

Reconsidering the Jephthah Allusion in Hamlet

by Connie J. Beane

O Jephthah, judge of Israel, what a treasure hadst thou!
(*Hamlet* 2. 2. 345)¹

While Hamlet is talking to Rosencrantz and Guildenstern in Act 2, prior to the arrival onstage of the visiting players, Polonius enters to deliver news of their coming. Hamlet then taunts Polonius/Corambis,² calling the old man “Jephthah” and referring to his “one faire daughter and no more, the which he loued passing well” (2.2.349-350). The incident occupies less than a dozen lines and on the surface, appears trivial. However, in Shakespeare’s plays, what appears to be trivial is sometimes significant.

Who was Jephthah, and why would Hamlet compare Polonius to him?

The Biblical Jephthah

Scholars have long recognized that “Jephthah” is a reference to a story found in the eleventh and twelfth chapters of the biblical Book of Judges. Hamlet’s remarks allude specifically to the last ten lines of chapter eleven, which detail how Jephthah, going into battle against the Ammonites on behalf of Israel, makes a solemn vow to God that if he returns victorious, “that thing that commeth out of the doores of my house to meete me...shall be the Lordes, and I will offer it for a burnt offering” (Judges 11:31, Geneva Bible (1587)). Tragically, the first “thing” to come out of Jephthah’s house upon his return is his only child, an unmarried daughter, whom he duly sacrifices in obedience to his vow: “...for I haue opened my mouth vnto the Lorde, and can not goe backe” (Judges 11:35).

The story of Jephthah was familiar to Elizabethans. Judges 11 was read on April 1st as the first lesson at Morning Prayers, per the calender established in the Book of Common Prayer, 1559. Therefore literate households would probably have read it, or would have heard it read regularly in their personal devotions as well. Hamlet’s refer-

ence at 2.2.361 to “the pious chanson”³ has led researchers to search for contemporary ballads on the subject of the biblical Jephthah. They found one listed in the Registers of the Stationers’ Company for 1567-8 entitled the “songe of Jefphas dowgter at his [her] death” (Collier 169). Unfortunately, no copy of this ballad has survived. The copyright to another ballad, entitled “Jeffa, Judge of Israel,” was transferred in 1624, but its date of composition is unknown (Arber 93).

Research also turned up references to three contemporary dramas based on the biblical story. George Buchanan’s neo-Latin school play, *Jephtes sive votum tragoedia* [The Tragedy of Jephthah’s Vow], was probably written some time between 1540 and 1547 and published in 1554; Roger Ascham praised it in *The Scholemaster* (1570) (Shugar 135). A second play on the subject, written in Greek by John Christopher-son around 1544, was so obscure as to be virtually unknown, even to university graduates. Finally, entries in Philip Henslowe’s *Diary* in 1602 indicate that he laid out money for costumes, licensing, and payments to authors Anthony Munday and Thomas Dekker, for a play entitled *Jephtah Judge of Israel* (Wiggins and Richardson, IV, 388-89). The play appears to have been performed in July 1602, but it does not seem to have ever been printed, and there is no contemporary mention of it, other than in Henslowe’s *Diary*.

Commentary by Shakespeare scholars on Hamlet’s Jephthah allusion has been sparse. They identify the biblical reference in Judges 11:37-38, delve into Hamlet’s reference to a “godly Ballet” or “pious chanson,”⁴ and note the existence of the three more-or-less contemporary English plays on the subject.

The majority of commentary has focused on the allusion’s supposed foreshadowing of the death of Ophelia and on the parallels between Jephthah and Polonius in their “sacrifice” of their respective daughters to their ambitions.

While these readings can be supported by the scant handful of lines in Act 2, Scene 2, we should remember that in Shakespeare the plain meaning of the text does not always constitute the only possible interpretation. Most commentators,⁵ because their focus has been largely on the biblical text and the associated ballad, have neglected to

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explore the possibility that other contemporary references to Jephthah existed that would have been known to Elizabethans.

Jephthah and the Seventh Homily Against Swearing

Following the schedule mandated in the Book of Common Prayer, Judges 11 was read in church once a year, but it was not the only time Jephthah was mentioned in a liturgical context. He also makes an appearance in the seventh homily of *Certain Sermons or Homilies* (1547),⁶ written by Archbishop Thomas Cranmer, which would have been read in many churches as part of the Anglican service.

