part of Sutcliffe’s work is in prose, and consists of meditations and explorations of scripture, particularly the Psalms. She, like Speght, offered an explanation of the source of death through a poetic rendering of Genesis. This was introduced by a summary of I Corinthians, 15, which states that our loss through Adam can be regained through Christ:

The first *Adam* was made a living Soule, the second *Adam* a quickning Spirit;
For as in Adam wee all dye, so in Christ, shall all be made alive.
(Sutcliffe, p.141)

This introduction allowed Sutcliffe to bypass unnecessary poetic rendering of the beginning of the Creation myth, and enter at the most vital point for her discussion of mortality, the point of God’s judgement:

God by his Wisedame,
and all-seeing Pow'r
Ordained Man
unto Eternitie,
Sathan through malice,
turnes that sweet to sowre,
Man eating the forbidden Fruit
must Die:
No remedy was left
to scape this Curse,
The sore still looked on
became the worse. (Sutcliffe, pp.141-142)

The beneficial God is compared to the jealous Satan, and his whims and emotions, exposed as petty by the simple doggerel of this verse, could make the difference between eternity and mortality for man. Mankind had been given eternity, yet that 'sweet' can be turned 'sowre' in a moment. The causality of the biblical narrative is here condensed. The communication of this idea did not need full explanation or annotation; the idea and myth was so well-planted in the mind of her reader that Sutcliffe could dispense with detail. The origins, or even more specifically, the conception of death was her concern. The event of Man eating the forbidden fruit was directly linked to and created the effect of death: he 'must Die'.

Unlike Speght's balanced interpretation of the source of blame for the Fall, Sutcliffe allowed no such poetic prevarication. Eve was firmly and clearly to blame for death's conception, and the equality of man and woman could only be achieved in death itself:

Wicked woman
to cause thy husband dye,
'Tis not saying,
the Serpent thee deciev'd,
That can excuse the fault
thou didst commit;
For all of Joyes
thou hast thy selfe bereav'd,
And by thy Conscience
thou dost stand convict.
Thy husband not alone

the fault must rue,
A punishment for sinne
to thee is due.

For as thou now conceives
thy seed in sinne,
So in great sorrow
thou must bring it forth,
The gaine which thou
by that same fruit didst winne,
Thou now dost find
to bee but little worth:
Obedience to thy Husband
yeeld thou must,
And both must Dye
and turned be to Dust. (Sutcliffe, pp.144-146)

Her indictment of Eve was unforgiving, as can be seen from the lines ‘His Wife from that obedience / soone him drew’ and ‘Wicked woman / to cause thy husband dye’ (Sutcliffe, p.144). Here Sutcliffe’s poetic persona bluntly points the finger of blame at Eve, not Satan: the power of childbirth is cancelled out by the pain of punishment for sin. This would appear to be an ironic condemnation of women, including herself, as the source of sin, as well as the source of life and of the lineage of humanity. Here the punning on the word ‘conceives’, ‘for as thou now conceives, / thy seed in sinne’, equates the beginning of life with the birth of agonies and death. There is no hint of the hope promised here for mankind; this birth of familial lineage is both pessimistic and candid.

What was Sutcliffe’s reason for this particular interpretation, especially as this work was dedicated to female patrons and to a female readership who would inherit her literary endeavours? The prefatory poem by her editor had of course initially stated that women’s interpretation of knowledge could be skilful and could help to prove that women were not mere temptresses, as he praised ‘That knowledge, which / A Woman’s skill can bring’ (Sutcliffe, A6). Sutcliffe’s later unapologetic adherence to the (predominantly male) traditional view of Eve as the primary sinner can be

contrasted with other women writers' apologies for Eve commonly found in defences of women, particularly Aemilia Lanyer's *Salve Deus Rex Judæorum* (1611) and Speght's *A Mouzell for Melastomus* (1617). In fact, Sutcliffe's attitude resembled the views of Swetnam, who argued that Eve, 'by her aspiring minde and wanton will [...] quickly procured man's fall'.⁴² In Lanyer's text, which incorporates 'Eve's Apologie', Eve was absolved of evil intention at the time of the Fall, and the serpent firmly took the blame:

Our Mother *Eve*, who tasted of the Tree,
Giving to *Adam* what she held most deare,
Was simply good, and had no powre to see,
The after-comming harme did not appeare:
The subtile Serpent that our Sex betraide,
Before our fall so sure a plot had laide.⁴³

Sutcliffe, though, could have been issuing a condemnation of Eve in order to ironically comment on the lengths that women had to go to reach the point which she herself was now able to enjoy, that of publication and public discourse combined with biblical interpretation. As will be demonstrated, she offered a call for women's unity in the face of adversity. It is in contrast to women's previous social, literary and biblical position as sinners.

After Sutcliffe's attack on 'wicked woman', presumably indicating all women, the use of the pronoun 'you', the addressee of Sutcliffe's text, is interestingly ambiguous. It addressed Eve's successors and even incorporated the reader in scatological terms:

You were immortall,
but are mortall made;
You were created pure,
but now are vilde;

⁴² Joseph Swetnam's *Araignment of Lewd, Idle, Froward and Unconstant Women* (London, 1615), quoted in Francis Utley, *The Crooked Rib: An Analytical Index to the Argument About Women in English and Scots Literature to the End of the Year 1568* (Columbus: Ohio State University, 1944), p.82.

⁴³ Aemilia Lanyer, *Salve Deus Rex Judæorum* (London, 1611), D1.

Your splendand Glories,
turned all to shade;
Your Innocence
the Devill hath beguilde:
You were created
Children of the Lord,
But now are loathsome Dung,
to be abborr'd. (Sutcliffe, p.149)

Even though Eve's innocence is acknowledged, even this is to blame for the Fall, as it was Eve who beguiled the Devil. The subject of the previous text had been Eve and her wickedness, and the volume is dedicated initially to women of high status. So in fact was Sutcliffe's future reader implicitly a female one? The following extract would indicate that 'you' is a female audience, and includes the author in this struggle to recover the reputation that has been lost:

Which way, can you
recover this your losse?
What friend have you,
that will this great debt pay?
Can you gaine, pure gold
from filthy drosse?
[...]
No, you are in
a laborinth of woe,
And endlesse is the maze
in which you goe. (Sutcliffe, p.149-150)

It is possible to identify the gender of the addressee, as the blame for the loss has been placed directly in the hands of Eve by Sutcliffe, but her *memento mori* which follows her questions again brings the project a sense of purpose and reality; her purpose is a religious one as well as a public display of women's intelligence. Her following verse, which echoes Speght's acknowledgement of women's power of procreation to reverse the curse, further emphasised the concept that the 'you' she referred to was female, was Eve:

Yet courage Woman,
whose weake spirit's dead,
God in his love

a helpe for thee hath found,
Bee sure thy seed
shall bruise the Serpents head,
Christ by his Death
shall Sathan deadly wound. (Sutcliffe, p.150)

All of this appears to be an odd legacy of condemnation to leave for a female audience from a woman author, but there is the call for Eve's and all women's courage here. It is through women's own maternal power to reproduce and to create a less sinful lineage that the serpent can be defeated. Eve's own descendants have the potential to fight evil. The legacies which Speght, Sutcliffe and Hayward committed to the written word were, they suggested, about mortality, about conclusions and endings. But the subject matter which they used to interpret these problems concerned beginnings and genesis. It was, however, the beginning of sin, the birth of death that fascinated these writers coming to terms with the question of an omnipresent sense of mortality. The interpretation of Genesis provided answers to this birth, and to the role of the woman in the history of mortality, sin and death. The very fact that these writers appropriated the inherent absolute truth of the Bible showed that they were willing to enter the Christian tradition of biblical interpretation, and make it into a female-authored inheritance which could be left to other women. This was achieved by interpreting it in terms relevant to their own social and intellectual environment.

Sutcliffe was aware that many of her readers expected not only interpretation but also a strong point of view, and a determined voice in the face of debate. Ironically, and despite the fact that Sutcliffe had acknowledged her position in the hierarchy of seventeenth-century power and patronage through her humble address at the beginning of the book, she wrote and spoke with godly authority, and by using biblical text she could admonish and forgive the female sex as if, as an author, she was external to the boundaries of this weaker sex. Yet the implied female reader may

also participate in this authority, and indeed is instructed to appreciate her sex as giving her the experience and the ability to be critical of her own kind. This is also a worthy lesson to be provided for future generations of women readers and writers, and her legacy provides a valuable contribution as literary inheritance to the seventeenth-century marketplace.

The remainder of Sutcliffe's book moves away from gender specific religious lessons to become a fairly ordinary and mechanical reworking of the 'good death' genre, with warnings and lessons about sin and the dangers of not being spiritually prepared for the judgement day. Yet the author briefly returned to the topic of Eve at this later point apparently in order to defend her against complete blame for all of mankind's sins. Eve's major sin of pride, a 'lep'rous sinne' (Speght, p.161), infected her blood and that of her offspring, but what was once a gendered sin could be seen to be unsexed:

'Twas Pride, made Eve
desire still to excell;
When Sathan said,
as Gods, you then shall be;
Incontinent, she tasted
of that Tree.
This Lep'rous sinne,
infected so the bloud,
That through her off-spring,
it hath wholly runne;
Before the child can know,
the bad from good;
It straight is proud,
Nature, this hurt hath done
A female sinne,
it counted was to be,
But now Hermaphrodite,
proved is shee. (Sutcliffe, p.160-161)

This poetic interpretation makes a difference to her initial and apparent condemnation of women, opening up the debate again. Adam's sin, that of disobedience, was also explored:

By Adams breaking
Gods commanded Law;
Sinne with a poysned dart
our souls did kill:
For through the breach thereof
there entred death. (Sutcliffe, p.167)

The former exclusive anger levelled at Eve was soothed, and the energy of her remaining text, of her legacy, was to act as a remainder of her knowledge and a reminder of the death to come. As the address to the reader becomes more intimate, even if that relationship is a complex one, the text progresses towards a more assured self-awareness and contains direct written instructions of its own purpose and place in the literary marketplace.

Carol Barash has made a case for the increasing political awareness of women writers and poets after the execution of Charles I in 1649, noting ‘their emerging sense of the links between political and literary communities, and their claims for a specifically female linguistic authority’.⁴⁴ Amey Hayward’s text for example was explicit in its purpose, and its very title *The Females Legacy. Containing, Divine Poems On Several Choice Subjects* provided strong and clear design for a public inheritance. This was a woman’s universal literary inheritance, provided by a female author. On a wider and certainly more public scale her work was ‘commended’ on the title page to all ‘Godly Women’, and even to the whole of ‘Female-Sex’ (Hayward, A1, A3v). The process of inheritance from father to eldest son, involving wealth and property, was transformed into a legacy of advice from women to all other women, including family members; many of these family members themselves lived with gender restrictions of early modern England, surrounded by interpretations of the curse of Eve’s transgression in the tale of Creation.

⁴⁴ Carol Barash, *English Women’s Poetry 1649-1714: Politics, Community, and Linguistic Authority* (Oxford: Clarendon Press, 1996), p.1.

Poetic utterance as a form of legacy was taken to new areas by Hayward.

Little is known of this author (the title page tells the reader that she is 'Mrs. Amey Hayward Of Limmington' (Hayward, A1)), but as a Christian woman writing at the end of the century, she showed great knowledge and awareness of the preceding genres of exegeses, debates and legacies. Her text itself displays timidity and apologies, as is common amongst male and female authors of the period. Like Speght, she acknowledged the future criticism which her work would inevitably face, particularly in respect of her 'weak' sex, which the poem 'The Author on her weak Poems' suggested:

Go, little Book, and take thy Rounds,
And if thou meet'st with Angry Frowns,
Then Blame thy Author, and her Quill,
For having of so little Skill.

But do not Blame her over much,
Because that she is one of such
Which counted is the weaker Sex,
And wanteth Skill thee to correct
Kind Reader, though these Lines are few,
I pray do not them scorn to view. (Hayward, A3v)

Despite the struggle which her predecessors had faced in accessing a male dominated market of writing, Hayward's legacy was ostensibly a modest one, which acknowledged the reader as the receiver of the legacy, but also as the controller of its content. The study of religion, even in terms of transforming such a study into 'goods' and inheritance, allowed Hayward, and the other writers under consideration, a particular way through the circumscribed role of subservience and silence, and even when subject to surveillance, sanctions the composition of a public self. Hayward did not use explicit biblical reinterpretation to legitimise her work, but instead created a poetic and entertaining dialogue between 'death' and a 'sinner' in order to dramatise her lesson on mortality. However, the importance of this legacy is that it is a woman's

legacy; women are addressed explicitly, more explicitly and confidently than has been seen in the writing of Speght or Sutcliffe. Women's exclusion from the processes of inheritance was cross-generational: women were barred from access to will-making unless widows or unmarried women of property, and daughters were by-passed by the common law system of primogeniture. Hayward's audience, her women, were openly written to, as patrons and addressees, and the dialogue between the author and her female readership was constantly refreshed throughout the volume, as can be seen in this extract from the poem 'A Word of Advice to the Female Sex':

Come, Female-Sex, and Labour now apace,
And do not spend away your Day of Grace:
Our Souls let's value at a higher Rate,
And look about us, e'er it be too late. (Hayward, A3v)

Death was used as the impetus and excuse for this goading to action rather than submission, as 'We know not when to us Death will draw near' (Hayward, A4). In a similar manner to Sutcliffe, Hayward took the often repeated images of a cropped flower and a fragile bubble to emphasise the fragility of life, a fragility which again allowed, in the spirit of *carpe diem*, an excuse for authorship. For example, her poem 'A Meditation Composed into a Hymn of Mortality' includes the image, 'Man's Life it like a Shaddow is / that soon away doth fly' (Hayward, p.89), and imagery of flesh's mortality:

Our mould'ring Bodies well they may
be termed to a Flower,
Which in the Morning's fresh and gay,
and cropt within an Hour. (Hayward, p.90)

The legacy addresses the question of blame and the burden of Eve, itself a debilitating legacy left behind for all women. 'The Females Legacy' is itself the first poem of the volume, introduced as 'A Meditation on *Adam* in Paradiice, and Fallen' (Hayward, p.1). This is perhaps the most unusual re-visioning of Genesis; where the

other women authors under consideration utilised Genesis for defence or attack of the figure of Eve, Hayward deliberately excluded Eve from Paradise and as a participant in Adam's fall:

The Scripture doth declare to us,
the Mercy, Love and Grace,
That God from all Eternity
upon mankind did place.

Adam he made a little lower
than Angels in degree,
And also gave to him a power,
with great Felicity.

[...]

And when the Lord did *Adam* place
in Paradise upright,
Oh then the Devil he did rage,
with all his wrath and spight.

[...]

At length into his wicked Claws
he got this famous Creature,
And made for him to break the Laws
of his own Precious maker.

And when that he had broke the Law
of his most blessed Guide,
Oh then he soon did run away,
and from the Lord did hide. (Hayward, pp.1-2)

This simplified tale, it could be argued, exonerates Eve through her very absence from the drama. Here the blame lays clearly with the Devil, and it is Adam who is the law-breaker and experiences the shame of his transgressive sin. Hayward's Adam is the prime son, inheritor of God's love and power, but like an errant child, or like the prodigal sons of early modern drama that will be studied in chapter five of this thesis, he breaks patriarchal law and must face punishment.

The progress through the poems in the volume enlightens us to Hayward's progressive rhetorical debate. She wrote numerous poetic dialogues between the figure of 'Sinner' and 'Moses', 'Christ' and 'God', and eventually moved her attention to female characters in the Bible, specifically to the parable of the 'Virgins

and the Bridegrooms'. She addressed the majority of her final poems to women. In her poem 'Word by way of Caution to the Female-Sex' for example she admonishes women for taking the burden of guilt of the Fall of mankind upon themselves:

Ye Female-Sex, do you believe,
when first the World began,
That God immortal Souls did give
to you, as well as Man?

Do you believe that God did make
both sex upright to stand?
Do you believe that both did break
God's great and strict command?

If so, then how can we expect
favour with God to find,
If that we do his Word reject,
and cast it out of mind? (Hayward, p.91)

The simplicity and equality of this view is both persuasive and believable, despite following many bitter public debates and textual discussions, often accompanied by emotional discourse, on the blame which should be levelled at the sins of Adam and Eve. It also presupposes that if women view themselves as the primary sinners then they have no hope of equal salvation in God's eyes, 'do you imagine to escape/ or that you shall go clear?' (Hayward, p.91).

Her final poetic dialogue is 'A Dialogue between the Word of God and Careless-Women' and is a witty religious inversion of the *carpe diem* genre. Where poets such as Andrew Marvell and Robert Herrick used the debate of time and fading youth and beauty to persuade women to part with virginity, Hayward twists the topic to press for female awareness and preparation for judgement:

WORD Rise up, ye *Careless-women* which doth sit at ease,
Before the World too much upon you seize:
Ye careless Daughters, it is now high time
To Labour after things which are divine;
Because Death follows you even at the heel,
And will e'er long make you his lashes feel:
CARELESS-WOMEN But we are Young, and Brisk, and in our Prime,

And we perhaps may live a longer time,
Some of the World's Happiness for to have,
Before we do go down into the Grave. (Hayward, p.92)

The 'Careless-women' then go on to state their primary concerns are domestic in nature; families, husbands and children, as well as the household must come first, as they state 'we are them which are the weaker Sex', to which the 'Word' replies:

WORD This will you not excuse another Day;
Does not the Scripture to you plainly say,
A Woman she was in the first Transgression,
And so brought guilt upon the whole Creation?
[...]
These be the Women Heaven shall possess.
[...]
And that will make you more to shun all Vice,
And long to be made Heirs of Paradise. (Hayward, pp.93-94)

Here was the final acknowledgement of women's role in the Genesis story, even though it is admitted that these very heirs of the legacy of guilt will now themselves be made 'Heirs of Paradise'. In this female dialogue, sin is instantaneously balanced by the hope of salvation; women are finally acknowledged to be the legitimate heirs of paradise, and as participants in the religious inheritance of heaven. Hayward's work is a legacy which challenges preconceived notions of gender roles. It was ultimately not a just a legacy of poetry but an overt legacy which recognised the need to leave behind experience and knowledge to a specifically targeted female audience. Near the conclusion the volume was again dedicated to all women:

Virgins and Wives, I write these Lines to you
In Christian-love, and so Farewell, Adieu.
Your Soul's Well-wisher,
Amey Hayward. (Hayward, p.91)

The women authors in this chapter used the questions raised in Genesis concerning the nature of death, and the origins of sin, to enter into a wider discussion of mortality, to enter the familial sphere of inheritance provision, and into the public sphere of authorship. In order to do this they used the concept of the legacy combined

with scriptural interpretation. Genesis provided a model of the primary elements of family, including gender role, hierarchy, and inheritance; the inheritance of sin was certainly a female legacy according to many male and even female authors, and it was this legacy which the women of this chapter appropriated and challenged. The study of religion could have secular implications and benefits, as when women used religious writings to provide lessons which transformed such studies into popular texts; it allowed women a particular way out of the circumscribed role of subservience and silence. Simon Shepherd has argued that because of the emphasis on teaching in Puritan households particularly, and the stress on ‘participation by all ranks’, these factors led ‘potentially to the disruption of traditional obedience’, particularly in these cases, by women.⁴⁵ Phyllis Mack has similarly noted, in a study of women prophets in the mid-seventeenth century, that religion ironically could free women’s roles: ‘Perhaps more than any other arena of social activity, the practice of religion offered the individual temporary liberation from rigid gender roles’.⁴⁶ However, she denies the more practical, worldly and intimate relationships that women could have with religion in daily life, which Shepherd highlights as the most important aspect of his study. The texts in the genre under consideration here have proved that women did utilise the customary and daily aspect of their roles in domestic religion in order to act in a subversive way and enter the voluble world of inheritance and publication.

Speght, Sutcliffe and Hayward did not write versions of Genesis merely as a way to review women’s role within the Creation story, although that was a vital part of the process. Neither were their writings concerned only with theological exegesis. They utilised biblical interpretation, in a variety of ways, in order that ‘secular’ concerns of women, and women writers, could be addressed. These works were by

⁴⁵ Shepherd, p.60.

⁴⁶ Mack, p.49.

women disallowed from participating overtly in publishing, but who were also excluded from inheritance procedures (unless widows), and who therefore wrote elegies, remembrances, and sobering thoughts of death under biblical themes. Wendy Wall in her study *The Imprint of Gender* suggests that ‘women writers both created new genres and gestures to counter Petrarchan representations of power’; she looks at Amelia Lanyer’s use of the Passion, ‘a topic popular with male Protestant writers’, and how Lanyer utilised biblical language to ‘register her own peculiar predicament as a writer’.⁴⁷ Therefore it is clear that other agendas must be uncovered in reading these Renaissance texts. It has been demonstrated that the use of this particular genre by women across the century highlighted increased awareness of the texts’ relationship with gender and readership; whilst even Hayward demonstrated mock humbleness and piety, the authors were always aware of the world their books commented upon, and that their own work would be subject to surveillance and criticism.

In order to work within the barriers of a socially and gender confined society, and one that marginalised women from being able to produce legitimate wills or legacies within the constructs of family inheritance, Speght, Hayward and Sutcliffe presented textual legacies to be left to a clearly defined readership. As well as using the traditions of religious interpretation, they also used the links of female patronage and of intimate and domestic relationships with family members to present themselves as valid authors and their legacies as marketable texts. Therefore these writings were not concerned with private utterances of grief or with familial remembrances of the dead, but were instead concerned with legitimising access to writing and meditating on mortality, through the means of dedication, personal and

⁴⁷ Wendy Wall, *The Imprint of Gender: Authorship and Publication in the English Renaissance* (Ithaca: Cornell University Press, 1993), pp.282-283. This is a similar argument to that of Kroniris.

local 'inspiration' (for example, the death of a relative). This was also achieved through rewriting of the Genesis story, particularly the conception of sin and death, in which a woman played the vital role, to be passed on as a legacy to the reader. The relationships between the key figures in these claims to authority in writing, between writing subject, addressee, and implied reader, formed the access to transmission, and the roles of each of these were here played by women.

‘will’ or volition of the parent is carried out beyond death through the text of the will, here not in terms of property or goods, but in terms of control. Far from distributing wealth or power, the will as presented in Shakespeare’s play preserves the dead father at the centre of familial authority, as the absent patriarch continuously circumscribed the behaviour and choices of the daughter. We have examined in previous chapters how legacies and elegies indicated parental concerns over a continuing role in family control beyond the grave, but so far the voices of children in response to emotive and moral strictures have been absent.

This chapter therefore examines the impact that the paternal last will and testament could have on the seventeenth-century family, particularly on daughters. Ironically through common law sole daughters could have been in a powerful position as heiresses in the early modern period, but of course through coverture in marriage in *The Merchant of Venice*, and through a paternal will which ran contrary to both common law and the inclusion of an ancient entail in the case of Lady Anne Clifford, this power was exposed as temporary and fragile. Power and ownership is sacrificed by the character of Portia in her marriage choice, and is only gained by Anne Clifford after many years and after the death of all other male heirs. By comparing the subject of inheritance as portrayed in one Shakespeare play with the texts of Lady Anne Clifford, one can compare different notions of daughters and their role in inheritance practice. A close reading of the play confirms the commonplace idea of women’s passivity as daughters and wives in relation to wills: Portia’s behaviour and actions are dictated by her father’s instructions. An examination of the diaries and records produced by Clifford presents an inspired legal and textual testament to one woman’s stand against her father’s and society’s received notions of behaviour, when exiled from what she believed to be her rightful inheritance. In the early modern period wills

in general held great influence over families when the testator was living, and then when he or she died, wills exerted even greater authority. In comparison with the fictional constructs of *The Merchant of Venice*, the real legal wrangles over a seventeenth-century will and estate of the Clifford inheritance also provide a clear example of a father asserting authority and power beyond the grave.

Anne Clifford was the sole female heir of the Clifford family, but was passed over by her father's will, and preference was given to her father's brother and his male heirs. However, she defied being 'curb'd by the will of a dead father' as Portia appeared to be (I.2.24). Clifford's diary is a fascinating example of a daughter's challenge to the processing of a will, and she provided the diaries and 'Great Books' as a legacy, as her version of a will for her own children. Her exclusion from inheritance, enforced by her father and then her husband were powerful forces behind the production of the diary. Clifford's diary 'self' was created through the negative reactions to disempowerment.

Can Portia's submission to her father's will and Clifford's diary records of her challenge to the instructions of her father's testament prove useful as textual analyses of inheritance? How can different generic conventions be used to examine social and personal interpretations of the daughter's position in the family and inheritance? If they are to be used in this way they also display the problematic nature of examining female succession in the beginnings of the seventeenth century. The two ostensibly disparate genres demonstrate similar general attitudes to inheritance, but give very different pictures of reactions to the influences of fathers' wills on daughters. In chapter three the generic conventions of biblical exegesis were examined and questioned in order to highlight the link between women's increasingly confident use of Genesis to explore their relationship with both the literary

marketplace and their role in inheritance processes. The personae of the poems, dialogues and prose narratives which dominated these interpretations of mankind's very beginnings proved the closeness of fiction and reality. The genre of dramatic writing is apparently far removed from that of diary-writing; initial comparisons suggest that while early modern drama was a public art, influenced by either patron, censorship or the play-going audience and performed on the public stage, the diary was a space for private, inter-familial domestic or religious contemplation, and was not apparently written for public view or publication. The addressee of the diary might have been a family member, or even the self; plays were rarely produced without economic considerations of public tastes and whims, even if subversive challenges to public authority were played within the lines. As Francis Barker states when he begins his textual analysis of Samuel Pepys's diaries, 'the scene of writing and of reading, is, like the grave, a private place'.² But can Clifford's diary really be considered private? Does the diary form allow the modern reader to hear an authentic woman's voice and her opinions on her exclusion from her inheritance, as opposed to the fictional discourse of a 'woman' disclosing her powerless role in her father's plans in drama? *The Merchant of Venice* was written by a man providing the entertaining analysis of a woman's reactions ultimately through a disguised male actor's interpretations. The diary was the autobiographical voice of a woman retrospectively recording the struggle against court and public opinion to produce the account of her public and private dissension and loneliness. Both, however, are discourses concerned with female exclusion from the power mechanisms of inheritance, and have to represent a daughter's passive and active responses to their circumscribed lives. Women in the seventeenth century shaped their selves and lives from cultural

² Francis Barker, *The Tremulous Private Body: Essays on Subjection* (London: Methuen, 1984), p.3.

practices that confined their subjectivity. Writing about eighteenth-century diary writing, Felicity Nussbaum states:

Though even secret writing cannot escape its intersections with social relations, private writing in eighteenth-century England was often an attempt to find words without masters, to speak 'outside' familiar discourses.³

Similarly, David Cressy calls into question the coherence of the categories of 'public' and 'private' in examining women's lives in the seventeenth century, suggesting that 'all life was public in early modern England, or at least had public, social, or communal dimensions'.⁴ What does Clifford's aristocratic diary tell us about the nature of women's responses to wills? Was it unusual in this respect? As will be seen later in the chapter, Clifford's writing, despite at many points adhering to the conventions of private diary writing, did indeed speak outside of the genre of the diary; beyond religious confession, domestic concerns and a record of the private self, Clifford's work addressed itself to the generic conventions of legacy production. It recorded an aristocratic familial dispute made as public and as interesting as any early modern theatrical piece.

The importance of the will in seventeenth-century England and as seen in both genres of play and diary was vital, even though in many ways it was a limited document. This is true in the sense that it was not always the actual wording of the will that created discord, instead it was the unwritten discourses, traditions, and expectations surrounding the production and execution of it. These surrounding discourses can dramatically demonstrate the various positions of women in the law of inheritance. *The Merchant of Venice* is an early modern dramatic treatment of an

³ Felicity A. Nussbaum, 'Eighteenth-Century Women's Autobiographical Commonplaces', in *The Private Self: Theory and Practice of Women's Autobiographical Writings*, ed. by Shari Benstock (London: Routledge, 1988), pp.147-171 (p.156).

⁴ David Cressy, 'Response: Private Lives, Public Performance, and Rites of Passage', in *Attending to Women in Early Modern England*, ed. by Betty S. Travitsky and Adele F. Seeff (Newark: University of Delaware Press, 1994), pp.187-197 (p.187).

aristocratic daughter whose life is dominated by her father's legacy, and Anne Clifford's writing allows the historian to investigate the real textual treatment of the rebellion of a daughter against such boundaries; these writings in turn were a legacy for her own future generations. However, it is not just the will of the father that will be examined here, as through the system of dowries, marriage, and ownership, the husband's demands are also relevant to both Portia and Lady Anne Clifford. Shakespeare's character gives herself up to the ownership of her husband, so that even as the 'triumph' of her succession is achieved, this is bound up with her husband's winning of both the girl and the fortune. Anne Clifford, however, did not concede to either of her husbands' demands, and in fighting for her own female place in the hierarchy of her family often engaged with, but never fully accepted, her first husband's attempt at familial control. The Earl of Dorset, as we shall see, was represented as weak, manipulative, and of questionable morals in her writing, and this is another element of her testament for surviving generations. The paternal figures in her family were undermined by her portrayals while her own records of her mother and of herself prioritised female generational history.

Her own records could either enforce patriarchal authority or disrupt that authority. The transmission of moveable goods and land, reliant on the single text of a will, was left vulnerable to contestation; debts could also be bequeathed, and wills could be falsified. Conflicts could therefore arise from contesting a will, especially from a child's challenge to a parent's authority, and even more significantly a daughter's challenge to a father. Women as wives or daughters were often left outside of the scope of inheritance, wives because they were not descendants and could not own property in their own right, and daughters because sons were prioritised both

through systems of primogeniture and other customs of land transference.⁵ This apparent powerlessness was not necessarily accepted without challenge or comment in literature or in personal accounts, as will be seen in the two texts. Such conflicts are then to be examined through the text of *The Merchant of Venice*, and through personal account in the form of Lady Anne Clifford's diary.

Wills provided wealth and power, and traditionally could provide continuity in the family line by investing power in the hands of the eldest son. However, a lack of sons in a family could create doubt over the continuation of family name and power. In sixteenth-century England, women's succession and inheritance of power had been thrown into public debate and literary and political analysis by the accession of two female monarchs, Mary and Elizabeth Tudor. John Knox's bitter attack on Mary's (and any woman's) right to rule, the *First Blast of the Trumpet Against the Monstrous Regiment of Women* (1558), was on closer examination a greater attack on Catholicism than on women's right to inherit power.⁶ The ideological issues of women's positions of power were opened up for public scrutiny, albeit at a royal level. Within the family, even an aristocratic family, inheritance procedures would be structured according to the testator's desire, and a daughter's rights were rarely defended or attacked as openly as a monarch's. Yet the infamous legal wrangles over the Clifford estate caused both personal and court embarrassment.⁷

In the comparison of the two as relevant documents which represent women's struggle in inheritance it is now essential to present Shakespeare's play as an

⁵ J.H. Baker, *An Introduction to English Legal History*, 3rd edn (London: Butterworth, 1990), pp.308-309.

⁶ John Knox, *The Political Writings of John Knox: The First Blast of the Trumpet Against the Monstrous Regiment of Women, and Other Selected Works*, ed. by Marvin A. Breslow (Washington: Associated University Presses, 1985). Margaret Sommerville argues that the fact that female monarchs were predominantly defended by Protestant writers filtered down to all levels of society, in *Sex and Subjection: Attitudes to Women in Early Modern Society* (London: Arnold, 1995), pp.54-55.

