

*Silence Denied*Sir Thomas More *and the Incrimination of Inward Dissent*

The play *Sir Thomas More* (c. 1593) revisits one of the first and most famous examples of the dilemma of treason and religious dissent in Protestant England, the fall from grace and treason trial of Thomas More in 1535.<sup>1</sup> *Sir Thomas More* chronicles More's rise to power, in which his shrewd pacification of the Evil May Day protests against foreigners in 1517 plays a prominent role, but also More's eventual downfall as a consequence of his passive resistance to Henry VIII's religious policies, which are portrayed, arguably with an eye to censorship, in a deliberately vague manner. The plot of *Sir Thomas More* thus addresses one of the burning questions of the day for Elizabethan Catholics, namely, whether it is possible to be a loyal subject of the English monarch while inwardly following one's conscience in matters of religion. With its portrayal of More's failure in this balancing act, the play gives voice to Catholic concerns in the late Elizabethan period that any distinction between conscience and treason, between inward dissent and outward obedience, might be practically unworkable in a climate of fear and persecution.

For the first time in Protestant England, More's martyrdom prominently pitted religious conscience against the charge of treason. As his fate made clear, Henry's claim to royal supremacy over the Church of England greatly complicated a neat distinction between spiritual and political allegiance. Even though More was convicted of treason, Elizabethan Catholics continued to insist that he 'dyed for mere matter of religion onelie'.<sup>2</sup> However, when English Catholics were absolved by Pope Pius V from their allegiance to the 'heretical' Queen of England, every Catholic became, by virtue of their spiritual allegiance to Rome, a potential traitor to England, and the Elizabethan policy of outward conformity was particularly unstable when religious dissent was associated with treason. In

<sup>1</sup> All references to the play are to the following edition: Anthony Munday, Henry Chettle, Thomas Dekker, Thomas Heywood, and William Shakespeare, *Sir Thomas More*, eds. Vittorio Gabrieli and Giorgio Melchiori, *The Revels Plays*, Manchester: Manchester University Press, 1990.

<sup>2</sup> Allen, *Modest defence* A5v.

times of political crisis, as under the threat of a Spanish invasion, the government therefore resorted to espionage, torture, and the imposition of oaths in order to force suspects to reveal their inward convictions and their supposedly treasonable designs. The Catholic controversialist William Allen, for instance, denounces such aggressive intrusion into the inwardness of Catholics in his discussion of the 'bloody questions' that were posed to English Catholics concerning their political loyalties:

Wherein if you say nothing, or refuse to answer somewhat in contempt or derogation of the sea Apostolique; then are you iudged no good subiect, but a traytor; whereby let al Princes and People Christian beare witnes of our miseries aud [*sic*] iniust afflictions; who are inforced to suffer death, for our onelie cogitations and inward opinions, vnduelie sought owt by force and feare.<sup>3</sup>

More's biography lent itself particularly well to a critique of this incrimination of secrecy and silence since More was convicted of treason even though he largely refrained from open protest against the ecclesiastical reforms of Henry VIII and his divorce from Catherine of Aragon. Just as More's silence did not save his neck, the play *Sir Thomas More* uses his fate in order to illustrate how the sanctuary of silence promised in Elizabeth's assurance that she would not make windows into men's hearts had been severely compromised by the 1590s.

David Bevington has argued that the political lessons of *Sir Thomas More* and *Oldcastle*, with their concern to separate religious dissent from treason, are 'virtually identical'.<sup>4</sup> However, there are considerable differences. Whereas *Oldcastle* can be read as a protest against the silencing of Puritan dissent, *Sir Thomas More* is rather the opposite, a protest against the obligation to reveal one's inward thoughts. In its insistent concern with silence, *Sir Thomas More* troubles the division between truth and lying by putting the intermediary category of secrecy centre stage. Secrecy is, as it were, an attempt to have it both ways, to hide the truth without lying. As such, it was a compromise that even the most intransigent opponents of Nicodemism could accept in some cases. Augustine concedes in *Against Lying* that it 'is not a lie when truth is passed over in silence'.<sup>5</sup> Aquinas remarks that to be 'silent about what is true' is 'a course sometimes permissible'.<sup>6</sup> Vermigli states that 'it is not alwaies required, that we should open whatsoever truth we doo knowe',<sup>7</sup> and even Calvin does not intend 'to driue euery man of necessitie, at all tymes, to giue a full and perfect

<sup>3</sup> Ibid. 62.    <sup>4</sup> Bevington, *Tudor Drama and Politics* 256.    <sup>5</sup> Augustine, *Treatises* 152.

<sup>6</sup> Aquinas 2.2.110.1.    <sup>7</sup> Vermigli 2.13.26.

confession of their Faith, no, not sometymes when they be asked'.<sup>8</sup> It is such an economical approach to the truth that is dramatised in *Sir Thomas More*. However, the career of the fallen chancellor also confirms Bacon's warning in his essay 'Of Simulation and Dissimulation' that such a refusal to signify is always a precarious stance:

For Men are too cunning, to suffer a Man, to keepe an indifferent carriage, betweene both, and to be *Secret*, without Swaying the Ballance, on either side. They will so beset a man with Questions, and draw him on, and picke it out of him, that without an absurd Silence, he must shew an Inclination, one way; Or if he doe not, they will gather as much by his Silence, as by his Speech.<sup>9</sup>

The pressure to declare oneself became particularly acute under the increasingly severe persecution of religious dissenters in late Elizabethan England. *Sir Thomas More* thus offers a very timely treatment of the ethics of silence and secrecy, the conditions under which they are possible or not, and the question of the point at which one is obligated to stand by the truth.

*Sir Thomas More* also revisits the question of resistance, which inevitably becomes pressing under a government that does not allow for private dissent. The play offers not only a portrayal of persecution but also an incisive analysis of the manner in which intolerance can precipitate crises of loyalty and legitimacy. Finally, in its portrayal of the failure of outward conformity, *Sir Thomas More* also abandons the alignment of theatricality with religious dissimulation. That is to say, I disagree with Jeffrey Knapp's claim that '*Sir Thomas More* equates conformity with theatricality'.<sup>10</sup> Even though the play can be read as a protracted apology of the theatre, the player More arguably comes into his own not as a conformist but in the performance of his martyrdom. First, however, a brief survey of how religious persecution intensified in the 1580s and 1590s will help to show how *Sir Thomas More* reflects the ways in which political and ecclesiastical institutions attempted to sound the inwardness of religious dissenters, and the theological, political, and legal debates that sprang from such practices.

### Making Windows into Men's Hearts

The late 1580s and 1590s saw the effective demolition of the Elizabethan Puritan movement and one of the most intense waves of persecution that English Catholics ever had to endure. Between 1586 and 1591, the period including the execution of Mary Stuart and the Spanish Armada, eighty-six

<sup>8</sup> Calvin, *Two godly and learned Sermons* Kiv.    <sup>9</sup> OFB 15:21–2.    <sup>10</sup> Knapp 152.

Catholic martyrs were brought to the scaffold, the peak years being 1588 (thirty-one) and 1591 (fifteen).<sup>11</sup> This wave of persecution also came with unprecedented attempts to ferret out the inward secrets of religious dissenters. Torture, the most aggressive method of accessing the inwardness of religious dissenters, was never employed more frequently in English history than during the last two decades of the sixteenth century, when it was often (but not exclusively) used in the interrogations of Catholics.<sup>12</sup> However, torture was employed relatively rarely and was only one of several ways to intrude into the conscience of religious dissenters. Oaths, for instance, were employed much more frequently and equally liable to confound policies of outward conformity in that they ‘occupied a liminal position between outward behaviour and inward belief, a point where people were required by law to align their words with their thoughts, potentially giving the courts direct access to their consciences’.<sup>13</sup> The 1580s in particular saw the increased use of the *ex officio* oath, which the High Commission had begun to employ under Archbishop Whitgift against Catholics and Puritans alike.<sup>14</sup>

Dissenters found the *ex officio* oath particularly galling because it was imposed on suspects even without previous formal accusation (i.e. *ex officio mero*) and therefore recalled continental inquisitorial tribunals that could likewise initiate, under certain conditions, investigations without a formal accusation.<sup>15</sup> Such leeway in the administration of oaths potentially opened the door for the sort of forensic fishing expeditions that severely undermined the possibility of private dissent. Tellingly, Francis Bacon, the most eloquent spokesman of *politique* religious policies in England, condemned this ‘vnbrotherly proceeding’<sup>16</sup> by means of which the ecclesiastical Courts of High Commission cracked down on Puritans and forced them to incriminate themselves. Instead, he counselled reticence and warned that ‘he seeketh not vnity but diuision *which* exacteth *that* in wordes *which* men are content to yeild in action’.<sup>17</sup> Shakespeare vividly illustrates such concerns in *King Lear*, when the old King brings

<sup>11</sup> See Nuttall.

<sup>12</sup> The use of torture peaked in the 1590s, with a total of twenty-one torture warrants, followed closely by twenty warrants in the 1580s. For the numbers and the rationale of counting, see Langbein 81–128.

<sup>13</sup> Shagan, ‘English Inquisition’ 543.

<sup>14</sup> For the debates on the *ex officio* oath in the 1590s, see Shagan, ‘English Inquisition’.

<sup>15</sup> However, Leonard Levy’s emphasis on the differences between inquisitorial and English common law procedure with regard to self-incrimination (3–42) has been questioned by revisionist historians. For a critique of Levy’s ‘Whiggish’ tendency to trace the privilege against self-incrimination exclusively to English common law, see Helmholz, ‘Origins’.