The seventh homily is entitled “Against Swearing and Perjury,” and the second part, in which Jephthah is mentioned, is sub-headed “Unlawful oaths and promises are not to be kept.” Here Jephthah is linked with Herod (Mark 6:14-29, Matthew 14:6-11) and the “wicked Jews” of Acts 23, as examples of those who “make wicked promises by an oath, and will perform the same.” The homily goes on to say that “the promise, which [Jephthah] made most foolishly to God, against God’s everlasting will and the law of nature most cruelly he performed, so committing against God double offence....” (Griffiths 78).

Jephthah and An Invective Against Swearing

To keep that oath were more impiety
Than Jephthah’s, when he sacrific’d his daughter.
(3 Henry VI 5.1.93-94)

Contemporaneous with the First Book of Homilies was a treatise written by Cranmer’s chaplain, Thomas Becon,⁷ entitled *An Invective Written Against the Most Wicked and Detestable Vice of Swearing* (115-78). Whether Becon’s work was an expansion of the seventh homily, or the homily was based on Becon’s *Invective* – the matter has been debated (Griffiths xxviii, and Wright and Neil 266) – the two share a similar structure and references. Becon’s *Invective* however, was a detailed, scholarly work suitable for a more educated audience than the Homilies, citing many commentaries – including those of Solomon, the Venerable Bede, and saints Isidorus, Jerome, Augustine, and Ambrose – at some length (Ayre 350-92).⁸

Some man will say, peradventure, Are all oaths to be observed? Shall a man fall into the sin of perjury, if he performeth not whatsoever he hath promised? I answer, Nay, not so. God forbid, that all oaths promised and vows should be performed: for many are foolish, wicked, and ungodly. ...For “an unfaithful and foolish promise,” saith Salomon, “displeaseth God.” “In evil promises, break thy faith,” saith Isidorus; “...That thou has vowed unadvisedly, look thou do it not. For that is a wicked promise, which is fulfilled in

sin.” . . . St. Jerome also saith” “Thous shalt do better, O brother, if thou dost abstain from the ungodly act, then if thou dost stiffly perform foolish words and perilous vows.” Hereto agreeth the saying of St. Austin: “It is a point of great wisdom for a man to call that again, which he hath evil spoken.” St Ambrose also saith: “It is against all godly honesty many times to perform the oath that is made . . .”

In concilio Toletano it was decreed, “it is better not to fulfil the vows of a foolish promise, than by the observance of them to commit any wickedness” . . .

Such an oath, promise, or vow made Jephthe

(Ayre 372)

Becon’s works, which numbered over forty, were highly popular in the latter half of the sixteenth century. Most were originally printed as separate tracts and widely circulated in that form. The printer John Day, who specialized in Protestant literature and pamphlets, and was the publisher of Foxe’s *Actes and Monuments*, was granted a license in 1549 to reprint all of Becon’s writings, indicating that the demand for them was considerable (Becon 13). A three-volume folio edition was published in 1564.

Between the homily and Becon’s treatise, an Elizabethan with the standard Protestant religious education was probably familiar with the unlawful oath aspect of the Jephthah story, beyond the bare bones of the story in Judges 11 and its balladic incarnation.

Jephthah in Drama

It was just prior to the publication of the Homilies and *Invective* that the two academic dramas mentioned above were written: Christopherson’s Greek tragedy and Buchanan’s *Jephtes sive votum tragoedia*. Although Christopherson’s play is frequently mentioned by modern scholars in connection with Jephthah, it was probably unknown to the vast majority of Elizabethans⁹ and should not be considered part of the cultural landscape of *Hamlet*. Buchanan’s play, on the other hand, was popular both on the Continent and in England, and was readily available in both the original Latin and in French translation, although it was not translated into English until the eighteenth century.

Buchanan’s play was consciously modeled on Euripides’ tragedy of *Iphigenia at Aulis* and its classical themes predominated. As in the homily and Becon’s treatise, the morality of Jephthah’s oath was considered, but the tragic events were Buchanan’s primary focus (Ephraim 23). It has been suggested Buchanan’s play may have been the source for Anthony Munday’s and Thomas Dekker’s lost play of 1602 (Shugar 239,

note 40). There is no manuscript or printed text of the latter, so there is no way to be certain of the nature or extent of any parallels. However, both Munday and Dekker were probably familiar with the homily and Becon's *Invective* as well as Buchanan's play. Anthony Munday's poem on Jephthah (see below) appears to be unknown to commentators on Shakespeare's *Hamlet*, but it may provide some indication of how he and Dekker handled the subject in dramatic form.