⁷ T.E.'s *The Lawes Resolutions of Women's Rights: Or The Lawes Provision for Women* (London, 1632) dealt with laws pertaining to women, property and marriage.

interpretation of ideals, images, stereotypes or realities of women's role in this procedure.⁸ One of the obvious reasons for selecting *The Merchant of Venice* as a fictional counterpoint to Clifford's writings is that it was increasingly common to find drama which dealt with younger sons' exclusion from primogeniture in the seventeenth century, as will be seen in chapter five. Plays which dealt primarily with the role of the heiress were overshadowed by prodigal drama.

The discourses which surround a will's production can be seen in literary treatments of the impact of a will, and these can also provide analysis of familial power relations. The crisis of the transmission of parental authority via the will is apparent in the dramatic tension which unfolds in *The Merchant of Venice* when it is clear that the strongly-willed Portia appears to be tied to the strictures of her father's will in the rational selection of suitors. She tells Nerissa, her waiting-woman, that there is no choice in this matter, and appeals to her servant's feminine empathy in this unfair situation:

PORTIA If to do were as easy as to know what were good to do,
chapels had been churches, and poor men's cottages
prince's palaces, - it is a good divine that follows his
own instructions, - I can easier teach twenty
what were good to be done, than be one of the twenty to
follow mine own teaching: [...]

But this reasoning is not in
the fashion to choose me a husband,
-O me the word 'choose'! I may neither
choose who I would, nor refuse who I dislike. [...]
Is it not hard Nerissa, that I cannot choose
one, nor refuse none? (I.2.12-26)

⁸ Walter Cohen argues that Shakespeare's plays appealed to a 'broadly heterogeneous primary audience' dependant on 'comparative social and cultural unity'; this is the case that Cohen presents when arguing the case for the application of new historicism to *The Merchant of Venice*, particularly from a capitalist perspective, in 'The Merchant of Venice and the Possibilities of Historical Criticism', *ELH*, 49 (1982), 765-789 (p.766).

Ironically, however, Portia is also aware of the benefits of living under the control of her father's will, as she is unhappy with the quality of her suitors. She comically laments:

PORTIA If I live to be as old as Sibylla, I will die as chaste as Diana, unless I be obtained by the manner of my father's will: I am glad this parcel of wooers are so reasonable, for there is not one among them but I dote on his very absence: and I pray God grant them a fair departure.
(I.2.102-107)

Her father, prior to his death, had devised a 'lott'ry' of three chests, made of gold, silver and lead, and whoever could unfold the meaning of his riddles attached to the boxes would become Portia's husband. Karen Newman argues that the matter and mottoes of the caskets suggest the commercial values of exchange and sexual economics; women were the most basic of gifts in any socially structured gift exchange system.⁹ Lisa Jardine also makes an interesting observation of early modern drama, which is relevant in providing an answer to how Portia's father's lottery can relate to the realities of society:

Strategic improvement of the family's fortunes was a significant criterion used in parental choice of a marriage partner, particularly where the only heir was a daughter.¹⁰

Here, however, the lottery appears to have the intention of discovering a wise, rather than solely rich, husband, and in fact brings her a husband with debts.

Women were symbols of the family's wealth and political power through their representation in or exclusion from marriage contracts, wills, conduct books and sermons. On marriage they ceased through English law to exist as legal individuals,

⁹ Karen Newman, 'Portia's Ring: Unruly Women and the Structures of Exchange in *The Merchant of Venice*', *SQ*, 38 (1987), 19-33 (p.19).

¹⁰ Lisa Jardine, 'Companionate Marriage Versus Male Friendship: Anxiety for the Lineal Family in Jacobean Drama', in *Political Culture and Cultural Politics in Early Modern England: Essays Presented to David Underdown*, ed. by Susan D. Amussen and Mark A. Kishlansky (Manchester: Manchester University Press, 1995), pp.234-254 (p.243).

and only took 'portions' into the marriage.¹¹ All a woman's moveable goods became the husband's, and so in Portia's case, the knowledge of her wealth might be a central decision in marriage over fate. Portia proves to be a well known heiress around Venice, as is demonstrated through Bassanio's gossip, so her name and identity is already linked to economic value:

BASSANIO Her name is Portia, nothing undervalu'd
To Cato's daughter, Brutus' Portia,
Nor is the wide world ignorant of her worth,
For the four winds blow in from every coast
Renowned suitors, and her sunny locks
Hang on her temples like a golden fleece,
Which makes her seat of Belmont Colchos' strond,
And many Jasons come in quest of her. (I.1.165-172)

As an heiress, Portia is apparently the prize that merchants seek, little more than golden fleece to be sought and won. Yet she has the paradoxical power of an executrix, in ensuring that the instructions of her father's will are followed through, even when she is unwilling to continue. When she has the opportunity to make a 'choice' of husband, she must let fortune decide, or rather, leave the choice to her dead father's legacy:

PORTIA O these naughty times
Put bars between the owners and their rights!
And so though yours, not yours, - prove it so,
Let Fortune go to hell for it, not I. (III.2.18-21)

A parallel relationship between father and daughter is shown between Shylock and his daughter, Jessica. Shylock the Jew is contrasted with Portia's deceased Christian father, whom Nerissa describes as 'ever virtuous, and holy men at their death have good inspirations' (I.2.27). Jessica too lives under her father's dominance, but this appears to drive her to subversion; she steals her own dowry and elopes with Lorenzo. For Shylock his fortune and his daughter are one and the same, especially

¹¹ Susan Amussen, *An Ordered Society: Gender and Class in Early Modern England* (Oxford: Blackwell, 1988), p.72.

when he learns of the theft. Salerio reports to Salanio that he has heard Shylock crying for both his fortune and his lost daughter:

SALERIO I never heard a passion so confus'd,
So strange, outrageous, and so variable
As the dog Jew did utter in the streets, -
'My daughter! O my ducats! O my daughter!
Fled with a Christian! O my Christian ducats!
Justice, the law, my ducats, and my daughter!' (II.8.12-17)

Shylock reportedly juxtaposes the loss of his daughter with the value of the lost ducats. For Bassanio, the gaining of Portia is the winning of a fortune too, as the daughter holds the key to the inheritance. When he solves the riddle to gain the daughter, she has been valued at the lowest metal value, lead, indicating the leap of faith required by mercantile suitors to guess at her true value. Here Portia is allowed to define her own value, her financial assessment of her worth. Portia tells Bassanio:

PORTIA You see me Lord Bassanio where I stand,
Such as I am; though for myself alone
I would not be ambitious in my wish
To wish myself much better, yet for you,
I would be trebled twenty times myself,
A thousand times more fair, ten thousand times
more rich,
That only to stand high in your account,
I might in virtues, beauties, livings, friends
Exceed account: but the full sum of me
Is sum of something: which to term in gross,
Is an unlesson'd girl, unschool'd, unpractised. (III.2.149-159)

She expresses herself as her essence 'such as I am', reduced to her self and being, but wishes that the prize were worth more for Bassanio's sake. But the final sum of her worth is expressed in negative terms; in emotional and relationship values she is *unpractised*, *unknowing*. Portia converts herself and her role as a future wife into a sum, and her fortune will be exchanged for her husband's rule, and so she enters a new contract, one governed by family, law and finance.

The Merchant of Venice is driven by the ideology of such contracts as the dramatic driving impetus of the play is the contract between Shylock and Antonio concerning finance and the pound of flesh. The threatening, circumcising Jew who logically and economically demands his pound of flesh, is converted (by force) into a gentle Christian by the conclusion of the play.¹² The contract between fathers and daughters is subordinate to this, but is just as physical and binding. In fact the will of the dead father, despite the limited information the reader or audience of the play receives about either, dominates the subplot. Yet it is questionable whether Portia will receive inheritance once the instructions of the will have been followed, even when she accepts its terms. Once the will has been enacted, the inheritance is transferred to the ownership of her husband, so that the heiress will never gain full financial autonomy until widowhood. When addressing her own position once the inheritance has been granted, Portia tells Bassanio:

PORTIA Happiest of all, is that her gentle spirit
Commits itself to yours to be directed,
As from her lord, her governor, her king.
Myself, and what is mine, to you and yours
Is now converted. But now I was the lord
Of this fair mansion, master of my servants,
Queen o'er myself: and even now, but now.
This house, these servants, and this same myself
Are yours, -my lord's! - I give them with this ring. (III.2.163-171)

Her telling use of changed pronouns, 'mine' is translated to 'yours', initially appears to indicate, plainly and simply, the submission of Portia. There is a hint of rebellion though, provided by the very act of verbally re-enforcing the ownership that she enjoyed so recently over her body, home and servants 'But now I was the lord', and by her use of the masculine term of 'lord' to describe this ownership. Is there not a glimpse of despair in her final conversion of all her possessions into her husband's

¹² James Shapiro, *Shakespeare and the Jews* (New York: Columbia University Press, 1996), p.130.

hands, signified by the giving of the ring? The repetition of 'now' certainly suggests the temporal nature of this new contract, and in her list of items which her husband is now lord of, 'myself' comes last. The prescriptive nature of the father's will in *The Merchant of Venice* maintained control over the life of the daughter, and through its instructions drew Portia herself into the legacy as the chief part of the fortune. Portia could only gain the inheritance through marriage, and it is questionable whether she ever actually inherits any item of economic value. The ring may be the final sign of submission, but its presence is a herald of the end of a contract between Portia and her inheritance.

The Merchant of Venice portrays Venetian society as one that benefits from the economic and mercantile nature of an expanding empire, yet the play exposes the fragility of its reliance on old aristocratic money and reputation through the disruption of one individual, a Jew.¹³ Further disruption to its mercantile nature can be seen throughout Portia's unhappy submission to her father and husband. One villain, Shylock, could reveal to the Elizabethan audience the workings of a society that venerated wealth and all the power it brings. This is also a society whose citizens come to loathe the fact that a world can be turned upside down by a bond, and by society's own adherence to the law. The Christian merchants appeal to the law in order to restore order and hierarchy, but these are the very laws that Shylock can manipulate to make them all look like fools. Portia's life too is ostensibly controlled by a morally superior law, prescribed by a dead father who wants the suitor to identify Portia's true value. But by the simple perversion of economic rule, that the highest value metal equals superior value, that suitor will be able to win and inherit the treasure, not through familial legacy, but via a gambling ploy, a lottery. The moral,

¹³ Cohen, p.767.

rather than face-value economic rule that '*all that glisters is not gold*' (II.7.65), proved by the riddle read aloud by the unlucky Prince of Morocco, eventually brings Bassanio, if not Portia, the prize: he chooses lead over silver and gold. In Shakespeare's play, inheritance and its processes were finally related to the progress of a new mercantile world, but in a relationship that questions and challenges value and bonds. In the light of these mercantile relationships presented to an English seventeenth-century audience, Portia's position as a woman instructed by her father's legacy and by her husband's whims was all too recognisable in reality.

Rather than being included in the mechanisms of a restrictive will, Lady Anne Clifford, the only direct heir to her father's fortunes, was excluded by her father's will; this also equated to exclusion from economic independence and family lineage. Lady Anne's life, like Shakespeare's character Portia's, was dominated by the father's will, as is evident from the written and recorded processes of contestation, but it was exclusion from the legacy, rather than inclusion in its very matter, that caused conflict here. In a similar fashion to the character of Portia, Anne Clifford was determined to prove 'lord / Of this fair mansion, master of my servants, / Queen o'er myself' (III.2.167-169), as Portia had stated, but Clifford wished to prove a 'lord' of future ownership rather than of past.

The aristocratic foundations of the Clifford family were challenged and threatened by the application of patrilineal boundaries to the succession of lands and titles. Lady Anne's stand against the resolve of her father and her husband, and her claim to her recognition as a rightful heir, exposed the fluctuating nature of inheritance law, and has brought her feminist critical attention. Recent critical work on Anne Clifford includes Mary O'Connor's 'Representations of Intimacy in the Life-Writing of Anne Clifford and Anne Dormer', which parallels the intimate letters of

Dormer to her sister with the writing of Clifford, and examines the negotiation of female space and voice in the domestic sphere.¹⁴ Elspeth Graham's introduction to extracts of Clifford's work in *Her Own Life* self-consciously uses the words 'resisting', and 'defiant character' in connection with Anne Clifford.¹⁵ In this way, Clifford's challenges to her father, husbands, to the Archbishop of Canterbury and to James I have provided much debate for modern feminist revisions of the early modern period.

It was the dominating force of her father's will that drove her personal accounts of her struggle against many members of her society, her 'Enemies', and she accepted their disapproval stoically. The records she kept of her refusal to accept the instructions of her father's will have more to do with her own efforts to provide a legacy and a lesson for her future heirs than about providing an example of the unfair gender struggles of the seventeenth century for contemporary and future women readers. These records were not about the intimacy of a private moment, although these do occur, as will be documented, but they were concerned with the public world of inheritance disputes. This public and testamental aspect of her work has been overlooked by critics, who have instead seen her work as fundamentally private. John Brewer reinforces this argument for public re-reading and review when writing about appropriate methodology for seventeenth and eighteenth-century manuscripts and texts; he suggests that 'much ostensibly private correspondence had a larger object than that of private transmission'.¹⁶ As Helen Wilcox has also suggested, Anne

¹⁴ Mary O'Connor's 'Representations of Intimacy in the Life-Writing of Anne Clifford and Anne Dormer', in *Representations of the Self from the Renaissance to Romanticism*, ed. by Patrick Coleman and Jayne Lewis (Cambridge: Cambridge University Press, 2000), pp.79-96.

¹⁵ Elspeth Graham, and others, eds, *Her Own Life: Autobiographical Writings by Seventeenth-Century Englishwomen* (London: Routledge, 1989), pp.35-38.

¹⁶ John Brewer, 'This, That and the Other: Public, Social and Private in the Seventeenth and Eighteenth Centuries', in *Shifting the Boundaries: Transformation of the Languages of Public and Private in the Eighteenth Century*, ed. by Dario Castiglione, and Lesley Sharpe (Exeter: Exeter University Press, 1995), pp.1-21 (p.12).

Clifford's later records show that 'even that most private domestic setting, the house [...] was also potentially emblematic of a woman's public function', in this case presenting her public struggles to gain her inheritance.¹⁷ On writing about Renaissance women's diaries in general, Wilcox points out that the very existence of a large number of such texts and their subject matter proves common enterprise:

Out of these most hidden texts – often produced in secret and serving a primarily private function for their authors – comes an impression of considerable public activity by the women who wrote them.¹⁸

Wilcox notes the pride that Clifford displayed in her reconstruction of a physical and visibly public monument to her male ancestors when adding to the building of Appleby castle, but then Wilcox ignores the idea that Clifford's written records could be paralleled to the foundation stone of a building in the process of public recognition.¹⁹ However, Clifford's writing is far from private when its purpose is seen as part of her inheritance and legacy for her ancestors, and this is how her 'private' diaries can be viewed in a more informative, clearer light. Clifford too was creating a legacy, one for her future family.

Her father George Clifford, third Earl of Cumberland (who had been a ward of Elizabeth I as a child) died in 1608 with no male heirs. He left a will he had written in 1603 which, while it provided his daughter with a generous portion, effectively cut her off from the estates of his inheritance. His lands, covering a large area of northwest England including most of Westmoreland, were willed instead to his brother Francis, the fourth Earl, and to his brother's male successors.²⁰ This

¹⁷ Helen Wilcox, 'Private Writing and Public Function: Autobiographical Texts by Renaissance Englishwomen', in *Gloriana's Face: Women, Public and Private, in the English Renaissance*, ed. by S.P. Cerasano, and Marion Wynne-Davies (Hemel Hempstead: Harvester Wheatsheaf, 1992), pp.47-62 (p.51).

¹⁸ Wilcox, p.51.

¹⁹ Wilcox, p.52.

²⁰ Martin Holmes, *Proud Northern Lady: Lady Anne Clifford, 1590-1676* (Chichester: Phillimore, 1975), p.9.

effectively broke an entail dating from the thirteenth century, and made during the reign of Edward II, under which the estates went to the heirs, male or female, of the body of the current Lord Cumberland, and it was this entail which his daughter was to claim had legal precedence over his will.²¹ Eileen Spring has highlighted that the entail, by the legal interpretation of the statute *De donis* in 1285, was perpetual.²² However, as Spring suggests the purpose of both entails and strict settlements, increasingly employed towards the end of the seventeenth century, was to keep land and property in the male line:

Because the entail could specify the sex of those to take under it, females could be cut out so long as the entail lasted. [...] It could direct land from male to male so long as there were males anywhere among the settlor's descendants, regardless of females who by common law were heirs.²³

The entail that George Clifford broke apparently would have worked in Anne Clifford's favour, but the precedent of maintaining property in the male line was too strong for her to overcome in the public court.

Anne Clifford, and her mother Margaret, fought the instructions of the will despite its obvious financial generosity towards the daughter. Ironically, Aemilia Lanyer's poem *Salve Deus Rex Judæorum* (1611) in praise of feminine virtue, had been dedicated to Margaret Clifford, the countess of Cumberland (Lanyer had originally been in service to her). The panegyric that opens the poem praises Clifford's right to the earthly riches of her estates, but warns of the transitory nature of wealth:

You are the Heire apparent of this Crowne
Of goodnesse, bountie, grace, love, pietie,
By birth its yours, then keepe it as your owne,
Defend it from all base indignitie;
The right your Mother hath to it, is knowne

²¹ Holmes, p.12.

²² Eileen Spring, *Law, Land, and Family: Aristocratic Inheritance in England, 1300 to 1800* (Chapel Hill: University of North Carolina Press, 1993), p.28.

²³ Spring, p.28.

Best unto you, who reapt such fruit thereby:
This Monument of her faire worth retainē
In your pure mind, and keepe it from al staine.²⁴

Lanyer was impressing the idea of female inheritance as primary and legitimate onto her readers and her patron; it would be the role of Margaret and her daughters, as it had been for Margaret's mother, to maintain the physical monuments and the moral ones, a task taken up with pride by Anne Clifford in later years.

Why were the terms of her father's will so disagreeable to Anne Clifford, especially when through her marriage to Richard Sackville, Earl of Dorset, she succeeded into her husband's titles and properties, and received a marriage portion of £17,000? On hearing of her mother's death she expressed her desire that she should not be dispossessed of the 'Inheritance of my Forefathers', and referred to herself as the sole daughter and heir to her 'Illustrious Father'; in her writing she emphasised that her ties to the lands were created through lineage, not sentiment or financial reward.²⁵ However, even if one allows a slightly less romantic and more pragmatic and economic response to this question, as Eileen Spring has uncovered, the income from the estate was much greater than a one-off marriage portion:

Clifford estates had a gross income in the mid-seventeenth century between £5,000 and £6,000; that is, they had a capital value of more than £100,000.²⁶

Despite this, there was no malice towards her father expressed in the diaries, and she even defended the nature of the will in the same terms that she attacked it,

²⁴ *The Poems of Aemilia Lanyer. Salve Deus Rex Judæorum*, ed. by Suzanne Woods (Oxford: Oxford University Press, 1993), p.44. The original publication from 1611 is missing these twelve pages of dedicatory material.

²⁵ Lady Anne Clifford, *The Kendal Diary, 1650-1675*, repr. in *The Diaries of Lady Anne Clifford*, ed. by D.J.H. Clifford (Stroud: Sutton, 1990), p.36. Further references to this edition will be given in parentheses after the quotations in the text. See also Katherine Hodgkin, 'The Diary of Lady Anne Clifford: A Study of Class and Gender in the Seventeenth Century', *History Workshop*, 19 (1985), 148-159 (p.150).

²⁶ Spring, p.107.

acknowledging her father's concern for the lineage of the family: his will showed 'the love he bore his brother, and the advancement of the heirs male of his house'.²⁷

The will was drawn up when George Clifford was gravely ill and doctors had dismissed his chances of recovery. A letter to his wife explained the nature of the will and repented for their separation. The letter examined the course he took in the disposal of his property, and therefore acted as a preface to a will concerned with the inventory and mechanisms of transmission. George Clifford wrote:

I beg of thee that thou wilt take, as I have meant, in kindness the course I have set down for the disposing of my estate, and things left behind which truly, if I have not dealt most kindly with thee in, I am mistaken, and, as ever thou lovest (which I know thou hast done faithfully and truly) sweet Meg, let neither old conceit, new opinion, nor false lying tale make thee fall to hard opinion nor suit with my brother.²⁸

George Clifford appeared to pre-empt the criticism that could face his will when it was exposed to family and public scrutiny. He defended his brother's nature as 'sweet', and told his wife Margaret that Francis (his brother) never meant her any harm, despite the fact that she might have 'conceived wrong of him'.²⁹ He demonstrated concern that his siblings would not understand his purpose. Clifford's legacy to his daughter Anne was one of exclusion, but also included brief moral instruction for a young child:

And lastly, before the presence of God, I command thee, and in the nearest love of my heart I desire thee, to take great care that sweet Nan [Lady Anne Clifford], whom God bless, may be carefully brought up in the fear of God, not to delight in worldly vanities [...] and I pray thee, thank thy kind uncle and aunt for her and their many kindnesses to me.³⁰

It is ironic, given her father's concern that Anne was not to be led astray by worldly

²⁷ J.P. Gilson, 'Life of Me', quoted in Barbara Lewalski, 'Re-writing Patriarchy and Patronage: Margaret Clifford, Anne Clifford, and Aemilia Lanyer', *YES*, 21 (1991), 87-106 (p.90).

²⁸ George C. Williamson, *Lady Anne Clifford, Countess of Dorset, Pembroke and Montgomery: Her Life, Letters and Work* (Kendal: T.Wilson & Son, 1922), pp.32-33.

²⁹ Williamson, p.33.

³⁰ Williamson, p.34.

vanities, that her life in writing was regulated by the worldly concerns of her father's estates. Patriarchal ideology and male lineage did not necessarily dominate his exclusion of his sole daughter and heir from inheritance; in fact he attempted to explain the exclusion as the protection of his daughter from the debts accrued on the estates. Martin Holmes and Richard Spence speculate on the Earl's intentions, using the benefit of historical hindsight. Holmes expresses the opinion that the Earl of Cumberland died believing that his brother's son would have no male issue, so that the estates would soon revert to his daughter; Spence agrees with this, pointing out the debts that the estates had accrued, that would have been inherited as a huge burden for a young woman. Earl Francis and Henry had been brought close to financial ruin.³¹ Paradoxically it was this exclusion from any part of his legacy, including his legacy of debts and deteriorating estates, which persuaded Lady Anne Clifford to prove herself a capable landlord in later years.

At the beginning of her entries at Knole, the seat of Dorset, she briefly recorded the death of Queen Elizabeth in 1603. This event became a touchstone public event which she returned to at other times in her writing; it was a point to which she could relate other deaths (her mother's, for example) and other events, again stressing female lineage. The early diary was concerned with recording and reporting the minutiae of daily life, of her relationships with the Earl of Dorset and 'the Child' (Margaret), especially in relation to her possibly life-threatening illnesses:

Upon the 21st the Child had an extreme Fit of the Ague & the Doctor sat by her all the Afternoon & gave her a Salt Powder to put in her beer.
(Clifford, p.49)

Her concern with the immediate familial structure, however, was always related to other concerns: to the court, to various locations, and to the constant question of the

³¹ Holmes, p.9; Richard Spence, *Lady Anne Clifford* (Stroud: Sutton Publishing, 1997), p.106.

‘Business’, her term for the legal and domestic wrangles over her father’s will. This ‘Business’ infiltrated her relationships with friends and relatives, and became a matter which they were either supportive of or against; her writing focused all social and personal occasions around this matter:

[I] went to see my Lady Wotten [or Wootton] at Whitehall, where we walked 5 or 6 turns but spoke nothing of this Business, tho’ her heart & mine were full of it. (Clifford, p.29)

There is textual evidence for the presentation of these seemingly private entries as public record, as textual record and inheritance, particularly in the apparently constant juxtaposition of the ‘Business’ of her thwarted inheritance; for example in the same entry as her record of her walk with Lady Wootton, she wrote that her cousin Russell, in chiding her about recent events, had made her weep bitterly.

In a letter to her mother Margaret Clifford dated December 20th 1615, Lady Anne demonstrated how her refusal to accept her father’s will truly infiltrated her private and public life, and influenced her relationship with her husband, the Earl of Dorset. Writing about her husband’s relationship with their daughter, she wrote:

My lorde to her is a very kind, loving and deere father, and in everything will I commende him, saving in this bisnes of my land.³²

Later her husband, bitter about her attempts to challenge her father’s will, cancelled her jointure, the only provision for her made in her father’s will; it was a malicious display of a husband’s authority in the face of relentless pursuit of her claim to her father’s estates:

In the afternoone my Cousin Russel wrote me a letter to let me know how my Lord had Cancelled my jointure he made upon me last June when I went into the North, and by these proceedings I may see how much my Lord is offended with me and that my Enemys have the upper hand of me but I am resolved to take all patiently casting all my care upon God.³³

³² Katherine Acheson, ed., *The Diary of Anne Clifford 1616-1619: A Critical Edition* (New York: Garland Publishing, 1995), p.10.

³³ Acheson, p.85.

As Wilcox suggests, this signified Clifford's 'dangerous entry into the public arena of the law'.³⁴ From that point onwards, Lady Anne's diaries, accounts, 'Great Books' and familial memoirs together stand as a legacy themselves, a legacy of a struggle that can be taken up by future generations, including her own daughters (her two sons died in infancy).

The fact that so many modern critical accounts of her writings label them as 'diaries' predisposes them to certain types of readings which exclude the possibility of an objective method of recording events.³⁵ Modern readers tend to be attracted to the personal, the domestic and the emotional elements of diary writing, rather than examining the possibilities of a mundane alternative purpose of providing public records. Her work challenged the boundaries between private and public, just as many other diaries and manuscripts in the early modern period successfully did.³⁶ Her writings were presented as a legacy in its own right, as advice to her daughters and to others challenging the 'legitimate' process of inheritance.³⁷ Her style of writing, particularly in the years 1615-1617, offers clues to her purpose. The significant events dealing with the 'Business' are recorded in an objective, spare way, such as her court appearance for James I, whereas her domestic concerns are entered in detail, including masques and social functions attended, clothing, illness, but these everyday issues were filtered through her constant concerns for her daughter. She measured her child's progress through the often cumbersome changes in clothing, signalling her accession to the adult world. In May 1617 Clifford recorded:

³⁴ Wilcox, p.53.

³⁵ Benstock, p.72.

³⁶ Benstock, p.74.

³⁷ Under the rules of common law, as a daughter, she should have had precedence over more distant kin, including the brother of the testator.

Upon the 1st I cut the Child's strings off from her Coats and made her use tags alone, so as she had 2 or 3 falls at first but had no hurt with them. (Clifford, p.55)

These are personal accounts, but are intended to provide accurate, rather than subjective, records of the struggle. Indeed, there are telling moments of weakness and very personal feelings recorded, but these are often juxtaposed with religious feelings or detailed, almost comical, everyday concerns, as this extract from June 1617 proves:

The 6th after Supper we went in a Coach to the Goodwife Syslies & ate so much cheese there that it made me sick.
The 8th, being Whit Sunday we all went to Church, but my eyes were so blubbered with weeping that I could scarce look up. (Clifford, p.57)

The search for Anne Clifford's representation of 'self' has overshadowed other types of documentary reading; she was a diarist, but many of her concerns were rendered complex by her reactions to the fight for her rightful inheritance. D.J.H. Clifford, for example, places the 1603 chronicle, and portions of the Great Books, into an edition of *The Diaries of Lady Anne Clifford*.³⁸ Katherine Acheson, however, notes three types of autobiographical discourse, first in the 'diaries', from 1616-19, and 1676, then the 'chronicles', of 1603, 1650 to 1675, and finally 'The Life of Me', written between 1652 and 1653, which documents her life until 1650. The annual accounts in the Great Books also contain genealogies; Acheson takes these as evidence of Clifford's writing's status as legacy, to be formally presented and distributed to her heirs. Acheson argues the case for the use of the Portland manuscript as evidence of Anne Clifford's intentions over the Knole manuscript, by suggesting that the former was copy-text for the latter.³⁹

The Knole diary, concerning the years 1616 to 1619 frequently referred to the 'Business', and especially to its effects on her marriage. The records kept at Kendal,

³⁸ Vita Sackville-West's 1923 edition also includes the portion from 1603, as a 'setting' for the rest of the diaries, *The Diary of the Lady Anne Clifford* (London: Heinemann, 1923).

³⁹ Acheson, p.90.

concerning the years 1650-1675, quietly celebrated, as will be demonstrated, Lady Anne's acquisition of her estates and consistently located relatives' and friends' visits to her properties in respect to whether this was the first time they had visited her since she gained her rightful inheritance, her personal year zero, the time of her true beginnings as rightful heir. Her final accounts, dictated to her private secretary Edward Hasell, mixed current concerns about the running of the estates, copious visitors, and her state of health with the constant touchstone of sharply remembered instances respecting her fight for inheritance. In the diaries there was a constant awareness, as Mary Ellen Lamb has indicated, of the 'minute coincidences of time and place'.⁴⁰

In February 1616 Anne Clifford briefly and economically recorded the first major struggle with a figure of authority, the Archbishop of Canterbury, whom her husband Dorset had recruited because of his divine authority:

Upon the 17th my Lord Archbishop of Canterbury, my Lord William Howard, my Lord Roos, my Coz. Russell, my brother Sackville & a great Company of Men of note were all in the Gallery at Dorset House, where the Archbishop took me aside & talked with me privately one Hour & half, & persuaded me both by Divine & human means to set my Hand to their Arguments. But my answer to his Lordship was that I would do nothing till my Lady & I had conferred together. Much persuasion was used by him & all the Company, sometimes terrifying me & sometimes flattering me. (Clifford, p.29)

The language employed here appears to let the implied reader into the private thoughts of the author. Yet little was actually reported of the content of the Archbishop's argument; the reader is aware that the speech 'moved' her, but is spared the private and lengthy exposition. All that needed to be recorded was Anne Clifford's constancy in this matter, her refusal to forgo her lands, and a re-iteration of her role as stoic heiress-in-waiting, 'but my answer to his Lordship was that I would do nothing

⁴⁰ Mary Ellen Lamb, 'The Agency of the Split Subject: Lady Anne Clifford and the Uses of Reading', *ELR*, 22 (1992), 347-368 (p.358).

till my Lady & I had conferred together' (Clifford, p.29). It is interesting that despite the fact that she publicly defied her husband's wishes for her to accept a settlement, it was agreed by all that Lady Anne should have a conference with her mother, who she herself had claimed was the source of her inspiration to continue her struggle. Their discussions about the business, as was shown in the entry for April 1616, at times took place in the most intimate and most private of spaces, the bedchamber, 'For some 2 nights my Mother & I lay together & had much talk about this Business' (Clifford, p.31). The identification of women's space and discussion significantly contrasts with the public patriarchal and formal pressures.