<sup>16</sup> OFB 1:184. <sup>17</sup> OFB 1:185.

down chaos on the realm because he insists that Cordelia 'heave / [her] heart into [her] mouth' (1.82–3), and *Sir Thomas More* is equally concerned with the consequences of King Henry's unrelenting desire to sound the depths of More's silence in the face of England's break from Rome.<sup>18</sup>

Catholics in particular justified the use of verbal evasion by means of equivocation or mental reservation in response to the obligation to take oaths. However, such techniques of dissimulation were neither uncontroversial nor universally applicable, especially not in matters of faith (which included the 'bloody question' of Papal supremacy), as even their proponents such as Robert Parsons warned.<sup>19</sup> Still, a large number of arguments against the oath evolved throughout the 1580s and 1590s that drew on a variety of sources, including the Bible, the Magna Carta, and common law, as well as canon law.

The nine Puritan ministers on trial in the Star Chamber, for instance, objected to the oath because 'a mans private faults should remayne private to God and him selfe till the lord discover them. And in regard of this righte consider howe the lord ordained wittnesses whearby the magistrate should seeke into the offenses of his subiects and not by oathe to riffe the secretts of theare hearts'.<sup>20</sup> While this argumentation partly draws on Biblical precedent in its insistence on witnesses, it is also indebted to canon law.<sup>21</sup> An important basis against self-incrimination was provided by the canon law maxims that 'no one is bound to betray oneself' (*nemo tenetur prodere se ipsum*) and 'no one is bound to reveal their own shame' (*nemo tenetur detegere turpitudinem suam*).<sup>22</sup> Even Richard Cosin, the oath's most prominent defender, admitted as much in his probably state-sponsored *Apologie for sundrie proceedings by iurisdiction ecclesiasticall* from 1593.<sup>23</sup> However, canon law had also effectively hollowed out the case against self-incrimination with countless formal and material exceptions.<sup>24</sup> The principle did not apply, for instance, when the crime was already alleged by *fama publica*, a potentially flexible category, or when it was particularly severe; as Cosin puts it, 'when as by concealing of the

<sup>18</sup> For a reading of *King Lear* in a Catholic context, more specifically in terms of the 'bloody question' of whether English Catholics would support an invasion of a Catholic foreign power, see Wilson, *Secret Shakespeare* 271–93.

<sup>19</sup> Zagorin 186–220; Carrafiello. <sup>20</sup> Cartwright, *Cartwrightiana* 37.

<sup>21</sup> With regard to the witnesses, Cartwright is presumably alluding to verses such as 2 Cor. 13:1, Deut. 19:15, Matt. 18:16, John 8:17, and Heb. 10:28. For theological arguments against the *ex officio* oath more generally, by both Puritans and Catholics, see Gray.

<sup>22</sup> Helmholz, 'Origins' 981–8. <sup>23</sup> Cosin, *Apologie* 2L4r–v.

<sup>24</sup> For the strain under which the privilege against self-incrimination was put in the inquisitorial prosecution of heresy, see Kelly, 'Inquisition'; Kelly, 'Right to Remain Silent'.

offence, great perill doth growe, to the Church, as in heresie'.<sup>25</sup> It is worth noting that, for Cosin, even concealed heresy had public consequences. Defenders of the High Commission insisted that it was merely enforcing outward conformity, but Cosin's argumentation erases the very distinction between private and public dissent.<sup>26</sup>

Administering the *ex officio* oath was, the Puritan Thomas Cartwright further objected, a form of 'putt[ing] the conscience uppon the racke and theare to leave it'.<sup>27</sup> Cartwright's metaphorical alignment of the oath with torture is fitting. In his *Briefe treatise of Oathes* (1590?), the Puritan lawyer James Morice singles out the oath and torture as the two illegal tools of forensic inquiry employed by the Elizabethan state against religious dissenters: 'these our lawes neyther vrge by oathe nor force by torment any man to accuse or excuse him selfe, but rejecte the oath as vnbeseeing a well gouerned state or common wealth: And condemne the torture as a thing most cruel & barbarous'.<sup>28</sup> Like the oath, torture was subject to certain regulations in both civil and canon law and could not be applied without precedent proofs, witnesses, or accusation, as not only Puritans but also Catholics such as Thomas Fitzherbert protested.<sup>29</sup> Cosin, however, had as few scruples about torture as about the oath. Rehearsing the medieval conception of heresy as treason against God, he declares: 'I make no doubt, but that, a man may, & ought to be tortured, euen against his natural father, and others, howe neere soeuer. But if this be lawful for treason against man, much more then, for that which is heresie indeede; being no lesse then treason against the diuine maiestie of God himselfe'.<sup>30</sup> Cosin thus abandons, with remarkable ease, not only the distinction between inward and outward dissent but also the distinction between heresy and treason, which was upheld so strenuously in the government propaganda of the 1580s.<sup>31</sup>

However, refusing to take the oath and remaining silent was not an option either since it could qualify as contempt of court.<sup>32</sup> The usual consequence

<sup>25</sup> Cosin, *Apologie* 2Q2r. <sup>26</sup> Compare with Shagan, 'English Inquisition' 561–2.

<sup>27</sup> Cartwright, *Cartwrightiana* 35. <sup>28</sup> Morice 31.

<sup>29</sup> See Fitzherbert, 'Apology' C1v–C2v. However, such restrictions did not apply in Elizabethan England. Torture was not warranted by common law, and its application was not part of the legal process per se, but rather 'police work', with all its murky connotations of extra-legal procedure and the overriding concerns of state security that eluded public or legal accountability (Hanson 31). Jonson's friend John Selden accordingly notes: 'The rack is used nowhere as in England. In other countries 'tis used in judicature . . . [b]ut in England they take a man and rack him, I do not know why, nor when; not in time of judicature, but when somebody bids' (Selden 184–5).

<sup>30</sup> Cosin, *Apologie* 2Ee3r–v. For the medieval conception of heresy as treason against God, see Lecler 1:105–14.

<sup>31</sup> See, for example, [Thomas Norton?]; [William Cecil].

<sup>32</sup> Levy, *Origins of the Fifth Amendment* 132.

was indefinite detention without trial, the *bête noire* of state-sponsored legal persecution and an often overlooked aspect of the persecution of Puritan and Catholic dissenters. The Puritan Giles Wigginton, whom Anthony Munday had hauled in during the Marprelate controversy, reports how, already in 1584, Whitgift threatened him with 'rotting in prison and . . . burning of me as if I were an hereticke' because Wigginton would 'not aunswer him to his questions which were against myself'.<sup>33</sup> Silence was thus under enormous pressure and, additionally, always vulnerable to unfavourable interpretation. In his *Apologie*, Cosin even suggests that a refusal to take the oath should be interpreted as an implied confession of the crime in question and penalised accordingly: 'if hee that is *indicialle* interrogated, will not *answere* at all, or doeth answer obscurely and peruersely; he shall be holden *pro confesso*, and be condemned; no lesse, then if he had *confessed* it'.<sup>34</sup> According to Thomas More's sixteenth-century biographer Nicholas Harpsfield, the former chancellor was equally reproached for his silence, which allegedly was 'a sure token and demonstration of a corrupt and peruerse nature'.<sup>35</sup> More's trial would thus have been a highly topical subject in the context of the debates on the legal status of silence in the 1590s.

According to common law procedure, a refusal to plead in felony cases did not ordinarily lead to conviction by default, but the consequences of silence were even less pleasant. The accused was subjected to *peine forte et dure*, that is, being pressed to death. Such was the fate, for instance, of Margaret Clitherow, who was pressed to death in 1586 because she refused to plead when she was accused of harbouring Catholic priests in her home, a felony according to the recently passed Act against Jesuits and Seminarists.<sup>36</sup> The severe Act against Recusants from 1593,<sup>37</sup> the companion piece of the Act against Seditious Sectaries discussed in Chapter 3, further limited the possibilities of silence for Catholics. The act stipulated that every suspect who 'shall refuse to answere directlye and truely whether he be a Jesuite or a Semynarie or Massinge Priest . . . shall for his Disobediencie and

<sup>33</sup> Wigginton 380.

<sup>34</sup> Cosin, *Apologie* 2Q3v. There was also statutory precedent for such implied guilt in Henrician heresy legislation, in the Bill concerning the Six Articles (35 Henry 8 c. 5), according to which persons on trial, who 'stand muet or will not directly answer to the same Offences whereof he or they be indicted . . . shall have judgement to suffer lyke paynes of Deathe losses forfaictures and imprisonment, as if the same p[er]son or p[er]sons so indicted had ben therof founde gilty by verdict of xij men' (SR 3:962).

<sup>35</sup> Harpsfield 185.

<sup>36</sup> 27 Eliz. c. 2. On *peine forte et dure*, see Butler: *Pain, Penance, and Protest*; on Clitherow and her impact on intra-Catholic disputes on conformity and recusancy, see Lake and Questier, *Trials of Margaret Clitherow*.

<sup>37</sup> 35 Eliz. c. 2.

Contempte in that behalfe be commytted to prison . . . without Baile or Mayneprise' until he would comply with his interrogators.<sup>38</sup>

Indeed, no account of Elizabethan persecution is complete without taking note of the sheer scope of the imprisonment of religious dissenters and its often dire consequences. As Allen observed in 1584, 'most prisons in England be ful at this daye, and haue bene for diuers yeares, of honorable and honest persons not to be touched with anie treason, or other offence in the world, other then their profession and faith in Christian religion'.<sup>39</sup> Allen's account is no exaggeration. Of 471 Catholic priests who entered England after 1574, about 285 were imprisoned, more than 30 of them for longer than 10 years, and at least 17 died in prison. The count of lay Catholics who died in prison may even have been as high as ninety-eight, as opposed to sixty-three executions.<sup>40</sup> Many Elizabethan dissenters were thus spared public execution but suffered a no less taxing martyrdom instead.