Jephthah in Poetry

Anthony Munday published a series of metrical tragedies entitled *The Mirroure of Mutabilitie* in 1579, "Describing the Fall of divers famous Princes and other memorable Personages. Selected out of the Sacred Scriptures." It was modeled on the pattern of the highly popular *Mirror for Magistrates* and dedicated to "the right honourable the Earle of Oxenford."

Mutabilitie was laid out in two parts, the first dealing with the seven deadly sins represented by various biblical characters such as David, Herod, Pharaoh, and Nebuchadnezzar. The second part illustrated other sins and virtues such as *Cruelty*, *Magnanimity*, *Vain-glory*, etc. Under the heading of *Rashnes* we find Jephthah. The induction recites a brief prose version of the biblical story, ending with a summary whose wording is not found in the scriptures: "A right and rare example for all men to take heed of vaine oaths." Then comes a seven-line rhymed acrostic spelling out "r-a-s-h-n-e-s," followed by eleven six-line stanzas of poetry in which "Jephta sometime Judge of Israel" utters a "complaint...for his so rash vow, in the sacrificing of his Daughter...." The first nine stanzas review the familiar details from Judges 11, but in the tenth and eleventh, the moral is cast in terms of vows and rash oaths:

The time expirde, the Mayden turnd agayne,
Then offered I to God my Sacrifice:
Thus my *rash vow*, returned to my payne,
To hunt for praise, which did me moste despise.
When Man will make *a vow without respect*:
It God offends, his soule it doth detest.

You yunger peeres therefore be warnd by me,
Unto your voves alwayes have good regard:
Respect in time the daunger for to flee,
Least unto you do happen like reward.
Stil vow no more than well perfourme you may:
And to be sure you cannot goe astray.

(emphasis added)

Jephthah in Chaucer

Another allusion to Jephthah overlooked by commentators on *Hamlet* is in the Physician's Tale in Geoffrey Chaucer's *Canterbury Tales*. That it was overlooked is perhaps not surprising, since the tale is not one of the better-known ones, and some modern editions of the *Tales* omit it entirely (Harley 1). Richard L. Hoffman says "the Physician's Tale has called for very little literary criticism, even of the appreciative variety; less, perhaps than any other complete tale in the book ..." (21).

The Jephthah reference in Chaucer is even more fleeting than the one in *Hamlet*. The doomed Virginia requests that her father "yif me leyser... / My deeth for to compleyne a litle space; / For, pardee, Jепte yaf his doghter grace / For to compleyne, er he did hir slow, alas! (328-44)" (Hoffman 23). Sadly for Virginia, her father did not give her the two-month reprieve that Jephthah allowed his daughter, but "slow" [slew] her almost immediately.

In Chaucer, Jephthah's daughter is mentioned, but his vow is not, "...[it] is presumably to be inferred by readers who know the story of Jephthah" (Beidler 276). In *Hamlet* the vow also goes unmentioned, presumably also to be inferred by those who know the story.

The Franklin's Tale precedes the Physician's Tale¹⁰ and is traditionally considered its companion (Beidler 178). While it makes no specific reference to Jephthah, his daughter, or his vow, it explicitly explores the making of a rash vow to commit an unlawful act – just like Jephthah. In some ways these two tales are mirrors, because in the Franklin's Tale the vow is not kept and everyone survives; in the Physician's Tale, Virginius, who hasn't made any vow at all, commits the same horrific murder as Jephthah.

Chaucer's *Canterbury Tales* was published in nine editions between 1477-78 and in 1561. New editions in 1598 (dedicated to Sir Robert Cecil) and in 1602 made it available to an even wider readership. We know that Shakespeare was familiar with the "Doctor of Physik's Tale" because he makes at least one direct reference to it when Titus, in *Titus Andronicus*, compares himself to Virginius when he kills his daughter Lavinia after she is raped and mutilated.

Scott Hollifield finds extensive evidence of Shakespeare's knowledge of Chaucer in many of the plays, but specifically sees "strong tonal echoes" of the Physician's Tale in *The Rape of Lucrece* (36). Sherron Kopp, as well as a number of other scholars, sees the magician in the Franklin's Tale as the pattern for Prospero in *The Tempest*. We are justified, therefore, in concluding that Shakespeare would have known the Jephthah parallels in both tales.