As these instances indicate, there was constant pressure for Anne Clifford to forgo her contestation of her father's will and she was pressed to accept a cash settlement; the primary figure in this game of persuasion was her husband, the Earl of Dorset. Amy Louise Erickson places key emphasis on this relationship when discussing Anne Clifford's campaign to fight for her lands and her jointure, as it demonstrates the split between duty and desire.⁴¹ One of the many examples of this can be found from 1619:

After Supper my Lord & I had a great falling out, he saying that if ever my land came to me I should assure it as he would have me. (Clifford, p.82)

The diarist interestingly underplayed the veiled threats of her husband. The intention of the legacy that Lady Anne left was not to prove the pettiness of her husband's persuasions, although this was demonstrated, but to record her reaction to her 'Enemies'; in her written role of 'would be' (or rather 'will be') heiress, she

⁴¹ Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1993), pp.111-112.

transgressed the submissive role of the obedient wife.⁴² Her mother replaced her husband in the role of advisor and counsellor, and even if this was only the case in relation to the business, the business pervaded all parts of her private and public life. It influenced her relationships with her child and her husband; even her sexual relationship with her husband was shaped by it. He refused to 'lie' with her at one time when she wanted another child, forcing the implications of the Business into their marriage, but also onto her desire to produce further children and heirs. The textual evidence of her stoicism in the face of such emotional opposition is brief but clear:

Upon the 19th I returned my Lord for answer that I would not stand to the Award of the Judges what Misery soever it cost me. (Clifford, p.31)

She turned to prayer and to God's mercy at these moments, taking on in her text the dramatic role of isolated martyr, still reliant on divine mercy, despite the fact that this has been invoked against her in the case of the Archbishop.

In fact, in Anne Clifford's entries the Earl of Dorset often undermined his own credibility as a wise patriarchal figure; he attempted to use his child as a weapon against his wife, the child in whom she had invested so much care and attention. He prevented his wife from seeing her daughter. Because her daughter was at that time the only surviving heir, her husband's denial of Clifford's access to her child proved the undermining of her entire project to maintain the Clifford lineage through the female bloodline. This was shown in the entries for May 1616, where she first showed that she was to be separated from her husband, and exiled from Knole and Bolebrooke:

⁴² David Howarth highlights the conflicts between Clifford's legal rights and her husband's demands, as she tried to describe herself through feudal definitions, and her husband attempted to assert capitalist claims on her dowry and her possessions, in *Art and Patronage in the Caroline Courts*, ed. by David Howarth (Cambridge: Cambridge University Press, 1993), p.17.

Upon the 3rd came Baskett down from London & brought me a Letter from my Lord by which I might see it was his pleasure that the Child should go the next day to London, which at first was somewhat grievous to me, but when I considered that it would both make my Lord more angry with me & be worse for the Child, I resolved to let her go. After, I had sent for Mr Legg and talked with him about that and other matters and wept bitterly. (Clifford, p.32)

Clifford struggled with her ties to her child and her ties to her husband and his rule, and proved the sacrifice she was prepared to make for the sake of peace and for her continuing cause. Her husband sent her news that her child was to live with him in Horseley 'and not come hither any more' (Clifford, p.33). As Acheson notes, Martin Holmes' description of Anne Clifford at this time as a 'contemporary Patient Griselda' is misleading and dismissive.⁴³ She was not playing the submissive wife, but the rightful heiress, a role which went far beyond any point of transgression or submissiveness. In order to take up her inheritance, or at least maintain the possibility that she might come into it in the future, she was prepared to lose contact with her own future heir, the daughter that the Clifford estates would be passed on to. She was placed in an impossible position, but carefully manipulated the situation by recording in her entries her husband's great weakness in gambling, despite his superior social standing, and this was set against her own inferior, isolated yet constant position in her struggle:

All this time my Lord was in London where he had all and infinite great resort coming to him. He went much abroad to Cocking, to Bowling Alleys, to Plays and Horse Races, & [was] commended by all the World. I stayed in the Countrey having many times a sorrowful & heavy Heart & being condemned by most folks because I would not consent to the Agreement, so as I may truly say, I am like an Owl in the Desert. (Clifford, p.33)

The juxtaposition of his position with hers indicates her record of her interior and private moral superiority, laid bare for her future reader, her future generations, so

⁴³ Acheson, p.146, quoting Holmes, p.53.

that they may judge her constancy or obstinacy in these matters. All the world knew her husband's reputation, and he was 'commended', a word which balances its bitter echo in her position of being 'condemned'. Her evocative simile from Psalm 102, describing herself as like 'an Owl in the Desert', demonstrates how quickly her alienation from her peers had occurred, including from relatives, particularly from immediate family and from her social and political judges placing her in utter isolation. The Psalm continues:

Mine enemies reproach me all the day; and they that are mad against me are sworn against me.

She was left with her relationship with the text of her entries, with her writing and recording, when many might have given up in despair. She was isolated, but the text was her conversation with the future, with the unknown heir of her legacy of the struggle. Her isolation was increased by the news that her mother, her last close counsellor in her cause, was gravely ill. Lady Anne prayed to God, her 'only Helper', that she would recover (Clifford, p.36). Her mother died a few days later (Anne was only twenty-six). Her mother's will indicated that she wished to be buried in Alnwick, away from the Clifford family lands, and Anne took this as sign that she herself would be dispossessed of her forefather's inheritance. However, a codicil in the will allowed Anne the final wish in the place of her mother's burial, and Margaret was buried at Appleby. Anne Clifford continued to politicise events in her life, in line with inheritance, ancestry and future: even her mother's burial location became intimately tied to the processes of her struggle.

In June 1616, the Earl of Dorset attempted to persuade her to pass her rights to the lands of Westmoreland to him and the child, assuring her that if this occurred, he could be a kind and good husband to her. On his proposal, she promised him her inheritance 'if I had no heirs of my own Body', which rekindled friendship between

them (Clifford, p.38). Of course, the couple then had another child who could inherit the lands, which appears to undermine the strength of this arrangement. In her constant references to her child and to her mother, even to the body of her mother until her burial takes place, she asserted the Clifford lineage, and highlighted inheritance passing from mothers to daughters. Despite the influence of her father's will on her texts, she rarely made any reference either to him or the text of the will, only to its continuous impact on her life and the lives of her relatives. In 'Life of Me', written when she was sixty three, she provided a more formal, if brief, analysis of the facts of her father's will:

My father, for the love he bore to his brother, and the advancement of the heirs male of his house, by his last will and other conveyances which he had formerly sealed, did leave to his brother Francis, who succeeded him in the Earldom of Cumberland, and to the heirs male of his body, all his castles, lands and honors, with a proviso that they should all return to me, his only daughter and heir, if the heirs male failed.⁴⁴

Despite the intent of her father's will, and in spite of the fact that she was all but overlooked, she again assured the reader of her part as the 'only daughter and heir'.

Anne Clifford's position in the household was even challenged by her husband's servant Matthew, who had sent her a letter the 14th May 1616:

The effect whereof was to persuade me to yield to my Lord's desire in this Business at this time, or else I was undone forever. (Clifford, p.35)

Clifford challenged patriarchal hierarchies and even household hierarchy, echoed in the domestic space; servants became either threats to her business, or overstepped the boundaries of their roles to become counsellors, as in the case of her steward Legge. Social and familial hierarchy were challenged and the private household was turned upside down.

⁴⁴ J.P.Gilson, ed., *Lives of Lady Anne Clifford* (London: Roxburghe Club, 1916), pp.36-37.

Her husband's and servants' violent 'persuasions' and threats in the household pale into insignificance against the hierarchical forces Dorset and her uncle brought against Anne to persuade her to stop contesting the transmission of the land. In 1617 she was called to court in front of the monarch James I; he tried to persuade the couple to come to some kind of peace, and to put the whole matter into his hands. He used, according to Anne Clifford's records,

fair means & persuasions, & sometimes foul means, but I was resolved before so as nothing would move me. (Clifford, p.45)

The language she uses here echoes the description (or lack of description) of the actual thrust of the Archbishop's argument; again, to her future generation of readers she proved that she was unchanging in front of her monarch. Even her own husband, who was against her challenges, proved at this point that he was not willing for the King to bring 'Publick Disgrace' upon her (Clifford, p.45). She refused to submit to the King's judgement unless she could take Westmoreland. The Queen persuaded her not to trust the king entirely, and she was one of the few examples of supporters of Anne Clifford's case, as can be seen from Clifford's assertion in a marginal note that 'the Queen gave me a warning not to trust my matters absolutely to the King lest he should deceive me' (Clifford, p.45). Her husband again intervened when her honour was at stake on a second meeting with the king. Locked into his chambers with lawyers and relatives, including her uncle, she was told to 'submit to his Judgement' (Clifford, p.47). On her refusal, the king 'grew in a great Chaffe', the king's solicitor 'speaking much against me', and she was then physically excluded from the process:

At last when they saw there was no Remedy, my Lord fearing the King would do me some Publick Disgrace, desired Sir John Digby would open the door, who went out & persuaded me much to yield to the King. [...] Presently, after my Lord came from the King, when it was resolved that if I would not come to an Agreement, there should be an Agreement made without me. (Clifford, p.47)

The dominating men in this episode appear to have employed intimidation and threat, but her diary records relief and her thanks to God's providence and to her husband 'for neither I nor anybody else thought I should have passed over this Day so well as I have done' (Clifford, p.47). In fact, her diary records show an immediate redirection of energy and concern in the health of her daughter, recording fits of ague and recovery.

Occasionally Dorset was recorded as showing sympathy for her perseverance, but overall her challenging of her father's will implied a challenge to her husband's authority, and even to her monarch's. Anne Clifford's driven desire for her 'Divine right' to the northern estates threatened the very concept of a wife and daughter's submission to patriarchal authority. Dorset's relationship to her was described in economic rather than loving terms, and his main interest in her was described by Clifford as mercenary; her own attitude to him was portrayed in her writings as patient and unyielding, as this extract demonstrates from April 1617:

The 5th, my Lord went up to my closet & said how little money I had left, contrary to all they had told him. Sometimes I had fair words for him & sometimes foul, but I took all patiently, & did strive to give him as much content & assurance of my love as I could possibly, yet I told him that I would never part with Westmoreland upon any condition whatever. (Clifford, p.53)

Hers was a sustained, well-researched, constant and bitter struggle to prove beyond doubt that she, as a self-proclaimed frail and devout woman, was entitled to carry the family name, line and future, and she would rise to the task of managing and repairing the houses and estates. As a writing subject, she proved herself learned and capable, reiterating her readiness to take on the role of heir. When the case began, her uncle Francis Clifford had the great advantage of age and gender, and the Privy Council allowed him to occupy all his brother's estates except Westmoreland rather than

Anne; but by the time of accession, she had proved her capability.⁴⁵ As she was supposed to ‘yield’ to her husband’s will, so she was persuaded to ‘yield’ to James I’s resolution; her language echoed that of war or sexual pursuit. She placed herself firmly in God’s hands, so that while she challenged the very nature of James I’s presence as the divine representative of God’s authority, she was cleverly and wisely stating her case within the ultimate hierarchy, ‘This Day I may say I was led miraculously by God’s Providence’ (Clifford, p.47). After talking to Mr Amherst, a preacher, she provided external evidence that her way was indeed the correct way:

He told that now they began to think at London that I had done well in not referring this Business to the King, & that everybody said God had a hand in it. (Clifford, p.48)

However, in February, she recorded that in a conversation with Mr Orberton he had told her ‘how much I was condemned in the World, & what strange censures most Folks made of my Courses’ (Clifford, p.48). This demonstrates the public circles of gossip her struggle had now entered, away from the petty bitterness of household squabbles and her husband’s censure.

All of these records are intertwined with Clifford’s concern for the welfare of her child, who suffered from frequent childhood illnesses, and this apparently private and maternal concern might indicate the use of her text as diary, as a private record. But of course her child is also her heir, and Clifford’s concern with the survival of her child is mixed with the concern for her lineage and future prospects. The very juxtaposition of the recording of ‘the Business’ with the mundane and corporeal concerns of her child’s health demonstrate the intermingling of her two roles, as recorder and heiress, and as mother and maker of her own legacy. Anne Clifford had also lost her male heirs, so her investment of hope and emotion into her female child

⁴⁵ Spence, p.42.

was without qualification. She also took time to read over her chronicles, to ‘compare things past with things present’.⁴⁶ Acheson suggests that in her later autobiography, Clifford reduced these years of the struggle to a ‘few trials’, dominated by Providence; Clifford set these years in an increasingly formal textual setting, as ‘immortalising discourses of aristocratic continuance’.⁴⁷ But the chronicles of the diary, despite only surviving to the present day in later copies, also demonstrate some of the immortalising qualities of the early diaries. In Clifford’s life there can be little separation between her private and public roles, and as these move together on a collision course, so do her textual legacies and records of the events.

As critics have observed, through studies of her writings which are influenced and informed by ‘readings’ of her family portrait the ‘Great Picture’, painted 1646/8; Clifford’s project concerned the visual insertion of herself into a familial history, ancestry and lineage.⁴⁸ There is a greater willingness to accept the picture as an overt pictorial attempt to create a legacy than to accept her ‘private’ diaries as such. The portrait triptych portrayed Lady Anne Clifford at both fifteen and fifty-six, and depicted in the central panel her mother, father and their two deceased sons and heirs. In the background the artist maintained important visual clues, remembrances and ties with lineage and ancestry through numerous portraits and coats of arms.⁴⁹ Mary Ellen Lamb suggests that Clifford did this in order to visually ‘insert’ herself into the subject position of landowner, of rightful heiress and legitimate woman of power.⁵⁰ Her agency as a subject in writing her autobiography derived from her agency as an

⁴⁶ Acheson, p.34.

⁴⁷ Acheson, p.35.

⁴⁸ Graham, p.35. See also Barbara Lewalski, *Writing Women in Jacobean England* (Cambridge, Massachusetts: Harvard University Press, 1993), p.131.

⁴⁹ Lamb also centralises the importance of Lady Anne Clifford as a reader, as she used her sense of communion with past authors as well as deceased relatives, p.349.

⁵⁰ Lamb, p.349.

aristocratic heir, not truly subverting patriarchy, as some have suggested, but unsettling gender roles by challenging male authorities.⁵¹ This is an accurate assessment of an indomitable woman, one who desperately fought for the succession of her father's lineage and inheritance. She challenged the will of both her dead father and her husband, who asserted his marital right to control her access to the marriage portion in order to force her to surrender the struggle.

It was only in 1643, thirty eight years after the beginnings of her struggle, that Lady Anne Clifford finally came into possession of her inheritance, ironically in accordance with the terms of her father's will; her uncle and male cousin, Earl Henry, had died leaving no male heirs. She did eventually gain her inheritance and autonomy, after many years of contention:

I having the time now with this private life of mine att Brougham to contemplate the great mercies of God, in delivering mee from soe many Evills as I had passed over, and drowning mee in his Blessings in this my old age, to live happily and peaceably in these ancient places of mine Inheritance.
(Clifford, p.123)

This extract is from the 'Kendal Diaries' from 1654; writing at the age of sixty four, she demonstrated in her writing a quiet yet satisfied exultation on finally procuring the inheritance for which she had fought for many years, incurring the wrath of spouses, relatives, the Archbishop of Canterbury and even James I. In spite of the hindrances of a second marriage to the Earl of Pembroke (who had also disagreed with her claim) and the disruption of the Civil War, Clifford instantly became the owner of Westmoreland and Skipton, under the terms of the King's Award which she had rejected so vehemently. She was Baroness of both until her death at the age of eighty six. She had received the estates in the course of events under her father's will

⁵¹ Lamb, p.349. See also Lewalski's argument in 'Re-writing Patriarchy', who suggests that Anne Clifford ranged various patriarchal authorities against one another, opening a space for 'subversion', p.91.

as only surviving heir. Earl Francis and his son, however, had been brought close to financial ruin by the terms of the original will; George Clifford had considered this outcome when he excluded his daughter from the Clifford inheritance, and it had been one of his arguments for passing the inheritance onto his brother, so that she may avoid the debts on the estate.⁵² When her husband Pembroke died in 1650, she enjoyed full ownership of the estates as an independent widow. She threw herself into the role of estate owner with enthusiasm:

And this time of my stayeing there [Skipton] I enjoyed my selfe in Building and Reparacons at Skipton and Barden Tower, and in Causeing the Boundaries to be ridden, and my Howses kept in my severall Manners in Craven, and in those kind of Countrie Affaires about my estate. Which I found in extreme Disorder by reason it had bene so long kept from mee, from the death of my Father till this time, and by occasion of the late Civill Warres in England. (Clifford, p.106)

It is important for the writer of this personal remembrance of the struggle to gain the land, a struggle which itself was to become part of an inheritance Clifford could leave in written form for her surviving daughters, grandchildren and great grandchildren, to emphasise her own vital role in taking over the estates. The main reason she gave for the estates being in disrepair was the fact that they were not willed to her, the rightful heir, immediately on her father's death. There was no acknowledgement of the previous estate owners, her uncle and cousin, just as if historically, in her record of her struggle, they no longer existed.

Clifford's diaries were very much concerned with her geographical, physical, and temporal location in an ever-changing aristocratic court circle, and through the upheavals of external society, which were barely registered in the commentary of her text (the Civil Wars, for example, still raging as she succeeded her estates, were modestly described as growing 'hotter and hotter in England') (Clifford, p.95).

⁵² Spence, p.106.

Therefore, just as the past was constantly acknowledged as influential and vital, so was Lady Anne Clifford's investment, emotional and financial, in her future lineage. Her children were her successors, and her apparent concern with the domestic and feminine space of the household and its maternal concerns can here be seen to be concentrated in fear for the survival of her family line and future power.⁵³ She created through her writing an autobiographical figure, and she was fully aware of the value of text, recording the socially and economically shaped moments in a life. The effects of reconstituting a life and distancing the 'real' self create a reflected image, but not one that is concerned with ego, but one concerned with ancestry and descent.⁵⁴ From Appleby castle in 1651 she wrote:

And in this settled aboad of mine in theis three ancient Houses of mine Inheritance, Apleby Castle [sic] and Brougham Castle in Westmerland, and Skipton castle or House in Craven, I doe more fall in love with the contentments and innocent pleasures of a Country Life. Which humour of mine I do [wish] with all my heartt (if it bee the Will of Almightye God) may be conferred on my Posteritie that are to succeed mee in these places. [...] But this must be left to a Succeeding Providence, for none can know what shall come after them. Eccles. 3.22. But to invite them to itt that saying in the 16th Psalme, vv 5, 6, 7, and 8, may bee fittingly applyed: 'The Lott is fallen unto mee in a pleasant place. I have a fair Heritage'. And I may truly say that here:
From many Noble Progenitors I hold
Transmitted Lands, Castles and Honours, which they sway'd of
old. (Clifford, p.112)

She appeared to surrender her legacy to her successors, and finally to God; this would seem to contrast with the very determined, practical way in which she pursued her own inheritance by using specific facts, family history and the law. However, her own struggle was often phrased in terms of Providence directing and empowering the course of her life.⁵⁵ Clifford celebrated, through her quotation and use of scripture,

⁵³ Wilcox is one critic who notes the domestic and emotional concerns of charting stages of her daughter's development, without acknowledging the public aspect of these records, Wilcox, p.57.

⁵⁴ Benstock, p.11.

⁵⁵ Lewalski, *Writing Women*, p.133.

ownership of her lands and her house, finally hers and hers alone; she also rejoiced in the future possibility of transmitting her inheritance to her heirs. The spurned heir became the legatee. When through accident and the passage of time, her father's will lost its significance and power, her 'Enemies' were no longer worthy of mention. Clifford then carefully recorded her progresses around the estates, and births and deaths of her close relatives. She had been delivered from her 'Evills', and gained a contentment which she occasionally noted, but which frequently infused the constant references to visits by her relatives; she would painstakingly note whether this was the first time they had seen her, or her lands which had become so much a part of her identity, since she had legally gained the inheritance:

For the eighteenth daie of December, did my said first Grandchild Nicholas, Lord Tufton, come thither to mee and stayed there till the twentieth day of the Monthe following [...] and this was the first tyme that I saw him or anie of my Grandchildren at Skipton, or in anie part of the Landes of myne Inheritance. (Clifford, p.108)

This commemoration of each fairly ordinary family visit in this manner had the effect of imbuing the time of her coming into her inheritance with great significance. The point in time when her father's will was successfully overturned by the daughter was therefore recorded as a constant referent, a touchstone, for the customary, day-to-day events recorded in her secular autobiography.

Anne Clifford's own will and testament, written in 1674, demonstrates many of the attributes of her diary-writing. It is a lengthy document which records her numerous heirs and their position in the hierarchical and vital process of her own transmission of the lands and castles of her estates. The opportunity is again taken to reassert her own position as heir in relation to her father:

In the name of God Amen. I Anne Lady Clifford, Countesse Dowager of Pembroke, Dorsett and Montgomery, Sole Daughter and Heyre of the late Right Noble George Clifford Earle of Cumberland; and by my birth from him Lady of the Honour of Skipton in Craven, Baronesse Clifford, Westmoreland

and Crecy, and High Sherriffesse by Inheritance of the Countie of Westmoreland; being at this present in indifferent health of bodie, and verie good memorie thanks bee given to God for the same; do hereby revoke disannul and make voyd all former wills of mine whatsoever; And doe make and ordaine this to bee my last Will and Testament.⁵⁶

Her desire to keep her name amongst those titles she had come into by inheritance was prominent even in her construction of this last and perhaps most important document; she even wished to be buried with ‘the inscription on the Breast whose body itt is’, and left instructions to be buried with her mother in the church of Appleby.⁵⁷ She also reiterated her struggle to gain her father’s inheritance, stressing that she was the ‘right and next lawfull heyre to my noble father’ and that the bulk of her inheritance would now be left to her surviving child Lady Margaret.⁵⁸ But one of the sentiments that stands out in her will is the need to present the continuity of female lineage in the face of adversity. It was her mother’s ‘prudence, goodnesse and industrie’ that helped her to the rights of her inheritance, ‘and therefore as I doe my Selfe soe desire my Succeeding Posterity to have her in Memorie, Love and Reverence’.⁵⁹ Her will evokes emotion, lineage, remembrance, great business-like care, and again, the urge to record even the tiniest detail is evident. Her need to play the role of sagacious testator, and to record her various relatives’ inclusion in her inheritance contrasts with her own exclusion as an heir.

A seventeenth-century will provided the initially microcosmic and private concerns of the dying testator, and this could then be reflected outward onto a relationship with the more public world of literature, in *The Merchant of Venice* for example and as communication to the social and political worlds which in turn shaped

⁵⁶ Anne Clifford, *My Last Will and Testament, Signed and Sealed by me in Pendragon Castle in Westmoreland the First of May 1674*, Cumberland Record Office, WD/Hoth/A 988/8, p.2.

⁵⁷ Cumberland RO, WD/Hoth/A 988/8, p.2.

⁵⁸ Cumberland RO, WD/Hoth/A 988/8, p.2.

⁵⁹ Cumberland RO, WD/Hoth/A 988/8, p.2

and accepted the will. In examining dramatic tensions and questions raised by wills in William Shakespeare's *The Merchant of Venice* and in Lady Anne Clifford's writing one can appreciate literary and 'real-life' perceptions of the actual processing of wills, both disputed and uncontested. John Addy, who undertook a study of post-Restoration wills, indicates that in order to study the processes of will-making in greater detail, one must look at wills that have been contested, examining witnesses' accounts, accounts of jealous relatives, and claims of those who suggested that texts were false.⁶⁰ The will itself, and the preamble to the will presented only the testator's argument and ideas. However, the discourses that surround the will are, in fact, able to supply us with more information about the power relationships surrounding the testator, and the impact his or her death had upon these. These discourses include protestation and dispute. Elizabeth Hallam, in a study of the gender differences surrounding death practices in early modern Canterbury, suggests that 'ritualised production' of texts, especially of wills, guided the distribution of wealth, but also guided practices, indicating burial requests, and education for children, carried out mainly by professional men.⁶¹ She also notes the 'crises' that developed during will-making and dying processes; these problems emphasised the instability of relationships and shifting power relationships in the household. The microcosm of Venetian society (analogous to Elizabethan society) presented in *The Merchant of Venice* explores contemporary ideas of crises which could surround a will's transmission. Portia's father not only gave guidance in his will as to how his daughter should conduct her life, and her marriage choice, his instructions and the riddle give her no freedom except for chance. The human cost of Portia's inability to challenge

⁶⁰ John Addy, *Death, Money and the Vultures: Inheritance and Avarice, 1660-1750* (London: Routledge, 1992), p.1.

⁶¹ Elizabeth Hallam, 'Turning the Hourglass: Gender Relations at the Deathbed in Early Modern Canterbury', *Mortality*, 1 (1996), 61-83 (p.61).

her parent's request is not fully explored by the drama, but it does demonstrate her anxiety about her powerlessness.

Anne Clifford's diaries and records have alternatively provided an example of an individual's attitudes to a disrupted legacy which can be traced over the period of many years, covering a great deal of her life and many significant moments in the seventeenth century. The positive production of a written inheritance for her daughter and her own heirs, driven by anger at her exclusion from her father's patrimony, contradicts the negative elements of Anne Clifford's experiences, despite the lack of an explicit label of legacy. A comparison can be drawn with the textual records of Agnes Beaumont, a Puritan contemporary of John Bunyan, who faced the wrath of her father for attending Bunyan's spiritual meetings. Not only did she face the wrath of her family and community, as her reputation was vehemently attacked (she was later accused of poisoning her father), she also faced the prospect of exclusion from her share in his inheritance because of her 'behaviour':

Now my fathers Will was made three years before he dyed, and mr feery [sic] made it. And then he put my father on to give me more then my sister because of some design he had then, but afterwards when I came to go to meetings he was turned Against me. And I did not know but that will that was made then had been Altered; But it was not. So the next thing I was to meet with I must spedely resign up a part of what my father had left me to my Brother in law, or else he would sue me. [...] So to law they would have gone with me presently but I Agreed to give my Brother Threscore pounds for peace and quietness.⁶²

Hilary Hinds has examined Beaumont's spiritual account to expose the unarticulated, the 'silent' parts of her text which deal with 'the *material* consequences of her refusal to comply with her father's demands', as well as the spiritual.⁶³ The extensive dealings with her own dependence upon her father and the material circumstances of

⁶² Agnes Beaumont, *The Persecution of Agnes Beaumont*, in *John Bunyan 'Grace Abounding' with Other Spiritual Autobiographies*, ed. by John Stachniewski and Anita Pacheco (Oxford: Oxford University Press, 1998), pp.193-224 (pp.222-223).

⁶³ Hilary Hinds, *God's Englishwomen: Seventeenth-Century Radical Sectarian Writing and Feminist Criticism* (Manchester: Manchester University Press, 1996), p.78.

his inheritance, Hinds notes, are suggestive of positive resistance to her economic conditions. Clifford's writing can also be seen as offering a resistance against her own, and other daughters' silence in seventeenth-century family inheritance.

The diaries have proved fruitful when reconsidered and re-read as social documents, which parallel the fascinating dramatic and literary versions of women's inheritance in this period. The case of a disputed inheritance in this period contrasts with the theatrical presentation of a daughter restricted by the instructions of a will. Clifford's dispute is unusual, but more for the fact of the high profile, aristocratic elements of the case, and the involvement of the highest authorities in England. The transformation of the record of inheritance dispute into a legacy for future generations, a double legacy, proves the case of women proving themselves as firmly involved in the process of lineal and power inheritance.

In the play *The Merchant of Venice* Portia was bound by her dead father to become part and portion of her very own inheritance and dowry, part of the treasure to be passed onto a future husband. As soon as a man could solve the riddle of the caskets he would immediately gain the prize of Portia, and ironically her husband-to-be would then become owner of her body at the same moment as he became the owner of her rightful succession. The play exposed the limitations of a married woman's path to ownership. Under common law, a woman's moveable property fell not only under the control of her husband, but also under his ownership (he could not, however, legally dispose of her dowry, which she could take over on his death).⁶⁴ Lady Anne Clifford was inspired by this very process of exclusion from ownership to actively play the role of 'heir-in-waiting'. She shaped her discourses around the possibilities of legal and rightful inheritance, writing her own textual testament

⁶⁴ Jack Goody, *The Development of the Family and Marriage in Europe* (Cambridge: Cambridge University Press, 1983), p.66, and Baker, pp.309-310.

around the fight to gain her own inheritance, and including herself visually (in portraiture) and in the text in the processes and traditions of aristocratic lineage.

For all their significant generic differences, *The Merchant of Venice* and Anne Clifford's texts both explain attitudes to the relationship between fathers and daughters in the matter of inheritance. *The Merchant of Venice* presents how a woman in the early modern period might be tied to a dead father's wishes by her own economic dependence on his dowry and inheritance, only to lose her wealth and herself in the process of marriage and coverture, where a woman's property and body is legally owned by her husband. The tragic consequences of a woman who defies her family's choice of marital partner were all too clearly played out on the Renaissance stage, including William Shakespeare's *Romeo and Juliet*, *Othello*, and the secret marriage portrayed in John Webster's *The Duchess of Malfi*. Nowhere is that authority and choice more obviously still powerful after the death of the father than in *Merchant*. The projection of the parental role beyond death has already been examined in chapter one, but here it is the status quo that is being preserved; the estate of Portia in fact is not preserved, and in the act of coverture, all her wealth and body is transferred to the ownership of her husband. The fear of loss of lineage is vital to understanding Lady Anne Clifford's drive to produce her own 'legacy'. Clifford's texts have presented a case of greater active participation in the process of inheritance, even if that activity was ironically sparked by ostracism from the family and from society; her records of the reactions of figures of authority all the way down to family members and servants prove that her struggle was uncommon in this period, and certainly far from being approved of. In each case inheritance and obedience to familial and patriarchal rules are seen to co-exist. Each of these two texts, moreover,

offers an insight into the familial forces brought to bear on inheritance and the consequences of specifically female challenges to the paternal will.

CHAPTER FIVE:

‘HIS WILL IN A BOX’: CONSTRUCTIONS OF INHERITANCE IN COMIC DRAMA

Theatrical comedy in the seventeenth century reflected, acknowledged and distorted the seventeenth-century social and legal conceptions of inheritance and kinship relations. The family as represented on the public stage was not necessarily ‘real’, but its interpretation gives insight into popular conceptions of inheritance practices, including the breakdown of authority of the will and its patriarchal testator. This chapter concerns the theatrical presentation of parental control of children, not through affection or moral control as seen in previous chapters acting beyond the death of the parent, but via economic control of the will and manipulation of the child’s hope of future wealth and inheritance. However, the chapter will show how drama, through exposing the machinations of family control, again offers challenges to the previously dominant ideology of primogeniture. Aristocratic perceptions of property, power and the transference of these via the family and inheritance were modified throughout the early modern period; it has been argued that land and power became more greatly concentrated in the aristocratic families towards the eighteenth century.¹ The transmission of such power also altered. Although primogeniture, the right of the eldest son to inherit property, was still common law, this was in many cases consolidated by wills and strict settlements, which in turn potentially diminished paternal power: fathers would be unable to discipline their children by threatening disinheritance, and this in turn is shown on the early modern stage. Human dislocation

¹ See Christopher Clay, ‘Property Settlements, Financial Provision for the Family, and the Sale of Land by the Greater Landowners 1660-1790’, *The Journal of British Studies*, 21 (1981), 18-38. Clay notes that the English landed society had a reputation for stability after the Restoration, and particularly after the Glorious Revolution.

in the family and society was a significant topic for theatre across the period, and usurpation and restoration were common themes in early restoration drama.

