

How to Read a Libel in Early Modern England

How did early modern people read libels? This is no simple question given their remarkable spatial and interpretive mobility. Even a single text could mean different things to different people at different moments. Popular libels like the “Parliament Fart” and *Leicester’s Commonwealth* remained current for decades, their meanings evolving along with their copyists’ agendas and the temper of the times.¹ The scholarly focus, however, has naturally remained on the scribal archive in which most libels survive. Primarily from the study of manuscript miscellanies, scholars have found that libels were read for their aesthetic qualities, for their wit, for their newsworthiness, for their scandalous content, and for their political counsel.² Yet this archive has its limits. As Alastair Bellany points out, scribal sources such as newsletters, commonplace books, and miscellanies provide “better evidence of the circulation of these materials among the social elite than among the middling and lower sorts.”³ We need to take a wider view to understand how libels interfaced with the English public.

This chapter accordingly examines how reading – and sharing and discussing and debating – libels brought early modern people together as publics. I begin with a small but representative slice of the scribal archive to

¹ On the circulation of the “Parliament Fart,” see Arthur F. Marotti, *Manuscript, Print, and the English Renaissance Lyric* (Ithaca: Cornell University Press, 1995), 113–15; and Michelle O’Callaghan, “Performing Politics: The Circulation of the ‘Parliament Fart,’” *Huntington Library Quarterly* 69.1 (2006): 121–38. I discuss the case of *Leicester’s Commonwealth* below.

² See Andrew McRae, *Literature, Satire and the Early Stuart State* (Cambridge: Cambridge University Press, 2004), 23–50; David Colclough, *Freedom of Speech in Early Stuart England* (Cambridge: Cambridge University Press, 2005), 196–250; Andrew McRae, ed., “Railing Rhymes’: Politics and Poetry in Early Stuart England,” special issue, *Huntington Library Quarterly* 69.1 (2006); Alastair Bellany, “The Embarrassment of Libels: Perceptions and Representations of Verse Libelling in Early Stuart England,” in *The Politics of the Public Sphere in Early Modern England*, ed. Peter Lake and Steven Pincus (Manchester: Manchester University Press, 2007), 144–67; and Joshua Eckhardt, *Manuscript Verse Collectors and the Politics of Anti-Courtly Love Poetry* (Oxford: Oxford University Press, 2009).

³ Alastair Bellany, “Railing Rhymes Revisited: Libels, Scandals, and Early Stuart Politics,” *History Compass* 5.4 (2007): 1147.

explore how libels spread and were read. My sources include Francis Bacon's government white papers, a poem by King James, and two libels bearing annotations – the first in the hand of Robert Cecil, the second by an anonymous copyist – that have received virtually no attention. In the final two sections of the chapter, I turn to a different kind of evidence: fictional representations of reading. I consider successively *Leicester's Commonwealth* – an anonymous Catholic prose tract printed in 1584 – and Shakespeare's *Julius Caesar*. Both the pamphlet and the play show readers encountering libels. These scenes not only indicate how such texts circulated but also train their audiences in the art of interpreting libels.

As I discussed in the Introduction, this “reflexive circulation of discourse” is what distinguishes a public from a readership or a crowd.⁴ Public discourse in this sense directs audiences' attention not just to the topic at hand but also to their own critical activity. This is how strangers come to understand themselves as part of larger social entities: in this case, publics of libel readers come together to exercise their own (libelous) judgment. To delineate the contours of those publics, I follow the conjoined careers of libels and talk about libels. The sources that I examine adopt a range of stances toward libels and their audiences, from concern to complicity. But all foreground the dynamics of public address. Together, they sketch the interpretive practices that characterized the circulation of libels across manuscript, print, and performance.

That trajectory – from manuscript to print to performance – roughly tracks the multimedia circuits that brought libels to large, heterogeneous audiences of mixed literacy. Print and performance helped the middling and lower sorts join in conversations otherwise reserved for the elites. Yet this was not a matter of superseding the handwritten word. Scholars have amply demonstrated that manuscript remained a vibrant and, in the case of libels, a dominant medium for publication throughout the period.⁵ My point is rather the one I made at the start: that libels were eminently mobile. The texts I study in this chapter were reportedly dropped in a performance venue (or government building), thrown in at a window, shared with friends, and talked about at tables. They eluded suppression and circulated widely enough

⁴ Michael Warner, *Publics and Counterpublics* (New York: Zone Books, 2002), 90.

⁵ See, e.g., Mary Hobbs, *Early Seventeenth-Century Verse Miscellany Manuscripts* (Aldershot, UK: Scolar Press, 1992); Harold Love, *Scribal Publication in Seventeenth-Century England* (Oxford: Clarendon Press, 1993); Marotti, *Manuscript*; H. R. Woudhuysen, *Sir Philip Sidney and the Circulation of Manuscripts, 1558–1640* (Oxford: Clarendon Press, 1996); Eckhardt, *Manuscript Verse Collectors*; and Noah Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England* (Cambridge: Cambridge University Press, 2016).

to force responses from the center of the regime, including the monarch. They crossed class and confessional lines to reach gentlemen and commoners, Catholics and Protestants alike. Reading was not primarily a solitary endeavor but rather a social, even dialogic process – a multidirectional conversation that quickly exceeded the initial terms of address. To be sure, these conversations were halting and defamatory. Yet, I will argue, their promiscuous circulation maps the networks of physical and discursive spaces that made up the early modern public sphere.

Bacon's Advertisements

Around 1589, Francis Bacon was reading libels. We know this because he wrote and circulated in manuscript two “advertisements” (essentially white papers) on the proliferating polemic. In October 1588, the first tract by the pseudonymous Martin Marprelate emerged from Robert Waldegrave's Puritan press.⁶ Its rollicking prose and scurrilous satire of church leaders immediately seized the attention of a regime that had already begun to crack down hard on Presbyterianism. As further Marprelate pamphlets followed through late 1589, ecclesiastical authorities commissioned several writers – including John Lyly and Thomas Nashe – to respond in kind. These anti-Martinist pamphlets consciously adopted Martin's own scandalous style “to giue them a whisk with their owne wand,” as Lyly put it.⁷ The campaign soon spilled over onto the stage. The Queen's Men, the Lord Admiral's Men, Lord Strange's Men, and Paul's Boys were all implicated in the mockery of Martin Marprelate.⁸ But if the government condoned the printed satire, the performances apparently went too far. On November 6, 1589, the Lord Mayor of London reported that he had required the Lord Admiral's and Lord Strange's Men to cease playing and then jailed several members of the latter company when they refused to comply. Less than a week later, the Privy Council prepared orders to censor all “partes and matters . . . unfytt and undecent to be handled in playes, bothe for Divinitie and State.”⁹

⁶ Martin Marprelate, *Epistle*, in *The Martin Marprelate Tracts: A Modernized and Annotated Edition*, ed. Joseph L. Black (Cambridge: Cambridge University Press, 2008), 3–45. For a detailed account of the controversy, see Black, introduction to *Martin Marprelate Tracts*, xv–cxii.

⁷ John Lyly, *Pappe with an Hatchet*, in *The Complete Works of John Lyly*, ed. R. Warwick Bond, vol. 3 (Oxford: Clarendon Press, 1902), 396. See Joseph Black, “The Rhetoric of Reaction: The Martin Marprelate Tracts (1588–89), Anti-Martinism, and the Uses of Print in Early Modern England,” *Sixteenth Century Journal* 28.3 (1997): 714.

⁸ Black, introduction to *Martin Marprelate Tracts*, lxxv.

⁹ *APC*, 18:215. See Lawrence Manley and Sally-Beth MacLean, *Lord Strange's Men and Their Plays* (New Haven: Yale University Press, 2014), 41–42.

Bacon was not much impressed with either side. In *An advertisement touching the controuersyes of the Church of England* (1589), he urges Puritan and Anglican polemicists alike to hold their fire. “And first of all,” he writes, “it is more then tyme there were an end and surceance made of this vnmodest and deformed manner of writing lately entertaigned whereby matters of religion are handled in the stile of the stage.”¹⁰ Bacon is alert to the dangers of a mocking, scurrilous, performative style – the style of libel which, for him, is also the style of the stage. Evidently the two styles were close for the pamphleteers too. The anti-Martinist authors claimed that Martin had borrowed his “tinkers termes, and barbers iestes” from the Queen’s Men’s famous clown, Richard Tarlton, and that he had learned his “*twittle twattles* . . . at the Theater of Lanam [John Laneham, also of the Queen’s Men] and his fellows.”¹¹ Controversial satire moved readily between stage and page. The upshot of all this mockery, Bacon feared, would be “to turne religion into a comedy or Satyre.”¹²

For Bacon, the style of the stage was not just “vnmodest and deformed” but also dangerously public. He chides the polemicists for “search[ing] and ripp[ing] vpp woundes with a laughing countenance,” exposing ecclesiastical controversy to public scrutiny (and derision). At the end of the *Advertisement*, he makes clear why this publicity is such a problem. “Lastly,” he concludes, “what soeuer be pretended the people is no meet iudg or arbitratour but rather the quiet modest & private assemblies and conferences of the learned.”¹³ We saw the same premise in the Jewel-Harding controversy and in the other spates of religious polemic surveyed in the Introduction: that appealing to the people is itself a sign of libeling. Remarkably, though, Bacon does not distinguish between the appeals of the church and those of its critics. Both inappropriately, even libelously, take sensitive religiopolitical questions from “private assemblies” to a judging public.