Jephthah and John Foxe's *Actes and Monuments*

The author of *The First Book of Homilies*, Thomas Cranmer, Archbishop of Canterbury, suffered martyrdom under Queen Mary (and King Philip) on March 21, 1556. The story of his martyrdom was included in the 1570, 1576, and 1583 editions of John Foxe's *Actes and Monuments* and would therefore be part of the cultural landscape of Elizabethan England.¹¹ During his trial for heresy on September 12, 1555, Cranmer was interrogated by Dr. Thomas Martin on the subject of the oaths he had taken:

Master Cranmer, ye have told here a long glorious talke, pretending some matter of conscience in apparaunce, but in verity you have no conscience at all. You say that you have sworne once to King Henry the eight against the Popes jurisdiction, and therefore ye may never forswear the same, and so ye make a great matter of conscience in the breach of the sayd oath. Here will I aske you a question or two. What if you made an oath to an harlot to live with her in continuall adultery? Ought you to keepe it?

Cranmer. I thinke no.

Martin. What if you did sweare never to lend a poore man one penny, ought you to keep it?

Cranmer. I thinke not.

Martin. Herode did sweare what soeuer his harlot asked of him, he would geue her, and he gave her John Baptistes head: did he well in keeping his oath? [Marginalia: Unadvised oathes are not to be kept.]

Cranmer. I thinke not.

Martin. Jehpthe, one of þe Iudges of Israel, did sweare unto God, that if he would give him victory over his enemies, he would offer unto God the first soul that came forth of his house: it happened that his owne daughter came first, and he slue her to saue his oath. Did he well? [Marginalia: Jephthes oath.]

Cranmer. I thinke not.

Martin. So sayth S. Ambrose de officijs. ***miserabilis** necessitas quæ soluitur parricidio.

Then M. Cranmer, you can no less confesse by þe premisses but that you ought not to have conscience of every oath, but if it be just, lawfull, and aduisely taken. [Marginalia: That is, it is a miserable [*sic*] which is payd with parricide.] (Foxe 2091)

Dr. Martin was probably familiar with the homily *Against Swearing and Perjury* authored by Cranmer, and he may have deliberately repeated two of the references – Herod and Jephthah – the archbishop had used, seeking to expose Cranmer's failings

in regard to the oaths he had sworn variously to the Church and to the King.

Polonius and Oaths

The homily *Against Swearing*, Becon's *Invective*, Munday's poem "Rashnes" in *Mirroure of Mutabilitie*, Foxe's *Actes*, and Chaucer's Physician's Tale clearly indicate that Jephthah's oath would have been recognized by most Elizabethans as at least as significant as the sacrifice of his daughter.

Does Shakespeare, when Hamlet compares Polonius to Jephthah, merely intend to foreshadow Ophelia's death and draw a parallel between the destructive ambitions of the two men, as most commentators conclude – or is he intimating that the King's councilor was a party to some sort of unlawful oath?

Based on his actions in the play, Polonius is not given to oaths. He utters a few mild ones such as "by the mass" and "Marry [Mary]," a pervasive social habit criticized in the first part of the homily *Against Swearing*.¹² In this regard, Polonius is practically a Puritan in comparison to some of Shakespeare's other characters. He does tell Queen Gertrude that "I swear I use no art at all" (2.2.96), when she accuses him of embroidering his account of Hamlet's behavior, but this also falls into the first category mentioned by the homily, being intended only "to bring himself in credence with his neighbours."¹³

Other than this, Polonius's remarks on the subject actually suggest a cynical attitude toward the keeping of vows, oaths, and solemn promises. Early in the play he remarks "how prodigal the soul / Lends the tongue vows" (1.3.115-116) and a few lines later he warns Ophelia, "Believe not his [Hamlet's] vows, for they are brokers, . . . / Breathing like sanctified and pious bawds / The better to beguile. . . ." (1.3.126, 129-130). There is little evidence in the play to indicate that Polonius the character has sworn any oath that was rash, unlawful, or ill-advised. Was Shakespeare using him as a proxy to represent someone who had?

In 1869 George Russell French suggested that Polonius was based at least in part on Queen Elizabeth's chief minister and close confidante, William Cecil, Lord Burghley (French 301-2). This idea was followed up in 1921 by Lilian Winstanley. If Polonius was intended to represent Burghley, is there any incident in the latter's life which connects to the theme of an unlawful oath? There is, indeed, such an incident – a highly politicized one, which would account for the oblique and abbreviated nature of the allusion.