### Senecan Silence

Possibly written at around the same time as Cosin's defence of the *ex officio* oath, *Sir Thomas More* addresses the issue of enforced oaths in one of its most famous historical manifestations. The text of the play survives in a single manuscript, according to Scott McMillin 'a promptbook prepared for the copying of the actors' parts'.<sup>41</sup> The manuscript has been assigned to Munday, with revisions in the form of corrections, insertions, and additions by five additional hands and the marks of the Master of the Revels, Edmund Tilney. In their edition of the play, Vittorio Gabrieli and Giorgio Melchiori conclude that Munday 'plotted the play, which was actually written in association with Chettle and younger playwrights such as Dekker', and that 'his was the task of giving final shape to the work of his collaborators'.<sup>42</sup> Four of the five additional hands have been ascribed, with varying degrees of confidence, to Henry Chettle, Thomas Dekker, Thomas Heywood, and William Shakespeare.<sup>43</sup> There is no evidence that the play was ever performed, but McMillin has argued that, owing to its unusually large cast, the play may have been intended for Lord Strange's Men.<sup>44</sup> The play is usually believed to have been composed in c. 1593, but there is no direct evidence for a precise

<sup>38</sup> SR 4-2:845. <sup>39</sup> Allen, *Modest defence* 11r. <sup>40</sup> McGrath and Rowe. <sup>41</sup> McMillin 8.

<sup>42</sup> Munday et al., *Sir Thomas More*, eds. Gabrieli and Melchiori 14. Although somewhat more sceptical about the precise details, John Jowett likewise argues for Munday's leading role in his edition of the play (415-23).

<sup>43</sup> For the debate on Shakespeare's contribution to *Sir Thomas More*, see Kirwan 119-27.

<sup>44</sup> McMillin 53-73.

date either. Jowett, for instance, suggests a date as late as c. 1600 in his edition of the play.<sup>45</sup> Moreover, the date of the revisions is another question altogether and subject to substantial disagreement.<sup>46</sup> In the light of the uncertainties concerning the dating of the play and its revisions as well as the precise nature of the collaboration of its authors, I will not distinguish between the original text and the later additions and revisions or build any argument on authorial attribution or precise contemporary allusions. That is to say, I approach the text of the revised manuscript as if it were a purposeful and unified semantic structure – or at least no less so than one would expect from a single-authored text – whose different parts can legitimately be interpreted in the light of one another.

Melchiori points out that the play never addresses the precise doctrinal issue that is at stake in More's downfall and that 'the author avoids raising the question of the conflict between the Roman and the English Church, replacing it with that of the freedom of the individual conscience from worldly authority'.<sup>47</sup> When asked by his wife, 'What's the offence?', More simply replies: 'Tush, let that pass, we'll talk of that anon' (4.2.77–8). Ironically, More tells us precisely nothing about his beliefs even as he is willing to mount the scaffold for them. The play's authors presumably thought that such matter had no chance of passing the censor, which raises the question of why anyone ever thought that it was a good idea to put Thomas More on the Elizabethan stage.

It has been suggested that the play's anodyne treatment of conscientious dissent may have had the effect, if not the purpose, of 'appeas[ing] a divided audience by portraying More as a joyful martyr who refuses to specify his inward convictions'.<sup>48</sup> As noted before, especially the enforcement of *ex officio* oaths provides a context for the play which was relevant for Catholics as well as Puritans. Melchiori has even suggested that the play addresses specifically the plight of Puritan dissenters.<sup>49</sup> Such speculations are tantalising, but, even though the play addresses concerns that were vital

<sup>45</sup> Munday and Chettle, *Sir Thomas More*, ed. Jowett 424–32.

<sup>46</sup> McMillin suggests that the play was revised for the Admiral's/Prince Henry's Men in the early 1600s (74–95). While Gary Taylor ('Date and Auspices' 120–2) dates the contribution of Hand D, usually ascribed to Shakespeare, to the early seventeenth century on stylometric grounds, McMillin points out that Hand D seemingly disregards the other revisions and Tilney's censorship (135–59). The contribution of Hand D might therefore have preceded them and was perhaps written at, or close to, the time of the play's original composition (*ibid.*). Finally, Giorgio Melchiori believes that the revisions were all made soon after the play's composition and that Hand D's lack of consistency with the rest of the manuscript may mean that Hand D was simply an incompetent, or at least careless, collaborator ('Dramatic Unity' 84–5, 94–5).

<sup>47</sup> *Ibid.* 77. <sup>48</sup> Brietz Monta 161. For this argument, see also Shell, *Catholicism* 221.

<sup>49</sup> Melchiori 77–8.

to Puritans as well, More would have been an unlikely flagship for the Puritan cause of the 1590s. In fact, More's legal writings from the 1530s were vehemently rejected by the Puritan lawyers who argued against self-incrimination in the 1590s because More seemed to lend support to the *ex officio* procedure employed by the High Commission.<sup>50</sup> Even though there was the odd Protestant voice that praised More for his humanist credentials, it seems unlikely that his martyrdom could have been so radically de-confessionalised that the play would not inevitably have evoked a specifically recusant context.<sup>51</sup> If there was any point in writing a play about a martyr who remains paradoxically silent about his beliefs, it has arguably less to do with an attempt to de-confessionalise More's memory than with the raw nerve on which the period's political and legal conceptions of treasonous silence touched.

It seems certainly puzzling that Munday, a notorious anti-Catholic polemicist, should be responsible for a play that celebrates such a prominent model of Catholic dissent as Thomas More. Munday's own dabbling in espionage blatantly disregards the privilege of silence and secrecy with which *Sir Thomas More* is concerned, and his name even surfaces, at least peripherally, in the context of the repressive measures affecting More's grandson, Thomas Roper. In *A breefe aunswere* (1582), Munday's response to his Catholic detractors after the Campion trial, he also printed the apology of one George Elyot, who once served in Roper's household and denounced him to the authorities before he became notorious for his role in the capture of Campion.<sup>52</sup> Refuting the accusation that he opportunistically turned against his Catholic employers in order to obtain a pardon for a murder charge hanging over his head, Elyot claims that he sincerely 'weaned my affection from their abhominable infection'

<sup>50</sup> Cosin reports and replies to the Puritan critique of More in his *Apologie*, Nn2v–4r, Ppiv–Qqir. For an extended discussion of More's views on the *ex officio* procedure, see Kelly, 'Thomas More on Inquisitorial Due Process'.

<sup>51</sup> On this point, see also Woods 4–6. More's Catholic afterlife was complex and controversial in intra-Catholic disputes such as the Archpriest controversy and concomitant questions concerning loyalty and conformity. In turn, Protestant appreciation of his literary works or his credentials as an Erasmian, reform-minded humanist as represented by Nicolaus Episcopius' edition of More's collected *Lucubrationes*, posthumously published in the traditionally tolerant climate of Protestant Basel in 1563, gained only limited traction in Protestant England and rarely managed to turn a blind eye on More's faith in a post-Tridentine climate of dogmatic polarisation. See McConica; Questier, 'Catholicism, Kinship'.

<sup>52</sup> As Elyot admits in his *Very true report of the apprehension and taking of that arche Papist Edmond Campion* (1581), '[t]here hath bene great murmuring and grudging against mee, about the committing of . . . maister Thomas Roper, and many faults haue been found for the same . . . But whatsoeuer I did against him I woulde haue doone against mine owne Father' (D1v–D2r). On Elyot more generally and his role in the arrest of Campion, see Kilroy 222–42.

long before he delivered Campion to the authorities. However, he was 'using their companies still, for that it gaue me the better occasion, to see into the depth of their horrible inuentions'.<sup>53</sup> This self-justification is suspiciously reminiscent of Munday's own claim 'that in France and other places he seemed to favour their [i.e., the Catholics'] religion, because he might thereby undermine them and sift out their purposes'.<sup>54</sup> There may be good reasons to doubt whether Elyot and Munday were indeed saying the truth when they retrospectively explained their problematic association with Catholic networks in terms of espionage. Be that as it may, their self-professed conduct towards Catholics is certainly a far cry from the concern with salvaging a sphere of secrecy and private dissent that is expressed in *Sir Thomas More*.

Had Munday indeed come such a long way in the ten years or more between the Campion trial and the composition of *Sir Thomas More*? Kristin Bezio has suggested that Munday gradually moved towards a more tolerant position in the 1590s, which eventually manifested itself in *Sir Thomas More* and *1 Sir John Oldcastle*.<sup>55</sup> However, there is no concrete biographical evidence that Munday fundamentally changed his attitude towards religious dissent. Even though he would never again attain the level of notoriety that was attached to his name in the wake of the Jesuit mission and the Marprelate Controversy, he kept contributing to the government's suppression of religious dissent up to the second decade of the seventeenth century, as did not go unnoticed by fellow-playwrights such as Ben Jonson.<sup>56</sup> Munday's role in the genesis of *Sir Thomas More* may therefore be more plausibly understood in the light of the material conditions of the commercial theatre than in terms of his personal religious allegiance. As Musa Gurnis has suggested, 'these playwrights became involved with *More* not because of their religious beliefs but because of their expertise with similar plays'.<sup>57</sup> By the same token, Shakespeare might have been hired for his experience with sensitive popular uprisings as in the Jack Cade scenes in *2 Henry VI*.<sup>58</sup> Still, this does not mean that Munday and his collaborators were oblivious to the Catholic appeal of their subject. As Andrew Gurr has suggested, if the play was indeed written for Lord Strange's Men, their choice of subject might be related to the suspected Catholic sympathies of their patron, Ferdinando Stanley.<sup>59</sup> The play's

<sup>53</sup> Quoted in Munday, *Breefe aunsver* B3v. <sup>54</sup> Quoted in Simpson 430. <sup>55</sup> Bezio.

<sup>56</sup> For Ben Jonson's allusions to Munday's continuing government work and the ambiguities surrounding his confessional identity, see Chapter 7.

<sup>57</sup> Gurnis 88. <sup>58</sup> Womersley, 'Shakespeare and Munday' 78.

<sup>59</sup> Gurr, *Shakespearean Playing Companies* 263–4.

authors may even deliberately have targeted a Catholic audience.<sup>60</sup> As has become clear in the previous chapters, at least Munday certainly had no qualms about wooing religious dissenters in his literary activities despite his track record of aiding church and state initiatives to suppress them.