Bacon elaborates this dynamic in another, roughly contemporary advertisement, this one “touching seditious writing.” He does not name these seditious writings – they may well include the Marprelate tracts or other Puritan pamphlets – but his description of their “calling in question the

¹⁰ Bacon, *An advertisement touching the controuersyes of the Church of England*, in *The Oxford Francis Bacon*, vol. 1, ed. Alan Stewart with Harriet Knight (Oxford: Clarendon Press, 2012), 163. On the style of the stage in post-Reformation performance and polemic, see Katrin Beushausen, *Theatre and the English Public from Reformation to Revolution* (Cambridge: Cambridge University Press, 2018), 27–79.

¹¹ *Mar-Martine* ([London, 1589]), sig. A4v; *Martins Months minde* ([London], 1589), sig. F2r. See Manley and MacLean, *Lord Strange’s Men*, 38.

¹² Bacon, *Advertisement touching the controuersyes*, 164. ¹³ *Ibid.*, 164, 194.

most cleere and vndoubted right of our naturall soueraigne” suggests that they are primarily Catholic libels.¹⁴ Before sketching their contents, he opens with an account of their place in the public sphere:

As it hath allwayes been an honorable and wise Custome with Princes & superiors in regarde of their owne good name & the contentment of all sortes to publish advertisementes and declaracions, whereby to iustify their proceedings, and to direct the fame *which* attendeth vpon all great accions, & easily declyneth to obloquy if it be not forestalled. So in contrary manner hath it ever been a corrupt and *perverse* practise of evill subiectes to sowe abroad libells and invectiues of purpose to deface their gouernors, & by imbasing their estimacion to supplante the alleageance and duties of the people, & the quyet of their cowntries.¹⁵

On the one side, there are all the rulers’ “advertisementes and declaracions” that together amount to a kind of public relations machine. In Bacon’s telling, England’s governors have long disseminated such writings to manage public opinion, “to direct the fame *which* attendeth vpon all great accions.” On the other, there are the “libells and invectiues” dispersed by “evill subiectes . . . to deface their gouernors.” Bacon’s “as . . . so” structure sets up a parallel between the two sides. Governors and libelers alike churn out writings for public consumption. The difference, of course, comes in the desired effect on popular opinion: to defend or to defame members of the ruling classes.

But advertisementes and declarations alone were not enough to counter seditious libels. In Bacon’s view, the problem was not just the texts themselves but also the people’s own perverse judgments. He continues:

And yet neverthesse in the credit and allowaunce *which* is given to these writings of so severall natures the iudgemente of men swarveth greatly and offereth very harde condicion where it least appertayneth. For the Iustifycacions, and Apologyes of personages in authority are for the most parte taken & deemed to be but colours and pretenses, . . . whereas on the other side these malicious Pamphlettes are thought to be the flying sparkes of trewthe forcibly kept downe and choked by those *which* are possessed of the state.¹⁶

Bacon imagines a remarkably skeptical and even paranoid reading public, a public suspicious of the authorities’ apologies and drawn to seditious pamphlets. While the former are taken to be mere “colours and pretenses,” the latter seem more credible precisely because they are suppressed. Censorship only justifies the popular conviction that seditious writings are

¹⁴ Bacon, *An advertisement touching seditious writing*, in *Oxford Francis Bacon*, 1:311; see 1:305.

¹⁵ *Ibid.*, 309. ¹⁶ *Ibid.*

“the flying sparkes of trewth[e] forcibly kept downe and choked by those *which* are possessed of the state.” This leaves the state in a difficult position indeed. Neither answering nor suppressing libels can tame the uncooperative judgment of “the most parte” of the people.

Bacon’s account closely matches the “post-Reformation public sphere” sketched by Peter Lake and Steven Pincus. They trace its origins to the “public pitch making . . . conducted both by members of the regime, its supporters, loyal opposition and overt critics and opponents.”¹⁷ Periodic appeals to the people came not only from England’s governors but also from Catholics, nonconformists, and others whom Bacon would consider “evill subiectes.” For Lake and Pincus, the result was “an adjudicating public or publics able to judge or determine the truth of the matter in hand on the basis of the information and argument placed before them.”¹⁸ But Bacon was rather less sanguine about the critical capacities of the people. The central proposition of his *Aduertisement touching seditious writing* was precisely to help the reading public make better judgments. Because some libels will always elude suppression, Bacon concludes, “therefore is it very meete that all good subiectes, & every other indifferent or reasonable person be faithfully & fully advertised towching these writings” so that “by the Circumstances men may iudge of the matter.” His hope is that revealing the libels’ nefarious origins and aims – their “manyfest vntrewthes” and “odious . . . discourses” – will counter the credulity of the people.¹⁹ But the problem with the style of the stage was that audiences could and did render judgment in whatever way they pleased.

Royal Reading

Several decades later, King James rehearsed similar complaints about libelers’ style of the stage in what is probably the best-known response to a libel. The topic of the day was the king’s unpopular foreign policy, and in particular the prospect of a Spanish bride for Prince Charles.²⁰ In 1620 and then again in 1621, the king issued proclamations “against excesse of Lavish and Licentious Speech of matters of State.”²¹ But royal decrees did little to

¹⁷ Peter Lake and Steven Pincus, “Rethinking the Public Sphere in Early Modern England,” in *Politics of the Public Sphere*, ed. Lake and Pincus, 6.

¹⁸ *Ibid.*, 6. ¹⁹ Bacon, *Aduertisement touching seditious writing*, 312.

²⁰ See Thomas Cogswell, *The Blessed Revolution: English Politics and the Coming of War, 1621–1624* (Cambridge: Cambridge University Press, 1989), 20–53.

²¹ James F. Larkin and Paul L. Hughes, eds., *Stuart Royal Proclamations*, 2 vols. (Oxford: Clarendon Press, 1973–83), 1:495, 519.

stem the tide of libels, news, and gossip. “State meddlers,” as one observer termed them, wrote and talked incessantly about the Spanish Match; “daylie moor and moore libels weere dispersed,” Sir Simonds D’Ewes recorded in his diary.²² So, in late 1622 or early 1623, James entered the fray himself with a poem “made upon a Libell lett fall in Court.”²³ The king’s poem vigorously defends his foreign policy, religious politics, and choice of favorites from the “railing rymes and vaunting verse” of the meddling libelers (23).

The poem’s central concern echoes one of Bacon’s objections in *An advertisement touching the controuersyes of the Church of England*: that libels supplant the closed-door deliberations of the elite with the faulty judgment of the people. James begins by mocking the people’s critical capacities:

O stay your teares yow who complaine
 Cry not as Babes doe all in vaine
 Purblinde people why doe yow prate
 Too shallowe for the deepe of state
 You cannot judge what’s truely myne. (1–5)

The king infantilizes his subjects. Their talk is mere “cry[ing]” and “prat[ing]” that cannot hope to plumb “the deepe of state.” Or, as Bacon wrote, “the people is no meet iudg.” James likewise argues that popular judgment is not only vain but dangerous. “What counsells would be overthrowne / If all weere to the people knowne?” he asks, and then does not hesitate to give an unequivocal answer: “Then to noe use were counsell tables / If state affaires were publique bables” (77–80). The scene of private, conciliar deliberation gives way to the people’s incoherent clamor. For James, libels conjure a world where affairs of state are discussed and debated by the babbling public.

Again like Bacon, James describes the result of this public chatter in theatrical terms. He laments,

O what a calling weere a King
 If hee might give, or take no thing
 But such as yow should to him bring
 Such were a king but in a play. (41–44)

²² Joseph Mead to Martin Stuteville, January 18, 1623, in *The Court and Times of James the First*, comp. Thomas Birch, ed. Robert Folkestone Williams, 2 vols. (London, 1848), 2:355; *The Diary of Sir Simonds D’Ewes (1622–1624)*, ed. Elisabeth Bourcier (Paris: Didier, 1974), 135, quoted in Cogswell, *Blessed Revolution*, 46.