The Bond of Association

In the late fall of 1583 England was shaken by the revelation of the abortive Throck-

morton plot to assassinate Queen Elizabeth. On the heels of this came the assassination in July 1584 of William of Orange, the leader of the Dutch revolt against the Spaniards in the Netherlands. Within weeks of the Dutch leader's assassination, on October 19th, Burghley and Walsingham drafted and presented to the Privy Council an unusual document entitled *The Instrument of an Association for the Preservation of Her Majesty's Royal Person*,¹⁴ more commonly known as the *Bond of Association*:

And to that end, we and every of us, first calling to witness the Name of Almighty God, do voluntarily and most willingly bind our selves, every one of us to the other, jointly and severally in the band of one firm and loyal society; and do hereby vow and promise by the Majesty of Almighty God, that with our whole powers, bodies, lives and goods, and with our children and servants, we and every of us will faithfully serve, and humbly obey our said sovereign lady Queen Elizabeth, against all states, dignities and earthly powers whatsoever; and will as well with our joint and particular forces during our lives withstand, pursue and offend, as well by force of arms, as by all other means of revenge, all manner of persons, of whatsoever state they shall be, and their abettors, that shall attempt any act, or counsel or consent to any thing that shall tend to the harm of Her Majesty's royal person; and will never desist from all manner of forcible pursuit against such persons, to the utter extermination of them, their counsellors, aiders and abettors....

But do also further vow and protest, as we are most bound, and that in the Presence of the eternal and everlasting God, to prosecute such person or persons to death, with our joint and several forces, and to act the utmost revenge upon them, that by any means we or any of us can devise and do, or cause to be devised and done for their utter overthrow and extirpation.

And to the better corroboration of this our Loyal Bond and Association, we do also testify by this writing, that we do confirm the contents hereof by our oaths corporally taken upon the Holy Evangelists, with this express condition, that no one of us shall for any respect of person or causes, or for fear or reward, separate ourselves from this Association, or fail in the prosecution thereof during our lives, upon pain of being by the rest of us prosecuted and suppress as perjured persons, and as public enemies to God, our Queen, and to our native country; to which punishment and pains we do voluntarily submit ourselves, and every of us, without benefit of colour and pretence.

In witness of all which premises to be inviolably kept, we do to this writing put our hands and seals....

(Bond of Association, spelling modernized)

Although her name was not specifically mentioned, it is believed that Mary, Queen of Scots was its target (Lyon 194).

The heavy religious emphasis in the instrument—“calling to witness the name of Almighty God,” “vow and promise,” “our oaths corporally taken upon the Holy Evangelists”¹⁵ – is striking, as is the fact that the language implicitly authorizes the signatories to act extra-judicially “to prosecute such person or persons to death... and to act the *utmost revenge upon them... by any means we or any of us can devise or do... for their utter overthrow and extirpation*”; indeed, it obligated them to do so “*upon the pain of being by the rest of us prosecuted and suppress as perjured persons*” (emphasis added).

This “assassins’ charter,” as it has been called (De Lisle), was signed by all the members of the Privy Council within days of its being presented to them. In the weeks afterward Burghley and Walsingham worked to persuade other peers and prominent men to sign. Although there was an initial rush to subscribe, there were some who held back, uneasy over the vigilante features of the “instrument.” To ease these fears, in December a “Bill for the Queen’s Safety” was drafted which more or less replicated the provisions of the Bond, but provided for issuance of formal warrants against the accused and a trial by a commission prior to imposition of punishment. After some revision it was eventually passed (27 Eliz. I. c. 1) in March. However, there was still a lingering question whether or not the Bill superseded the Bond and thereby abrogated the oath the signatories had sworn therein (Cressy 225; Dean 64). Elizabeth herself seemed to think not, because after Mary, Queen of Scots was tried and condemned in connection with the Babington plot, she attempted to evade the public opprobrium of ordering Mary’s formal execution by persuading one of the Bond signatories (Guy 480-1) to fulfill his oath and commit a private assassination.

Burghley’s Unlawful Oath and Its Fulfillment

Burghley, as one of the primary architects of the 1584 *Bond of Association* and probably one of its first signatories, can be seen as a contemporary Jephthah: a man who swore a solemn, conditional oath to God, the fulfillment of which obligated him to commit an unlawful act – murder – against a person or persons yet unnamed. Not only did Burghley swear to the oath himself, but he used his considerable influence to have other members of the Privy Council and dozens, if not hundreds, of others around England to do likewise.