We have seen in the previous chapter through a discussion of *The Merchant of Venice* how a play could be analysed as an early modern case study; this was done in order to highlight a daughter's lack of power when faced with a father's will that controlled her marriage choice and self-will. A more common theme in early modern drama than daughters' exclusion from inheritance processes was the idea that younger sons were unfairly treated by common law and primogeniture. This was usually the subject of comedy. The plays which will be read and contextualised in the light of applications and popular ideas of inheritance are Thomas Middleton's *A Mad World, My Masters* (c.1605), Middleton's *A Trick to Catch the Old One* (c.1605), and Aphra Behn's *The City-Heiress* (1682), with reference to other plays of the period.² This chapter will be asking whether literary representations of the 'natural' processes of familial inheritance, for example from father to eldest son, or in the case of no immediate heir, to nearest relative, change over the century; it will also be examining whether this was linked to historical changes in the family, in political or monarchical power.

Comedy, as we shall see, was always involved with challenging and highlighting social and familial ideologies, even if the plays' conclusions would see family hierarchies re-established. What appeared to be natural familial structures were dependent on the movement and promise of financial securities, and the comedies in

² Thomas Middleton, *A Trick to Catch the Old One*, in *The Works of Thomas Middleton*, 8 vols, ed. by A.H. Bullen (London: John C. Nimmo, 1885), II, and *A Mad World, My Masters* in *Middleton*, III. The dates of the plays are usually given between 1604-1606; *A Mad World* was entered in the Stationer's Register in 1608. Aphra Behn, *The City-Heiress: Or, Sir Timothy Treat-all* (1682), in *The Works of Aphra Behn*, ed. by Janet Todd, 8 vols (London: Pickering and Chatto, 1996), VII. References to these editions will be given in parentheses after quotations in the text, with shortened titles for Middleton's plays: *A Trick to Catch*, and *A Mad World*.

this chapter upset this patrilineal flow in order to expose the very workings of inheritance. The prodigal son-character prevalent in early modern drama showed something was awry in the processing of power; for example his presence in drama and his subversive libertine nature challenged the concept that the will was supposed to be able to wield submission and control in case it should be changed to reflect the parent's changes in affection towards children. The plays which presented the adventures of the prodigal set up the dichotomy of morality and wealth in the family context. The errant son figure was a sign of insurrection but also of ultimate reinstatement within familial patterns; the libertine was usually suppressed by the forces of conservatism (but he was allowed to be the amusing anti-hero of comedy). The prodigal son comedy was a genre with common themes and traits as we shall see in the similarities of the genre traced through the plays of Middleton and Behn, but it registered profound shifts in attitudes to inheritance practice in the family and in monarchical succession.

What happens when one shakes up lineal progression and succession by the use of substitute fathers not from the immediate bloodline, for example grandfathers or uncles? Changing notions of the family across the period have offered challenges to primogeniture's dominance, just as comedy challenges the process of inheritance. The younger son in these cases was 'translated' into the figure of the nephew or grandson, usually the sole heir, struggling against a wealthy and morally questionable older male relative. The familial roles may have changed slightly, but the will and the promise of future wealth combined with the threat of financial exclusion kept the will at the centre of real and dramatic considerations: inheritance and economic concerns for future wealth controlled the discourse and makeup of these theatrical representations of the family. The will was an increasingly vital tool in the process of

money transference and everyday family affairs, and as such the literary treatment of its role in the family is a useful way to explore contemporary political and social debates. In the three main plays in this chapter, a ‘will’ could encompass writings on mortgages, conveyances, and political opinions. It is a useful comprehensive phrase for the hidden document of familial control. The will’s power over a family while the testator was still alive is vital to a study of the plots of comedic inheritance drama; the title of this chapter ‘his will in a box’ refers to the hidden but powerful presence of the will in Thomas Middleton’s comedy *A Mad World, My Masters* (*A Mad World*, I.1.52). Follywit, the young prodigal rake of this play, knows the power his uncle’s inheritance holds over him, and the play charts his fortunes as he tries to trick him out of some early cash; these as we shall see are common themes in seventeenth-century comedy. Comedy allowed complex and emotive issues of inheritance and exclusion from inheritance to be raised in a safe and cathartic fashion in front of an audience. These were issues which could lead to litigious dispute and family acrimony, as has been seen in the case of Lady Anne Clifford.

The plays are selected because they span a complex century, and demonstrate the pre-and post-Civil War literary attitudes to heirs. There is also continuity in the genre of this particular type of inheritance comedy, evident from a close reading of Middleton’s and Behn’s plays, even though there are also important changes which occur in the structure and intent of prodigal son comedies, which will be investigated. Drama had to react to changing religious thought and its connection to society; from the proclamation of 16 May 1559, drama dealing with religious issues was suppressed, as was any drama which dealt with the “governance of the estate of the common weale”, and drama had to find new targets and societal relevance in its new

age.³ City comedies in particular began to reflect the economic crises of both the aristocratic and mercantile classes with increasing migration into London, and provided acerbic depictions of the problems of old and new wealth.⁴ Inheritance and its ramifications, increasingly important issues in the early modern period, were tempting targets for drama, and particularly comedy.⁵ As Viviana Comensoli notes, there was an increasingly prominent and popular form of drama to be found dealing with what she calls ‘home-borne’ subjects, with domestic issues and ordinary people, and the process of family transmission of property and wealth (even relatively small amounts of wealth) formed a large part of many family lives. Therefore inheritance was an especially pertinent topic for most Renaissance play-goers.⁶

By using the tensions, comic and tragic, which arose from inheritance and its transmissions, drama before the Civil War questioned (through comedy) the fundamental progress of primogeniture, particularly through the focus on the prodigal son. Comedy is more useful to this project than tragedy, concerning the theme of inheritance, because it tends to deal with low and ordinary figures, and blends the subject of politics with ideas and discourses of the domestic household.⁷ Comic drama concerns the adjustments the characters have to make to live in an unstable and changing society, and deals with the relationships between society’s various parts, such as hierarchy in the public world and the family. In plays principally about ‘fathers’, ‘sons’ and inheritance, the absence of morally superior patriarchal figures is

³ As quoted by Marie Axton in *The Queen’s Two Bodies: Drama and the Elizabethan Succession* (London: Royal Historical Society, 1977), p.11.

⁴ Martin White, *Middleton and Tourneur* (Basingstoke: Macmillan, 1992), p.19.

⁵ Orlando in William Shakespeare’s *As You Like It*, the youngest son of Sir Rowland de Boys, protests against the unfair rules of primogeniture, as Joan Thirsk notes in ‘Younger Sons in the Seventeenth Century’, *History*, 54 (1969), 358-377 (p.359).

⁶ Viviana Comensoli, *‘Household Business’: Domestic Plays of Early Modern England* (Toronto: University of Toronto Press, 1996), pp.3-11.

⁷ Martin Butler, *Theatre and Crisis 1632-1642* (Cambridge: Cambridge University Press, 1984), pp.141-143.

surprising, but this is comedy. Therefore the parallels between political aspects of inheritance and the familial aspects of its moral and technical 'reality' can be charted without recourse to allegory which might have to be decoded. Just as society changes, there are corresponding changes in the moral behaviour investigated on the stage. The playwright plots the changes and tensions which arise from the conflicts of a society fractured by the internal upheavals of civil and monarchical change, and this in turn creates the spectator's laughter, even if that laughter comes from uneasy and uncomfortable recognition. The form of behaviour in comedies is consistent with the behaviour of the individual in society, rendered theatrical and therefore more extreme and grotesque.

The issue of drama's use of prodigality in relation to inheritance is significant. The prodigal son in Christian mythology returned to the family, and to his forgiving father, after experiencing sin and temptation in the world outside of the family. The errant child was eventually brought back into the fold of the moral family structure (ultimately of course in the meaning of the parable into the Christian kingdom of the forgiving God) through marriage or inheritance because of his own remorse or more realistically because of the fear of ending up penniless; this is a pertinent allegory for younger sons in the seventeenth century excluded from the lion's share of inheritance. Lorna Hutson uses the concept of prodigality in the early modern period to explore the rhetoric of authorship and exchange.⁸ She explores how writers in particular have used the allegory of the erring and returning prodigal to legitimise their authorship.

She offers a definition:

In a gift economy, prodigality may be understood as the abuse, by anticipation, of the reciprocal flow of gifts and credit from benefactor to recipient and back. For within the gift economy, the act of giving, or the extension of credit, is a sign of trust in the other's ability and worthiness. The

⁸ Lorna Hutson, *The Usurer's Daughter: Male Friendship and Fictions of Women in Sixteenth-Century England* (London: Routledge, 1994), pp.116-133.

recipient knows this, and understands his honour to be at stake in the obligation to reciprocate.⁹

This extension of credit and the abuse of a benefactor's trust by errant kin are highly visible features of the seventeenth-century plays under examination here. The prodigal plot can be seen clearly in Middleton's and Behn's plays. Hutson examines the impact of the Roman playwright Terence on sixteenth-century playwrights, when domestic comedy was commonly turned into a young man's excursions into the world of bawdy houses and courtesans, particularly in John Palsgrave's translation of Fullonius' *Acolastus* in 1530.¹⁰ The biblical prodigal son tale was retold in contemporary drama, and the archetypal tale of the wandering son presents the modern critic with some fascinating insights into control and relations in the early modern household.¹¹ The vital issue about their return to the household in the seventeenth century is indicative of mounting debts and the desire to gain 'hereafter fortunes', as Follywit in *A Mad World, My Masters* refers to the future possibilities of financial inheritance, but it also relates to the drive to gain money in the present (*A Mad World*, I.1.42).

Contemporary political and social theory can be interpreted as arguing that the relationship between the family as a microcosm of the state, and dramatic representations of the family and inheritance in literature, evolved as the Civil War disrupted both family and theatre. Concerns about primogeniture and patriarchal financial and moral power began to be played out against an increasing dramatic interest in women's role in inheritance. Here the familial changes are not concerned with the emotive makeup of family life, but with the historically inferred transition of

⁹ Hutson, p.118.

¹⁰ Hutson, p.173.

¹¹ See Alan R. Young, *The English Prodigal Son Plays: A Theatrical Fashion of the Sixteenth and Seventeenth Centuries*, Jacobean Drama Studies, 89 (Salzburg: Institute for English and American Universities, 1979).

the family from patriarchal and authoritarian, to private and contractual, as examined in the introduction. The texts that will be used are Sir Robert Filmer's *Patriarcha* (1680) and John Locke's *Two Treatises of Government* (1690). The political texts of Filmer and Locke will be examined against the transition of the family and theatre through the seventeenth century. Taken as literal evidence of changing attitudes, these political texts indicate that family relationships were perceived to alter in tandem with political and social relations in the direction of greater equality and individual liberty. Ironically, even though Locke's *Two Treatises of Government* has been used to assert issues of property and man's relationship to property, Filmer's *Patriarcha* tells us much about the early seventeenth-century's vision of inheritance and family relationships. The interpretation of these two texts in the political context of issues raised over Stuart monarchical succession will be set against the recurring concerns of theatrical themes.

We shall see a definitive move from the use of the characters of mock-heiresses and false widows (prostitutes in disguise) to real widows and heiresses in Behn's play. However, the generic changes are minimised – the rake was still popular, possibly more so in the Restoration after the creation of George Etherege's influential character Dorimant in *Man of Mode*. These changes will be linked to the social and legal ideology of paternal hierarchy as represented in theoretical political texts. Political texts have sparked the critical debate about the transition of the seventeenth century from patriarchalism to property and individualism. Although such political writings were not necessarily directly influential upon the playwrights of the period, they informed and were informed by the direction of powerful and socially grounded political thought. These political texts will be examined as discourses which were circulated concurrently with seventeenth-century drama.

One of the most relevant and distinguishing features of comedies which deal with inheritance is the fact that the rich uncle or grandfather, who replaces the father as the central patriarch and holder of the inheritance purse strings, does not have to die. There is the possibility of a redistribution of wealth without death, and this is the usual impetus for comic inheritance drama. In the comedies for example, particularly in the work of Middleton and Behn, there is a drive towards conclusion and disclosure, so that the teleological denouement of inheritance arrives before death. Tragedy involves the necessity of death to reach closure and to open the way to redistribution of power and wealth, usually ending with the triumphant entrance of a previously marginal, but most definitely legitimate heir. The comedy stage, dealing with inheritance without death, demonstrates that issues of inheritance crisis are both possible and amusing without the necessity for tragedy; comedy can address and articulate the strains in family relationships which are caused by questions of inheritance precisely because there is no death. Overlapping generations can be shown co-existing, clashing, and coming to resolution on the stage. The temporal space of the stage and the play allows this co-existence without the obvious disruptions that death can bring. Therefore the contesting of wills and finance can take place when all are present, and the power struggles of the family space are contracted into the visual world of entertainment and enlightenment.

Although civil and ecclesiastical law did not change significantly in England during the seventeenth century in relation to children's inheritance of parental property and wealth, the impact of the Civil War and the Interregnum introduced political concerns to the taking and giving of land and property (for example, through

the seizing of Royalists' estates).¹² The Restoration, with the re-opening of the theatres, created possibilities for several dramatic treatments of these political and historical challenges to inheritance. The Exclusion Crisis is particularly relevant to the internal political jibes of several late seventeenth-century comedies, as it truly disrupted the process of inheritance, not just in relation to property, but also in relation to power structures of the monarchy. With this and the Popish Plot, truth was becoming stranger than fiction, so much so that Susan J. Owen quotes Aphra Behn's Prologue to the *Feign'd Curtizans*: "The Devil take this cursed plotting age, / 'T has ruined all our plots upon the stage"; Owen suggests that as the plays of the Restoration increasingly acknowledged the external pressures of politics, political problems themselves began to reflect the language and structure of drama.¹³ Finally, after 1660 the ideology of primogeniture suffered when divine right and monarchical inheritance were challenged through the machinations of the court and parliament, and this was exemplified in the 'restoration' and reworking of the prodigal plot by Behn in *The City-Heiress*. It follows that if the contemporary concept that the family represented a microcosm of the state is correct, then conversely political influences would have impacted upon inheritance procedures inside the family, and therefore on images of the rather dysfunctional family represented in comedy drama. As Jean Howard argues, the public stage could challenge 'aristocratic and androcentric mappings of the world, opening space for the ideologies of the middling sort and for the negotiation of women's place in early modern culture'. The stage was 'a vehicle

¹² Amy Louise Erickson has highlighted the relative stability of inheritance laws, except in the case of widows. She has noted the detrimental impact of the 1670 Act for the Better Settling of Intestate's Estates on widow's portions: *Women and Property in Early Modern England* (London: Routledge, 1993), p.178.

¹³ Susan J. Owen in *Restoration Theatre and Crisis* (Oxford: Clarendon Press, 1996), p.3.

for ideological contestation and social change'.¹⁴ The very kinds of questions which inheritance drama raised on the public stage set the scene for such a contest. Hence one can see considerable evidence of the use of wills and family settlements in early modern drama.

The first such play under consideration to employ the tropes of prodigal, substitute father and the hidden will is Thomas Middleton's *A Trick to Catch the Old One*. The protagonist Witgood is an attractive riotous prodigal with an avaricious uncle Penurious Lucre. A common theme in the plays in this chapter is the battle between young spendthrifts and old usurers over money and women; Witgood has frittered away his finances, and has been forced to mortgage his lands to his uncle. Witgood will now do anything to acquire more land, as he cries 'But where's Longacre?', a common name for an estate (*A Trick to Catch*, I.1.7). The opening soliloquy of the play is a lament concerning the prodigal's financial predicament: he wails 'All's gone! still thou'rt a gentleman, that's all; but a poor one, that's nothing' (*A Trick to Catch*, I.1.1-2). His overindulgence in food and the brothel consume both him and his purse, 'all sunk into that little pit, lechery' (*A Trick to Catch*, I.1.4). He has been 'visited by that horrible plague, my debts' (which plays upon the juxtaposition of debt and venereal disease), but by this disease he will lose the possibility of a 'virgin's love, her portion, and her virtues' (*A Trick to Catch*, I.1.21-22). Her 'portion', the money a woman would bring into a marriage, is placed squarely in importance between love and virtue. In fact, as is later divulged in the scene, his mistress, Courtesan, has already given him her 'prize' of her virginity:

COURTESAN I've been true unto your pleasure; and all your lands
Thrice rack'd was never worth the jewel which I prodigally gave you,
my virginity:
Lands mortgag'd may return and more esteem'd,

¹⁴ Jean E. Howard, *The Stage and Social Struggle in Early Modern England* (London: Routledge, 1994), p.18.

'revenge' which Behn employed is an enlightening word here; this along with words such as 'trick', 'cozen' and 'wicked' indicate the discord that could be identified in inheritance processes. Witgood, like Wilding in *The City-Heiress*, plays on his relative's greed, leading his uncle to believe that he is wooing the rich country widow (Courtesan in disguise), and therefore he needs instant collateral as a promise of future wealth in order to impress her:

WITGOOD The device well and cunningly carried
the name of a rich widow, and four hundred a-year in
good earth, will so conjure up a kind of
userer's love in him to me, I shall find him so officious to deserve, so ready
to supply! [...] If his nephew be poor indeed, why, he lets
God alone with him; but if he be once rich, then he'll
be the first man that helps him. (*A Trick to Catch*, I.1.88-97)

The common rioter, the prodigal, dissembles reform and introduces the prospect of future wealth in order to 'catch' a little for himself now. A disguised courtesan, vital in *A Trick to Catch the Old One*, and Behn's *The City-Heiress*, embodies the 'trick'. The nephew uses the trick and the courtesan to exact revenge and pre-inheritance portion. Witgood persuades Host to help him with the trick:

WITGOOD Thou know'st I have a
wealthy uncle i'th' city, somewhat the wealthier by my
follies: the report of this fortune, well and cunningly
carried, might be a means to draw some goodness from
the usuring rascal; for I have put her in hope already of
some estate that I have either in land or money: now,
if I be found true in neither, what may I expect but a
sudden breach of our love, utter dissolution of the match,
and confusion of my fortunes forever? (*A Trick to Catch*, I.2.38-46)

This self-confessed licentious prodigal nephew plans to use the deception of a courtesan disguised as a rich widow to bypass the economic censure of the parsimonious yet powerful legacy maker. Morality is absent from all the schemers' minds: wooing and marriage are economic exchanges devoid of emotions. In fact, it is his uncle's enemy Hoard who falls for her promise of wealth and youth, and is gulled

and the audience's sympathies appear to lie with the abashed anti-hero. The ostensible purpose of the trick, to promote premature inheritance and the provision of portions to an errant youth, does not always succeed; inheritance's machinery is uncovered, wills and tricks come to light, but justice is not always fairly distributed, according to either the characters or the audience. In the denouement of *A Trick to Catch the Old One*, when Courtesan proclaims her honesty and kneels, Lucre tells his nephew 'Ah, here's a lesson, rioter, for you!' (*A Trick to Catch*, V.2.189). Witgood finally provides both audience and uncle with a speech of repentance. Getting down onto his own knees, following the lesson of his former mistress, the prodigal here truly and righteously returns to the fold, to the conventions and strictures of the family and society:

WITGOOD I must confess my follies; I'll down too:
Kneels
And here for ever I disclaim
The cause of youth's undoing, game,
Chiefly dice. (*A Trick to Catch*, V.2.190-194)

Witgood finally and convincingly (at least, it appears that there is no more financial reward to be gained from deception) repents to all present:

WITGOOD Lend me each honest hand, for here I rise
A reclaimed man, loathing the general vice.
(*A Trick to Catch*, V.2.204-205)

In all of the plays, but especially in Middleton's *A Trick to Catch the Old One*, it is difficult to discern a morally superior character, as Martin White says about the conclusion:

In other (earlier?) city comedies, Middleton employed a character morally or socially superior to the intriguers to hand out punishment, or contrived a radical reversal of fortunes to give some social criminal his comeuppance.¹⁶

Commentary must be drawn by the audience, not by characters.

¹⁶ White, p.41. Alexander Leggatt, though, has argued that despite the competitive knavery in the play, its sense of moral outrage is limited, and it remains good-natured: Alexander Leggatt, *Citizen Comedy in the Age of Shakespeare* (Toronto: University of Toronto Press, 1973), p.59.

The plays under discussion focus on the concept of morality and inheritance. They challenge the moral right of guardians of questionable and hypocritical greed and lusts to dictate and control the behaviour of the heir specifically by manipulating portions, dowries or the balance of the will. For example, another early seventeenth-century play, Ben Jonson's *Volpone* (1606), is a comical examination of the rich man's power to manipulate legacy-hunters, parasites and relatives of questionable provenance. This play also demonstrates how the promise of future wealth allows the parent or guardian to dictate moral and (in the case of *The City-Heiress*) political behaviour. The testamentary freedom of the legacy maker, although in principle allowing the father to enforce discipline (he could disinherit an heir if the heir did not please him), meant that power could be manipulated through secrets and promises about the nature of the will. In practice this often led to rivalry, bitterness and legacy hunting. This is wonderfully exemplified in *Volpone*, as suggested in that play's opening 'Argument', 'V- olpone, childless, rich, feigns sick, despairs, / O- ffers his state to hope of several heirs'.¹⁷ Interestingly, it is the old man, the legacy holder, who performs the tricks here. Mosca tells Volpone that he does not devour 'soft prodigals':

MOSCA You shall ha' some will swallow
 A melting heir as glibly as your Dutch
 Will pills of butter, and ne'er purge for't.¹⁸

Corvino, a young merchant, however, is prepared to prostitute his wife to Volpone for a share in the fortune.

Comedy was achieved in the recognition by an audience of how far both heirs and testators were prepared to outwit and manipulate their 'enemies' in order to gain wealth. The dramatic devices of secrecy, rumour, disguise and trickery play important

¹⁷ Ben Jonson, *Volpone* in *Ben Jonson: Three Comedies*, ed. by Michael Jamieson (Harmondsworth: Penguin, 1966), I.1.10-11.

¹⁸ *Jonson*, I.1.41-44.

roles in this respect in drama across the period. In Philip Massinger's *A New Way to Pay Old Debts* (1633), for example, there are strong echoes of the prodigal plot as staged in Middleton's *A Trick to Catch the Old One*, but the trick itself has changed in style and significance in relation to the structure of the play. Here the plot of the prodigal nephew Welborne attempting to gull his villainous uncle Sir Giles Overreach is rivalled by the less farcical plot of Overreach's daughter and natural heir Margaret, and her struggle to avoid a forced arranged marriage to the older Lord Lovell.¹⁹ The issue that is pursued here is that of the daughter's tragedy in comparison to the prodigal theme.

The relations between the early seventeenth-century social and legal worlds can be mapped by the close reading of inheritance play structures, and here the two Middleton plays under consideration are particularly relevant. Playhouses re-opened in 1604 after being closed for over a year because of plague, and after this time there is an increasing interest in the topic of the city and the public world, and in the underlying, familial machinations of power which culminate in the challenges to inheritance.²⁰ There is a drive in drama to uncover many of the malign and unsavoury elements which are concealed beneath the surface of society and this could be achieved without the death of the patriarchal figure. These rancorous tensions are exposed brilliantly through the comic drama of Middleton. In Middleton's *A Mad World, My Masters* Follywit, the grandson and heir apparent of Sir Bounteous Progress, is the prodigal hero again unable to access his inheritance, not from his father, but this time from a grandfather. He complains about his financial predicament to his comrades:

¹⁹ Philip Massinger, *A New Way to Pay Old Debts*, in *The Plays and Poems of Philip Massinger*, ed. by Philip Edwards and Colin Gibson (Oxford: Clarendon, 1976).

²⁰ This includes Middleton's plays, as well as Thomas Dekker and Middleton's *The Honest Whore* (1604), Ben Jonson's *Volpone* (1606) and Philip Massinger's *A New Way to Pay Old Debts* (1633).

FOLLYWIT You know all the possibilities of my hereafter fortunes,
and the humour of my frolic grandsire, Sir Bounteous Progress, whose
death makes all possible to me: I shall have all when he has nothing;
but now he has all, I shall have nothing. (*A Mad World*, I.1.42-46)

Follywit later tells the Courtesan, who he is deceived into believing is a virgin, ‘My estate is yet but sickly; but I’ve a grandsire / Will make me lord of thousands at his death’ (Bounteous, we have already learnt, is a ‘knight of thousands’) (*A Mad World*, IV.5.102-103, I.1.64). Ironically, it is revealed to the audience that Sir Bounteous has every intention of leaving his money to his grandson on his own death, and is willing to forgive his relative’s knavish behaviour:

SIR BOUNTEOUS I have a grandchild, my lord; I love him;
and when I die I’ll do somewhat for him. [...]
Some comic pranks he has
been guilty of; but I’ll pawn my credit for him, an honest,
trusty bosom. (*A Mad World*, II.1.125-132)

Of course, Sir Bounteous can only foresee his inheritance passing on after his death; there is no mention of earlier financial provisions. Despite Follywit’s reputation as the ‘lifeblood of society’, gained through wild drinking and whoring, his credit, in reputation and finance, is only worth the possibilities of ‘hereafter fortunes’ to be hoped for after inheritance (*A Mad World*, I.1.43). All will be possible, he concedes, once he has gained the reality of this inheritance. An audience expects that this will necessarily involve the death of Sir Bounteous, so that the progress and process of inheritance can begin. The protagonist chillingly tells the audience that it is for this reason that ‘so many laugh at their fathers’ funerals’ (*A Mad World*, I.1.51). Yet Follywit does not openly wish for his grandfather’s death in order to increase his own fortune, and the audience expectation of tragedy and murder is thwarted. The plot of Middleton’s comedy is driven by the heir’s desire to trick the rich old man out of some money before the inheritance is passed on after his death (or before, as will be examined, his grandfather produces a more immediate heir closer in bloodline):

FOLLYWIT Then since he has no will to do me good as long
as he lives, by mine own will I'll do myself good before
he dies. (*A Mad World*, I.1.59-61)

Follywit's primary grievance concerns the fact that while Sir Bounteous attempts to dictate his heir's moral actions, he is too miserly to provide money for this grandson now. This is despite his indiscriminate hospitality to all visitors to his house which will be echoed in Sir Timothy Treat-all's exceptional munificence to Whig guests in

The City-Heiress:

FOLLYWIT He keeps a
house like his name, bounteous, open for all comers;
[...] he stands much upon the glory of
his complement, variety of entertainment, together with
the largeness of his kitchen, longitude of his buttery, and
fecundity of his larder. (*A Mad World*, I.1.65-69)

It is important to note the similarity between Middleton's and Behn's guardians' characteristic generosity to all and sundry, which contrasts with their financial treatment of their young heirs. This can even be seen in the similarity of the names: Sir Bounteous's characteristic name is reworked by Behn into 'Sir Treat-all'. In a similar fashion to Witgood, the rogue heir in *A Trick to Catch the Old One*, Follywit conspires to create a trick which will rob part of his rightful inheritance before the proper time. Follywit is aware that the inheritance will eventually come, but desires an advance on future wealth, a portion, and his trick sets out to resolve this unscrupulously:

FOLLYWIT I know my grandsire has his will in a box,
and has bequeath'd all to me, when he can carry
nothing away; but stood I in need of poor ten pounds
now, by his will I should hang myself ere I should get it. (*A Mad World*,
I.1.52-56)

His project involves disguising himself as a lord, thereby elevating his social and financial status, and taking advantage of his grandfather's generous hospitality and good nature when, in Sir Bounteous' house, he stages a robbery, pretending to be

a victim of it himself. In disguise as Lord Owemuch, Follywit himself pretends to have been one of those houseguests robbed, and Sir Bounteous repays him the value of £200. His willingness to break the law contrasts with Witgood's desire to make sure that his trick is not punishable by law, as he states 'Any trick out of the compass of law now would come happily to me' (*A Trick to Catch*, I.1.27). Follywit appears to be a character who truly flouts the boundaries of society's and the family's laws and boundaries. Greed and dissatisfaction with the sum then drive Follywit to go further and disguise himself as a player to trick his grandfather out of jewels and money.

However at the conclusion of the play he is duped into marrying Sir Bounteous' Courtesan, in a plan paralleling his own trick, but which also twists the plot into an interesting restoration of order and justice. It is also a twist on the ending of *A Trick to Catch the Old One*. The drive in the plot has always been for financial and 'immoral' gain for youth, gambling, whoring and independence, yet the trick concludes erroneously in the trap of marriage. In *A Mad World* when Follywit receives his just reward of marriage to the Courtesan, Bounteous is greatly amused: 'Ah, ha, ha, ha! this makes amends for all. [...] / Can you gull us, and let a quean gull you?' (*A Mad World*, V.2.277-284). Follywit is tricked by Courtesan and his grandfather, and the trick is repaid because both grandson and grandfather have incestuously shared the 'common land' of the Courtesan's body. However, because balance, generational hierarchy and justice have been restored, the grandfather finally feels generous enough to provide his young relative with money: 'And since I drink the top, take her- and, hark, / I spice the bottom with a thousand mark' (*A Mad World*, V.2.290-291). Follywit is finally satisfied, as long as his woman comes with financial recompense, 'Tut, give me gold, it makes amends for vice' (*A Mad World*, V.2.294). The trick does succeed in revealing what has been concealed, including inheritance

papers, the will, and the moral and political ‘will’ of the guardian. The trick discloses clandestine sexual relationships, including the identity of shared mistresses, which have been dangerous to the structure of succession; finally the operations of power in the family are exposed on the stage. The comedy of the play arises from the problems met when inheritance is pre-empted, and through the disputing of inheritance and portions, which as Susan Staves and Amy Erickson argue was increasingly common in the seventeenth century, and was an evident subject of dramatic treatment.²¹

The legal (public) position of inheritance must be briefly considered in relation to this myth and its dramatic interpretations. The complex relationship between cultural production and social situation is clarified when one examines changes in the legal environment, and their impact on both family and literature. Blood relations formed the primary web of inheritance in seventeenth-century Britain. Only if there were no surviving children or grandchildren of the deceased person did the law look to siblings, cousins or other ‘collaterals’ for heirs, just as Sir Bounteous, in spite of his belated attempts to father a more immediate heir, must rely on his roguish grandson. Those relatives on the father’s side, however remote, were always preferred to those on the mother’s.²² The theories of primogeniture and common law which dominated the mindset of society in the seventeenth century according to the popular texts of Thomas Littleton and Sir Edward Coke have already been examined in the introduction.²³

Under common law, in the absence of a will the dead man’s freehold was

²¹ Erickson, p. 29, and Susan Staves, ‘Resentment or Resignation? Dividing the Spoils Among Daughters and Younger Sons’, in *Early Modern Conceptions of Property*, ed. by John Brewer and Susan Staves (London: Routledge, 1995), pp.194-217 (p.199).

²² J.H. Baker, *An Introduction to English Legal History*, 3rd edn (London: Butterworths, 1990), p.304.

²³ Thomas Littleton, *Littleton’s [sic] Tenures: Conferred With Divers True Wrytten Copies* (London: Richard Tottill, 1557), and Edward Coke, *The First Part of the Institutes of the Laws of England*, 9th edn (London: William Rawlins and H. Sawbridge, 1684).

divided according to the canons of descent. The eldest son or nearest kin was legitimately and legally, if not morally or correctly, approved of as the inheritor. The family was obliged to accept the errant child back through the power of legislative and theoretical opinion. The set of rules for land ownership and property transference was made widely available, and at least textually strengthened the ideology of primogeniture and inheritance law. And yet the challenges to the apparently common acceptance of primogeniture were being played out through the evolving subjects and interests of drama and theatre audiences. These uncles and grandfathers, indirect blood relations to their heirs, threaten direct patrilineal succession as substitute fathers in competition with their relatives; these are moral and economic competitors, but also sexually procreative ones.