²³ “O stay your teares yow who complaine,” in *Early Stuart Libels: An Edition of Poetry from Manuscript Sources*, ed. Alastair Bellany and Andrew McRae, Early Modern Literary Studies Text Series 1 (2005), Nvii, <http://purl.oclc.org/emls/texts/libels/>; subsequently cited parenthetically by line number.

If libelers had their way, James claims, he would be reduced to a mere stage king, his every act scripted by their prating, babbling, and railing. But the king may, or at least should, have seen this coming. In *Basilikon Doron*, written in the final years of Elizabeth's reign, James warns his son that kings "are as it were set . . . vpon a publike stage, in the sight of all the people; where all the beholders eyes are attentiuely bent to looke and pry in the least circumstance of their secretest drifts."²⁴ "You cannot judge what's truely myne," he would write decades later – but in the theater of state, even the "secretest drifts" of kings are subject to the people's judgment.

And, ironically, James's poem appeals to the very judgment that it decries. With its rhymed doggerel and topical satire, the poem looks much like a verse libel itself. Contemporaries evidently picked up on the generic continuity, copying the king's poem in manuscript miscellanies alongside examples of the "railing rymes and vaunting verse" that he attacks. "[B]y responding to the libel in kind," Jane Rickard argues, "James inadvertently helps to legitimise manuscript verse as a forum for political commentary and invites further response."²⁵ That response was not slow in coming. One answer poem preserved in several copies rejects the king's premise that the people's complaints are vain and infantile. "Contemne not Gracious King our plaints and teares," the anonymous libel begins, "Wee are no babes the tymes us wisse beares."²⁶ This is a remarkably explicit defense of the judgment of the people (or at least of the political observers among them). Whatever his intent, James found himself in dialogue with the libelous commentary that his poem purported to silence. He may not have wanted the libelers to talk back, but it comes as no surprise that they did.

The fate of James's poem suggests how libels could sustain conversations between rulers and ruled – if conversations that were uneven, anonymous, and more than a little vituperative. Clearly the king did not care to hear what the libelers had to say. At least in private, however, England's rulers

²⁴ James VI and I, *Basilikon Doron*, in *King James VI and I: Political Writings*, ed. Johann P. Sommerville (Cambridge: Cambridge University Press, 1994), 4.

²⁵ Jane Rickard, *Writing the Monarch in Jacobean England: Jonson, Donne, Shakespeare and the Works of King James* (Cambridge: Cambridge University Press, 2015), 118. See also Kevin Sharpe, "The King's Writ: Royal Authors and Royal Authority in Early Modern England," in *Culture and Politics in Early Stuart England*, ed. Sharpe and Peter Lake (Stanford: Stanford University Press, 1993), 130; Curtis Perry, "'If Proclamations Will Not Serve': The Late Manuscript Poetry of James I and the Culture of Libel," in *Royal Subjects: Essays on the Writings of James VI and I*, ed. Daniel Fischlin and Mark Fortier (Detroit: Wayne State University Press, 2002), 217; and McRae, *Literature*, 34.

²⁶ "Contemne not Gracious king our plaints and teares," in *Early Stuart Libels*, ed. Bellany and McRae, Nv12, ll. 1–2.

were not always so hostile to personal criticism. Evidence of this appears in a libel that made its way into the hands of Robert Cecil, Earl of Salisbury and the king's principal secretary, likely toward the end of 1610. The anonymous manuscript was a scathing response to the recent collapse of Cecil's negotiations with parliament for raising royal revenues.²⁷ It lambasts those evil counselors "who doeth studie noething but insatiable glory and power to themselues" and, in a gibe at Cecil's short stature, laments that the king's "greatest offices [are] placed in one litle person." While professing loyalty to the king, the libeler issues a naked threat to resist any unjustified impositions: "I must confess wee are soe vnwillinge to parte with the least parte of our fortunes vnder collar of his highnes vse, to fill the purses of such abusers both of Kynge and Contrey that wee will first parte with our Liues . . . [I]f any rebellion euer shall happen theyre insolent actions wilbe the Cause." Cecil evidently read this libel with care. Someone, perhaps Cecil himself, underlined the most seditious lines, including the mockery of his "litle person" and the threat of rebellion. Most revealing is the single marginal note, in Cecil's hand. Next to a sentence blaming him for the breakdown of negotiations, he wrote, "This is *part* of my fawlt."²⁸ This private admission of guilt shows Robert Cecil, probably the most powerful person in England next to King James, taking seriously an anonymous ad hominem criticism of royal policy.

Discreet Friends

To be sure, any dialogue between Cecil and his critics takes place only in the margins of the manuscript. Reading the libel remains a largely private activity, confined to the councilor's chambers. The same held true for readers outside of the government too. When Joseph Mead of Cambridge sent a verse libel to his friend Sir Martin Stuteville in 1627, he cautioned, "I know you will not think it fitt to be shosen, though I send it you. If you do, at your owne perill. Ile deny it: if it prove naught." Even as he warns his friend against sharing the text, however, Mead marks himself as the nexus

²⁷ On the failed negotiations for the so-called Great Contract between king and parliament, see Theodore K. Rabb, *Jacobean Gentleman: Sir Edwin Sandys, 1561–1629* (Princeton: Princeton University Press, 1998), 140–73. Cecil was a popular target for libelers before and after his death: see Pauline Croft, "The Reputation of Robert Cecil: Libels, Political Opinion and Popular Awareness in the Early Seventeenth Century," *Transactions of the Royal Historical Society* 1 (1991): 43–69; and James Knowles, *Politics and Political Culture in the Court Masque* (Basingstoke, UK: Palgrave Macmillan, 2015), 29–41.

²⁸ CP 140/121. See also CP 128/78.

of an epistolary network. “[I]t came from London in the same manner I send it you,” he informs Stuteville.²⁹ And though he presumes his addressee will have the discretion to keep the poem private, Mead is prepared to deny any responsibility if Stuteville does dare to share it. Libels and news regularly spread through this kind of social contact: letters to friends, table talk, and other semi-private exchanges.³⁰ But Mead’s caution suggests just how porous the boundaries of those social networks could be.

A libel held at the Folger Shakespeare Library, shelfmark X.d.634, evokes that porousness with unusual clarity. The manuscript is a single leaf containing an early Stuart verse libel on Elizabethan corruption followed by two notes in the same hand describing its circulation. Under the title “The state of the lande as it was in the latter end of *our* Late Quenes gouernement,” the poem begins,

The Lordes craved all
The Quene gave all
The parlament passed all
The Keper sealed all.

The targets include not only the queen, her lords, and parliament but also ladies of honor, unscrupulous judges, and the “crafty intelligencer.” “And except *your* majestie mend all,” the poem concludes, “without *the* mercy of god the devell will have all.”³¹

This libel began its life in French with a very different topic: the “great broyles” racking late sixteenth-century France. The original version was translated into English around 1585 and spread through scribal circles.³² Sometime after Elizabeth’s death in 1603, libelers repurposed the epistrophic structure – each short line ending with “all” – to comment on the domestic situation. The poem’s satire of the French king, the Queen Mother, the Guises, and other alleged malefactors morphed into an equally

²⁹ Mead to Stuteville, January 13, 1627, in “A Critical Edition of the Letters of the Reverend Joseph Mead, 1626–1627, Contained in British Library Harleian MS 390,” ed. David Anthony John Cockburn, unpublished PhD thesis, University of Cambridge (1994), 615. See McRae, *Literature*, 36–37.

³⁰ Alastair Bellany, *The Politics of Court Scandal in Early Modern England: News Culture and the Overbury Affair, 1603–1660* (Cambridge: Cambridge University Press, 2002), 85–111; Adam Fox, “Rumour, News and Popular Political Opinion in Elizabethan and Early Stuart England,” *Historical Journal* 40.3 (1997): 597–620; James Daybell, “The Scribal Circulation of Early Modern Letters,” *Huntington Library Quarterly* 79.3 (2016): 365–85.

³¹ Folger Shakespeare Library, MS X.d.634.

³² “The Lords do now Crave all, c. 1585,” in *Verses Libel in Renaissance England and Scotland*, ed. Steven W. May and Alan Bryson (Oxford: Oxford University Press, 2016), 111, l. 4.

blunt criticism of the Elizabethan court. The Stuart rendition also added a final appeal to the new king, “your majestie,” to save the state from perdition.