With the private “Instrument of an Association for the Preservation of Her Majesty’s Royal Person” and its companion parliamentary law – “An act for provision to be made for the surety of the Queen’s most royal person” (27 Elizabeth I, c. 1, 1585) (Cobbett, vol. 1, p. 1642)¹⁶ – at hand, Burghley and Walsingham waited patiently for the fly to walk into their net, which she soon did, probably with some help from Walsingham’s network of spies and provocateurs. The law passed in March 1585, and by January 1586, the Babington plot¹⁷ was “discovered.” Mary was arrested on August 11, moved to Fotheringay Castle, and tried for treason. She was convicted on October 25 and sentenced to death. Burghley was one of the noblemen who served

on the commission appointed to try her, and although he was nominally ranked low in the peerage, his office as Lord Treasurer made him one of the four top-ranking members of the Commission. From accounts of the trial, it is clear that he took an active part in the proceedings.¹⁸

Despite the Commission's verdict and sentence, however, Queen Elizabeth refused to issue an order of execution. Over the next several weeks, Burghley and other members of the Privy Council put great pressure on her. There was a major debate in Parliament on November 3. On November 12 a joint petition drafted by the Speaker of the House of Commons, John Pickering – carefully amended by Burghley – was presented to her, requesting her to give directions for proceeding against Mary. Elizabeth declined to act. On November 24 a Parliamentary delegation visited her to urge action, but again she evaded them. She eventually consented to a public proclamation of the verdict on December 6, but allowed things to drag on for several more weeks until she finally signed the warrant of execution on February 1, 1587.

Although Elizabeth gave her secretary, William Davison, strict instructions not to send the warrant until she gave him leave, Burghley somehow gained possession of it, and on February 3 he called the Privy Council together and convinced them to act, as a group, to order the dispatch of the document to Fotheringay, on the grounds that the Queen having done all that was necessary under the law, it was now their duty to carry out her orders without bothering her with the details (Hosack 457-8). The Clerk of the Privy Council was hastily sent off to Fotheringay, and on February 8, 1587, Mary was beheaded. Burghley did not, like Jephthah, do the deed with his own hands, but it is abundantly clear from the record that he did everything in his power short of wielding the ax himself, to fulfill the oath he and others had sworn.

The Bond of Association and the Date of Hamlet

The orthodox date assigned to *Hamlet* by strict constructionists¹⁹ is after the publication of Meres' *Palladis Tamia* in 1598 and before the publication of the 1602 quarto of *Hamlet*. However, as early as 1796, James Plumptre (or Plumtree) argued in his *Observations on Hamlet* that many details in the play reflected events of the life of Mary, Queen of Scots, and in 1921 Lilian Winstanley covered much of the same ground in *Hamlet and the Scottish Succession*. If this thesis is correct, the play would have been topical between 1584-1589. A number of scholars have admitted – without mentioning the theories of Plumptre or Winstanley – that the existence of a handful of anecdotal references to a *Hamlet* play dating back to 1589 suggest that a date of 1586-1589 for a first version is possible.

Several nineteenth-century scholars, disinclined to ascribe this early version of the play to Shakespeare himself, postulated the existence of an *Ur-Hamlet*,²⁰ supposedly

written by Thomas Kyd or some unknown playwright. More recent commentators have concluded that it is possible that Shakespeare himself was the author of the version of the play noticed in 1589.

...Andrew Cairncross, who devoted a book to *The Problem of Hamlet*, dated it 1589 (182). ...Harold Bloom believes that “Shakespeare himself wrote the *Ur-Hamlet* no later than 1589” (383). Charles Knight assumes its existence in 1587 (329). Carl Elze suggests around 1585-6 (xvi). And there is the scholars’ bible, *Narrative and Dramatic Sources of Shakespeare* by Geoffrey Bullough, who would see *Hamlet* as highly topical around 1587, but speculates on a 1597 to 1600 date for Shakespeare’s first version of it (VII 18).

(Jolly 11)

If the Jephthah allusion is linked to the *Bond of Association*, the case for a pre-1598 *Hamlet* is strengthened. Like the details in the play supposedly reproduced from the life of Mary, Queen of Scots, references to the Bond and its unlawful oaths would have been a white-hot topic a year or two either side of her death in 1587, but not a decade later.

Edward de Vere and the Jephthah Allusion

In James Black’s 1978 article, “*Hamlet’s Vows*,” he says, “*Hamlet* itself...is a play in which there is special emphasis on promises and vows” (33), but he points out that many of these – such as Gertrude’s marriage vow to her first husband, Hamlet’s father – have either been broken, or are brushed aside as likely to be broken – as Polonius brushes aside Ophelia’s account of Hamlet’s vows of love for her (36). Hamlet’s vow to revenge his father is a contravention of an admonition in the Sermon on the Mount (Matthew 5), but “whatever pattern of imagery we may detect in Hamlet’s speech, there can be no doubt that Hamlet has taken . . . a vow of the most profound nature” (Black 37). Not only has he sworn an unwise oath, but he has also disregarded the Sermon’s admonition not to exact an eye for an eye (38).