Women's apparent exclusion from inheritance processes unless they were unmarried or widows has been discussed in the previous chapters, and this exclusion has been investigated as the impetus for the production of alternative literary legacies; likewise the majority of early seventeenth-century plays which dealt with the topic of inheritance avoided or included as minor sub-plots women's struggles in this arena. Did the position of heirs and heiresses change across the period of the century? Was there evidence of a gender challenge to male domination of the process of inheritance and the trick to bypass this, even through a Tory playwright such as Aphra Behn? As we have seen in the first two plays, widows and virgin heiresses, when they appear, have been prostitutes in disguise. Yet in reality there was a proliferation of women who gained access to land and money through inheritance across the century. This access could be attained through widowhood, and through becoming sole heiresses to estates, and this is represented in literature particularly through plays which follow the

Restoration.²⁴ After 1660, there was an increased interest in the rights of women as represented in the social and moral order, particularly at a time when the stage itself presented women with a new forum, both for writers and actresses.²⁵ Therefore the stage also offered a space for new types of drama, bound up in the literary inheritance of stock genres and characters, as we shall see with Behn's acquisition of the prodigal son drama. This new drama adapted to new social and moral environments, and accommodated (often comically) the realities of widows and heiresses.

The rights of inheritance and its arrangements were central to the plots of several seventeenth-century plays, including Middleton's, Jonson's and Behn's plays considered in this chapter, as were issues of conveyances, contracts, wills and property transference. Erickson has noted the 'litigious nature of early modern English society'.²⁶ This created a fertile context of conflict drawn upon by several comedies of the period. It is this very source of conflict over property which drove the realities of litigation in seventeenth-century society, and shaped dramatic representation of conflict and comic value in several plays of the period. Middleton and Behn in particular both reflected and challenged the problems of inheritance laws underlying the conspicuous ideological dominance of primogeniture in this period. In truth legal cases were nearly always more problematic than a brief study of common and civil law leads one to believe, and comedy allowed dramatists of the period to acknowledge this, in the light of the accompanying moral questions surrounding the transmission of land and property to younger generations. The comedies also challenged the intrinsic progression of inheritance, as they constantly presented the conflicts that arise from such transmissions, just as John Locke in *Two Treatises of*

²⁴ Erickson, p.8.

²⁵ See Derek Hughes, *English Drama 1660-1700* (Oxford: Clarendon Press, 1996) and Laura Brown, 'The Defenceless Woman and the Development of English Tragedy', *SEL*, 22 (1982), 429-43.

²⁶ Erickson, p.23.

Government (1690) eventually challenged the right of property acquisition if that property was not then properly and equally distributed.²⁷

Wills that formalised the hidden and covert sharing out of inheritance also disguised or exposed familial tensions lying just beneath the surface. All family members could be affected by the whims of the will-maker, as has been seen in the control wielded by Lucre and Sir Bounteous. The open and obvious public apportionments of primogeniture could be undermined by the document of the will, and therefore it created the inspiration for the revelatory nature of the dramatic stage. Drama reveals to the majority (the audience) that which is hidden to the few (or the individual actors on stage), and the dramatic irony which is created from this privileged knowledge leads to the comedy in the play. The secretive and sometimes bitter nature of inheritance, ironically, could be played on the comedy stage. For example, Middleton describes Follywit as knowing where the will was kept ('in a box'). Often it was only the father and the eldest son who would have the privileged knowledge of the will's whereabouts and contents, and the father ultimately became the judge and enforcer of discipline in the family because of his testamentary freedom while alive to change the fate of others' finances after his death. In William Congreve's *The Way of the World* it is the discovery of a deed of conveyance to Mirabell, hidden in a box, which alters the plot.²⁸

The hidden writings of the testator in Aphra Behn's play *The City-Heiress* indicate the covert power of the prodigal's uncle, until their discovery and appropriation by the nephew. The play was first performed in London in late April 1682 by the Duke's Company, as indicated by the reference in the Prologue to the

²⁷ John Locke, *Two Treatises of Government*, ed. by Peter Laslett (Cambridge: Cambridge University Press, 1988).

²⁸ William Congreve, *The Way of the World*, in *Congreve's Plays on the Eighteenth-Century Stage*, ed. by E.L. Avery (New York: Modern Language Association, 1951).

cancelled Whig's feast to be held 21 April 1682.²⁹ Behn recreated the spirit of the earlier pre-Civil War prodigal plays, particularly Middleton's *A Mad World, My Masters* and *A Trick to Catch the Old One*, if she did not strictly follow these plot structures in *The City-Heiress*. Derek Hughes has noted her indebtedness to Middleton's *A Mad World, My Masters* and Philip Massinger's *The Guardian* in particular, a debt which he says was 'entirely assimilated within a new conception'.³⁰ It must also be acknowledged that Behn was reworking elements of Terence's *Adelphi* (*The Brothers*) in political fashion. Her play was a sophisticated reworking of the prodigal play's structure, moral message and its rake-hero, as exemplified in Middleton's plays. The Tory hero Wilding, Sir Timothy's nephew and heir, is a former Whig, whose conversion to Toryism has deprived him of his uncle's financial support. Sir Timothy Treat-all, a £6,000-per-annum man who values 'no man' is a overly moralistic guardian who is ostensibly horrified at his nephew's wicked behaviour, his 'Flesh and Blood', aligned with his nephew's Toryism, and professes about the scandal surrounding Wilding 'this shall not wheedle me out of one English Guinny' (*The City-Heiress*, I.1.64-65). In the late seventeenth century, morality and one's personal behaviour were inextricably tied to one's political sympathies. The prodigal in this period was no longer merely a wastrel and scoundrel; the political attitudes of Cavalier or Puritanical (hence Tory or Whig) behaviour were vital concepts to be identified on the English stage because of the dilemmas of royal succession during Charles II's reign. We will return to a consideration of the political elements of the play after examining the political theorists Filmer and Locke.

Behn presented Wilding as even more cynical than Middleton's two anti-

²⁹ William Van Lennep, ed., *The London Stage, 1660-1700* (Illinois: Southern Illinois University Press, 1963), p.308.

³⁰ Derek Hughes, *The Theatre of Aphra Behn* (Basingstoke: Palgrave, 2001), p.147.

heroes; a ruthless manipulator of women, he seduces the respectable widow Lady Galliard, eventually palms his mistress Diana off to his uncle and secures his own marriage to the heiress of the title, Charlot. In Behn's *The City-Heiress*, the 'writings' of the will which Sir Timothy Treat-all has hidden are demanded by Wilding, his nephew and only heir, so that he may prove his value and future credit to his future wife, the heiress Charlot:

WILDING Those Writings,
Sir, by which you were so good to make me Heir to all your Estate, you said you wou'd put into my possession, whene'er I made it appear to you I cou'd live without 'em, or bring you a Wife of Fortune home.
(*The City-Heiress*, III.1.55-58)

Ironically, Wilding reveals in Act II that he is fully aware of the whereabouts of these documents, when he states 'I know both where my Uncle's Will and other Writings lie, by which he made me Heir to his whole Estate' (*The City-Heiress*, II.1.201-203). In a similar fashion to Middleton's character Follywit, Wilding believes that once he has persuaded his uncle that he can procure his own fortune, the uncle will wish to bestow some portion of the legacy upon the living heir. Wilding wishes for a 'settlement' in order to maintain his licentious lifestyle, as he confides to his colleague and peer Dresswell:

WILDING You know he has already made me Heir to all he has, after his decease; but for being a wicked Tory, as he calls me, he has, after the Writings were made, sign'd, and seal'd, refus'd to give 'em in trust. Now when he sees I have made my self Master of so vast a Fortune, he will immediately surrender; that reconciles all again.
(*The City-Heiress*, II.2.111-115)

The reason behind the concealment of papers, and the withholding of settlements in both cases, is because of the economic, political, and hierarchically superior role of the testator. It is only when Wilding dissembles moral conversion, at least towards the 'morality' of self-reliance and financial independence through the catching of an heiress or widow, that his uncle becomes less stubborn. His uncle approves of a

‘fatherhood appears only as a fiction, and inheritance is contingent, proceeding neither from birth nor merit, but force and fraud’.³⁴ In this way the patriarchal figure in comedy, whilst playing the role of authority, can also be a sexual rival to his charge, in the way that a natural father cannot be; this sexual rivalry also implies instability in patrilineal succession, as has been proved with the possibilities of a more direct heir being produced. Comedy through substitute familial figures, sexual farce and financial trickery exposed faults in the inheritance process. The legitimacy of the heirs can also be questioned by the testators, as demonstrated by Sir Timothy Treat-all:

SIR CHARLES But, Sir, consider, he’s your own Flesh and Blood.
SIR TIMOTHY That’s more than I’ll swear.
SIR CHARLES Your onely heir. (*The City-Heiress*, I.1.19-21)

Wilding and Follywit note the possibility of potential rivals for their exclusive share of their future inheritance, as both the ageing Treat-all and Bounteous toy with the idea of creating a more immediate bloodline heir, a son who will supersede the nephew:

SIR TIMOTHY That I Sir Timothy Treat-all, Knight and Alderman,
do think my self young enough to marry, d’ye see, and will wipe your Nose
with a Son and Heir of my own begetting, and so forth.
(*The City-Heiress*, I.1.101-103).

Later in the play, when Sir Timothy’s housekeeper Mrs. Sensure has been discovered in his bedchamber in Act V, scene 1 her last words indicate that she is pregnant, but this possible illegitimate pregnancy and threat to succession are not mentioned by the characters. Middleton’s Bounteous is likewise delighted when he believes that the Courtesan is pregnant with his child:

BOUNTEOUS O, O, if it should! a young Progress, when all’s done!
[...]
ha, ha, I have fitted her: an

³⁴ Hughes, *Theatre of Aphra Behn*, p.153.

old knight and a cock a'th' game still:
I have not spurs for nothing, I see. (*A Mad World*, III.2.45-85)

This is a potential threat to inheritance which the heir's trick could not defuse. The lifestyle of the prodigal nephew, however, desperately needs funding. Indeed, with or without the question of prodigality, it was fairly frequent for younger children in a seventeenth-century family to attempt to persuade the father, or other testator, to provide allowances or 'portions' to which they might be entitled under settlements or wills, just in case of future changes to the inheritance connections, yet many holders of the inheritance did not have the liquid assets ready to meet this demand.³⁵ The kinds of insubordinate behaviour and disrespect demonstrated in the plays from across the seventeenth century dramatised the social tensions which the transmission of inheritance created.

The apparently dependent and familial and hierarchical connection between child and parent was inextricably and dramatically linked to the social and theoretical influences of money and power. Children and parents could easily be seen in the light of an economic relationship between estate holder and heir. Obedience was the true sign that the hidden mechanisms of inheritance control were working: the errant son or daughter disrupted this. Therefore the prodigal son was the embodiment of a fracture in the social processing of power between the family and the state. He had escaped the moral control of the parent, flouted the rules, but on returning would be welcomed home as true heir to the family's wealth; his place in the transmission of inheritance was secured by law and the Christian mythology of the prodigal son. The prodigal of early seventeenth-century drama, though, on his return may have to volunteer the emotion of shame or be forced into penitence. When he triumphed,

³⁵ Staves, p.199.

however, the twisted moralities of both prodigal and tricked uncle were held up to scrutiny.

The narrative of the prodigal son had significant influence on the drama of the seventeenth century and connects Middleton and Behn across the century. Depending upon how each playwright presents and interprets the parable, he or she is able to explore in dramatic terms such topical concerns as education, the nature of kingship, the specific means of attaining spiritual salvation, and the proper use of wealth.³⁶ The errant child challenges the moral position of the guardian, and when he appears to return to the fold, family hierarchy is upset and has to adapt. The wealth and gratitude of the family is to be conferred on the returning son, despite his straying from the proper path dictated by both family and society. But Behn's prodigal Wilding holds the real heiress, his inheritance, and political sway over his uncle by the end of *The City-Heiress*.

There are inevitable connections to be made between the prodigal drama and the wider political questions of monarchy. When Charles II, the son of the executed monarch was invited back to England from exile in France to take up his legitimate birthright, his lavish lifestyle in France and subsequent rakish behaviour at court created immediate analogies to the subjects of early seventeenth-century drama and created new political resonance for the playwrights who appropriated the prodigal genre after the Interregnum. The ideological needs to legitimise or undermine familial and monarchical succession were made all the more contemporary and necessary by the questions over the Duke of York's succession. Sir Robert Filmer's *Patriarcha* was not published until 1680 at the time of the Exclusion Crisis in order to defend the royal line, but it was written before or during the Civil War. Many of

³⁶ Young, p.vi.

its points echo his main thesis of establishing absolutist monarchical and patriarchal power; it is a work which can also be seen to reflect the context of the time when it was written. The family was seen to be a vital paradigm for the justification of political absolutism and the natural inheritance of power passed from father to son.

Jean Bethke Elshtain highlighted in her introduction to *The Family in Political Thought* that ‘for Filmer, the early authority of all fathers and of the king was identical in kind, not simply analogous to one another’.³⁷ Filmer equated Catholicism particularly with disobedience to the monarch and with rebellion: in the opening of the text he attacks two leading Roman Catholic philosophers, Bellarmine and Suarez.³⁸ They had argued that the powers of kings were at first derived from the people. The rights of fathers over their families, they held, were granted to them directly by God, and were not a consequence of the consent of their children. But by using scripture, Filmer argued that a father’s power, although different from a king’s, reflected public power, and the family could be seen as a microcosm of the state. As Elshtain has noted:

In Filmer’s world there is no split between, or even a drawing of public-private lines; indeed, there is no private sphere demarcated from politics - nor political sphere - in the sense of a realm diverging from the private - at all.³⁹

The absoluteness of all sovereignty, Adam’s complete sovereignty over all creation, and a father’s absolute power over his offspring were translated into political absolutism.⁴⁰ By manipulating persuasive and biblical- based rhetoric Filmer refuted the idea of liberty and subjection, and suggested that social theory and practice gave

³⁷ Jean Bethke Elshtain, ed., *The Family in Political Thought* (Brighton: Harvester, 1982), p.14.

³⁸ Sir Robert Filmer, *Patriarcha and Other Writings*, ed. by Johann Somerville (Cambridge: Cambridge University Press, 1991), p.14.

³⁹ Jean Bethke Elshtain, *Public Man, Private Woman: Women in Social and Political Thought* (New Jersey: Princeton University Press, 1981), p.103.

⁴⁰ Steven Zwicker, *Lines of Authority: Politics and English Literary Culture 1649-1689* (Ithaca: Cornell University Press, 1993), p.132.

fathers and husbands wide authority over their wives and children. Fatherly and patriarchal authority were derived from God. The father, the head of the family according to divine law, held a power over his family which was 'natural', and God was the ultimate author of nature; people were not, by nature, born free. He applied this social theory to the practical world of politics to demonstrate that rulers have fatherly power over their subjects (never acknowledged as citizens by Filmer). Filmer warned of the rebellious consequences of believing in the natural freedom of mankind:

For as Adam was lord of his children, so his children under him had a command and power over their own children, but still with subordination to the first parent, who is lord paramount over his children's children to all generations, as being the grandfather of all his people.

I see not then how the children of Adam, or of any man else, can be free from subjection to their parents. And this subjection of children is the only fountain of all regal authority, by the ordination of God himself.⁴¹

Men did not come together voluntarily to create the political sphere, either through fear or convenience; it was natural and patriarchal. All the duties of the king, he argued, are summed up in a universal fatherly care of his people, and the instruction 'honour thy father' (interestingly, as Locke focused on in his attack, Filmer excised the word 'mother' from the biblical text) reminds the subject also to honour and obey the king.

Filmer's text is not very clear on the transmission of the roles of authority and subjection to following generations. Though Filmer did not explicitly address the question of inheritance and its vital 'artificial' role in the maintenance of the 'natural' relationship of subjection and obedience in the family sphere, he presented the inheritance of power as passing from father to son from Adam, and the hierarchy within the boundaries of patriarchy was then firmly established. In a

⁴¹ Filmer, pp.6-7.

literary and linear fashion, Filmer's text was produced out of the discourses surrounding common law and the printed versions of legal texts such as Coke's *Institutes*. Its direct influence on the theatrical treatments of the theme of inheritance is questionable.⁴² Yet its intellectual and theoretical confirmation of common law's practical boundaries of proper inheritance and the transmission of goods, power, title and societal role is undoubtedly profound. Patriarchalism provided a theory of masculine and monarchical dominance, and fought to consolidate such 'legitimate' authority.

This ideological patrilineal progression of power was a subject which Locke addressed and criticised, particularly in relation to the family. Locke's *Two Treatises of Government* was initially written in direct response to and in dialogue with Filmer's *Patriarcha*, and as such forms the classical liberal version of the rise of individualism. Gordon Schochet claims that Filmer's belief that all power derived from fatherly power 'had to be overcome before constitutional liberalism could become a dominant ideology'.⁴³ During the Exclusion Crisis, such arguments of 'natural' inheritance of land and power meant that Catholic succession posed a real threat to property. Locke had to write against absolutist theories of possession. As Steven Zwicker has stressed, 'for Locke, men live not as mere children to the father/king of the nation but as citizens of a state'.⁴⁴ Locke stressed throughout his text that all men are free and equal because we are not equal to God. If God could be shown to have given any man superiority, then these inferences collapse. Filmer

⁴² Duane Colthorp, however, argues that *Patriarcha* appeared to have significant influence on John Dryden's *The Spanish Fryar* (1680): Colthorp, 'Patriarchalism at Risk in *The Spanish Fryar*', *SEL*, 39 (1999), 427-441 (p.427).

⁴³ Gordon Schochet, *Patriarchalism in Political Thought: The Authoritarian Family and Political Speculation and Attitudes Especially in Seventeenth-Century England* (Oxford: Blackwell, 1975), p.121.

⁴⁴ Zwicker, p.134.

claimed, using biblical evidence, that he could provide proof that God had set some men above other men, fathers above sons, men above women, and kings above all, ruling by divine right. The polemic against such a strict hierarchy had also to be in the form of scriptural argument. Filmer, by using the Bible, had stressed the father's right of ownership over the child, but Locke suggested that this offended the workmanship of God. Children were subordinate, although free, until they reach the 'age of reason'.⁴⁵ He was also adamant that the commandment 'Honour thy Father and thy Mother' does include, on an equal setting, the mother:

Nay, this power so little belongs to the Father by any peculiar right of Nature, but only as he is the Guardian of his Children, that when he quits his Care of them, he loses his power over them, which goes along with their Nourishment and Education, to which it is inseparably annexed, and it belongs as much to the Foster-Father of an exposed Child, as to the Natural Father of another: So little power does the bare act of begetting give a Man over his Issue, if all his Care ends there, and this be all the Title he hath to the Name and Authority of a Father.⁴⁶

This extract radically overturns Filmer's assured use of biblical authority and questions all that is 'natural' about the role of the father. The power that patriarchal figures in Middleton's drama have held over their heirs is challenged by such assertions; once care has been administered, the father or guardian 'loses his power over them', thereby denying the discipline that the threat of disinheritance could hold over younger generations. Was this simply 'an expedient of the anti-patriarchal argument', as Mary Lyndon Shanley has asked?⁴⁷ Or did it address more basically the notion of contract rather than authority? It certainly challenged preconceived notions of the transmission of the roles of power and subjection through the generational passing of inheritance and wealth. If the father's role can so easily be

⁴⁵ Locke, p.300.

⁴⁶ Locke, p.310.

⁴⁷ Mary Lyndon Shanley, 'Marriage Contract and Social Contract', in Elshtain, ed., *The Family in Political Thought*, pp.80-95 (p.92). See also Schochet, *Patriarchalism in Political Thought*, pp.1-4.

supplanted by the 'foster father' or even the mother, then the lineal transmission of inheritance can also be disrupted. When Locke turned to the issue of property, however, he did not use the definition of material possessions; rather he indicated that property involves lives, liberty and estates. He stressed that every man has property within his own person, and that therefore whatever he has laboured over (soil, land) becomes his because he has mixed it with his own body and hands. One of the chief motives for the formation of civil society is the preservation of property. Most importantly, Locke emphasised that property must not be used as an instrument of oppression, or to force others to submit to one's will. This was applied again to the use of inheritance, and the potential for future wealth or poverty, in order for the father to maintain control and maintain his assumed and unquestioned position in family hierarchy. Locke denied the father's ownership of his family, and overturned the exclusive patriarchal argument which Filmer proposed for the monarchy and the state; neither parent has complete dominion over children. Rachel Weil suggests through her comparisons of Filmer and Locke that late seventeenth-century writers were fascinated by the question of how systems for organising sexuality, determining patriarchy, transferring estates and caring for children could be scrutinised.⁴⁸ If primogeniture and the manipulation of heirs through the threat of disinheritance were no longer familial or political fashion, she suggests that this was why cuckold literature increased, and questions over heirs and their provenance became increasingly popular topics in the theatre. Wilding himself threatens to steal his uncle's mistress: 'I'll cuckold you my self in pure Revenge' (*The City-Heiress*, I.1.119). In fact, as has been demonstrated, the prodigal drama was already popular in the first half of the century, evident in Middleton's comedies; the genre, though,

⁴⁸ Rachel Weil, *Political Passions: Gender, the Family and Political Argument in England 1680-1714* (Manchester: Manchester University Press, 1999), pp.30-31.

became increasingly relevant to the changing political conceptions of the family, as the subject of heirs and their roles in the family and society grew in popularity and social relevance.

This is reflected in several plays of the latter half of the seventeenth century. There are changing concerns of subject matter, and a move towards challenging the debates set up by earlier comedies which dealt with patriarchal structures and primogeniture; this has also been demonstrated in the historical changes from Filmer's to Locke's texts. On a literary level the difference between post-Restoration comedy and the preceding plays initially indicates an increasing concern with social mores and a city-based society. Immediately there was a change in the relationship between the court and public theatre, initiated after the Civil War with the monopolisation of theatre by the two patented companies started by Killigrew and Davenant. George Etherege's *The Man Of Mode* (1676), for example, displays the concerns of the rakish Dorimant and his weary (dormant) efforts at hunting a beautiful heiress, not as a prodigal wishing to gain greater wealth from an elderly relative, but as a member of an intricately observed, yet ultimately awful, comic society.⁴⁹ Following the closure of theatres during the Interregnum, and the legal wrangles and repossessions of estates after the Civil War, theatrical thematic concerns therefore move further away from familial hierarchy, household relationships and the domestic obsessions of inheritance, towards a more candid concern with the political and social world which informs the smaller unit of the family. There is also increasing interest in the role of the widow or heiress, and the changing nature of women's role in the transmission of inheritance and its accompanying dilemmas. Heiresses and widows, for example, always popular figures, came into greater prominence as subjects. Many

⁴⁹ George Etherege, *The Man of Mode*, in *The Plays of Sir George Etherege*, ed. by Michael Corder (Cambridge: Cambridge University Press, 1982).

playwrights of the period created complex worlds for the spectator to evaluate, blending realism and artificiality, but preached no obvious or didactic morality; it was as if the prodigal 'son' were displayed for the audience's comic appreciation. The preaching 'father' (or guardian), the head of the family hierarchy, was a familiar figure in Restoration comedy having survived the transition across patriarchal ideologies towards property and individualism. However, the 'traditional' familial concerns of parental control through promises of inheritance and threats of disinheritance were still played to great comic effect on the stage, as we shall see when further analysing Aphra Behn's version of the prodigal comedy.

After the Civil War the political dimensions of hierarchy and the passing on of finance, land and power through inheritance became more explicit in the family space, and this was reflected on the Restoration stage. Through the writings of Filmer and Locke, and the debate in print between them, the possibilities of analogies between the family and the political world grew, just as for both the political theorists, the textual evidence of the Bible was prominent in and analogous to society's problems with inheritance and authority. Behn used the political world to influence and inform the comedy of her interpretation of the prodigal play, and the drama of Whigs and Tories in opposition is made concrete in the microcosmic sphere of the relationship between uncle and nephew, will-holder and possible heir, clearly tied together in an unsavoury relationship through their common sexual partner, Diana.

The way that inheritance and the family are treated dramatically reflects the growing relevance of familial succession in the late seventeenth century. The victory of the parliamentarians in the Civil War, and the subsequent restoration of the monarch on constitutional grounds further consolidated the position of common law. One would also expect to see Aphra's Behn's affiliation to Toryism and therefore

signs of Filmer's concept of patriarchalism to be clearly identified in her plays; yet this is complicated by her portrayal of both political parties and by her representation of gender. In Behn's play, the wooing of widows, and therefore easy money which can be gained without the familial problems of inheritance, portions and the contesting of wills, appears to be a concern of the two protagonists Wilding and his friend Sir Charles Meriwill.

Behn blended contemporary complex political concerns into an acknowledged generic structure. As Gerald MacLean has noted, although women had the novel freedom of professional acting on the Restoration stage, many of the gender codes undone by revolution returned.⁵⁰ Women playwrights, however, were able to enter the theatrical sphere as Behn did in a very public way. The play followed the political upheavals of the Exclusion Crisis, and the hostility between Shaftesbury and Charles II as the move came to exclude James from inheriting the throne; the Whigs only had political control over the Commons, and Charles could quickly dispense with parliament. By 1681 there was fear of another war, as potent anti-Catholic feelings, fears of French influence and anticlericalism became rife.⁵¹ Tory journalists developed highly effective propaganda depicting Whigs as potential authors of further civil war, and after 1681 Whigs suffered repression in the years of so-called 'Stuart Revenge'. Patrilineal succession, or at least, succession from brother to the nearest legitimate blood relative brought the threat of Catholic monarchy to English soil, a threat not experienced since the Tudor period. The very conservative and aristocratic forces that promoted patriarchal inheritance and familial succession, were now forced to promote monarchical lineage despite fear of religious change. Derek Hughes has

⁵⁰ Gerald MacLean, 'Literature, Culture and Society in Restoration England', in *Culture and Society in the Stuart Restoration*, ed. by Gerald MacLean (Cambridge: Cambridge University Press, 1995), pp.3-27 (p.3).

⁵¹ J.R. Jones, *Country and Court: England 1658-1741* (London: Edward Arnold, 1978), p.215.

highlighted the absence of real or living fathers in *The City-Heiress*, and finds it odd that there is an ‘absence of patrilineal principles in a play celebrating their triumph in the political arena’.⁵² There is, for example in Behn’s play, an uncle displacing the role of the father as guardian, but this time his meanness and greed is closely connected to his affiliation to Whig politics. Wilding is determined to follow his current foppish lifestyle of Tory politics, whoring and attending coffee houses, instead of adhering to the puritanical moral guidelines his rich Whig uncle sets out for him; of Wilding Treat-all says ‘Before he fell to Toryism, he was a sober civil Youth, and had some Religion in him’ (*The City-Heiress*, I.1.50-51). Ironically it is difficult to identify Behn’s political sympathy through the text, as at various times Whig and Tory characters are held reprehensible. In fact, the city itself acts as the moral guardian through the controlling mechanism of gossip, and in this way the behaviour of the heir can be checked.

Unlike the protagonists in Middleton’s *A Trick to Catch the Old One*, and *A Mad World, My Masters*, the prodigal Wilding has the effrontery to openly petition his uncle for money. With Sir Charles’ help, he appeals to the fact that he is Sir Timothy’s flesh and blood, and the only heir, but the familial argument no longer works with his uncle, who has been gulled too many times before. Sir Timothy casts doubt over the inevitability of both inheritance transmission and the legitimacy of his blood connections with Wilding:

SIR TIMOTHY No, I have heard you out too often, Sir, till you have talkt me out of many a fair thousand; have had ye out of all the Bayliffs, Serjeants, and Constables clutches about Town, Sir.
(*The City-Heiress*, I.1.10-12)

Behn extends the question of the erring prodigal by choosing to create a second comparable ‘uncle versus his dissenting nephew’ relationship in the characters of Sir

⁵² Hughes, *Theatre of Aphra Behn*, p.153.

Anthony and Charles Meriwill.⁵³ Both nephews strive to be elected as heirs by their substitute fathers. The comedy of this comparison comes from the alternative nephew's ironic inability to adhere to prodigal behaviour. Sir Charles is a disappointment to his uncle, precisely because he is not a thrusting, conscience-free womaniser. It is Sir Anthony who pushes Charles to woo Lady Galliard, and he threatens to disinherit his nephew if he cannot be the true licentious prodigal. Sir Timothy shows that he is well aware that in the parallel yet perverse uncle and nephew relationship; the nephew's inheritance is dependent on his very immoral behaviour. Sir Timothy tells the young Sir Charles:

SIR TIMOTHY Sir Charles, thanks to Heaven, you may be lewd, you have a plentiful Estate, may whore, drink, game, and play the Devil; your Uncle Sir Anthony Meriwill intends to give you all his Estate too: But for such Sparks as this, and my Fop in fashion here, why with what Face, Conscience, or Religion, can they be lewd and vitious, keep their Wenches, Coaches, rich Liveries, and so forth, who live upon Charity, and the Sins of the Nation? (*The City-Heiress*, I.1.41-47)

In a reversal of Sir Timothy's disgust at sharing Wilding's mistress at the conclusion, Sir Anthony appears to relish participating in and directing the verbal lovemaking of his heir. When the nephew's inheritance is dependent on his immoral and profligate behaviour, it becomes evident that Sir Anthony is schooling the timid Sir Charles in the ways of sexual conquest, and is constantly watching and criticising his heir's performance in 'widow-wooing' the Lady Galliard, 'You shou'd a hufft and bluster'd at her door; / Been very impudent and sawcy, Sir' (*The City-Heiress*, I.1.437-438).

Yet Sir Charles' uncle and guardian Sir Anthony dismisses the role of moral instructor which the guardian may play, as he argues with Sir Timothy:

SIR ANTHONY Wiser men! wiser Coxcombs. What, they wou'd have me train my Nephew up a hopeful Youth, to keep a Merchants Book, or send him to chop Logick in a University, and have him return an errant learned Ass. [...] And lastly, to make good what I have

⁵³ Derek Hughes also points out that the indulgent Tory Sir Anthony forms an obvious 'antithesis to Wilding's uncle, the cold, furtive Sir Timothy', in Hughes, *Theatre of Aphra Behn*, p.152.

cozen'd him of, force him to marry Mrs. Crump, the ill-favour'd Daughter
of some Right Worshipful. - A Pox of all such Guardians.
(*The City-Heiress*, I.1.222-228)

Here the more mercantile and less extravagant lifestyles of younger sons is acknowledged and mocked by Behn. The one hope of escape from such menial occupations was to marry a rich heiress, which could be arranged by the guardian, but Sir Anthony presses his nephew Sir Charles to force his advances on the rich widow Lady Galliard. The provocation for the prodigal's vengeance, particularly against such moral, and in Wilding's eyes hypocritical, strictures, is set in place at the commencement of the play, and the impetus for the 'trick' is conceived through the desire for money and the desire to retain and maintain the rake's debauched lifestyle, external to the moral force of the guardian.