Even though *Sir Thomas More* is almost completely silent on the Catholicism of its protagonist, its Senecan intertextuality draws attention to and manifests this very silence. All of the Seneca quotes in the play are reflections on silence, secrecy, and the retreat into privacy. That is to say, *Sir Thomas More* substitutes Seneca's writings for a more explicitly Catholic heritage and thus thematises in a self-referential manner the very operations of concealment which they perform. This theme of secrecy, inherent for many spectators in Seneca's Latin itself, is explicitly announced right before Seneca is quoted for the first time, when More tells his wife: 'Thou shalt not understand a word we speak, / We'll talk in Latin' (4.4.34–5). Seneca thus functions as a symbol of deliberate obfuscation, a paradoxical manifestation of the secrecy of faith.

Seneca's works and life resonate in many ways with the plight of religious dissenters. In Augustine's *City of God*, for instance, Seneca is presented as a proponent of outward conformity: 'And so in these rites of the civil theology the role that Seneca prefers the wise man to adopt is to exclude them from his personal worship, but to go through the motions of feigned conformity. For he says: "The wise man will observe all these rites as being enjoined by the laws, not as being pleasing to the gods"' (6.10). Even though Erasmus had convincingly dismissed the correspondence between Seneca and St. Paul as a forgery, the early humanist theory that Seneca was actually a secret Christian at Nero's court, a Nicodemite, died hard and was still put forward by some as late as the seventeenth century.<sup>61</sup> The Catholic Gregory Martin censures Seneca as late as 1578 in his polemical attack on church papists as 'one familier with Saint Paule, but a dissembler for feare of Nero'.<sup>62</sup> At the other end of the spectrum, the

<sup>60</sup> The proposition that they had in mind such a niche market should not be rejected out of hand. In an intra-Catholic controversy on the lawfulness of playgoing in 1617–18, it was claimed that 'most of the principal Catholicks about London doe goe to playes', including priests. Even Catholic opponents of the theatre grudgingly admitted that, at the very least, 'the young of both sexes' did so. See Semper. On the evidence for Catholics involved in the theatre trades and Catholic playgoers, see further Gurr, *Shakespearean Playing Companies* 35; Gurnis 26–30. In addition, even committed recusants, who were training for their ministry in Catholic seminaries abroad, seemed to have a taste for the kind of drama that was staged on London's commercial stage. In the later seventeenth century, there may even have been performances of plays by Shakespeare in Saint-Omer and Douai. See Schrickx, "Pericles"; Mayer; Cottegnyes.

<sup>61</sup> See Momigliano. <sup>62</sup> Martin A7v.

highly distinguished philologist Justus Lipsius, a notorious Nicodemite in his own right, admitted in his Seneca edition from 1605 that the surviving correspondence was a forgery, but suggested in turn that a hypothetical original correspondence may simply have been lost.<sup>63</sup>

The Elizabethan translations of Seneca's tragedies with their drastic portrayals of tyranny have likewise been contextualised in religious persecution. The earliest English translator of Seneca's plays (*Troas* in 1559, *Thyestes* in 1560, and *Hercules Furens* in 1561) was Jasper Heywood, the grandson of More's sister Elizabeth Rastell and uncle of John Donne. Heywood lived up to what Donne later characterised as a suicidal family tradition of recusancy. In 1562, Heywood joined the Society of Jesus and suffered his fair share of adversity for his career choice.<sup>64</sup> Heywood was not an exception. As Linda Woodbridge notes, 'the translators of the majority of the Senecan plays were religious dissidents, themselves persecuted for their religious beliefs, on both sides of the Reformational divide'.<sup>65</sup> Woodbridge therefore speculates that 'principled opposition to governmental religious persecution' may have been one of the reasons for this turn to Seneca.<sup>66</sup>

In *Sir Thomas More*, the presence of Seneca is likewise closely intertwined with the suppression of Catholicism. Seneca's plays are quoted three times in

<sup>63</sup> Seneca, *Opera omnia* xxv. The authors of *Sir Thomas More* may not have known that Seneca the philosopher and Seneca the tragedian were one and the same person, a view that gained traction only with Martin Delrio's *Syntagma tragoediae latinae* (1593–4), that is, around the years to which *Sir Thomas More* is usually dated. While the Middle Ages had known only one Seneca, the accepted theory in the Renaissance was that one Seneca had been responsible for the philosophical works and the other for the tragedies. Nonetheless, Curtis Perry notes that the corpora of Seneca *philosophus* and Seneca *tragicus* were often closely associated, and in Elizabethan England the two Senecas even seem to have been conflated at times (309–10). For an account of the controversy over Seneca's authorship, see Machielsen, 'Rise and Fall'.

<sup>64</sup> After his stay at the Jesuit college in Dillingen, Bavaria, Heywood eventually joined the Jesuit mission in 1581 and replaced Campion as its head when the latter was executed. Unlike his nephew, John Donne, Heywood was a staunch proponent of recusancy. He was captured in 1583, subjected to torture, and imprisoned in the Tower, where he was visited by his sister Elizabeth Donne and her son John. Finally, he was deported to France in early 1585, never to return to England until his death in Naples in 1598. See Flynn. Reflecting on the origins of his own suicidal inclinations in *Biathanatos*, Donne recounts that 'I had my first breeding and conversation with men of a suppressed and afflicted Religion, accustomed to the despite of death, and hungry of an imagin'd Martyrdome' (Donne, *Selected Prose* 27). A synod in East Anglia in 1583, over which Heywood presided, had indeed rejected compromises and concluded that 'the going to the protestants church, in such sorte as it is nowe required, is unlawfull and a schismaticall deed, not w<sup>th</sup>standinge all obedience pretended or protestation of the contrarie religion' (*First and Second Diaries* 354–5). Such 'performative conformity', which was not meant to deceive anybody about one's religious identity but simply to signify political obedience, will be discussed in more detail in Chapter 7.

<sup>65</sup> Woodbridge 123. <sup>66</sup> *Ibid.* 132.

act 4 of *Sir Thomas More*, that is, when More is first confronted with the request to sign (unspecified) articles against his conscience.<sup>67</sup> After having resigned from his position as chancellor, More quotes Theseus' reflections on the death of his son in *Phaedra*: '*Humida vallis raras patitur fulminis ictus* [Thunderbolts rarely strike / In rainy valleys] / More rest enjoys the subject meanly bred / Than he that bears the kingdom in his head' (4.4.36–8). The point of Theseus' metaphor is, as the chorus elaborates, that safety lies outside the sphere of high politics:

How many chances turn the wheels of human life!  
 Fortune keeps her temper with the lowly,  
 the blows of heaven are weaker on the weak:  
 peace and obscurity keep simple people safe,  
 and those who live in hovels live to a ripe old age. (ll. 1123–7)

More repeatedly voices the same conviction, namely, that the only hope to fly under the radar of Fortune lies, as Seneca signals in several of his tragedies, in social and political inconspicuousness.<sup>68</sup> William Roper, More's son-in-law, accordingly eulogises Morean domesticity and privacy as a safe retreat from matters of state and political intrigue: 'Here, public care / Gags not the eyes of slumber, here fierce riot / Ruffles not proudly in a coat of trust' (4.4.13–15). More too drops a number of gnomic pearls of wisdom such as 'he that ne'er knew court courts sweet content' (4.4.28) or 'Here let me live estranged from great men's looks / They are like golden flies on leaden hooks' (4.4.107–8), which drive home the treacherous and dangerous nature of the political life. Such praise of the private life is particularly significant in the context of religious dissent, considering that *politique* theorists of toleration advocated privacy as a sanctuary from religious persecution. According to Lipsius, someone who merely offends 'privately in matter of religion' and who 'is quiet and silent at home' is not to be penalised.<sup>69</sup> Jean Bodin likewise recommends that 'no man be forbidden the private exercise of such his

<sup>67</sup> 'If the cure is bad, better to be sick' (*Oedipus* l. 517), cited in *More* 4.2.83: '*Ubi turpis est medicina, sanari piger*'; 'Thunderbolts rarely strike / In rainy valleys' (*Phaedra* ll. 1132–3), cited in *More* 4.3.36: '*Humida vallis raras patitur fulminis ictus*'; 'Small worries speak, but great ones hold their tongues' (*Phaedra* l. 607), cited in *More* 4.4.171: '*Curae leves loquuntur, ingentes stupent*'. All references to Seneca's plays are from *Six Tragedies*, trans. Emily Wilson, Oxford World's Classics, Oxford: Oxford University Press, 2010.

<sup>68</sup> One might speak of a typically Senecan sentiment and imagery; see also *Oedipus* ll. 8–11. The same imagery occurs also in *Thyestes* ll. 446–70, but with a more philosophical bent, invoking the Stoicist ideal of self-sufficiency and the Stoicist conception of false goods and false evils.

<sup>69</sup> Lipsius, *Six bookes [Politicoorum sive civilis doctrinae libri sex]* 65.

religion'.<sup>70</sup> Senecan precepts for avoiding Fortune thus easily map onto the struggle for survival of early modern religious dissidents.