This situation in *Hamlet* is eerily reminiscent of what we have seen of the events surrounding the signing of the *Bond of Association*, but the resemblance becomes even more pointed when Black goes on, “His appalling doubts about the task he has undertaken are voiced chiefly in the soliloquies. But what also appears to surface in at least one of Hamlet’s speeches is an uneasiness in his mind concerning swearing itself.” Black then brings forward the Jephthah allusion and describes its connection with the ballad, the biblical story, and the homily *Against Swearing* (40-1).

But if we accept this exchange only as Hamlet “harping on [Polonius’s] daughter...and baiting Polonius, we get no more from the business than Polonius himself understands. ...as Polonius talks...perhaps Polonius momen-

tarily becomes for Hamlet the nearest convenient mirror, a glass in which Hamlet sees not just Polonius, the prating fool and ruthless intriguer, but also himself, a Jephthah. . . . Hamlet may be harping not just upon Polonius and his daughter, but also upon his own rash vow. For in terms of that vow, Hamlet is a Jephthah too.

(Black 41-2)

This is where Black stops short. Either he was unaware of the old research connecting *Hamlet* to events in the life of Mary, Queen of Scots, or he did not consider it relevant to his thesis. But in ignoring this possible connection to historical events, he missed the connection between the *Bond of Association* and *Hamlet's* “especial emphasis on promises and vows” (33).

As one of the highest-ranking members of the Elizabethan peerage, Edward de Vere was at the epicenter of the events of 1584-1587 surrounding the Bond of Association. As the earl of Oxford he would have been under pressure to sign the Bond. As Burghley's son-in-law, he would have been under even greater pressure. There is no definitive record whether or not he signed, but it seems likely that he would have.

If we consider that Polonius is in part a reflection of Lord Burghley, then Hamlet's fleeting mention of the biblical Jephthah becomes far more than a simple reference to a man with a daughter whom he sacrificed to his own ambitions, and becomes an oblique commentary on one of the most dangerous political issues of the time – the execution of an anointed queen.

The Stratford man, a 26-year-old provincial with (as yet) no documented connection to London, is unlikely to have dared to pen a play dealing with such potentially explosive subject matter. If, on the other hand, Edward de Vere was Shakespeare, the portrayal of Hamlet's famous “irresolution” may be an accurate, and highly personal, depiction of the state of mind of a signatory to the Bond who subsequently began to question whether it would be lawful or moral to carry out its provisions.

Conclusion

It is impossible to know for certain how closely the text of the hypothetical 1589 *Hamlet* may have resembled the texts of the first and second quartos, or whether this version contained the Jephthah reference. However, given the play's “special emphasis on promises and vows,” and the Elizabethan understanding of the Jephthah story with its emphasis on “unlawful vows,” it is difficult to believe that the reference to Jephthah and his daughter was intended merely as a casual analogy to Polonius and Ophelia.

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Notes

- 1 All quotes are from *William Shakespeare: The Complete Works*, Stephen Orgel and A. R. Braunmuller, eds. Penguin Books, 2002 ed. Most modern editions use the spelling “Jephthah,” although the sixteenth-century spellings varied considerably – Jephtha, Jeffa, Jephthes, Jephthes, etc. The first and second quartos of *Hamlet* and the First Folio used the spelling “Jepha” consistently.
- 2 The first quarto calls the character “Corambis.” The second quarto and the First Folio call him “Polonius.” There is considerable scholarly commentary on the change.
- 3 In the first quarto it was “the godly Ballet.”
- 4 “[Jephthah had] One fair daughter, and no more, The which he lovéd passing well” (2.2.349-350). These lines are printed as a quotation in most modern editions; some editors have suggested that Hamlet sings the lines. However, in Q1, Q2 and F1 there is nothing to distinguish them from ordinary text. The earliest known ballad on the subject – “The Song of Jephthah’s Daughter at her Death” – was entered in the Stationers’ Registers for 1567-8. There is no surviving text, so there is no way to know if there were similarities in phrasing between it and the *Hamlet* text.

There are similarities between the *Hamlet* text and the first stanza of a ballad (which exists in several variants) known from printed texts, all extant copies of which date from more than a century after the First Folio. What appears to be a transcript of a very early printed copy turned up in the Shirburn MS in the library of the Earl of Macclesfield. The part of the manuscript containing the Jephthah ballad was dated 1601-1603, based on the handwriting and other factors (Andrew Clark, ed., *The Shirburn Ballads*, 1585-1616. Oxford: Clarendon Press, 1907). It may have been the same ballad entitled “Jepha Judge of Israel” whose change of ownership was registered – along with 127 others – with the Stationers on 14 December 1624.