In this Restoration play it is still the figure of the courtesan who is vital to the plot. Diana, Wilding's courtesan, like Witgood's mistress Courtesan in *A Trick to Catch the Old One*, is persuaded to disguise herself as an heiress in order to trick and seduce the uncle, as Sir Timothy Treat-all refuses to let his errant nephew use his inheritance prematurely as a trust fund. The concept of lapsed morality is played with for comic effect, as in the Middleton plot, and both mistresses of the young dissenters end up married to the uncles; the licentious sharing of the female body as property brings uncle and nephew to a common level. Diana even compares the men's lovemaking, when she confides in her maid Betty about their sexual performance, initially in reference to Wilding, then to his uncle, Sir Timothy:

DIANA Aye, but to be oblig'd to lie with such a Beast; aye, there's the Devil *Betty*. Ah, when I find the difference of their Embraces,
The soft dear Arms of *Wilding* round my neck,
From those cold feeble ones of this old Dotard;
When I shall meet, instead of *Tom's* warm Kisses,
A hollow pair of thin blue wither'd Lips,
Trembling with Palsie, stinking with Disease. (*The City-Heiress*, V.1.232-238)

The potency and potential power of the young heir have sexual measure against the withered uncle, who ostensibly holds the power within the household. The voice of the courtesan/mistress in the prodigal play is finally heard through Behn's character, and it is clear that Behn has sympathy for the women's fates. As Derek Hughes asserts 'the political triumph of the men is inseparable from the sacrifice of the woman'.⁵⁴ Diana also subverts Sir Timothy's important claim that he can still beget an heir from his own loins.

In mimicking the process of the prodigal play, Behn's dramatic project was to portray the young fop attempting to seduce money from the rich guardian, because the nephew needs wealth in order to trap his own wealthy woman, 'the best Softner of a womans heart; 'tis Gold' (*The City-Heiress*, II.2.90). Here though, the hypocrisy of the self-righteous guardian's behaviour is exposed and censured through political satire. Treat-all is a Whig Puritan who 'pimps for the Sparks of the Party', and the regular mix of Knights, Nonconformists and members of parliament at his drunken parties are used as justification by Wilding for his 'legitimate' and rightful claim to his inheritance before the old man dies:

WILDING And this old Uncle of
 mine may one day be gathered together, and sleep with his Fathers, and
 then I shall have six thousand pound a year, and the wide World
 before me. (*The City-Heiress*, II.2.37-39)

There is constant reference throughout the play to annual income, and this determines characters' acceptability in the city and in the comedy of the stage. Cleverly, Behn reworked a device from the prodigal plays concerning the uncle's struggle to retain control. Sir Timothy Treat-all, ultimately, can still displace his nephew as main

⁵⁴ Hughes, *Theatre of Aphra Behn*, p.149.

inheritor of his estate. He can marry and have his own son, or daughter, as they could supplant a nephew in the hierarchy of inheritance:

SIR TIMOTHY Six thousand pound a year, and other Vertues and Commodities that shall be nameless, I see no reason why I should not beget an Heir of my own Body, had I the helping hand of a certain victorious person in the World.
(*The City-Heiress*, III.1.110-113)

This gruesome proposal is offered smirkingly to Diana, because Sir Timothy Treat-all has mistaken her for a rich widow. The rich uncle laments that after his wife died, he was left with the problem of his ungracious nephew. He confesses to Diana that his nephew has been perverted by 'Court Notions', and that he is willing to wash his hands of him:

SIR TIMOTHY because he is my Nephew, young, handsome, witty, and so forth, I am content to be so much a Parent to him, as, if Heaven please, ---to see him fairly hang'd.
DIANA How, Sir!
SIR TIMOTHY He has deserved it, Madam;
[...] though the Writings were drawn by which I made him my whole Executor, I will dis-inherit him.
(*The City-Heiress*, III.1.131-142)

His substitute-parental duties can be discarded as he seduces the same woman his nephew has pursued; in the heat of his passion, seducing both a woman, and as he believes, an heiress, he is desirous both to produce a new heir, and disinherit the old one. He states that he is a man of means and established income, and therefore 'values' no man. Wilding, on the other hand, is to live by his wits, a statement which the nephew throws back at his uncle after the success of the trick, and once the writings concerning his future inheritance have been signed, sealed and delivered.

In the conclusion of *The City-Heiress* order of a kind is restored; to the satisfaction of the audience the balance of power seems to have tipped towards the prodigal, away from the cuckolded uncle. The Tory triumphs finally over the Whig, and Behn cleverly inverted the denouement of Middleton's *A Mad World, My*

Masters. Here, most importantly, the prodigal undergoes no punishment, no reversal of attitude, and no ultimate absorption into the family fold. Despite the trick and the theft, the ‘Writings’ are restored to Sir Anthony and Charles Meriwill, and the knowledge of the contents and whereabouts of the legacy are now shared. It is in the conclusions of justice or otherwise meted out to prodigal characters that changes in historical treatment can be identified, as we have seen in the final discovery of the tricks devised by Witgood in *Trick to Catch the Old One*, Follywit in *A Mad World, My Masters*, and Wilding in *The City-Heiress*. In the first play, Witgood gulls his uncle’s enemy, but is repentant; in the second, Follywit himself is the victim of a plot, and ends up married to Sir Bounteous’ courtesan; in Behn’s play, the trick of Middleton’s play is reversed, and the guardian is duped into marrying the prostitute. Peter Holland poses the question of the denouement’s compatibility with society:

The whole question of the rake’s reintegration into society at the end of a comedy is dependent on the extent to which society is prepared to find the two aspects of the natural compatible with each other and with society.⁵⁵

The ending can present a successful measurement of theatre’s adherence to society’s codes and the playwright’s own set of limits on reality. The guardian’s moral and hierarchical positions have been thoroughly undermined in *The City-Heiress*, and Sir Timothy is now tied in marriage to Diana, Wilding’s ‘old cast-off Mistriss’ according to Sir Charles, and a ‘Strumpet’ according to Sir Timothy (*The City-Heiress*, V.1.551-553). Hypocrisy has been exposed, and mistakes of marriage and identities are revealed. Sir Timothy tells his nephew that he is resolved to disinherit him, but he has been tricked into signing the legally binding documents which Wilding then produces. The writings (which include the will and prove Sir Timothy Treat-all’s political treachery) which have been uncovered by the robbery from their hiding place, and

⁵⁵ Peter Holland, *The Ornament of Action: Text and Performance in Restoration Comedy* (Cambridge: Cambridge University Press, 1979), p.58.

brought to the stage and to the collected characters, are merely the token of revenge for Wilding. He has his heiress, and his income, and can therefore return the fortune he had stolen:

WILDING I'll propose fairly now, if you'll be generous and pardon all: I'll render your Estate back during Life, and put the Writings in Sir Anthony Meriwill's and Sir Charles his hands. (*The City-Heiress*, V.1.573-575)

The young 'son' figure, the prodigal rake in the Restoration is now in financial and moral control of the patriarchal figure. Set against the political theories of absolutist and patriarchal ideology, this son has transgressed the borders of family authority and forced his course of succession by perverting the roles of guardian and ward, but this is because this patriarch was himself politically and morally corrupt. Wilding is now in charge of the purse-strings, and with control of the will and the various 'Writings', the 'son' now monitored the behaviour of the patriarch. Even if this twist in the tale was distasteful to some, it mirrored Royalist acceptance of the rakish behaviour of Charles II and the common desire not to tip the balance of court and society towards another civil war. Rakish behaviour was indulged in *The City-Heiress*. The uncle must now convert to Toryism, reversing the power he had previously attempted to control his nephew with. Of course, one of Wilding's concluding lines to his uncle repeats the notion that the older man's death has not been necessary, for vengeance or for financial necessity, 'I have a fortune here that will maintain me, / Without so much as wishing for your death' (*The City-Heiress*, V.1.576-577). But it is Sir Charles who finally compounds the literary with the political, suggesting that the upheaval in the challenges to inheritance on the stage could conceivably be linked to the courtly world of Caesar, a clear reference to Charles II's court. A 'laissez-faire' attitude is recommended for both:

SIR CHARLES Let all things in their own due order move,

Let *Caesar* be the Kingdoms care and love:
Let the Hot-headed Mutineers petition,
And meddle in the Rights of Just Succession;
But may all honest hearts as one agree
To bless the King, and Royal *Albanie*. (*The City-Heiress*, V.1.593-598)

This speech stresses the natural order of both familial and royal succession, and as such links the meddling of the uncle with the interference of Whigs in ‘Just Succession’. Sir Charles argues that this is one’s patriotic duty.

Wilding gains wealth for little effort, and woos several women, winning himself the prize of the heiress. Through his disruption of the process of inheritance, wealth and power by forcing through trickery and deceit, he is an amusing and sympathetic character for the audience, and the playwright’s attachment to him is clear through her text. Yet in the Epilogue to the play, originally written to be spoken by the Restoration actress Charlotte Butler who played Charlot, the character stresses that the women are ultimately the winners and have always controlled the play for property (the property in question being the fools and men), ‘In other things the Men are Rulers made; / But catching Woodcocks is our proper Trade’ (*The City-Heiress*, Epilogue.24-25).⁵⁶ The trick then appears to be subversively employed by the women of the play, even if the men appear to be the only characters who benefit.⁵⁷ In fact Jacqueline Pearson suggests that the main change that occurs in Behn’s prodigal structure is the fact that Wilding is no longer the prime plotter, and that he can be seen as the passive male, fought over by the female characters.⁵⁸ His passivity is belied by the triumphant conclusion, though; here the uncle stays duped, and the nephew gains

⁵⁶ Elizabeth Howe in *The First English Actresses: Women and Drama 1660-1700* (Cambridge: Cambridge University Press, 1992), p.94, notes that by the end of the 1670s, leading actresses are given personalised prologues and epilogues, tailored closely to their stage and public reputations.

⁵⁷ Howe, p.134.

⁵⁸ Jacqueline Pearson, *The Prostituted Muse: Images of Women and Women Dramatists, 1642-1737* (Hemel Hempstead: Harvester Wheatsheaf, 1988), pp.154-156.

the upper hand. Tricks are repaid in *The City-Heiress*, and in *A Mad World, My Masters*, but the prodigals remain rakish, in nature and deed, slightly brow-beaten, but essentially still mischievous characters. But the prodigal was not always so complacent. The biblical prodigal son tale was re-told in contemporary drama, and this in turn exposed financial and kinship control in the early modern household.

Ostensibly the plays read as moral lessons for prodigal relatives looking to hoodwink ageing wealthy benefactors, even if on the comic stage that lesson is not a mortal one. No deaths have occurred, and the balance of power and wealth has been maintained without recourse to bloody rebellion. Comedy can offer sobering thoughts on the transmission of familial and societal power. Early seventeenth-century comedy demonstrated that those who meddled in the rights of just succession had their deeds amended on the public, lesson-giving, humiliating and ultimately entertaining stage. Despite Behn's Tory sympathies, and the triumph of the prodigal figure, all parties and the family structure of inheritance are under critical scrutiny on the public stage. The post-Restoration comedy of Aphra Behn showed that the staging of such vital challenges to the contemporary ideologies exemplified by Coke's, Filmer's, and even Locke's political texts, as well as the playwright's identification with the errant rakes indicate a popular desire for the subversive prodigal, for the 'under-dog' as protagonist, and for comic strategies of reactions to the unfairness of primogeniture.

There are many questions surrounding the denouements of these plays' plots, and the discovery of the tricks and false marriages are not always compatible with the happy ending which will release an audience back into the reality of society. In other words, too many problems concerning familial relations and private economics have been dramatised for a swift and satisfying closure to happen, and the discord that drama has played out in fiction must have been recognised by a contemporary

audience. The codes of society were not always adhered to on the early modern stage.⁵⁹

Therefore patterns of dramatic production (with varying strands), before and after the Interregnum have been identified, and it is possible to focus this change through moments of performance and moments of historical change. For example just as Restoration theatre's scenery-changes and machinery were more physical and visible, compared to the relatively static theatrical background of the pre-Civil War stage, a comparison of the comedies of Middleton and Behn has demonstrated the changes that the ostensibly universal character of the rake has gone through, including the wit employed by him, and his 'trick' to create instant wealth without labour. The 'trick' in the prodigal comedies of Middleton and Behn, particularly in the former playwright's *A Trick to Catch the Old One*, and *A Mad World, My Masters*, and the latter's play *The City-Heiress*, became the focal point for the contesting of the rules and acceptability of primogeniture. The disruption and fracturing of the 'normal' paradigm of the familial succession is indicated by the introduction of the substitute patriarch, through placing the uncle, or grandfather in the place of the father, the nephew in place of the son. This immediately indicates complicated family relations, and opens up the possibilities of further disruption and comedic entanglement. It has already been noted that the critic Jean Howard suggested that the stage was a space for 'ideological contestation and social change', and it has been shown that even through the continuity of the prodigal drama throughout the seventeenth century, the comic fictional family could expose to contemporary audiences the frictions in their own experiences of family hierarchy and inheritance.⁶⁰

⁵⁹ Discord can also be noted in some characters' treatment at the end of Shakespeare's comedies, including that of Malvolio in *Twelfth Night*, and of Don John in *Much Ado About Nothing*. The punishment of killjoys and malign figures was vital to the popularity of the comedies.

⁶⁰ Howard, p.18.

Restoration comedy was built around witty and urbane characters of rakes, heroines, and faithless wives willing to cuckold their husbands, exposing not only the artifice of manners which both the city and the court relied on, but also the changes in economic and social attitudes towards familial structures of marriage and inheritance. Rakes in Restoration comedies railed against marriage and against the expectation that they would wait patiently for a turn in gaining the money and power of inheritance because of youth set against age, but also because these structures are conventional and limit freedom. The increase of cuckold literature expressed hostility towards marriage that had gone wrong, and prodigal rakes highlighted the fragility of primogeniture's grip on the structure of the family. This built upon the early city comedies of playwrights such as Thomas Middleton, and utilised the familiar generic patterns of the prodigal comedy, but the rake-hero himself was transformed, as were the intentions of the dramatist exposing the faults of primogeniture. Aphra Behn did not fail to acknowledge the role of the heiress, widow and mistress in restoring the prodigal to his wealth and to a more powerful role in the family. It is tempting to see drama as a providing a cross-section of the 'real' world of the seventeenth-century, but its very nature as art prevents one from making direct comparisons with the particular society in which it is produced. Yet art and society do intersect, and contemporary playwrights did attempt to represent the actual manners and familiar settings of society; if comedy was too far removed from reality, it ceased to highlight and pinpoint the grotesque elements of the family and society, in this case, the relationship between familial relationships and the immoral economic drive for easy money via inheritance.

CHAPTER SIX:
THEATRICAL INHERITANCE AND THE REVISION OF POWER:
SHAKESPEARE'S AND TATE'S *KING LEAR*

Literary concepts of inheritance throughout the seventeenth century registered political, familial and popular notions of inheritance, and these changes can be traced through the stage history and treatment of one particular play about power and inheritance, *King Lear*. This chapter will focus on what are essentially two different plays, William Shakespeare's *King Lear* from 1608, and Nahum Tate's version of the play from 1681 in order to examine the changes in dramatic treatment of inheritance, primogeniture and power in the public sphere of the playhouse.¹ *King Lear* is a play that was initially written and staged in the Renaissance as tragedy, and was then infamously converted to romantic, tragi-comic values after the re-opening of the theatres in the Restoration period. It is a play that is concerned with the links between public and private family politics; therefore an examination of two versions of the tale from the beginning and the end of the seventeenth century allows one to compare the playwrights' relationship with politics and popular theatrical tastes. An examination of the parallel plots of a king dividing his property amongst three daughters, and a courtier with one legitimate and one illegitimate son will expose changes not only to the generic form of tragedy, but will also raise the question of whether both these plays offer contemporary political warnings in the times of James I and Charles II about the nature of the family, the transfer of goods, and lineal inheritance of power

¹ William Shakespeare, *King Lear*, ed. by R.A. Foakes, Arden Shakespeare (Walton-on-Thames: Thomas Nelson & Sons, 1997), and Nahum Tate, *The History of King Lear*, in Nahum Tate's *'The History of King Lear'*, ed. by James Black (London: Edward Arnold, 1976). Further references to these editions are given in parentheses after quotations in the text; the title *King Lear* refers to Shakespeare's play, and the title *History of King Lear* refers to Tate's play.

and kingship. But most importantly, the play in both forms dramatises the relationship between a father and daughter, not between a father and his eldest son. The fraught relationship between father and daughter in literature usually involved fears about marriage choice, including Prospero and Miranda, Polonius and Ophelia, and beyond the grave, Portia's father. Essentially this fear concerned the loss of control over the paternal estate and its passing into another male line. Some changes in the topic of inheritance from tragedy to comedy are determined by changes in public taste and genre, but Cordelia's marriage and restoration to her inheritance in Tate's play can also inform us about familial conceptions of inheritance

Shakespeare's *King Lear* and its Restoration revision *The History of King Lear* by Tate offer many examples of the issues raised throughout the thesis, especially those concerning the theatrical treatment of inheritance across the span of the century, women's roles in the process of the transmission of property and power, questions raised by political ideologies of inheritance, the challenge to the historical transition of the family from absolutist and patriarchal to emotive and liberal, and finally elegiac mourning over the loss of a child (in Shakespeare's play). Both plays expose the fractures that arise in the family and in society when the legitimate path to inheritance is disturbed. Therefore the plays will be examined against their social and political environments. Because the playwrights present very different dramatic treatments of one tale about the miscarriage of power through the division of a kingdom and the failure of inheritance systems, comparisons can be drawn between early and late seventeenth-century literary treatment of inheritance. The plays have been selected because unusually for early modern drama they explore the roles of both sons and daughters in the process of power transference; the plots are set ostensibly in the medieval world but each reflects particular nuances of attitudes

towards succession in their own historical eras. As has been demonstrated in chapters four and five, drama which dealt with the dilemmas of the younger son was more common, and heiresses' inheritance concerns were often sidelined because of their legal identity being eclipsed in marriage or through the creation of 'false widows' (courtesans and mistresses in disguise). The desire for women's subjection to both fathers and husbands in a patriarchal world was shaped by Jacobean absolutist theory and enforced through political and household manuals, even if in reality women could not divide their obedience equally between households. It is questionable given the proliferation of such advice whether this subservience was always practiced. It is the fictional character Cordelia who proves the poor logic of such divisions of affection when she asks to whom must she owe her prime allegiance and love.

In both versions of *King Lear* good and evil sons and daughters are shown on the stage engaging with paternal testators, as those marginalised by inheritance force tragic 'tricks' upon the fathers Gloucester and Lear. *King Lear* is a play that parallels the question of land and dowry division between daughters with the problems of who would be the primary heir between legitimate and illegitimate sons. Other genres considered in the thesis have confronted the problems inherent in the transmission of wills. In chapter four the study of Portia's character in *The Merchant of Venice* in comparison to Lady Anne Clifford's real experiences of inheritance highlighted the impotence of daughters' financial situation when restricted by the instructions of a father's will. Chapter five examined how comedy incorporated moments of ideological subversion by focussing on the figure of the prodigal son who attempts to gain his inheritance before his guardian's death via the trick. Like the comedies under examination in that particular chapter, including Thomas Middleton's *A Trick to Catch the Old One*, and *A Mad World, My Masters*, and Aphra Behn's *The City-*

Heiress, Shakespeare's *King Lear* presents the issue of inheritance division initially without the necessity of death. The tricks here are necessarily much more dangerous, subversive and deadly, both adhering to tragic generic conventions, and parodying the 'prodigal' figures in comedy. Edmund, Goneril and Regan are not brought into the fold of the family but their insurrections are punished by death (and interestingly both playwrights maintain this justice). Yet for property and kingdom to be inherited by the righteous powers, in the conclusion of Shakespeare's play the death of all, including testator and heirs is staged. In a comparison of the two genres of comedies and tragedies, circumstances which only threaten dire consequences in comedies are actually produced in tragedies.

In Tate's version of *Lear* there is a mixture of deadly and comic consequences: Goneril, Regan and Edmund die, but the rest of the characters survive. Rather than the comic punishment and forced marriages at the conclusion of Middleton's comedies, the slate of England's royal and wrongful inheritance must be wiped clean by death to open the path for Edgar to take the throne with Cordelia by his side.² Edmund competes as the illegitimate son for his father's inheritance; the trick that Edmund devises is to expose the possibility of a pre-death challenge to the father's wealth and power, as in both plays, from Edgar. In Tate's romantic revision, the death of the good characters is unnecessary, as plots are uncovered, and the inheritance is passed on to its legitimate and now sole heir, Cordelia (and by marriage, to Edgar). The question that is raised here is why was it only in the post-Restoration play that inheritance could pass to its original intended recipient without tragedy, as primogeniture's dominance was undermined by comedy?

² As this chapter will later investigate, the reasons for the changes in the conclusion of Tate's play are tied to the contemporary political agendas of the late seventeenth century.

The dramatic presentations of Lear's family relationships seem to be inextricably tied to power, court flattery, and economics of inheritance, but it is the youngest daughter Cordelia who proves again that it is the emotive history of the family which gains strength from reading and interpreting literary sources in the early modern period. Daughters traditionally were viewed as an investment, the greatest catch for a suitor who would then absorb her lands, dowry and wealth in the ownership of marriage, but with the death of all his children and heirs towards the end of the play, King Lear mourns the death of his youngest and most tender child. From the opening scenes of Shakespeare's *King Lear* where the king prioritises cold courtly flattery, obsequiousness and ritual, through the play's exposition of the relationships of master and servant, father and daughter, king and subject, towards the final scenes of pathos and emotion, this is a play which unearths many family dynamics in the Renaissance household. Stephen Greenblatt has suggested that because the family was seen as a little commonwealth in the Renaissance, and as the public world itself was embodied in emblematic familial terms, Lear's family problems publicly registered many of the early modern period's ideological principles of the family, especially the aristocratic family.³ The play appears to register nostalgia for a lost ideal of a social order, one dominated by feudalism, honour, servitude and military honour, and by the concept of trust. The legacies of land and power transmitted before Lear's death depend on honour and respect for the hierarchy of the patriarch or testator, or the whole concept is doomed to failure.

The adaptation by Tate in 1681, *The History of King Lear*, later revised by David Garrick and George Colman amongst others, held the stage until the late

³ Stephen Greenblatt, *Learning to Curse: Essays in Early Modern Culture* (London: Routledge, 1990), pp.94-96.

nineteenth century.⁴ The Dublin-born Tate, who later became Poet Laureate in 1692 under William III, wrote his version of *Lear* in a time of monarchical crisis, and as a Tory, Tate supported the succession of legitimate Stuart family line through his character representations of Edmund and Edgar, and the exiled Cordelia, as will be examined later in the chapter. Cordelia's and Lear's deaths were only known by early seventeenth-century and post-nineteenth-century audiences. Tate excised the Fool from the plot; Edgar and Cordelia are in love; the king of France is dropped, as is Cordelia's marriage to him; the later invasion of England by the French does not happen; Edmund plans to abduct then rape Cordelia, and in the conclusion, Lear kills the two soldiers sent to hang her, and then gives his daughter to Edgar as his bride. This pair of lovers would now be the sole heirs to the kingdom. Tate's tragicomic reworking restores the exiled Cordelia to her father to be a future queen of the land and to come into her inheritance justly. Tate's *Lear* is a temporary tragedy, where evil is overthrown by the popular vote in the play (that of the peasants), and by the popular choice of that post-Restoration generation of theatre-goers. The inheritance of kingship and land is restored intact, and there is still no need for the death of the parent.

In contrast, Shakespeare's play deals uncompromisingly with the mistakes and tragedies of lack of political sight and insight: the moral it appears to have offered its contemporary audience was that a patriarch should not give up all his inheritance, and his power over family before death, as it exposed him to familial and civil disaster. The later version of *King Lear* by Tate moves this focus onto love (through Cordelia and Edgar), the value of a woman and the questions of political bastardy and power.

⁴ Arthur John Harris, 'Garrick, Colman, and *King Lear*: A Reconsideration', *SQ*, 22 (1971), 57-66. Harris appraises the roles of Garrick and Colman in restoring some of Shakespeare's lines, if not the tragic conclusion, to the stage in the eighteenth century.

These were dominant public and political questions filtered through onto the stage. In Tate's play the division of property becomes a secondary concern not only to the romance of Edgar and Cordelia, but also to the machinations of the evil prodigal son, Edmund. It must be emphasised as well that in both plays Cordelia is doubly excluded by Lear; she is not only ostracised from her share of the inheritance but also from her sole means of gaining a reputable husband, her dowry. There is little evidence of a registration of the changes in women's fortunes across the century in these plays. It is also essential to register that Lear's inheritance, although it involves the kingdom of England, is translated, as Portia's inheritance is in *The Merchant of Venice*, into dowries for his daughters. Through the process of coverture, it is Goneril's, Regan's and Cordelia's husbands who will inherit land and power.⁵

Both plays present two apparently different plots, but in Shakespeare's play, the main plot concerns an exiled younger daughter whose elder sisters are legitimised and granted the rights of inheritance, where in Tate's version the sub-plot of the bastard eldest son who sees himself as exiled from inheritance becomes as important, if not more, than King Lear's relationship with Cordelia. In this post-Civil War period the dividing up of inheritance before death was not considered a fatal flaw. Lear and Cordelia survive in the 'brave new world' of the Restoration, and war, especially civil war, bloodshed and chaos are to be avoided at all costs. The lessons of the bitter English Civil War were fresh in the memories of playwright and audience. Tate's play is essentially a re-working of Shakespeare's *King Lear*, but there are enough differences in their style and structure to justify labelling them as two separate plays. In fact, Shakespeare's play has 3337 lines compared to Tate's 2424 lines, and of these

⁵ See Jack Goody, 'Inheritance, Property and Women', in *Family and Inheritance: Rural Society in Western Europe, 1200-1800*, ed. by Jack Goody, Joan Thirsk and E.P. Thompson (Cambridge: Cambridge University Press, 1976), pp.10-36 (p.10).

only forty six percent have come either whole or in part from Shakespeare's text.⁶ Laura Rosenthal examines the two plays in terms of early modern ideas of copyright and literary inheritance.⁷ She argues that each author wrote *Lear* under different legal and material conditions, and that modern conceptions of authorship and plagiarism must be reconsidered and re-evaluated.⁸ Although Tate had changed very little of the language and basic structure of Shakespeare's play, what he did change, particularly in terms of the ending, informs us not only of changes in theatrical taste but also of shifts in ideas of kinship and inheritance.⁹

In beginning with the plays' differences, we can begin to examine the complex issues not only of changes in popular taste, but also changing relationships between an audience and popular impressions of death and inheritance. Lear's misplaced trust and granting of authority to Goneril and Regan is balanced in Tate's version by Cordelia's survival and happiness in love and marriage to another misplaced heir, Edgar. In this play evil really is trumped, and fairness is seen to prevail in the rightful inheritance of a kingdom by the virtuous Cordelia. Tate's play moves the conclusion towards closure and balance, and as H.F. Scott-Thomas proposes, the happy ending of the Restoration *Lear* hints at the coming age of rationalism, as well as providing a precursor to sentimentalism: it presents poetic justice.¹⁰

⁶ Ruth McGugan, *Nahum Tate and the Coriolanus Tradition in English Drama* (New York: Garland Publishing, 1987), p.xxiii.

⁷ Laura J. Rosenthal, '(Re) Writing Lear: Literary Property and Dramatic Authorship', in *Early Modern Conceptions of Property*, ed. by John Brewer and Susan Staves (London: Routledge, 1995), pp.323-328.

⁸ Rosenthal, p.324.

⁹ See Michael Dobson, *The Making of the National Poet: Shakespeare, Adaptation and Authorship, 1660-1769* (Oxford: Oxford University Press, 1992). Sonia Massai's recent article on the sources of Tate's play argues that Tate treated the Folio and Quarto versions of Shakespeare's play as dramatically rather than formally different, and therefore borrowed from either text when it suited his own strategy of revision, in 'Nahum Tate's Revision of Shakespeare's *King Lear*', *SEL*, 40 (2000), 435-449 (pp.435-436).

¹⁰ H.F. Scott-Thomas, 'Nahum Tate and the Seventeenth Century', *ELH*, 1 (1934), 250-275 (p.257).

The exclusion of the Fool from the plot is also telling. In Shakespeare's play the Fool is a constantly subversive voice in the face of courtly sycophancy, who tells Lear the truth that has been silenced by Cordelia's exile from the stage until Lear can see it for himself. He reminds Lear through wit that the division of the kingdom and the banishment of Cordelia were erroneous and ridiculous, and as such is a token reminder of the lost Cordelia and the loss of the true heir. As Cordelia is constantly present in England in Tate's play, the Fool is redundant. But his absence detracts from the pathos of Lear's position as a man gradually learning his errors. In Shakespeare's play the Fool provided a counterpoise to Lear's tragedy, and highlighted the bitter-sweet poignancy of Lear's increasingly isolated state. Without him, Lear loses pathos, and becomes awkwardly melancholic rather than tragic. Tate stripped his plot of what he considered to be unnecessary characters to create a very domestic, and very familiar and familial plot to an audience. There is increased emphasis on the private experience, and the play is turned towards family tragedy rather than 'a universal space in which Nature and her laws mock human endeavour'.¹¹

Shakespeare's *King Lear* opens with talk of sons and bastards, of illegitimate as opposed to legitimate heirs, as Kent and Gloucester discuss the latter's two sons, but the play takes the audience quickly to the business of the court and to the royal family's concerns. This is a thematic link into the main business compared, as will be seen, with the introduction of Tate's main theme and introduction which the Bastard dominates. From the outset of Shakespeare's play the division of the kingdom of Britain has already been decided, as Kent and Gloucester divulge to the audience. The proceedings of the court are therefore very much about display and formality, in which the King, servants, courtiers and obedient daughters must play their respective

¹¹ Derek Hughes, *English Drama 1660-1700* (Oxford: Clarendon Press, 1996), p.279.

roles. The royal family and courtiers become the players who have rehearsed lines, gestures and actions. Obedience to the court, to the king, and to the ultimate patriarchal authority is tantamount to love, a word easily replaced by duty in the realm of the court.

Shakespeare's *King Lear* presented its contemporary audience with a tale incorporating an ancient moral: an old king with three daughters is unable to recognise traits of goodness and evil in his 'nearest and dearest', and he sets his children a love contest, to divide up his kingdom and divest himself of the responsibilities of power.¹² The play presents the journey of a king preparing for death, whose age forces him to prepare to divide his inheritance. His later wisdom, knowledge and unimpeded 'seeing' will be achieved only through loss and suffering, just as the character of Gloucester must be symbolically and literally blinded in order to recognize his true heir, Edgar. The play has often been treated critically on a level which does not explore its historical resonance, but deals instead with the philosophical issues.¹³ However, historicist research, particularly that carried out by Stephen Greenblatt, has analysed the king's relationship with his subjects, and examined what this highlights about social constructions and hierarchical relationships.¹⁴ Indeed, the questions that the play raises about familial relationships and the frictions between testator and heir are central to many of the themes in this thesis. Both versions of *King Lear* incorporate the wider political and monarchical questions of succession, but also weave in elements of concern with domestic

¹² Sigmund Freud, in analysing *King Lear* and *The Merchant of Venice*, argued that the myth of a love/beauty/marriage contest ran deep in narrative history, 'The Theme of the Three Caskets', in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, trans. by James Strachey, 24 vols (London: Hogarth Press, 1953-74), XII, pp.291-301.

¹³ Heather Dubrow notes this in *Shakespeare and Domestic Loss: Forms of Deprivation, Mourning and Recuperation* (Cambridge: Cambridge University Press, 1999), p.105, especially in relation to Maynard Mack's '*King Lear*' in *Our Time* (Berkeley: University of California Press, 1965).