More's biography provides, as it were, a test case for the viability of a *politique* distinction between public and private dissent. Unlike the protagonist of *Sir John Oldcastle*, More never proselytises or is involved in any sort of oppositional agitation against Henry's anti-Roman policies. The exclusion of any trace of More's Catholicism may, to some extent, be the result of a desire to make the play palatable to the censor, but it is also fully in keeping with the play's characterisation of More as a man of extraordinary prudence, 'a learned man [who] knows what the world is' (3.2.347–8). It is therefore all the more significant that under the political regime depicted in the play, even a man like More ends up as a martyr, despite all his efforts to keep a low profile and to remain silent. The play's protagonist thus bears remarkable similarities to Seneca, who likewise failed in his attempts to retreat from Nero's regime into privacy.<sup>71</sup>

The historical More had made his original bid to forestall Fortune by retreating into privacy with his resignation from the chancellorship on 16 May 1532. One day earlier, convocation had accepted the Submission of the Clergy and effectively resigned ecclesiastical jurisdiction to the authority of the monarch. As Harpsfield, More's biographer and one of the play's main sources, tells us,

*Sir Thomas More*, partlye (as a deepe wise man) foreseeing what inconueniences and troubles he might purchase himselfe with intermedling of the princely affaires, and [fore]seeing the tempestuous stormie worlde that in deede afterwarde did most terribly insurge, . . . did not in any wise intermedle and cumber himselfe *with* any worldly matters, and least of all with the kinges great combersome matter of his mariage, or any other of his publike proceedinges.<sup>72</sup>

However, Harpsfield's account is deceptive. More did not yet fall completely silent, but kept churning out theological and legal works, repeatedly veering towards politically dangerous territory. As Peter Marshall puts it, '[t]he implicit bargain of May 1532 – that More would be left alone if he kept his mouth shut – was now in pieces, and Henry's anger against his former chancellor was beginning to swell'.<sup>73</sup> Some two years after his resignation from office, More was summoned before a royal commission

<sup>70</sup> Bodin, *Of the laws and customes [République]* 539.

<sup>71</sup> On Seneca's difficulties in disentangling himself from Nero's regime and the *Epistulae morales* as a product of his inner exile, see Wilson, *Greatest Empire* 163–214.

<sup>72</sup> Harpsfield 150. <sup>73</sup> Marshall, 'Last Years' 119.

in Lambeth on 13 April 1534 in order to affirm by oath the validity of the Act of Succession.<sup>74</sup>

*Sir Thomas More*, on the other hand, compresses events and throws More's dilemma into sharp relief. In the play, More resigns from the chancellorship only *after* he has been summoned to Lambeth, without any previous warning signs, in order to subscribe to what the play vaguely describes as '[t]hese articles enclosed, first to be viewed / And then to be subscribed to' (4.1.70–1). More is thus suddenly put on the spot. Affirming the legitimacy of the Boleyn offspring would imply a denial of the ecclesiastical jurisdiction of the Pope, who had never accepted Henry's divorce from Catherine of Aragon. Either More affirms the King's policies in order to save his neck, or he violates his conscience. In the play, lightning thus strikes out of the blue. According to the play's compressed chronology, the blame lies not with More for failing to remain silent but with the King for giving him no chance to do so.

By laying the blame for the breakdown of silence entirely on the government, the play challenges, by contemporary extension, Bacon's claim that the Queen had no interest in her subject's inner lives. Even though, in his *Certaine Obseruations Vppon a Libell* (1593), Bacon praises Elizabeth for her refusal to revive Henrician legislation according to which 'the oathe of Supremacie mought have bine offred at the kings pleasure to anie Subiecte though he kepte his conscience never so modestlie to him self',<sup>75</sup> such arbitrary forensic fishing expeditions were still possible with the *ex officio* oath. Its apologists, of course, insisted that the oath was not employed in order to investigate secret crimes. According to Cosin, for instance, when 'a man be once discouered . . . by Presentment, denunciation, Fame, or such like, according to lawe', the offence is no longer 'simple secret, but reuealed (in some sort) abroade'.<sup>76</sup> The historical More's previous lack of discretion on a number of occasions, such as his refusal to attend the Boleyn wedding, could likewise be said to justify the suspicions concerning his subsequent silence.<sup>77</sup> However, the arbitrary sifting of More's conscience in the play, where it is not preceded by any such indiscretions, echoes the late Elizabethan critique of the *ex officio* oath as an illegitimate intrusion into a person's secret thoughts.

Initially, More decides to play for time: 'Subscribe these articles? Stay, let us pause: / Our conscience first shall parley with our laws' (1.4.73–4).

<sup>74</sup> 25 Hen. VIII c. 22. <sup>75</sup> OFB 1:379.

<sup>76</sup> Cosin, *Apologie* 2L4v. For Cosin's consonance with contemporary continental canonists on this point, see Helmholz, 'Origins' 976–7.

<sup>77</sup> On this point, see Helmholz, 'Natural Law' 56–9.

More's circumspection is contrasted with the intransigence of his fellow-martyr, Bishop Fisher, who immediately rejects the articles:

Subscribe to these? Now good Sir Thomas Palmer,  
Beseech the king that he will pardon me.  
My heart will check my hand whilst I do write:  
Subscribing so, I were an hypocrite. (4.1.76–9)

Fisher is immediately summoned 't'appear / Before his majesty, to answer there / This capital contempt' (4.1.81–3). This is, apart from a brief scene in which Fisher is led to the Tower (4.3), the last we see of him. More, on the other hand, withholds a response and resigns from the chancellorship in order to navigate at once the Scylla of perjury and the Charybdis of treason:

Sir, tell his highness I entreat  
Some time for to bethink me of this task.  
In the meanwhile I do resign mine office  
Into my sovereign's hands. (4.1.86–9)

Already now, however, it is obvious that More's temporary silence will not be accepted. Palmer interprets it not as a postponement but as a 'refusal' (4.1.91) and proclaims the 'prepared order from the king' (4.1.92) for this case, namely, that More should be placed under house arrest in his home in Chelsea. Tellingly, not only the King's representatives within the play but also the Master of the Revels, who was tasked with licensing the play in the late Elizabethan period, found More's answer unacceptable and wrote in the margin of the manuscript: 'ALL ALTR'. Janet Clare has suggested that interventions such as this explain 'the constitutive exclusions, the "silences" in the text' concerning the confessional significance of its subject matter.<sup>78</sup> However, it is worth pointing out that what Tilney censors here is not More's confession of his religious beliefs but his refusal to reveal them in the first place. Not just open dissent but mere silence has become intolerable.

The theme of silence is particularly prominent in the remaining two Seneca quotations of the play. When More is finally brought into the Tower, Roper cites Seneca's *Phaedra*: '*Curae leves loquuntur, ingentes stupent*' (4.4.171) – 'Small worries speak, but great ones hold their tongues' (*Phaedra* l. 607). The words are *Phaedra's*, shortly before she confesses her illicit desire to her stepson. In silence there is, or would have

<sup>78</sup> Clare, 'Reform and Order' 6.

been, safety. Elizabethan Catholics too harboured supposedly terrible secrets and suffered spiritual afflictions that could well cost them their life if they revealed them. However, silence is a privilege that is under assault, in the play as well as in the late sixteenth century. More himself draws attention to this denial of silence two scenes earlier when he responds to Roper's advice to comply with the King's will: '*Ubi turpis est medicina, sanari piget*' (4.2.83) – 'If the cure is bad, better to be sick' (*Oedipus* l. 517). The quote was crossed out by Tilney and has accordingly been read as a gesture of resistance on More's part.<sup>79</sup> The Senecan context, however, suggests a more complex scenario. In Seneca's play, Oedipus insists that '[i]gnorance is no cure for suffering' (l. 515) and urges the loyal Creon to reveal the identity of Laius' murderer, to which Creon replies: 'If the cure is bad, better to be sick.' In this sense, More's refusal of the cure is therefore not so much a gesture of open resistance as a futile plea for silence.

However, Tilney had good reason to object to More's quote from *Oedipus*. The subject of incest, which Creon here refuses to reveal, is a particularly sensitive theme in the context of More's scruples concerning the Boleyn wedding. In Nicholas Sander's *De Origine ac Progressu Schismatis Anglicani* (1585), the first comprehensive ecclesiastical history of the English Reformation to be published from a Catholic perspective, we learn that Henry was not only Anne Boleyn's husband but also her father.<sup>80</sup> Significantly, Sander claims to have learned about Elizabeth's parentage from More's nephew William Rastell.<sup>81</sup> This scandalous rumour, which Sander thus traces to the More circle, was revived on a large scale in the propagandistic prelude to the Spanish Armada. For instance, the Spanish Jesuit Pedro de Ribadeneyra, who had adapted Sander's work in his *Ecclesiastical History of the Schism of the Kingdom of England* (1588), interpreted the incestuous relation between Henry and Anne as a key event in the spiritual degradation of England into heresy and tyranny: 'We have seen the wretched beginning of the English schism, how it was planted with incest and lust, and has been watered with innocent blood, and has grown and sustained itself with crimes and tyranny. The sin and the comeuppance of King Henry and Anne

<sup>79</sup> Munday et al., *Sir Thomas More*, eds Gabrieli and Melchiori 18.

<sup>80</sup> For the great impact of Sander's work on Catholic historiography of the English Reformation, see Highley. Although the rumour of Elizabeth's incestuous origins does not seem to have circulated widely in print before Sander, it may well have had its source in 'rumors current during Anne's lifetime that her mother had been the king's mistress' (Warnicke 244).

<sup>81</sup> Sander B6v–B7v.

Boleyn'.<sup>82</sup> Ribadeneyra further used the rumour to whip up anti-Tudor sentiment in his 'Exhortation to the Armada',<sup>83</sup> just as Cardinal Allen cited it in his justification of a Catholic uprising at home, declaring that 'all the issue that should procede of [Henry's] incestuous copulation with Anne Bullen, was moste iustly declared illegitimate and vncapable of succession to the croune of England'.<sup>84</sup>

An extensive Protestant response to Sanders, which also rehearsed and refuted the allegation of Elizabeth's incestuous parentage at length,<sup>85</sup> was published as late as in 1593. Apparently, the charge of incest was still in need of refutation at a time when the play may have been written. In *Sir Thomas More*, the theme of incest is already prepared with the reference to *Phaedra* but finds its most striking treatment in More's citation of Creon's refusal to reveal Laius' murderer – and thus the true nature of the relationship between Oedipus and Jocasta. Considering that the charge of incest was also levelled by militant Catholics against Henry Tudor and Anne Boleyn, More's appropriation of Creon's silence can be read as a shrewd, intertextual instance of the rhetorical figure *ocultatio* (also *paralipsis* or *praeteritio*). That is to say, More alludes to the most sordid rumours surrounding Henry's love life and its momentous political implications for Elizabethan Catholicism – by claiming to remain silent on it. More's Senecan silence is thus teasing and defensive at the same time, densely charged with meaning even as it claims the privilege *not* to signify.