This petitionary stance was typical of the early modern libel. In fact, David Colclough goes so far as to argue that “[r]ather than being primarily attacks on persons, libels acted as an unofficial means of counsel.”³³ Colclough rightly draws attention to the political sophistication of many libels. But his effort to separate the personal from the political seems to me anachronistic.³⁴ To attack public persons was to give counsel, if of an unwanted and seditious sort. Sir Edward Coke makes just this point in his 1605 report *De libellis famosis*. He argues that libels against magistrates are especially damaging, “for what greater scandal of government can there be than to have corrupt or wicked magistrates to be appointed and constituted by the King to govern his subjects under him?” Even if the target has died, Coke adds, the libeler still “traduces and slanders the state and government, which dies not.”³⁵ For Coke, attacks on individual magistrates are inseparable from criticism of the state itself. This is certainly the case for the poem in X.d.634. From its very title – “The state of the lande as it was in the latter end of our Late Quenes gouvernement” – the libel purports to anatomize a government riddled with corruption.

According to the first of the two notes following the poem, the libel’s seditious counsel was delivered directly to its addressee: the king himself. The note reads, “as is reported lett fall to the Kinge in the cocke pitt.”³⁶ Steven W. May and Alan Bryson conclude from the handwriting that this “Kinge” is either James or Charles, and they suggest that the “cocke pitt” is not the London playhouse of that name (which neither king is known to have attended) but instead “the Cockpit-in-Court at Whitehall Palace, which housed government offices.”³⁷ Given the libel’s petition for a post-Elizabethan purge, I think that the king in question is far more likely to be James than Charles. And while the cockpit could refer to a cluster of royal properties at Whitehall, there was among those structures an actual cockpit that gave them their name.³⁸ This royal cockpit hosted not only cockfighting (of which James was a fan) but also other types of shows, including, by

³³ Colclough, *Freedom*, 205.

³⁴ See McRae, *Literature*, 51–52; and Debora Shuger, *Censorship and Cultural Sensibility: The Regulation of Language in Tudor-Stuart England* (Philadelphia: University of Pennsylvania Press, 2006), 67–68.

³⁵ 5 Co. Rep. 125a. ³⁶ Folger MS X.d.634. ³⁷ May and Bryson, *Verse Libel*, 114.

³⁸ See Frances Teague, “The Phoenix and the Cockpit-in-Court Playhouses,” in *The Oxford Handbook of Early Modern Theatre*, ed. Richard Dutton (Oxford: Oxford University Press, 2009), 242.

1607 and perhaps earlier, plays.³⁹ Any kind of spectacle would have provided a suitable distraction for an anonymous troublemaker to “lett fall to the Kinge” a scrap of seditious verse.

Whatever the libel’s origins, the copyist of X.d.634 was just as worried as Mead that the text would circulate too widely. Yet also like Mead, this scribe shared the poem nonetheless. Below the libel and the note on its royal delivery, the copyist wrote to the manuscript’s recipient, “Sir I pray you lett not this or the other be shewed but to discrete frendes for that it is not knowne by whome they wer made or howe they will bee taken.”⁴⁰ Such caution is unsurprising. For Coke, “it is great evidence that he published it, when he, knowing it to be a libel, writes a copy of it” – let alone when the copyist shares the libel with a friend or acquaintance.⁴¹ In one Star Chamber case, “the Cheife publishers & delyuerers of Copies” of a libel were sentenced to be fined, imprisoned, whipped, and pilloried. “[I]t seemethe to be a perylouse thinge to keepe a lybelle,” the court warned, “especialye yf it touche the state.”⁴² Reading libels could be a risky business.

But libels still circulated widely. The transmission of “The state of the lande,” from a scrap of writing reportedly “lett fall to the Kinge in the cocke pitt” to a scribal copy shared among “discrete frendes,” is entirely typical. Contemporary accounts suggest that libels pervaded the city of London: they turned up everywhere, from the steps of the Royal Exchange to the boards of Old Fish Street to the gates of St. Paul’s Cathedral to the pulpit of the royal chapel.⁴³ Through word of mouth and written copies, they spread through variously public networks of readers and listeners.⁴⁴ Because the

³⁹ Glynne Wickham, *Early English Stages, 1300 to 1660*, vol. 2, *1576 to 1660*, pt. 2 (London: Routledge and Kegan Paul, 1972), 79–80.

⁴⁰ Folger MS X.d.634. “The other” libel referred to here has apparently not survived.

⁴¹ *John Lamb’s Case* (1610), 9 Co. Rep. 59b. See also *De libellis famosis* (1605), 5 Co. Rep. 125b, where Coke describes one of the two means of publishing a written libel: “*Traditione*, when the libel or any copy of it is delivered over to scandalize the party.”

⁴² John Hawarde, *Les Reportes del Cases in Camera Stellata, 1593 to 1609*, ed. William Paley Baildon (London, 1894), 373. See McRae, *Literature*, 36–37.

⁴³ CP 181/127, 180/21; *The Works of the Most Reverend Father in God, William Laud*, ed. William Scott and James Bliss, 7 vols. (Oxford, 1847–60), 3:229; Mead to Stuteville, January 18, 1623, in *Court and Times*, 2:355. On these and other libels found in the city, see Pauline Croft, “Libels, Popular Literacy and Public Opinion in Early Modern England,” *Historical Research* 68 (1995): 266–85; and Andrew Gordon, “The Act of Libel: Conscripting Civic Space in Early Modern England,” *Journal of Medieval and Early Modern Studies* 32.2 (2002): 375–97.

⁴⁴ See Love, *Scribal Publication*, 82–83; James Knowles, “To ‘scourge the arse / Jove’s marrow so had wasted’: Scurrility and the Subversion of Sodomy,” in *Subversion and Scurrility: Popular Discourse in Europe from 1500 to the Present*, ed. Dermot Cavanagh and Tim Kirk (Aldershot, UK: Ashgate, 2000), 79–80; and Bellamy, *Politics*, 107–11.

identities of both the copyist and the recipient of X.d.634 remain unknown, we cannot fully reconstruct its trajectory. Yet the warning that the libel should be shown only to “discrete frendes” is highly suggestive. While the copyist wanted the libel to stay within a limited social network, the cautionary note betrays a measure of anxiety that it might end up in the hands of decidedly indiscreet readers. Neither the authorities nor even their disseminators could control the circulation of libels. All that it took for a libel to spread from a private community of discreet friends to a heterogeneous public was an indiscreet acquaintance, or an errant copy, or a fresh rumor.

Libeling Leicester

Such a moment of apparent indiscretion transpires at the end of the anonymous pamphlet known as *Leicester's Commonwealth*. The book, printed in 1584 under the title *The Copy of a Letter Written by a Master of Art of Cambridge to his Friend in London*, consists of a fictional – and highly scurrilous – conversation between the scholar who supposedly wrote the letter, a gentleman, and a lawyer about Elizabeth's favorite, Robert Dudley, Earl of Leicester. As their discussion wraps up, the lawyer is particularly anxious to keep their defamatory gossip private. “[I]f ever I hear at other hands of these matters hereafter,” he confesses, “I shall surely be quake-britch and think every bush a thief.”⁴⁵ Actual readers and sharers of libels, from the X.d.634 scribe to Joseph Mead, expressed a similar fear that the texts they transcribed would escape their control. At least in *Leicester's Commonwealth*, this fear at first seems justified. The three men go to dine in a larger company, where “a gentleman or two began again to speak of my Lord [of Leicester], and that so conformable to some of our former speech (as indeed it is the common talk at tables everywhere) that the old lawyer began to shrink and be appalled, and to cast dry looks upon the gentleman our friend, doubting lest something had been discovered of our conference” (195). The lawyer's paranoia reflects the real perils that could attend seditious speech.

Yet the final sentence of *Leicester's Commonwealth* reveals that the lawyer's fear of the gentleman's indiscretion was unfounded: “But indeed, it was not so” (195). It turns out that the rumors about Leicester have

⁴⁵ D. C. Peck, ed., *Leicester's Commonwealth: The Copy of a Letter Written by a Master of Art of Cambridge (1584) and Related Documents* (Athens: Ohio University Press, 1985), 195; hereafter cited parenthetically in the text.

simply grown so pervasive as to have become a staple of dinner-table talk. This conclusion might tend to reassure any readers who turned a little quakebritch themselves at the pamphlet's seditious conversation. But it also normalizes that defamatory discourse. Far from remaining at the Catholic fringe, the gossip about Leicester is "the common talk at tables everywhere." Libeling Leicester brings together a virtual association of strangers talking about matters of public concern.