¹⁴ See Greenblatt, *Learning to Curse*.

inheritance, the increased questioning of wills, and the overall societal threat to stable and hierarchical family structure from the royal family down to the smallest family unit.

Shakespeare's *King Lear* concerns a wealthy patriarch at the pinnacle of his powers, a medieval king of England, whose immediate concern involves his inheritance and the governance of his kingdom in the future. There is fear of civil unrest which was relevant to a contemporary audience faced with the unification of Scottish and English crowns and lands through James I, and who feared foreign invasion, which is carried out by the French in his play (this is converted to domestic fear and uprising by Tate, as shall be seen later). Lear, without a son to confer his wealth and land upon, has to make decisions that might normally be taken care of by the process of primogeniture, of primary male inheritance.¹⁵ Amy Erickson points out that in the early modern period, girls with brothers were not normally given land in their father's wills, but that in the middle ages there may have been a more equal practice.¹⁶ When a father only had daughters, under common law it was preferable to make those daughters heirs to his property and inheritance than to allow a more distant male relative to interfere in lineal descent.¹⁷ As has been highlighted in chapter four, Lady Anne Clifford's father had willed his inheritance to his brother rather than his daughter by an entail, a practice increasingly common in the later part of the seventeenth century. It is Lear's youngest daughter to whom he wishes to give the lion's share of his kingdom, and this creates an area of conflict within the family hierarchy. This was almost a negative of primogeniture: the eldest daughter rarely

¹⁵ When a father had daughters and no sons, the usual process of inheritance was to divide land and wealth up equally between them. See Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1993), p.63.

¹⁶ Erickson uses T.E.'s *The Lawes Resolutions of Womens Rights* (1632) to suggest this, p.62.

¹⁷ Erickson, p.63.

received the largest share, as partible inheritance was more common, but the practice of conferring the main part of the legacy on the youngest daughter was almost unheard of. This is one of the reasons that Lear delivers his 'will' to an open court before his death, in order to control the business and favour his youngest child:

LEAR Meantime we shall express our darker purpose.
Give me the map there. Know that we have divided
In three our kingdom; and 'tis our fast intent
To shake all cares and business from our age,
Conferring them on younger strengths, while we
Unburdened crawl toward death. (*King Lear*, I.1.35-40)¹⁸

Lear wishes to spend his retirement 'crawling' towards death through all his daughters' newly invested estates, which Bruce Boehrer has paralleled to the concept of the permanent royal progress; this implies a mercantile transaction rather than a divesting of power.¹⁹ Heather Dubrow suggests that by this action he has foretold the exile of Cordelia, Kent, Edgar, Gloucester, the Fool, and himself from households and shelter, reflecting social concerns about vagrancy in the early modern period.²⁰

From this beginning the king appears to be a man who has voluntarily signed away his life.²¹ Lear has dealt with the business of his inheritance, made his will, made it public and has transmitted all land and authority before his death, almost as if he were openly admitting his proximity to death in age and weakness. Lear is a king and a father who wishes to relinquish the cares of inheritance and property, divide up his kingdom and deal with the business of conferring his land and daughters while he is still living in order that future problems can be avoided. These problems as we learn

¹⁸ The will as a legal document was not available in common law until 1540, long after the medieval setting of the play. See Charles Spinosa, "'The Name and All th' Addition': *King Lear's* Opening Scene and the Common-Law Use", *Shakespeare Studies*, 23 (1995), 146-187 (p.152).

¹⁹ Bruce Thomas Boehrer, '*King Lear* and the Royal Progress: Social Display in Shakespearean Tragedy', *RenD*, 23 (1990), 243-261 (pp.245-246).

²⁰ Dubrow, p.109.

²¹ Although, as Massai has highlighted, it is the Folio edition of the play that indicates this weaker aspect of Lear, as it introduces the line 'darker purpose', line 41. She therefore proposes that Tate at this point was following the spirit and text of the Quarto, in Massai, p.438.

do not only concern internal family squabbling, but political division, potential civil wars and invasion by foreign nations. These were issues which affected the minds of many audience goers, courtiers and rulers in the Tudor and Stuart reigns, and here are focussed through a Tudor version of medieval England:

LEAR We have this hour a constant will to publish
Our daughters' several dowers, that future strife
May be prevented now. (*King Lear*, I.1.42-44)

Of course, the resulting fray leads to the court and civil disruption that Lear wished to prevent. The simple truth of property and family hierarchy was that 'late transmission retains generational control; early transmission weakens it', as Jack Goody has highlighted in relation to his comparison of European systems of inheritance.²² Lear gave up too much of his power as a testator too quickly and breaks the laws of succession and power control. Unequal division of lands between his heirs may also have been to blame. Adhering to common law custom and primogeniture, when a man only had daughters as heirs, they took equal portions of his estate.²³ But of course, in the play, Lear initially uses the instability of a court predicated on patronage and favours to indicate that he will favour one daughter over the others, his youngest child. Here in *King Lear* it is vital to note that Lear's division of his inheritance, although apparently achieved without his death, is the ultimate cause of his and his daughter's demise; far from preventing future strife, Lear's map, land and family division create the environment for greed, anti-familial behaviour, topsy-turvy confusion and civil unrest. In expressing the 'darker purpose' of dividing up his inheritance, Lear turns the attention of the court to business, the love-test. This is the vital public display which will deal with the business of his inheritance.

²² Goody, p.28.

²³ Spinosa, p.156.

The main item on his agenda is the play for the hand of his dearest child Cordelia by the rival princes of France and Burgundy. This concerns the critical passage for a daughter from the authority and ownership of the father, to the financial arrangements which preface political marriage.²⁴ The court procedures which are about to happen very publicly (staged not only by the king in his theatre of the court, but also staged for the audience) apparently allow Cordelia to compete for an 'opulent' dowry which she will need to attract courtiers of high calibre, such as the French king who has come to woo her. This marks the boundaries of male anxiety in this medieval court. If Cordelia does not play her part and produce rehearsed and polished lines as her sisters do, she threatens the stability of this very patriarchal process of distributing property and daughters.²⁵ The utter chaos of the world outside of the court, the world Lear himself is later exiled to, is held at bay by adherence to this inherent progression of patriarchal power and oily flattery, as acknowledged by Kate McLuskie.²⁶

Lear controlled his daughters' lives through the provision or withholding of dowries and selection of husband, which we see on Shakespeare's stage in the bidding for Cordelia's hand by France and Burgundy, but once the inheritance is divided, Lear retains little power in the face of his eldest daughters' subversion and increasing intolerance of his paternal role. Goneril and Regan challenge Lear's competence to retain even the little power and retinue he brings with him to their households by questioning his sanity, his masculinity and his power in his old age. They therefore

²⁴ Greenblatt, p.81.

²⁵ Coppélia Khan, 'The Absent Mother in *King Lear*', in *Rewriting the Renaissance*, ed. by Margaret Ferguson, Maureen Quilligan and Nancy Vickers (Chicago: University of Chicago Press, 1986), pp.33-49 (p.39). Khan also raises allusions to the 'incest taboo' inherent in the text, pp.39-40.

²⁶ Kathleen McLuskie, 'The Patriarchal Bard: Feminist Criticism and Shakespeare', in *Political Shakespeare*, ed. by Jonathan Dollimore and Alan Sinfield (Manchester: Manchester University Press, 1984), pp.88-108 (p.99).

challenge the very notion that the father ultimately controls the patrimony he has distributed in name and title to his kin. In attempting to prove his insanity, and even driving him towards it, the children attempt to prove the father's inability to make legal decisions. By comparing an analogous case in the seventeenth century, one can demonstrate *King Lear*'s grounding in the social world. Geoffrey Bullough noted the similarity of the play's theme to the contemporary case of Sir Bryan Annesley, whose eldest daughter Lady Grace Wildgosse in 1603 attempted to have her father certified insane. Her husband's letter to Lord Cecil condemned the old man:

We repaired unto the house of Bryan Annesley, of Lee, in the county of Kent, and finding him fallen into such imperfection and distemperature of mind and memory, as we thought him thereby become altogether unfit to govern himself or his estate, we endeavoured to take a perfect inventory of such goods and chattels as he possessed in and about his house. But Mrs. Cordell, his daughter, who during the time of all his infirmity hath taken upon her the government of him and his affairs, refuseth to suffer and inventory to be taken.²⁷

Grace Wildgosse therefore argued that she and her husband could manage his affairs. His youngest daughter Cordell opposed this, and was left most of his property by a will, which was further challenged by his other daughter. This comparative and true case demonstrates the instability of the early modern will, even when the testator is still living, and Lear proves that far from dealing with and shaking the cares from his age, his early inheritance division leads only to disaster. His decision costs him dearly when his real prize, his youngest daughter, is murdered.

Nahum Tate, like Shakespeare, was aware of the need to ground his play in the realities of its social and political context, and he made this connection clear from the start. Tate's play self-consciously begins with a Prologue, a poetic disclaimer about the author's 'coarse hand' reworking Shakespeare's 'old honest play' (*History of King*

²⁷ Geoffrey Bullough, ed., *Narrative and Dramatic Sources of Shakespeare*, 7 vols (London: Routledge, 1973), VII, p.309.

Lear, Prologue, 2). His mission, it is implied, was to bring to light hidden scenes which may divert and teach the modern mind:

Morals were always proper for the stage,
But are ev'n necessary in this age.
(*History of King Lear*, Prologue, 19-20)

Tate was all too aware that the purpose of his drama was to relate intimately to the politics and social progresses of a country which has survived Civil War and the Interregnum, and his damnation of plotting priests connects the text to the Popish plot of 1678:

But we [poets] the worst in this exchange have got,
In vain our poets preach, whilst churchmen plot.
(*History of King Lear*, Prologue, 22-23)

Some critics have therefore demonstrated the clear parallels between Tate's work and the contemporary politics of the period, most notably the Exclusion Crisis.²⁸ As a Tory, Tate would have been concerned to promote the family as a site where order, law and stability were established and maintained.²⁹ Tate also frames his play with the Bastard's (Edmund) plot to violently grasp Gloucester's inheritance and family power. Tate's reworking has moved the focus away from tragedy, to succession and inheritance in a more romantic realm, and whilst the later playwright extricates the external threat to Lear's kingdom of invasion, Tate incorporates the very real political pressures of the late seventeenth century, including the threat posed to England by the political debates about the inheritance of Catholic James, Duke of York after the death

²⁸ Jeremy Black, and Nancy Klein Maguire, 'Nahum Tate's *King Lear*' in *The Appropriation of Shakespeare: Post-Renaissance Reconstructions of the Works and the Myth*, ed. by Jean Marsden (Hemel Hempstead: Harvester Wheatsheaf, 1991), pp.29-42.

²⁹ Rachel Weil stresses conversely that Whigs insisted that the family was a 'place where children were produced and cared for, and through which property was transferred'; *Political Passions: Gender, the Family and Political Argument in England 1680-1714* (Manchester: Manchester University Press, 1999), p.6.

of his heirless brother Charles II.³⁰ Indeed, the restoration of the monarchy which Edgar looks forward to at the conclusion of the play after the defeat of the evil daughters, and the suppression of the threat to the legitimate line from a Bastard, makes a strong political statement in the light of the exposure of the Popish Plot by Titus Oates in 1678.³¹ Several adaptations, or revisions of Shakespeare's plays, including John Crowne's *Henry VI*, and Edward Ravenscroft's *Titus Andronicus* appeared between 1679 and 1681. Tate in *King Lear* especially exploited the issues raised by contemporary political crises, particularly the Exclusion Crisis as Matthew Wikander has pointed out, including elements of 'insurrection, abdication, succession and the dangers of mob rule'.³² Tate's own version of *Richard III*, a play which deals with the deposition of a king, was in fact banned after only two performances, as it dealt explicitly with the opposition to the Stuart heir James.³³

Tate as an unapologetic Tory was keen to stress through his drama the misrepresented hero, Edgar. As the legitimate heir of Gloster, Edgar's role would have been compared to the exile of Charles II before 1660, and the play restores loyalty and royalty. C.B. Hardman notes Edmund's similarity to the illegitimate Duke of Monmouth (the eldest of Charles II's numerous children conceived outside of marriage), and the dangers of disturbance to rightful legitimate inheritance are made all too clear in both versions of the play.³⁴ However, Tate's Edmund recalls the early seventeenth-century notion of the prodigal, translated to the character of the libertine,

³⁰ C.B. Hardman highlights the fact that in the conclusion of the Folio of Shakespeare's play, the end is precipitated by civil war rather than invasion, and that Shakespeare's own source, the anonymous *The Chronicle History of King Leir* (1605) has a comic resolution: Hardman, "'Our Drooping Country Now Erects Her Head": Nahum Tate's *History of King Lear*", *MLR*, 95 (2000), 913-923 (p.913).

³¹ Sandra Clark, ed., *Shakespeare Made Fit: Restoration Adaptations of Shakespeare* (London: Everyman, 1997)

³² Matthew H. Wikander, 'The Spitted Infant: Scenic Emblem and Exclusionist Politics in Restoration Adaptations of Shakespeare', *SQ*, 37 (1986), 340-358 (p.351).

³³ Daniel Fischlin, and Mark Fortier, eds, *Adaptations of Shakespeare: A Critical Anthology of Plays From the Seventeenth Century to the Present*, (London: Routledge, 2000), p.66.

³⁴ Hardman, p.913.

but with more dangerous and deadly connotations. Indeed, Derek Hughes has noted the speed with which Tate changes Shakespeare's Edmund's line, from:

EDMUND Now gods, stand up for bastards! (*King Lear*, I.2.22)

to:

BASTARD And base-born Edmund spite of law inherits. (*History of King Lear*, I.1.21)³⁵

Shakespeare's Edmund cries out in the pagan, celebratory and medieval fashion of the Vice figure. The Restoration Edmund refers to the boundaries of socially constructed human laws, and his defiance of those laws in spite of his 'base-born' position. He flouts the idea that he has a conscience:

BASTARD Awe thou thy dull legitimate slaves, but I
Was born a libertine, and so I keep me. (*History of King Lear*, V.5.19-20)

This could easily have been the cry of Thomas Middleton's character Witgood in *A Trick to Catch the Old One* (1605), or on a contemporary level, of the libertine rakes of Restoration comedy such as Dorimant in George Etherege's *Man of Mode* (1676).

Tate acknowledged his political responsibilities as a poet as well as a social commentator, and it is this aspect of his writings which is of the greatest concern. In fact, his play opens with the Bastard (the name significantly replaces the character name of Edmund). Shakespeare's Edmund did not deliver this soliloquy until the scene following Lear's love test, after the questioning of daughters' faith and subservience. In Shakespeare's play illegitimacy was a theme, whereas in Tate's play, the Bastard confronts us with this concept from the outset. In Tate's play the illegitimate son delivers the soliloquy which dominates the audience's first impressions of the play itself, and the Bastard delivers himself up to the law of Nature. He asks:

³⁵ Hughes, p.277.

BASTARD Why am I then
Deprived of a son's right because I came not
In the dull road that custom has prescribed? (*History of King Lear*, I.1.2-4)

His language is more redolent of a slightly affronted child than Shakespeare's evil plotter of a father's and brother's downfall. He proclaims that he will oppose the law of inheritance by stealth and practising on their 'easy natures', and will claim not just his brother's land, as Shakespeare's Edmund had claimed ('Legitimate Edgar, I must have your land' (*King Lear*, I.2.16)), but his 'right of law':

BASTARD Well then, legitimate Edgar, to thy right
Of law I will oppose a bastard's cunning.
Our father's love is to the bastard Edmund
As to legitimate Edgar. (*History of King Lear*, I.1.11-14)

Edmund is therefore on stage and is witness to the conference between Kent and Gloster. Theatre directors and interpreters can only imply his presence on Shakespeare's stage, when in some plays the actor who plays Edmund is seen lurking in the background, overhearing the conversation between his father and Kent; there is no textual evidence or stage direction. The patrilineal order of inheritance and succession has already been shown to be under threat in Tate's play, preceding the inversion of inheritance in Lear's court. The action of the Bastard planting the 'secret plot' of Edgar's insurrection in his father's mind has already occurred before the play begins. There is therefore no need to plant the false letter in this play, as the father already believes Edgar to be guilty. In fact, it is the actions of this family that actually influence the actions of Lear, as can be seen in Act I, scene 1, after Cordelia has uttered 'Nothing':

LEAR 'Tis said that I am choleric. Judge me, gods,
Is there not cause? Now, minion, I perceive
The truth of what has been suggested to us:
Thy fondness for the rebel son of Gloster,
False to his father, as thou art to my hopes. (*History of King Lear*,
I.1.117- 121)

greed, as Goneril and Regan compete to prove their greater 'love' for their father, attempting to change the quantities of land in their shares of his inheritance:

LEAR Tell me, my daughters –
 Since now we will divest us both of rule,
 Interest of territory, cares of state –
 Which of you shall we say doth love us most,
 That we our largest bounty may extend
 Where nature doth with merit challenge. (*King Lear*, I.1.48-53)

Yet if one examines the linguistic value of the flattery that Goneril and Regan give to their father in return for dowries, one can see that they offer very little apart from obsequiousness. Goneril, the eldest, loves her father 'more than word can wield the matter', indicating that she cannot put her love into words or flattery (*King Lear* I.1.54). Lear to her is 'beyond what can be valued, rich or rare', which shows that her love for him is 'invaluable', or by implication, value-less (*King Lear*, I.1.57). She loves 'As much as child e'er loved, or father found', indicating that love is only that which this child allows to be revealed, as the rest is secret, unfound (*King Lear*, I.1.59). Hers is 'A love that makes breath poor and speech unable / Beyond all manner of so much I love you', and her hyperbole extinguishes itself in the breathlessness of the panegyric and silence ('speech unable'); her words appear to fail the purpose demanded of them, and yet her purpose has been achieved: sycophancy has been disguised, and ambiguous flattery has been coated with surface glibness, hiding her and her sister's darker purpose (*King Lear*, I.1.60-61).³⁷ Cordelia's aside here, 'What shall Cordelia speak? Love, and be silent' is the perfect balance to the excess of flattery, but it fits the purpose of Goneril's words 'beyond all manner of so much I

³⁷ Lisa Jardine highlights that Cordelia's two sisters express their 'total and permanent love', despite the fact that they have left the paternal household, and therefore their later treachery towards their father and husbands was always inevitable: 'Companionate Marriage Versus Male Friendship: Anxiety for the Lineal Family in Jacobean Drama', in *Political Culture and Cultural Politics in Early Modern England: Essays Presented to David Underdown*, ed. by Susan D. Amussen and Mark A. Kishlansky (Manchester: Manchester University Press, 1995), pp.234-254 (p.236).

love you' (*King Lear*, I.1.62). Dympna Callaghan highlights the significance of the fact that Cordelia's first speech is in the form of an aside, and as such 'is not registered as speech by the other characters on stage although it is heard by the audience'.³⁸ Regan, of course, plays off Goneril's speech when she tells the court and her father 'Sir, I am made of that self mettle as my sister / And prize me at her worth' (*King Lear*, I.1.69-70); Regan stresses her own bloodline relationship to her sister and father: she is worth no more nor less. She continues:

REGAN Only she comes too short,
 [...]
 And find I am alone felicitate
 In your dear highness' love. (*King Lear*, I.1.72-74)

She revels in momentary victory, but Lear's triumph of public control can also only be temporary.

As the purpose of Lear's business is made public, and land divisions have been decided, it is already known that Lear will announce his 'last and least' daughter Cordelia as 'our joy', to provide her with the conditional 'third more opulent than your sisters' (*King Lear*, I.1.82-86). This intention depreciates Regan's attempt to shine alone in her father's economically shaped love.³⁹ Cordelia's second aside before this moment is even more revealing:

CORDELIA (*aside*) Then poor Cordelia,
 And yet not so, since I am sure my love's
 More ponderous than my tongue. (*King Lear*, I.1.76-78)

She knows that if her tongue cannot match her heart, she will truly lose her value in the family and the court, and will be cast into poverty financially and economically,

³⁸ Dympna Callaghan, *Woman and Gender in Renaissance Tragedy: A Study of 'King Lear', 'Othello', 'The Duchess of Malfi' and 'The White Devil'* (Hemel Hempstead: Harvester Wheatsheaf, 1989), p.80.

³⁹ Catherine Cox registers that Cordelia, despite being youngest daughter, is made by Lear into his progeny, designated heir, 'daughter, son, wife, mother', hinting therefore at incest, at the idea of the daughter as a substitute wife, in "'An Excellent Thing in Woman": Virgo and Viragos in *King Lear*', *Modern Philology*, 96 (1998), 143-157 (p.150).

She proves the division between sexual, familial, childish and public love by questioning what love she will have left for a husband if she were to love her father all:

CORDELIA Why have my sisters husbands, if they say
 They love you all? Haply when I shall wed,
 That lord whose hand must take my plight shall carry
 Half my love with him, half my care and duty.
 Sure I shall never marry like my sisters
 To love my father all. (*King Lear*, I.1.99-102)

Lear has divided his kingdom, and Cordelia with equal logic proves she must divide her love. Lear certainly owns his daughters, just as this ownership is to be transferred to the husband. Cordelia claims she speaks ‘true’, and, in that moment of subversion in the family and the court, cuts herself off from dowry, inheritance, political potential and patriarchal affection.

Jonathan Gibson argues that Cordelia not only rebels against familial restraints here, but also seeks to expose the artificiality of the patronage game, to avoid the imposition of the patron/client relationship. This follows the argument that the play marks the clash between feudal values and proto-capitalist values.⁴³ There is a horrific logic of market economics underlying the value put into words and obsequiousness in this scene. Peter Holbrook, employing Marxist criticism, notes that language in this scene is dominated by the fiction that love can equal wealth or land, and by the myth that love can find its equivalent value in words.⁴⁴ ‘Truth’ will be her dowry, and Lear devalues truth, plain speaking and uncourtly behaviour in an instant, and he exiles himself from the order of familial love:

LEAR Here I disclaim all my paternal care
 Propinquity and property of blood,
 And as a stranger to my heart and me
 Hold thee from this forever. (*King Lear*, I.1.114-117)

⁴³ Jonathan Gibson, ‘*King Lear* and the Patronage System’, *The Seventeenth Century*, 14 (1999), 95-114 (p.100).

⁴⁴ Peter Holbrook, ‘The Left and *King Lear*’, *Textual Practice*, 14 (2000), 343-362 (p.345).

Lear holds his daughter now formally addressed as 'thee' from his heart, inheritance, dowry and his paternal protection, combined into the simple word 'this', for eternity. The kingdom, which was to have been divided into three, is now swallowed up in two parts; his own space was to have been in the opulent third saved for Cordelia, and when this third disappears, so does his own place in society.

One of the most dramatic changes Tate made to the plot was to introduce a love story between Gloucester's legitimate heir Edgar, and Lear's heir Cordelia, in order to compare and contrast each character in their struggle to claim what is rightfully theirs. The two stories of paternal exclusion run as parallel plots in Shakespeare's play, but the collision of these two characters as love protagonists implies a greater emphasis on the importance of legitimacy and exile. Banishment is a fate that both of these will soon suffer because of their naivete:

EDGAR Cordelia, royal fair, turn yet once more,
 And ere successful Burgundy receive
 The treasure of thy beauties from the king.
 [...]
 Cast back one pitying look on wretched Edgar.
CORDELIA Alas, what would the wretched Edgar with
 The more unfortunate Cordelia
 Who in obedience to a father's will
 Flies from her Edgar's arms to Burgundy's?
 (*History of King Lear*, I.1.56-66)

The 'Romeo and Juliet' implications of forbidden love immediately change the imminent love-test scene by adding the tensions of increased disobedience and the division between love. Cordelia's marriage has been arranged to Burgundy, as the competition over the dowry and Cordelia between Burgundy and France has been cut by Tate. Cordelia is referred to as the treasure of the king, and in dialogue has indicated that her immediate obligations are to her patriarchal lord and father, not to her heart. The audience has already been witness to her filial obedience, which rather

contradicts her later proclamation in front of the court that she can only give half her love to her father, as half will be given to her husband. If she is forced into marriage with Burgundy, this statement is at this point more political than honest.

Tate's play has changed the bleakness and rehearsed nature of the love test by adding romance as an additional dramatic interest for the audience. No longer is Cordelia a mere political pawn to be passed with dowry from father to husband, but she is, in Tate's play, a woman in love trying to avoid an arranged marriage. She addresses the conventions of arranged political marriages by challenging not only her father's authority, but also her lover's 'unearned' love. This love story also affects the nature of a play about inheritance, dowries and exile as it combines the two rightful and banished heirs in dialogue about their respective conditions; it certainly changes Edgar's previous role of isolation and flirtations with insanity in Shakespeare's play. Cordelia has a much more active and sympathetic role in Tate's version, as can be seen by the addition of many more lines for her role (which undermines her Shakespearean role as the tragic mute figure), and she takes part in the plots to restore the king to his own territory. Sonia Massai sensibly suggests that 'Tate's expansion of the female roles and his introduction of the love affair between Edgar and Cordelia' owe a great deal to the introduction of women actors on the Restoration Stage.⁴⁵ In this play Cordelia has not been 'exiled' in marriage to France; and therefore no external invasion is necessary to restore the patriarchal order. After her refusal to flatter her father in Tate's play, this Lear also reduces her dower to 'truth', and disclaims 'all my paternal care' (*History of King Lear*, I.1.127). However, his exile of Cordelia does not indicate the permanence of Shakespeare's Lear's curse, which was 'as a stranger to my heart and me / Hold thee from this forever' (*King Lear*, I.1.116-

⁴⁵ Massai, p.436.

117). In contrast, Tate's *Lear* tells his daughter that he will 'from this minute hold thee as a stranger / Both to my blood and favor' (*History of King Lear*, I.1.130-131). Of course, this does allow for a later reconciliation, which will allow the daughter back into the family bond, and one that will survive the play.

Ownership of the daughter and wife through family and marriage was questioned by the character of Cordelia in Shakespeare's play, as competing male authorities destabilised her role of total submission to one power, and she is forced to divide her loyalty so much that she is left to utter nothing to her father. She lacks the Machiavellian talents and tongues of her sisters, and is therefore left to challenge the system of passing property and women alone. She must be exiled in order to defend herself, just as Edgar in exile from his legitimate inheritance and father's love first effaces ('Edgar I nothing am' (*King Lear*, II.3.192)) then defines himself through various guises. Although this challenge to inheritance systems was diminished by the love story between Cordelia and Edgar in Tate's version, it is this dilemma which dominated her decision to utter 'Nothing' in the Restoration version. She is more calculating and financially aware:

CORDELIA (*aside*) Now comes my trial. How I am distressed,
That must with cold speech tempt the choleric king
Rather to leave me dowerless, than condemn me
To loathed embraces! (*History of King Lear*, I.1.93-95)

In both plays Cordelia is reduced to a dowerless woman when offered to Burgundy as 'spoiled goods'. Parallel to virginity, a dowry was one of the few political tools a woman could employ in gaining a wealthy husband.⁴⁶ In both plays the character of Burgundy rejects her without money and power. But as France is written out of Tate's play it is up to Edgar to step in to secretly, rather than openly,

⁴⁶ Erickson, p.72.

proclaim Cordelia's value, which he does in words borrowed from France's character 'O heavenly maid that art thyself thy dower, / Richer in virtue than the stars in light' (*History of King Lear*, I.1.205-206). This gives Cordelia the chance to take a verbally active role in the scene, rather than that of the ostensibly passive and speechless woman produced by Lear's dominance in Shakespeare's play (where her refusal to submit to courtly demands is expressed in her silence). She tests Edgar's love with her own 'love-test', and she challenges her role as a submissive woman in familial and sexual love by denying his love when she is exiled from the court and dowerless:

CORDELIA When, Edgar, I permitted your addresses,
 I was the darling daughter of a king;
 Nor can I now forget my royal birth,
 And live dependent on my lover's fortune.
 I cannot to so low a fate submit. (*History of King Lear*, I.1.214-218)

Cordelia in Tate's play places her own value on her head; she does not forget her birth, but will not accept the charity of a lover, unlike Shakespeare's Cordelia's meek (silent) acceptance of France's proposal to her dowerless state. The Restoration audience witnessed a woman on the stage who was exiled from her father's inheritance, and yet she bravely and independently exiled herself from her lover's charity. She will wait until she is restored to her rightful inheritance before she will accept Edgar's love. Ironically when she does become his financial 'equal' at the conclusion of Tate's play, her property is bound by law into his ownership.

It is the Gloster family which dominates Tate's plot of *The History of King Lear*. That particular story of rightful son being exiled in favour of the bastard son, which is the subplot of Shakespeare's play, overshadows the main plot in Tate's play precisely because of the political and social context which informs legitimacy in this period. This is especially clear in the most dramatic and visual moments of Tate's play. In the fight between the warring brothers Edgar pronounces the Bastard 'half-

blooded man, / Thy father's sin first, then his punishment' (*History of King Lear*, V.5.40-41). Edmund's dying words 'The sword has pierced too far. Legitimacy / At last has got it' acknowledge his brother's final claim to inheritance (*History of King Lear*, V.5.77-78). In excising one of the most pathetic scenes of Shakespeare's drama when Lear enters with the dead Cordelia in his arms, Tate has replaced this vision of pathos and horror with the reunited son Edgar and his blind father Gloucester. As Albany intones 'Look, sir, where pious Edgar comes / Leading his eyeless father.' (*History of King Lear*, V.6.111-112).⁴⁷

In Shakespeare's subplot of Gloucester and his sons, which in his play is dramatically dominated by Lear's and his family's upheaval, Gloucester devalues the very process of patrilineal succession by mocking the getting of his bastard son Edmund, 'the whoreson must be acknowledged' (*King Lear*, I.1.22). Yet Edmund's confession, which follows the love test, proves that he is not content to be passed over as heir, or to play the part of the 'younger son', and he plots to undermine the legitimate son and heir Edgar. The false letter, which he divulges to Gloucester, appears to prove that sons can easily turn against their fathers, just as Gloucester has witnessed in the court that fathers can turn against daughters. This letter appears to prove that the son is eager to get his hands on the father's power while the son is still young enough to enjoy it; this though will necessarily involve death, the murder of Gloucester. The fabricated letter reads "“This policy, and reverence of age, makes the world bitter to the best of our times, keeps our fortunes from us till our oldness cannot relish them”" (*King Lear*, I.2.46-49). Edmund then tells Gloucester that he has heard Edgar express the opinion that 'sons at perfect age and fathers declined, the father should be as ward to the son and the son manage his revenue' (*King Lear*, I.2.72).

⁴⁷ C.B. Hardman refers to the similarity of this entrance with Aeneas bringing Anchises out of Troy, in Virgil's *Aeneid*: Hardman, p.915.

This of course reflects the state of Lear's court and family, rather than having the more active role in the minds of the audience of Tate's version. The primary social order of will-making, death, then the inheritance of power by children is to be disturbed in both Lear's and Gloucester's households, and this holds portents for the disruption and division of the kingdom. As Gloucester gloomily notes, watching the pagan portents of future strife:

GLOUCESTER Love cools, friendship
 falls off, brothers divide: in cities, mutinies; in
 countries, discord; in palaces, treason; and the bond
 cracked 'twixt son and father [...] - there's son against father.
 The King falls from bias of nature - there's father
 against child. (*King Lear*, I.2.106-111)

Edmund is driven by simple desires, for land, and all the wealth and power this confers: 'Let me, if not by birth, have lands by wit' (*King Lear*, I.2.181). Edmund holds a fascinating attractiveness, not only to Goneril and Regan, but also to the audience, as he is allowed frequent asides and dialogic expressions of his reckless evil charms. It is his very illegitimacy which appeals, and of course, he repents at the conclusion of the play.