Creon's predicament of being forced to speak out an unpleasant truth is a highly suggestive intertext for *Sir Thomas More* and the plight of English Catholics who were forced either to betray themselves or to perjure themselves. Oedipus' attempt to assuage Creon, 'Did anyone ever get punished for speaking under orders?' (l. 529), rings hollow. Just as Creon feared, Oedipus does not really warm to the idea that he is supposed to have murdered his own father: 'Now! You! I have got the cunning conspirators: / Tiresias invented it, using the gods / as cover for his trick. He promised my throne to you' (ll. 668–70). Creon's alleged instrumentalisation of religion as a 'cover for his trick', an ideological pretext for treason, recalls Elizabethan anti-Catholic polemics against the supposedly subversive purpose of the Jesuit mission. In turn, Creon's insistence on his 'long loyalty' (l. 685), equally prominent in Elizabethan Catholic complaints that they harboured no treasonous designs, goes

<sup>82</sup> Ribadeneyra 543. <sup>83</sup> Quoted in Ribadeneyra. 741. <sup>84</sup> Allen, *Admonition A5r*.

<sup>85</sup> Cowell III–30.

unheard as he is dragged off to the dungeons. Finally, even silence, the last refuge of freedom, is denied and interpreted as treason in a manner that anticipates More's own dilemma:

CREON. I wish I could keep quiet. Can one hope  
for freedom from a king?

OEDIPUS. Often silent freedom  
hurts kings and kingdoms even more than speech.

CREON. Where silence is forbidden, what freedom can there be?

OEDIPUS. If you are silent when ordered to speak, you are a traitor. (ll. 523–7)

Seneca's reflections on the political significance of silence obviously appealed to *politique* theorists of religious toleration. Lipsius, for instance, cites *Oedipus* when he recommends toleration of private dissent: 'it is the least freedom that can be demanded of a Prince, to have licence to hold one's peace'.<sup>86</sup> However, the political paranoia of a tyrant in the making, a greater fear of what is *not* said than what is said, undermines this freedom to remain silent for Creon as well as for More as their silence is turned into treason.

More's resignation from office turns out to be an insufficient safeguard against the pressures to declare himself with regard to Henry's anti-Roman policies. When he repeatedly refuses to subscribe to the articles, he is arrested 'in the King's name of high treason' (4.4.158).<sup>87</sup> Crucially, the play offers no other legal justification for More's conviction than his refusal to subscribe, even though Harpsfield reports that the indictment also included charges of collusion with Fisher and the explicit denial of royal supremacy in the presence of Richard Rich.<sup>88</sup> Perhaps in an attempt to avoid further censorship, the playwrights may have omitted the additional charges in order to avoid the association of an otherwise admirable protagonist with treason, which could be construed as ennobling political resistance. Such an attempt to forestall censorship, however, would have been a double-edged sword since any attempt to whitewash More's treason highlights the arbitrary rule of a King who even punishes

<sup>86</sup> Lipsius, *Sixte bookes [Politicorum sive civilis doctrinae libri sex]* 65.

<sup>87</sup> Historically, the charge of the initial attainder was misprision of treason, as Harpsfield correctly recounts (156–7). For the relevant misprision clause in the Act of Succession, see SR 3:474. For the act of attainder (26 Henry 8 c. 23), see SR 3:538. It was only in the second Act of Succession (28 Henry 8, c. 7) that the refusal to take the oath, presumably in reaction to More's trial (Bellamy 36), fell under the scope of high treason.

<sup>88</sup> Harpsfield 183–92. However, scholarly opinion differs on whether More was indeed indicted on all points (Kelly, 'Procedural Review' 9–11) or whether the allegations of treasonous silence and collusion with Fisher were eventually dropped (Derret 60).

silence. Evidently, there was no viable solution to the problem. The playwrights could represent More either as an honourable man refusing obedience in the name of true religion or as the innocent and passive victim of an erratic and paranoid tyrant, and neither scenario is very flattering to the Tudor dynasty.

### *Sir Thomas More and Passive Resistance*

As Knapp has suggested, *Sir Thomas More* can be read as ‘an acid test of conformity: how, More’s life enables the play to ask, can an Englishman maintain both his freedom of conscience and his obedience to authority?’.<sup>89</sup> The lack of a critical agreement on the political stance of *Sir Thomas More* suggests that he cannot. Melchiori, for instance, believes that the play ‘had been plotted with a precise intention: that of showing the abuses perpetrated under cover of the absolute power of the king’.<sup>90</sup> On the other hand, William B. Long argues that the play drives home, in its depiction of the anti-alien riots as well as More’s fall, ‘the ultimate evil of disobeying the monarch’.<sup>91</sup> Such disagreement on the play’s stance towards political resistance can be read, I suggest, as a symptom of the crisis of loyalty that is depicted in *Sir Thomas More*.

When More placates the anti-alien riots, he refers to ‘the most cited of all texts on the foundations of political life throughout the age of the Reformation’,<sup>92</sup> Romans 13:1–7: ‘’tis a sin / Which oft th’apostle did forewarn us of, / Urging obedience to authority’ (2.3.99–101).<sup>93</sup> Using the same argument as Prince John in *2 Henry IV*, More asks: ‘What do you then, / Rising ’gainst him that God Himself installs / But rise ’gainst God?’ (2.3.112–14). By equating rebellion against the magistrate with rebellion against God, More seems, at first glance, to condemn his own later disobedience on the grounds of religion. However, as Fisher protests in the play, ‘[t]here lives a soul, that aims at higher things / Than temporary pleasing earthly kings’ (4.3.3–4). Fisher’s words would likely have reminded audiences of Acts 5:29: ‘We ought rather to obey God than men.’ The difficulty of harmonising this verse with Rom. 13 lies at the heart of the play’s politics.

The potential conflict between the two Biblical passages is already manifest in ‘An exhortacion to obedience’ from *The Book of Homilies*, which was routinely read to English churchgoers and which cites both

<sup>89</sup> Knapp 149. <sup>90</sup> Melchiori, ‘Dramatic Unity’ 77. <sup>91</sup> Long 51. <sup>92</sup> Skinner 2:15.

<sup>93</sup> Hand D’s invocation of Rom. 13 is indeed typically Shakespearean. Thomas Fulton counts at least twenty-six references to Rom. 13 in Shakespeare’s dramatic oeuvre, predominantly in the histories (Fulton 208).

Rom. 13 and Acts 5:29. The homily resolves the apparent contradiction between them by recommending passive resistance, if obedience to the magistrate should prove incompatible with obedience to God:

Yet let vs beleue vndoubtedly, (good christian people) that we maie not obey kynges, Magistrates, or any other (though thei be our awne fathers) if thei would commaunde vs to do, any thyng contrary to Gods commaundementes. In such a case, we ought to say with the Apostles: we must rather obeye God, then man. But neuertheles in that case, we maye not in any wyse resist violently, or rebell against rulers, or make any insurrection, sedicion, or tumultes, either by force of armes, (or otherwaies) against the anoynted of the lord, or any of his appoynted officers. But we must in suche case, patiently suffre all wronges and iniuries, referringe the iudgement of our cause onely to God.<sup>94</sup>

However, with its insistence on the priority of obeying God, passive resistance became a political liability when the Elizabethan settlement was challenged by Catholic and Puritan dissenters alike.<sup>95</sup> ‘An Homilee agaynst disobedience and wylful rebellion’ (1571), which was added to the second edition of the second volume of *The Book of Homilies* after the Catholic Northern Rising, fails to discuss passive resistance at all. Presumably in reaction to the threat of religious resistance, the homily is also silent on Acts 5:29, even though it is about twice as long as the earlier ‘Exhortacion to obedience’. In fact, Acts 5:29 was routinely passed over in Protestant interpretations of Rom. 13.<sup>96</sup> The Catholic Douay-Rheims Bible (New Testament 1582) redresses the balance. According to the annotations to Rom. 13:3, obedience to the secular magistrate is due ‘onely in such things as they may lawfully commaund’, and subjects are ‘bound vnder paine of damnation to obey their Apostles, and Prelates, and not to obey their kings or Emperours, in matters of religion’.<sup>97</sup> Divine authority is thus not invested in the secular magistrate alone but also in the Church.

In the play, More has a similarly conditional understanding of the injunction to obey the secular magistrate, but he does not invoke the Church as an alternative authority that might actively intervene in the English political scene. More carefully resists the Elizabethan stereotype of the inherently seditious Catholic that took root after Pope Pius V had absolved English Catholics from their obedience to Elizabeth in

<sup>94</sup> *Certayne sermons* Siv.

<sup>95</sup> For the concept of passive resistance in Elizabethan political theology, see Greaves 27–30.

<sup>96</sup> Fulton 209. <sup>97</sup> *Douay-Rheims New Testament* 416.

1570. Instead, he scrupulously follows a course of passive resistance, a position that eventually received its temporary blessing even from the highest echelons of the Catholic hierarchy between c. 1580 and 1584, when the papal bull *Regnans in excelsis* was partially suspended and the Jesuits launched their English mission.<sup>98</sup> At least in the play, More's resistance consists only in the passive refusal to subscribe and not in any political action. Neither does he, as 'An exhortacion to obedience' puts it, 'make any insurrection, sedicion, or tumultes, either by force of armes, (or otherwaies)'. He refuses to share the reasons for his non-compliance even with his own family. If More seems to be 'contradicting his own case to the citizens',<sup>99</sup> the reason is not that he is inconsistent but that the Biblical amnesia of Tudor political theology has rendered More's political stance opaque. Within the framework of passive resistance, More never fundamentally questions the imperative of obedience in Rom. 13.