But this vision of a spontaneous anti-Leicestrian public obscures the designs of the tract itself. Although no author has ever been conclusively identified, scholars largely agree that the pamphlet emerged from a circle of English Catholic exiles based in France.⁴⁶ Dwight C. Peck attributes to the authors three primary aims: to attack Leicester; to defend Mary, Queen of Scots, and the Stuart claim to the throne; and to assuage religious strife, above all for persecuted Catholics.⁴⁷ Unsurprisingly, the book is tonally incongruous. Meticulous consideration of the succession and high-minded pleas for toleration appear alongside a host of insinuations, allegations, and outright fabrications marshaled against the Earl of Leicester. From one perspective – which may well have been shared by the authors themselves – this all amounts to a loyalist effort to save England and Elizabeth from the supposedly Machiavellian Leicester. For the regime, however, the result was a treatise brimming with "slanderous and hatefull matter."⁴⁸ There is some truth on both sides. Many of the allegations against Leicester are slanderous and hateful, not to mention false. Yet Leicester did patronize Puritan and anti-Catholic campaigns, and the persecution Catholics suffered at the hands of the state was all too real.⁴⁹

My interest here is less in the confessional politics of the moment – recently explicated with admirable clarity by Peter Lake⁵⁰ – than in the book's discursive strategies. Its dialogic framing devices have received little attention. Yet I believe that these metafictional moments are central to the tract's

⁴⁶ For varying views, see Peter Holmes, "The Authorship of 'Leicester's Commonwealth,'" *Journal of Ecclesiastical History* 33.3 (1982): 424–30; Peck, introduction to *Leicester's Commonwealth*, 25–32; and Victor Houlston, "Persons' Displeasure: Collaboration and Design in *Leicester's Commonwealth*," in *Publishing Subversive Texts in Elizabethan England and the Polish-Lithuanian Commonwealth*, ed. Teresa Bela, Clarinda Calma, and Jolanta Rzegocka (Leiden: Brill, 2016), 155–66.

⁴⁷ Peck, introduction to *Leicester's Commonwealth*, 4.

⁴⁸ TNA, SP 12/179, fol. 92r. For a modernized transcription of this document, see Peck, *Leicester's Commonwealth*, 283–84.

⁴⁹ Eleanor Rosenberg, *Leicester, Patron of Letters* (New York: Columbia University Press, 1955), 184–277; Geoffrey F. Nuttall, "The English Martyrs 1535–1680: A Statistical Review," *Journal of Ecclesiastical History* 22.3 (1971): 191–97.

⁵⁰ Peter Lake, *Bad Queen Bess? Libels, Secret Histories, and the Politics of Publicity in the Reign of Queen Elizabeth I* (Oxford: Oxford University Press, 2016), 97–152.

purpose. As its characters read, share, and discuss libels, we see the authors trying self-consciously to cultivate an anti-Leicestrian public.⁵¹ *Leicester's Commonwealth* is an especially important case because it found such a wide audience. After its 1584 printing (likely in Rouen, after which copies were smuggled into England), the book was not printed again until 1641.⁵² However, over ninety full or partial manuscript copies survive, making the libel, in H. R. Woudhuysen's words, "one of the most widely circulated prose tracts of the late sixteenth and early seventeenth centuries."⁵³ *Leicester's Commonwealth* prophetically represents the very circuits of communication that would bring it to a mass readership.

Through its epistolary frame, the tract pretends to let readers eavesdrop on a private conversation among friends. The title page announces it as *The Copy of a Letter Written by a Master of Art of Cambridge to his friend in London, concerning some talk passed of late between two worshipful and grave men about the present state and some proceedings of the Earl of Leicester and his friends in England*. The main personae are all fabricated, of course. But even if most readers saw through the fiction, it nonetheless lends a certain verisimilitude to the conversation. The pamphlet suggests that this was the kind of talk that might well pass in private between subjects concerned about the future of their country. In the "Epistle Directory" addressed to a certain "Mr. G. M. in Gracious Street in London," the Cambridge scholar emphasizes the secrecy of their proceedings. It is only with the "assurance of secrecy" that the gentleman and lawyer have agreed to have their dialogue published, and only then "with this PROVISIO, that they will know nothing nor yet yield consent to the publishing hereof" (64). This was Mead's proviso too in his letter to Stuteville: "If you do, at your owne perill. Ile deny it." Printed and (as the title page proclaims) "made common to many," *Leicester's Commonwealth* purports to bring the English public into a covert, anonymous network of libelers and libel readers (63).

After the epistle directory, the scholar begins by setting the scene. "Not long before the last Christmas," he received an invitation to spend the holiday at the house of "a very worshipful and grave gentleman," the father

⁵¹ Jacqueline Vanhoutte has recently sketched the contours of this public from a different angle, focusing on Shakespeare's theater and the trope of the aging lover: see *Age in Love: Shakespeare and the Elizabethan Court* (Lincoln: University of Nebraska Press, 2019).

⁵² See Peck, introduction to *Leicester's Commonwealth*, 5–13.

⁵³ Woudhuysen, *Sir Philip Sidney*, 149. The count of extant manuscript copies comes from Peter Beal, *Catalogue of English Literary Manuscripts 1450–1700*, www.celm-ms.org.uk/introductions/AnonLeicestersCommonwealth.html.

of one of his pupils (65). There, the gentleman and the scholar (both Protestants) are joined by an old lawyer, who is a moderate Catholic and the gentleman's trusted confidant. As the three men retire for an after-dinner chat,

this lawyer by chance had in his hand a little book then newly set forth, containing *A Defense of the Public Justice Done of Late in England upon Divers Priests and Other Papists for Treason*, which book the lawyer had read to himself a little before and was now putting it up into his pocket. But the gentleman my friend, who had read over the same once or twice in my company before, would needs take the same into his hand again and asked the lawyer his judgment upon the book. (66)

The "little book" that the lawyer – supposedly "by chance" – has in his hand is William Cecil's *Execution of Justice in England* (1583), a defense of the recent executions of Catholic priests.⁵⁴ All three of the interlocutors have read this book, whether alone ("read to himself") or together ("read . . . in my company"). When the lawyer makes a show of "putting it up into his pocket," the gentleman eagerly solicits "his judgment upon the book." It is this question that launches the meandering, defamatory dialogue of *Leicester's Commonwealth*. The catalyst for the conversation is a scene of communal reading.

At least for some, the text at the center of that community was itself a libel. In his *Defence of English Catholiques* (1584), William Allen argues that *The Execution of Justice* has all the marks of "an infamous Libel": anonymity ("passing forth without priuilege and name ether of writer or printer"), meddling in matters of state ("mouing indiscret, odious, and dangerous disputes of estate"), and defamatory lies ("manifest vntruthes, open slaunders of innocent persons").⁵⁵ In the Introduction, I examined similar accusations of libel leveled by all sides in post-Reformation controversy. The difference between Catholic and Anglican polemic, of course, was that the latter in many cases had the backing of the government. But Allen turns this fact to his advantage. He acknowledges that the unrestrained publication of Cecil's *Execution* at home and abroad means that it is "like to proceed (though in close sort) from authoritie." Yet the imprint of authority does not make the book any less libelous. Rulers "haue a thousand pretences, excuses, and coulors, of their iniust actions," he explains, and "they may print or publish what they like, suppress what

⁵⁴ William Cecil, *The Execution of Iustice in England for maintenaunce of publique and Christian peace* (London, 1583).

⁵⁵ William Allen, *A True Sincere and Modest Defence of English Catholiques* ([Rouen, 1584]), sig. *2r.

they list.”⁵⁶ Allen’s skepticism of state propaganda is certainly slanted by his own polemical stance. Yet Lake has shown that he was more or less right. The Elizabethan government indeed practiced the same anonymous, defamatory publicity tactics that it condemned.⁵⁷

If far more subtly, *Leicester’s Commonwealth* offers a similar assessment of Cecil’s *Execution of Justice*. The tract calls it “a little book,” a meaning of libel (from the Latin *libellus*) still current in the sixteenth century. But the defamatory sense was surely the more pertinent one amid the vituperative religious polemic of 1584. While the Catholic polemicists labeled Cecil’s *Execution* a libel, the publication of their pamphlets prompted a royal proclamation in October against “false, slanderous, wicked, seditious, and traitorous books and libels.”⁵⁸ Cecil’s book may have looked like a libel, especially to persecuted Catholics. But *Leicester’s Commonwealth* equally fits the criteria for libel laid out by Allen (anonymity; disputing matters of state; lies and slanders). Indeed, the Catholic pamphlet is itself a little book, printed as it was in octavo format. The tract’s initial scene of reading, then, is self-reflexive. Even as *Leicester’s Commonwealth* suggests that Cecil’s *Execution* is a libel, it presents itself too as a small book easily stowed in a pocket to be brought out among sympathetic friends.