In the centre of Tate's play, the reported action of civil uprisings threatens the court. Gloucester reports this to his son, the Bastard Edmund:

GLOSTER The commons repine
 aloud at their female tyrants. Already they cry out
 for the reinstallment of their good old king, whose
 injuries I fear will inflame 'em into mutiny.
 A little covert craft, my boy,
 And then for open action. (*History of King Lear*, III.2.34-43)

The very nature of political stability is seen to be shaken by the overturn of the patriarch, and it is the peasants' mutiny rather than the invasion of the French army which restores order to the fractured state. In Shakespeare's play, in act III, scene 4 Lear realises too late that he has taken too little care of his own family or state. Just as

exile from inheritance has driven Cordelia from the kingdom, dispossession and displacement have forced Lear out of the sphere of control and patriarchal authority. He has exiled himself because of his failure to recognise the dangers of the court, and he enters into a sphere of intense pity, for himself and for man, a place not for redemptive suffering, but horrific recognition. Lear overturned the law of the court and the laws that governed inheritance transmission by banishing his rightful heir, and these transgressions at the conclusion of the play lead to civil war and invasion. The simplest shelter and clothes are necessary for basic survival, and their lack proves the instability of the court, teetering on the edge of the precipice, separated from the harsh world of the external storm by mere clothes and buildings. Lear's attempt to strip away his own trappings of authority and humanity, his own clothes, comes at the point of madness and of clarity. His inheritance now is worth very little to any child. As he looks upon Edgar in his guise of Poor Tom, he asks:

LEAR Is man no more than this? Consider him well. Thou
 ow'st the worm no silk, the beast no hide, the sheep
 no wool, the cat no perfume. Ha? Here's three on's
 us are sophisticated; thou art the thing itself.
 Unaccommodated man is no more but such a poor,
 bare, forked animal as thou art. Off, off, you lendings:
 come, unbutton here. (*King Lear*, III.4.101-107)

It is important to stress that the figure of 'Tom' embodies disinheritance; without money and shelter, and without the paternalistic protection of the father and society, the resulting image is of 'unaccommodated man'. Lear and Gloucester have outlawed their flesh and blood, their subjects who were necessary parts of their power as fathers, patriarchs, and providers of inheritance. In exiling Cordelia and Edmund, these fathers have brought instability and a topsy-turvy world where children rule parents, the 'righteous' are outdoors, while the evil illegitimate subjects rule indoors.

Tragedy arises from the simplicity of human error, but the realisation of these errors comes too late for redemption.

In Shakespeare's play, father and daughter, Lear and Cordelia, are reunited, if briefly, but justice is not a constant in *King Lear*, inseparable as it is from conflicts of will and power, and the transmission of inheritance from father to daughter can never be achieved. The inadequacy of human judgement in *King Lear* has denied the right to divine justice, even in this land of pagan gods and rituals. Although the evil characters die, so do Lear and Cordelia. Lear's body is last seen on the stage surrounded by the corpses of his daughters in a grotesque and macabre parody of the opening scene.

Cordelia's death heralds the untimely death of a child before the parent, and interrupts the restoration of rightful bloodline heir that Tate re-introduces. Her death brings from Lear a broken elegy as he accuses those around him of insensitivity. His elegy and language collapse at the end of this drama into inadequacy, repetition, and sub-language:

LEAR Howl, howl, howl, howl! O, you are men of stones!
Had I your tongues and eyes, I'd use them so
That heaven's vault should crack: she's gone forever.
(*King Lear*, V.3.255-257)

Lear's repeated howls replace other inadequate responses to mourning, and the repetition of utter horror invokes the ultimate grief as part of the process of recognition.⁴⁸ Previously in this thesis, chapter two examined the genre of elegies from parents to children in order to examine personal and emotive responses to the failed transmission of inheritance and lineage. In his repeated howling, Lear has finally moved beyond the boundaries of humanity to the bestial, and Cordelia is as

⁴⁸ Peter Sacks, in *The English Elegy: Studies in the Genre from Spenser to Yeats* (Baltimore: John Hopkins University Press, 1985), pp.24-25, stresses that repetition in elegy is a sign of the forced recognition of fact, the confrontation with the reality of death, which is part of the process of grief.

dead as earth. This is a tragic end, but perhaps not the nihilistic end that has been sought by modern existentialists. There is also a sense of rightness, things having come full circle, not fulfilled by the rationalising of Edgar or Edmund, or the optimistic commentary of Albany and Kent, but by the signals and language uttered by Lear in the moments before his death, suggesting a renewal of his essential roles of King and father for a few brief moments. His final call for his unbuttoning, indicates the final freeing from clothes and office, the pitifully courteous last request of a king.

The plot is driven inevitably and tragically towards its deadly conclusion. But the repetition of the word 'nothing', as with 'no' and 'never' at the end, provide an artistic pattern of words to guide the audience's responses, to prepare us to understand the full force of what is seen and heard at the conclusion.

Lear's reconciliation with Cordelia in Shakespeare's play, brief in life, can only be purchased with the cost of both of their deaths, because that is the value he has set on his daughter and on her truthfulness. King Lear had to suffer and be stripped of all humanity and dignity in order to understand, by the conclusion of his life, that in the process of giving up his inheritance, he had created a fracture in the makeup of familial hierarchy. Chaos and confusion had begun when the 'evil' sons and daughters in his society realised their strength over their ostensible superiors. Lear not only rejected his daughter, the only truly valuable portion of his inheritance, but also truth, his kingdom, and his own power.

This breakdown of everything Lear had owned in Shakespeare's play, of the personal and royal authority, his kingdom and the family is subverted by the contract between happiness and restoration of kingly powers in Tate's version; this is ostensibly a more blindly optimistic vision of societal healing. Tate's play was reworked in a sentimental style, exploiting pathos and virtue according to the tastes of

sentimental drama, providing an ending in which tragedy is overcome by poetic justice. Not only are the evil characters punished, but the good characters survive and prosper. The death of Cordelia proved too much for a Restoration audience, and Tate's 'Hollywood style' reworking to create closure and possibility at the end of the play was more tasteful to many critics.⁴⁹ Yet Tate's reworking of *King Lear* has proved to be far more than a populist revision of early seventeenth-century Shakespearean nihilism. The admiration of the author comes through a form of literary flattery.⁵⁰ Tate, in his dedicatory letter to Thomas Boteler, stressed that he wished to make the play conclude with 'a success to the innocent distressed persons':

Otherwise I must have incumbered the stage with dead bodies, which conduct makes many tragedies conclude with unseasonable jests. Yet I was racked with no small fears for so bold a change, till I found it well received by my audience; and if this will not satisfy the reader, I can produce an authority that questionless will. 'Neither is it of so trivial an undertaking to make a tragedy end happily, for 'tis more difficult to save than 'tis to kill'.⁵¹

Tate obviously spotted the dangers of potential comic value of the tragic ending and actors as corpses littering the stage, and was prepared to defend the serious nature of his marketing ploy to please an audience. Were the changing tastes of the Restoration audience important to plot revision? Certainly it has been noted how the audience has affected the style of drama that is presented to them on the Restoration stage. The reflection of contemporary political and social concerns in adaptations of Renaissance plays is also very clear in Jane Smiley's successful novel adaptation of *King Lear*, *A Thousand Acres* (1991), which traces the litigious responses of a modern twentieth-

⁴⁹ Lewis Theobald in *The Censor* (1715) praised Nahum Tate's *The History of King Lear*, 'Virtue ought to be rewarded, as well as vice punished, but in their deaths [Cordelia's and Lear's] this moral is broken through'; quoted in Black, p.xxvii.

⁵⁰ Christopher Spencer, *Nahum Tate* (New York: Twayne, 1972), p.72.

⁵¹ Black, p.2. The quotation used is from Dryden's *The Spanish Friar* (London, 1680).

century family to exclusion from land inheritance.⁵² The play has provided consistent contemporary relevance for audiences.

Tate was a self-conscious but determined heir of Shakespeare's legacy, and left sufficient evidence in the play and in his dedication to prove that his project was far from naïve. In Tate's play Cordelia is restored to life, triumph, financial security and to love in the arms of Edgar, who has the last words of the play:

EDGAR Our drooping country now erects her head,
 Peace spreads her balmy wings, and Plenty blooms.
 Divine Cordelia, all the gods can witness
 How much thy love to empire I prefer!
 Thy bright example shall convince the world
 (Whatever storms of Fortune are decreed)
 That truth and viture shall at last succeed.
 (*History of King Lear*, V.6.154-160)

In the play's dedication Tate had argued that his rewriting of the play was an act of refinement rather than the literary massacre which some early twentieth-century critics believed had taken place.⁵³ He suggested that Shakespeare's play was 'a heap of jewels, unstrung and unpolished, yet so dazzling in their disorder that I soon perceived I had seized a treasure'.⁵⁴ His refinement, he believed, was resetting the tale in a different cultural and political background. Enhancing Tate's own defence, Rosenthal links the difference in endings back to the desires of audiences and political changes:

Why would anyone want to perform Shakespeare's old play any more? The betrayal, overthrow, and death of the king may have appealed to the barbaric audiences of the Renaissance, but it will no longer do for this civilised age. And while Tate describes Shakespeare's errors as aesthetic, they were inevitably also political. The king had to survive at the end of the play not because of a sense of moral and political certainty about the monarchy, but because of the lack of it.⁵⁵

⁵² Caroline Cakebread, 'Remembering *King Lear* in *A Thousand Acres*', in *Shakespeare and Appropriation*, ed. by Christy Desmet and Robert Sawyer (London: Routledge, 1999), pp.85-102 (p.86).

⁵³ See for example Hazelton Spencer, *Shakespeare Improved* (New York: Frederick Ungar, 1927).

⁵⁴ Black, p.1.

⁵⁵ Rosenthal, p.329.

It is an interesting idea that death and tragedy occurs when there is political stability, and resolution and harmony is achieved in Tate's drama when fears of monarchical inheritance shook the foundations of society, proving that drama did not always play out the realities of a society but instead the concerns, problems, questions and moments of instability. These can be discovered in any family, but are particularly pertinent when played on the stage by a monarchical family; when the monarchy fell apart, the state would suffer, just as conversely family structure could be threatened by political instability. In fact, our own modern interpretation of the 'happy' ending provided by Tate is made complex by these contextual considerations. Is this a happy conclusion, or an uncomfortable compromise between political and popular thought? It is certainly the latter, but for the rescuers of Shakespeare's 'original' text, Tate's political project and aesthetic intentions were always overshadowed by questions of triviality and taste.

Much as Restoration revisions of Shakespeare's plays were shaped by the determinations of literary fashions and political propaganda interests, they also presented the changing attitudes to the family and inheritance. The revision of William Shakespeare's *The Tempest* by John Dryden and William Davenant in 1670 for example emphasised that this was a play primarily about restoration of order and hierarchy, and this emphasis on inheritance was inevitably accompanied by emphasis on parentage and patrilineal succession. The transition from Shakespeare's tragedy to Tate's tragi-comedy over the period of the seventeenth century was complete. Insurrection and dissatisfaction with the normal processes of inheritance were expressed by the elder daughters of Lear, and by the illegitimate son of Gloucester, all eager to gain wealth before the natural deaths of their fathers, and all prepared to push testators towards madness or unnatural death. In neither play were the opponents of

legitimacy successful, and even though Shakespeare's play ends in the death of Cordelia and Lear, both plays allow power to fall back with some relief into legitimate hands, Albany's and Edgar's, or Cordelia's and Edgar's. The divine ordination of kingship is an ideological concept reinforced by the conclusions of both plays, and after the very real historical lessons provided for society by the regicide, Tate was taking few chances with the life of Lear, and the fact that Edgar comes into his inheritance and marries the sole surviving heir to Lear's fortunes and power.

CONCLUSION

The thesis has examined writing on inheritance from a range of genres to demonstrate that the commonly perceived histories of the affective family, and of legal and political ideologies of inheritance, which were formulated within the concept of primogeniture, were challenged across the seventeenth century. The concept of the early modern family and individual roles within it as having been shaped and circumscribed by patrilineal succession alone has been disproved by close analysis of literary genres from across the period, even though all texts in the thesis at some level have engaged with these concerns. What has emerged from close readings and comparisons with social and legal circumstances is that literature dramatised and exposed the weaknesses inherent in the belief in a primogeniture-dominated system of inheritance. The texts under examination exposed the conflicts which inheritance could create, but they also reshaped the boundaries of accepted terms of inheritance. Through the provision of advice texts, biblical exegeses and elegies both parents, and especially mothers, had agency in defining parental responsibilities in the gift of textual legacies and advice for children. The redefinition of public elegies and print forays into biblical exegeses into sub-groups of familial writing has allowed the thesis to demonstrate how much agency some family members ostensibly excluded from inheritance could have. Active participation in print, despite addressing texts 'privately' to family members, and in other examples, openly acknowledging the shared nature of a print marketplace has shown that other 'goods' than land and money could be left as a legacy. The appropriation of alternative testamentary goods such as moral and secular advice initiated the extension of the parental role beyond death. This has demonstrated that exclusion from the most formal processes of will-

making did not preclude participation in familial and hierarchical roles of the provision of advice, biblical guidance, and mourning at the loss of this parental role when the child died before the parent. The focus on the apparently restricted topic of inheritance has opened up the debates which surround these various genres to touch on many critical questions of seventeenth-century literature and society.

There is a temptation to collapse all of the texts that deal with inheritance and the family into a single category. Of course, the dangers inherent in such a process involve ignoring good methodological process and recognition of class, gender and religious differences, and the complications of changing generic rules, certainly when text markets are involved; changing audience tastes particularly before and after the Restoration must be taken into consideration. Even texts which were appropriated by editors and put into print after the death of the author, such as the writings of Susanna Bell and Elizabeth Joceline, were subject to reprint demands and literary fashions. The fact that all of the texts which concerned death, the family and the role of inheritance were consistently popular across the century and into other centuries beyond leads to the conclusion that however private the early modern family may appear to the modern critic, its internal voices, concerns, affections, relationships and fears for the future of children and estates were public concerns too, and made for popular reading.

The changing nature of definitions of the family was one of the main concerns of the thesis, and there has been acknowledgement of variations across the century; however, the continuing dominance of the ideology of primogeniture in historical readings of texts and documents from this century has been questioned, addressed and challenged. The work of historians like Lawrence Stone has been invaluable in opening up the debates of the history and development of the family, and the fact that

one of his texts, *The Family, Sex and Marriage in England 1500-1800*, has created such lively and heated academic response ever since its original publication over twenty years ago has meant that the book itself became a great legacy to the field of early modern research. Parent-child relations have been a popular topic in social history, and many examinations of diaries and journals from this period have been shaped by the desire to address Stone's thesis on the lack of emotion between family members. His arguments on the high incidence of infant mortality and economically driven relationships between family members were persuasive, even if they were informed by a faith in primogeniture's dominance at all levels of society which has since been undermined by the findings of feminist historians. This thesis has joined that debate by widening the boundaries of the type of evidence to include literary genres alongside documentary family writings. By examining a variety of genres which include fictional and personal accounts of the impact of inheritance on everyday life, the debate on the existence of familial affection towards children is extended and enforced; if we understand not only the writers but also the networks of inheritance and family of which they were a part, we can begin to understand the relationship between literature and context.

Parental affection is even more difficult to quantify from literary sources than other historical sources, as is evident from any methodological research into 'reliable' resources, and this was discussed in the introduction; the perils of accepting the truths uttered by literary constructs of poetic personae and characters in plays, even of constructed 'diary-voices', have to be kept in mind. Yet the examples of warmth, care for the upbringing of a child, and professed love demonstrated in print towards young children, not just to primary heirs which might have reinforced Stone's economic assessment of family life, but also to daughters, babies and even unborn or miscarried

children present a very different perspective of family relationships. It is true that the evidence presented highlights that familial relationships were still hierarchical, religious, strict and highly moral, but these relations were driven by care and extended beyond the life of the parent in the form of familial legacies examined in chapter one, and beyond the death of the child in the form of elegies in chapter two. The affection between child and parent has been reinforced elsewhere in the thesis, including the representation of father-daughter love despite exile from rightful inheritance in Lady Anne Clifford's records in chapter four, and in chapter six, Cordelia's love for her tyrannical father in both versions of *King Lear* emphasised by his horrific howls of despair at her death in Shakespeare's play evokes how cold conditional love was transformed into the truth and loss expressed in elegiac form in mourning.

What is the relationship between literature and context when the mechanisms of family and the transfer of land money and power are under scrutiny? The thesis has shown that literature itself had agency in disrupting the social and political context, particularly when women printed texts from within patriarchal discourses. Women had literary agency through their entrance into family genres of advice texts and legacies, and this is why the thesis proposed to balance maternal and paternal texts to children, in order to avoid the isolation of an enterprise that was primarily familial, not feminine. Lawrence Stone reminded us that by marriage, the husband and wife became 'one person in law', and that person was the husband.¹ Questions of inheritance inhabited a literary domain as they affected all levels of society, particularly wealthy families. Women's ostensible subjection to patriarchal control, first to her father then to her husband was debated by the evidence that they rewrote the very discourses which had dis-empowered them, by redefining and extending the

¹ Lawrence Stone, *The Family, Sex and Marriage in England 1500-1800* (Harmondsworth: Penguin, 1979), p.222.

terms of that discourse (here of inheritance) or by bringing new meanings to bear. Was this empowerment, particularly in an age of absolutist rule and patriarchal authority? Had the 'changes' wrought on the family created a changed environment for women? Certainly chapter three demonstrated post-Restoration female literary agency in the publication of a volume of poems on the Bible dedicated to women, by Amey Hayward, as an open legacy for a female readership. That chapter recognised the agency of women's appropriation of the Genesis tale to enter the debate of women's sin or blamelessness in mankind's legacy of sin. The adoption of poetic assessments of women's role in the primary family and the assertion of women's role in lineage and inheritance founded in childbirth and the combined origins of sin and hope provided specifically female writings and additions to women's legacies.

Authors from the early modern period who dealt with the questions of the family, inheritance, wills and legacies had to confront a number of debates and frictions which surrounded the passing on of property to the next generation. What may have appeared to have been a relatively simple idea of how to assign power and wealth within the family was complicated by the historical circumstances of the seventeenth century, particularly in the reinforcement of aristocratic lineage in wills and strict settlements during marriage, increasingly common after the Civil War. That period certainly demonstrated the fragility of land ownership and political power, and those concerns filtered down into familial politics and fears of instability, as was demonstrated in Royalist writings which reinforced patriarchy, autonomy and royal lineage. Therefore the dominant concept of inheritance, primogeniture, was strengthened by its proponents with biblical evidence and legal force, and was a

system that was particularly endorsed by legal texts.² Patrilineage ensured that the genealogical purity of the family could be preserved, aristocracy could be maintained as aristocracy, and despite the buffeting of time, wars and civil upheaval, the family would be preserved as a stable entity in the heart of England. In fact, if the family unit was healthy the nation would benefit from this hierarchical and invariable unit, and vice versa. Many in the seventeenth century saw the severing of any of the links of primogeniture as domestically and politically subversive. Bishop Henry King in a sermon given in 1661 linked the interference with primogeniture with regicide; both subverted God's purpose:

The elder brother in the tribe was *Princeps Familiae*, the prince of the family. [...] The inheritance was so fastened to him as if God intended no separation, wither by the hatred or affection of the parent.³

When, according to such doctrines, God's rules were broken the dire consequences would be felt at all levels of society. This rule of primogeniture seemed to suggest that the genealogical distinctions of aristocratic ideology had force even at the familial level. Yet the more that this custom came under attack, the less defensible this notion of first-born supremacy appeared to be. Michael McKeon, in examining the historical models of narrative, has studied the epistemological and ideological shifts in the seventeenth century, and suggests that the growing attacks on primogeniture were a necessary part of the transformation from aristocratic essentialism to progressive models of thought, leading the way towards the Enlightenment.⁴ The comparison of *The Merchant of Venice* and Lady Anne Clifford's writings showed that daughters'

² Sir Edward Coke, *The First Part of the Institutes of the Laws of England*, 9th edn (London: William Rawlins and H. Sawbridge, 1684), and Sir Robert Filmer, *Patriarcha and other Writings*, ed. by Johann Sommerville (Cambridge: Cambridge University Press, 1991).

³ Henry King, 'A Sermon Preached at White-Hall on 29th May (London, 1661), quoted in Stephen Collins' "'Reason, Nature and Order": The Stepfamily in English Renaissance Thought', *Renaissance Studies*, 13 (1999), 312-324 (p.318).

⁴ Michael McKeon, *The Origins of the English Novel from 1600-1740* (London: Radius, 1988), p.132.

inclusion or exclusion from patrimony were common topics in literature but were not necessarily accepted by fiction or society as universal. Clifford's reports of her acrimonious relations with her family, husbands, friends, religious leaders and with James I indicate that her struggle to gain a place in her family lineage and claim herself the true heir of her father's estates were unpopular, public and vocal. Her case defies the image of the daughter trapped, controlled and commodified by inheritance that did not favour daughters, and demonstrates that fiction did not always represent the fullest picture of the reality of women's experiences. This thesis has investigated, through literary evidence, where the fault-lines and failures of this system have been discovered for the public's edification and entertainment.

Of course, one must bear in mind that the texts in the thesis do not represent all facets of society, and even with an extensive examination of genres, aristocratic attitudes and concerns emerge with greater prevalence and force. As the historian Joan Thirsk has demonstrated, primogeniture to some people in early modern society was an 'unnatural custom': 'as a general rule people of lower rank divided their property, though not necessarily equally, between their sons and sometimes between their daughters as well', highlighting wider distribution than primogeniture would have dictated.⁵ An examination of literary responses has revealed more of these challenges to primogeniture's ideological dominance. Despite common contemporary and even modern critical assumptions that women, younger sons and other kin such as illegitimate children and stepchildren were kept outside of the boundaries of early modern inheritance, the study of literature demonstrated that other forces were evident in society. In the representations of the turbulent relationships between male heirs and

⁵ Joan Thirsk, 'Younger Sons in the Seventeenth Century', *History*, 54 (1969), 358-377 (p.361).

testators, prodigal sons and guardians, the family was clearly central to the political sphere.

The contrasting family ideologies of Sir Robert Filmer and John Locke indicate the changes and development of the public concern about the status of the family and its duplication through the transmission of landed estates and power. In fact, 'prodigal son' plays, even those informed by a playwright's Tory politics, challenged primogeniture's rules, even if the rake himself was absorbed back into societal rules at the conclusion. The early modern stage linked the family and its monarchical 'paradigm' in comic and cathartic interpretations of dissatisfaction with the lineal nature of inheritance. There were a number of similar elements uncovered in the themes and questions which several playwrights raised from the beginning of the seventeenth century to the end. It was clear that sons or heirs not favoured by primogeniture across the century commonly attempted to gain portions, or the whole of their eventual inheritance before the death of the testator. Although seventeenth-century society may have recognised primogeniture as the dominant ideological force, those figures excluded by its processes were common as subjects in drama, printed legacies, diaries and poetry. The two versions of *King Lear* have highlighted the transition from tragedy to comedy (and to a love story) that occurs, and the changes in generic patterns are linked to the playwright's desire for restoration and a re-strengthening of familial and paternal hierarchical inheritance that accompanied an age of political uncertainty and threats to monarchical succession.

The genres considered by the thesis, which include parental advice texts and biblical exegeses, have demonstrated that the extent of the boundaries of representation of inheritance and its surrounding discourses was wider than previously thought. The prevailing theme to be found in these disparate genres is that they bring

to the foreground the people, issues, property and problems that were marginalised or ignored by the most commonly known systems of inheritance. Women's various roles in the family, authorship and transmission of property have been considered as; other peripheral figures studied have included younger sons, nephews, illegitimate heirs, and daughters, widening out the definitions of family and kinship to explore all areas of familial relationships, not just those between parents and children. The production of textual legacies, for example, was considered as empowering in the field of inheritance systems. Studied as a self-conscious genre which forged a relationship with the family and the world of literature, legacies can be seen to have contributed to the understanding that there were more participants in the inheritance process than can be gained from a narrower reading of wills and legal texts. The 'property' on offer as inheritance included advice, guidance, spiritual care, and admonition. As many of these authors were exiles from the formal processes of wills and material legacy conveyance, the textual legacy provided an alternative, but it was, I have argued, an equally viable means of participation in inheritance. Religious concerns for the child and mundane concerns of day-to-day living 'forced' parents (in some cases with written protestation, including Dorothy Leigh, Edward Burton and Elizabeth Joceline) to submit themselves to print, and for mothers to present a subversive gender contribution with humble apologies to the family and to society. Fathers who wrote legacies and elegies have also been included in the thesis, even when their own role of principal player in inheritance was entrenched in ideology and strengthened by political, legal, and some literary texts; as has been demonstrated in chapter one, there is evidence that in some cases, including the case of Edward Burton, fathers who were sidelined in the process of inheritance (during the Interregnum, for example), and consequently lost authority in the family and society, were moved to produce textual

legacies instead. Women who were marginalised by the practices of inheritance also contributed to the field of will and legacy production through biblical interpretation. These texts were increasingly confident over the seventeenth century in their purpose of reaching a wider, female readership. Authors whose texts were concerned with death, sin and loss, were investing in and taking from a literary inheritance.

Therefore an examination of the legacies, drama, diary, biblical interpretations and elegies, and these texts' relationship to the family and society, has opened up not only the contemporary commonly accepted images of inheritance, but also the dilemmas and failures of inheritance. Lisa Jardine suggests that theatre,

preserves the textual trace of anxiety or uncertainty about the consequences of gradual shifts in acceptable social practice which are not clearly articulated in other kinds of 'documentary' historical evidence.⁶

This could equally apply to the other textual genres in the thesis, as well as theatre. In examining the social implications of the pre- and post-Restoration plots of *King Lear* for example, this study demonstrated that the failure of patrilineage in drama was shown to have devastating or comic effects. The subject matter was clearly connected to the political and social circumstances of the plays' production.

It is therefore relevant and necessary to examine multiple texts to register factors left unsaid, and unwritten by early modern legal and political texts. A broader view of society and the family's role in it has been approached. Alan Bray examines similar issues in his article on sites of transgression in the Renaissance.⁷ The 'traces of anxiety' about the acceptable social practice of inheritance transmission surface in

⁶ Lisa Jardine, 'Companionate Marriage Versus Male Friendship: Anxiety for the Lineal Family in Jacobean Drama', in *Political Culture and Cultural Politics in Early Modern England: Essays Presented to David Underdown*, ed. by Susan D. Amussen and Mark A. Kishlansky (Manchester: Manchester University Press, 1995), pp.234-254 (p.236). Jardine examines male bonds, friendship and homosexuality in identifying 'gradual' shifts over the seventeenth century.

⁷ Alan Bray, and Michel Rey, 'The Body of a Friend: Continuity and Change in Masculine Friendship in the Seventeenth Century', in *English Masculinities 1660-1800*, ed. by Tim Hitchcock and Michèle Cohen (London: Longman, 1999), pp.65-84 (p.73).

many of the literary and other forms considered, especially in the legacies produced by mothers apparently unused to making their voices heard in the family and in public.

Death is considered in the modern western world to be a private familial moment, or even a sanitised and objectified experience when death occurs in a hospital or hospice, and the surrounding discourses of death, including funerals and will-readings, are usually kept within the family. The study of seventeenth-century inheritance and literary practices has challenged modern perceptions of death, love and loss expressed between generations, but this thesis has only considered texts which appeared in print in the early modern period. The exception to this would appear to be the family elegy; the elegies examined by the thesis were written by prolific and very public authors, Ben Jonson and Katherine Philips. The very private moment of loss was infused with the language and imagery of lost inheritance. The elegies were compared to the public elegiac offerings that their authors had written, and were indicative of the blend of parental attachment and the parents' ideal of unbroken inheritance and lineage. With the death of an heir there was the interruption of succession, and instead of a public examination of this disintegration of inheritance on the stage or in print, these familial elegies were produced either to the dead child directly, or for the author's own mourning process.

More investigation needs to be carried out into manuscript versions of the genres examined in the thesis and of children's expressions of affection towards parents in literary sources. Some of the texts in print in the thesis had been 'rescued' from manuscript to be published by editors for public edification and gratification.⁸ How different in style were those texts which have never been published, but were

⁸ This includes Elizabeth Joceline's *The Mothers Legacy to her Unborn Child* (London, 1624).

only intended for the eyes of a child and parent? The thesis investigated literature from before and after the Restoration; with the turmoil over property and succession in this period, more research on literature's reflections of inheritance at this time is necessary. What happens to the dominance of primogeniture's influence on literary subjects in the eighteenth century, and indeed of literature's participation in inheritance as legacies, along with the portrayal of younger sons, widows, heirs of both genders, and inheritance as the transmission of power? The questions that are raised and need further research include the outcome of these genres in the eighteenth century.

What has emerged from the close reading of a variety of genres throughout the seventeenth century has not proved to be a simple translation of contemporary political and social theory into fiction or into the texts that parents were producing for their children. The political debates surrounding monarchical succession had significant impact on the family, but so did the changing social and physical makeup of society. Texts produced from within the family and with the subject of the family at their centre highlighted localised processes of hierarchical transmission, which included printed documents left by mothers as provisions of inheritance. Familial concerns with and challenges to the rigid and exclusive theories of the transmission of property and power found their way into many forms of literature.

Familial texts can be used to study the familial and political environments and attitudes, but literature, especially in the form of legacies, elegies and exegeses, also had agency in creating new definitions of inheritance external to the formal patriarchal basis of land and power transference which many historians have considered the prime focus of study in the seventeenth century. The thesis, which has covered a wide range of literary genres over a long time span, from the beginning of

the seventeenth century to its end, has demonstrated that the mechanics of power and land conveyance must be considered alongside the transference of spiritual, moral and parental guidance. Parental affection and women's participation and agency in inheritance practices have been affirmed through readings of literary sources. It has also demonstrated that through close readings of a variety of literary genres, early modern attitudes and thoughts on the family and inheritance can be examined against a background of civil and political turmoil.

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ABBREVIATIONS

<i>C&C</i>	<i>Continuity and Change</i>
<i>ELH</i>	<i>English Literary History</i>
<i>ELN</i>	<i>English Language Notes</i>
<i>ELR</i>	<i>English Literary Review</i>
<i>JBS</i>	<i>Journal of British Studies</i>
<i>JLH</i>	<i>Journal of Library History</i>
<i>MLQ</i>	<i>Modern Language Quarterly</i>
<i>MLR</i>	<i>Modern Language Review</i>
<i>N&Q</i>	<i>Notes and Queries</i>
<i>PhilosQ</i>	<i>Philosophical Quarterly</i>
<i>PMLA</i>	<i>Publications of the Modern Language Association of America</i>
<i>RenD</i>	<i>Renaissance Drama</i>
<i>RQ</i>	<i>Renaissance Quarterly</i>
<i>SEL</i>	<i>Studies in English Literature</i>
<i>SQ</i>	<i>Shakespeare Quarterly</i>
<i>SP</i>	<i>Studies in Philology</i>
<i>YES</i>	<i>Yearbook of English Studies</i>