If the play was meant to give voice to a contemporary Catholic position, it would arguably have been a form of loyalism which was prominently represented by the Brownes of Cowdray and their entourage, with whom the More family became closely associated in the late sixteenth century.<sup>100</sup> Anthony Browne, first Viscount of Montague, had made a name for himself among Elizabethan Catholics when he brazenly opposed Elizabeth's Act of Supremacy (1559) and the Act for the Assurance of the Queen's Power (5 Eliz. c. 1) from 1563, according to which the repeated refusal to take the Oath of Supremacy fell under the scope of high treason. With respect to the latter, Montague defended the privilege of silence in the House of Lords in a manner that recalls the conflict of conscience in *Sir Thomas More*:

For what a man is there so without courage and stomach, or void of all honour, that can consent or agree to receive an opinion and new religion by force and compulsion; or will swear that he thinketh the contrary to that he thinketh. To be still and dissemble may be borne and suffered for a time; to keep his reckoning with God alone; but to be compelled to lie and to swear, or else to die therefore, are things that no man ought to suffer and endure.<sup>101</sup>

What is at stake in Montague's critique of the Oath of Supremacy as well as in *Sir Thomas More* is the endangered privilege of silence. Shortly before his

<sup>98</sup> See Holmes, *Resistance and Compromise* 35–46.      <sup>99</sup> Fulton 208.

<sup>100</sup> Questier, 'Catholicism, Kinship' 498–500. The classic account of Catholic loyalism is Pritchard. More recent scholarship has come to emphasise that loyalism was not an inert and apolitical stance but often subject to ideological tension and the dynamic manoeuvring of kinship networks and changing power constellations. For the Montagues in particular, see Questier, 'Loyal to a Fault'; Questier, *Catholicism and Community*.

<sup>101</sup> Quoted in Strype 1–1:444–5.

death, Montague once more gave an account of his loyal dissent in a speech delivered in West Horseley Manor on 27 January 1592, which recapitulated the same concerns with silence and loyalty that are so central to *Sir Thomas More*. Montague expressed his loyalty to the Queen by proclaiming that ‘yf the Pope or the Kinge of Spayne or anye other forreyne Potentate shoulde offer to invade this realme . . . I woulde be one of the fyrst that shoulde beare armes agenst him’.<sup>102</sup> He further insisted that he kept his faith, like the protagonist of *Sir Thomas More*, to himself and disavowed any political agitation or any desire to proselytise: ‘I am a Catholyque in my religeon *which* I keepe to my selff; I seeke to drawe no man to that religeon, neather chylde nor servant, but let them doo theyr consciences therein as god shall putt in theyre myndes . . . And theare ys no man that when he cometh to me to serve me I doo aske what religeon he ys of’.<sup>103</sup> Of course, Montague’s declaration, ‘I am a Catholyque in my religeon *which* I keepe to my selff’, is a performative self-contradiction.<sup>104</sup> However, the point is not so much actual secrecy as a political fiction of secrecy that arguably serves to disavow any claim that his Catholic faith should be officially recognised by the Protestant state.

There is no concrete biographical evidence that allows us to place Munday in Montague’s milieu. However, he knew one of the Viscount’s former servants, the aforementioned George Elyot, who was responsible for the arrest of the Jesuit Champion. Elyot had been dismissed from Montague’s service in 1564 because he shot one of his deer, before he found employment in the household of More’s grandson Thomas Roper (the son of William Roper and Margaret Roper, née More).<sup>105</sup> Roper, one of many Catholics whom Elyot denounced to the authorities, was related to Montague by marriage to his sister, Lucy Browne,<sup>106</sup> and seems to have adopted the Viscount’s course of conformity in the early 1580s, or at least had promised to do so after having been arrested in 1581.<sup>107</sup>

In the meantime, other family members moved in the opposite direction. The martyr’s grandson Thomas More II was arrested in the early 1580s at Greenstreet House, East Ham, where he had been involved with the clandestine Jesuit press, which produced, among other works, Parsons’ anti-conformist manifesto *Brief discours contayning certayne reasons why Catholiques refuse to goe to Church* (1580).<sup>108</sup> It was on the occasion of

<sup>102</sup> Quoted in Questier, ‘Loyal to a Fault’ 252.   <sup>103</sup> *Ibid.* 251.   <sup>104</sup> *Ibid.*

<sup>105</sup> On Elyot’s service in the Montague household, see Kilroy 222.

<sup>106</sup> Questier, ‘Catholicism, Kinship’ 498.   <sup>107</sup> *Ibid.* 487n.40.   <sup>108</sup> *Ibid.* 486n.32.

Thomas More II's arrest at Greenstreet House in 1582 that Richard Topcliffe confiscated a copy of Harksfield's manuscript biography of the martyr among More's papers. Intriguingly, this might also explain how one of the main sources of *Sir Thomas More* eventually fell into the hands of Munday, who worked for Topcliffe in the 1580s.<sup>109</sup> At any rate, it seems at least plausible that Munday was aware of different approaches to the question of conformity among English Catholics generally and More's descendants specifically, not only through his brief stint on the continent, but also through his contacts as an anti-Catholic propagandist and recusant hunter.

Different approaches to conformity evidently caused tensions among More's descendants, as is suggested by the disappointment which Cresacre More, son of Thomas More II, expressed in his *Life of Sir Thomas More* (1631?) about his uncles, who 'degenerated both from that religion and those manners, which Sir Thomas More had left as it were a happy depositum unto his children and family'.<sup>110</sup> Some of these tensions may also be registered in the contradictory stance of the character William Roper in the play, who initially urges More to subscribe, but later in the play anticipates the recusant *mystique* which some of his descendants began to cultivate in the 1580s: 'The blood you have bequeathed these several hearts / To nourish your posterity, stands firm, / And as with joy you led us first to rise, / So with like hearts we'll lock preferment's eyes' (4.4.49–52). However, with its protagonist, who claims to be loyal to his monarch and keeps his reasons for refusing to subscribe to the 'articles' to himself, *Sir Thomas More* is congruent with the stance of Viscount Montague, one of the period's most prominent Catholic loyalists.

At the same time, the play is deeply pessimistic about the viability of Catholic loyalism. The Earl of Surrey refuses to interpret passive resistance as anything else but plain disobedience: 'Tis strange that my lord chancellor should refuse / The duty that the law of God bequeaths / Unto the king' (4.1.106–8). More himself insists on his loyalty to the very end. Before he mounts the scaffold, Shrewsbury admonishes him: 'twere good you'd publish to the world / Your great offence unto his majesty' (5.4.68). However, like the Jesuit Campion, whose execution Munday had

<sup>109</sup> See Anderegg. In the 1580s, even as late as 1592, Munday appears to have worked for the notorious torturer and priest hunter Topcliffe (Hamilton, *Munday and the Catholics* xxi).

<sup>110</sup> More 291. Up to the 1580s, many family members seem to have conformed to the Edwardian and Elizabethan Church of England. See Aveling; for the uncles to which Cresacre More alludes, see especially 35–6.

witnessed in 1581, More does no such thing.<sup>111</sup> On the contrary, he insists that ‘his majesty hath been ever good to me’ (5.4.71–2). Earlier, he even proclaims euphemistically that the King is doing him a favour by setting him ‘at liberty’ (5.3.80). By refusing to acknowledge that he is being punished, he does not simply profess his unfailing loyalty; he also denies that he has done any wrong in the first place.

However, More’s attempt to harmonise Rom. 13 with Acts 5:29 in the form of passive resistance has indeed become impossible under a regime that does not recognise silence and forces its subjects to declare themselves. Peter’s admonition that ‘[w]e ought rather to obey God than men’ can only be reconciled with the Pauline injunction to obey the secular magistrate ‘for conscience sake’ (Rom. 13:5) if the power of the secular magistrate does not extend any further than the outward self. *Sir Thomas More* shows that if the magistrate does not recognise the difference between secular and spiritual government and conflates a subject’s spiritual duty of allegiance with their political duty of allegiance, it becomes impossible to give ‘to Cesar, the things which are Cesars, and giue vnto God, those which are Gods’ (Matt. 22:21). *Sir Thomas More* thus gives voice to a political crisis of legitimacy and loyalty that arises from a denial of silence as a means to accommodate confessional pluralism, at least in the form of private dissent, within the Christian commonwealth.

### ‘A Spectacle to the World, to the Angels and to Men’

Throughout the play, More displays almost Falstaffian histrionic tendencies. More is a lover and patron of the theatre, as is attested by his employment of an acting troupe in act 3 in order to entertain his guests. Like Falstaff, he proves a brilliant and convincing extemporiser when he substitutes for one of the players: ‘Would not my lord make a rare player? . . . Did ye mark how extemptrically he fell to the matter, and spake Luggins’s part almost as it is in the very book set down?’ (3.2.295–9). As in the case of Falstaff, More’s theatricality also spills over into real life, for instance when he changes identities with his servant Randall in order to play a prank on Erasmus and commands his servant to ‘act my part’ (3.2.45). With such instances of meta-theatricality, the play suggests that More’s identity is nothing but a role that can be adopted, exchanged, and abandoned at will. The same impression is conveyed when Randall,

<sup>111</sup> Campion’s rude violation of the etiquette of the scaffold is documented by Munday, *Discouerie* F8r; Alfield C1r; Allen, *Briefe historie* dir.

who plays More, tells Erasmus with exquisite irony and the obligatory pun on More's name: 'I am neither more nor less than merry Sir Thomas always' (3.1.167). Highlighting the dialectics of performative identity, Randall both is More and is not ('neither more nor less'). The play's meta-theatricality thus seems to reduce the notion of selfhood to a mere mask, nothing but an illusion of depth that can never materialise in the world of the theatre.