As I noted above, the appearance of the little book in *Leicester’s Commonwealth* sparks the conversation that takes up the rest of the pamphlet. That conversation begins with an appeal to readerly judgment. When the gentleman asks the lawyer “his judgment upon the book,” the lawyer immediately starts to interrogate Cecil’s account of Catholic “treason” (66). He maintains that “hot Puritans” no less than “busy Papists . . . may be called all traitors” (67). Before long, the scholar too is wondering whether most Catholics are guilty of so grave a crime. Even if “the most part of Papists in general might be said to deal against the state of England,” he concedes, “yet (perhaps) not so far forth nor in so deep a degree of proper treason as in this book is presumed or enforced” (70). Just as the men turn to the subject of the recently executed priests, the gentleman pauses and appears to defer to the orthodox line: “howsoever this be, which indeed appertaineth not to us to judge or discuss, but rather to persuade ourselves that the state hath reason to do as it doth” (70). Far from ceding judgment to the state, however, the gentleman continues by offering his own opinion. “[Y]et for my own part,” he says, “I must confess unto you that upon some considerations which use to come unto my mind, I take no small grief of these differences among us

⁵⁶ *Ibid.*, sigs. *2r, *4r. ⁵⁷ Lake, *Bad Queen Bess*, 136. ⁵⁸ TRP, 2:506.

(which you term of divers and different religions), for which we are driven of necessity to use discipline towards divers who possibly otherwise would be no great malefactors" (71). He bemoans the confessional divisions that force the state to turn religious dissidents into political criminals. The gentleman's posture of deference is short-lived indeed.

This skeptical discussion of state violence and confessional politics soon turns to the man allegedly responsible for all England's ills: the Earl of Leicester. By the end of the dialogue, he has been found guilty of a stunning array of crimes: "more theft oftentimes in one day than all the waykeepers, cutpurses, cozeners, pirates, burglars, or other of that art in a whole year within the realm"; "more blood lying upon his head . . . than ever had private man in our country before"; "intolerable licentiousness in all filthy kind and manner of carnality, with all sort of wives, friends, and kinswomen"; "treasons, treacheries, and conspiracies about the crown"; "rapes and most violent extortions upon the poor"; and a good deal more (191). The gentleman, who has just rehearsed all these accusations, wants to bring them against Leicester at trial. He declares, "[I]f, I say, we should lay together all these enormities before her Majesty, and thousands more in particular which might and would be gathered if his day of trial were but in hope to be granted, I do not see in equity and reason how her Highness . . . could deny her subjects this most lawful request" (191–92). *Leicester's Commonwealth* similarly claims to lay bare Leicester's "enormities" for the good of queen and country.

The call for a trial is especially telling. As I explained in the Introduction, the early moderns consistently defined the libel in terms of its extrajudicial accusations. The danger of libels was that they put their victims on trial not in the courts of law but in the court of public opinion. Yet for libelers and, at least in one letter, for John Donne, that was also their promise. Reflecting on the "multitude of libells" unleashed upon the death of Robert Cecil in 1612, Donne posits that, while it is "unexcusable" to libel the dead, "there may be cases, where one may do his Countrey good service, by libelling against a live man. For, where a man is either too great, or his Vices too generall, to be brought under a judiciary accusation, there is no way, but this extraordinary accusing, which we call Libelling."⁵⁹ Donne frankly acknowledges the limits of the legal system. When the offender is too powerful or his vices "too generall" (perhaps shared even by those who would be doing the judging), libeling offers an "extraordinary" path to civic justice.

⁵⁹ John Donne, *Letters to Severall Persons of Honour* (London, 1651), sigs. N1r, N1v–N2r.

This is certainly the case in the world imagined by *Leicester's Commonwealth*. "But what would you have her Majesty to do?" the scholar asks in response to the gentleman's catalogue of Leicester's crimes (192). As he points out, the gentleman has shown the earl to be "a great man, strongly furnished and fortified for all events" (192). In Donne's terms, the earl is far "too great . . . to be brought under a judiciary accusation." The Catholic polemicists behind the pamphlet, if not its characters, have no reason to expect that Leicester will get his day in court anytime soon. The recourse that remains is what Donne calls "extraordinary accusing": to bring Leicester's alleged crimes before the reading public. Early in the dialogue, the gentleman urges "that this man's actions might be called publicly to trial, and liberty given to good subjects to say what they knew against the same" (75). *Leicester's Commonwealth* is just such a public reckoning of the earl's supposed sins. Defaming Leicester promises to bring together readers, "good subjects" or otherwise, in a national discussion about matters of state.

If they were not already, then, the pamphlet aims to make the libels against Leicester "common talk at tables everywhere" (195). No longer confined to the gentleman's gallery, the defamatory talk circulates through an indiscriminate public. At times, the subject matter even comes surprisingly close to the Habermasian paradigm of "rational-critical" discourse.⁶⁰ Of course, vitriol flows freely. The characters never run out of vituperative epithets for Leicester ("insolent, cruel, vindictive, expert, potent, subtle, fine, and fox-like," runs one representative list [75]). Yet within the pamphlet's fiction, demonizing Leicester is what makes possible a cross-confessional conversation. Leicester, described as an enemy to Puritans, Protestants, and Papists alike, becomes the only thing standing in the way of that "qualification, tolerance, and moderation in our realm" which would quell sectarian strife (185). In this "politique" worldview, the real problem is not religious difference but the sway of evil counselors and tyrannical favorites.⁶¹ The language of libel provides a common idiom for political critique in a mixed-faith society.⁶²

⁶⁰ Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger with Frederick Lawrence (Cambridge, MA: MIT Press, 1989), 28.

⁶¹ On this "politique" view, see Peck, introduction to *Leicester's Commonwealth*, 36; and Lake, *Bad Queen Bess*, 129–32.

⁶² For a parallel argument about the London theater itself, see Musa Gurnis, *Mixed Faith and Shared Feeling: Theater in Post-Reformation London* (Philadelphia: University of Pennsylvania Press, 2018).

But this utopian vision is only one side of the early modern libel. If *Leicester's Commonwealth* advocates free conversation and religious toleration, it also fits the mold anatomized by Bacon in his *Advertisement touching seditious writing*:

pretending in goodly & entycing manner Religion, defence of Innocency, and protestacion of troth, and bearinge before them deceiueable titles, and feyned occasions of their sendinge forthe; but indeede making evident digressions and excursions into matters of state, Debatinge titles, and Iurisdictions, . . . & euery way presuming to moue question of the proceedings both abroad and at home, aswell in the Church as in the civill estate; and not onely soe but farther entringe into vndutyfull & dispitefull defamacion of their superiors, depravinge their accions publike and private, and contriving and Imagenyng odious brutes, and vntrewthes against them.⁶³

Leicester's Commonwealth makes a show of religious moderation and of defending the innocent. Its epistolary frame is indeed feigned. Its entire substance digresses into matters of state, and it examines the title to the throne at length. It sharply questions the proceedings of Church and state. And, of course, it is packed with “odious brutes, and vntrewthes” against Leicester. To try to separate the “excursions into matters of state” from the slander and lies is fruitless if not anachronistic. Defamation and critical conversation go hand in hand.

This is true not only of the libel's fictional dialogue but also of the anti-Leicestrian public that quickly took shape around it. Beyond the sheer number of extant manuscripts, evidence of the tract's influence abounds. It circulated at court, at the universities, and in the Tower, and it was sold by at least one member of the Stationers' Company.⁶⁴ It spawned several spin-offs and sequels, including a French addition, a pornographic narrative of the earl's descent into hell, a ghostly complaint in the style of the *Mirror for Magistrates*, and a “Letter of Estate” imitating its epistolary frame.⁶⁵ Its scandalous anecdotes filtered onto the public stage, inspiring scenes of court corruption in Thomas Kyd's *The Spanish Tragedy* and John Webster's *The White Devil*, and perhaps even informing the dramatic

⁶³ Bacon, *Advertisement touching seditious writing*, 309–10.

⁶⁴ Peck, introduction to *Leicester's Commonwealth*, 8; Woudhuysen, *Sir Philip Sidney*, 148–49; Joseph Mansky, “The Case of Eleazar Edgar: *Leicester's Commonwealth* and the Book Trade in 1604,” *Papers of the Bibliographical Society of America* 115.2 (2021): 233–41.

⁶⁵ Peck, *Leicester's Commonwealth*, 228–48; Peck, “News from Heaven and Hell: A Defamatory Narrative of the Earl of Leicester,” *English Literary Renaissance* 8.2 (1978): 141–58; Thomas Rogers, *Leicester's Ghost*, ed. Franklin B. Williams, Jr. (Chicago: University of Chicago Press, 1972); Peck, “‘The Letter of Estate’: An Elizabethan Libel,” *Notes and Queries* 28.1 (1981): 21–35.

vogue for lecherous old courtiers, Shakespeare's Falstaff above all.⁶⁶ For its readers, the pamphlet's truth or falsity was almost incidental to the stories it purveyed and the lessons it taught. In the words of one poem inscribed on a copy of the text, "Truths or untruths, whats'ere they be / Which here you read, yet not in vain."⁶⁷ Read in vain they did not. *Leicester's Commonwealth* provided its readers with a rich set of representational resources for imagining the late Elizabethan court.