- 5 I have found only two significant exceptions. James Black, in his 1978 essay, “Hamlet’s Vows,” noticed the homiletic reference to Jephthah, and makes a very cogent argument that Jephthah’s vow, rather than his daughter, is central to the understanding of the play. Kenneth J. Larsen, in an essay on Sonnet 152, notes the Jephthah reference in the homilies, but does not make the *Hamlet* connection.
- 6 This book, first published in 1547, contained twelve homilies. A second book,

containing 21 additional homilies, was prepared, but the death of Edward VI intervened before it could be published, and it was not until Queen Elizabeth succeeded in 1559 that it eventually reached print. The two books were republished frequently until combined into one volume late in James I's reign. (*The Two Books of Homilies Appointed to be Read in Churches*, ed. John Griffiths. Oxford: University Press, 1859). By royal command, the entire group of 33 homilies were read each Sunday in constant rotation in every church in England during Elizabeth's reign.

- 7 Thomas Becon (c.1511-1567) was a Protestant reformer who at one time served as Edward Seymour's chaplain. He was certainly known to Sir William Cecil, as he dedicated his "Principles of Christian Religion" to "the most gentle and godly disposed child, Master Thomas Cecil," who was Cecil's eldest son (*The Catechism of Thomas Becon*, edited for the Parker Society by the Rev. John Ayre, Cambridge University Press, 1844), p. 480.
- 8 The Ayre edition, unlike the Religious Tract Society's edition of *The Writings of the Rev. Thomas Becon* (1829), includes Becon's marginal notes, which give specific references to the various religious commentators he cited.
- 9 It was originally written in Greek – a language familiar to only a handful of Englishmen at the time – and although it appears to have been completed by 1544, there is no definitive record of when or even if it was ever performed. Christopherson apparently made a Latin translation of the play, which would have been more accessible to an academic audience, but it has disappeared. Given that he was a devout Roman Catholic who died in prison shortly after Elizabeth's accession in 1558, the play would have had scant attraction for a Protestant audience, even an academic one. There are only two extant manuscripts of the Greek version of the play, one each held by St. John's College and Trinity College, Cambridge.
- 10 The Franklin's Tale is the last in what is known as "Fragment V," and the Physician's Tale is the first in "Fragment VI."
- 11 "...In April 1571 the upper house of the convocation ordered that [the Actes] should be set up alongside the bible in all cathedral churches, and in the homes of senior and cathedral clergy. A less formal . . . archepiscopal instruction also required parish churches to provide copies . . . Most copies were probably donated. These orders provide at least a partial explanation for the scale and rapidity with which Foxe's stories and images penetrated the public conscience." – David Loades, "The Early Reception," John Foxe's *The Acts and Monuments Online*, www.johnfoxe.org. (Accessed, February 22, 2015).
- 12 "But when men do swear of custom, in reasoning, buying and selling, or other daily communications, . . . such kind of swearing is ungodly, unlawful, and forbidden

by the commandment of God: for such swearing is nothing but taking of God's holy name in vain..." – *Certain Sermones or Homilies, Appointed to be Read in Churches* . . . (1852), p. 65.

- 13 *Certain Sermones and Homilies*, p. 76.
- 14 *Calendar of State Papers* (Domestic), vol. 174 (October 1584), item 1.
- 15 Meaning that the oath was sworn by placing one's hand physically on the Book of the Gospels, the form today termed a "solemn oath" – that is, the kind of oath one swore in the context of legal proceedings, which could subject one to prosecution if violated.
- 16 This is the accepted form of citation for Acts of Parliament. In this reference, statutes enacted before 1962 are cited by regnal year, chapter number, section, common name or a description of its subject matter, and year" (New York University School of Law, *Guide to Foreign and International Legal Citations* (2006) p. 208)
- 17 The Babington Plot, as it was called, was a scheme to assassinate Elizabeth and place Mary, Queen of Scots on the English throne. Anthony Babington, a young recusant, was recruited by John Ballard, a Jesuit priest, to organize the attempt. Unfortunately for Babington, one of his fellow conspirators was a spy for Sir Francis Walsingham and the group was tried, convicted and executed in September 1586.
- 18 *Cobbett's State Trials*, vol. 1, pp. 1431 ff.
- 19 Strict constructionists are scholars who adhere strictly to the documentary evidence of dating, discounting anecdotal references to a possible pre-1598 version of the play.
- 20 This appellation appears to have been first used by Gregor Sarrazin in his 1892 study of Thomas Kyd.