However, More's role-playing not only is a self-indulgent stroll through a fictional hall of mirrors but also has substantial ethical implications. So much is evident when More 'conspires' with the cutpurse Lifter in order to teach Justice Suresby a lesson. After Suresby scolds Lifter's victim for tempting thieves by walking around with a large sum of money on him, More employs Lifter in order to steal Suresby's purse and instil some humility into the Justice. Even though More pretends to intend no more than 'a merry jest' (1.2.76), Machiavellian deceptiveness lurks at the margins of More's playful theatricality and would most likely have been an acute concern for Protestant audiences, who probably knew the merry Thomas More rather as a scoffing persecutor from Foxe's *Acts and Monuments*.<sup>112</sup> We get a glance of the potential Machiavellian lurking in a man with More's gifts of self-concealment in Lifter's initial distrust:

You are too deep for me to deal withal,  
You are known to be one of the wisest men  
That is in England. I pray ye master sheriff,  
Go not about to undermine my life. (1.2.65–8)

However, More insists that he is a 'true subject to my King' (1.2.69), and Lifter eventually recognises the moral purpose of the exercise:

I see the purpose of this gentleman  
Is but to check the folly of the justice  
For blaming others in a desperate case  
Wherein himself may fall as soon as any. (1.2.91–4)

Significantly, the bottom line of More's jest anticipates his later plea for empathy with the strangers' case. When he addresses the anti-alien rioters, he similarly challenges them to imagine themselves in the strangers' position: 'What would you think / To be thus used?' (2.3.149–50). It is the flexibility of theatrical identity, or rather the theatre as a space for the imaginative exchange of identities, that hones the spectators' ability to

<sup>112</sup> On Foxe's increasingly critical treatment of More over successive editions of *Actes and Monuments*, see Dillon 63–4.

empathise with and imaginatively occupy the place of the poor, the disenfranchised, and the strangers. More's incessant role-playing thus is not indicative of moral degeneration, as the anti-theatricalists of the period argued, but serves a higher moral purpose.

More differs from the Machiavellian villain, whose selfhood is often characterised by radical, although doomed, declarations of autonomy (Eisaman Maus 53), as in the case of Richard III, who proclaims that 'I am myself alone' (3H6 5.6.83). More's theatricality is not an act of self-invention. Erasmus' famous praise '[n]obody is less swayed by public opinion' than More, despite 'the skill with which he adapts himself to the mood of anyone',<sup>113</sup> attests to a stable core of his identity that is also emphasised in the play. Despite his many performances, More grounds his identity in God, as becomes increasingly clear once the play leaves its meta-theatrical ironies behind. Whereas Iago proclaims that "[t]is in ourselves that we are thus and thus' (1.3.315), More eventually recognises that '[i]t is in heaven that I am thus and thus, / And that which we profanely term our fortunes / Is the provision of the power above' (3.2.1–3). Roper too encourages his father-in-law to 'be still yourself', even though no man's 'garment . . . or the loose points / That tie respect unto his awful place' can bypass 'the maw of time' (4.4.41–7). Selfhood, Roper seems to imply, can only remain stable if it is metaphysically anchored in a divine order and transcends a world of appearances that is in constant flux.

More's accommodating performances are finally conflated with his providential sense of selfhood in his use of the *theatrum mundi* topos in his martyrdom. The play thus reiterates what Stephen Greenblatt has characterised as More's reconciliation of his 'role-playing' and 'highly complex consciousness of fashioning himself that marked his intense individuality' with his desire to be 'absorbed into a larger totality, into the total life of Christ'.<sup>114</sup> When Shrewsbury admonishes More that 'twere good you'd publish to the world / Your great offence unto his majesty' (5.4.68), the latter admits no offence but remarks that 'my offence to his highness makes me of a state pleader a stage player (though I am old, and have a bad voice) to act this last scene of my tragedy' (5.4.72–5). One possible reading is that More is a player insofar as he continues to pretend innocence even though he has been convicted of treason. In a more sympathetic reading, however, More is perfectly honest in his protestations of innocence. In his final performance, then,

<sup>113</sup> CWE 7:19. <sup>114</sup> Greenblatt, *Renaissance Self-Fashioning* 72.

More does not dissemble or deceive anyone but acts out a divine plan and gives transparent testimony to the truth. Martyrs are literally witnesses, as the etymological roots of the term make clear, and their testimony is necessarily performative.

The need for an audience, for whose benefit this theatre of cruelty is put on stage, is asserted by the apostle Paul: 'God hathe set forthe vs the laste Apostles, as men appointed to death: for we are made a gasing stocke vnto the worlde, and to the Angels, and to men' (1 Cor. 4:9). English Catholics frequently cited this Pauline verse in relation to their martyrdom. Campion, for instance, quoted Paul before his execution in 1581, as Munday himself reports: 'I am heere brought as a Spectacle, before the face of God, of Angelles and of men, satisfying my selfe to dye, as becommeth a true Christian and Catholique man'.<sup>115</sup> The verse was also cited by Robert Bellarmine, when he reproved Archpriest Blackwell for taking the Oath of Allegiance in 1607 and invoked More and Fisher as models to be imitated by English Catholics.<sup>116</sup> Martyrdom is thus not a solitary affair between the martyr, the persecutor, and God. Especially at the nexus of treason and religious dissent in early modern England, it was, as Lake and Questier note, 'an essentially theatrical process whereby the state's victims sought to appropriate and appeal to the judicial procedures and audiences through and before which the regime was trying to turn them into traitors'.<sup>117</sup> The performative aspects of early modern martyrdom did not taint its authenticity; on the contrary, they established its authenticity in the first place.

In the confessional polemics of the late sixteenth century, the meaning of martyrdom as a spectacle was controversial and subject to scepticism. While for one party the martyr's steadfast death may be a revelation of divine support, which amounted to an authentication of her or his cause, the other party may denounce it as a false show of martyrdom. Among the authors of *Sir Thomas More*, Munday in particular had seen his fair share of priests being executed. He was accordingly well-versed in the histrionics of martyrdom and the manner in which the martyr's heroic display of fortitude could be punctured with a critical gaze.<sup>118</sup> However, none of this polemical scepticism is apparent in the representation of More's martyrdom. This is all the more remarkable since the play warns repeatedly against the deceptiveness of appearances.<sup>119</sup> The seeming incongruence

<sup>115</sup> Munday, *Discoverie* F81r. The same words are also reported in the vindications of Campion ascribed to Alfield (B4v–C1r) and Allen (*Briefve historie* dir).

<sup>116</sup> Quoted in *Large examination* c3v–c4r. <sup>117</sup> Lake and Questier, *Antichrist's Lewd Hat* 243.

<sup>118</sup> See, for example, Munday, *English Romayne Lyfe* 47; Munday, *Discoverie* F8v–Giv.

<sup>119</sup> See, for example, 3.1.40–1; 3.1.174–83; 3.2.274–7; 4.4.86.

between this earlier scepticism and the relative ease with which More eventually employs the *theatrum mundi* topos later on might be explained by the collaborative composition of the play, but does not entirely resist coherent interpretation either. As More's approach to the oath suggests, the only form of secrecy or dissimulation that is ethically legitimate is silence. As More's earlier exchange of identities with his servant suggests, it is also the only form that might successfully deceive its victim: 'beware / You talk not overmuch, for 'twill betray thee. / Who prates not much seems wise, his wit few scan, / While the tongue blabs tales of the imperfect man' (3.1.36–9). Hiding one's true self works best if one does exactly nothing, that is, if one refuses to perform and remains silent. The idea is Biblical: 'Euen a foole (when he holdeth his peace) is counted wise, and he that stoppeth his lippes, prudent' (Prov. 17:28). For once, the playwrights fail to make explicit the implied pun on More's name (Gk. *moros* = fool), which would have highlighted that More eventually tries to live by his own advice when he refuses to declare himself on the King's divorce: 'beware / You talk not overmuch, for 'twill betray thee'.<sup>120</sup>

However, when More/*moros* can no longer remain silent, '[t]he fool of flesh must with her frail life die' (5.4.116). As More implies with the Biblical echoes in his anticipation of his own death, martyrdom in turn reveals the 'fooles for Christs sake' (1 Cor. 4:10), which brings us back once again to the metaphysical anchoring of More's identity in God. As Paul informs us in the preceding verse, the 'fooles for Christ sake' are none other but 'the laste Apostles, as men appointed to death', who 'are made a gasing stocke vnto the worlde, and to the Angels, and to men' (1 Cor. 4:9). The foolish wisdom of the flesh may seek refuge in silence, but the wise folly of Christ is a spectacle for all to see. The play does not condemn the former – at least as long as it can be maintained in the face of aggressive attempts to penetrate its silence. Unlike Falstaff's dissimulation, however, it is decidedly untheatrical and marked by a refusal to perform. By contrast, the fool in Christ, who testifies to the truth of the Gospel with his martyrdom, plays a scripted role on the scaffold. Rather counter-intuitively, then, it is not the refusal to perform that is a sign of authenticity. On the contrary, it is by taking one's part in the *theatrum mundi* that the individual self reconnects to an overarching, divine order of being. This, after all, is what the Catholic martyrs did by inscribing themselves into the Pauline text.

<sup>120</sup> Arguably the most prominent instance of the More/*moros* pun is offered by Erasmus in his dedication of *Praise of Folly* to More (CWE 27:83–5).

As I have argued in this chapter, *Sir Thomas More* reflects the increasing persecution of religious dissenters in the 1580s and 1590s, especially the increasing intolerance for and incrimination of silence. As the play suggests, this endeavour to make windows into men's hearts, the pressure to align one's words with one's thoughts, leads to a crisis of loyalty on the part of religious dissenters and collapses the *politique* distinction between private dissent and seditious agitation. Unlike Shakespeare's *Henry IV* plays or *Sir John Oldcastle*, however, *Sir Thomas More* associates theatricality not with hypocrisy but, on the contrary, with an authentic performance of religious identity that culminates in the testimony of martyrdom. In the following chapter, I will further build on these insights in my reading of *Sejanus His Fall*, written by Jonson during his Catholic years. Like *Sir Thomas More*, *Sejanus* can be read as a response to the intense persecution of English Catholics during the late Elizabethan period and will offer an opportunity to deepen the discussion of the rhetorical, ethical, and political aspects of religious dissent under a regime that does not accept silence.