There would not be another such flood of libels around a single figure until the fall of the Earl of Essex in the late 1590s, roughly a decade after Leicester's death. Each man exercised in his time nearly unmatched cultural and political sway. Leicester and Essex shared too a proclivity for what Lake calls "the dark arts of popularity," courting public audiences to promote themselves and their interests.⁶⁸ But their proto-celebrity also made them especially vulnerable to criticism. Whether motivated by enmity or enterprise, less-than-flattering talk about Leicester and Essex circulated widely in print, manuscript, and performance. These courtiers cultivated a new media landscape that ultimately eluded their control.

Leicester's Commonwealth and its reception history illustrate this process more clearly than perhaps any other text. Life soon imitated art: the anti-Leicestrian discourse spread just as widely as the tract had imagined. As early as February 1585, Sylvanus Scory testified that the book had already become the common table talk that it purports to be in the dialogue's closing scene. Scory, the profligate son of the Bishop of Hereford and a crypto-Catholic affiliated with Leicester, maintained in an examination that he had never seen *Leicester's Commonwealth* but had "herd moch talke of yt." Pressed for details, he claimed that "he can name none specially, but hath herd yt comenly at tables."⁶⁹ *Leicester's Commonwealth* may have failed in its specific pro-Catholic aims, but its long, multimedia career suggests that it was eminently successful in catalyzing a cross-confessional public organized by scurrilous political satire.

⁶⁶ Curtis Perry, *Literature and Favoritism in Early Modern England* (Cambridge: Cambridge University Press, 2006), 34–36; Vanhoutte, *Age in Love*.

⁶⁷ Peck, *Leicester's Commonwealth*, 294.

⁶⁸ Peter Lake, *How Shakespeare Put Politics on the Stage: Power and Succession in the History Plays* (New Haven: Yale University Press, 2016), 286. See Vanhoutte, *Age in Love*; Paul Hammer, "The Smiling Crocodile: The Earl of Essex and Late Elizabethan 'Popularity,'" in *Politics of the Public Sphere*, ed. Lake and Pincus, 95–115; and Jeffrey S. Doty, *Shakespeare, Popularity and the Public Sphere* (Cambridge: Cambridge University Press, 2017).

⁶⁹ TNA, SP 12/176, fol. 172r. On Scory, see Peck, *Leicester's Commonwealth*, 245–46 n9; and Simon Adams, *Leicester and the Court: Essays on Elizabethan Politics* (Manchester: Manchester University Press, 2002), 190.

Brutus the Reader

The final scene of reading that I want to examine is at once the most private and the most public. Alone in his orchard but certainly not alone in the playhouse, Shakespeare's Brutus in *Julius Caesar* struggles to "piece . . . out" an anonymous letter found in the window of his "closet" (2.1.51, 35).⁷⁰ For Brutus, interpreting this letter (clearly marked as a libel, as I'll explain shortly) is an eminently private task.⁷¹ No friends, discreet or otherwise, are anywhere nearby. The site of the letter's discovery underscores his solitude: the closet was "the most private, inward room of the early modern house."⁷² When Brutus reads the letter and takes it to be a "petition" from the Roman people (2.1.58), it is up to him alone to decide a matter of the greatest public interest: what to do about Julius Caesar.

In the theater – a venue for public judgment – Shakespeare stages a scene of private judgment. And, as many scholars have shown, there are plenty of reasons to be skeptical of Brutus' judgment. Before receiving the anonymous letter, he explains his decision to join the conspiracy in a soliloquy that critics have long found unconvincing.⁷³ "It must be by his death," Brutus begins, starting with what we might expect to come at the end (2.1.10). His reasoning in the rest of the speech is equally muddled. Self-defeating concessions punctuate the soliloquy: "I know no personal cause to spurn at him"; "I have not known when his affections swayed / More than his reason"; "the quarrel / Will bear no colour for the thing he is" (2.1.11, 20–21, 28–29). At the outset, Brutus denies any "personal" animus against Caesar and appeals instead to "the general" interest (2.1.12). But "the general" rests on shaky grounds. Brutus marshals commonplaces – "It is the bright day that brings forth the adder"; "lowliness is young ambition's ladder" (2.1.14, 22) – to explain why crowning Caesar would make him dangerous. Yet he admits that he has no evidence that Caesar would prove tyrannical, that

⁷⁰ All quotations of the play are from Shakespeare, *Julius Caesar*, ed. David Daniell (Walton-on-Thames: Thomas Nelson, 1998), cited parenthetically in the text.

⁷¹ Several recent scholars have likewise taken the letter to be a libel: see Alan Stewart, *Shakespeare's Letters* (Oxford: Oxford University Press, 2008), 86–87; David Colclough, "Talking to the Animals: Persuasion, Counsel and their Discontents in *Julius Caesar*," in *Shakespeare and Early Modern Political Thought*, ed. David Armitage, Conal Condren, and Andrew Fitzmaurice (Cambridge: Cambridge University Press, 2009), 225–27; James Loxley and Mark Robson, *Shakespeare, Jonson, and the Claims of the Performative* (New York: Routledge, 2013), 57–60; and Lake, *How Shakespeare*, 468.

⁷² Stewart, *Shakespeare's Letters*, 86.

⁷³ See, e.g., Ronald Knowles, *Shakespeare's Arguments with History* (Basingstoke, UK: Palgrave, 2002), 104–7; Andrew Hadfield, *Shakespeare and Republicanism* (Cambridge: Cambridge University Press, 2005), 179–81; Warren Chernaik, *The Myth of Rome in Shakespeare and His Contemporaries* (Cambridge: Cambridge University Press, 2011), 98–99; and Dory, *Shakespeare*, 122.

Caesar's "affections" would overpower his "reason." By the end of the soliloquy, Brutus frankly concedes that Caesar's past and present behavior cannot justify the assassination – "the quarrel / Will bear no colour for the thing he is" – and so the murder can only be explained as a preemptive act, a morally dubious proposition at best. "Fashion it thus," Brutus decides: "that what he is, augmented, / Would run to these and these extremities" (2.I.30–31). As scholars have observed, this political "fashion[ing]" looks less like logical or moral reasoning than the beginnings of a "public relations campaign" or "spin control."⁷⁴ Brutus is grasping for a justification with which he might persuade both the people and himself.

It is in this state of mind that Brutus reads the letter thrown in at his window. From just two lines of text, he extracts a clear call to action on behalf of Rome:

"Brutus, thou sleep'st; awake and see thyself.
 Shall Rome, et cetera. Speak, strike, redress."
 "Brutus, thou sleep'st; awake."
 Such instigations have been often dropped
 Where I have took them up.
 "Shall Rome, et cetera." Thus must I piece it out:
 Shall Rome stand under one man's awe? What Rome?
 My ancestors did from the streets of Rome
 The Tarquin drive, when he was called a king.
 "Speak, strike, redress." Am I entreated
 To speak and strike? O Rome, I make thee promise,
 If the redress will follow, thou receivest
 Thy full petition at the hand of Brutus. (2.I.46–58)

Brutus interprets the letter methodically, clause by clause, yet he makes several crucial (and, we will see, not wholly warranted) assumptions along the way. First, he immediately categorizes it as one of the anonymous "instigations" that he has found throughout the city. In the late 1590s, Londoners likewise encountered scraps of seditious writing dropped in public spaces and stuck to civic surfaces. Libels, like Shakespeare's letter, penetrated private spaces too: in 1601 a servant was making his nighttime rounds when he found a libel "cast into the entrie" of the house.⁷⁵ Such scenes of discovery closely resemble the one in *Julius Caesar*, in which Brutus' servant Lucius finds the letter while "[s]earching the window for

⁷⁴ Anthony B. Dawson, "The Arithmetic of Memory: Shakespeare's Theatre and the National Past," *Shakespeare Survey* 52 (1999): 61; Oliver Arnold, *The Third Citizen: Shakespeare's Theater and the Early Modern House of Commons* (Baltimore: Johns Hopkins University Press, 2007), 155.

⁷⁵ CP 77/25, quoted in Gordon, "Act," 388.

a flint” late at night (2.1.36). One Elizabethan libel similarly took the form of a letter “without any name and so sealed up and left . . . in a window.”⁷⁶ The epistolary format was evidently quite common. By the early 1620s, the barrister William Hudson could remark that “for scandalous letters, the precedents are infinite.”⁷⁷

The letter is marked as a libel not only by its seditious content and anonymous delivery but also by the protocols of interpretation that Brutus applies. As he unpacks the final string of imperatives – “Speak, strike, redress” – Brutus directs his response to the city of Rome itself. “O Rome, I make thee promise,” he declares, “If the redress will follow, thou receivest / Thy full petition at the hand of Brutus.” Understanding the letter as a libel explains why Brutus so readily assumes that it is the voice of Rome. Whether they took the form of letters, poems, or petitions, libels often claimed to ventriloquize the popular voice. One Elizabethan libel against corrupt grain hoarders and enclosers was signed, “The Quenes true subiectes the poore,” and a libel cast into the choir of a church in Lincolnshire in 1607 excoriated local landlords in the voice of “we yo^r tenants.”⁷⁸ This claim to articulate collective grievances meant that the line between libeling and petitioning was often quite tenuous – a fact, as I discuss at length in Chapter 3, of which Shakespeare was very much aware. Brutus takes the libelous letter to be a “petition” from the Roman people, and one that only “the hand of Brutus” can resolve.

As Brutus himself acknowledges, this interpretation of the letter hinges on a critical lacuna in its text. “Shall Rome, et cetera,” he reads, determining that he alone “must . . . piece it out” and fill in the “et cetera.” In *Julius Caesar*, however, interpretation is always fraught.⁷⁹ The play’s Cicero provides what critics have called the “emblematic” or “key” statement of this problem when he says, “men may construe things after their fashion /

⁷⁶ K. J. Kesselring, ed., *Star Chamber Reports: BL Harley MS 2143* (Kew: List and Index Society, 2018), 63.

⁷⁷ William Hudson, *A Treatise of the Court of Star Chamber*, in *Collectanea Juridica*, ed. Francis Hargrave, vol. 2 (London, 1792), 101. For reports of libels sent “in the forme and likenes of letters,” see James Stokes and Robert J. Alexander, eds., *REED: Somerset, including Bath*, 2 vols. (Toronto: University of Toronto Press, 1996), 1:37; and Rosalind Conklin Hays et al., eds., *REED: Dorset, Cornwall* (Toronto: University of Toronto Press, 1999), 221. On the genre, see Gary Schneider, “Libelous Letters in Elizabethan and Early Stuart England,” *Modern Philology* 105:3 (2008): 475–509; and Daybell, “Scribal Circulation,” 372–75.

⁷⁸ CP 185/129; John Walter, “The Pooremans Joy and the Gentlemans Plague’: A Lincolnshire Libel and the Politics of Sedition in Early Modern England,” *Past and Present* 203 (2009): 66.

⁷⁹ Many critics have pointed this out: see, e.g., Ian Donaldson, “Misconstruing Everything’: *Julius Caesar* and *Sejanus*,” in *Shakespeare Performed: Essays in Honor of R. A. Foakes*, ed. Grace Ioppolo (Newark: University of Delaware Press, 2000), 88–107; Colclough, “Talking to the Animals,” 227; and Dory, *Shakespeare*, 98–130.

Clean from the purpose of the things themselves” (1.3.34–35).⁸⁰ “Misconstru[ing] everything,” as another character later puts it, seems to be the lot of nearly everyone in the play, Brutus included (5.3.84). In fact, we have already learned that the letter comes not from the city of Rome but from Cassius, the chief conspirator. In his only soliloquy in the play, Cassius schemes,

I will this night
 In several hands in at his windows throw,
 As if they came from several citizens,
 Writings all tending to the great opinion
 That Rome holds of his name – wherein obscurely
 Caesar’s ambition shall be glanced at. (1.2.314–19)

Cassius co-opts the popular politics of libel. His forged letters, purportedly from “several citizens,” are just another ploy to get Brutus to join the conspiracy. What Brutus takes to be the voice of Rome is a patrician construction rather than a plebeian reality.

As Brutus pieces out the forged libel, he too is complicit in the eclipse of the popular voice.⁸¹ He fills in the “et cetera” not with genuine popular grievances but with his own storied ancestry: “Shall Rome stand under one man’s awe? What Rome? / My ancestors did from the streets of Rome / The Tarquin drive, when he was called a king.” Whether we punctuate “What Rome?” or “What, Rome?” Brutus’ question is telling. He displays none of Robert Cecil’s humility in the face of a libel. For Brutus, the letter’s “Rome” is the Rome of his ancestors, the Rome of the famed founder of the Republic, Lucius Junius Brutus. This is a republican Rome, but one with a Brutus at the center of things. If in his earlier soliloquy he “fashion[ed]” Caesar into a would-be tyrant, now he fashions himself as the savior of the Republic. Political fashioning, like libeling, seems to be an exercise reserved for the patrician class. Interpretations are hashed out behind closed doors and only then foisted upon the citizens.

Yet the citizens soon burst into the play and insist on making their own judgments. “We will be satisfied: let us be satisfied,” they cry in the wake of Caesar’s assassination (3.2.1). At first, they act like a model deliberative body. “I will hear Brutus speak,” one citizen announces; “I will hear Cassius, and compare their reasons / When severally we hear them rendered,” responds another (3.2.8–10). This is a metatheatrical moment: like these ordinary

⁸⁰ Naomi Conn Liebler, *Shakespeare’s Festive Tragedy: The Ritual Foundations of Genre* (London: Routledge, 1995), 98; Doty, *Shakespeare*, 122.

⁸¹ See Arnold, *Third Citizen*, 153–56; and Doty, *Shakespeare*, 121–22.

Romans, Shakespeare's audience will soon find themselves comparing "reasons" as they watch the dueling speeches (Brutus' and Antony's) that follow. If only in passing, the play shows its spectators how they might exercise their own critical faculties in the theater.

Before long, of course, any prospect of measured deliberation vanishes as the plebeians devolve into an angry mob, out for blood. "Revenge! About! Seek! Burn! Fire! Kill! Slay!" is certainly not the sound of citizens comparing reasons (3.2.199). But the patricians, as discussed above, show little better judgment. In *Julius Caesar*, libels merely lend a populist gloss to the self-interested (or at least self-absorbed) machinations of the nobility. Brutus' solitary reading and the citizens' collective clamor seem like opposite poles of political judgment. Yet both end in bloodshed. The conspirators stab Caesar to death in the Capitol; the mob tears Cinna the poet to pieces in the street. Brutus maintains that he has "reasons . . . full of good regard" while the citizens kill Cinna only for his name and his "bad verses," but by this point the play has taught us to be skeptical of both parties (3.1.224, 3.3.30). *Julius Caesar* makes misjudgment a matter of life and death for plebeians, for patricians, and for the Republic itself.

But if the play's characters remain mired in their interpretive failures, Shakespeare's audiences need not have. Jeffrey S. Doty convincingly argues that *Julius Caesar* "opens a space of critical distance" in the theater, "[t]reating interpretation itself as a matter of shared, public inquiry." For Doty, however, this public inquiry stands in sharp contrast to the culture of libel. He argues that "Shakespeare shears off the overheated ad hominem rhetoric and protocols of secrecy that defined politics, creating opportunities instead for cool analysis of how princes gain, legitimate, and secure their authority. This poses a corrective to a public sphere that was dominated by slander and personal attacks."⁸² Yet I have argued that ad hominem attack and cool analysis were practically inseparable. Libels such as *Leicester's Commonwealth* opened up spaces for public political judgment precisely by purporting to pierce the veil of secrecy around the court. The early modern public sphere was not just dominated but in no small measure constituted by defamatory discourse. Even if Shakespeare tried to shear off the slander – and I am not sure that he did – it remained an essential mode of political analysis, not least of all in the theater.

In any case, Shakespeare's scene of libel shares a reflexive style of address with the other representations of reading I've examined in this chapter. Each in its own way calls attention to the interpretive agency of the

⁸² Doty, *Shakespeare*, 118, 130, 129.

audience. Or, to borrow Bacon's language, each "advertise[s]" its audience so that "by the Circumstances men may iudge of the matter."⁸³ What exactly that judgment should look like is another matter altogether. Bacon hopes his exposé of seditious writing will help the English people – or at least the good, indifferent, and reasonable among them – to see through the libelers' false pretenses. The authors of *Leicester's Commonwealth* want readers to believe or at least to recirculate its seditious talk. And Shakespeare shows playgoers the perils of misreading libels. Whatever their particular ends, however, all three works turn on the judgment of the people. Having considered the circumstances, the readers or listeners or spectators would judge however they saw fit. So it went with libels' style of the stage – a theatrical analogy that will continue to reverberate through the rest of this book.

⁸³ Bacon, *Advertisement touching seditious writing*, 312.